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New Hampshire

HOUSE RECORD

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Concord, N.H.

Thursday, March 12, 2020

No. 8

HOUSE JOURNAL NO. 7 (Cont'd)

Wednesday, March 11, 2020

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

HOUSE JOURNAL NO. 8

Thursday, March 12, 2020

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

A prayer attributed to Sir Francis Drake, 1577

Disturb us, Lord, when we are too pleased with ourselves, when our dreams have come true because we dreamed too little, when we arrived safely because we sailed too close to the shore. Disturb us, Lord, when with the abundance of things we possess we have lost our thirst for the waters of life; having fallen in love with life, we have ceased to dream of eternity and in our efforts to build a new earth, we have allowed our vision of the new Heaven to dim. Disturb us, Lord, to dare more boldly, to venture on wilder seas where storms will show Your mastery; where losing sight of land, we shall find the stars, we ask You to push back the horizons of our hopes; and to push into the future in strength, courage, hope, and love. This we ask in the name of our Captain, who is Almighty God.

Representative Gerri Cannon, member from Somersworth, led the Pledge of Allegiance.

The National Anthem was sung by Specialist Blair Leavitt from the 215th Army Band, Massachusetts Army National Guard.

LEAVES OF ABSENCE

Reps. Aldrich, Baroody, Bunker, Burns, Chretien, Cordelli, Cote, Coursin, DeClercq, Diggs, Feeney, Frost, Gidge, Gould, Kittredge, Alicia Lekas, Lundgren, Massimilla, McGhee, Oxenham, Pantelakos, Plumer, Schapiro, Thompson, Warner and Wazir, the day, illness.

Reps. Buco, Comtois, Eisner, Fothergill, Gilman, Gourgue, Higgins, Hunt, Indruk, Komi, Mombourquette, Morrill, Rodd, Rung, Spang, St. Clair and Tatro, the day, important business.

Reps. Crawford, DiSilvestro, Nelson, Sandler, Wendy Thomas and Viens, the day, illness in the family.

INTRODUCTION OF GUESTS

Paula Valley Page, guest of Rep. Prudhomme-O'Brien. Fourth graders from Broken Ground School in Concord, guests of Rep. Bartlett.

REGULAR CALENDAR CONT'D FROM MARCH 11, 2020

SPECIAL ORDER

HB 1299, relative to selectmen pro tem on state election day. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Connie Lane for the Majority of Election Law. This bill attempts to address an issue raised by Part 2, Article 32 of the NH State Constitution, which requires that the selectmen be present when the votes for certain elections are received by the moderator. In some towns, there are not enough selectmen to cover all the wards and the constitution is unclear if all selectmen or only a quorum need to be present. While

laudable in its intent, the bill is attempting to modify the constitutional requirement that “the selectmen” be present by allowing only 1 selectman to be present. The proper course to address the dilemma caused by Part 2, Article 32 is to amend the constitution, not to change it via statute. Vote 11-7.

Rep. Barbara Griffin for the Minority of Election Law. This bill attempts to address the ongoing dilemma facing many of our communities when staffing selectmen at the polling places. The current interpretation of our constitution, as set forth by the Secretary of State, is that all selectmen are to be present all day at polling places. Alternatively, it is argued, a quorum of selectmen suffices. In communities with two polling places, having a quorum present at both places is impossible. Additionally, given scheduling issues, it is often impossible to staff the polling place with a quorum during all hours. The minority does not believe the constitution specifies all selectmen or even a quorum. The change proposed by this bill would clarify the requirements for polling place staffing by requiring “at least one selectman” to be present and allow communities with two polling places to be compliant with the law.

CLERK’S NOTE

HB 1299 had a minority report drafted; however it was not released to the Clerk’s Office for printing in the House Calendar. It was due to a clerical error that it was not printed and it is included in the Journal as it was intended by the committee.

Paul C. Smith, Clerk of the NH House of Representatives

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

Rep. Lang spoke against.

(Rep. Ebel in the Chair)

Rep. Lane spoke in favor.

(Speaker Shurtleff in the Chair)

Majority committee report adopted.

REGULAR CALENDAR CONT’D

HB 1136, relative to the duty of school superintendents regarding criminal history records checks. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for the Majority of Education. This bill, as amended, authorizes school superintendents to designate a designee to perform the duties of the superintendent regarding criminal history record checks. The bill also requires the superintendent, chief executive officer of a chartered public school, and designees to attend a training session completed by the Department of Education concerning the reading and interpretation of criminal history records. Vote 17-3.

Rep. Dan Wolf for the Minority of Education. The amendment requires a Department of Education training that does not exist. If the Department of Education does not provide a training, then can the superintendent, or a designee, make a hiring recommendation?

Majority Amendment (0826h)

Amend RSA 189:13-a, III as inserted by section 2 of the bill by replacing it with the following:

III. The superintendent *or designee*, of the school administrative unit or the chief executive officer of the chartered public school or public academy *shall complete department of education training concerning the reading and interpretation of criminal history records and* shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the superintendent *or designee*, of the school administrative unit or the chief executive officer of the chartered public school or public academy shall destroy the information received immediately following review of the information. If the criminal history records information indicates that the applicant has been convicted of any crime or has been charged pending disposition for or convicted of a crime listed in paragraph V, the superintendent *or designee*, of the school administrative unit or the chief executive officer of the chartered public school or public academy shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The superintendent *or designee*, of the school administrative unit or the chief executive officer of the chartered public school or public academy shall destroy any criminal history record information that indicates a criminal record within 60 days of receiving such information.

AMENDED ANALYSIS

This bill permits a specified designee of the superintendent to perform the duties of the superintendent regarding criminal history records checks.

This bill also requires the superintendent or designee to complete training in the reading and interpretation of background check reports.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. Prudhomme-O'Brien moved that **HB 1675-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment, be made a Special Order as the next order of business. Motion adopted.

SPECIAL ORDER

HB 1675-FN, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the Majority of Judiciary. There is no such thing as an abortion up until birth. The idea that there is state law to somehow allow a woman to have an abortion as she gives birth is flat-out untrue — it's simply not how medical care works. In February, the U.S. Senate defeated a similar bill. This bill drives a false narrative. There is no such thing as abortion resulting in "infanticide." Harm to anyone, including a newborn, is illegal. During the committee hearing on this bill, New Hampshire physicians could not even understand the concept that such an action would be considered. If a woman is in labor, she couldn't and wouldn't have an abortion. That suggestion is not only misleading, it is dangerous. Even if a child were to be born after an abortion attempt, laws already exist to protect the baby. In 2002, Congress passed the Born-Alive Infants Protection Act, which guaranteed to infants born at any stage of development full legal rights. Also, see state law on this issue at RSA 132:22. In 2019, governors in North Carolina, Montana, and Wisconsin vetoed similar bills. Vote 12-8.

Rep. Kurt Wuelper for the Minority of Judiciary. This bill makes it clear that in NH, every baby born alive must be given nourishment and appropriate medical care. In NH, seeking an abortion does not trump the inalienable right to life of one accidentally born. All legal abortions remain legal with this law in place. It neither constrains nor harms anyone. It could save the life of an innocent born baby.

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

Reps. Abbas, Jurius, Rooney and Prudhomme-O'Brien spoke against.

Rep. Marjorie Smith spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 177 - NAYS 131**YEAS - 177
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Faulkner, Barry
Ley, Douglas
Von Plinsky, Sparky

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

Berch, Paul
Gomarlo, Jennie
Parkhurst, Henry
Weber, Lucy

Bordenet, John
Harvey, Cathryn
Swinburne, Sandy

COOS

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Davis, Fred
Hall, Brett
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Nutting-Wong, Allison

Bouldin, Andrew
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Freitas, Mary
Hamer, Heidi
Jack, Martin
Langley, Diane
Martin, Joelle
O'Brien, Michael

Backus, Robert
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Goley, Jeffrey
Heath, Mary
King, Mark
Long, Patrick
Mullen, Sue
Pedersen, Michael

Balch, Chris
Bosman, James
Connors, Erika
Espitia, Manny
Griffith, Willis
Herbert, Christopher
Klee, Patricia
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter

Pickering, Daniel
Riel, Cole
St. John, Michelle
Telerski, Laura
Williams, Kermit

Piedra, Israel
Newman, Sue
Stack, Kathryn
Vail, Suzanne
Woodbury, David

Porter, Marjorie
Shaw, Barbara
Stevens, Deb
Van Houten, Constance

Newman, Ray
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

MERRIMACK

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

Buchanan, Ryan
Ellison, Arthur
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wolf, Dan

Carson, Clyde
Fox, Samantha
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

Doherty, David
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Acton, Dennis
Cahill, Michael
Grossman, Gaby
Loughman, Tom
McConnell, Liz
Yokela, Josh

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
Meuse, David

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Somssich, Peter

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Wall, Janet

Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 131

BELKNAP

Bean, Harry
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

COOS

O'Day, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Burt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Somero, Paul

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Lekas, Tony

Barry, Richard
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Murphy, Nancy
Plett, Fred
Rice, Kimberly

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Turcotte, Alan

Horn, Werner
Pearl, Howard
Walsh, Thomas

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Thomas, Douglas
Doucette, Fred

Abrami, Patrick
Chirichiello, Brian
Desilets, Joel
Edwards, Jess

Baldasaro, Al
Costable, Michael
DeSimone, Debra
Elliott, Robert

Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty

Green, Dennis
Hoelzel, Kathleen
Kolodziej, Walter
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Wallace, Scott

Guthrie, Joseph
Osborne, Jason
Love, David
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Spillane, James
Vallone, Mark
Welch, David

Harb, Robert
Janigian, John
Griffin, Mary
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Verville, Kevin
Weyler, Kenneth

Hobson, Deborah
Khan, Aboul
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Vose, Michael

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **HB 1675-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 1675

Representative Abbas: Good morning and thank you, Mister Speaker. I rise in opposition to the committee's recommendation of Inexpedient to Legislate. So, I hope and I pray as a society that we all believe that all living people have a right to life, liberty and property and life, liberty and the pursuit of happiness. HB 1675 clarifies that despite any efforts to terminate a pregnancy, that all children after they are born are entitled to necessary lifesaving medical treatment. At this time, this is already against federal law, however there is no enforcement mechanism at the state level. In addition, what this does do is that it will therefore create a felony if a medical professional does not comply with the law. In addition to that it does create a mandating reporting requirement for anyone who knows or has reason to know that someone in the medical field violates this section. As you understand from my explanation now, this bill doesn't actually put a restriction on anyone's right to seek an abortion or to get an abortion. What this bill does is it addresses circumstances that may occur after the abortion is performed. So, for those that campaigned on the promise that they would support legislation that would uphold Roe v Wade or uphold Casey v Planned Parenthood, if you support this bill, you are not violating or breaching that promise you made to your constituents. You can still be pro choice and support this bill. So if you agree with me, I would ask that you push that red button so that another motion can be made. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass. The Chair recognizes the member from Meredith, Rep. Jurius to speak against the recommendation.

Representative Jurius: Thank you, Mister Speaker. I rise in opposition to the Inexpedient to Legislation motion on HB 1675. The born alive infant protection act is very simple. It says that if a baby is born, she has a right to life and should be given necessary medical attention. I've heard 3 arguments against such protections and law that I would like to rebut. The first is that this bill is an assault on women's rights. This bill is not about abortion. It's about babies. This bill doesn't place any restrictions on abortion. It means that if an abortion is unsuccessful, if I can even use that word, and a baby accidentally lives through a procedure, that baby deserves her best chance of survival. A medical provider cannot just let her die without care. Infanticide is still illegal in our state. No one is allowed to kill a baby, thank God for that. However, a baby who is alive after an attempted abortion can be denied medical care. Any baby denied basic medical care will die and that's what this bill is about. The second is that this bill could be a threat to the health of a mother. A mother who has her pregnancy terminated is at no greater health risk if the baby is accidentally alive when he exits her womb. Lastly, this bill puts doctors in a position to have to give expensive care to a baby who is not viable. This bill clearly states and I'll quote, "Any healthcare provider present at the time the infant is born shall take medically appropriate and reasonable actions to preserve the life and health of the born alive infant." This bill does hold doctors to a higher legal standard than currently exists, although I would think that the Hippocratic Oath would cover this. It does not ask them to run to the ends of the earth. It simply says that they need to provide medically appropriate and reasonable actions. To vote with me against the committee recommendation is to send a strong message that every individual life, no matter how small or vulnerable, is inherently valuable and deserving of care. It is to say that babies who have absolutely no control over how they come into this world, need to be protected. To vote against the committee recommendation is to vote on the side of babies. Please join me in voting against the ITL motion and stand up for the right to life of all babies in our state.

Speaker Shurtleff: The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes the member from Milton, Rep. Rooney to speak against the recommendation.

Representative Rooney: Thank you, Mister Speaker. Honorable colleagues, I'll be brief. I just want to ask you to consider one thing when you are making your decision about this bill. Regardless of your feelings about abortion, I just want to remind you that we are no longer talking about unborn babies. We are talking about newborn babies. Just think about it. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes the member from Derry, Rep. Prudhomme-O'Brien. Now you can go to the well.

Representative Prudhomme-O'Brien: Thank you, Mister Speaker. This morning's prayer was quite poignant. We were asked to be disturbed. We were asked to push forward with strength and courage and hope and I want to thank you if you have already made up your mind on this issue or you think you have made up your mind on this issue because I am about to bring up some issues that you may not have thought of yet. Maybe you have, I don't know, but they were kind of new to me when I started to think about them just a few days ago. Now, I know that we are a very kind body. I know that the people here are kind and that was shown to me yesterday on a voice vote we passed 1650, which enhanced protections for animals that are killed intentionally. HB 1675 states that any infant born alive is deserving of medically appropriate and reasonable care and treatment and requires that abortion providers provide that care. We were told during the committee hearing that this bill is not needed because there is no law in New Hampshire that allows abortion up to birth. Well, this is true. There is also no law that defines a gestational age after which abortion is not allowed in New Hampshire. In absence of that, abortion is allowed at any time during pregnancy in our state. Opponents of this bill also said that infants do not survive abortion and are not born alive and left to die in New Hampshire. But, the most basic abortion statistics in New Hampshire are not known because that industry will not release them. We are repeatedly asked to blindly trust what opponents of this bill say in a manner that would be foolish if applied to any other issue that we were to logically analyze. What am I supposed to think when I meet real people who have survived abortion? Am I to think that they do not exist? Why wouldn't infants sometimes be born alive during abortion procedures now in New Hampshire? Are abortion methods commonly employed now more reliably fatal? That is probably correct and part of this issue, but it would be illogical to assume that the total absence of any abortion information in this state equals the facts. The fact that infants are not now born alive during an abortion in New Hampshire when they have been born alive during abortion in the recent past and in other places. Imagine constantly fighting a narrative that says you do not exist. Milton New Hampshire resident Paula Page is an abortion survivor and she does exist. She will always bear the physical scars of an abortion attempt. Ladies and gentlemen, she's my guest today and she is in the gallery with us right now standing and waving at you if you want to look behind you and see that she's a real person.

Speaker Shurtleff: The House will be in order.

Representative Prudhomme-O'Brien: When I read NH RSA 132:32, I interpret it as that we do not deny that live births during abortion can occur and that doing nothing to preserve the health and life of that born alive infant is in fact a part of the legal definition of abortion in this state. I'll give you a moment if any of you want to call that up on your devices. If leaving born alive infants to perish is simply part of the current definition of abortion in New Hampshire, I suppose the argument that live birth during abortion don't happen in New Hampshire could be made within that context. It's a stretch in my opinion, but perhaps that is what is meant. After all, with the definition of abortion like what we have, it is hard to know when an abortion is actually over. Is it before a live birth or is it after a live birth? RSA 132:32 defines abortion. Abortion means the use or prescription of any instrument medicine drug or any other substance or device intentionally to terminate the pregnancy of a female known to be pregnant with an intention other than to increase the probability of a live birth to preserve the life or health of the child after a live birth or to remove an ectopic pregnancy or the products from a spontaneous miscarriage. That's quite a run-on sentence so I'll parse it. Those that have called up RSA 132:32 on your devices will know that my words remain precise. Abortion means the use of prescriptions, instruments, drugs, any substance to intentionally terminate pregnancy with an intention other than to preserve the life or health of the child after live birth. How did those words get into our state law if they were not exactly what was intended? If infants being born alive and legally being left to die is not what you want in our state, or if you know that your constituents do not want it, please vote against the committee recommendation to kill this bill. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes our last speaker, the member from Durham, Rep. Marjorie Smith.

Representative Marjorie Smith: Mister Speaker, HB 1675 is inflammatory and medically inaccurate. This bill is similar to legislation that has been promoted across the country and in the United States Senate. The United States Senate has recently as February rejected this bill. They rejected it because it drives a false narrative. Harm to anyone, including a newborn, is illegal. It is illegal so let's be absolutely clear. When a child is born, he or she is protected by state and federal laws just like you and just like me. At the public hearing and in executive session, the bill's sponsors and supporters implied that medical professionals are committing egregious and already illegal acts. All medical care in the reproductive health or gynecology field is provided

by medical professionals who are licensed by the New Hampshire Board of Medicine and the New Hampshire Board of Nursing. All health care professionals, whether they are in a hospital or in a health care center, are held to the highest ethical standards and, more importantly, to the same laws as every other resident of New Hampshire. Supporters of the bill have argued, if it doesn't happen there is no harm in the passage of this bill, but that doesn't take into consideration the real-life consequences of this bill. We are talking about situations involving a much-wanted pregnancy, when families want to leave the hospital with their newborn child. We have all gone through that ourselves or we know people close to us who have gone to that. You go to the hospital and you want to come home with a newborn child who you will love and cherish and raise. That is universal. It's what keeps us going as a society. There are rare circumstances where an infant might be born prematurely with a health issue so severe that the most appropriate care involves neonatal hospice. Involved in these situations are advanced medical teams with several different specialties, including neonatal specialists. The danger with this bill is that it restricts and dictates the standards of care in very complicated circumstances and it interferes with the doctors' ability to provide the most appropriate care for the family. Doctors afraid of criminal charges could be forced to take infants away from their parents, under the threat of a criminal charge, in order to provide unnecessary medical treatment that only prolongs suffering. This bill would dictate how a parent gets to spend the last few moments of their child's life. Furthermore, there is already a New Hampshire state law, adopted by this body in 2001, that established the Born-Alive Infant Protection Act. There was no evidence that it was necessary then, and 20 years later there is still no evidence that it's necessary because that's just not how medical care works. When a doctor is trying to do the best job possible and achieve the best possible outcome for families, for mothers and fathers and babies who are in these incredibly difficult situations, seconds count, and they need to focus on care, not on irresponsible laws that have no basis in medicine and criminalize doctors. This bill is solely designed to politicize the provision of health care, especially for women, and perpetuate dangerous and misleading narratives and criminalize doctors who are providing compassionate care for their patients, mothers and babies. New Hampshire has traditionally upheld the values of privacy regarding personal medical decisions. Passage of this bill would be redundant, unnecessary, and would take away parental choices during devastating times. I urge you to support the committee's recommendation of ITL. Thank you, Mister Speaker.

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. Baldasaro has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. Members are reminded, those who haven't already done so to turn on your voting machines. The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes Rep. Notter for a parliamentary inquiry.

Representative Notter: Thank you, Mister Speaker. Mister Speaker, if I know that I have more than once interviewed the nationally known abortion survivor, Janna Jensen. And, if I know that this bill is not about abortion until birth, but about babies like Janna who survived an attempted abortion. And, if I know that appropriate medical care would include neonatal hospice as mentioned in the remarks of the previous speaker. And, if I believe with all my heart that the life of a tiny helpless baby is precious and worthy of protection. Lastly, Mister Speaker, if I know that besides Janna Jensen, abortion survivors nationwide, including the women sitting in the gallery with us today have persuaded me of the need for this legislation, would I then press the red button? Thank you, Mister Speaker.

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

Representative Burroughs: Mister Speaker, if I know that when any infant is born in the State of New Hampshire, that that infant is already protected by state and federal law. And, if I know that doing harm to an infant or failing to deny that infant medical care is already illegal. And, if I know that an abortion only pertains to an embryo or a fetus and does not pertain to an infant, would I then press the green button to vote this bill Inexpedient to Legislate? Thank you, Mister Speaker.

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 177 members voting Yea and 131 voting Nay, the recommendation is adopted.

REGULAR CALENDAR CONT'D

HB 1148, relative to the display of the national motto in schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen Woodcock for the Majority of Education. "In God we Trust" has been found on this country's currency for many a year. During President Eisenhower's term, "under God" was added to the Pledge of Allegiance. However, in consideration of the various religious beliefs (Christian, Jewish, Muslim, Buddhist, Atheist, etc.) that our students bring to the school on a daily basis, the Education Committee supports Inexpedient to Legislate. Vote 12-8.

Rep. Rick Ladd for the Minority of Education. The phrase, "In God We Trust" is our national motto. The phrase appears on our money, legal tender in our state. Our chaplain in the House and her substitutes mention God in their opening prayers. The Pledge of Allegiance, said at the beginning of each House Session, includes the phrase, "one nation under God." The bills we consider include the phrase, "In the Year of our Lord." This bill does not mandate anything, but says "a school board may provide," not "must provide," a durable poster or framed copy of the national motto of the United States, "In God We Trust," for display.

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

Rep. True spoke against.

Rep. Woodcock spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 131

YEAS - 182

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

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

Ames, Richard
Faulkner, Barry
Ley, Douglas
Von Plinsky, Sparky

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

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Weber, Lucy

COOS

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Davis, Fred
Hall, Brett
Schmidt, Janice
Klee, Patricia
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Shaw, Barbara
Stevens, Deb
Vail, Suzanne
Woodbury, David

Bouldin, Andrew
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Freitas, Mary
Hamer, Heidi
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutting-Wong, Allison
Pickering, Daniel
Ober, Russell
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Backus, Robert
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Goley, Jeffrey
Heath, Mary
Judy, Jean
Langley, Diane
Martin, Joelle
O'Brien, Michael
Piedra, Israel
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bosman, James
Connors, Erika
Espitia, Manny
Griffith, Willis
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Myler, Mel
Saunderson, George
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Somssich, Peter
Yokela, Josh

Cahill, Michael
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Sytek, John

STRAFFORD

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

Cannon, Gerri
 Grassie, Chuck
 Levesque, Cassandra
 Rich, Cecilia
 Vincent, Kenneth

Chase, Wendy
 Horrigan, Timothy
 Smith, Marjorie
 Salloway, Jeffrey
 Wall, Janet

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

SULLIVAN

Cloutier, John
 Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 131**BELKNAP**

Bean, Harry
 Lang, Timothy
 Sylvia, Michael

Fields, Dennis
 Mackie, Jonathan
 Tilton, Franklin

Howard, Raymond
 Beaudoin, Richard

Jurius, Deanna
 Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
 Burt, John
 Flanagan, Jack
 Hinch, Richard
 Lascelles, Richard
 Notter, Jeanine
 Proulx, Mark
 Lekas, Tony

Griffin, Barbara
 Camarota, Linda
 Gagne, Larry
 Hopper, Gary
 Marzullo, JP
 Nunez, Hershel
 Prout, Andrew
 Ulery, Jordan

Barry, Richard
 Danielson, David
 Greene, Bob
 L'Heureux, Robert
 McLean, Mark
 Panasiti, Reed
 Renzullo, Andrew

Boehm, Ralph
 Erf, Keith
 Gunski, Michael
 Ober, Lynne
 Murphy, Nancy
 Plett, Fred
 Somero, Paul

MERRIMACK

Allard, James
 McGuire, Carol
 Testerman, Dave
 Yakubovich, Michael

Hill, Gregory
 Moffett, Howard
 Turcotte, Alan

Klose, John
 Pearl, Howard
 Walsh, Thomas

Kotowski, Frank
 Seaworth, Brian
 Wolf, Dan

ROCKINGHAM

Abbas, Daryl
 Barnes, Arthur
 Davis, Dan
 Dolan, Tom
 Gay, Betty
 Hobson, Deborah
 Katsakiores, Phyllis
 Pearson, Mark
 Melvin, Charles
 Piemonte, Tony
 Roy, Terry
 True, Chris
 Welch, David

Abrami, Patrick
 Bershtein, Alan
 Thomas, Douglas
 Doucette, Fred
 Green, Dennis
 Hoelzel, Kathleen
 Khan, Aboul
 Major, Norman
 Milz, David
 Potucek, John
 Pearson, Stephen
 Verville, Kevin
 Weyler, Kenneth

Acton, Dennis
 Chirichiello, Brian
 Desilets, Joel
 Edwards, Jess
 Guthrie, Joseph
 Osborne, Jason
 Love, David
 McKinney, Betsy
 O'Connor, John
 Pratt, Kevin
 Spillane, James
 Vose, Michael

Baldasaro, Al
 Costable, Michael
 DeSimone, Debra
 Elliott, Robert
 Harb, Robert
 Janigian, John
 Griffin, Mary
 McMahon, Charles
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Wallace, Scott

STRAFFORD

Fontneau, Timothy
 Perreault, Mona
 Wuelper, Kurt

Harrington, Michael
 Pitre, Joseph

Hayward, Peter
 Rooney, Abigail

Horgan, James
 Beaudoin, Steven

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **HB 1148**, relative to the display of the national motto in schools, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 1148

Representative True: Thank you, Mister Speaker. Mister Speaker, HB 1148 is a very simple bill which allows the posting of our country's national motto inside our New Hampshire schools. This bill simply allows the posting of our national motto and most certainly it does not demand it. If a school doesn't have the funds available, civic organizations or other nonpublic groups can cover the costs of a durable poster or a framed copy of our country's national motto. Some people have said that we should not post our country's national motto in consideration of the feelings of those who might be offended. So, what would we do with these some people? Shall we not post our national motto? Shall we remove "in God we trust" from our currency? Shall we erase from our oath of office "so help me God?" Shall we ask our House Chaplain to please refrain from saying the word "God" while offering our prayers? Shall the New Hampshire House of Representatives cease citing the Pledge of Allegiance? Some claim they are offended. Please allow me to say this, sticks and stones may break my bones, but there will always be someone who claims something offends them. In closing, please allow me to share with you a pearl of wisdom that my father gave to me when I was a young man. Christopher, he said, do not let people (expletive heard on recording) on you. They'll try to. They'll say you should do what you're told. You should not think for yourself. You should just follow the leader. Don't let people (expletive heard on recording) on you. I'm asking you today, please overturn this ITL so that we can help ensure that our schools in New Hampshire can proudly display our national motto. Please press the red button and don't let anybody (expletive heard on recording) on you.

Speaker Shurtleff: Excuse me, member. We have fourth graders that come in here. Did I just hear you use a four-letter word that we normally don't use? I ask the member that because we have children come in here. We have people my age that feel offended when they hear language, especially from the floor of the New Hampshire House. I would ask the member in the future, and other members, to watch their language and speak appropriately. I missed it the first time. I was told by the Clerk. Please, in the future, as a man of faith, I expect more from you than maybe some others.

Representative True: I apologize if I offended anyone.

Speaker Shurtleff: You offended me.

Representative True: I apologize, Mister Speaker, and I do say this was a 2 ½ minute speech.

Speaker Shurtleff: Bless you for that, but as we go forward, please be cautious. I know the member has a lot of passion when he speaks from the well. If I misunderstood, I apologize to the member. I heard a different word.

Representative True: If I have offended someone, let me say this. Sticks and stones may break my bones, but there will always be someone who claims that something offends them.

Speaker Shurtleff: We know what the blank is.

Representative True: In closing, please allow me to share with you a pearl of wisdom that my father gave to me. Christopher, he said, don't let people should on you. They will say you should do what you're told. They will say you should not think for yourself. They will say you should just follow the leader. Don't let people should on you.

Speaker Shurtleff: The House will be in order. The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes the member from Center Conway, Rep. Woodcock to speak for the recommendation.

Representative Woodcock: Thank you, Mister Speaker.

Representative Kolodziej: Point of order.

Speaker Shurtleff: Please come down to the well and state it. We had this discussion a few weeks ago.

Representative Kolodziej: Thank you, Mister Speaker. Mister Speaker, I think after the rundown you gave that individual, you owe him an apology because he was not saying. He did not say what you thought he might say. He said something different. Thank you, Mister Speaker.

Speaker Shurtleff: Rep. Notter is recognized.

Representative Notter: I don't really know what I'm being recognized for but I was just going to talk to you because I thought I heard that word too, but I saw the look on the Representative's face and he has no idea what we were talking about. The Representative in the front row heard the word that he thought he said.

Speaker Shurtleff: We are going to move along. I thank the member from Merrimack. We are going to move along. Hi Jack. We are going to move along and call up the next speaker. The admonishment on language goes for all of us at all times. As I said, we have heard things that have got very close so be very cautious in what we say. State your point of order.

Representative Flanagan: Thank you, Mister Speaker. You know, Mister Speaker, I do admire you.

Speaker Shurtleff: I know. You are one of my biggest fans. I appreciate your letters.

Representative Flanagan: At 6 foot 3, however, you and I have had numerous discussions about the tone from the rostrum here. I have his speech and it does say should. I think you owe him an apology.

Speaker Shurtleff: That's been asked. Thank you and keep sending those letters. The question before the House is on the recommendation that the bill be Inexpedient to Legislate. The Chair recognizes the member from Center Conway, Rep. Woodcock, to speak for the recommendation.

Representative Woodcock: Thank you, Mister Speaker. Display of the national motto, In God we trust, HB 1148. As a veteran I would like to tell you that this is a patriotic bill. It's an American bill, but it's not. It's a bill that basically just lacks substance. If you read the minority report, the Representative from Haverhill wrote that this bill does not mandate anything. That's his words and he is correct. HB 1148 states that the school board may. There is nothing currently in law that I'm aware of that states the school board may not. I suppose you could bring up the historic conflict between church and state, but I won't go into that or the need to spend funds to create the signs for each school building in the state when school money is at a premium, but I won't go into that. In my short tenure here I have heard over and over again that some of the wise sages on the education committee have said, "Why do we continue to make rules and laws that we don't need?" HB 1148 is exactly one of those laws. As I quoted from the minority report, this bill does not mandate anything. I urge you to vote ITL and press the green button and may we not make more laws that we do not need. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the recommendation that the bill is Inexpedient to Legislate. Rep. Notter has requested a roll call vote. Is that sufficiently seconded. It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes Rep. Elliott for a parliamentary inquiry.

Representative Elliott: Mister Speaker, if I know that the phrase "In God we trust" is not a Christian motto. It is not a Jewish motto and it is not a Muslim motto, but rather was not a religious motto at all. And, if I know that it is a phrase that the United States Congress first used in 1864 when a Civil War was being waged and over 600,000 Northerner and Southerners were killed in battle. And, if I know that Congress was sending a message because the slogan defined us as a nation. I also know that it wasn't until July 31, 1956 that President Dwight D. Eisenhower signed a bill into law declaring "In God we trust" to become the nation's official motto. And, if I know that no other nation in the world is there a private citizen that would say or write or even dare to think about such a motto without the fear of horrible consequences from a dictatorial leader. And, if I know that we have had Presidents from Washington onwards that believed in a divine providence to use Washington's words, which was some kind of an unknown powerful force that has guided our nation for the past.

Speaker Shurtleff: Would my friend from Salem just suspend for a moment? This is a very informative PI, but it is going on a tad long so if we are getting close to the red button part, that would be much appreciated.

Representative Elliott: I've got 30 seconds to go.

Speaker Shurtleff: Could you do it in 29?

Representative Elliott: And, if I know, Mister Speaker, that to remove such a precious motto from our historic past, would send a message to our enemies that we are indeed a godless nation. And, if I know that by saving this sacred motto for our children and our children's children and for all future Americans, we would send a message to the whole world that this day, this hour, this moment, we would be telling them the truth, that we Americans still trust in God. And, if I know that to do otherwise would be act of betrayal to our ancestors and to the entire United States of America. Push the red button. Thank you, Mister Speaker.

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

Representative Vallone: Thank you, Mister Speaker. Mister Speaker, if I know that the motto "In God we trust" is well known throughout this country, having been printed on billions of dollar bills for decades. And, if I know that there is no need for this bill as schools are not prevented from displaying this motto. And, if I know that this bill promotes a motto that was only adopted as law in 1956, which also ignores that our original national motto was "E pluribus Unum," out of many, one, which was first printed on the great seal in 1782, would I not press the green button to ITL this bill?

Speaker Shurtleff: This will be a roll call vote. The question before the House is on 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 had an opportunity to vote? The House will be attentive to the state of the vote. With 182 members voting Yea and 131 voting Nay, the recommendation is adopted.

REGULAR CALENDAR CONT'D

HB 1206, relative to the membership of the state board of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Cole Riel for the Majority of Education. This bill will add two non-voting students to the State Board of Education's membership, similarly to how it is done on many local boards. These members would be able to provide valuable insight and help in the board's deliberations. The amendment provides great detail on the process that will take place to appoint these members and addresses concerns that were raised. Vote 12-6.

Rep. Rick Ladd for the Minority of Education. Although the minority believes that student participation on a board, even as non-voting members, may provide an excellent learning experience, this bill is not yet ready for implementation. During the hearing process, it was communicated that the bill would necessitate funding support, but the bill contains no funding note. It was also brought to the committee's attention that the State Board of Education meets once a month on a weekday, starting at 9:00 a.m., and often continues into the afternoon hours. In addition, the board often meets on different occasions to address rule making, or to attend hearings or information gathering sessions throughout the state. This schedule will most likely conflict with a student's academic obligations and make it extremely difficult for a student from the North Country to attend due to distance and time requirements. Lastly, the student application and selection process is extremely tight. Applications must be submitted to the State Board of Education for consideration by March 15. By April 15, the board shall be required to select six semifinalists and by May 1, the board will submit the names of three finalists for the Governor's selection of the finalist. It is interesting to note that the board does not meet between April 15 and May 1. This bill simply needs more policy consideration.

Majority Amendment (0831h)

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

1 State Board of Education; Members. Amend RSA 21-N:10, I to read as follows:

I. There is hereby established the state board of education consisting of [7] **9 members, 2 of whom shall be students enrolled in a public school**, who shall serve without pay and shall not be technical educators or professionally engaged in school work. The members shall be paid for actual expenses incurred in the performance of their duties out of moneys appropriated for the department of education.

2 New Section; State Board of Education; Student Members. Amend RSA 21-N by inserting after section 10 the following new section:

21-N:10-a Student Members.

I. The governor shall appoint the 2 student members to the state board of education, one of whom shall be in grade 11 and one of whom shall be in grade 12. One of the student members shall attend a public high school in the state's first congressional district at the time of appointment and the other student member shall attend a public high school in the state's second congressional district at the time of appointment. The student members shall be non-voting members. The student members shall not be present during nonpublic meetings.

II. For the school year 2020-2021, a student in grade 11 and a student in grade 12 shall be appointed to the state board. Thereafter, a student in grade 11 shall be appointed each year to the state board. Vacancies shall be filled during the next application period.

III. The state board shall notify every public high school principal in the appropriate congressional district by March 15 of each year that applications are being accepted for student membership.

IV. Applications for the student membership shall be submitted to the state board no later than April 15 of each year. A screening committee of the state board shall select 6 semifinalists for student membership. The state board shall, by May 1 of each year, select 3 finalists for the governor's consideration.

V. Terms of the student members shall begin in September. The term of office of a student member shall end after 2 years or following their 12th grade year, whichever comes first.

VI. At the time a student member's term commences, the student shall:

(a) Be enrolled in good standing in a public high school pursuant to paragraph I.

(b) Have completed 10th grade prior to the commencement of their term.

(c) Provide at least 3 references from teachers in the school that the student attends.

(d) Meet any other criteria established by the state board in consultation with students in the state.

3 Effective Date.

I. Section 1 of this act shall take effect July 1, 2021.

II. The remainder of this act shall take effect January 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 183 members having voted in the affirmative, and 132 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1231, establishing a commission to study approaches to allowing parents or guardians of school children to be educated on the content of non-core topics periodically discussed. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Arthur Ellison for the Majority of Education. The bill, as written, does not include parents or teachers as members of the proposed commission. Since the focus of the legislation proposes active rules for both groups in the commission work, the committee feels that the bill should be found Inexpedient to Legislate. Vote 11-9.

Rep. Dan Wolf for the Minority of Education. Oftentimes, schools conduct parent information meetings after incidents occur or as a reaction to emergency situations. This bill, as amended, would establish a commission whose charge would be to study and recommend approaches to be proactive in educating parents and guardians of New Hampshire children regarding the content of non-core topics periodically being discussed in schools. This commission could hear testimony from all stakeholders to recommend best practices for disseminating this information.

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

Rep. Abrami spoke against.

Rep. Ellison spoke in favor.

On a division vote, with 173 members having voted in the affirmative, and 138 in the negative, the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Spillane moved that the debate on **HB 1299**, relative to selectmen pro tem on state election day, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 1299

Representative Lang: Thank you, Mister Speaker and thank you, body, for special ordering this so that we can cover this not knowing how far we would get yesterday. This bill is a fairly simple bill. I don't know how many selectmen we have in the room, but currently our constitution requires the selectmen, that's all it says, to attend elections in our town process and state election process. What that has caused to happen is; I'm a town moderator as well. Last night, or Tuesday, I swore in three different selectmen pro tems because my town chooses to interpret "the selectmen" as meaning 100% all selectmen must attend. There are other towns that choose to say that it's the quorum and lastly there is a third set of towns that can't even meet the statutory requirement because, or the constitutional requirement because they have two polling districts. You can either get all the selectmen there or you can get the quorum of selectmen there. They have to have it where they either have a quorum or one. What this bill does is define in statute what it means by "the selectmen" and it defines it as meaning one selectmen is present at town elections at all times. The concept was that under the requirement we have a moderator present, a town clerk present or their assistant and a selectman. So you have three different elected officials overseeing town elections. So I'm asking you to overturn the ITL motion and allow us to define what "the selectmen" means as defining as a single selectman meets that criteria. The attorney general's office has ruled that they think it means quorum. They are not sure because there has never been a case brought in this case so it's up to the legislature to define what it means. I'm asking you to overturn the ITL recommendation and push the red button and allow us to make an alternative motion of Ought to Pass so this bill can move forward and fix these problems with our towns. I think Derry is a town that has 7 town selectmen and yet have 2 polling places so they can either meet the all requirement for each polling place. Four polling places, I apologize. They can neither meet the requirement of all at all polling places nor the quorum so they are automatically violating the constitution as it's done so if you read it that way. So I'd ask you to overturn this and let us set a statutory requirement and define this process and move ahead. Thank you very much and again thank you for special ordering this bill although we probably could have taken it up in regular order. Thank you.

Deputy Speaker Ebel: The motion before the House is the majority recommendation of ITL on HB 1299. The Chair recognizes Rep. Lane to speak on behalf of the majority recommendation.

Representative Lane: Good morning. I promise to be brief. While the majority recognizes that this bill is addressing an important dilemma that's faced by selectmen and moderators, the solution flies in the face of Part II, Article 32 of the New Hampshire Constitution. I am a lawyer and while this is kind of nitpicky the committee feels the correct way to address this issue is to do it by constitutional amendment. Part II, Article 2 states that the meetings for the choice of governor, council and senators, shall be warned by warrant from the selectman, and governed by a moderator, who shall, in the presence of the selectmen (whose duty it shall be to attend) in open meeting, receive the votes of all the inhabitants of such towns and wards present and shall in said meetings in the presence of said selectmen sort and count the votes. The constitution clearly requires the selectmen, plural; I'll skip over the sexual discrimination aspect of it, to attend the voting process and the counting of votes. It does not say that only one selectman may attend. It says all must attend. We have a statute that allows substitute selectmen to be appointed to fulfill these constitutional duties. Unfortunately for towns like Tim described. Excuse me, Representative Lang. Unfortunately for towns with more polling places than selectmen or who cannot find enough substitutes, the substitution provision falls short of a solution. The solution to this problem is to amend the constitution, not to enact HB 1299. Thus, the committee found this bill Inexpedient to Legislate. Thank you and I apologize for my transgression.

Speaker Shurtleff: The question before the House is the recommendation that the bill is Inexpedient to Legislate. Are you ready for the question? All those in favor, say Aye. Those opposed, Nay. The Ayes have it and the recommendation is adopted.

REGULAR CALENDAR CONT'D

HB 1232, relative to the burden of proof in special education hearings. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Sue Mullen for the Majority of Education. This bill seeks to shift the burden of proving the appropriateness of a child's special education placement or program on to the school district, or other public agency. The majority of the committee felt they needed additional understanding of burden of persuasion, production, and the impact this change in law would have upon process efficiency. Vote 17-2.

Rep. Glenn Cordelli for the Minority of Education. Currently, the party who brings a case to a special education due process hearing has the burden of proving their case. In most all instances, it is the parents who are bringing cases due to concerns about the special education services proposed for their child. In a U.S. Supreme Court case, the court provided that as the standard, but allowed states the option of shifting the burden of proof. As Justice Ginsburg stated, parents in a hearing are "outgunned" by districts. Districts have resources such as lawyers, staff, and information that are typically not available to parents. This bill attempts to balance the scales by stating that it is school districts that will have the burden of proof in hearings. We owe this to special education parents.

The question being adoption of the majority committee report of Refer for Interim Study.

Majority committee report adopted.

HB 1243, relative to the degree-granting authority of an educational institution in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for the Majority of Education. The authority for a college to grant degrees in the state of New Hampshire is subject to an act of the legislature. This bill would cede control from the legislature to the Department of Education. The committee believes existing law has worked well and this bill is unnecessary. Vote 11-8.

Rep. Rick Ladd for the Minority of Education. This bill, with the proposed amendment, would place in statute a well-defined procedural process regarding the Higher Education Commission's degree granting authority. The bill clarifies and states that no educational institution shall grant degrees unless approved by the higher education commission and then authorized by name to do so by an act of the legislature. It is clearly the responsibility of the higher education commission and not the legislature to receive and approve applications from potential post-secondary institutions wanting to function in New Hampshire.

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

Rep. Ladd spoke against.

Rep. Luneau spoke in favor.

On a division vote, with 177 members having voted in the affirmative, and 135 in the negative, the majority committee report was adopted.

HB 1251, relative to participation in school sports programs for female student-athletes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen Woodcock for the Majority of Education. This bill would subject young students to unnecessary and invasive medical testing, not for any medically necessary reason, but solely because someone disputed their identity. This is blatant discrimination and violates the very protections recommended by the Governor's Advisory Council on Diversity and Inclusion, passed by this legislature, and signed into law by Governor Sununu last year. Beyond our own state laws, this legislation violates Title IX and the U.S. Constitution and, if passed, would subject the state to costly litigation. This bill is a solution to a non-existent problem, goes against years of bipartisan work, and would only serve to exclude transgender youth from full social participation with peers. Vote 13-6.

Rep. Rick Ladd for the Minority of Education. This bill saves girls' and women's sports programs and keeps the title IX gains, hard-fought for fifty years, from being eroded. Reports are growing about the number of female athletes who have been bumped from fixed-number teams, who have unjustly had their records broken, and who have lost their scholarships because of males identifying as female. The bill won't deny any student the opportunity to play sports. It will provide an objective way to keep girls' teams for girls. It will keep things just and fair.

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

Rep. Mark Pearson spoke against and yielded to questions.

Rep. Woodcock spoke in favor.

(Rep. Ebel in the Chair)

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 184 - NAYS 131

YEAS - 184

BELKNAP

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

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

Ames, Richard
Faulkner, Barry
Meador, David
Pearson, William

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

Bordenet, John
Gomarlo, Jennie
Swinburne, Sandy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Bouldin, Andrew
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hamer, Heidi
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Backus, Robert
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Heath, Mary
Judy, Jean
Langley, Diane
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Vail, Suzanne
Woodbury, David

Balch, Chris
Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

MERRIMACK

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

Buchanan, Ryan
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wolf, Dan

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

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Maggiore, Jim
Meuse, David

Berrien, Skip
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Somssich, Peter

Bushway, Patricia
Edgar, Michael
Murray, Kate
McBeath, Rebecca
Ward, Gerald

Cahill, Michael
Gay, Betty
Le, Tamara
McConnell, Liz

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

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

Ellis, Donna
Horriggan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 131**BELKNAP**

Bean, Harry
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Griffin, Barbara
 Camarota, Linda
 Gagne, Larry
 L'Heureux, Robert
 McLean, Mark
 Plett, Fred
 Renzullo, Andrew
 Lekas, Tony

Barry, Richard
 Danielson, David
 Greene, Bob
 Ober, Lynne
 Notter, Jeanine
 Proulx, Mark
 Rice, Kimberly
 Ulery, Jordan

Boehm, Ralph
 Erf, Keith
 Gunski, Michael
 Lascelles, Richard
 Nunez, Hershel
 Prout, Andrew
 Sanborn, Laurie

Burt, John
 Flanagan, Jack
 Hopper, Gary
 Marzullo, JP
 Panasiti, Reed
 Ober, Russell
 Somero, Paul

MERRIMACK

Allard, James
 Kotowski, Frank
 Testerman, Dave

Hill, Gregory
 McGuire, Carol
 Walsh, Thomas

Horn, Werner
 Pearl, Howard
 Yakubovich, Michael

Klose, John
 Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Costable, Michael
 DeSimone, Debra
 Elliott, Robert
 Harb, Robert
 Janigian, John
 Kolodziej, Walter
 Major, Norman
 Milz, David
 Pratt, Kevin
 Spillane, James
 Verville, Kevin
 Weyler, Kenneth

Abrami, Patrick
 Barnes, Arthur
 Davis, Dan
 Dolan, Tom
 Fowler, William
 Hobson, Deborah
 Janvrin, Jason
 Love, David
 McKinney, Betsy
 O'Connor, John
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Vose, Michael
 Yokela, Josh

Abramson, Max
 Bershtein, Alan
 Thomas, Douglas
 Doucette, Fred
 Green, Dennis
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Griffin, Mary
 McMahon, Charles
 Piemonte, Tony
 Roy, Terry
 Torosian, Peter
 Wallace, Scott

Acton, Dennis
 Chirichiello, Brian
 Desilets, Joel
 Edwards, Jess
 Guthrie, Joseph
 Osborne, Jason
 Khan, Aboul
 Pearson, Mark
 Melvin, Charles
 Potucek, John
 Pearson, Stephen
 True, Chris
 Welch, David

STRAFFORD

Harrington, Michael
 Pitre, Joseph

Hayward, Peter
 Rooney, Abigail

Horgan, James
 Beaudoin, Steven

Perreault, Mona
 Wuelper, Kurt

SULLIVAN

Aron, Judy
 Stapleton, Walter

Callum, John
 Smith, Steven

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **HB 1251**, relative to participation in school sports programs for female student-athletes, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 1251

Representative Mark Pearson: Thank you, Mister Speaker. I rise to speak on behalf of HB 1251, relative to participation in school sports programs for female student athletes. This is one of those bills where for myself I see so much the need to be careful, to be wise and to be loving. I was ordained an Episcopal priest 45 years ago and over the years I have enjoyed all kinds of people in the congregations I've served. For 26 years now I've worked alongside my wife in a medial counseling center we established and during that time we've enjoyed all kinds of people as medical patients and counseling clients. We strive to keep them all safe. Now I have long held the Reverend Dr. Martin Luther King in high esteem and underscoring that you cannot get a doctorate in theology from Boston University without hearing a lot about Dr. King because he received the same degree at the same place. Let me read something he presented to the annual convention of the National Bar Association on August 20, 1959. He noted that there were some in the civil rights movement who wanted to punish white people by depriving them of some of their rights, but Dr. King said, "In an effort to achieve freedom in America we must not try to leap from a position of disadvantage to one of advantage, thus subverting justice. We must seek democracy and not the

substitution of one tyranny for another,” and he concluded, “So I would recommend to you a way of love.” This was a difficult balance to achieve, but what were the alternatives? Continued racism on one hand or an extreme kind of black power on the other? Dr. King wanted justice and justice for all and justice for all achieved through love. Fifty years ago part of the Federal Education Amendments gave justice to females in school and college sports. It was recognized that female athletes could not biologically compete with males in sports requiring strength and endurance. More female teams were needed, but there was pushback. Some schools claimed they couldn’t afford more teams. A few even attempted to drop some boys teams so they would fund the girls teams and thereby inflame some against those girls teams. But for the most part girls and women got their sports teams. They would not have equal opportunity to benefit from the high value of personal growth, collaborative support, recognition and leadership development that comes from athletics in all female teams so they could not be disadvantaged by competing with males who have a biological advantage. Those of you who are golfers know immediately of different places to tee off for males and females. Now putting this justice at risk today is the demand that biological males subjectively identifying as females be included on female sports teams. It has actually been said, it has actually been said that this bill is a solution to a nonexistent problem. Even a superficial reading of the news proves this to be false. Even listening to those who have been disadvantaged when testifying here and to the other body proves this false, not to mention some of those disadvantaged who didn’t get a chance to testify to either committee. A growing number of schools’ biological males with average scores on their male teams are outscoring the best females when they join the female teams. Some of them have testified before our committees. Others have given written testimonials and copies of newspaper articles and a literature search yields even more information. Some girls, because of all of this, are losing their school and state records. Some are losing their scholarships, but it isn’t just about elite athletes. What about the mediocre girl who made her team but now will be bumped because her team has a fixed number of people? Political commentator Peter Boyles of Denver references a woman in one of those extreme sports that I can’t stand to watch who is badly injured by a transgendered female. It has been alleged that this bill will keep transgendered girls from participating in sports and I have been screamed at on several occasions you’re keeping my daughter off of sports teams. What it would do is require people to be on the team of their biological sex. There is a team available, but not a realistic availability is for a biological female to join a male team and I think we know why. These people, the biological females are the ones at risk of not having a team. Well when I point this out to those who have screamed at me, their response is I don’t care. By contrast we heard the words of Dr. King. Some people have objected to the procedures used to establish objective, not subjective markers as being insulting and invasive, but one of those procedures is a simple cheek swap. No test is needed under current New Hampshire law because a birth certificate can determine what team the athlete is to play on and how are hormonal injections and genital surgeries not invasive? I recall the physical exams I had to take when I wanted to be on the junior high track team. Turn your head and cough being one that was often done. I was extremely embarrassed by that year after year, but it was part of qualifying to be on a team. This bill is not about disadvantaging transgender individuals in sports any more than that law 48 years ago was about shrinking the number of male participations in sports. Mister Speaker, just as the Education Amendments Act or Title Nine was tweaked several times, I’m sure that sports organizations will find ways to accommodate transgendered wishing to play sports without destroying the intent of the original act or turning the clock back to the dark ages of women’s sports. Shall we be recording this voting for that? Maybe we can as Dr. King said, “Seek democracy and not the institution of one tyranny for another.” Thank you, Mister Speaker and I call for a roll call.

Speaker Shurtleff: Will the member yield to a question? Rep. Flanagan, you may inquire.

Representative Flanagan: Thank you, Mister Speaker and I won’t use any naughty words. To my friend, with approximately 9400 physiological differences between male and female, how does a female athlete compete against a transgender woman?

Representative Mark Pearson: Not very well and we have growing evidence to that. We have records that have been taken away. We have now people who are no longer their state champions because of those differences.

Speaker Shurtleff: Will the member yield to another question? Rep. Horn, you may inquire.

Representative Horn: Thank you, Mister Speaker. Thank you to the kind Representative for taking my question. This isn’t about a subjective philosophy. This is about an object of consequence. Have you heard the stories of female athletes being injured when they are up against a trans athlete?

Representative Mark Pearson: Thank you, Representative for the question. Yes, I have and I referenced Peter Boyles research, which I guess he’s put on his website documenting with some detail of this.

Speaker Shurtleff: The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes the member from Center Conway, Rep. Woodcock, to speak in support of the recommendation.

Representative Woodcock: Thank you, Mister Speaker. It is difficult to understand when you read the title of a bill, participation in schools sports program for female student athletes. Why the bill would create such contention and emotion and objection. Seems pretty clear to me we want women on women’s teams and we want men on men’s teams. Of course we have coed teams and they have both men and women on the same team and we have unified teams with students with intellectual disabilities, which are both men and women on the same team and they don’t discriminate by gender. But basically the bill sounds okay until you get beyond the title. The analysis of the bill says the bill prohibits public schools from permitting a male student to participate in a

student sport designated for females. When you go deeper into the bill it specifies interscholastic, intramural, primary, secondary, higher education. Think back for a minute. Intramurals, we've all played in intramurals or had children who played on intramurals. We've watched youngsters running around, sometimes most of them totally lost in intramurals. They have limited skills; they have a lot of fun. They are playing with their classmates. That's intramural sports. Do we really want to legislate that a 3rd grader can be sent to a doctor for a medical exam to check their internal and external reproductive anatomy to verify their gender? What are we possibly thinking? I question why this only applies to males and not the reverse. What about females playing on boys teams. Most of us recognize that there are many highly skilled female athletes that would put males to shame, not because of their gender, just because they are better athletes and they happen to be female. In reality I don't think the bill really intended to regulate little kids playing intramural sports as part of some elementary after school once a week program. Discussion about 1251, it did include the federal law Title Nine. Yes, Title Nine does many things and has been extremely helpful at leveling the playing field, but the focus of Title Nine back in the day when it came in was about equity. It was about smaller things, equal school budgets for men's basketball and women's basketball, about the same number of games per season regardless if it was the boys teams or girls teams. It was about the same amount of funding for supplies. If boys had \$500 for new uniforms, girls should have \$500 for new uniforms. It was about coaching salaries, men's sports, girls sports, baseball, softball. That was the real backbone of Title Nine. That's where the equity came in. It may seem odd that I'm standing here supporting this bill, but let me give you a little context. I had the pleasure of coaching organized sports, women's sports, at both the high school and collegiate level for over 20 years, pre and post Title Nine. As a dad of a female athlete, both in high school, multiple sports in a four-year single sport starter in college, I value women's sports. I recognize the limited opportunity of women in sports have had over these past decades and I understand the inequities that persisted and they still continue today. Wouldn't you think that equalizing the playing field for all students is the purpose of 1251? But it isn't. The bill is about one thing and one thing only, prohibiting students that are trans athletes from playing on a girls team. That folks is blatant discrimination. These girls are girls. Let me repeat that. Trans girls are girls and belong on a girls team. By the way, trans boys are boys and belong on a boys team. We have heard about the isolated trans girl athlete that apparently is physically stronger than the bulk of her teammates. That's true and those are on rare occasions. We don't create laws to fit the outliers. We make laws for the masses, for the people and we know that trans athletes that take, most take puberty suppressive drugs as they transition and this disparity of size rarely happens. Those are the facts. Those are what we know. New Hampshire's public schools athletic programs are regulated. They are regulated by the NHIAA, which has sound transgender athletic policies. They are already in place. For those of you who may not know, the NHIAA, all it is, is the principal and the athletic director from every single high school in the State of New Hampshire and their job is to create rules that ensure fairness and sportsmanship, equity and safety. The NCAA also has rules to regulate transgender athletes. The fact that 1251 is placed right after discrimination clause is offensive. Section one of the antidiscrimination law that we all read, we all passed and the Governor signed. No person shall be excluded from participation in, denied the benefits of or be subject to discrimination in public schools because of their age, sex, gender, sexual orientation, race, color, marital status, disability, religion, national origin. So why are we, the legislature, trying to step in and establish an athletic participation law that negatively impacts all of our students? It overrides the leadership of our high schools. I will tell you this. This law is not in the best interest of our students. It wasn't designed to limit boys on girls teams. That's not what was designed. It is merely a wolf in sheep's clothing and was designed to keep trans girls from participating with their friends on their appropriate team. It is discrimination plain and simple. Please do not use your vote to support discrimination. Thank you. Vote green on HB 1251.

Deputy Speaker Ebel: Would the speaker accept a question? No. The question before the House is the adoption of the committee report of ITL and Rep. Notter has requested a roll call vote. Is that seconded? It is adequately seconded. There will be a roll call vote. All members please take your seats. The House will come to order. The question before the House is the majority committee recommendation of ITL on HB 1251. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will. I'm sorry, we have a lot of changing of the guards going on here. The Chair recognizes Rep. Ladd for a parliamentary inquiry. I apologize.

Representative Ladd: Thank you very much, Madam Speaker. This PI was written by my daughter who is an elite athlete at Texas A&M and my granddaughter who recently ran the American East Championships for the University of Maine and did a superb job and came in second. Here is the PI that they put together. If I know the challenge for schools and athletic associations is to provide equal opportunity and fairness for all students to participate in athletics. And, if I also know the intent of this bill is to maintain fairness in girls' sports and not to tear down equality gains made by Title One. And, if I further understand by allowing males to participate in female athletics, achievement and gains made in women's sports in activities such as soccer, track, swimming and more will be shredded, would I then press the red button to support protecting fairness and our Title Nine? Thank you.

Deputy Speaker Ebel: The question before the House is the majority recommendation of ITL on HB 1251. The Chair recognizes Rep. Myler for a parliamentary inquiry.

Representative Myler: Thank you, Madam Speaker. If I believe that there are thousands of New Hampshire students currently involved in interscholastic sports and know that transgender students participate in them without incident. If I believe that the vast majority participate in sports for the love of the sport, the competition, the teamwork, the feeling of belonging without the goal of receiving an athletic scholarship. If I believe that the issue in 1251 is not about Title Nine, but is a civil right to participate in teams sports. If I believe that 1251 has an extremely punitive section in proving a student's gender, would I now press the green button and support the committee's ITL recommendation. Thank you, Madam Speaker.

Deputy Speaker Ebel: The question before the House is the majority recommendation of ITL on HB 1251. Now, this is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members had an opportunity to vote? The House will attend to the state of the vote. With 184 Yeas, 131 Nays, the motion of ITL on HB 1251 is adopted.

REGULAR CALENDAR CONT'D

HB 1285, relative to possession of firearms on school property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau for the Majority of Education. It is the majority opinion of the committee that state law is not sufficient to enable New Hampshire law enforcement officers to prohibit the possession of firearms on school property. This bill prohibits possession of a firearm on school property, while allowing an exception for law enforcement officers and persons specifically authorized by local school boards. The amendment details the process for school boards to make this authorization and expands the exemption to include law enforcement officers when on or off duty. This bill would enable a school building administrator to ask a person who is not authorized to carry a firearm on school property to leave and to contact local law enforcement for intervention if necessary. Vote 12-8.

Rep. Rick Ladd for the Minority of Education. The minority is opposed to this bill as it conflicts with the Second Amendment of the United States Constitution that provides the right of people to keep and bear arms. In addition, the bill makes possession of a firearm a class A misdemeanor if a person possesses a firearm at any property used for school purposes such as extra-curricular activities. As amended, the bill identifies public school property, including buildings, grounds, school buses, and vans; however, the definition of school property as defined in RSA 193-D:1, "means all real property, physical plant and equipment used for school purposes, including but not limited to school playgrounds and buses, whether public or private." Some school districts use non-school owned property such as community soccer fields for athletic activities. Under this bill, a person carrying a firearm and who stops to watch a school activity on a community field or other facility not owned by the school, could be in violation of carrying a firearm and receive a class A misdemeanor fine. Lastly, this bill does nothing to enhance safety or prevent a tragic event from taking place on school property. On the contrary, it only impacts the law-abiding citizen who adheres to the law while enabling the dangerous perpetrator who seeks to do harm. This bill is a direct assault on our individual right to possess a firearm for traditionally lawful purposes such as self-defense and does nothing to make our schools a safer environment for students, parents, and school personnel.

Majority Amendment (0601h)

Amend RSA 159:19-b as inserted by section 1 of the bill by replacing it with the following:

159:19-b Possession of a Firearm on School Property.

I. No person shall knowingly possess a firearm on public school property, including buildings, grounds, school buses, and vans. Any person who violates the provisions of this paragraph shall be guilty of a class A misdemeanor.

II. This section shall not apply to:

(a) Any person or persons picking up or dropping off a student, provided the firearm remains in a motor vehicle.

(b) Any person specifically authorized by name and in writing by the school board to possess a firearm on school property. Any school board considering granting such authorization shall first hold at least one public hearing, noticed in the usual manner. At the hearing, the board shall consider whether any persons should be authorized to possess firearms on school property. Following the public hearing, the school board may decide, in a nonpublic session, to authorize specific persons to possess firearms on school property. Any specific authorizations adopted shall specify the weapon that has been authorized, the purpose and scope of the authorization, and the time period for which the authorization applies. Such authorization shall not be subject to RSA 91-A.

(c) Any law enforcement officer, when on or off duty or serving as a school resource officer.

Majority committee amendment adopted.

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

Rep. Horn spoke against.

Reps. Sylvia and Burt spoke against and yielded to questions.

Rep. Luneau spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 141**YEAS - 182
BELKNAP**

Huot, David

Burroughs, Anita
Knirk, JerryButler, Edward
Ticehurst, Susan**CARROLL**DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIREAbbott, Michael
Eaton, Daniel
Harvey, Cathryn
Von Plinsky, SparkyAmes, Richard
Faulkner, Barry
Meader, David
Pearson, WilliamBerch, Paul
Fenton, Donovan
Parkhurst, Henry
Weber, LucyBordenet, John
Gomarlo, Jennie
Swinburne, Sandy**COOS**Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTONAbel, Richard
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, GeorgeAdjutant, Joshua
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, JoyceAlmy, Susan
Ford, Susan
Nordgren, Sharon
Stringham, JerryDontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, Suzanne**HILLSBOROUGH**Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Espitia, Manny
Hall, Brett
Herbert, Christopher
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, MatthewBouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Davis, Fred
Hamer, Heidi
Schmidt, Janice
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, KermitBackus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Freitas, Mary
Harriott-Gathright, Linda
Jeudy, Jean
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, DavidBalch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Griffith, Willis
Heath, Mary
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance**MERRIMACK**Bartlett, Christy
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wells, KennethBuchanan, Ryan
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Woods, GaryCarson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary JaneDoherty, David
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Walz, Mary Beth**ROCKINGHAM**Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, MarkBerrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, GeraldBushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, EllenCahill, Michael
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Somssich, Peter**STRAFFORD**Bixby, Peter
Fargo, Kristina
Kenney, Cam
Schmidt, Peter
Towne, MatthewCannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleven, SusanChase, Wendy
Horriggan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, KennethEllis, Donna
Keans, Sandra
Operbecke, Linn
Southworth, Thomas
Wall, Janet**SULLIVAN**Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 141 BELKNAP

Bean, Harry
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Burt, John
Flanagan, Jack
Gunski, Michael
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hinch, Richard
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Lekas, Tony

Barry, Richard
Danielson, David
Goley, Jeffrey
Hopper, Gary
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Boehm, Ralph
Erf, Keith
Greene, Bob
Jack, Martin
Marzullo, JP
Panasiti, Reed
Ober, Russell
Shaw, Barbara

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Turcotte, Alan

Horn, Werner
Pearl, Howard
Walsh, Thomas

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Vose, Michael
Yokela, Josh

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **HB 1285**, relative to possession of firearms on school property, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 1285

Representative Sylvia: Thank you, Madam Speaker. I haven't done that in many years. I rise to oppose this bill. Once again, this bill violates Part First of our constitution in a couple of sections, certainly 2 and 2A. We have certainly a right to possess property and of course this is a violation of our right to have firearms also. As I said yesterday and I misstated the rule, our House Rules at 44 (d) reads, no committee shall report

with a positive recommendation any bill or resolution which would, if enacted, be a violation of any article of the Constitution of New Hampshire or the Constitution of the United States of America or grant broad rulemaking authority to an agency or department. The vice chairman or another member of each committee shall review all pending legislation and shall advise the chairman and the members of all legislation before the committee which should be reviewed in terms of this Rule. Now, somehow this got through the committee and it's not only a violation of the constitution, it's a violation of the rules. I wasn't recognized for a motion, so I can't do that, but I can tell you at the very least you should want to vote no on this bill.

Deputy Speaker Ebel: Would you take a question?

Representative Verville: Thank you, Madam Chair. Thank you, Representative for taking my question. Representative, are you aware that the New Hampshire School Board's Association came out against this bill?

Representative Sylvia: Thank you for the question. I do believe I heard that and I'm not surprised. We all know that gun-free zones are very dangerous places and I would think that they would like to protect the safety of the children. The safety of the children is not just their physical bodies. There is a real serious problem with terrorizing children and making them live in fear like they are going to be attacked. These drills, and we will get to that on another bill. These, I've got to find friendly words, these thoughts that they are being given are terrorizing them and this is a very harmful thing. They are not in danger in their schools. There is a recent video you can find on YouTube that tells you through statistics that a child is in more danger if they get a ride to school in their car with their parents. That's more dangerous than riding the school bus and riding the school bus is more dangerous than being in class as far as possibilities of some sort of gun violence. So, nobody thinks anything of putting their child onto a school bus, but we terrorize them that sitting in class someone is going to come in and kill them. This is horrifying and I guess that's a long answer to a very good question.

Deputy Speaker Ebel: The Chair recognizes Rep. Horn to speak in opposition to the majority recommendation of OTP/A.

Representative Horn: Thank you, Madam Chair. Sorry, thank you, Madam Speaker. So let's talk practicality for a second. What this bill does is it prohibits people from being armed on school property in direct violation of a federal statute that allows for people who are lawfully permitted from carrying firearms, which means any citizen who has gone through the permitting process would be restricted from carrying their firearm on school grounds. This is important only if something happens. Everyday activities, an ordinary existence, this has no effect, but in Florida there was an incident where there wasn't business as usual, where there wasn't ordinary existence, where having somebody armed as the first person that they criminal encountered would have resulted in a different outcome. There is no question that if the first person that individual encountered when they came onto school grounds with murder in their heart, the outcome changes. And furthermore, when somebody authorized to carry on school grounds showed up in Florida at this institution they sat outside and did nothing for 10 minutes while the body count rose, unacceptable. Unacceptable that anybody would make our children less safe. There are places in the world where mortal danger is a fact of life, where automatic weapons are carried by citizens on a daily basis and nobody bats an eye. There are no horrific exchanges of gunfire in the streets so let's put that nonsense to bed. There is the recognition that the best way to stop somebody from committing harm with a firearm is by somebody shielding with a firearm. This bill makes our kids less safe. It makes people in a community buy into the illusion that they are safer with something like this in place and if this committee report is upheld, your vote is going to be contributing to that illusion. Your vote won't make them safer, but your vote will make them feel safer. So, let's err on the side of practicality. Let's not deny our communities the ability to defend themselves with absolute matching force if that's what's required to keep our children safe. Thank you, Madam Speaker.

Deputy Speaker Ebel: The question before the House is the majority recommendation of OTP/A on HB 1285. The Chair recognizes Rep. Burt to speak in opposition to the majority recommendation.

Representative Burt: Thank you, Madam Speaker. Madam Speaker, HB 1285 is antigun. Madam Speaker, I want to mention my mother because back in the day she kept us safe. When she sent me to school, this was in the 60's and 70's, she knew we had guns in our schools. When I got to a certain age, I could carry one. Nobody cared back then and guess what Madam Speaker; we never had a school shooting? There were very rare incident of that so I want to thank her for keeping me safe. Madam Speaker, I know last year the School Board Association did oppose this. I'm hearing conflict stories that they opposed it this time. I heard that the anti-gunners got a hold of them and whipped them into shape and said you are not supporting it this year so I don't know if they did or not this year. But the reason they did last year is because they did not want this to happen. It's in Section B, II of the bill and it says a person authorized by name and in writing by the school board can carry a gun. Now the problem with that is, is that we have a lot of schools, Hanover and other areas like that, that would never, never vote to allow anybody to carry a gun. Now I do not know in Hanover if any teachers are carrying because none of them called me, but many teachers have called me throughout the state and said they carry. They will do what it takes to make sure their children are safe because just like down in Texas, Madam Speaker, at that church, it was over in 6 seconds. The bad guy pulled the gun out, shot one person, he

was going to start shooting again and luckily there was somebody there with a gun that put a bullet in him and dropped him to the ground, stopped it instantly, 6 seconds. That will not be the case at our schools when, if this passes, when a school shooting happens. I also understand, Madam Speaker, that both sides of parents, a lot of parents that are antigun do not support this and a lot of parents who are progun do not support this because they understand the reality of real life. You make our schools gun free zones and you might as well just put a big banner out there saying hey crazy nut, we are open for business. Madam Speaker, last year I got gaveled. I hope you're not going to gavel me, but last year I did mention about you know whoever votes for this, you know that there will be a school shooting and the blood of those dead children and dead teachers will be on the hands of the people. Now, I'm not going to say that, Madam Speaker.

Deputy Speaker Ebel: Watch your statements. Please continue, but be respectful to the House.

Representative Burt: I am, thank you, Madam Speaker. So, I'm not going to say that, but what I am going to say is that this isn't going to work. We are one of the safest states in the nation. Our schools are the safest schools in the nation and why I believe that is because the people out there that want to do harm to us and to our children understand that we carry guns. That it's not going to be an easy target to just walk into our schools. They don't know which schools carry and I'm not going to tell you which schools told me that the teachers are carrying. Well the actual school didn't say it, the teachers called and told me. That's why they oppose this bill, some of them. So, Madam Speaker, if I know my friends that sit in the cheap seats will vote against this and I hope that you will join me. And, Madam Speaker, I'm not sure if you hear me when I holler roll call up there so I'll say right now that I do want a roll call on this so I hope that you will really look at this. That this is not going to make our schools safe and once the opposition gets up and says that a school board can authorize this, yes, they can according to the bill. Bottom line is they won't. I know many schools that won't so what that will do is it will remove guns from the teachers that are currently carrying that want to protect our children to the end. They are willing to do what it takes. I want to thank those teachers for being that brave because that is brave. I pray that they are never put in this situation, but they are willing. Thank you, Madam Speaker.

Deputy Speaker Ebel: Will the member accept a question? You may inquire.

Representative Harrington: Thank you, Madam Speaker. Thank you, Representative for taking my question. I want to present you with 2 scenarios because that seems like what we are really talking about here. We are going to hear about how people are shot in schools and maniacs go down there with guns and try to shoot as many people as possible. So, let's just explore that for a second and I'd like your opinion on which scenario is more logical. Someone gets up, some nut decides he's going to go down to a school and shoot and kill as many people as he possibly can. He gets his gun, he gets his bag of ammunition, he gets in his car and drives to the school. He sees a sign that says gun free school zone. Now, this is where the question comes in. Is he more likely to say damn it I'm willing to murder people but I'm not going to commit a misdemeanor by carrying a gun on school grounds and go home or is he more than likely to say great no one else has a gun but me, I can go in there and shoot away with impunity?

Representative Burt: Thank you for that question and it is the latter. He will see that gun free zone and he will say great, I've got plenty of time. Like in Columbine, there were 2 policemen there with guns and the kids that did the harm knew where they were so they started at the other end. So, they are not dumb. People that are going to do this harm will continue so press the red button. Thank you, Madam Speaker.

Deputy Speaker Ebel: The question before the House is the majority recommendation of the committee of OTP/A on HB 1285. The Chair recognizes Rep. Luneau to speak in favor of the committee report.

Representative Luneau: Thank you very much, Madam Speaker. HB 1285 is directed to the possession of firearms on school property. State law is not sufficient to enable New Hampshire law enforcement officers to prohibit the possession of firearms on school property. This bill prohibits possession of a firearm on school property while allowing exceptions for law enforcement officers and persons specifically authorized by local school boards. This bill would enable a school building administrator to ask a person who is not authorized to carry a firearm on school property to leave and to contact local law enforcement for intervention if necessary. We've seen similar bills before but this one is a little different with better definitions and privacy protection for those persons who are exempt. Please support the committee report of Ought to Pass as Amended by pressing the green button. Thank you.

Deputy Speaker Ebel: The question before the House is the majority recommendation of OTP/A on HB 1285. Rep. Baldasaro has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. All members please take your seat. Members will please take their seats. The House will come to order. The question before the House is on the majority committee recommendation of OTP/A on HB 1285. The Chair recognizes Rep. Ladd for a parliamentary inquiry.

Representative Ladd: Thank you, Madam Speaker. If I know this bill violates the 2nd Amendment, our right to keep and bear arms. And, if I also understand this bill includes all school property as well as non-school property used for school purposes and through this provision a law-abiding carrying adult passing by or watching a school activity on a community field, would unknowingly be violating and receiving a Class A misdemeanor. And, if I further know this bill will not make schools safer or deter those from doing harm, would I then defeat the bill by targeting the red button? Thank you.

Deputy Speaker Ebel: The question before the House is the majority recommendation of OTP/A on HB 1285. The Chair recognizes Rep. Tanner for a parliamentary inquiry.

Representative Tanner: Thank you, Madam Chair. Madam Speaker, I'm sorry. If I know this bill gives clear definitions of which areas are included in limiting the possession of firearms on school properties. And, if I know that this bill allows law enforcement officers on duty or off duty, members of the armed forces and authorized persons to carry a firearm on school property. And, if I know at the present time when an unauthorized person with a firearm comes to a school and to that secure door at the front with a buzzer and buzzes in, the secretary does not know and has no way of knowing whether that is a good person with a gun or a bad person with murder in their hearts with a gun and the result usually is a lockdown drill. And, if I know that with this bill the principal or the person in charge will have the ability if a person shows up with a firearm to call the police, the police can be contacted and intervene if necessary, would I press the green button to support the committee's recommendation? Thank you.

Deputy Speaker Ebel: The question before the House is on the majority recommendation of OTP/A on HB 1285. This is a roll call vote. 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 had an opportunity to vote? The House will be attentive to the state of the vote. With 182 Yeas, a 141 Nays, the motion passes.

REGULAR CALENDAR CONT'D

HB 1306, relative to the recitation of the Lord's prayer in public elementary schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for the Majority of Education. The United States Supreme Court in 1962 ruled the recitation of the Lord's Prayer in public school is a violation of the First Amendment. Currently, no public school in New Hampshire recites the Lord's Prayer as part of their daily program. Vote 12-6.

Rep. Glenn Cordelli for the Minority of Education. This bill repeals a current statute that allows for voluntary recitation of the Lord's Prayer during exercises related to learning about our freedoms, including the freedom of religion. This exact same bill was recommended Inexpedient to Legislate one year ago by the same Education Committee (and then tabled by the House). This year, the exact same bill was recommended Ought to Pass by the committee. Why? What changed? We are told early on that the basic question to be answered is why is the bill necessary. This year, and last, we had the same testimony that no school in New Hampshire is doing this; so the question stands; why is this repeal necessary, especially when it can be viewed as an attack on religious freedom.

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

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 196 - NAYS 128

YEAS - 196 BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

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

Ames, Richard
Faulkner, Barry
Meader, David
Pearson, William

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

Bordenet, John
Gomarlo, Jennie
Swinburne, Sandy

COOS

Craig, Kevin
Noel, Henry

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald

Backus, Robert
Bernet, Jennifer
Cleaver, Skip

Balch, Chris
Bordy, William
Cohen, Bruce

Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Nunez, Hershel
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Judy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Ober, Russell
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Williams, Kermit

MERRIMACK

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

Buchanan, Ryan
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wolf, Dan

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

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edwards, Jess
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
Cushing, Robert Renny
Grossman, Gaby
Le, Tamara
Malloy, Dennis
Read, Ellen

Bershtein, Alan
DiLorenzo, Charlotte
Grote, Jaci
Loughman, Tom
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Edgar, Michael
Guthrie, Joseph
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

STRAFFORD

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

Cannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

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

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

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 128

BELKNAP

Bean, Harry
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Burt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Prout, Andrew
Somero, Paul

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Renzullo, Andrew
Lekas, Tony

Barry, Richard
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Rice, Kimberly
Ulery, Jordan

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Murphy, Nancy
Proulx, Mark
Sanborn, Laurie

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Thomas, Douglas
Doucette, Fred
Green, Dennis
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Roy, Terry
True, Chris
Welch, David

Abrami, Patrick
Barnes, Arthur
Desilets, Joel
Elliott, Robert
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Chirichiello, Brian
DeSimone, Debra
Fowler, William
Hobson, Deborah
Janvrin, Jason
Love, David
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

Acton, Dennis
Costable, Michael
Dolan, Tom
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

STRAFFORD

Fontneau, Timothy
Perreault, Mona

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1321, establishing a committee to study the reporting criteria of chartered public schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda Tanner for the Majority of Education. This bill redefines the Joint Legislative Oversight Committee for Charter Schools that is in current statute, but has not been meeting or issuing reports for several years. This bill prescribes changes in the committee composition to include members from House and Senate Education and Finance Committees, appointments by the Senate President and Speaker of the House, and a representative from the Department of Education who specializes in Charter Schools. The Oversight Committee remains charged to meet twice a year, receive reports from the State Board of Education on the charter school program, and order recommendations for legislation. Vote 11-8.

Rep. Barbara Shaw for the Minority of Education. This bill repeals RSA 194-B:21 Charter Schools and Open Enrollment Legislative Oversight Committee and establishes a redesigned Joint Legislative Oversight Committee for Chartered Public Schools. In addition to reviewing legislation for recommendation, this bill adds a charge to review the chartered public school system and make recommendations for legislative changes, which is unreasonable and unnecessary. It also requires the State Board of Education to convene one or more working committees to study and make recommendations regarding the implementation and effectiveness of chartered public schools which is already in law, but has not recently been reported to the committee. The report of this committee, as presently in law, must be submitted by November 1, 2020 and could easily address the issues that have surfaced regarding the present statute so that the proper reporting and procedures can be guaranteed.

Majority Amendment (0557h)

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

AN ACT relative to the chartered public school joint legislative oversight committee.

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

1 Chartered Public Schools; Oversight Committee. RSA 194-B:21 is repealed and reenacted to read as follows: 194-B:21 Oversight Committee; Report.

I. There is hereby established a joint legislative oversight committee. The committee shall meet jointly at least twice a year and shall monitor the effect of this chapter, review the chartered public school system, and make recommendations for any legislative changes. Where appropriate, the committee shall also make recommendations to the legislature to reduce the scope of, ease the administration of, simplify compliance with, eliminate regulations of, and reduce the amount of paperwork required.

II. The committee shall include the chairperson of the house education committee or designee, the chairperson of the senate education and workforce development committee or designee, the chairperson of the house finance committee or designee, one representative appointed by the speaker of the house of representatives, one senator appointed by the president of the senate, and one nonvoting representative of the department of education with expertise in charter schools, appointed by the commissioner of the department of education, who shall not be counted in the quorum.

III. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The members of the oversight committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the chairperson of the house education committee. 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.

V. The committee shall submit a written report of its findings and recommendations to the president of the senate, the speaker of the house of representatives, and the chairperson of the house education committee and the senate education and workforce development committee by September 1 of each year.

2 Duties of the State Board of Education. Amend RSA 194-B:17, VI to read as follows:

VI. The state board shall convene one or more working committees to study and make recommendations regarding the implementation and effectiveness of chartered public schools. The recommendations shall be provided to the legislative oversight committee in RSA 194-B:21 *by July 1 of each year.*

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

AMENDED ANALYSIS

This bill establishes the chartered public school joint legislative committee.

On a division vote, with 190 members having voted in the affirmative, and 132 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. Baldasaro requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 137

YEAS - 188

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

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

Ames, Richard
Faulkner, Barry
Meader, David
Pearson, William

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

Bordenet, John
Gomarlo, Jennie
Swinburne, Sandy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Judy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ellison, Arthur

Buchanan, Ryan
Fox, Samantha

Carson, Clyde
Fulweiler, Joyce

Doherty, David
Karrick, David

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

Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, Ellen

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

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

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

Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 137

BELKNAP

Bean, Harry
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Sanborn, Laurie
Ulery, Jordan

Griffin, Barbara
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Radhakrishnan, Julie
Shaw, Barbara
Warden, Mark

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Renzullo, Andrew
Somero, Paul

Burt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Rice, Kimberly
Lekas, Tony

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Milz, David

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McKinney, Betsy
O'Connor, John

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Packard, Sherman

Piemonte, Tony
Roy, Terry
True, Chris
Welch, David

Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1323-L, relative to the statewide assessment report. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sue Mullen for the Majority of Education. This bill would require school districts to provide parents/guardians with statewide assessment data no later than June 30 of each year. The committee heard testimony from school districts that were concerned that staff would not be available after the end of the school year to assist families with understanding test data. Some districts use parent conferences early in the school year for this purpose. Vote 12-7.

Rep. Rick Ladd for the Minority of Education. This bill requires schools to produce and provide parents, teachers, and principals an annual assessment report by June 30 of each year. The Every Student Succeeds Act (ESSA) along with Federal Regulation requires that the results from the annual academic assessments given each spring be "provided to parents and teachers as soon as practicably possible after the test is taken, in an understandable and uniform format, and to the extent practicable, provided in a language that the parents can understand." It has been communicated that in some school situations, test results are not provided to parents until the start of the next school calendar. This is certainly not a timely process and does not provide a parent of a child who needs academic assistance the summer months for needed remediation. This bill was developed for the purpose of ensuring that parents would receive testing results in a timely and informative manner. Receiving test information four months after taking the assessment is not acceptable.

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

Rep. Ladd spoke against.

Rep. Mullen spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 187 - NAYS 139

YEAS - 187 BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

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

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

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

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul

Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy

Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jeudy, Jean
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Williams, Kermit

MERRIMACK

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

Buchanan, Ryan
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

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

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, Ellen

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

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

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

Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 139

BELKNAP

Bean, Harry
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

Von Plinsky, Sparky

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Rice, Kimberly
Ulery, Jordan

Griffin, Barbara
Danielson, David
Greene, Bob
L'Heureux, Robert
Marzullo, JP
Panasiti, Reed
Ober, Russell
Sanborn, Laurie
Warden, Mark

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
McLean, Mark
Plett, Fred
Radhakrishnan, Julie
Somero, Paul

Burt, John
Flanagan, Jack
Hinch, Richard
Langley, Diane
Notter, Jeanine
Proulx, Mark
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Roy, Terry
True, Chris
Welch, David

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 1:40 p.m.

(Speaker Shurtleff in the Chair)

MOTION TO SPECIAL ORDER

Rep. Abrami moved that **HB 1646-FN**, relative to historic racing, be made a Special Order as the next order of business.

Rep. Abrami spoke in favor.

On a division vote, with 136 members having voted in the affirmative, and 169 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 1327, relative to the authority of the department of education. **OUGHT TO PASS.**

Rep. David Luneau for Education. The bill amends the statute to define the authority of the Department of Education. Currently, language defines this authority as limited to the "problems" associated with kindergarten through grade 12. The bill uses better word selection and replaces the word "problems" with "matters." Vote 12-6. Committee report adopted and ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Notter moved that the debate on the motion to special order **HB 1646-FN**, relative to historic racing, be printed in the Permanent Journal.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 150 - NAYS 170

YEAS - 150**BELKNAP**

Bean, Harry
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino
Woodcock, Stephen

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Faulkner, Barry
Pearson, William

Gomarolo, Jennie

O'Day, John

Von Plinsky, Sparky

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTONAdjutant, Joshua
Ladd, RickEgan, Timothy
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

HILLSBOROUGHAlexander, Joe
Burt, John
Espitia, Manny
Griffith, Willis
Judy, Jean
Murray, Megan
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Warden, MarkGriffin, Barbara
Camarota, Linda
Flanagan, Jack
Gunski, Michael
L'Heureux, Robert
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, PaulBarry, Richard
Danielson, David
Gagne, Larry
Hinch, Richard
Ober, Lynne
McLean, Mark
Plett, Fred
Renzullo, Andrew
Smith, TimothyBoehm, Ralph
Erf, Keith
Greene, Bob
Hopper, Gary
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan**MERRIMACK**Allard, James
Kotowski, Frank
Seaworth, Brian
Wolf, DanHill, Gregory
McGuire, Carol
Soucy, Timothy
Yakubovich, MichaelHorn, Werner
Pearl, Howard
Testerman, DaveKlose, John
Schamberg, Thomas
Walsh, Thomas**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, DavidAbrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Loughman, Tom
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Verville, Kevin
Weyler, KennethAbramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, JoshActon, Dennis
Chirichiello, Brian
Desilets, Joel
Edgar, Michael
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Sytek, John
Wallace, Scott**STRAFFORD**Harrington, Michael
Pitre, JosephHayward, Peter
Rooney, AbigailHorgan, James
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt**SULLIVAN**Aron, Judy
Rollins, SkipCallum, John
Stapleton, WalterLaware, Thomas
Smith, Steven

Lucas, Gates

**NAYS - 170
BELKNAP**

Huot, David

CARROLLBurroughs, Anita
Knirk, JerryButler, Edward
Ticehurst, Susan

DesMarais, Edith

Kanzler, Harrison

CHESHIREAbbott, Michael
Eaton, Daniel
Mann, John
Weber, LucyAmes, Richard
Fenton, Donovan
Meader, DavidBerch, Paul
Harvey, Cathryn
Parkhurst, HenryBordenet, John
Ley, Douglas
Swinburne, Sandy**COOS**Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTONAbel, Richard
Fellows, Sallie
Mulligan, Mary Jane
Stringham, JerryAlmy, Susan
Ford, Susan
Osborne, Richard
Smith, SuzanneCampion, Polly
Josephson, Timothy
Ruprecht, Dennis
Sykes, GeorgeDontonville, Roger
Maes, Kevin
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
 Beaulieu, Jane
 Bosman, James
 Connors, Erika
 Dutzy, Sherry
 Hall, Brett
 Herbert, Christopher
 Klee, Patricia
 Mangipudi, Latha
 Nutting-Wong, Allison
 Pickering, Daniel
 Newman, Ray
 Shaw, Barbara
 Stevens, Deb
 Van Houten, Constance

Bouldin, Andrew
 Bergeron, Paul
 Bouchard, Donald
 Cornell, Patricia
 Davis, Fred
 Hamer, Heidi
 Schmidt, Janice
 Klein-Knight, Nicole
 Mullen, Sue
 O'Brien, Michael
 Piedra, Israel
 Radhakrishnan, Julie
 Snow, Kendall
 Telerski, Laura
 Wilhelm, Matthew

Backus, Robert
 Bernet, Jennifer
 Cleaver, Skip
 Dargie, Paul
 Freitas, Mary
 Harriott-Gathright, Linda
 Jack, Martin
 Langley, Diane
 Murphy, Nancy
 Pedersen, Michael
 Porter, Marjorie
 Riel, Cole
 St. John, Michelle
 Toomey, Dan
 Williams, Kermit

Balch, Chris
 Bordy, William
 Cohen, Bruce
 Desjardin, Kathy
 Goley, Jeffrey
 Heath, Mary
 King, Mark
 Long, Patrick
 Nutter-Upham, Frances
 Petrigno, Peter
 Query, Joshua
 Newman, Sue
 Stack, Kathryn
 Vail, Suzanne
 Woodbury, David

MERRIMACK

Bartlett, Christy
 Ebel, Karen
 Karrick, David
 McWilliams, Rebecca
 Rogers, Katherine
 Turcotte, Alan
 Woods, Gary

Buchanan, Ryan
 Ellison, Arthur
 Lane, Connie
 Moffett, Howard
 Saunderson, George
 Wallner, Mary Jane

Carson, Clyde
 Fox, Samantha
 Luneau, David
 Pimentel, Roderick
 Schuett, Dianne
 Walz, Mary Beth

Doherty, David
 Fulweiler, Joyce
 MacKay, James
 Richards, Beth
 Schultz, Kristina
 Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
 Cushing, Robert Renny
 Murray, Kate
 McBeath, Rebecca
 Somssich, Peter

Berrien, Skip
 DiLorenzo, Charlotte
 Le, Tamara
 McConnell, Liz
 Vallone, Mark

Bushway, Patricia
 Grossman, Gaby
 Maggiore, Jim
 Meuse, David
 Ward, Gerald

Cahill, Michael
 Grote, Jaci
 Malloy, Dennis
 Read, Ellen

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Horrigan, Timothy
 Opderbecke, Linn
 Southworth, Thomas

Cannon, Gerri
 Fargo, Kristina
 Kenney, Cam
 Schmidt, Peter
 Towne, Matthew

Chase, Wendy
 Fontneau, Timothy
 Levesque, Cassandra
 Rich, Cecilia
 Vincent, Kenneth

Conley, Casey
 Grassie, Chuck
 Smith, Marjorie
 Salloway, Jeffrey
 Wall, Janet

SULLIVAN

Cloutier, John
 Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

and the motion failed.

REGULAR CALENDAR CONT'D

HB 1334, relative to religious activities of teachers and students in public schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Luneau for the Majority of Education. This bill mandates each school district to conduct a moment of silence during the school day and for schools to support and fund religious clubs and activities to the same extent that the school does for other non-religious clubs and activities. It further would permit public school employees to engage in religious activities during the school day and share religious materials. Under federal law, students already have the right to practice their religion during the school day. However, this bill goes far beyond that with consequences that infringe on the rights of students and their families. Vote 15-3. Rep. Glenn Cordelli for the Minority of Education. This bill replaces two sections of current statute dealing with religious freedoms. HB 1306 repeals a section of statute that allows for voluntary recitation of the Lord's Praying during exercises related to learning about our freedoms, including freedom of religion. Instead of repealing that section, this bill replaces it with a constitutional moment of silence. That moment can be used to meditate, pray, or for any other silent activity. There is also a section of statute dealing with freedom of assembly and religion. That statute limits the exercise of freedom of religion to five minutes before the start of classes. This bill replaces that section with language that defines what courts have ruled to be the religious freedoms of students and teachers. It also specifies that religious clubs must be presented with the same opportunities as non-religious clubs. This is drawn from a number of sources including an American Civil Liberties Union (ACLU) paper and guidance just released by the US Department of Education. It is time that our New Hampshire statutes reflect constitutionally protected freedoms for students and teachers.

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

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 197 - NAYS 125**YEAS - 197
BELKNAP**

Huot, David

Burroughs, Anita
Knirk, JerryButler, Edward
Ticehurst, Susan**CARROLL**DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIREAbbott, Michael
Eaton, Daniel
Harvey, Cathryn
Swinburne, SandyAmes, Richard
Faulkner, Barry
Mann, John
Von Plinsky, SparkyBerch, Paul
Fenton, Donovan
Meader, David
Pearson, WilliamBordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Weber, Lucy**COOS**Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTONAbel, Richard
Dontonville, Roger
Hennessey, Erin
Osborne, Richard
Smith, SuzanneAdjutant, Joshua
Egan, Timothy
Josephson, Timothy
Ruprecht, Dennis
Sykes, GeorgeAlmy, Susan
Fellows, Sallie
Maes, Kevin
Stavis, Laurel
Weston, JoyceCampion, Polly
Ford, Susan
Mulligan, Mary Jane
Stringham, Jerry**HILLSBOROUGH**Bouldin, Amanda
Barry, Richard
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Long, Patrick
Murphy, Nancy
Panasiti, Reed
Piedra, Israel
Ober, Russell
Snow, Kendall
Smith, Timothy
Van Houten, ConstanceBouldin, Andrew
Beaulieu, Jane
Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Nutter-Upham, Frances
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, MatthewBackus, Robert
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, KermitBalch, Chris
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Mullen, Sue
O'Brien, Michael
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Vail, Suzanne
Woodbury, David**MERRIMACK**Bartlett, Christy
Ebel, Karen
Karrick, David
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, GaryBuchanan, Ryan
Ellison, Arthur
Klose, John
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary BethCarson, Clyde
Fox, Samantha
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, KennethDoherty, David
Fulweiler, Joyce
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wolf, Dan**ROCKINGHAM**Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Meuse, David
Vallone, MarkBerrien, Skip
Desilets, Joel
Grote, Jaci
Lovejoy, Patricia
McBride, Everett
O'Connor, John
Ward, GeraldBushway, Patricia
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
McConnell, Liz
Read, EllenCahill, Michael
Edgar, Michael
Le, Tamara
Malloy, Dennis
McMahon, Charles
Somssich, Peter**STRAFFORD**Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Wall, JanetCannon, Gerri
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, ThomasChase, Wendy
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, MatthewConley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

SULLIVANCloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 125**BELKNAP**Bean, Harry
Lang, Timothy
Sylvia, MichaelFields, Dennis
Mackie, Jonathan
Tilton, FranklinHoward, Raymond
Beaudoin, RichardJurius, Deanna
Spanos, Peter**CARROLL**

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGHAlexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Plett, Fred
Renzullo, Andrew
Ulery, JordanGriffin, Barbara
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Proulx, Mark
Rice, Kimberly
Warden, MarkBoehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Sanborn, LaurieBurt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Radhakrishnan, Julie
Somero, Paul**MERRIMACK**Allard, James
McGuire, Carol
Walsh, ThomasHill, Gregory
Pearl, Howard
Yakubovich, MichaelHorn, Werner
Seaworth, BrianKotowski, Frank
Testerman, Dave**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Costable, Michael
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
Melvin, Charles
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, JoshAbrami, Patrick
Barnes, Arthur
Davis, Dan
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
Milz, David
Pratt, Kevin
Sytek, John
Wallace, ScottAbramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Major, Norman
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, DavidActon, Dennis
Chirichello, Brian
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Love, David
McKinney, Betsy
Piemonte, Tony
Roy, Terry
Verville, Kevin
Weyler, Kenneth**STRAFFORD**Harrington, Michael
Pitre, JosephHayward, Peter
Rooney, AbigailHorgan, James
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt**SULLIVAN**Aron, Judy
Rollins, SkipCallum, John
Stapleton, WalterLaware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

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

HB 1423, relative to reports on education tax credit scholarships. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Sue Mullen for the Majority of Education. This bill seeks to add and clarify requirements for reporting of the education tax credit scholarship organizations to the Department of Revenue Administration. The majority of the committee supports greater detail of how funds are distributed and how student academic improvement was determined. Vote 11-8.

Rep. Glenn Cordelli for the Minority of Education. This bill, as presented, has multiple problems. It requires that home school scholarship recipient receipts for expenses be sent to the Department of Revenue Administra-

tion. For what purpose and what is to be done with them? When asked, nobody had an answer. The bill also asks for additional information that will risk the privacy of scholarship recipients. It might impact families' willingness to apply for scholarships. And who would then lose? The kids.

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

YEAS 192 - NAYS 135

YEAS - 192

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meador, David
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, Ellen

Cahill, Michael
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
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Cannon, Gerri
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 135**BELKNAP**

Bean, Harry
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

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Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Burt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Warden, Mark

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Shaw, Barbara

Barry, Richard
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

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Abbas, Daryl
Baldasaro, Al
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DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
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Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Sytek, John
Wallace, Scott

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Verville, Kevin
Weyler, Kenneth

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Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1432, relative to competency assessments. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for the Majority of Education. This bill would require high schools to file a paper copy of competency assessments for each course with the Department of Education. The committee heard testimony that student performance is evaluated in many courses throughout the semester and in a more comprehensive manner that benefits student learning, including the use of formative assessments and capstone projects. Students demonstrate mastery of course competencies over a period of time and not necessarily through a single final exam. Vote 10-8.

Rep. Rick Ladd for the Minority of Education. This bill, with the proposed amendment, would place in law the requirement that every high school have in place a competency assessment for each course offered. A New Hampshire public high school is required to offer 43 courses in accordance with Ed 306, minimum standards for public school approval. The amendment further defines "competency assessment," as there is no definition for this phraseology in rule or law. Competency assessments may include, but not be limited to locally developed common performance assessments designed to identify a student's understanding of standards in course content. Defining competency assessments is necessary in order to better place students in coursework that best fits their academic needs along with assessing student mastery or proficiency.

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

HB 1435, repealing the powers of the state board of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. David Luneau for the Majority of Education. Existing law compares the State Board of Education to a corporate board of directors, which is just not accurate, as only local school boards and governing boards have a fiduciary responsibility to school districts and charter schools. Current law also refers to the board's role to "secure the efficient administration of schools" which is an actually a responsibility of local school boards; and the board's role to administer the "Americanization" of students, which is neither accurate nor an educational objective in today's society. The bill repeals these provisions from law, replaces references to the process of "Americanization of immigrants" with a strong foundation in civics education, and reinforces the goal to abolish illiteracy. The amendment specifies powers of the board to review academic programs, advise the Commissioner of Education, hear appeals of local school board decisions, appoint members to professional standards boards as provided by law, and adopt rules that shall be followed by local school boards and governing bodies. Vote 10-9.

Rep. Glenn Cordelli for the Minority of Education. This bill revise the powers of the State Board of Education and attempts to clarify language. However, there are existing powers that are removed. The primary elimination is that of teaching English to non-English speaking adults/adult education. It was also pointed out that, with other references to the board in statute, there could be unintended consequences. The Chair of the State Board indicated the board was unaware of the bill until the executive session and was unable to take a position.

Majority Amendment (0835h)

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

AN ACT relative to the powers of the state board of education.

Amend the bill by replacing section 1 with the following:

1 State Board of Education; Powers. Amend RSA 186:5 to read as follows:

186:5 Powers. The state board shall: [~~have the same powers of management, supervision, and direction over all public schools in this state as the directors of a business corporation have over its business, except as otherwise limited by law. It may make all rules and regulations necessary for the management of its own business and for the conduct of its officers, employees, and agents, and to secure the efficient administration of the public schools and the administration of the work of Americanization, in teaching English to non-English-speaking adults and in furnishing instruction in the privileges, duties, and responsibilities of citizenship, which is hereby declared to be an essential part of public school education. It shall be the duty of school boards and employees of school districts to comply with the rules and regulations of the state board.]~~

I. Regularly review all programs and activities of the department of education and make recommendations to the commissioner of education with regard to such programs and activities.

II. Advise the commissioner of education relative to department goals, information gathering, and any other aspect of elementary and secondary education within the state of New Hampshire.

III. Hear appeals and issue decisions, which shall be considered final decisions of the department of education for purposes of RSA 541, of any dispute between individuals and school systems or the department of education, except those disputes governed by the provisions of RSA 21-N:4, III.

IV. Appoint members of the professional standards board and other advisory bodies as provided by law.

V. Adopt rules as provided in RSA 21-N:9. It shall be the duty of school boards and governing boards of chartered public schools to comply with the rules and regulations of the state board.

AMENDED ANALYSIS

This bill modifies the powers of the state board of education.
Majority committee amendment adopted.

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

YEAS 192 - NAYS 132**YEAS - 192
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meader, David
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Judy, Jean
Langley, Diane
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, Ellen

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

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 132**BELKNAP**

Bean, Harry
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Shaw, Barbara

Barry, Richard
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

Burt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Warden, Mark

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, Josh

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Sytek, John
Wallace, Scott

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1459, relative to non-academic surveys administered by a public school or a chartered public school to its students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for the Majority of Education. This bill, as amended, requires school districts to notify parents/guardians in writing and, when possible, electronically, when a non-academic survey or questionnaire will be administered at school. The school must make the survey available for parent review ahead of time, and it allows for parents to opt-out if they do not want their child to participate. Vote 11-8.

Rep. Ralph Boehm for the Minority of Education. This is a perennial issue. Parental rights: parents need to give permission to non-academic surveys that ask personal questions as to their family, etc. Questions that, in a lot of cases, are inappropriate for children. Questions that may cause students to question and/or experiment. Such surveys that have nothing to do with education. Parents return school forms for a lot of reasons; field trips, etc. Parents do not return forms for non-academic surveys because they do not want their children questioned. It is none of the school's business, or anyone else's, to ask your children about your family's religion, occupations, political views, etc. And what will the business or organizations that are paying for these surveys do with this information? And remember, no survey is anonymous.

Majority Amendment (0282h)

Amend the bill by replacing section 1 with the following:

1 Duties of the State Board of Education; Non-academic Surveys or Questionnaires. Amend RSA 186:11, IX-d to read as follows:

IX-d. Require school districts *and chartered public schools* to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts *and chartered public schools* to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose *by written notice given via the student. In addition to the written notice, the school district or chartered public school may provide notice electronically.* ~~[The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor.]~~ The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention *and surveys related to other prevention programs funded by the Centers for Disease Control and Prevention.* ~~[The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention.]~~ The school district *or chartered public school* shall make such surveys or questionnaires available, at the school and on the school, *chartered public school*, or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. *The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.* In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

Majority committee amendment adopted.

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

Rep. Boehm spoke against and yielded to questions.

Rep. Mullen spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 186 - NAYS 136

YEAS - 186 BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Mann, John
Pearson, William

Ames, Richard
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

Berch, Paul
Harvey, Cathryn
Swinburne, Sandy

Bordenet, John
Ley, Douglas
Von Plinsky, Sparky

COOS

Moynihan, Wayne

Noel, Henry

Tucker, Edith

Thomas, Yvonne

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Judy, Jean
Langley, Diane
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Diane
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, Ellen

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

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 136**BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

Gomarlo, Jennie

O'Day, John

Merner, Troy

Craig, Kevin

Furbush, Michael

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Burt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Warden, Mark

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Shaw, Barbara

Barry, Richard
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, Josh

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Sytek, John
Wallace, Scott

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1473, requiring schools to have a special education parent advisory council. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for the Majority of Education. This bill, as amended, requires school districts to establish a Special Education Parent Advisory Council to meet with and advise school officials regarding the needs of special education students within their district. An annual meeting will be hosted by each district to inform parents of their rights and the rights of their students. Vote 16-3.

Rep. Alicia Lekas for the Minority of Education. The minority believes that having a Special Education Parent Advisory Council could be very valuable to school districts. We support the amendment. Our only objection is the word "shall." We believe that this should not be mandated, but should be left up to each district.

Majority Amendment (0824h)

Amend RSA 186-C:10 as inserted by section 1 of the bill by deleting paragraph IV.

Amend the bill by deleting section 2 and renumbering the original sections 3-4 to read as 2-3, respectively. Majority committee amendment adopted.

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

YEAS 226 - NAYS 97**YEAS - 226
BELKNAP**

Fields, Dennis
Tilton, Franklin

Huot, David

Jurius, Deanna

Mackie, Jonathan

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
MacDonald, John

DesMarais, Edith
Ticehurst, Susan

Kanzler, Harrison
Woodcock, Stephen

CHESHIRE

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

Ames, Richard
Faulkner, Barry
Ley, Douglas
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meader, David
Weber, Lucy

COOS

Moynihan, Wayne

Noel, Henry

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Gordon, Edward
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Hennessey, Erin
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Maes, Kevin
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Barry, Richard
Bordy, William
Cleaver, Skip
Danielson, David
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Panasiti, Reed
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Hinch, Richard
King, Mark
Lascelles, Richard
Martin, Joelle
Nutting-Wong, Allison
Petrigno, Peter
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Balch, Chris
Bernet, Jennifer
Camarota, Linda
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

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

Buchanan, Ryan
Ellison, Arthur
Klose, John
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

ROCKINGHAM

Abrami, Patrick
Bushway, Patricia
DiLorenzo, Charlotte
Grossman, Gaby
Hoelzel, Kathleen
Lovejoy, Patricia
McBeath, Rebecca
McMahon, Charles
Packard, Sherman
Sytek, John
Welch, David

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Grote, Jaci
Murray, Kate
Pearson, Mark
McBride, Everett
Meuse, David
Read, Ellen
Vallone, Mark

Berrien, Skip
Cushing, Robert Renny
Edwards, Jess
Guthrie, Joseph
Le, Tamara
Maggiore, Jim
McConnell, Liz
Milz, David
Pearson, Stephen
Vose, Michael

Bershtein, Alan
Davis, Dan
Gay, Betty
Harb, Robert
Loughman, Tom
Malloy, Dennis
McKinney, Betsy
O'Connor, John
Somssich, Peter
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Stapleton, Walter

NAYS - 97**BELKNAP**

Bean, Harry
Beaudoin, Richard

Comtois, Barbara
Spanos, Peter

Howard, Raymond
Sylvia, Michael

Lang, Timothy

CARROLL

Avellani, Lino

Comeau, Ed

Marsh, William

CHESHIRE

O'Day, John

Parkhurst, Henry

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Erf, Keith
Gunski, Michael
McLean, Mark
Prout, Andrew
Sanborn, Laurie

Griffin, Barbara
Flanagan, Jack
L'Heureux, Robert
Notter, Jeanine
Ober, Russell
Somero, Paul

Boehm, Ralph
Gagne, Larry
Ober, Lynne
Nunez, Hershel
Renzullo, Andrew
Ulery, Jordan

Burt, John
Greene, Bob
Marzullo, JP
Proulx, Mark
Rice, Kimberly
Warden, Mark

MERRIMACK

Allard, James
Pearl, Howard
Yakubovich, Michael

Hill, Gregory
Seaworth, Brian

Horn, Werner
Testerman, Dave

McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Desilets, Joel
Green, Dennis
Janvrin, Jason
Griffin, Mary
Potucek, John
Torosian, Peter
Yokela, Josh

Abramson, Max
Chirichiello, Brian
DeSimone, Debra
Hobson, Deborah
Katsakiores, Phyllis
Major, Norman
Pratt, Kevin
Verville, Kevin

Acton, Dennis
Costable, Michael
Dolan, Tom
Osborne, Jason
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Wallace, Scott

Baldasaro, Al
Thomas, Douglas
Doucette, Fred
Janigian, John
Love, David
Piemonte, Tony
Roy, Terry
Weyler, Kenneth

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Smith, Steven

Laware, Thomas

Lucas, Gates

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

HB 1487, relative to freedom of speech and association on college campuses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Vallone for the Majority of Education. This bill creates as many problems as it attempts to fix. Student speech is already protected by the First Amendment of the US Constitution and Article 22 of the NH Constitution. This bill would take away some student speech protections at some private schools and may lead to frivolous litigation. Vote 12-7.

Rep. Glenn Cordelli for the Minority of Education. This bill addresses the important topic of freedom of speech on campuses. It states that no public or private institution shall discipline a student for speech that would be protected by the First Amendment if conducted off campus. Religious institutions are excluded to protect their rights. The proposed amendment would address incidents of threatened violence forcing the cancellation of invited speakers.

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

Rep. Lucas spoke against.

Rep. Cornell spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 121**YEAS - 203
BELKNAP**

Huot, David

Mackie, Jonathan

Beaudoin, Richard

Sylvia, Michael

Burroughs, Anita
Ticehurst, SusanButler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIREAbbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, LucyAmes, Richard
Faulkner, Barry
Ley, Douglas
Swinburne, SandyBerch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, SparkyBordenet, John
Gomarlo, Jennie
Meador, David
Pearson, William**COOS**Craig, Kevin
Noel, HenryHatch, William
Tucker, EdithLaflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTONAbel, Richard
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, GeorgeAlmy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, JoyceCampion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, JerryDontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, Suzanne**HILLSBOROUGH**Bouldin, Amanda
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Wilhelm, MatthewBouldin, Andrew
Bernet, Jennifer
Burt, John
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nunez, Hershel
Pedersen, Michael
Porter, Marjorie
Ober, Russell
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Williams, KermitBackus, Robert
Bordy, William
Cleaver, Skip
Dargie, Paul
Davis, Fred
Gunski, Michael
Heath, Mary
Judy, Jean
Langley, Diane
Martin, Joelle
Nutter-Upham, Frances
Petrigno, Peter
Prout, Andrew
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Woodbury, DavidBeaulieu, Jane
Bosman, James
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Warden, Mark**MERRIMACK**Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary BethBuchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, KennethCarson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, GaryDoherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane**ROCKINGHAM**Altschiller, Debra
Costable, Michael
Edgar, Michael
Le, Tamara
Malloy, Dennis
Somssich, Peter
Yokela, JoshBerrien, Skip
Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Vallone, MarkBushway, Patricia
Davis, Dan
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Verville, KevinCahill, Michael
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald**STRAFFORD**Bixby, Peter
Ellis, Donna
Harrington, MichaelCannon, Gerri
Fargo, Kristina
Horrigan, TimothyChase, Wendy
Fontneau, Timothy
Keans, SandraConley, Casey
Grassie, Chuck
Kenney, Cam

Levesque, Cassandra
Rich, Cecilia
Treleven, Susan

Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Schmidt, Peter
Towne, Matthew

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 121

BELKNAP

Bean, Harry
Jurius, Deanna

Comtois, Barbara
Spanos, Peter

Fields, Dennis
Tilton, Franklin

Howard, Raymond

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed

Kanzler, Harrison

MacDonald, John

CHESHIRE

O'Day, John

COOS

Furbush, Michael

Merner, Troy

GRAFTON

Adjutant, Joshua
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Flanagan, Jack
Hopper, Gary
Marzullo, JP
Plett, Fred
Rice, Kimberly

Griffin, Barbara
Camarota, Linda
Gagne, Larry
L'Heureux, Robert
McLean, Mark
Proulx, Mark
Sanborn, Laurie

Balch, Chris
Danielson, David
Greene, Bob
Ober, Lynne
Notter, Jeanine
Radhakrishnan, Julie
Somero, Paul

Barry, Richard
Erf, Keith
Hinch, Richard
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Milz, David
Potucek, John
Roy, Terry
Vose, Michael

Abrami, Patrick
Bershtein, Alan
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Pearson, Stephen
Wallace, Scott

Abramson, Max
Chirichiello, Brian
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Welch, David

Acton, Dennis
Thomas, Douglas
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Major, Norman
Melvin, Charles
Piemonte, Tony
Read, Ellen
Torosian, Peter
Weyler, Kenneth

STRAFFORD

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

Pitre, Joseph

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

Reps. Bershtein and Comeau voted Nay and intended to vote Yea.

HB 1501, establishing a commission to study financial literacy in New Hampshire and to make recommendations for a multi-generational approach to financial education. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for the Majority of Education. The purpose of the bill is to establish a collective wisdom of current financial literacy to assist in providing resources that local teachers and parents may access. Vote 12-6.

Rep. Rick Ladd for the Minority of Education. The minority absolutely agrees that every student benefits from personal financial literacy instruction. The State Board of Education within the Minimum Standards for Public School Approval currently requires financial literacy as a graduation requirement at all NH high schools. This is noted in Ed 306 where every high school student must take a ½ credit in “economics, including personal finance.” If it is perceived that this basic and required course is not satisfactory, it is the Department of Education’s (DOE) responsibility to assess that possibility and to recommend any findings, not that of another study commission. It should also be noted that this proposed commission involves ten members and of that number, five are elected officials. Remaining membership does not involve any representation from classroom teachers, counselors, principals, etc. If a primary purpose of this commission is to make recommendations regarding financial literacy standards and best practices, then the minority believes that the DOE involving classroom practitioners should initiate a serious study without the need for legislation.

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

Majority committee report adopted and ordered to third reading.

HB 1635, requiring climate education in grade and secondary schools. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Vallone for the Majority of Education. While the majority agrees that climate change is an important topic, it is concerned about mandatory hours and course details. An interim study would give the committee the opportunity to work with the Department of Education to review current instruction and curriculum. Vote 13-7.

Rep. Rick Ladd for the Minority of Education. There are many current topics that are deserving of instruction in public schools, but the legislature needs to be careful in changing or modifying the substantive criteria or areas we call instruction and curriculum. First, it is local schools that have “the responsibility and flexibility in implementing diverse educational approaches to instruction and curriculum tailored to meet student needs,” pursuant to RSA 193-E:1, II. Second, there was no evidence presented to the committee during the hearing process that the topic of climate change was not being addressed in all school districts during social studies or science instruction. Third, Ed 306, Minimum Standards for Public School Approval, already mentions within: (1) Social Studies sub topics include: “environment and society; people, places and environment; detecting cause and effect; distinguishing fact from opinion; global transformation; and more” (2) Science sub topics include: “an awareness of and involvement with the natural world, awareness of science-related societal issues, how environment factors affect living systems, renewable and nonrenewable resources, drawing conclusions and inferences from data, and much more.” Fourth, the Department of Education currently has a process in place for updating academic standards of which this has taken place in the area of social studies during the past year. Lastly, there are a number of processes available for public education to address or expand curriculum in order to cover the many important issues impacting our society and world without having to legislate new laws. It should be emphasized, however, that the state’s responsibility is to establish “minimum standards” while “instruction and curriculum” are responsibilities of school districts. The decision to provide instruction and curriculum regarding “climate change,” as with countless other meaningful topics, is a local responsibility.

The question being adoption of the majority committee report of Refer for Interim Study.

Reps. Sylvia and Boehm spoke against.

Rep. Vallone spoke in favor.

Majority committee report adopted.

HB 1636, relative to special education services for children in charter schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Luneau for the Majority of Education. Under long-established state law, the school district where a student resides pays for costs to implement the student’s individualized education program (IEP) regardless of whether the student attends a school in the district of residence or attends any other public school in New Hampshire, including charter schools. This bill would require the school district of residence to pay for 100% of the cost to educate a student with an IEP at a charter school -- not just the IEP costs, but all the costs for the student’s education. This is a sea-change to how charter schools are funded now. The committee recognizes that proponents of the bill would like to see changes to school funding, but a comprehensive approach is required. The commission to study school funding is charged with developing proposals to do this. Vote 12-8.

Rep. Glenn Cordelli for the Minority of Education. This bill addresses the situations in which a student with disabilities is in a public chartered school and receiving services from the resident district - as required by law. There have been issues regarding if the services are to be offered at the charter school or if the student is to be transported back to the resident district for services. The bill does not change state law, but just inserts federal and state special education language as a tool for parents. Too often, parents do not always know all their rights, especially when it comes to individualized education programs (IEP) and the issues around charter school services. This bill places appropriate language in statute for parents’ use in discussions with the district about least restrictive services.

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

Rep. Ladd spoke against.

Rep. Luneau spoke in favor.

On a division vote, with 187 members having voted in the affirmative, and 132 in the negative, the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Beaulieu moved that the debate on **HB 1635**, requiring climate education in grade and secondary schools, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 1635

Representative Sylvia: Thank you, Mister Speaker. I guess I can get away with saying anything at this point, but I won't. Climate change. This is an interesting topic because of course we know that climate change is, it always has for as long as the planet has been spinning. Now when we talk about teaching climate change, we are talking about teaching manmade global warming. It's changed its name and it's now the climate crisis. Frankly, this is another issue where children are being terrified. The world is going to end because of climate change, putting them in a panic and we wonder when the world is going to end when a 5-year-old is going to be 15, how suicide becomes such a problem. These kids are in despair and they are in despair because of the propaganda which is being fed into them.

Speaker Shurtleff: The member will suspend. Someone has raised a point of order. The member will come down to the well. Go to the well and state your point of order.

Representative Herbert: I think the speaker needs to provide citations for some of your opinions.

Speaker Shurtleff: The House will be in order.

Representative Herbert: I'm hearing your statements without facts so I.

Speaker Shurtleff: The House will be in order.

Representative Herbert: I have children and I haven't noticed that they are committing suicide at any elevated level so I just think to keep it on a level keel. So my point of order is make an effort to be believable.

Speaker Shurtleff: Let the Chair say. The House will be in order. You're not back in junior high school. This is the New Hampshire House. Let me say the facts are like beauty, it seems to be in the eye of the beholder. As I say there are three sides to every story, your side, my story and the truth so it's somewhere in between. We take people at their word when they say something but we ask them to be cautious and whatever they say on the House floor that they have some basis in fact. The member may proceed.

Representative Sylvia: Thank you, Mister Speaker. Let me give you a bit of science fact. If we go back oh 12,000 years, I think it was. There was somewhere between a mile and 2 miles of ice up there. The seacoast was out, I'm sorry, off the top of my head, 400 miles. The sea level was 200 meters lower. These are off the top of my head so accuracy, I'm sorry, it could be off. I certainly could be challenged, but we have to understand that this globe keeps spinning, things change, asteroids.

Speaker Shurtleff: The member will suspend. Members may leave the Chamber to go out to the anteroom, but please do so quietly. The member has a right to be heard. The member may proceed.

Representative Sylvia: Thank you, Mister Speaker. So the idea of this curriculum being handed down from the state level. Curriculum is traditionally a local matter. We don't feed this down from the top. In fact if we would have children learning from a local school, we would be better off. So, to feed them something that is not science fact based then we're not giving them information, we are just indoctrinating them into a system of thought that the teachers believe. There is science and we should stick to science. This anthropogenic global warming was a twisted piece of science. It started with a question not of how the climate is changing, if it is. It takes that question, the initial question that started all of this is not what affects climate change. It was let's look and see what man's effect is on climate change. That was the original question and that question said don't look at anything else. Forget about that sun. We don't want to hear about that. We want to know what's the effect that man is having. Now, that's the science and that's where it started and to teach children something that is not science is just plain wrong.

Speaker Shurtleff: The question before the House is the recommendation that the bill is recommended for Interim Study. The Chair recognizes the member from Litchfield, Rep. Boehm to speak against the recommendation.

Representative Boehm: Thank you, Mister Speaker. Interim study what? It's not the legislatures job to put curriculum into law and you can read the minority blurb to see why. But anyway, during the hearing, I asked the question as to why a 1,000 years ago the Vikings were farming in Greenland as it was a whole lot warmer then, than it is now. The answer from a retired science teacher said that never happened. It is documented fact and the years 900 – 1300 is referred to as the Medieval Warm Period. The temperature in the Northern Hemisphere, like I said, was warmer than now. Sea ice decreased during those centuries so sailing from Scandinavia to Greenland became less hazardous. Longer growing seasons made it feasible to

graze cattle, sheep and goats in the meadows along the sheltered fjords of Greenland's southwest coast. This is also proven in the icy cores in Greenland. They'd then travel from Greenland to what is now Canada or Nova Scotia and some evidence that they brought wood back to Greenland. There are probably 5,000 people and 620 farms which they now find below the frozen tundra. Buildings are still there. Then what happened in 1257 or so, a major volcano erupted in Indonesia that triggered the start of the mini ice age. A bishop who traveled from Greenland about 1350 found that the settlement was completely abandoned. That is church documented history. By the way, none of this ever shows up in any global warming scenarios as it messes up their narrative. More recent, it was documented in 1922 that the ice pack again was breaking up and was reported that the seal population was being hurt. In 1912 more proof of that the ice pack was breaking up and that iceberg was further South than it should have been and that's what the Titanic hit and most of us remember the 1970's when it was reported an ice age was coming, probably by the same scientists that now push the climate change narrative. NASA scientists have reported that another cold spell is coming. They were quickly shut out as again it wasn't part of the approved narrative. The point of all this is that any curriculum of climate change should be climate history and maybe that will be discussed in Interim Study. More carbon dioxide in the air results in more plant life. Also something to consider, when sea ice melts, the sea level doesn't change. The ice is already in the sea. That is elementary school science, but at this point, what difference does it make? So, Mister Speaker, I ask for a voice vote and I'll vote yes. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill be referred for Interim Study. The Chair recognizes the member from Epping, Rep. Vallone, to speak in support of the recommendation.

Representative Vallone: Thank you, Mister Speaker. I rise in support of the House Education recommendation to refer this bill to Interim Study. HB 1635 would mandate instruction about climate change in all public-school grades pre-K through grade 12. The majority of the committee agreed that climate change is something that is important and should be taught in schools. The question was about whether legislation was needed and there were some concerns about how prescriptive it was like mandating so many hours in the various grade levels and mandating certain topics. So, the majority of the committee believed that this type of approach runs counter to how we've done education curriculum at the state level. We believe that further investigation is necessary, maybe to help school districts in developing their own effective science curriculum using such documents as those found in the National Science Teaching Association framework for K through 12 science education. So, that is why the majority of the committee suggested Interim Study. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill be referred for Interim Study. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Ayes have it and the recommendation is adopted.

REGULAR CALENDAR CONT'D

HB 1686-FN-L, relative to the Medicaid to schools program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for Education. This bill establishes the changes in statute needed to allow schools across the state to start billing Medicaid again for professional services provided during the school day. The amendment reflects the exact language from SB 684, passed by the House this session, and directed to the same purpose. This bill provides the legislature with a vehicle to make additional changes to the program if necessary once the new rules are enacted. Vote 19-0.

Amendment (0667h)

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

1 Statement of Purpose and Intent. The general court acknowledges the critical importance of ensuring the quality, accessibility, and sustainability of Medicaid services provided in the school setting, as well as ensuring that billing under the program meets all state and federal requirements. The purpose of this act is to strengthen the state's Medicaid to schools and Medicaid to schools for Medical services programs consistent with the Social Security Act. Accordingly, this act shall provide the department of health and human services with the additional authority to adopt administrative rules that maximize the availability of federal financial aid to schools under New Hampshire's Medicaid program. This act also provides a more efficient pathway to allow qualified professionals certified and credentialed by the department of education who are currently providing medical services in public schools to be licensed by medical and health care boards. Finally, this act further facilitates the provision of medical services in the school setting to students who are enrolled in participating public schools and Medicaid, thereby furthering the education and health of New Hampshire's students.

2 Medicaid to Schools Program. RSA 186-C:25, I-III are repealed and reenacted to read as follows:

I. The department of health and human services Medicaid reimbursement program shall be known as the "Medicaid to schools" program, providing medical assistance for covered services furnished to children with disabilities who are enrolled in Medicaid. The purpose of the program is to seek any and all Medicaid reimbursement for medical and health related services provided by local school districts and school administrative units to children with disabilities which are reimbursable under federal law but which were previously fully funded

by such districts or administrative units. The program shall be voluntary and is designed to assist children with disabilities by maintaining them in their own homes and communities. The program shall be administered in the same, or similar, manner as the Medicaid to schools for medical services program established in RSA 167:3-k. This subdivision is intended to provide Medicaid funding for services which, in the absence of such funding, nevertheless qualify as special education or related services under this chapter. It is not the intention of this subdivision to increase school district responsibility or liability beyond what is required by other sections of this chapter.

II. A reimbursable service under this section shall be:

(a) A covered New Hampshire Medicaid state plan service determined by a Medicaid qualified provider to meet accepted standards of medical practice for the service, or such other necessary health care, diagnostic services, treatment, and other measures described in section 1905(a) of the Social Security Act through the Early and Periodic Screening Diagnosis and Treatment (EPSDT) benefit if medically necessary, meaning that the item or service is reasonably calculated to prevent, diagnose, correct, cure, alleviate, or prevent the worsening of conditions that endanger life, cause pain, result in illness or infirmity, threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and no other equally effective course of treatment is available or suitable for the student or individual requesting the medically necessary service;

(b) Provided to a Medicaid enrolled child after obtaining parental consent;

(c) Provided by a Medicaid qualified provider; and

(d) Provided in compliance with applicable state and federal law and rules.

III. Services provided under this subdivision shall:

(a) Offer the least restrictive setting for children receiving the services.

(b) Be in addition to any special education program as defined in the New Hampshire rules for the education of children with disabilities.

III-a. Any provider who orders, refers, prescribes, renders, or provides services under this section shall do so in accordance with the relevant health professional practice act and regulations including, but not limited to, RSA 137-F, RSA 317-A, RSA 326-B, RSA 326-C, RSA 326-E, RSA 326-F, RSA 326-H, RSA 327, RSA 328-A, RSA 328-D, RSA 328-F, RSA 329, RSA 329-B, RSA 330-A, and RSA 330-C.

3 Medicaid to Schools for Medical Services Program. RSA 167:3-k is repealed and reenacted to read as follows:

I. The department of health and human services Medicaid reimbursement program shall be known as the "Medicaid to schools for medical services" program, providing medical assistance for covered services furnished to children in public schools who are enrolled in Medicaid. The purpose of the program is to seek any and all Medicaid reimbursement for medical or health related services provided by local school districts and school administrative units to children which are reimbursable under federal law. General fund dollars allocated to the department of health and human services shall not be used for matching the federal financial participation for Medicaid reimbursement. All matching dollars for Medicaid to schools medical services shall come from the local school districts or school administrative units. The program shall be voluntary and administered by the department in the same, or similar, manner as the Medicaid to schools program established in RSA 186-C:25. This section shall not be construed to increase school district responsibility or liability beyond what is required by other state or federal law.

II. A reimbursable service under this section shall be:

(a) A covered New Hampshire Medicaid state plan service determined by a Medicaid qualified provider to meet accepted standards of medical practice for the service, or such other necessary health care, diagnostic services, treatment, and other measures described in section 1905(a) of the Social Security Act through the Early and Periodic Screening Diagnosis and Treatment (EPSDT) benefit if medically necessary, meaning that the item or service is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions that endanger life, cause pain, result in illness or infirmity, threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and no other equally effective course of treatment is available or suitable for the student/individual requesting the medically necessary service;

(b) Provided to a Medicaid enrolled child after obtaining parental consent;

(c) Provided by a Medicaid qualified provider; and

(d) Provided in compliance with applicable state and federal law and rules.

III. Any provider who orders, refers, prescribes, renders, or provides services under this section shall do so in accordance with the relevant health professional practice act and regulations, including, but not limited to, RSA 137-F, 317-A, 326-B, 326-C, 326-E, 326-F, 326-H, 327, 328-A, 328-D, 328-F, 329, 329-B, 330-A, and 330-C.

IV. The commissioner of the department of health and human services, after consultation with the commissioner of the department of education, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Further defining services eligible for Medicaid reimbursement under this section. In defining such services, the commissioner shall, to the extent practicable, seek to maximize the availability of federal financial assistance to local school districts and school administrative units.

(b) State plans and reimbursement procedures necessary for local school districts or school administrative units to receive appropriate Medicaid reimbursement for eligible services under paragraph II that are provided or paid for by school districts or school administrative units.

(c) Monitoring mechanisms to ensure that services provided under this section meet the requirements of paragraph II. Monitoring responsibilities shall be consistent with the jurisdiction of the different departments.

(d) A financial mechanism by which the federal mandatory matching requirement is met through collection, or other means, of 50 percent of the cost of allowable services from local school districts and/or school administrative units.

V. New Hampshire local school districts or school administrative units shall be the enrolled Medicaid providers for the purpose of administration and billing.

4 Nurse Practice Act; Scope of Practice; Licensed Nursing Assistant. Amend RSA 326-B:14, II-a(b) to read as follows:

(b) A licensed nurse delegates the task of medication administration to the LNA who is employed in the home care, hospice, residential care, **public school**, or adult day care setting. The board, in consultation with the commissioner of health and human services or a designee, shall adopt rules under RSA 541-A establishing standards for such delegation of medication administration which include, but are not limited to, limitations on the number of delegations per assistive personnel, training and competency requirements, documentation requirements, and medication administration error reporting requirements.

5 New Section; Licensed School Psychologist-Doctoral and Licensed School Psychologist-Specialist. Amend RSA 329-B by inserting after section 15 the following new section:

329-B:15-a Licensed School Psychologist-Doctoral and Licensed School Psychologist-Specialist.

I. The board shall issue a license for the title of licensed school psychologist-doctoral to any person who has a doctoral degree in psychology and:

(a) Is certified as a school psychologist by the New Hampshire department of education, bureau of credentialing; and

(b) Has completed all of the following requirements:

(1) Has passed a satisfactory examination in psychology as determined by the board including a national school psychologists' examination.

(2) Has met education and other requirements determined by the board.

(3) Is of good professional character.

(4) Has submitted a complete set of fingerprints and a criminal history records release form in accordance with RSA 329-B:14-a.

(5) Has paid all fees established by the office of professional licensure and certification established under RSA 310-A:1-a and collected by the board.

II. The board shall issue a license for the title of licensed school psychologist-specialist to any person who does not have a doctoral degree and:

(a) Is certified as a school psychologist by the New Hampshire department of education, bureau of credentialing; and

(b) Has completed all of the following requirements:

(1) Has passed a satisfactory examination in psychology as determined by the board including a national school psychologists' examination.

(2) Has met education and other requirements determined by the board.

(3) Is of good professional character.

(4) Has submitted a complete set of fingerprints and a criminal history records release form in accordance with RSA 329-B:14-a.

(5) Has paid all fees established by the office of professional licensure and certification established under RSA 310-A:1-a and collected by the board.

III. The following shall apply to those school psychologists who are certified by the department of education on the effective date of this section:

(a) Each certified school psychologist in good standing who holds a doctoral degree in psychology shall be licensed as licensed school psychologist-doctoral.

(b) Each certified school psychologist in good standing who does not hold a doctoral degree in psychology shall be licensed as licensed school psychologist-specialist.

(c) Those certified school psychologists who are subject to discipline or are under review, or who are under investigation shall be reviewed by the board which shall grant, deny, or issue a license with conditions as determined by the board.

(d) Those school psychologists granted licenses under this paragraph shall be exempt from fees for the initial license period which shall extend beyond that individual's certification in school psychology by 3 months and shall include an additional year for those whose certifications from the department of education would expire in June of 2020. Following that time, such individual shall be eligible for renewal under the rules established by the board and upon payment of the applicable fee.

IV. Examinations for applicants under this section shall be held by the board at least once each year. The board shall determine the subject and scope of the examination, which may be written, oral, or both. If an applicant fails the examination, the board shall deny the license or specify conditions under which the applicant may be admitted to a future examination according to board rules.

V. Unless otherwise licensed under another provision, a licensed school psychologist-doctoral or licensed school psychologist-specialist licensure is for services provided in those settings that are provided in an educational institution. No persons licensed under this section may provide services outside such settings if the services are directly related to the client's improvement of school functioning including but not limited to learning, development, social and emotional functioning, and behavior, but any services provided outside of the school shall relate to such person's students and his or her employment in a school. No persons licensed under this section shall hold themselves out as psychologists, psychological examiners, or by any business name incorporating variations of those titles other than school psychologists or nationally certified school psychologists unless they are otherwise licensed under another provision.

VI. The board shall provide materials and information concerning licensed school psychologists-doctoral and licensed school psychologists-specialist to the department of education bureau of credentialing that will further the proper administration of the credentials of each department.

6 New Paragraphs; psychologists; definitions; Licensed School Psychologist-Doctoral and Licensed School Psychologist-Specialist. Amend RSA 329-B:2 by inserting after paragraph IV the following new paragraphs:

IV-a. "Licensed school psychologist-doctoral" means any person licensed as a licensed school psychologist-doctoral under RSA 329-B:15-a.

IV-b. "Licensed school psychologist-specialist" means any person licensed as a licensed school psychologist-specialist under RSA 329-B:15-a.

7 Psychologists; Board; Definitions. Amend RSA 329-B:2, VI-XI to read as follows:

VI. "Professional conduct investigator" means a trained psychologist, ***licensed school psychologist-doctoral, or licensed school psychologist-specialist*** licensed by the board who acts as the agent of the board under the guidance of the board investigator and is authorized to discover facts and make reports to the board.

VII. "Psychology practice ***by a licensed psychologist***" means:

(a) The observation, description, evaluation, interpretation, prediction, and modification of human behavior by the application of psychological principles, methods, and procedures, for the purposes of:

(1) Preventing, eliminating, evaluating, assessing, or predicting symptomatic, maladaptive, or undesired behavior;

(2) Evaluating, assessing, or facilitating the enhancement of individual, group, or organizational effectiveness, including personal effectiveness, adaptive behavior, interpersonal relationships, work and life adjustment, health, and individual, group, or organizational performance; or

(3) Assisting in legal decision-making.

(b) Psychological testing and the evaluation or assessment of personal characteristics, such as intelligence; personality; cognitive, physical, and emotional abilities; skills; interests; aptitudes; and neuropsychological functioning;

(c) Counseling, consultation, psychoanalysis, psychotherapy, hypnosis, biofeedback, and behavior analysis and therapy;

(d) Diagnosis, treatment, and management of mental and emotional disorder or disability, alcoholism and substance abuse, disorders of habit or conduct, and the psychological and behavioral aspects of medical/physical illness, accident, injury, or disability;

(e) Psycho-educational evaluation, therapy, and remediation;

(f) Consultation ***and coordination*** with other psychologists, physicians, other health care professionals, and patients regarding all available treatment options, including medication, with respect to provision of care for a specific client or patient or group;

(g) Provision of direct services to individuals or groups for the purpose of enhancing individual and organizational effectiveness, or using psychological principles, methods, or procedures to assess and evaluate individuals on personal characteristics for individual development or behavior change, or for making decisions about the individual, such as selection;

(h) Provision of any of these services or activities by any means, including electronic or telephonic; and

(i) The supervision, ***ordering, referring, and prescribing*** of any of these services or activities;

The practice of psychology shall be construed within the meaning of this definition without regard to whether payment is received for services rendered.

VIII. "Psychology services ***by a licensed psychologist***" means the observation, description, evaluation, interpretation, diagnosis, and modification of human behavior by the application of psychological and systems principles, methods, and procedures for the purpose of preventing or eliminating symptomatic, maladapted, or undesirable behavior and of enhancing interpersonal relationships, work and life adjustments, personal effectiveness, behavioral health, and mental health, as well as the diagnosis and treatment of the psychological and social aspects of physical illness, accident, injury, or disability. Psychology services may include, but shall not be limited to, those services based on diagnosis and treatment of mental and emotional disorders and psycho-educational or consultative techniques integral to the treatment of such disorders when diagnosis is specified in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders, published

by the American Psychiatric Association, The International Classification of Disease Manual (ICD), or an equivalent of such manual as determined by the board. Psychological services may be rendered to individuals, families, groups, systems, or organizations.

IX. "Psychologist" means any person licensed as a psychologist under **RSA 329-B:15**.

X. "Psychology intern, resident, or fellow" means a person in training as a psychologist, subject to the provisions of this chapter and regulation by the board.

XI. "Psychotherapist" means a psychologist, **licensed school psychologist-doctoral, or licensed school psychologist-specialist** licensed under this chapter who performs or purports to perform psychotherapy.

8 New Paragraphs; Psychologists; Board; Definitions. Amend RSA 329-B:2 by inserting after paragraph XII the following new paragraphs:

XII-a. "School psychology practice" by a licensed school psychologist-doctoral or licensed school psychologist-specialist" means:

(a) Practices that permeate all aspects of service delivery through:

- (1) Data-based decision making and accountability; and
- (2) Consultation, coordination, and collaboration;

(b) Direct and indirect services for children, families, and schools which include:

(1) Student-level services including;

(A) Conducting, interpreting, and communicating the findings of assessments of students, including but not limited to their:

- (i) Intellectual ability.
- (ii) Cognitive processing.
- (iii) Academic achievement.
- (iv) Behavior.
- (v) Social and emotional functioning.
- (vi) Learning environments.
- (vii) Adaptive functioning.

(B) Designing, implementing, monitoring, and adapting instructional and behavioral supports and interventions;

(C) Creating, implementing, evaluating, ordering, referring, and prescribing mental health interventions and direct services to develop social/emotional and life skills;

(2) Systems-level services including:

(A) Interacting effectively in a school setting by understanding systems, roles, curriculum, instruction, and assessment to promote socialization, learning, and mental health; and

(B) Implementing and evaluating school wide practices that promote learning; and

(3) Preventative and responsive services including:

(A) Applying principles of resilience and risk factors in learning and mental health;

(B) Promoting multi-tiered systems of support; and

(C) Formulating evidence-based strategies for effective crisis preparation, response, and recovery;

and

(4) Foundations of professional school psychological services which include:

(A) Understanding and analyzing the diversity in human development and learning including culture, context and individual differences;

(B) Explaining typical and atypical psychological and educational development in children and youth;

(C) Synthesizing, evaluating and applying theories and models of research, empirical findings, and techniques related to student learning;

(D) Utilizing research design, statistics, measurement, and varied data collection and analysis techniques;

(E) Designing and implementing program evaluation to support evidence-based practices at the individual, group, and/or systems levels;

(F) Integrating the history and foundations of psychology into a professional identity and practice as a school psychologist; and

(G) Adhering to ethical, legal and professional standards including:

(i) Ethical and professional decision making; and

(ii) Professional work characteristics and disposition that reflect personal integrity.

XII-b. "School psychology services" by a licensed school psychologist-doctoral or licensed psychologist-specialist" means the provision of services related only to functioning at school and transition to post-secondary goals, including: the observation, description, evaluation, interpretation, diagnosis, and modification of human behavior by the application of psychological and systems principles, methods, and procedures for the purpose of preventing or eliminating symptomatic, maladapted, or undesirable behavior and of enhancing

interpersonal relationships, school and life adjustments, personal effectiveness, behavioral health, and mental health, as well as the diagnosis and treatment of the psychological and social aspects of physical illness, accident, injury, or disability. School psychology services may include, but shall not be limited to, those services based on diagnosis and treatment of mental and emotional disorders and psycho-educational or consultative techniques integral to the treatment of such disorders when diagnosis is specified in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders, published by the American Psychiatric Association, The International Classification of Disease Manual (ICD), or an equivalent of such manual as determined by the board. School psychological services may be rendered to individuals, families, groups, systems, or organizations within school settings and other locations as provided in RSA 329-B:15-a V.

9 Board of Psychologists. Amend RSA 329-B:3, I to read as follows:

I. There shall be a board of psychologists composed of 5 licensed psychologists, ***one licensed school psychologist-doctoral or licensed school psychologist-specialist***, and 3 public members. The members shall be appointed to a term of 3 years by the governor with the approval of the council. The members of the board shall elect a chairperson on an annual basis. Chairperson terms shall alternate between [psychologist] ***licensees*** and public members.

10 New Paragraph; Board of Psychologists. Amend RSA 329-B:3 by inserting after paragraph III the following new paragraph:

IV. On occasions when the licensed school psychologist board member is recused on a matter, inquiry, or case concerning a licensed school psychologist-doctoral, licensed school psychologist-specialist, or application for such before the board, then a licensed school psychologist-doctoral or licensed school psychologist-specialist from the school psychologist advisory committee shall be allowed to stand in to address the board business for the licensed school psychologist-doctoral or licensed school psychologist-specialist board member for that matter only.

11 Psychologists; Board; Committees Established, Duties. RSA 329-B:4, I-III are repealed and reenacted to read as follows:

I. The board shall create 2 advisory committees for the purpose of assisting the board in its responsibilities under this chapter, including rulemaking under RSA 329-B:10.

(a) The psychologists advisory committee shall be chaired by a psychologist board member appointed by the board which shall have a maximum of 12 members, including up to 9 psychologists and up to 3 consumers appointed by the board.

(b) Members of the licensed school psychology advisory committee shall be appointed by the board and shall include: A licensed school psychologist-doctoral board member who shall be the chairperson of the committee, up to 9 licensed school psychologist-doctoral or licensed school psychologist-specialist members, and up to 3 consumer members who shall be school administrative personnel and/or parents of students, and one representative from the department of education bureau of credentialing. There shall be a maximum of 13 members.

II. The board shall create 2 committees for professional conduct investigations, one for licensed psychologists, and one for licensed school psychologist-doctoral and licensed school psychologist-specialists, for the purpose of assisting the board in its responsibilities under RSA 329-B:22 and RSA 329-B:23. A board investigator, appointed by the chairperson of the board with the advice and consent of the board, shall chair the professional conduct investigation committees. The balance of the membership of the professional conduct investigation committees shall be composed of persons licensed by the board for the committee's respective profession to a maximum of 12 members.

III. The board shall create a professional's health committee to administer the professional's health program which shall address issues that may impinge on a practitioner's ability to practice. A board member, appointed by the chairperson of the board with the advice and consent of the board, shall chair the professional's health committee. The balance of the membership of the professional's health committee shall be composed of persons licensed by the board to a maximum of 12 members.

12 New Paragraph; Board of Psychologists; Qualifications; Administrative Members. Amend RSA 329-B:6 by inserting after paragraph III the following new paragraph:

IV. Each public member of the board and the advisory committees shall be a resident of this state.

13 Psychologists; Board; Organization and Meetings. Amend RSA 329-B:9, I-II to read as follows:

I. The board shall hold regular annual meetings. Other meetings of the board shall be held at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ ***A majority of the members of the board who have been approved by the governor and council*** shall constitute a quorum.

II. When a quorum is not available for just and timely resolution of a specific matter, former board members ***or members of the advisory committees*** may be appointed by the board to serve as acting board members for purposes of obtaining the minimum quorum in the resolution of that specific matter or in an adjudicatory hearing. ***Advisory committee members shall have the same qualification as the missing or recused board member.***

14 Psychologists; Board; Responsibilities and Rulemaking Authority. Amend RSA 329-B:10, VII to read as follows:

VII.(a) Ethical standards, as promulgated by the American Psychological Association, required to be met by each psychologist licensed under this chapter, and how a **psychologist** license may be revoked for violation of these standards.

(b) **Ethical standards, as promulgated by the National Association of School Psychologists, required to be met by each licensed school psychologist-doctoral and licensed school psychologist-specialist licensed under this chapter, and how a licensed school psychologist-doctoral or licensed school psychologist-specialist license may be revoked for violation of these standards.**

(c) **Competence standards for licensees under this chapter.**

15 Psychologists; Board; Responsibilities and Rulemaking Authority. Amend RSA 329-B:10, IX-X to read as follows:

IX. Establishment of the scope of practice for psychologists, **licensed school psychologist-doctoral, and licensed school psychologist-specialist.**

X. Procedures for assuring the continuing competence of psychologists, **licensed school psychologists-doctoral, and licensed school psychologists-specialist** licensed under this chapter including, but not limited to, continuing education requirements, and the professional's health program.

16 Psychologists; Board; Responsibilities and Rulemaking Authority. Amend RSA 329-B:10, XIV to read as follows:

XIV. Requirements to be met by licensees relative to the disclosure of information to **clients**, patients and the general public concerning the nature of psychological **and school psychological services** and the responsibilities of psychologists, **licensed school psychologists-doctoral, and licensed school psychologists-specialist** to clients or patients in RSA 329-B:32.

17 Psychologists; Board; Unlawful Practice; Penalty. Amend RSA 329-B:17 to read as follows:

329-B:17 Unlawful Practice; Penalty.

I. Except as provided in RSA 329-B:20 and RSA 329-B:28, it shall be unlawful for any person to be engaged in psychology, **licensed school psychology-doctoral, or licensed school psychology-specialist** practice unless that person is licensed by the board or working under the direct supervision of a person licensed by the board. The license of such person shall be current and valid. It shall be unlawful for any person to practice as or to refer to oneself as a psychologist, **licensed school psychology-doctoral, or licensed school psychology-specialist** or use the word "psychology" or "psychological" in such person's title or in the title of such person's work products unless that person is licensed by the board or working under the direct supervision of a person licensed by the board.

II. Except as otherwise provided in this chapter, any person who violates paragraph I or paragraph III of this section or who violates any of the other provisions of this chapter relating to psychology, or, having had his or her license suspended or revoked, shall continue to represent himself or herself as a licensed psychologist, **licensed school psychology-doctoral, or licensed school psychology-specialist**, shall be guilty of a class A misdemeanor if a natural person, and a felony if any other person, and each violation shall be deemed a separate offense.

III. Any person whose license under this chapter has been suspended or revoked by the board for disciplinary action under RSA 329-B:21 or sexual misconduct under RSA 329-B:30 shall not engage in psychology, **licensed school psychology-doctoral, or licensed school psychology-specialist** practice as defined in RSA 329-B:2, VII and VIII unless and until the suspension or revocation of the license has been lifted.

18 Psychologists; Board; Definitions. Amend RSA 329-B:18 to read as follows:

329-B:18 Injunction. The board may request the attorney general to commence an action to enjoin the operation of any person engaged in practicing unlicensed psychology, **licensed school psychology-doctoral, or licensed school psychology-specialist** in violation of this chapter. Said action shall be filed in the superior court.

19 Psychologists; Board; Civil Claims. Amend RSA 329-B:19 to read as follows:

329-B:19 Civil Claims. Any person injured by the actions of a person engaged in the practice of unlicensed psychology, **licensed school psychology-doctoral, or licensed school psychology-specialist** in violation of any of the provisions of this chapter may bring a civil action to recover damages suffered by reason of the violations.

20 Psychologists; Board; Temporary and Emergency Applicants from Other States. Amend RSA 329-B:20 to read as follows:

329-B:20 Temporary and Emergency Applicants From Other States.

Any psychologist, **licensed school psychologist-doctoral, or licensed school psychologist-specialist** practicing pursuant to this section shall conform his or her practice to the mandates of this chapter and the rules of the board. Any psychologist, **licensed school psychologist-doctoral, or licensed school psychologist-specialist** seeking to practice under this section shall register with the board in a manner determined by the board.

I. An individual licensed to practice psychology *or school psychology* in another jurisdiction may practice psychology, *licensed school psychologist-doctoral, or licensed school psychologist-specialist in accordance with this chapter* in New Hampshire [without] *by* applying for a license, if:

(a) The psychologist, *licensed school psychologist-doctoral, or licensed school psychologist-specialist* limits her or his practice in New Hampshire to no more than 30 days per year; and

(b) The psychologist, *licensed school psychologist-doctoral, or licensed school psychologist-specialist* is not the subject of a past or pending disciplinary action in another jurisdiction; and

(c) At least one of the following is true:

(1) [~~The requirements for a license in the former jurisdiction are equal to, or exceed, the requirements for licensure in New Hampshire; or~~

(2)] The psychologist is the holder of one of the following credentials:

(A) The Association of State and Provincial Psychology Boards (ASPPB) Certificate of Professional Qualification in Psychology (CPQ);

(B) The ASPPB Interjurisdictional Practice Certificate (IPC);

(C) The American Board of Professional Psychology (ABPP) certification;

(D) The National Register of Health Providers in Psychology certification; or

(E) Other equivalent qualifications determined by the board.

(2) *The school psychologist is:*

(A) *The holder of the Nationally Certified School Psychologist (NCSP), credentialed by the National Association of School Psychologists, or other equivalent qualifications determined by the board; and*

(B) *Approved by the board to be knowledgeable in state practice as determined by the board.*

(d) *An individual licensed to practice psychology in another jurisdiction seeking to perform an evaluation under a court order may be allowed a temporary license for no more than 30 days which may be non-consecutive during a 12 month period, providing he or she qualifies under subparagraphs (b) and (c)(1).*

(e) *An individual seeking temporary licensure shall submit the application and pay the fee determined by the office of professional licensure and certification.*

II. An individual licensed to practice psychology *or school psychology* in another jurisdiction who is providing services in response to a declared disaster, under the American Red Cross or the American Psychological Association's Disaster Response Network, or other such agency so designated by the board, may practice psychology in New Hampshire for no more than 60 days per year without applying for a state license. Any psychologist practicing pursuant to this paragraph shall conform his or her practice to the mandates of this chapter and rules of the board. Any psychologist seeking to practice under this paragraph shall register with the board or cause said organization to make such registration in a manner determined by the board.

III. The board may issue a temporary license to practice for not more than 90 days in a 12-month period to a psychologist who is licensed in another jurisdiction and who has applied for a temporary license to practice psychology in New Hampshire, provided that:

(a) The requirements for licensure in the licensing jurisdiction are equal to or exceed the requirements for licensure in New Hampshire; [and]

(b) The applying psychologist meets the requirements for admission to the examination process in New Hampshire; [and]

(c) The psychologist is not the subject of a past or pending disciplinary action in another jurisdiction[.] *and*

(d) *The individual submits an application and pays the fee determined by the office of professional licensure and certification.*

21 Psychologists; Board; Investigations and Complaints. Amend RSA 329-B:22, III to read as follows:

III. After determining the nature and scope of an investigation or hearing, the board may employ or retain hearing officers, legal counsel, medical advisors, psychologist *or school psychology* advisors, or investigators through the office of professional licensure and certification to assist with that investigation or hearing. Members of the board are not eligible for retention.

22 Psychologists; Board; Expirations, Renewals, Reinstatements, and Inactive Status. RSA 329-B:25 is repealed and reenacted to read as follows:

I. It shall be the duty of the board to notify every person licensed by the board under this chapter of the date of expiration of the license and the amount of the fee that shall be required for its renewal period. Such notice shall be mailed at least 2 months in advance of the date of expiration of such license. Renewal shall be conditional upon filing a timely and complete renewal application and payment of the renewal fee.

(a) Psychologist licenses shall be valid for a period of 2 years and shall become invalid on the expiration date unless renewed or reinstated, which shall be for a 2 year period.

(b) Licensed school psychologist-doctoral and licensed school psychologist-specialist licenses shall be valid for a period of 3 years and shall become invalid on the expiration date unless renewed or reinstated, which shall be for a 3 year period.

II. If a license is not renewed it may be reinstated not later than 6 months after the date of license expiration upon compliance with rules adopted by the board and payment of the reinstatement fee. A license may be placed on inactive status pursuant to rules adopted by the board.

III. Upon the request of a person licensed by the board who is a member of any reserve component of the armed forces of the United States or the national guard and is called to active duty, the board shall place such person's license on inactive status. The license may be reactivated, after notification to the board, within one year of the person's release from active duty by application to the board of psychologists providing that no more than 4 years has passed since the change to inactive status.

23 Psychologists; Board; Expirations, Renewals, Reinstatements, and Inactive Status. Amend RSA 329-B:27, IV to read as follows:

IV. Except for administrative rules relating to establishing and collecting fees for psychologists, administrative rules pertaining to psychologists adopted under RSA 330-A that are in effect on June 30, 2012, shall remain in effect and be administered by the board of psychologists under RSA 329-B until such rules are amended, repealed, superseded, or expired. ~~[The board of mental health practice shall continue to have responsibility to establish and collect fees for psychologists.]~~

24 New Paragraphs; Psychologists; Board; Expirations, Renewals, Reinstatements, and Inactive Status. Amend RSA 329-B:27 by inserting after paragraph V the following new paragraphs:

VI. All complaints in process pertaining to school psychologists or their trainees under certificate consideration, investigation, supervision, discipline, settlement, consent decree, and all other like matters under RSA 21-N on the effective date of this paragraph shall be communicated to the board under this chapter.

VII. All corrective supervision agreements pertaining to school psychologists, associate school psychologists, and school psychology students in effect or under consideration under RSA 21-N on the effective date of this paragraph shall be communicated to the board under this chapter.

VIII. Any doctoral level school psychologist who served on the board established under RSA 21-N prior to the effective date of this paragraph shall be considered a former member of the board established under this chapter.

25 Psychologists; Board; Persons Exempted. Amend RSA 329-B:28, II to read as follows:

II. Nothing in this chapter shall be construed to prevent the New Hampshire department of education from credentialing individuals with the title *certified* school psychologist or *certified* associate school psychologists to provide school psychological services in those settings that are under the purview of the New Hampshire department of education. In addition, nothing in this chapter shall be construed to limit the ability of an educator in the field of psychology in a duly chartered educational institution to use his or her appropriate title.

26 Psychologists; Board; Psychology Client-Patient Bill of Rights. Amend RSA 329-B:32 to read as follows:

329-B:32 Psychology Client-Patient Bill of Rights. The board shall provide guidance for the provision of informed consent for client or patient rights, based on the professional codes of ethics as they apply in the variety of settings in which psychologists, *licensed school psychologist-doctoral, or licensed school psychologist-specialists* practice. When addressing the patient or client rights, reasonable accommodations shall be made for those persons who cannot read or who have communication impairments and those who do not understand English.

27 New Subparagraph; Department of Education; Division of Educator Support and Higher Education. Amend RSA 21-N:8-a, I by inserting after subparagraph (c) the following new subparagraph:

(d) Provide materials and information concerning certificate holders to boards providing licenses relative to Medicaid to schools.

28 New Section; School Social Workers. Amend RSA 330-A by inserting after section 18 the following new section:

330-A:18-a School Social Workers.

I. The board shall issue a school social worker license to any person who:

(a) Is currently certified as a school social worker by the department of education, bureau of credentialing, and was certified as of the effective date of this section; or

(b) Has completed all of the following requirements or their equivalent:

(1) Has received a college undergraduate degree.

(2) Has received a 2-year master's degree or doctorate degree in social work from a school approved by the Council on Social Work Education.

(3) Has completed a minimum of 2 years of post-masters experience including completion of a minimum of 3,000 hours of post-masters, supervised school social work experience by a board approved licensed independent school social worker or licensed clinical mental health counselor supervisor, or any other supervisor based on reasonable and specific criteria established in rules adopted under RSA 330-A:10.

(4) Has passed a national proctored examination approved by the board.

II. Any school social worker who chooses to seek licensure under paragraph I, shall notify the office of licensure and certification in writing of his or her intent to be licensed. The office of licensure and certification shall grant licenses under paragraph I, within 10 days of receipt of notification.

III. The office of licensure and certification shall exempt licensees licensed in accordance with paragraph II from fees for the initial license period which shall extend beyond that individual's certification as a school social worker by 3 months and shall include an additional year for those whose certifications from the department of education would expire prior to July 1, 2020. Following that time, that individual shall be eligible for renewal under the rules established by the board and upon payment of the applicable fee.

29 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. Amend RSA 330-A:10, II to read as follows:

II. The qualifications of applicants in addition to those requirements set by statute. ***This provision shall not apply to applicants under RSA 330-A:18-a, I.***

30 Mental Health Practice; Definitions; Mental Health Discipline. Amend RSA 330-A:2, V to read as follows:

V. "Mental health discipline" means the disciplines of those licensed as pastoral psychotherapists, clinical social workers, ***school social workers***, clinical mental health counselors, and marriage and family therapists.

31 Mental Health Practice; Definitions; Mental Health Practitioner. Amend RSA 330-A:2, VII to read as follows:

VII. "Mental health practitioner" means persons licensed under this chapter as pastoral psychotherapists, clinical social workers, ***school social workers***, clinical mental health counselors, or marriage and family therapists. For purposes of this chapter, the term clinical social worker shall include independent clinical social worker.

32 Mental Health Practice; Definitions; Psychotherapist. Amend RSA 330-A:2, VIII to read as follows:

VIII. "Psychotherapist" means a clinical social worker, ***school social worker***, pastoral psychotherapist, clinical mental health counselor, or marriage and family therapist licensed under this chapter who performs or purports to perform psychotherapy. This definition shall include psychiatrists licensed as physicians under RSA 329 and advanced registered nurse practitioners licensed under RSA 326-B:18 as psychiatric nurse practitioners.

33 Mental Health Practice; Board. Amend RSA 330-A:3, I to read as follows:

I. There shall be a board of mental health practice composed of the following members: one licensed pastoral psychotherapist, one licensed clinical social worker, ***one licensed school social worker***, one licensed marriage and family therapist, one licensed clinical mental health counselor, one member from a community mental health center, one member from a community health center, and 3 public members. The members shall be appointed to a term of 3 years by the governor with the approval of the council. The members of the board shall elect a chairperson on an annual basis. No discipline's representative and no individual public member shall serve as chairperson for more than 2 years consecutively.

34 New Paragraph; Mental Health Practice; Board; Responsibilities and Rulemaking Authority. Amend RSA 330-A:10 by inserting after paragraph X the following new paragraph:

X-a. Ethical standards, as promulgated by the School Social Work Association of America, required to be met by each licensed school social worker, and how a license may be revoked for violation of these standards.

35 Mental Health Practice; Fees. Amend RSA 330-A:12, I to read as follows:

I. The board shall establish fees pursuant to RSA 541-A for [~~review of applicants for licensure;~~] supervisory agreements; applications for licensed pastoral psychotherapist, independent clinical social worker, ***school social worker***, clinical mental health counselor, and marriage and family therapist; renewal of license; renewal of dual license; reinstatement of license; inactive license status; reactivation of an inactive license; examination of applicants; transcribing and transferring records; and other services, including investigations and hearings conducted under this chapter.

36 New Section; Speech Language Specialist Eligibility for Licensure. Amend RSA 326-F by inserting after section 3 the following new section:

326-F:3-a Speech Language Specialist Eligibility for Initial Licensure.

I. The board shall issue a speech-language pathologist license to any person who:

(a) Is currently certified as a speech-language specialist by the department of education, bureau of credentialing, on the effective date of this section; and

(b) Possesses a master's degree or higher academic degree in speech-language pathology, communications sciences and disorders, or communications disorders.

II. Any speech-language pathologist who chooses to seek licensure under this section shall notify the office of professional licensure in writing of his or her intent to be licensed. The office of professional licensure and certification shall grant licenses under this section within 10 days of receipt of notification.

III. The office of licensure and certification shall exempt licensees licensed in accordance with paragraph II from fees for the initial license period which shall extend beyond that individual's certification as a speech-language pathologist by 3 months and shall include an additional year for those whose certifications from the department of education would expire prior to July 1, 2020. Following that time, that individual shall be eligible for renewal under the rules established by the board and upon payment of the applicable fee.

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1687-FN, relative to the installation of video surveillance cameras in special education school buses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Sue Mullen for the Majority of Education. This bill, as amended, requires audio and video surveillance equipment to be installed and operated on all vehicles provided through services related to a student's Individualized Education Program (IEP) or 504 plans. Accounts of student mistreatment while being transported provided the impetus for developing this bill to protect our most vulnerable students. This bill also requires local school boards to develop a policy as required by RSA 266:39 to address privacy and usage concerns. Vote 13-6. Rep. Rick Ladd for the Minority of Education. As amended, this bill requires audio/video surveillance equipment in any vehicle provided by the school district used to transport a child with a disability whose Individualized Education Program (IEP) or 504 plans designates a need for transportation service to or from school or a school function. It should be noted that there are some situations in which school districts utilize taxi services to transport students when other means of transport are not readily available. This bill will significantly impact the use of that transportation option. In addition, the Office of the Legislative Budget Assistant was unable to provide a fiscal note identifying statewide implementation costs to districts for the purchase, installment, and maintenance of surveillance equipment. This is another unfunded mandate.

Majority Amendment (0676h)

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

AN ACT relative to the installation of audio and video surveillance equipment in special education school buses.

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

1 Equipment of Vehicles; School Buses; Audio/Video Surveillance Equipment. Amend the subdivision heading following RSA 266:30 to read as follows:

Lights, Signals, Flashers, Reflectors, [and] Flags, *and*
Audio/Video Surveillance Equipment

2 School Bus Equipment; Audio/Video Surveillance Equipment. Amend the section heading of RSA 266:39 to read as follows:

266:39 School Bus Stop Signals, [and] Strobe Lights, *and* ***Audio/Video Surveillance Equipment***.

3 New Paragraph; School Bus Equipment; Audio/Video Surveillance Equipment. Amend RSA 266:39 by inserting after paragraph II the following new paragraph:

III. The director shall require the installation and operation of audio/video surveillance equipment on any vehicle, including a school bus, mixed use bus, or passenger vehicle provided by or on behalf of a school district, which is used to transport a child with a disability to or from school, or school function, or to or from a service provided as part of the child's individualized education program (IEP) or 504 plan. This requirement shall not apply to transportation provided by the child's parent or legal guardian.

4 Transportation of Pupils; Surveillance Privacy Policy. Amend RSA 189:6 to read as follows:

189:6 Transportation of Pupils.

I. The local school district shall furnish transportation to pupils in kindergarten through grade 8 who live more than 2 miles from the school to which they are assigned. The local school district may furnish transportation to pupils in kindergarten through grade 8 who live 2 miles or less from the school to which they are assigned, and to pupils in grades 9 through 12, when it finds that this is appropriate, and shall furnish it when so directed by the commissioner of education.

II. Each school district and chartered public school shall develop a policy pertaining to the operation of audio and video surveillance equipment required under RSA 266:39 and access to any resulting recordings. The policy shall include, but may not be limited to, the following provisions:

(a) The school's policy on student privacy as it pertains to audio and video surveillance.

(b) Whether video will be viewed live, and if so, by whom.

(c) Who will have access to any resulting recordings, including whether and when parents may view any resulting recordings.

(d) Under what conditions schools would show or turn over recordings to law enforcement.

(e) How long audio and video recordings will be retained and the method for disposal.

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

AMENDED ANALYSIS

This bill requires audio and video surveillance equipment to be installed and operated on all vehicles provided through services related to a student's IEP. The bill also requires school districts to develop a privacy policy for resulting recordings.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1715, relative to the renomination of teachers. **MAJORITY: OUGHT TO PASS. MINORITY: INEX-
PEDIENT TO LEGISLATE.**

Rep. Tamara Le for the Majority of Education. This bill updates the requirements for a teacher to be entitled to notification and a hearing when the teacher is not reappointed from five years to three. Three years in time coincides with the NH Department of Education cycle for teacher recertification. The majority found changes to the State Board of Education's experienced teacher certification credential (two years) and the bill's effective date of July 1, 2021, allows administrators ample time to develop and implement more timely evaluations. Such improvements will help close the teacher shortage gap by creating more opportunities for student teachers to be placed with peers not on longer-term probation; allows students to suffer less time under poorly performing teachers; places current teachers on probation on equal footing with teachers in other New England states; and affords them the same economic opportunities for mortgages, bank loans, etc. in three years, versus the current five. Taxpayers benefit through stability in budgeting. Lastly, the majority believes school administrators have ample tools at their disposal to evaluate teachers in 540 days (three years) versus 900 days (five years). Vote 11-9.

Rep. Rick Ladd for the Minority of Education. Currently, requirements for the time frame for a teacher to earn non-probationary status in New Hampshire is five consecutive years in any district in the state and three consecutive years in the current district. During the public hearing, the committee heard testimony stating that the five-year probationary period gives more time for teacher development in which an administrator can work with the teacher who is demonstrating improvement and potential. The additional two years, from three to five, supports educational goals knowing that upon finishing the probationary period, teachers will possess the skills, subject content, and instructional techniques to be highly effective staff members.

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

Rep. Boehm spoke against.

Rep. Doherty spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 131**YEAS - 182****CARROLL**

Burroughs, Anita
Knirk, Jerry

Butler, Edward

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

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

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

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

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

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

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Backus, Robert
Bernet, Jennifer
Camarota, Linda
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Judy, Jean
Langley, Diane
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Balch, Chris
Bordy, William
Cleaver, Skip
Danielson, David
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Soucy, Timothy
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Turcotte, Alan
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, Ellen

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

Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

STRAFFORD

Bixby, Peter
Fargo, Kristina
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

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

Ellis, Donna
Horrigan, Timothy
Schmidt, Peter
Towne, Matthew

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 131**BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

O'Day, John

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly

Boehm, Ralph
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Shaw, Barbara

Burt, John
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, Paul

Dargie, Paul
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Milz, David

Abrami, Patrick
Barnes, Arthur
Costable, Michael
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John

Abramson, Max
Bershtein, Alan
Davis, Dan
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman

Acton, Dennis
Bushway, Patricia
Thomas, Douglas
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony

Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, Josh

Pratt, Kevin
Sytek, John
Wallace, Scott

Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Roy, Terry
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas

Lucas, Gates

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

HB 1266, relative to absentee ballot request forms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. This bill, as amended, makes clear on the absentee ballot request form that persons who are incarcerated due to a misdemeanor or while awaiting trial are entitled to vote via absentee ballot. This bill also clarifies that it is optional for voters to provide their email addresses and phone numbers when requesting an absentee ballot. The majority believes these clarifications for already-eligible voters will increase participation and alleviate privacy concerns. Vote 16-4.

Amendment (0791h)

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

2 Absentee Voting; Application; Forms. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, and Disability:

I. I hereby declare that (check one):

____ I am a duly qualified voter who is currently registered to vote in this town/ward.

____ I am **unable to register to vote in person because I am** absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

II. New Hampshire law requires that you vote in person at the polling place for your town or ward unless one of the following apply.

I will be entitled to vote by absentee ballot because (check one):

____ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled[-]; **or**

____ I am requesting [a] **an absentee** ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed[-, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.]; **or**

____ I cannot appear in public on election day because of observance of a religious commitment[-]; **or**

____ I am unable to vote in person due to a disability[-]; **or**

____ **I am unable to vote in person due to confinement in a penal institution for a misdemeanor or while awaiting trial; or**

____ I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment shall include the care of children and infirm adults, with or without compensation.

[~~For use only on the Monday immediately prior to the election:~~] I cannot appear at my polling place on election day because the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning for election day applicable to my city, town, or unincorporated place and either (check one):

____ I am elderly or infirm or I have a physical disability, and would otherwise vote in person but I have concerns for my safety traveling in the storm[-]; **or**

____ I anticipate that school, child care, or adult care will be canceled, and would otherwise vote in person but will need to care for children or infirm adults.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election (check one):

____ Presidential Primary **Election** to be held on _____

(MM/DD/YYYY)

(The date may appear as blank when the date is not known.)

____ State Primary **Election** to be held on _____
(MM/DD/YYYY)

____ **State General Election to be held on** _____
(MM/DD/YYYY)

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

____ Republican Party

____ Democratic Party

____ (name of any party determined by the secretary of state to have achieved official status under RSA 652:11)

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

____ (Last)	____ (First)	____ (Middle)	____ (Sr., Jr., II., III)
-------------	--------------	---------------	---------------------------

Applicant's Voting Domicile (home address):

____ (Street Number)	____ (Street Name)	____ (Apt/Unit) (City/Town) (Ward) (Zip Code)
----------------------	--------------------	---

Mail the ballot to me at this address (if different than the home address):

____ (Street Number)	____ (Street Name)	____ (Apt/Unit) (City/Town) (Ward) (Zip Code)
----------------------	--------------------	---

[Applicant's Phone Number : _____]

[Applicant's Email Address : _____]

Applicant's Signature: _____

Date Signed: _____

(MM/DD/YYYY)

Applicant's Phone Number (optional): _____

Applicant's Email Address (optional): _____

I attest that I assisted the applicant in executing this form because he or she has a disability.

Signature _____ Print Name _____

If your absentee ballot application or affidavit envelope has the printed name and signature of a person who assisted you with voting, your signature will not be compared to your signature on the absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

The applicant must sign this form to receive an absentee ballot. Any person who witnesses and assists a voter with a disability in executing this form shall print and sign his or her name in the space provided on the application form. The moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement on the absentee ballot application or affidavit envelope that assistance was provided.

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1279, relative to the terms resident, inhabitant, residence, and residency. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the Majority of Election Law. This bill adds the words "for the indefinite future" to the definitions of "resident; inhabitant" and "residence." The majority believes this addition better clarifies voter eligibility requirements as they are found in the Constitution and Supreme Court precedent. Vote 12-8. Rep. Barbara Griffin for the Minority of Election Law. This bill is the second attempt this session to repeal a law currently in effect. The law which the majority would repeal was passed and signed into law and has been in effect with no known impact on voter participation. This law makes residence and domicile equivalent thus ending unequal treatment of voters. This makes us consistent with almost all other states in that a person needs to be a resident to vote in our state. The current law has been found constitutional by the NH Supreme Court which ruled the state has an interest in making sure that when residency is claimed by a person it should not be just for voting but for all purposes. This law is currently before the Federal Court with a decision expected later this year. The minority believes that to keep the current law in place pending that result is the best result for the integrity of our elections.

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

Rep. Hoelzel requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 133**YEAS - 189****CARROLL**

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meader, David
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Judy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Backus, Robert
Bernet, Jennifer
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Edgar, Michael
Le, Tamara
Malloy, Dennis
Read, Ellen

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

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

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

Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 133**BELKNAP**

Bean, Harry
 Julius, Deanna
 Spanos, Peter

Comtois, Barbara
 Lang, Timothy
 Sylvia, Michael

Fields, Dennis
 Mackie, Jonathan
 Tilton, Franklin

Howard, Raymond
 Beaudoin, Richard

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
 Camarota, Linda
 Gagne, Larry
 Hopper, Gary
 Marzullo, JP
 Panasiti, Reed
 Ober, Russell
 Shaw, Barbara

Barry, Richard
 Danielson, David
 Greene, Bob
 L'Heureux, Robert
 McLean, Mark
 Plett, Fred
 Renzullo, Andrew
 Somero, Paul

Boehm, Ralph
 Erf, Keith
 Gunski, Michael
 Ober, Lynne
 Notter, Jeanine
 Proulx, Mark
 Rice, Kimberly
 Ulery, Jordan

Burt, John
 Flanagan, Jack
 Hinch, Richard
 Lascelles, Richard
 Nunez, Hershel
 Prout, Andrew
 Sanborn, Laurie
 Warden, Mark

MERRIMACK

Allard, James
 Kotowski, Frank
 Testerman, Dave

Hill, Gregory
 McGuire, Carol
 Walsh, Thomas

Horn, Werner
 Pearl, Howard
 Wolf, Dan

Klose, John
 Seaworth, Brian
 Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Costable, Michael
 DeSimone, Debra
 Gay, Betty
 Hobson, Deborah
 Katsakiores, Phyllis
 Griffin, Mary
 McKinney, Betsy
 O'Connor, John
 Pratt, Kevin
 Sytek, John
 Wallace, Scott

Abrami, Patrick
 Barnes, Arthur
 Davis, Dan
 Dolan, Tom
 Green, Dennis
 Hoelzel, Kathleen
 Khan, Aboul
 Pearson, Mark
 McMahon, Charles
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Welch, David

Abramson, Max
 Bershtein, Alan
 Thomas, Douglas
 Doucette, Fred
 Guthrie, Joseph
 Osborne, Jason
 Kolodziej, Walter
 Major, Norman
 Melvin, Charles
 Piemonte, Tony
 Roy, Terry
 Verville, Kevin
 Weyler, Kenneth

Acton, Dennis
 Chirichiello, Brian
 Desilets, Joel
 Edwards, Jess
 Harb, Robert
 Janigian, John
 Love, David
 McBride, Everett
 Milz, David
 Potucek, John
 Pearson, Stephen
 Vose, Michael
 Yokela, Josh

STRAFFORD

Harrington, Michael
 Pitre, Joseph
 SULLIVAN
 Aron, Judy
 Rollins, Skip

Hayward, Peter
 Rooney, Abigail
 Callum, John
 Stapleton, Walter

Horgan, James
 Beaudoin, Steven
 Laware, Thomas

Perreault, Mona
 Wuelper, Kurt
 Lucas, Gates

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

HB 1390, relative to access to ballots and verification counts of machine-counted ballots. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Morrill for the Majority of Election Law. This bill allows audits of randomly selected ballot-counting devices after polls close and before the vote is certified, either by petition of registered voters or at the discretion of the moderator in order to ensure the accuracy of the device. There are concerns, however, with the risks to ballot security that repealing the right-to-know exemption for ballots would create. Vote 12-8.

Rep. Katherine Prudhomme-O'Brien for the Minority of Election Law. Current law strictly defines the chain of custody of cast ballots and recounts have consistently shown that our electronic ballot counting machines are very accurate. Creating a new way of accessing ballots outside of well-defined and well performing current law will be detrimental to the public's trust in our elections.

The question being adoption of the majority committee report of Refer for Interim Study.

Rep. Prudhomme-O'Brien requested a roll call; sufficiently seconded.

YEAS 219 - NAYS 105**YEAS - 219
BELKNAP**

Bean, Harry

Comtois, Barbara

Huot, David

Lang, Timothy

Burroughs, Anita
Knirk, JerryButler, Edward
Ticehurst, SusanDesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIREAbbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, LucyAmes, Richard
Faulkner, Barry
Ley, Douglas
Swinburne, SandyBerch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, SparkyBordenet, John
Gomarlo, Jennie
Meador, David
Pearson, William**COOS**Hatch, William
Tucker, EdithLaflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTONAbel, Richard
Dontonville, Roger
Gordon, Edward
Nordgren, Sharon
Stringham, JerryAdjutant, Joshua
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Smith, SuzanneAlmy, Susan
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Sykes, GeorgeCampion, Polly
Ford, Susan
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce**HILLSBOROUGH**Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Erf, Keith
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Smith, Timothy
Vail, Suzanne
Williams, KermitBouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Judy, Jean
Langley, Diane
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Van Houten, Constance
Woodbury, DavidBackus, Robert
Bernet, Jennifer
Burt, John
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Lascelles, Richard
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Warden, MarkBalch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Ulery, Jordan
Wilhelm, Matthew**MERRIMACK**Bartlett, Christy
Ebel, Karen
Karrick, David
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Wells, KennethBuchanan, Ryan
Ellison, Arthur
Kotowski, Frank
McGuire, Carol
Richards, Beth
Schuett, Dianne
Turcotte, Alan
Wolf, DanCarson, Clyde
Fox, Samantha
Lane, Connie
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Woods, GaryDoherty, David
Fulweiler, Joyce
Luneau, David
Moffett, Howard
Saunderson, George
Seaworth, Brian
Walz, Mary Beth
Yakubovich, Michael**ROCKINGHAM**Abramson, Max
Cahill, Michael
Dolan, Tom
Grote, Jaci
Loughman, Tom
Malloy, Dennis
Meuse, David
Torosian, PeterAltschiller, Debra
Chirichiello, Brian
Edgar, Michael
Osborne, Jason
Lovejoy, Patricia
McBeath, Rebecca
Read, Ellen
Vallone, MarkBerrien, Skip
Cushing, Robert Renny
Edwards, Jess
Murray, Kate
Pearson, Mark
McConnell, Liz
Roy, Terry
Ward, GeraldBushway, Patricia
DiLorenzo, Charlotte
Grossman, Gaby
Le, Tamara
Maggiore, Jim
McMahon, Charles
Somssich, Peter
Yokela, Josh**STRAFFORD**

Bixby, Peter

Cannon, Gerri

Chase, Wendy

Ellis, Donna

Fargo, Kristina
Horrigan, Timothy
Smith, Marjorie
Rich, Cecilia
Towne, Matthew

Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Beaudoin, Steven
Treleaven, Susan

Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Salloway, Jeffrey
Vincent, Kenneth

Harrington, Michael
Levesque, Cassandra
Pitre, Joseph
Southworth, Thomas
Wall, Janet

SULLIVAN

Aron, Judy
Stapleton, Walter

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 105

BELKNAP

Fields, Dennis
Beaudoin, Richard

Howard, Raymond
Spanos, Peter

Jurius, Deanna
Sylvia, Michael

Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Danielson, David
Greene, Bob
L'Heureux, Robert
Notter, Jeanine
Proulx, Mark
Rice, Kimberly

Barry, Richard
Dutzy, Sherry
Gunski, Michael
Ober, Lynne
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie

Boehm, Ralph
Flanagan, Jack
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, Paul

Camarota, Linda
Gagne, Larry
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew

MERRIMACK

Allard, James
Pearl, Howard

Hill, Gregory
Testerman, Dave

Horn, Werner
Walsh, Thomas

Klose, John

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Thomas, Douglas
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Piemonte, Tony
Pearson, Stephen
Wallace, Scott

Abrami, Patrick
Bershtein, Alan
Desilets, Joel
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
Milz, David
Potucek, John
Sytek, John
Welch, David

Acton, Dennis
Costable, Michael
DeSimone, Debra
Guthrie, Joseph
Janigian, John
Kolodziej, Walter
McBride, Everett
O'Connor, John
Pratt, Kevin
Verville, Kevin
Weyler, Kenneth

Baldasaro, Al
Davis, Dan
Doucette, Fred
Harb, Robert
Janvrin, Jason
Love, David
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Vose, Michael

STRAFFORD

Hayward, Peter
Wuelper, Kurt

Horgan, James

Perreault, Mona

Rooney, Abigail

SULLIVAN

Callum, John

Laware, Thomas

Lucas, Gates

Rollins, Skip

and the majority committee report was adopted.

HB 1415, establishing a committee to study the Montana disclosure act and anonymous out-of-state contributions preceding an election. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. Recognizing the increasing influence in elections played by negative campaign literature, emails, and other advertising directly paid for by PACs and other groups, this bill establishes a committee to study other states' campaign finance disclosure laws and laws regulating anonymous contributions, receipts and expenditures. The amendment changed the duties of the committee from a specific study of the Montana Disclosure Act and anonymous out-of-state contributions to a broader charge. Vote 16-4.

Amendment (0730h)

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

AN ACT establishing a committee to study campaign finance disclosure laws and anonymous contributions, receipts, and expenditures.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study campaign finance disclosure laws and anonymous contributions, receipts, and expenditures.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the campaign finance disclosure laws, including the Montana Disclosure Act of 2015, and anonymous contributions, receipts, and expenditures to determine whether any New Hampshire laws can be amended or enacted to facilitate transparency.

AMENDED ANALYSIS

This bill establishes a committee to study campaign finance disclosure laws and anonymous contributions, receipts, and expenditures.

On a division vote, with 229 members having voted in the affirmative, and 89 in the negative, the committee amendment was adopted.

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

Committee report adopted and ordered to third reading.

HB 1525, relative to the definition of political advocacy organization. **OUGHT TO PASS.**

Rep. Wayne Moynihan for Election Law. NH election law generally requires that independent political organizations, involved in NH elections, but not associated with a candidate, must register with and report their activities to the Secretary of State. The committee received compelling testimony and evidence of a recurring problem where, within 60 days of recent elections, some unregistered organizations sent out mailings which clearly identified candidates for office. These mailings clearly challenged candidates and political positions. Heretofore some of these organizations have avoided registration, under NH election laws regarding political contributions, by claiming that their materials were related to political "issues" rather than to individual "political candidates." This bill corrects this circumstance, called a loophole by some. The bill requires an organization that pays for distribution of a communication, within 60 days of an election, that refers to a candidate or to the success or defeat of a measure, and costs \$2,500.00 or more, to register and report as required for other political organizations. Vote 13-7.

Rep. Horn requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 124**YEAS - 198****BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meador, David
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred

Backus, Robert
Bernet, Jennifer
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey

Griffith, Willis
Heath, Mary
Jeudy, Jean
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

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

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

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

ROCKINGHAM

Acton, Dennis
Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Pearson, Mark
McConnell, Liz
Somssich, Peter

Altschiller, Debra
Cushing, Robert Renny
Gay, Betty
Murray, Kate
Maggiore, Jim
McKinney, Betsy
Vallone, Mark

Berrien, Skip
Desilets, Joel
Grossman, Gaby
Le, Tamara
Malloy, Dennis
Meuse, David
Ward, Gerald

Bushway, Patricia
DiLorenzo, Charlotte
Grote, Jaci
Lovejoy, Patricia
McBeath, Rebecca
Read, Ellen

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Vincent, Kenneth

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Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Chase, Wendy
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Ellis, Donna
Hayward, Peter
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 124

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

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Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

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O'Day, John

Merner, Troy

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Hennessey, Erin

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Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

Barry, Richard
Danielson, David
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Boehm, Ralph
Erf, Keith
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie

Burt, John
Flanagan, Jack
Hinch, Richard
Marzullo, JP
Panastiti, Reed
Ober, Russell
Somero, Paul

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Allard, James
Kotowski, Frank
Wolf, Dan

Hill, Gregory
McGuire, Carol
Yakubovich, Michael

Horn, Werner
Pearl, Howard

Klose, John
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Doucette, Fred
Hobson, Deborah
Janvrin, Jason
Love, David
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Piemonte, Tony
Roy, Terry
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Chirichiello, Brian
DeSimone, Debra
Green, Dennis
Osborne, Jason
Khan, Aboul
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, Josh

Baldasaro, Al
Costable, Michael
Dolan, Tom
Harb, Robert
Janigian, John
Kolodziej, Walter
McBride, Everett
O'Connor, John
Pratt, Kevin
Sytek, John
Wallace, Scott

STRAFFORD

Harrington, Michael
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

Pitre, Joseph

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1534, establishing a commission to study the creation of online voter registration for the 2022 state elections.

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

Rep. Paul Bergeron for the Majority of Election Law. This bill, as amended, would establish a commission to study the creation of online voter registration for the 2022 state elections. The 9-member commission would include four members of the House (two appointed by the Speaker and two appointed by the leader of the largest minority party in the House), two Senators (one appointed by the president of the senate and one appointed by the leader of the largest minority party in the Senate), a town clerk, a city clerk, and two supervisors of the checklist appointed by the Secretary of State. Testimony provided to the committee indicated that the bill has the support of the Secretary of State. The commission will be tasked with identifying the means, costs, and processes necessary to accept online voter registrations and to ensure their accuracy and security. Vote 15-5.

Rep. Kathleen Hoelzel for the Minority of Election Law. The minority believes that commissions established during prior legislative sessions have appointments yet to be filled and are not progressing. Commissions can be expensive and problematic. Therefore the minority feels this legislation should be found Inexpedient to Legislate.

Majority Amendment (0783h)

Amend RSA 654:47, II-V as inserted by section 1 of the bill by replacing them with the following:

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

- (a) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Two members of the house of representatives, appointed by the leader of the largest minority party in the house of representatives.
- (c) One member of the senate, appointed by the president of the senate.
- (d) One member of the senate, appointed by the leader of the largest minority party in the senate.
- (e) One town clerk and one city clerk, appointed by the New Hampshire City and Town Clerks' Association.

(f) Two supervisors of the checklist, appointed by the secretary of state.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall identify:

- (a) Media with which to accept online voter registration, such as mobile apps, web sites, and social media platforms.
- (b) Costs associated with implementation of online voter registration.
- (c) Measures to ensure the security of the online voter registration system.
- (d) Processes that enhance the accuracy of information and reduce time for supervisors of the checklist and city and town clerks.
- (e) The impact of an online voter registration system on voter registration and participation rate.
- (f) Any other matters regarding online voter registration deemed relevant by the commission.

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

Majority committee report adopted and ordered to third reading.

HB 1643-FN, relative to permissible campaign contributions by business organizations and labor unions and relative to funding source disclosure for political advertising. **OUGHT TO PASS.**

Rep. Connie Lane for Election Law. This bill allows business organizations and labor unions to contribute to elections if done through political committees that operate independently of such organizations. Under the bill, the political committees' expenditures and contributions must be made through a separate fund consisting of voluntary contributions from employees, officers, shareholders, or members of businesses or labor unions. The bill implements the solution recommended by U.S. District Court Judge McAuliffe in his decision when he found the broad restriction on all corporate political contributions to be overly restrictive and unconstitutional in Kennedy v. Gardner [No. CV 98-608-M, DNH Sept. 30, 1999]. Judge McAuliffe suggested that the legislature could narrow the prohibition to apply only to contributions from a corporate treasury fund and to permit contributions from a segregated account funded through voluntary contributions. The bill allows a level playing field for contributions from business organizations and labor unions. Sole proprietorships are exempted from the provisions. Vote 13-7. Committee report adopted and ordered to third reading.

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

HB 1651-FN, relative to prisoners' voting rights. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Pearson for Election Law. This bill, as amended, clarifies New Hampshire's law on incarcerated voters by specifically referencing the statute giving said voters access to the absentee ballot process. This bill also specifies in the oath section of the absentee ballot request that the voter may request an absentee ballot, despite their incarceration due to a misdemeanor or while awaiting trial. These changes make New Hampshire's voting laws easier to navigate and create uniformity among the forms voters fill out and the laws underlying those forms. Vote 17-3.

Amendment (0790h)

Amend the bill by deleting section 2 and renumbering the original sections 3-4 to read as 2-3, respectively.

AMENDED ANALYSIS

This bill amends the absentee voting affidavits to make clear that certain persons confined to penal institutions may vote by absentee ballot.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1653-FN, relative to domicile, residency, voter registration, and investigation of voter verification letters. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the Majority of Election Law. This bill modifies or removes much of the language contained in the 2017 legislation: SB 3. That legislation modified the definition of domicile for voting purposes and the requirements for documenting the domicile of a person registering to vote. This bill also removes New Hampshire from the now-defunct Interstate Voter Crosscheck Program and provides criteria for the Secretary of State to use when soliciting an alternative. The majority believes SB 3 is likely unconstitutional and poor public policy; the majority also believes it is necessary to provide guidance to the Secretary of State when binding New Hampshire to interstate programs that share citizens' information. Vote 12-8.

Rep. Barbara Griffin for the Minority of Election Law. This bill is an effort to repeal current law that was passed in the previous session known as SB 3. It is an identical effort to a bill of the first year of this session which was vetoed by the Governor. This bill proposes to eliminate the requirement that when a person registers to vote that there be proof of domicile, such proof being referred to as "verifiable actions of domicile." This requirement is consistent with other states and was a common sense reform to ensure confidence in the integrity of our elections. The law was used in 18 months of election and there is no evidence that voters did not vote as a result of the law; in fact some of the highest turnout ever occurred. The current law is now the subject of ongoing litigation with a trial recently completed, but orders have not yet been issued. The minority of the committee believes we should let the court case continue to its end and after consideration of the ruling make changes as might be needed then.

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

Rep. Hoelzel requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 129

YEAS - 191

BELKNAP

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meader, David
Pearson, William

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Moynihan, Wayne

Noel, Henry

Tucker, Edith

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Josephson, Timothy
Osborne, Richard
Smith, Suzanne

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Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
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Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

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Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jeudy, Jean
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Vail, Suzanne
Woodbury, David

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Smith, Timothy
Van Houten, Constance

Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

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Ebel, Karen
Karrick, David
McWilliams, Rebecca
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Wallner, Mary Jane

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

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

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

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

Bushway, Patricia
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Cahill, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

SULLIVAN, Brian

NAYS - 129**BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Ulery, Jordan

Barry, Richard
Danielson, David
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Warden, Mark

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie

Burt, John
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Somero, Paul

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
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
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, Josh

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
Milz, David
Potucek, John
Sytek, John
Wallace, Scott

Acton, Dennis
Costable, Michael
DeSimone, Debra
Green, Dennis
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Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Torosian, Peter
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Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas

Lucas, Gates

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

MOTION TO PRINT DEBATE

Rep. Packard moved that the debate on **HB 1653-FN**, relative to domicile, residency, voter registration, and investigation of voter verification letters, be printed in the Permanent Journal.

On a division vote, with 175 members having voted in the affirmative, and 142 in the negative, the motion was adopted.

DEBATE ON HB 1653-FN

Representative Lang: Thank you, Mister Speaker. Mister Speaker, if I know that this bill is a permitted repeat of a bill from last year that eliminates a simple requirement to establish one's domicile when voting. And, further Mister Speaker, if I know that this requirement to show proof of a domicile is less arduous than that required of Real ID's or other simple financial management tools such as credit that we use every single day. And, Mister Speaker if I know that this bill repeals a valid authorization of the state office in charge of

our elections to work with other states to check for duplicate voter registrations because I know that while clerks are required to notify prior jurisdictions of new voters, they are not always able to. And, finally Mister Speaker if I know that the primary focus of this bill is subject to litigation in our courts that has recently been completed a very long trial process and is now complete and submitted. We are just waiting for the written trial court decision and such decision will provide guidance for our future legislation, would I now press the red button so another motion can be made?

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

Representative Ley: Thank you, Mister Speaker. Mister Speaker, if I know this bill would repeal SB 3 which created a new and quite complex voter registration form and required voters who register within 30 days of an election to complete onerous paperwork.

Speaker Shurtleff: Will the member suspend for a moment? Members should be in their seats. We are in the voting mode. It's like we are playing musical chairs. The member may proceed. Thank you for your cooperation.

Representative Ley: Thank you, Mister Speaker. I'll start over again.

Speaker Shurtleff: Please do.

Representative Ley: I know people want to hear. Mister Speaker, if I know this bill would repeal SB 3 which created a new and quite complex voter registration form and required voters who register within 30 days of an election to complete onerous paperwork. If I know the 30-day cutoff is completely arbitrary and serves no legitimate purpose. If I believe the qualifications for the fundamental constitutional right to vote should be equal and whether someone registered to vote last year, last month, last week or this morning is irrelevant to those qualifications, would I now press the green button to support this bill and a return to clear, logical requirements of voters? Thank you, Mister Speaker.

Speaker Shurtleff: This will be a roll call vote. The question before the House is on the recommendation that the bill Ought to Pass. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 191 members voting Yea and 129 Nay, the motion is approved.

REGULAR CALENDAR CONT'D

HB 1665-FN-A, establishing an independent redistricting commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wayne Moynihan for the Majority of Election Law. Eighty percent of NH voters have expressed agreement that "gerrymandering" during redistricting creates unfair voting districts, and therefore support independent redistricting. The original version of this bill was much like last year's bill. However, the amended version reduces the role of the independent commission to one of being clearly and solely advisory. It cannot be reasonably construed that this commission is unconstitutional, or otherwise taking over the duties of the legislature. The maps and plans ultimately created by the commission are clearly identified in the statute as being advisory only. All further action on the redistricting plans is in the hands of the legislative process, subject to amendments and redesigns as legislatively determined. The qualities of the prior legislation are retained in this bill as amended. The fifteen commission members are unelected, and without personal interest in the district designs. Ten members are selected by the legislative leadership of the majority and minority parties. The remaining five members, who must be applicants who are registered to vote as "undeclared," are selected by the first ten appointees. The commission's meetings are advertised and open to the public. Any citizen may submit to the commission plans for redistricting created outside of the commission, which it will consider. Preliminary plans and maps shall be publicized and available on a web site, and for media scrutiny, public input and comment. After the commission's advisory plan is submitted to the legislature, the commission's role is complete. This bill will definitively improve the process of decennial redistricting in NH. In prior decades redistricting has regularly involved months of litigation in multiple courts. This bill provides an open and transparent process, as politically neutral and balanced as the limits of human nature allow. It addresses the expectation of NH voters, delivered in testimony, and voluminous correspondence to the committee, that the state use a process for redistricting that is intentionally designed to avoid gerrymandering and use a politically balanced and neutral process designed to give voters the true power of their vote to decide who their representatives will be, rather than a process whereby elected representatives select who their voters will be. Vote 14-6.

Rep. Katherine Prudhomme-O'Brien for the Minority of Election Law. The NH Constitution states in Article 11, Part 2 that "The legislature shall form the representative districts at the regular session following every decennial federal census." Any group of persons is now able to form and share their opinion on redistricting with the legislature, new legislation is not needed to allow this. If the people of New Hampshire believe their representatives have abused the redistricting process, they are free to seek other representation, as they have done in the past. This is the most effective and direct form of checks and balances upon this process available.

Majority Amendment (0899)

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

AN ACT establishing an independent advisory commission on redistricting.

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

1 New Chapter; Independent Advisory Commission on Redistricting. Amend RSA by inserting after chapter 662-A the following new chapter:

CHAPTER 662-B**INDEPENDENT ADVISORY COMMISSION ON REDISTRICTING**

662-B:1 Independent Advisory Commission on Redistricting Established. There is hereby established a New Hampshire independent advisory commission on redistricting ("commission"), that shall convene no later than July 1, 2021, and every 10 years thereafter, in order to:

I. Conduct an open and transparent process enabling full public consideration of and comment on the drawing of district lines.

II. Draw district lines according to the redistricting criteria specified in this chapter.

III. Conduct its business with integrity and fairness.

662-B:2 Eligibility to Serve on the Commission. A person shall be eligible for appointment to the commission if the person is eligible to register to vote in New Hampshire and if the person does not currently hold office in the United States House of Representatives, New Hampshire senate, New Hampshire house of representatives, or executive council, or a county commission.

662-B:3 Appointment of Commissioners.

I. The secretary of state shall identify the pool of eligible commissioners. He or she shall, to the extent practicable, notify all eligible persons and invite them to apply. These efforts may include:

(a) Advertising the application period and criteria in daily newspapers in the state.

(b) Advertising the application period and criteria on the home page of state agency websites.

(c) Requesting media to publicize the commission's search for eligible members.

(d) Publicizing the application period and criteria in the New Hampshire house and senate calendars.

II.(a) A person who is eligible to serve as a member of the commission may submit an application to the secretary of state no later than February 1 of each year ending in the number one. Such application shall include the following information:

(1) Whether the applicant has registered as a lobbyist in the preceding 10 years.

(2) What elective offices, if any, the applicant has held in New Hampshire in the preceding 10 years.

(3) If the applicant has voted in a state primary election or presidential primary election in New Hampshire in the preceding 6 years, which political party's ballots the applicant has taken.

(b) From all eligible applications received, the senate and house leaders from the majority party in the house shall nominate 10 applicants from the majority party in the house, and the senate and house leaders from the largest minority party in the house shall nominate 10 applicants from the largest minority party in the house. The senate and house leaders from the majority party in the house shall choose 5 members from the 10 applicants so selected from largest minority party in the house to serve on the commission. The senate and house leaders from the largest minority party in the house shall choose 5 members from the 10 applicants so selected from the majority party in the house to serve on the commission.

(c) The 10 commissioners so selected shall together select 5 commissioners from the applicants who are not members of the majority party in the house or the largest minority party in the house. The 10 commissioners may not initiate communications or reply to communications about the selection process of the remaining 5 commissioners with outside persons attempting to influence commissioners or commission action.

III. In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, a member of the commission may, after being served written notice and given an opportunity for a response, be removed by a vote of 11 members of the commission. A finding of substantial neglect of duty or gross misconduct in office may result in referral to the New Hampshire attorney general for criminal prosecution.

IV. Vacancies on the commission shall be filled when they occur by the commission selecting, by a vote of 11 members, a new member from among the original pool of applicants of the same political party as the vacated commissioner seat still willing to serve or by seeking a replacement in the same manner as initial appointments.

V. The term of office of commission members expires 2 years after the final enactment of the redistricting plan into law.

662-B:4 Commission Meetings.

I. The commission shall act in public meetings by the affirmative vote of at least 9 members.

II. All meetings of the commission shall be open to the public. The commission shall publicly post notice of its meetings on the commission website and other appropriate outlets at least 7 days prior to such meetings. All records of the commission, including all communications to or from the commission regarding the work of the commission, shall be made available for public inspection.

III. The commission shall hold at least one public meeting in each county prior to drawing any maps and at least one public meeting in each county after releasing any proposed maps.

IV. The commission shall create a website that shall provide, at a minimum, a description of the role of the commission in the redistricting process, timely information to the public about the time, place, and purpose of each meeting of the commission, reports, minutes, and such other information that will support an open and transparent process.

V. The commission shall provide a meaningful opportunity for all persons to participate in the public meetings. Meetings shall be held only in spaces that are accessible under the Americans with Disabilities Act of 1990, as amended.

VI. Commission meetings shall be adequately advertised and planned so as to encourage attendance and participation across the state. This includes scheduling meetings outside of regular work hours.

VII. The commission shall be considered a public body subject to RSA 91-A. No documents created or received by the commissioners or staff as part of official duties, including emails and text messages, shall be exempt from disclosure for any privilege other than attorney-client privilege.

VIII. Commissioners and staff may not initiate communications or reply to communications about commission business with outside persons attempting to influence commissioners or commission action outside of public meetings. To the extent that commissioners and staff receive such communications, the identity of the person or group and the subject of the communication shall be publicly disclosed on the commission website.

662-B:5 Developing Redistricting Maps.

I. During the map drawing process, any member of the public may submit maps or portion of maps for consideration by the commission in a portable document format suitable for archiving (PDF/A) format, or other format approved by the secretary of state. These submissions shall be made publicly available and shall include the name of the person making the submission. Electronically submitted maps may be posted on the commission website.

II.(a) The commission shall post proposed maps in a manner determined by the commission, provided that such display shall include posting on the commission website for a minimum of 7 days for public comment and by distribution to the news media in a manner designed to achieve the widest public access reasonably possible before establishing a final plan. Additionally, the efforts to achieve access may include but not be limited to:

- (1) Advertising the availability of the proposed maps in daily newspapers in the state.
- (2) Advertising the availability of the proposed maps on the home page of state agency websites.
- (3) Requesting media to publicize the availability of the proposed maps.

(b) When releasing a proposed map, the commission shall also release the data used to create the plan, such as population data, geographic data, and election data.

III. The commission shall issue with the proposed and final maps written evaluations that measure the maps against external metrics, and may include efficiency gap and compactness. These metrics shall cover all criteria set forth in RSA 662-B:6.

IV. No later than December 20 of any year ending in one, the commission shall submit final advisory plans for New Hampshire county commission, house, senate, executive council, and congressional districts to the senate president, speaker of the house of representatives, and senate and house minority leaders for their consideration and action pursuant to pertinent sections of the New Hampshire Constitution, including part II, articles 9, 11, and 26.

662-B:6 Redistricting Criteria.

I. The commission shall establish single or multi-member districts for the New Hampshire county commissions, house of representatives, and single member districts for the New Hampshire senate, executive council, and United States representative, using the following criteria as set forth in the following order of priority:

(a) Districts shall comply with the United States Constitution and all applicable federal laws. Districts shall be drawn on the basis of total population.

(b) Districts shall comply with the New Hampshire constitution and all applicable state laws.

(c) Districts shall form single boundaries and shall not be bisected or otherwise divided by other districts, and shall respect the geographic integrity of political boundaries to the extent practicable without violating the requirements of state law or any preceding subdivisions.

(d) Districts shall be drawn in compact shapes and shall avoid jagged edges and extensions.

(e) Commissioners shall consider the integrity of communities of interest to the extent practicable. For purposes of this section a community of interest is defined as an area with recognized similarities of interests, including but not limited to economic, social, cultural, geographic, racial, ethnic, or historic identities. Communities of interest shall not include common relationships with political parties or political candidates.

II.(a) The plan as a whole shall not have the intent or the effect of unduly favoring or disfavoring any political party, incumbent, or candidate for political office.

(b) Districts shall not have the intent or the effect of unduly favoring or disfavoring any racial or language group.

662-B:8 Financial Independence.

II. For each subsequent biennium preceding the decennial census, the governor shall include in his or her budget recommendation appropriations sufficient to meet the estimated expenses of the commission, including but not limited to adequate funding for a statewide outreach program to solicit broad public participation in the redistricting process and adequate office space available for the operation of the commission.

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

This bill establishes an independent advisory commission on redistricting.
Majority committee amendment adopted.

YEAS 203 - NAYS 121

Huot, David Lang, Timothy

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

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

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

Abel, Richard	Adjutant, Joshua	Almy, Susan	Campion, Polly
Dontonville, Roger	Egan, Timothy	Fellows, Sallie	Ford, Susan
Gordon, Edward	Josephson, Timothy	Maes, Kevin	Mulligan, Mary Jane
Nordgren, Sharon	Osborne, Richard	Ruprecht, Dennis	Stavis, Laurel
Stringham, Jerry	Smith, Suzanne	Sykes, George	Weston, Joyce

Bouldin, Amanda	Bouldin, Andrew	Backus, Robert	Balch, Chris
Beaulieu, Jane	Bergeron, Paul	Bernet, Jennifer	Bordy, William
Bosman, James	Bouchard, Donald	Cleaver, Skip	Cohen, Bruce
Connors, Erika	Cornell, Patricia	Danielson, David	Dargie, Paul
Desjardin, Kathy	Dutzy, Sherry	Espitia, Manny	Davis, Fred
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Griffith, Willis
Hall, Brett	Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary
Herbert, Christopher	Schmidt, Janice	Jack, Martin	Jeudy, Jean
King, Mark	Klee, Patricia	Klein-Knight, Nicole	Leishman, Peter
Long, Patrick	Murray, Megan	Mangipudi, Latha	Martin, Joelle
Mullen, Sue	Murphy, Nancy	Nutter-Upham, Frances	Nutting-Wong, Allison
O'Brien, Michael	Pedersen, Michael	Petrigno, Peter	Pickering, Daniel
Piedra, Israel	Porter, Marjorie	Query, Joshua	Newman, Ray
Radhakrishnan, Julie	Riel, Cole	Newman, Sue	Shaw, Barbara
Snow, Kendall	Sofikitis, Catherine	St. John, Michelle	Stack, Kathryn
Stevens, Deb	Smith, Timothy	Telerski, Laura	Toomey, Dan
Vail, Suzanne	Van Houten, Constance	Wilhelm, Matthew	Williams, Kermit
Woodbury, David			

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Kotowski, Frank
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Fox, Samantha
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Doherty, David
Fulweiler, Joyce
Luneau, David
Myler, Mel
Schamberg, Thomas
Turcotte, Alan
Wolf, Dan

ROCKINGHAM

Abramson, Max
Cahill, Michael
Gay, Betty
Hoelzel, Kathleen
Maggiore, Jim
Meuse, David
Ward, Gerald

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Malloy, Dennis
Read, Ellen
Yokela, Josh

Berrien, Skip
DiLorenzo, Charlotte
Grote, Jaci
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Edgar, Michael
Guthrie, Joseph
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

STRAFFORD

Bixby, Peter
Ellis, Donna
Harrington, Michael
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

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

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

SULLIVAN, Brian

NAYS - 121**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Mackie, Jonathan
Tilton, Franklin

Fields, Dennis
Beaudoin, Richard

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Warden, Mark

Barry, Richard
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie

Boehm, Ralph
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Somero, Paul

Burt, John
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Ulery, Jordan

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Horn, Werner
Seaworth, Brian

Klose, John
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Hobson, Deborah

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Osborne, Jason

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Green, Dennis
Janigian, John

Baldasaro, Al
Costable, Michael
DeSimone, Debra
Harb, Robert
Janvrin, Jason

Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Spillane, James
Vose, Michael

Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott

Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Hayward, Peter
Beaudoin, Steven

Horgan, James
Wuelper, Kurt

Perreault, Mona

Pitre, Joseph

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1672-FN, allowing voters to vote by absentee ballot. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the Majority of Election Law. The majority believes that New Hampshire's Constitution affords all eligible voters the freedom to use an absentee ballot. The majority also believes that eligible voters should not need to provide excuses to the state to access the franchise. The majority trusts New Hampshire voters and the Secretary of State's tireless efforts to ensure the integrity of the franchise. Vote 12-8.

Rep. Katherine Prudhomme-O'Brien for the Minority of Election Law. New Hampshire has very high voting rates, higher than states that have no-excuse absentee balloting. Interestingly, those states have had higher voting rates in the past when they did not have no-excuse absentee balloting. We heard testimony that absentee voting is an area where most cases of voting fraud occur. There is no need for this bill in New Hampshire, disability rights organizations have stated that current laws regarding absentee voting protect their rights and that both absentee and in-person voting work well for them. Lastly, we have seen elections in other states where candidates dropped out of the race very close to the election but weeks after large scale absentee voting began. Many of those voters then desired to vote anew, an option that is not possible after casting an absentee ballot.

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

Rep. Hoelzel requested a roll call; sufficiently seconded.

YEAS 194 - NAYS 132

YEAS - 194 BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meader, David
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia

Bouldin, Andrew
Bernet, Jennifer
Cleaver, Skip
Danielson, David

Balch, Chris
Bordy, William
Cohen, Bruce
Dargie, Paul

Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy

Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Davis, Fred
Griffith, Willis
Heath, Mary
Jeudy, Jean
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Williams, Kermit

Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Guthrie, Joseph
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen
Yokela, Josh

Bushway, Patricia
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Cahill, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 132

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Burt, John
Gagne, Larry
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, Paul

Backus, Robert
Camarota, Linda
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

Barry, Richard
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Boehm, Ralph
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Green, Dennis
Osborne, Jason
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Spillane, James
Vose, Michael

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1319, prohibiting the siting of new landfills or expansions of existing landfills near state parks, national parks, or United States Department of Agriculture forest land. **OUGHT TO PASS WITH AMENDMENT.** Rep. Peter Bixby for Environment and Agriculture. This bill, as amended, bans the siting of new solid waste landfills within 2 miles of state or national parks. We heard significant concerns about a landfill being considered within a quarter mile of Forest Lake State Park and the impact that a nearby landfill would have on the attractiveness of the park to visitors. The majority of the committee was also concerned with the effect that a nearby landfill siting would have on any state park. State parks are a critical part of NH tourism infrastructure and are funded only by visitor fees. The House Counsel indicated that such a ban would not likely be considered an illegal taking under constitutional law. Vote 11-9.

Amendment (0995h)

Amend RSA 149-M:9, XV as inserted by section 1 of the bill by replacing it with the following:

XV. No permit shall be issued by the department for the siting of a new solid waste facility if any part of the actual solid waste disposal area is proposed to be located within 2 miles of the boundary of any state or national park. For purposes of this paragraph, "state park" means any state park managed by the state director of the division of parks and recreation pursuant to RSA 216-A:1-2. For purposes of this paragraph "national park" means the Appalachian National Scenic Trail as described in RSA 216-D:2 and the Saint-Gaudens National Historical Park. State or national park shall not include the state historic sites and recreational rail trails.

AMENDED ANALYSIS

This bill prohibits the siting of new landfills or expansions of existing landfills near state parks or national parks. This bill also defines state and national parks for the purposes of prohibiting the siting of new landfills or expansions of existing landfills.

Committee amendment adopted.

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

Rep. Bixby offered floor amendment (1108h).

Floor Amendment (1108h)

Amend RSA 149-M:9, XV as inserted by section 1 of the bill by replacing it with the following:

XV. No permit shall be issued by the department for the siting of a new landfill, excluding expansions of existing landfills, if any part of the actual solid waste disposal area is proposed to be located within 2 miles of the boundary of any state or national park. For purposes of this paragraph, "state park" means any state park managed by the state director of the division of parks and recreation pursuant to RSA 216-A:1-2. For purposes of this paragraph "national park" means the Appalachian National Scenic Trail as described in RSA 216-D:2 and the Saint-Gaudens National Historical Park. State or national park shall not include the state historic sites and recreational rail trails.

AMENDED ANALYSIS

This bill prohibits the siting of new landfills, excluding expansions of existing landfills, near state parks or national parks. This bill also defines state and national parks for the purposes of prohibiting the siting of new landfills or expansions of existing landfills.

Rep. Bixby spoke in favor.

Floor amendment (1108h) adopted.

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

Rep. Adjutant requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 123**YEAS - 189****BELKNAP**

Huot, David

CARROLL

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Faulkner, Barry
Ley, Douglas
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Pearson, William

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Merner, Troy

Moynihan, Wayne

GRAFTON

Abel, Richard
Dontonville, Roger
Hennessey, Erin
Nordgren, Sharon
Smith, Suzanne

Adjutant, Joshua
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Sykes, George

Almy, Susan
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Weston, Joyce

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

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Martin, Joelle
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Woodbury, David

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Judy, Jean
Leishman, Peter
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Renzullo, Andrew
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Danielson, David
Espitia, Manny
Hall, Brett
Herbert, Christopher
King, Mark
Murray, Megan
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bordy, William
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Newman, Sue
Stack, Kathryn
Toomey, Dan
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Luneau, David
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Buchanan, Ryan
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Karrick, David
McWilliams, Rebecca
Saunderson, George
Soucy, Timothy
Wells, Kenneth

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

ROCKINGHAM

Acton, Dennis
Cahill, Michael
Grossman, Gaby
Maggiore, Jim
McKinney, Betsy
Pearson, Stephen
Welch, David

Altschiller, Debra
Cushing, Robert Renny
Murray, Kate
Malloy, Dennis
Meuse, David
Somssich, Peter

Berrien, Skip
DiLorenzo, Charlotte
Le, Tamara
McBeath, Rebecca
Pratt, Kevin
Vallone, Mark

Bushway, Patricia
Gay, Betty
Pearson, Mark
McConnell, Liz
Read, Ellen
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Fargo, Kristina
Hayward, Peter
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Wall, Janet

Conley, Casey
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 123**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Meador, David

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Noel, Henry

Thomas, Yvonne

GRAFTON

Gordon, Edward

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gidge, Kenneth
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Proulx, Mark
Shaw, Barbara

Barry, Richard
Erf, Keith
Goley, Jeffrey
Hopper, Gary
Marzullo, JP
O'Brien, Michael
Prout, Andrew
Somero, Paul

Boehm, Ralph
Flanagan, Jack
Greene, Bob
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Ulery, Jordan

Burt, John
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Warden, Mark

MERRIMACK

Allard, James
Kotowski, Frank
Seaworth, Brian

Ebel, Karen
McGuire, Carol
Testerman, Dave

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Klose, John
Rogers, Katherine
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Desilets, Joel
Edgar, Michael
Harb, Robert
Janigian, John
Griffin, Mary
Melvin, Charles
Piemonte, Tony
Sytek, John
Weyler, Kenneth

Abrami, Patrick
Costable, Michael
DeSimone, Debra
Edwards, Jess
Hobson, Deborah
Katsakiores, Phyllis
Major, Norman
Milz, David
Potucek, John
Torosian, Peter
Yokela, Josh

Abramson, Max
Davis, Dan
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Kolodziej, Walter
McBride, Everett
O'Connor, John
Prudhomme-O'Brien, Katherine
Vose, Michael

Baldasaro, Al
Thomas, Douglas
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Love, David
McMahon, Charles
Packard, Sherman
Spillane, James
Wallace, Scott

STRAFFORD

Harrington, Michael
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Vincent, Kenneth

Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1422-FN, establishing a moratorium on the issuance of permits for new landfills or the expansion of existing landfills for the purpose of studying the creating of municipal waste districts. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Liz McConnell for the Majority of Environment and Agriculture. The committee finally settled on a recommendation of Interim Study after motions of OTP/A and ITL failed. The committee believes that the topic is deserving of a more in-depth look at the pros and cons of a moratorium on new landfill permits. Vote 15-5. Rep. Jane Beaulieu for the Minority of Environment and Agriculture. The minority felt that to Interim Study the bill would duplicate studies proposed in similar legislation this year. Passing the bill as amended this year would provide a pause by means of a 2-year moratorium in the siting of new landfills, rather than just a continuation of study efforts.

The question being adoption of the majority committee report of Refer for Interim Study.
Rep. Fulweiler requested a roll call; sufficiently seconded.

YEAS 260 - NAYS 56

YEAS - 260

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Huot, David
Beaudoin, Richard

CARROLL

Avellani, Lino
MacDonald, John

Burroughs, Anita
Marsh, William

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
O'Day, John
Weber, Lucy

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry

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

Bordenet, John
Gomarlo, Jennie
Meador, David
Pearson, William

COOS

Craig, Kevin
Moynihan, Wayne

Furbush, Michael
Noel, Henry

Hatch, William
Tucker, Edith

Laflamme, Larry

GRAFTON

Almy, Susan
Gordon, Edward
Nordgren, Sharon
Weston, Joyce

Campion, Polly
Hennessey, Erin
Osborne, Richard

Dontonville, Roger
Migliore, Vincent Paul
Stringham, Jerry

Fellows, Sallie
Mulligan, Mary Jane
Sykes, George

HILLSBOROUGH

Alexander, Joe
Bergeron, Paul
Bosman, James
Connors, Erika
Dutzy, Sherry
Gagne, Larry
Gunski, Michael
Herbert, Christopher
King, Mark
Ober, Lynne
Martin, Joelle
Nunez, Hershel
Panasiti, Reed
Piedra, Israel
Prout, Andrew
Radhakrishnan, Julie
Shaw, Barbara
Telerski, Laura
Warden, Mark

Bouldin, Amanda
Bernet, Jennifer
Bouchard, Donald
Danielson, David
Erf, Keith
Gidge, Kenneth
Hall, Brett
Hinch, Richard
Klee, Patricia
Lascelles, Richard
Marzullo, JP
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Query, Joshua
Renzullo, Andrew
Snow, Kendall
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Boehm, Ralph
Burt, John
Dargie, Paul
Davis, Fred
Goley, Jeffrey
Harriott-Gathright, Linda
Hopper, Gary
Klein-Knight, Nicole
Murray, Megan
McLean, Mark
Nutting-Wong, Allison
Petrigno, Peter
Porter, Marjorie
Newman, Ray
Rice, Kimberly
Somero, Paul
Ulery, Jordan

Backus, Robert
Bordy, William
Camarota, Linda
Desjardin, Kathy
Flanagan, Jack
Greene, Bob
Heath, Mary
Jack, Martin
L'Heureux, Robert
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Pickering, Daniel
Proulx, Mark
Ober, Russell
Newman, Sue
Stack, Kathryn
Van Houten, Constance

MERRIMACK

Allard, James
Ebel, Karen
Karrick, David
Luneau, David
Myler, Mel
Schultz, Kristina
Turcotte, Alan
Yakubovich, Michael

Bartlett, Christy
Fox, Samantha
Klose, John
MacKay, James
Pearl, Howard
Seaworth, Brian
Walz, Mary Beth

Carson, Clyde
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Doherty, David
Horn, Werner
Lane, Connie
Moffett, Howard
Schuett, Dianne
Testerman, Dave
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Bushway, Patricia
 Cushing, Robert Renny
 DeSimone, Debra
 Edgar, Michael
 Grossman, Gaby
 Hobson, Deborah
 Katsakiores, Phyllis
 Love, David
 Major, Norman
 McKinney, Betsy
 O'Connor, John
 Pratt, Kevin
 Somssich, Peter
 Vallone, Mark
 Ward, Gerald

Abrami, Patrick
 Barnes, Arthur
 Cahill, Michael
 Davis, Dan
 DiLorenzo, Charlotte
 Edwards, Jess
 Grote, Jaci
 Hoelzel, Kathleen
 Khan, Aboul
 Lovejoy, Patricia
 McBeath, Rebecca
 McMahon, Charles
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Spillane, James
 Verville, Kevin
 Welch, David

Abramson, Max
 Berrien, Skip
 Chirichiello, Brian
 Thomas, Douglas
 Dolan, Tom
 Gay, Betty
 Guthrie, Joseph
 Janigian, John
 Kolodziej, Walter
 Griffin, Mary
 McBride, Everett
 Melvin, Charles
 Piemonte, Tony
 Roy, Terry
 Sytek, John
 Vose, Michael
 Weyler, Kenneth

Acton, Dennis
 Bershtein, Alan
 Costable, Michael
 Desilets, Joel
 Doucette, Fred
 Green, Dennis
 Harb, Robert
 Janvrin, Jason
 Le, Tamara
 Pearson, Mark
 McConnell, Liz
 Milz, David
 Potucek, John
 Pearson, Stephen
 Torosian, Peter
 Wallace, Scott
 Yokela, Josh

STRAFFORD

Bixby, Peter
 Fontneau, Timothy
 Horgan, James
 Pitre, Joseph
 Salloway, Jeffrey
 Wall, Janet

Cannon, Gerri
 Grassie, Chuck
 Smith, Marjorie
 Rich, Cecilia
 Southworth, Thomas
 Wuelper, Kurt

Chase, Wendy
 Harrington, Michael
 Opderbecke, Linn
 Rooney, Abigail
 Towne, Matthew

Fargo, Kristina
 Hayward, Peter
 Perreault, Mona
 Beaudoin, Steven
 Treleven, Susan

SULLIVAN

Aron, Judy
 Lucas, Gates
 Stapleton, Walter

Callum, John
 Merchant, Gary
 Smith, Steven

Cloutier, John
 O'Hearne, Andrew
 Sullivan, Brian

Laware, Thomas
 Rollins, Skip

NAYS - 56**BELKNAP**

Howard, Raymond

CARROLL

Knirk, Jerry

CHESHIRE**COOS****GRAFTON**

Abel, Richard
 Josephson, Timothy

Adjutant, Joshua
 Maes, Kevin

Egan, Timothy
 Ruprecht, Dennis

Ford, Susan
 Smith, Suzanne

HILLSBOROUGH

Balch, Chris
 Cohen, Bruce
 Hamer, Heidi
 Leishman, Peter
 St. John, Michelle
 Woodbury, David

Barry, Richard
 Espitia, Manny
 Schmidt, Janice
 Long, Patrick
 Stevens, Deb

Beaulieu, Jane
 Freitas, Mary
 Jeudy, Jean
 Murphy, Nancy
 Smith, Timothy

Cleaver, Skip
 Griffith, Willis
 Langley, Diane
 Riel, Cole
 Vail, Suzanne

MERRIMACK

Buchanan, Ryan
 Pimentel, Roderick
 Woods, Gary

Ellison, Arthur
 Rogers, Katherine

Fulweiler, Joyce
 Schamberg, Thomas

McWilliams, Rebecca
 Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
 Read, Ellen

Maggiore, Jim

Malloy, Dennis

Meuse, David

STRAFFORD

Conley, Casey
 Kenney, Cam

Frost, Sherry
 Levesque, Cassandra

Horrigan, Timothy
 Schmidt, Peter

Keans, Sandra

and the majority committee report was adopted.

HB 1570-FN, establishing an architectural paint program. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Bixby for Environment and Agriculture. This bill would have established a New Hampshire "Paint Care" program. This is an industry orchestrated program to facilitate the collection of unused house paint. Bad weather prevented the prime sponsor and an industry expert from testifying. Our main source of information was from the Department of Environmental Services (DES). DES testified that the bill as written would impose administrative requirements for which the department has neither personnel nor funding. The committee felt that the intent of the bill has merit, but will not work as written. We would recommend that the sponsor rewrite the bill, in consultation with DES, and resubmit it next session. Vote 19-0. Committee report adopted.

HB 1630-FN, relative to pet vendors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard Pearl for Environment and Agriculture. This bill supports the House position on this issue passed earlier this session in HB 371 concerning the numbers of animals transferred for an entity to be considered a pet vendor under the law. Additionally, the bill provides for an exemption process, administered by the Department of Agriculture, Markets and Food, for a person who inadvertently qualifies as a pet vendor due to a larger than expected litter of dogs, cats, or ferrets. Vote 19-1.

Amendment (0952h)

Amend RSA 437:7, I as inserted by section 2 of the bill by replacing it with the following:

I. The license provisions of this subdivision shall not apply to breeders of dogs that do not meet the definition of pet vendor in RSA 437:1, veterinarians, or the transfer of livestock or poultry.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1122-FN, relative to death benefits of first responders who die from suicide. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for the Majority of Executive Departments and Administration. This bill addresses the presumption that first responders who complete the act of suicide have engaged in such behavior as a result of the constant stress, critical incidents, and trauma inherent in the professions of law enforcement, fire-fighting, emergency medical services practitioners, and rescue squad personnel. The underlying precepts of this bill follow similar considerations for active duty military personnel under the Uniform Code of Military Justice. Vote 18-1.

Rep. John Burt for the Minority of Executive Departments and Administration. For someone to be so low in one's life to think suicide is the only way out is sad when there is help. But this bill will pay that police officer, firefighter, emergency medical technician or rescue squad member's loved ones money if they commit suicide. The benefit in this law amounts to \$100,000. The minority does not want the person in that low spot of their life thinking, "I am worth more dead than alive." The minority also wonders why just police officers, firefighters, emergency medical technicians, and rescue squad members? The constitution says one group of men should not be above another group of men. If this bill comes forward, it should include all NH residents that sadly would commit suicide and not get the help they deserve and need.

Majority Amendment (0375h)

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

(f) "Killed in the line of duty" means a death, ***including suicide***, of a police officer, firefighter, emergency medical technician, or rescue squad member while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. ***Death by suicide shall be considered a work related cause of death.*** "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.

Majority committee amendment adopted.

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

Rep. Burt spoke against.

Reps. Abbas and Proulx spoke in favor and yielded to questions.

Rep. Timothy Smith requested a roll call; sufficiently seconded.

YEAS 275 - NAYS 42

YEAS - 275

BELKNAP

Bean, Harry
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Huot, David
Beaudoin, Richard

Jurius, Deanna
Spanos, Peter

CARROLL

Avellani, Lino
DesMarais, Edith
Woodcock, Stephen

Burroughs, Anita
Kanzler, Harrison

Butler, Edward
Knirk, Jerry

Comeau, Ed
MacDonald, John

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meader, David
Pearson, William

COOS

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Egan, Timothy
Hennessey, Erin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Fellows, Sallie
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Ford, Susan
Maes, Kevin
Osborne, Richard
Smith, Suzanne

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

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bernet, Jennifer
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Gidge, Kenneth
Gunski, Michael
Herbert, Christopher
Judy, Jean
L'Heureux, Robert
Leishman, Peter
Martin, Joelle
Murphy, Nancy
O'Brien, Michael
Piedra, Israel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Van Houten, Constance

Bouldin, Amanda
Barry, Richard
Boehm, Ralph
Camarota, Linda
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Hall, Brett
Hinch, Richard
King, Mark
Ober, Lynne
Long, Patrick
Marzullo, JP
Notter, Jeanine
Panasiti, Reed
Porter, Marjorie
Radhakrishnan, Julie
Snow, Kendall
Stack, Kathryn
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Beaulieu, Jane
Bordy, William
Cleaver, Skip
Danielson, David
Espitia, Manny
Greene, Bob
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Langley, Diane
Murray, Megan
McLean, Mark
Nunez, Hershel
Pedersen, Michael
Proulx, Mark
Rice, Kimberly
Sofikitis, Catherine
Stevens, Deb
Ulery, Jordan
Woodbury, David

Backus, Robert
Bergeron, Paul
Bosman, James
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Lascelles, Richard
Mangipudi, Latha
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Riel, Cole
Somero, Paul
Smith, Timothy
Vail, Suzanne

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
MacKay, James
Pearl, Howard
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya
Yakubovich, Michael

Buchanan, Ryan
Ellison, Arthur
Klose, John
McWilliams, Rebecca
Pimentel, Roderick
Schuett, Dianne
Testerman, Dave
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Wolf, Dan

Doherty, David
Fulweiler, Joyce
Luneau, David
Myler, Mel
Saunderson, George
Seaworth, Brian
Walz, Mary Beth
Woods, Gary

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Bershtein, Alan
Cushing, Robert Renny
DiLorenzo, Charlotte
Edwards, Jess
Guthrie, Joseph
Janvrin, Jason
Le, Tamara
Pearson, Mark
McBeath, Rebecca
Meuse, David

Abrami, Patrick
Baldasaro, Al
Bushway, Patricia
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Murray, Kate
Love, David
Maggiore, Jim
McBride, Everett
Packard, Sherman

Abramson, Max
Barnes, Arthur
Cahill, Michael
Desilets, Joel
Doucette, Fred
Grossman, Gaby
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
McConnell, Liz
Potucek, John

Acton, Dennis
Berrien, Skip
Chirichiello, Brian
DeSimone, Debra
Edgar, Michael
Grote, Jaci
Janigian, John
Khan, Aboul
Griffin, Mary
Malloy, Dennis
McMahon, Charles
Pratt, Kevin

Prudhomme-O'Brien, Katherine
Somssich, Peter
Ward, Gerald

Read, Ellen
Sytek, John
Welch, David

Roy, Terry
Vallone, Mark
Weyler, Kenneth

Pearson, Stephen
Vose, Michael

STRAFFORD

Bixby, Peter
Fargo, Kristina
Hayward, Peter
Levesque, Cassandra
Perreault, Mona
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Pitre, Joseph
Southworth, Thomas
Wall, Janet

Chase, Wendy
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Rich, Cecilia
Towne, Matthew

Conley, Casey
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Rooney, Abigail
Treleaven, Susan

SULLIVAN

Aron, Judy
Merchant, Gary
Smith, Steven

Callum, John
O'Hearne, Andrew
Sullivan, Brian

Cloutier, John
Rollins, Skip
Tanner, Linda

Lucas, Gates
Stapleton, Walter

NAYS - 42

BELKNAP

Comtois, Barbara

Howard, Raymond

Sylvia, Michael

CARROLL

Marsh, William

Ticehurst, Susan

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

GRAFTON

Dontonville, Roger

Ladd, Rick

HILLSBOROUGH

Burt, John
Plett, Fred

Erf, Keith
Prout, Andrew

Davis, Fred
Shaw, Barbara

Hopper, Gary
Warden, Mark

MERRIMACK

Allard, James
McGuire, Carol

Hill, Gregory
Turcotte, Alan

Horn, Werner

Kotowski, Frank

ROCKINGHAM

Costable, Michael
Osborne, Jason
Spillane, James
Yokela, Josh

Thomas, Douglas
Kolodziej, Walter
Torosian, Peter

Green, Dennis
Melvin, Charles
Verville, Kevin

Harb, Robert
Piemonte, Tony
Wallace, Scott

STRAFFORD

Harrington, Michael

Horgan, James

Beaudoin, Steven

Wuelper, Kurt

SULLIVAN

Laware, Thomas

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

MOTION TO PRINT DEBATE

Rep. Sofikitis moved that the debate on **HB 1122-FN**, relative to death benefits of first responders who die from suicide, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 1122-FN

Representative Burt: Thank you, Mister Speaker. Mister Speaker this was a hard bill for me. I was the only vote that said no in committee. What this bill does is if an EMT, policeman, fireman, medical technician, commits suicide. If they are working, you know, they have to be working, employed and they commit suicide, the state taxpayers will give their loved ones \$100,000. Now, I'm not opposed to that part of it. What I opposed to is that we are paying somebody, well not somebody, we are paying their families to commit suicide. Suicide in my eyes, Mister Speaker, is very sad. I cannot imagine being that low in life where that is your only option, especially when there is help out there, but I guess when you get to that situation you are not looking for that help. So the other thing that I looked at, Mister Speaker, and one of the reasons I voted no

is because we can't, nobody else I guess the military from what I understood in committee, they are doing it, but private insurance, nobody else. You commit suicide they are not paying. I just think that this is setting a bad precedent. Now, if we opened it up where everybody had to pay private and everybody else, I'd had to look at it different. But what I'm looking at, Mister Speaker, was what happens if the individual that fits in this criteria is a major gambler. We have that problem here in New Hampshire. So, with that said, what would happen if they were in debt over their eyebrows and they said you know what, my kids need to go to college and everything else. I don't know if this would happen or not.

Speaker Shurtleff: Will the member suspend? Why does the member rise? Did the member rise for a motion? You have a point of order. Please state your point of order.

Representative Sofikitis: My brother was a military man and he killed himself and I don't like how you just classified that as paying people to commit suicide. I am so offended by that right now. Don't roll your eyes at me, Representative.

Speaker Shurtleff: The member has stated her point of order and her point of order is taken. The member will proceed.

Representative Burt: I did not roll any eyes. But, Mister Speaker, again suicide is very sad. It was hard for me to vote no on this because I understand, not that I, you know, again thank God I'm never there. What I'm looking at is the gambling side of it or any reason other than just the depression side. I don't want to have an option where that \$100,000 would be worth the risk of what the person would do so that is why I voted against it and I hope a couple of you will also. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Salem, Rep. Abbas, to speak in support of the recommendation.

Representative Abbas: Thank you, Mister Speaker. I rise in support of the recommendation of Ought to Pass that was 18-1. I just want to thank the co-sponsors as well, the former first responders as well as the communities working on this bill. To simplify what is otherwise a very difficult subject, HB 1122 will allow a surviving family of first responders to cover the line of duty death benefits if the first responder were to pass away by suicide. I was motivated to put this bill in after the Criminal Justice and Public Safety Committee went on a tour of a facility where all the New Hampshire firefighters receive their training. We were told that in 2018 eight first responders in the State of New Hampshire committed suicide and first that number just jumped out at me and seemed it was clearly higher than the average. The consensus was that the figure related to the stress and PTSD that is associated with first responders facing traumatic situations on a regular basis. Under the current law, if a first responder were to suffer a physical wound and be hospitalized for several months and eventually succumb to that wound, they would still receive the line of duty death benefits and to me if it is a psychological wound leading to a mental health situation that ultimately results in suicide that relates to the stress of their profession, I didn't see any way to distinguish the two. To me they are simply passing away from the wound that they sustained. This principle is not unheard of. It is identical to what the United States Military follows. I understand that there is some questions people have of what this bill could possibly motivate other people to do and I will say that thought crossed my mind and I came up and testified before the committee, but I also did the math and the math behind that doesn't make sense. Taking the sensitivity of the subject out of it, simply put, a first responder, not even counting any overtime, would basically make \$100,000 within probably a year and a half or maybe two years. The financial part of that doesn't really line up so I don't believe this bill will encourage suicide. I certainly would not have filed this bill if I thought that for a second. What this bill does do is it puts the family members in a better situation so they can at least, obviously they are going through a traumatic situation, but they will be in a situation where they can make the arrangements to address what is clearly one of the most devastating situations this family will go through. We also heard testimony that when someone reaches the point of being suicidal, it's unlikely they would even consider the financial ramifications of their actions. The reason for that is that is really is an introverted decision as opposed to something considering other people around them. What I would say is if you join me passing this by either a voice vote or pushing the green button, we will be one step closer to being the first state in the country to actually pass a policy such as this one. I know we often hear people speak, whether in committee or testifying or at the well over here of what other states do, I think this will put us in a position where other states will talk about what New Hampshire did and model their law after ours. I would ask you to support me in having this bill passed. Thank you.

Speaker Shurtleff: Would the member take a question? Rep. Baldasaro, you may inquire.

Representative Baldasaro: Thank you, Mister Speaker. Thank you, Representative for taking my question. This is an issue that is near and dear to my heart and the veteran community and I was fortunate to sit on the first responders study commission. Learning a lot, the fire and police go through the same PTSD and mental issues that the veterans do. Very far and in between kill themselves over a card game. I have to disagree with my friend. Like fellow veterans I know that committed suicide, would you believe that this is very important because the state for many years pushed mental health aside and did nothing until recently with the past commissions?

Representative Abbas: I agree with that. I think the state has taken several steps obviously trying to prevent suicide, but also addressing the mental health issues that go with suicide. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Manchester, Rep. Proulx to speak in support of the recommendation.

Representative Proulx: Good afternoon. I will try and make this as brief as I can. Many of you know I am a firefighter, but what you may not know is that I run the critical instance stress debriefing team or stress management team for the state. I've been doing that for 30 years. What that team does is go out and help police, fire, EMS any emergency responder that has a bad call and helps them get through it. We have mental health people. We do peer support. I've been doing this for 30 years. I've seen the uptake of suicide for our first responders. Why is that? The human body is designed to handle a certain amount of stress. Luckily, most civilians never reach that. They may have one or two bad instances in their life, but unfortunately first responders are called to go and see and do those things that nobody else wants to do. When I left this Chamber yesterday, I responded to a local fire department because they had a 14-year-old that went into cardiac arrest. The woman who did CPR on them only saw her child. She can't tell me what that kid looks like. So, yes, we have this issue that our first responders are getting beat up and what has happened for years is that when we said hey, I think I'm having an issue about that call, we were told to suck it up and get back on the truck. That taught them that it is not okay to ask for help. We are trying to change that stigma and as you heard my friend, Baldasaro talk about the commission on PTSD. We started there, we made, this body passed a bill that said if you have PTSD it is presumed to come from your job unless proven otherwise. That was the first step in saying listen, we know you are doing this really tough job and that PTSD comes from your job. Not from something else, not because you are weak, but because of your job. This is the second part that says because God forbid, we help, ask for help for PTSD. If we ever talked about having suicidal tendencies, oh my God, right? That was even worse because that was the dirty little secret. If you had someone in your department that committed suicide, you were not allowed to wear the uniform. You couldn't take the department car, right, because that was really bad so that is a big stigma we have to change and this bill does that. This bill says we want to help you before you get to that point, right. We are going to help you with your PTSD and if you start thinking you have suicidal tendencies, please reach out and get help. We will help you, right. That old thing about well, I'll commit suicide for the benefit of \$100,000, really. When they are falling into that blackhole that they see no way out, except for suicide, the last thing they are thinking about is \$100,000, right. Because they don't want to leave their family, but that is the only way they see out. So, please and also, private life insurance doesn't pay for suicide. Yes, we are following the military model because they pay any soldier, military person that commits suicide, they get their benefit. So, please vote to pass this and take care of our first responders who are always taking care of you. Thank you.

Speaker Shurtleff: Will the member yield to a question? Rep. Yokela, you may inquire.

Representative Yokela: I hear a lot of discussion about PTSD regarding this bill, but I don't see anything in the language of this bill that directs it towards a connection between the suicide and the PTSD that may have been acquired through their work. Is it any type of suicide for any reason or do they need to be diagnosed beforehand with PTSD before this would kick in?

Representative Proulx: So, any line of duty death has a very intensive investigation, right. Yes, there is presumption in this that suicide is caused by your work unless they can prove otherwise, right. There may be some underlying issues or past history that may be there and that is for the investigating body to determine.

Speaker Shurtleff: The question before the House is on the recommendation that the bill Ought to Pass as Amended. Are you ready for the question? A roll call has been requested. Is the roll call seconded? It is seconded. This will be a roll call vote. Members will take their seats. The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes Rep. McGuire for a parliamentary inquiry. The House will be in order.

Representative McGuire: Thank you, Mister Speaker. If I'm concerned about the moral hazard of paying first responders for suicide. And, if I am absolutely horrified by the idea that we would establish that suicide is normal for first responders, would I now press the red button? Thank you.

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

Representative Proulx: If I know that this bill will help the first responders get the help that they need by making it okay to seek help and that we understand that this is a bad byproduct of their job. And, if I know that if the system fails our first responders and one of them completes the act of suicide, that there will be a small benefit for their family to help them get through. Please, please push the green button.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. This will be a roll call vote. 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 275 members voting Yea. Why does the member rise? We haven't finished the voting. We will get right to you, but let me finish and I'll recognize you. We are still in the voting mode. With a vote of 275 Yea and 42 Nay, the motion is adopted.

REGULAR CALENDAR CONT'D

HB 1228, proclaiming Climate Change Awareness Day on October 1. **OUGHT TO PASS WITH AMENDMENT.** Rep. Sallie Fellows for Executive Departments and Administration. This bill directs the Governor to proclaim Climate Change Awareness Day every year. This proclamation includes asking citizens of New Hampshire to consider the unique environmental and economic impact climate change is having on our state. The committee amendment changes the date from October 1 to April 22, creating an opportunity to combine the local perspective with the global perspective of Earth Day activities. Vote 11-8.

Amendment (1034h)

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

AN ACT proclaiming Climate Change Awareness Day.

Amend the bill by replacing section 2 with the following:

2 New Section; Climate Change Awareness Day. Amend RSA 4 by inserting after section 13-aa the following new section:

4:13-bb Climate Change Awareness Day. The governor shall annually proclaim April 22 as a statewide day of climate change awareness and shall urge state and local agencies, academic institutions, communities, and individuals to mark the day with events and activities designed to promote greater awareness of the effects of climate change. The governor shall call upon the department of environmental services, the fish and game department, and the department of education to promote the statewide event as an educational opportunity to share regional and statewide concerns about the environmental, economic, health, and safety effects of climate change.

AMENDED ANALYSIS

This bill directs the governor to proclaim April 22 as Climate Change Awareness Day.

MOTION TO LAY ON THE TABLE

Rep. Horn moved that **HB 1228**, proclaiming Climate Change Awareness Day, be laid on the table.

Rep. Horrigan requested a roll call; sufficiently seconded.

YEAS 132 - NAYS 188**YEAS - 132****BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Mann, John

O'Day, John

COOS

Craig, Kevin
Thomas, Yvonne

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Flanagan, Jack
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Renzullo, Andrew
Ulery, Jordan

Barry, Richard
Danielson, David
Gagne, Larry
Hopper, Gary
Marzullo, JP
Plett, Fred
Rice, Kimberly
Vail, Suzanne

Boehm, Ralph
Dutzy, Sherry
Greene, Bob
L'Heureux, Robert
McLean, Mark
Proulx, Mark
Shaw, Barbara
Warden, Mark

Burt, John
Erf, Keith
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Somero, Paul

MERRIMACK

Allard, James
Kotowski, Frank
Walsh, Thomas

Hill, Gregory
McGuire, Carol
Wolf, Dan

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Klose, John
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Costable, Michael
 DeSimone, Debra
 Gay, Betty
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Major, Norman
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Wallace, Scott

Abrami, Patrick
 Barnes, Arthur
 Davis, Dan
 Dolan, Tom
 Green, Dennis
 Osborne, Jason
 Khan, Aboul
 McBride, Everett
 Piemonte, Tony
 Roy, Terry
 Torosian, Peter
 Welch, David

Abramson, Max
 Bershtein, Alan
 Thomas, Douglas
 Doucette, Fred
 Harb, Robert
 Janigian, John
 Love, David
 McMahon, Charles
 Potucek, John
 Pearson, Stephen
 Verville, Kevin
 Weyler, Kenneth

Acton, Dennis
 Chirichiello, Brian
 Desilets, Joel
 Edwards, Jess
 Hobson, Deborah
 Janvrin, Jason
 Pearson, Mark
 Melvin, Charles
 Pratt, Kevin
 Spillane, James
 Vose, Michael
 Yokela, Josh

STRAFFORD

Harrington, Michael
 Perreault, Mona
 Salloway, Jeffrey

Hayward, Peter
 Pitre, Joseph
 Wuelper, Kurt

Horgan, James
 Rooney, Abigail

Opderbecke, Linn
 Beaudoin, Steven

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

NAYS - 188**BELKNAP**

Huot, David

Sylvia, Michael

CARROLL

Burroughs, Anita
 Knirk, Jerry

Butler, Edward
 Woodcock, Stephen

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

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

Ames, Richard
 Faulkner, Barry
 Ley, Douglas
 Tatro, Bruce

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

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

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
 Dontonville, Roger
 Josephson, Timothy
 Nordgren, Sharon
 Stringham, Jerry

Adjutant, Joshua
 Egan, Timothy
 Maes, Kevin
 Osborne, Richard
 Smith, Suzanne

Almy, Susan
 Fellows, Sallie
 Mulligan, Mary Jane
 Ruprecht, Dennis
 Sykes, George

Campion, Polly
 Ford, Susan
 Muscatel, Garrett
 Stavis, Laurel
 Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
 Beaulieu, Jane
 Bosman, James
 Connors, Erika
 Espitia, Manny
 Goley, Jeffrey
 Heath, Mary
 Jeudy, Jean
 Langley, Diane
 Mangipudi, Latha
 Nutter-Upham, Frances
 Pedersen, Michael
 Porter, Marjorie
 Riel, Cole
 Stack, Kathryn
 Toomey, Dan

Bouldin, Andrew
 Bergeron, Paul
 Bouchard, Donald
 Cornell, Patricia
 Davis, Fred
 Griffith, Willis
 Herbert, Christopher
 King, Mark
 Leishman, Peter
 Martin, Joelle
 Nutting-Wong, Allison
 Petrigno, Peter
 Query, Joshua
 Newman, Sue
 Stevens, Deb
 Van Houten, Constance

Backus, Robert
 Bernet, Jennifer
 Cleaver, Skip
 Dargie, Paul
 Freitas, Mary
 Hall, Brett
 Schmidt, Janice
 Klee, Patricia
 Long, Patrick
 Mullen, Sue
 O'Brien, Michael
 Pickering, Daniel
 Newman, Ray
 Sofikitis, Catherine
 Smith, Timothy
 Wilhelm, Matthew

Balch, Chris
 Bordy, William
 Cohen, Bruce
 Desjardin, Kathy
 Gidge, Kenneth
 Hamer, Heidi
 Jack, Martin
 Klein-Knight, Nicole
 Murray, Megan
 Murphy, Nancy
 Panasiti, Reed
 Piedra, Israel
 Radhakrishnan, Julie
 St. John, Michelle
 Telerski, Laura
 Woodbury, David

MERRIMACK

Bartlett, Christy
 Ebel, Karen
 Karrick, David

Buchanan, Ryan
 Ellison, Arthur
 Lane, Connie

Carson, Clyde
 Fox, Samantha
 Luneau, David

Doherty, David
 Fulweiler, Joyce
 MacKay, James

McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Woods, Gary

Moffett, Howard
Saunderson, George
Seaworth, Brian
Walz, Mary Beth

Myler, Mel
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya

Pimentel, Roderick
Schuett, Dianne
Turcotte, Alan
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

Bushway, Patricia
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Cahill, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Smith, Marjorie
Towne, Matthew

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

Chase, Wendy
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

and the motion failed.

The question being adoption of committee amendment (1034h).
Committee amendment adopted.

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

Rep. Sylvia spoke against and yielded to questions.

Rep. Fellows spoke in favor.

Rep. Buchanan requested a roll call; sufficiently seconded.

YEAS 197 - NAYS 114

YEAS - 197

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Mann, John
Tatro, Bruce

Bordenet, John
Gomarolo, Jennie
Meador, David
Von Plinsky, Sparky

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Hennessey, Erin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Freitas, Mary

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Dutzy, Sherry
Gidge, Kenneth

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Danielson, David
Espitia, Manny
Goley, Jeffrey

Balch, Chris
Bordy, William
Cohen, Bruce
Dargie, Paul
Davis, Fred
Griffith, Willis

Hall, Brett
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

Hamer, Heidi
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne

Heath, Mary
Jeudy, Jean
L'Heureux, Robert
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Herbert, Christopher
King, Mark
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Wazir, Safiya

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
Davis, Dan
Grote, Jaci
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

Cahill, Michael
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Towne, Matthew

Chase, Wendy
Frost, Sherry
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 114

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gunski, Michael
Notter, Jeanine
Proulx, Mark
Ulery, Jordan

Barry, Richard
Erf, Keith
Hopper, Gary
Nunez, Hershel
Prout, Andrew
Warden, Mark

Boehm, Ralph
Gagne, Larry
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew

Burt, John
Greene, Bob
McLean, Mark
Plett, Fred
Somero, Paul

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Costable, Michael
 Doucette, Fred
 Guthrie, Joseph
 Osborne, Jason
 Khan, Aboul
 McBride, Everett
 Piemonte, Tony
 Roy, Terry
 Torosian, Peter
 Weyler, Kenneth

Abrami, Patrick
 Barnes, Arthur
 Desilets, Joel
 Edwards, Jess
 Harb, Robert
 Janigian, John
 Love, David
 McMahon, Charles
 Potucek, John
 Pearson, Stephen
 Verville, Kevin
 Yokela, Josh

Abramson, Max
 Bershtein, Alan
 DeSimone, Debra
 Gay, Betty
 Hobson, Deborah
 Janvrin, Jason
 Pearson, Mark
 Melvin, Charles
 Pratt, Kevin
 Spillane, James
 Wallace, Scott

Acton, Dennis
 Chirichiello, Brian
 Dolan, Tom
 Green, Dennis
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Major, Norman
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Welch, David

STRAFFORD

Harrington, Michael
 Rooney, Abigail

Hayward, Peter
 Beaudoin, Steven

Horgan, James
 Wuelper, Kurt

Perreault, Mona

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

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

HB 1253, establishing an advisory council on the dispensing of eyeglasses and contact lenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Merchant for the Majority of Executive Departments and Administration. Pursuant to RSA 327-A, the Office of Professional License and Certification (OPLC) is required to establish rules related to opticians and ophthalmic dispensing of spectacles, eyeglasses and contact lens. Rules are required to include the process for registration, setting ethical and professional standards, procedures for handling complaints, procedures for approving or denial of an application for registration, conducting investigations, and imposing administrative fines. OPLC requested the establishment of an advisory council composed of four opticians and one public member to assist and advise OPLC in rule writing, complaints and investigations, and periodic review of professional and ethical standards including continuing education. The bill does not create a new regulatory entity or regulatory authority as current law, RSA 327-A, is in place. The amendment adds a provision requiring the council to meet at least once each calendar quarter and establishes a quorum of the council. Vote 11-8. Rep. Carol McGuire for the Minority of Executive Departments and Administration. Opticians are registered, not licensed, and with minimal requirements for the initial license, it is very possible to be registered right out of high school, then learn on the job. Complaints are given to the Attorney General's Consumer Protection Bureau and have been negligible for years. There is no need for an advisory committee and nothing for them to do.

Majority Amendment (0291h)

Amend the bill by replacing section 1 with the following:

1 New Section; Ophthalmic Dispensers; Advisory Council. Amend RSA 327-A by inserting after section 4 the following new section:

327-A:4-a Advisory Council; Establishment, Duties. There is hereby established an advisory council to the executive director on the dispensing of spectacles, eyeglasses and contact lenses, whose members shall be appointed by executive director with the approval of the governor and council. The members of the advisory council shall consist of 4 registered opticians and one member of the public having no relationship to ophthalmic dispensing. The executive director shall designate one member of the advisory council as chairperson. Each member of the advisory council shall serve a 3 year term, except that for the initial council 2 of the optician members shall serve a 2 year term. The advisory council shall meet at least once each calendar quarter to conduct its business and more often on call of the chairperson. Three members of the council shall constitute a quorum to conduct business. Members of the advisory council shall receive no per diem but shall be entitled to mileage when in the performance of duties required by this chapter. The advisory council shall advise the executive director on general and specific policies involved in the dispensing of ophthalmic devices and contact lenses, including but not limited to consumer complaints.

Majority committee amendment adopted.

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

Rep. Yakubovich spoke against.

Rep. Merchant spoke in favor.

Majority committee report adopted and ordered to third reading.

HB 1286-FN, relative to the licensure and regulation of music therapists. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for the Majority of Executive Departments and Administration. This bill, with the amendment, establishes a Music Therapy Governing Board in the Office of Allied Health Professionals for

the licensure and regulation of practitioners of music therapy. In this time of growing concern regarding mental health care for our citizens, it is important that NH avail itself of all recognized treatment modalities. Although we already have accredited music therapists practicing in our state, they are significantly impeded in their outreach by being limited to private pay patients, since most insurance coverage requires licensed providers. The bill grants such licensure and creates regulation under the well-established allied health board model. Vote 14-5.

Rep. Carol McGuire for the Minority of Executive Departments and Administration. This bill is yet another attempt to gain a government stamp of approval for yet another tiny, self-defined profession. Music therapists are not qualified mental health professionals, as can be seen in their alignment with the allied health professions (recreational therapists, occupational therapists, athletic trainers, physical therapists, etc.) rather than the Board of Mental Health Practice. No evidence was presented that “unqualified” music therapists are a problem in New Hampshire, and creating a board for the 33 working at present is unjustified.

Majority Amendment (0927h)

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

1 New Chapter; Music Therapists. Amend RSA by inserting after chapter 326-L the following new chapter:

CHAPTER 326-M MUSIC THERAPISTS

326-M:1 Definitions. In this chapter and RSA 328-F:

I. “Board” means the music therapists governing board established in RSA 328-F.

II. “Board certified music therapist” means an individual who holds current board certification from the Certification Board for Music Therapists.

III. “Executive director” means the executive director of the office of professional licensure and certification.

IV. “Music therapist” means a person licensed to practice music therapy pursuant to this chapter.

V. “Music therapy” means the clinical and evidence based use of music interventions to accomplish individualized goals for people of all ages and ability levels within a therapeutic relationship by a board certified music therapist. The music therapy interventions may include, music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, singing, music performance, learning through music, music combined with other arts, music-assisted relaxation, music-based patient education, electronic music technology, adapted music intervention and movement to music. The practice of music therapy does not include the screening, diagnosis, or assessment of any physical, mental, or communication disorder. This term may include:

(a) Acceptance of clients referred for music therapy by other health care or educational professionals, family members, or caregivers.

(b) Assessment of clients to determine appropriate music therapy services.

(c) Development and implementation of individualized music therapy treatment plans that identify goals, objectives, and strategies of music therapy that are appropriate for clients.

(d) Use of music therapy techniques such as improvisation, performance, receptive music listening, song writing, lyric discussion, guided imagery with music, learning through music, and movement to music.

(e) Evaluation of a client’s response to music therapy techniques and to the client’s individualized music therapy treatment plan.

(f) Any necessary modification of the client’s individualized music therapy treatment plan.

(g) Any necessary collaboration with the other health care professionals treating a client.

(h) Minimizing of barriers that may restrict a client’s ability to receive or fully benefit from music therapy services.

326-M:2 Prohibition on Unlicensed Practice; Professional Identification.

I. No person without a license as a music therapist shall use the title “music therapist” or similar title or practice music therapy.

II. Nothing in this chapter shall be construed to prohibit or restrict the practice, services, or activities of the following:

(a) Any person licensed, certified, or regulated under the laws of this state in another profession or occupation or personnel supervised by a licensed professional in this state performing work, including the use of music, incidental to the practice of his or her licensed, certified, or regulated profession or occupation, if that person does not represent himself or herself as a music therapist; or

(b) Any person whose training and national certification attests to the individual’s preparation and ability to practice his or her certified profession or occupation, if that person does not represent himself or herself as a music therapist; or

(c) Any practice of music therapy as an integral part of a program of study for students enrolled in an accredited music therapy program, if the student does not represent himself or herself as a music therapist; or

(d) Any person who practices music therapy under the supervision of a licensed music therapist, if the person does not represent himself or herself as a music therapist.

326-M:3 Licensure of Music Therapists. In addition to requirements under RSA 328-F:

I. The board shall issue a license to an applicant for a music therapy license when such applicant has completed and submitted an application upon a form and in such manner as the executive director prescribes, accompanied by applicable fees, and evidence satisfactory to the board that:

(a) The applicant is in good standing based on a review of the applicant's music therapy licensure history in other jurisdictions, including a review of any alleged misconduct or neglect in the practice of music therapy on the part of the applicant, and a review of the criminal background check required under RSA 328-F:18-a.

(b) The applicant provides proof of passing the examination for board certification offered by the Certification Board for Music Therapists or any successor organization or provides proof that the applicant is currently a board certified music therapist.

II. The board shall issue a license to an applicant for a music therapist license when such applicant has completed and submitted an application upon a form and in such manner as the executive director prescribes, accompanied by applicable fees, and evidence satisfactory to the board that the applicant is licensed and in good standing as a music therapist in another jurisdiction where the qualifications required are equal to or greater than those required in this chapter at the date of application.

326-M:4 Music Therapists Governing Board; Duties. In addition to the duties of a governing board under RSA 328-F:

I. The board may facilitate the development of materials that the office of professional licensure and certification may utilize to educate the public concerning music therapist licensure, the benefits of music therapy, and utilization of music therapy by individuals and in facilities or institutional settings.

II. The board may act as a facilitator of statewide dissemination of information between music therapists, the American Music Therapy Association or any successor organization, the Certification Board for Music Therapists or any successor organization, and the executive director.

III. The executive director shall seek the advice of the board for issues related to the regulation of music therapists.

2 Allied Health Professionals; Definition; Governing Board. Amend RSA 328-F:2, II to read as follows:

II. "Governing boards" means individual licensing boards of athletic trainers, occupational therapy assistants, occupational therapists, recreational therapists, physical therapists, physical therapist assistants, respiratory care practitioners, speech-language pathologists, [and] genetic counselors, **and music therapists**.

3 New Paragraph; Allied Health Professionals; Music Therapists. Amend RSA 328-F:2 by inserting after paragraph X the following new paragraph:

XI. "Music therapist" means music therapist as defined in RSA 326-M:1.

4 Governing Board; Establishment. Amend RSA 328-F:3, I to read as follows:

I. There shall be established governing boards of athletic trainers, occupational therapists, recreational therapists, respiratory care practitioners, physical therapists, speech-language pathologists, [and] genetic counselors, **and music therapists**.

5 New Paragraph; Music Therapists Governing Board; Appointment. Amend RSA 328-F:4 by inserting after paragraph X the following new paragraph:

XI. The music therapists governing board shall consist of 3 licensed music therapists, who have actively engaged in the practice of music therapy in this state for at least 2 years, one member who is a licensed health care provider who is not a music therapist, and one public member. Initial appointment of professional members by the governor and council shall be qualified persons practicing music therapy in this state. All subsequent appointments or reappointments shall require licensure.

6 Renewals; Reference to Music Therapists Added. Amend RSA 328-F:19, I to read as follows:

I. Initial licenses and renewals shall be valid for 2 years, except that timely and complete application for license renewal by eligible applicants shall continue the validity of the licenses being renewed until the governing board has acted on the renewal application. Licenses issued pursuant to RSA 328-A, RSA 326-G, [and] RSA 326-J, **and RSA 326-M** shall expire in even-numbered years and licenses issued pursuant to RSA 326-C, RSA 326-E, RSA 326-F, and RSA 326-K shall expire in odd-numbered years.

7 Office of Professional Licensure and Certification; New Classified Position; Appropriation.

I. One program assistant II position, labor grade 15, is hereby established as a classified position in the office of professional licensure and certification.

II. The amount necessary to pay for the position established in paragraph I and for the per diem and travel reimbursement as required under RSA 328-F:6 for the music therapy governing board established in this act, which shall be in addition to any sums appropriated in 2019, 345:1, 01-21-21-215010-2406, for the division of health professions, is hereby appropriated to the executive director of the office of professional licensure and certification. Salaries and necessary expenses shall be a charge against the office of professional licensure and certification fund established in RSA 310-A:1-e.

8 Effective Date. This act shall take effect July 1, 2020.

Majority committee amendment adopted.

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

(Rep. Ebel in the Chair)

Rep. Peter Schmidt spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 125

**YEAS - 182
BELKNAP**

Huot, David

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Parkhurst, Henry

Bordenet, John
Gomarlo, Jennie
Swinburne, Sandy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Danielson, David
Davis, Fred
Hall, Brett
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bordy, William
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Hamer, Heidi
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Stack, Kathryn
Toomey, Dan
Woodbury, David

Beaulieu, Jane
Bosman, James
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Judy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stevens, Deb
Vail, Suzanne

Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Lane, Connie
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Buchanan, Ryan
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Fulweiler, Joyce
McWilliams, Rebecca
Saunderson, George
Soucy, Timothy
Wazir, Safiya

Doherty, David
Karrick, David
Moffett, Howard
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

Bushway, Patricia
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Cahill, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

STRAFFORD

Bixby, Peter
Fargo, Kristina

Cannon, Gerri
Fontneau, Timothy

Chase, Wendy
Frost, Sherry

Conley, Casey
Grassie, Chuck

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

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

Kenney, Cam
Schmidt, Peter
Towne, Matthew

Levesque, Cassandra
Rich, Cecilia
Treleven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 125

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

Tatro, Bruce

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Flanagan, Jack
Gunski, Michael
McLean, Mark
Plett, Fred
Rice, Kimberly
Warden, Mark

Bouldin, Amanda
Burt, John
Gagne, Larry
Hopper, Gary
Notter, Jeanine
Proulx, Mark
Snow, Kendall

Bouldin, Andrew
Camarota, Linda
Gidge, Kenneth
L'Heureux, Robert
Nunez, Hershel
Prout, Andrew
Somero, Paul

Barry, Richard
Erf, Keith
Greene, Bob
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

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

Hill, Gregory
MacKay, James
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

Klose, John
Pearl, Howard
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Thomas, Douglas
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Pearson, Mark
Melvin, Charles
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott

Abrami, Patrick
Bershtein, Alan
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

Abramson, Max
Costable, Michael
Dolan, Tom
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
McBride, Everett
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Davis, Dan
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
McMahon, Charles
Pratt, Kevin
Spillane, James
Vose, Michael
Yokela, Josh

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1382, establishing April 8, 2024 as Solar Eclipse Day. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. This bill gives one-time recognition for an upcoming total solar eclipse in NH's North Country, which will take place on April 8, 2024. Full solar eclipses are typically a once-in-a-lifetime event. Knowing this far ahead of time that a total solar eclipse will be moving across a broad swath of America - including New Hampshire- will enable our schools and

our economic development engines to prepare and plan. The tourist dollars that will come to NH, and the science, technology, engineering and mathematics (STEM) educational opportunities for our kids, are worth the honor this bill will give and this bill costs nothing! Preplanning for this, though, is priceless. Vote 17-2. Rep. Horn requested a roll call; sufficiently seconded.

YEAS 244 - NAYS 67**YEAS - 244****BELKNAP**

Comtois, Barbara
Lang, Timothy

Fields, Dennis
Spanos, Peter

Huot, David

Jurius, Deanna

CARROLL

Avellani, Lino
Kanzler, Harrison
Ticehurst, Susan

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

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Abbott, Michael
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Harvey, Cathryn
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Ames, Richard
Faulkner, Barry
Meader, David
Pearson, William

Berch, Paul
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Bordenet, John
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Craig, Kevin
Merner, Troy
Thomas, Yvonne

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Hatch, William
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Laflamme, Larry
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Egan, Timothy
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Campion, Polly
Ford, Susan
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bernet, Jennifer
Burt, John
Cornell, Patricia
Espitia, Manny
Gidge, Kenneth
Gunski, Michael
Heath, Mary
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
O'Brien, Michael
Pickering, Daniel
Proulx, Mark
Radhakrishnan, Julie
Sofikitis, Catherine
Stevens, Deb
Vail, Suzanne

Bouldin, Amanda
Barry, Richard
Bordy, William
Cleaver, Skip
Dargie, Paul
Davis, Fred
Goley, Jeffrey
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nunez, Hershel
Panasiti, Reed
Piedra, Israel
Prout, Andrew
Riel, Cole
Somero, Paul
Smith, Timothy
Van Houten, Constance

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Greene, Bob
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Long, Patrick
McLean, Mark
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Gagne, Larry
Griffith, Willis
Harriott-Gathright, Linda
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Nutting-Wong, Allison
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Porter, Marjorie
Newman, Ray
Snow, Kendall
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Toomey, Dan
Woodbury, David

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Pimentel, Roderick
Schultz, Kristina
Wallner, Mary Jane
Wolf, Dan

Bartlett, Christy
Ellison, Arthur
Karrick, David
McGuire, Carol
Rogers, Katherine
Seaworth, Brian
Walz, Mary Beth
Woods, Gary

Buchanan, Ryan
Fox, Samantha
Lane, Connie
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Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya

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Myler, Mel
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Abramson, Max
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Lovejoy, Patricia
Malloy, Dennis
Meuse, David
Pearson, Stephen
Verville, Kevin

Cushing, Robert Renny
Dolan, Tom
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Hoelzel, Kathleen
Pearson, Mark
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Maggiore, Jim
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Spillane, James

Desilets, Joel
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Guthrie, Joseph
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Major, Norman
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Frost, Sherry
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Wuelper, Kurt

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Aron, Judy
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Tanner, Linda

Cloutier, John
O'Hearne, Andrew

Laware, Thomas
Rollins, Skip

Lucas, Gates
Sullivan, Brian

NAYS - 67

BELKNAP

Bean, Harry
Sylvia, Michael

Howard, Raymond
Tilton, Franklin

Mackie, Jonathan

Beaudoin, Richard

CARROLL

Comeau, Ed

CHESHIRE

Mann, John

O'Day, John

GRAFTON

Gordon, Edward

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Migliore, Vincent Paul

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Lascelles, Richard
Ulery, Jordan

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Testerman, Dave

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Moffett, Howard
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Osborne, Jason
Khan, Aboul
Pratt, Kevin
Vose, Michael
Yokela, Josh

Baldasaro, Al
Edwards, Jess
Janigian, John
Love, David
Roy, Terry
Wallace, Scott

Barnes, Arthur
Green, Dennis
Janvrin, Jason
McBride, Everett
Sytek, John
Welch, David

Davis, Dan
Harb, Robert
Katsakiores, Phyllis
Melvin, Charles
Torosian, Peter
Weyler, Kenneth

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Hayward, Peter
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Horgan, James
Towne, Matthew

Opderbecke, Linn

Perreault, Mona

SULLIVAN

Callum, John

Stapleton, Walter

Smith, Steven

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

HB 1494-FN, relative to death benefits for public works heavy equipment operators killed in the line of duty, and relative to workers' compensation offsets for certain retirement system benefits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill adds state or municipal public works employees killed while in the performance of their duties to the list of first responders who currently have that benefit for their dependents. The amendment deletes the reference to 'heavy equipment operators'

as the committee learned that many of these workers were, for example, killed by equipment that they were not actually operating or hit by inattentive drivers, but the very nature of their work puts them in harm's way. The Commissioner of the Department of Safety will determine whether the circumstances of the deaths will qualify for the benefit. Vote 15-4.

Amendment (0574h)

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

AN ACT relative to death benefits for public works employees killed in the line of duty, and relative to workers' compensation offsets for certain retirement system benefits.

Amend the bill by replacing section 1 with the following:

1 Death Benefit; Employees Killed in the Line of Duty; Public Works Employee Added. Amend the section heading and paragraphs I through the introductory paragraph of III of RSA 21-I:29-a to read as follows:

21-I:29-a Death Benefit for ~~[Police Officer or Firefighter]~~ **Employees** Killed in Line of Duty.

I. In this section:

(a) "Adult child" means a child, whether by blood or adoption, of the police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee** age 18 or older at the time of death of such police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee** and who does not meet the definition of a dependent child.

(b) "Dependent child" means a child, whether by blood or adoption, of the police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee** who:

(1) Is under the age of 25 and was dependent on the earnings of the police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee** at the time of death. For the purposes of this subparagraph, a child is not considered dependent if the child provides more than half of his or her own support, is married, or is legally adopted by another; or

(2) Is any age and is physically or mentally incapacitated and was dependent on the earnings of the police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee** at the time of death.

(c) "Family" means the surviving spouse of the police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee** who was wholly or partially dependent, in fact, upon the earnings of the police officer, firefighter, emergency medical technician, rescue squad member, **or public works employee** or, if there is no surviving spouse, the surviving dependent child or dependent children, of such police officer ~~or~~, firefighter, **emergency medical technician, rescue squad member, or public works employee** or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee**.

(d) "Emergency medical technician" means all levels of emergency medical technician, including emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics, whether auxiliary, intermittent, special, part-time, volunteer, call, or reserve, who is employed by a city, town, village district, or precinct within the state of New Hampshire, or any emergency medical technician who is a volunteer for or employed by a nonprofit corporation in New Hampshire, or any emergency medical technician employed by a New Hampshire licensed private ambulance service while in the performance of emergency medical services pursuant to RSA 153-A:2, VI either under contract or agreement with a city, town, village, or precinct.

(e) "Firefighter" means any firefighter, including auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters who are employed by a city, town, village district, or precinct within the state of New Hampshire, any firefighter employed by the state of New Hampshire, or any firefighter who is a volunteer for or employed by a non-profit corporation which is the primary provider of fire protection for all or part of a New Hampshire municipality.

(f) "Killed in the line of duty" means a death of a police officer, firefighter, emergency medical technician, ~~or~~ rescue squad member, **or public works employee** while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.

(g) "Police officer" means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are employed by a city, town, village district, county, or precinct within the state of New Hampshire, police officers employed by the university system of New Hampshire, court security officers and bailiffs, and any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.

(h) ***“Public works employee” means any municipal or state public works or highway employee who has the responsibility to work in hazardous locations, or as a first responder, or in conjunction with emergency first responders in construction zones, highway traffic areas, and other locations where the public works or highway employee is exposed to risk of injury or fatality from construction hazards, highway traffic volume and speed, nighttime responses, environmental issues, weather, or other hazardous conditions.***

(i) ***“Rescue squad member” means any member of a rescue squad formed for the purposes of responding to a state of emergency as declared by the governor or as part of a search and rescue effort under the supervision of the fish and game department to recover a lost person.***

II. In addition to any other benefits provided under this chapter, the state treasurer shall pay a \$100,000 death benefit to the family of a police officer, firefighter, emergency medical technician, [or] rescue squad member, ***or public works employee*** killed in the line of duty. Payment to a dependent child under the age of 18 shall be made to the child’s trustee for the benefit of the child. The governor, with the consent of the executive council, is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. The commissioner of safety, upon notice from the family or chief of department of any firefighter, police officer, emergency medical technician, [or] rescue squad member, ***or public works employee*** who may be entitled to a line-of-duty death benefit or upon the commissioner’s own initiative, shall obtain the available records related to the circumstances, cause, and manner of such death and the decedent’s status as a firefighter, police officer, emergency medical technician, [or] rescue squad member, ***or public works employee*** may cause further inquiry to be made, and shall make a determination of whether the death qualifies as a line-of-duty death and who is entitled to the death benefit. The determination shall be made within 180 days of the determination of the cause and manner of death by the office of the chief medical examiner, or within 180 days from the date the commissioner received notice from the family or chief of department of the firefighter, police officer, emergency medical technician, [or] rescue squad member, ***or public works employee*** whichever is later. For deaths that are not reviewed by the office of the chief medical examiner, the determination shall be made within 180 days of a determination that the decedent qualifies for a workers’ compensation death benefit by a worker’s compensation carrier, self-insured worker’s compensation plan, or the labor commissioner pursuant to RSA 281-A, or within 180 days from the date the commissioner received notice from the family or chief of department of the firefighter, police officer, emergency medical technician, [or] rescue squad member, ***or public works employee*** whichever is later.

AMENDED ANALYSIS

This bill establishes a state death benefit for a municipal or state public works employee killed in the line of duty. The bill also eliminates the offset for workers’ compensation benefits applicable to group I accidental death benefit annuities in state retirement system.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1644-FN, relative to information required on marriage licenses. **REFER FOR INTERIM STUDY.**

Rep. Kristina Schultz for Executive Departments and Administration. The intention of this bill is to eliminate the collection of race data, a vestige of a very outdated and never appropriate tracking of interracial marriages, used in the so-called fake field of “miscegenation.” This data-gathering in NH briefly gained national attention in the news, when a story assessed this outdated practice at the state level and put the Granite State on par with states with a real history of racism. Unfortunately the bill as introduced needs to address concerns from officials at the Department of Health and Human Services and their understanding of needed data gathering for various federal grant applications. Thus, as all affected parties share the desire for this bill to succeed, while more work is needed, we recommend that it be referred for Interim Study. Vote 16-3.

MOTION TO LAY ON THE TABLE

Rep. Goley moved that **HB 1644-FN**, relative to information required on marriage licenses, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 1713, relative to continuing education requirements for child day care workers. **MAJORITY: INEXPE-DIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jaci Grote for the Majority of Executive Departments and Administration. This bill reduces the continuing education training hours required for child day care agency workers from the 18 hours, currently required in rules, to at least 6 hours. The committee’s spirited discussion involved attempts to weigh the concerns of day care center owners with those of parents. The center owners described their challenges with workforce availability, pay level, and the cost of training to the employee and the agency. Parents stressed the importance of quality care for young children. The committee reviewed both NH’s continuing education requirements and

basic education requirements for day care agency workers compared to those in neighboring states. First aid, water safety (when applicable), and CPR training, all which can take up to six hours in the first year, do not count currently towards continuing education hours in NH. A compromise was reached with the Department of Health and Human Services (DHHS) to count first aid, water safety and CPR training courses towards the 18-hour training requirement. This compromise will be implemented through the rulemaking process within the next few months; therefore the bill is not needed. The subcommittee has taken the responsibility to confirm with DHHS that this agreement has been fulfilled. Vote 13-5.

Rep. Kristina Schultz for the Minority of Executive Departments and Administration. No doubt everyone wants training and educational standards for child day care workers. The concern is that the expenses for said ongoing education are typically paid for by the workers out of their own pockets. Child day care workers, especially at the entry and non-management level, are notoriously paid a low wage. Child care agency owners are forced to pit the financial needs of parents against those of their employees. This is an impossible dichotomy in an already strained sphere of our state: a sincere lack of affordable childcare pitted against a notoriously low wage workforce typically filled by women. This is impossible. One of the few things we can do to give relief in this otherwise impossible situation is to reduce the number of hours required for the continuing education of child day care workers. That is what this bill seeks to do. We can achieve relief while ensuring the adequate training for those caring for our children while we work.

MOTION TO LAY ON THE TABLE

Rep. Goley moved that **HB 1713**, relative to continuing education requirements for child day care workers, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1504, establishing a committee to study prohibiting recreational trapping. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Klose for the Majority of Fish and Game and Marine Resources. Having considered the merits of studying recreational trapping, the majority of the committee believes studying prohibiting trapping to be unnecessary. The Fish and Game Department can provide any necessary trapping information. Vote 15-5.

Rep. Mary Eisner for the Minority of Fish and Game and Marine Resources. The minority believes a study on prohibiting recreational trapping is needed to determine the effects of recreational trapping and the financial impact on New Hampshire cities and towns. However, the bill could be improved by changing the wording and makeup of the committee members.

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

On a division vote, with 263 members having voted in the affirmative, and 45 in the negative, the majority committee report was adopted.

HB 1571, relative to the qualifications for the members of the fish and game commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Cathryn Harvey for Fish and Game and Marine Resources. This bill was introduced to amend the membership qualifications of the Fish and Game Commission. Having had a form of this bill introduced seven times in the recent past, the majority of the committee felt that the bill was unnecessary. The committee heard testimony that the Fish and Game Department follows the North American Model of Wildlife Conservation and as such is a premier department in conservation. If passed, the majority of the committee felt that our wildlife would no longer be regulated by the respected biologists and scientists in the department. Vote 14-6.

MOTION TO LAY ON THE TABLE

Rep. Klose moved that **HB 1571**, relative to the qualifications for the members of the fish and game commission, be laid on the table.

Rep. Read requested a roll call; sufficiently seconded.

YEAS 183 - NAYS 126

YEAS - 183

BELKNAP

Bean, Harry
Huot, David
Beaudoin, Richard

Comtois, Barbara
Jurius, Deanna
Spanos, Peter

Fields, Dennis
Lang, Timothy
Tilton, Franklin

Howard, Raymond
Mackie, Jonathan

CARROLL

Avellani, Lino
Kanzler, Harrison

Butler, Edward
MacDonald, John

Comeau, Ed
Marsh, William

DesMarais, Edith

CHESHIRE

Abbott, Michael
Faulkner, Barry
Meader, David
Pearson, William

Ames, Richard
Gomarlo, Jennie
O'Day, John

Berch, Paul
Harvey, Cathryn
Parkhurst, Henry

Bordenet, John
Mann, John
Swinburne, Sandy

COOS

Craig, Kevin
Noel, Henry

Furbush, Michael
Tucker, Edith

Laflamme, Larry

Merner, Troy

GRAFTON

Abel, Richard
Egan, Timothy
Hennessey, Erin
Osborne, Richard

Almy, Susan
Fellows, Sallie
Ladd, Rick
Smith, Suzanne

Campion, Polly
Ford, Susan
Migliore, Vincent Paul
Sykes, George

Dontonville, Roger
Gordon, Edward
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Danielson, David
Freitas, Mary
Greene, Bob
Heath, Mary
King, Mark
McLean, Mark
Panasiti, Reed
Prout, Andrew
Shaw, Barbara
Woodbury, David

Backus, Robert
Burt, John
Erf, Keith
Gagne, Larry
Griffith, Willis
Herbert, Christopher
L'Heureux, Robert
Notter, Jeanine
Pedersen, Michael
Query, Joshua
Somero, Paul

Barry, Richard
Camarota, Linda
Davis, Fred
Gidge, Kenneth
Gunski, Michael
Hopper, Gary
Lascelles, Richard
Nunez, Hershel
Plett, Fred
Renzullo, Andrew
Toomey, Dan

Beaulieu, Jane
Cornell, Patricia
Flanagan, Jack
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Martin, Joelle
Nutter-Upham, Frances
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Allard, James
Klose, John
Saunderson, George
Testerman, Dave
Wolf, Dan

Doherty, David
Kotowski, Frank
Schuett, Dianne
Turcotte, Alan
Yakubovich, Michael

Hill, Gregory
McGuire, Carol
Seaworth, Brian
Wallner, Mary Jane

Horn, Werner
Pearl, Howard
Soucy, Timothy
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Harb, Robert
Murray, Kate
Major, Norman
Melvin, Charles
Roy, Terry
Vallone, Mark
Welch, David

Abrami, Patrick
Berrien, Skip
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hobson, Deborah
Katsakiores, Phyllis
McBeath, Rebecca
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Bershtein, Alan
Desilets, Joel
Edgar, Michael
Grote, Jaci
Hoelzel, Kathleen
Khan, Aboul
McBride, Everett
Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

Baldasaro, Al
Costable, Michael
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Love, David
McMahon, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

STRAFFORD

Fontneau, Timothy
Smith, Marjorie
Rich, Cecilia
Wall, Janet

Harrington, Michael
Opderbecke, Linn
Rooney, Abigail

Hayward, Peter
Perreault, Mona
Beaudoin, Steven

Horgan, James
Pitre, Joseph
Vincent, Kenneth

SULLIVAN

Aron, Judy
O'Hearne, Andrew

Callum, John
Rollins, Skip

Laware, Thomas
Stapleton, Walter

Lucas, Gates

**NAYS - 126
BELKNAP**

Sylvia, Michael

CARROLL

Burroughs, Anita

Ticehurst, Susan

Woodcock, Stephen

CHESHIRE

Eaton, Daniel

Fenton, Donovan

Tatro, Bruce

Von Plinsky, Sparky

COOS

Moynihan, Wayne

GRAFTONAdjutant, Joshua
Muscatel, GarrettJosephson, Timothy
Ruprecht, DennisMaes, Kevin
Stavis, LaurelMulligan, Mary Jane
Stringham, Jerry**HILLSBOROUGH**Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Hammer, Heidi
Klein-Knight, Nicole
Murray, Megan
Nutting-Wong, Allison
Porter, Marjorie
Newman, Sue
Stack, Kathryn
Vail, SuzanneBouldin, Andrew
Bordy, William
Cohen, Bruce
Dutzy, Sherry
Schmidt, Janice
Langley, Diane
Mangipudi, Latha
Petrigno, Peter
Newman, Ray
Snow, Kendall
Stevens, Deb
Van Houten, ConstanceBalch, Chris
Bosman, James
Connors, Erika
Espitia, Manny
Jeudy, Jean
Leishman, Peter
Mullen, Sue
Pickering, Daniel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Warden, MarkBergeron, Paul
Bouchard, Donald
Dargie, Paul
Hall, Brett
Klee, Patricia
Long, Patrick
Murphy, Nancy
Piedra, Israel
Riel, Cole
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew**MERRIMACK**Bartlett, Christy
Fox, Samantha
Luneau, David
Myler, Mel
Schultz, KristinaBuchanan, Ryan
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Wazir, SafiyaCarson, Clyde
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Wells, KennethEllison, Arthur
Lane, Connie
Moffett, Howard
Schamberg, Thomas
Woods, Gary**ROCKINGHAM**Abramson, Max
Cushing, Robert Renny
Le, Tamara
Malloy, Dennis
Somssich, PeterAltschiller, Debra
DiLorenzo, Charlotte
Lovejoy, Patricia
McConnell, Liz
Spillane, JamesBushway, Patricia
Grossman, Gaby
Pearson, Mark
Meuse, David
Ward, GeraldCahill, Michael
Osborne, Jason
Maggiore, Jim
Read, Ellen**STRAFFORD**Bixby, Peter
Fargo, Kristina
Keans, Sandra
Salloway, Jeffrey
Wuelper, KurtCannon, Gerri
Frost, Sherry
Kenney, Cam
Southworth, ThomasChase, Wendy
Grassie, Chuck
Levesque, Cassandra
Towne, MatthewConley, Casey
Horrigan, Timothy
Schmidt, Peter
Treleven, Susan**SULLIVAN**Cloutier, John
Tanner, Linda

Merchant, Gary

Smith, Steven

Sullivan, Brian

and the motion was adopted.

REGULAR CALENDAR CONT'D**HB 1223**, relative to schedule I and unscheduled drug take-back programs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gary Woods for the Majority of Health, Human Services and Elderly Affairs. This bill outlines a potential program to take back schedule I and unscheduled drugs. The committee was appreciative of such a measure to remove these substances from community circulation as well as preclude them from inappropriate disposal into our environment. Nevertheless, a wide variety of technical, procedural and legal issues became evident. Safety and legal issues were raised about the ability of a receiving entity not connected to law enforcement to safely receive, store, and dispose of illegal drugs, especially given the toxicity of drugs such as fentanyl. Extending an existing immunity statute meant to enable an overdosing person to receive life-saving treatment to this program raises the possibility of misuse of the immunity by persons holding illegal drugs who had no original intent to dispose of them. Improper implementation of the program might adversely impact other take-back programs already in place. Acknowledging the meritorious intent, the committee believed that further considerations need to be resolved before such a program can be implemented. Vote 13-6.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. We all agree on the need to remove category I controlled substances from our streets, yet the Health, Human Services and Elderly Affairs Committee heard testimony that the only disposal methods recommended by the Drug Enforcement Administration (DEA) are both illegal and a threat to the environment. This bill is enabling legislation that would create a voluntary program to dispose of these substances. We heard testimony from law enforcement concerned that the intermixing of category I substances with category II-V substances would put their offices

at risk, yet this bill specifically prohibits this practice, requiring a separate collection. We heard testimony that collection of category I substances could put the DEA numbers of hospitals at risk, yet this bill provides for rules to prohibit DEA-licensed facilities from collecting category I substances. The minority feels this bill addresses an unmet need and heard no objections not already addressed in this bill and therefore recommends that this bill ought to pass.

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

Rep. Dolan spoke against.

Rep. Woods spoke in favor.

On a division vote, with 163 members having voted in the affirmative, and 137 in the negative, the committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **HB 1223**, relative to schedule I and unscheduled drug take-back programs, be printed in the Permanent Journal.

Motion failed.

REGULAR CALENDAR CONT'D

HB 1275-FN, relative to laboratory testing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jerry Knirk for the Majority of Health, Human Services and Elderly Affairs. This bill would allow a person to obtain any laboratory test from a licensed clinical laboratory without a request or authorization from a medical provider. Laboratory tests are only one part of the diagnosis of a medical condition. Diagnosis relies primarily on the history and physical examination of the patient with laboratory testing to confirm the suspected disorder. For any given laboratory test, the range of normal is defined such that 95% of people will fall into that range, meaning that 5% of perfectly normal people will have an "abnormal" value. Many laboratory tests have significant false positive and false negative rates in the normal population. As a result, a person may be lulled into a sense that there is not a problem when a false negative occurs, delaying seeking care for a condition. A false positive may drive a person to seek care when there is no clinical problem, increasing unneeded visits to a provider, thereby increasing the workload of the provider and increasing medical costs. The false positive result may lead to a diagnostic cascade of unnecessary, repeated tests and additional tests to reassure the person of the absence of a disease. The sponsor suggested that this bill would provide a way for a person with an already diagnosed chronic condition, such as diabetes, to be able to self-order tests to track their long-term control without a provider visit. This is unneeded as current practice is that most providers will place an order for a person to get a lab test in the future or will order one in response to a phone call from a patient with whom they already have a relationship. There also were concerns with the bill stating that the provider would not be held responsible for the results of a lab test which they did not order. This violates the standard of care of providers to act upon abnormal test results on their patient regardless of who ordered the test. Vote 16-4.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. This bill enables laboratories offering laboratory testing on a direct access basis to allow individuals to order their own lab tests at their own expense without a doctor's order. It specifically provides that insurers do not have to pay for testing done in this manner. This legislation is modeled after a similar working program in Arizona. The minority is aware of instances where patients want particular tests but their doctors do not agree. Allowing patients to perform these tests at their own expense may well result in a more amicable resolution than having them confront their physicians. Further, many patients have health insurance with high deductibles and co-pays. Allowing them to get routine testing done without having to see a physician first may well enable them to obtain needed health care at a lower cost. The minority amendment addresses certain quality assurance concerns raised by the NH Society of Pathologists. The minority therefore recommends that this bill ought to pass with the amendment.

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

Rep. Edwards spoke against and yielded to questions.

Rep. Knirk spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 123

YEAS - 189

BELKNAP

Fields, Dennis

Huot, David

Spanos, Peter

CARROLL

Burroughs, Anita
Woodcock, Stephen

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Tatro, Bruce

Berch, Paul
Ley, Douglas
Von Plinsky, Sparky

Bordenet, John
Mann, John
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Osborne, Richard
Smith, Suzanne

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

Campion, Polly
Hennessey, Erin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
O'Brien, Michael
Piedra, Israel
Riel, Cole
St. John, Michelle
Telerski, Laura
Woodbury, David

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Herbert, Christopher
Judy, Jean
Langley, Diane
Mangipudi, Latha
Pedersen, Michael
Query, Joshua
Newman, Sue
Stack, Kathryn
Vail, Suzanne

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
Martin, Joelle
Petrigno, Peter
Newman, Ray
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Nutting-Wong, Allison
Pickering, Daniel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Karrick, David
MacKay, James
Pearl, Howard
Schuett, Dianne
Walz, Mary Beth
Woods, Gary

Buchanan, Ryan
Fox, Samantha
Klose, John
McWilliams, Rebecca
Pimentel, Roderick
Shurtleff, Steve
Wazir, Safiya

Carson, Clyde
Fulweiler, Joyce
Lane, Connie
Moffett, Howard
Rogers, Katherine
Soucy, Timothy
Wells, Kenneth

Doherty, David
Horn, Werner
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
Edgar, Michael
Hoelzel, Kathleen
Lovejoy, Patricia
McBride, Everett
Read, Ellen

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Maggiore, Jim
McConnell, Liz
Somssich, Peter

Barnes, Arthur
DiLorenzo, Charlotte
Grote, Jaci
Khan, Aboul
Malloy, Dennis
McMahon, Charles
Sytek, John

Berrien, Skip
Doucette, Fred
Harb, Robert
Le, Tamara
McBeath, Rebecca
Meuse, David
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

O'Hearne, Andrew

Stapleton, Walter

Sullivan, Brian

NAYS - 123**BELKNAP**

Bean, Harry
Lang, Timothy
Tilton, Franklin

Comtois, Barbara
Mackie, Jonathan

Howard, Raymond
Beaudoin, Richard

Jurius, Deanna
Sylvia, Michael

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Ticehurst, Susan

Kanzler, Harrison

MacDonald, John

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Fellows, Sallie

Gordon, Edward

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Flanagan, Jack
Hinch, Richard
Mullen, Sue
Nutter-Upham, Frances
Prout, Andrew
Shaw, Barbara
Warden, Mark

Barry, Richard
Cohen, Bruce
Gagne, Larry
Hopper, Gary
Murphy, Nancy
Panasiti, Reed
Renzullo, Andrew
Somero, Paul

Boehm, Ralph
Danielson, David
Greene, Bob
Lascelles, Richard
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Toomey, Dan

Burt, John
Erf, Keith
Gunski, Michael
McLean, Mark
Nunez, Hershel
Proulx, Mark
Sanborn, Laurie
Ulery, Jordan

MERRIMACK

Allard, James
Schultz, Kristina
Walsh, Thomas

Hill, Gregory
Seaworth, Brian
Yakubovich, Michael

Kotowski, Frank
Testerman, Dave

McGuire, Carol
Turcotte, Alan

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Hobson, Deborah
Katsakiores, Phyllis
Melvin, Charles
Pratt, Kevin
Spillane, James
Vose, Michael
Yokela, Josh

Abramson, Max
Bushway, Patricia
Desilets, Joel
Gay, Betty
Osborne, Jason
Love, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

Acton, Dennis
Costable, Michael
DeSimone, Debra
Green, Dennis
Janigian, John
Pearson, Mark
Piemonte, Tony
Roy, Terry
Vallone, Mark
Welch, David

Baldasaro, Al
Davis, Dan
Dolan, Tom
Guthrie, Joseph
Janvrin, Jason
Major, Norman
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Fontneau, Timothy
Perreault, Mona
Wuelper, Kurt

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

SULLIVAN

Aron, Judy
Merchant, Gary

Callum, John
Rollins, Skip

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

(Speaker Shurtleff in the Chair)

MOTION TO PRINT DEBATE

Rep. Sofikitis moved that the debate on **HB 1275-FN**, relative to laboratory testing, be printed in the Permanent Journal.

On a division vote, with 194 members having voted in the affirmative, and 117 in the negative, the motion was adopted.

DEBATE ON HB 1275-FN

Representative Edwards: Thank you, Madam Speaker. I'm going to try to stick to 4 points in about 4 minutes. This is not a crazy bill. This is a bill that they have been operating with in Arizona. They found that they needed to add some quality standards to their bill so they amended it. I, as I introduced my bill to the committee, brought forward with it at the same time an amendment to make sure that the quality standards that was required by the Pathology Association of New Hampshire were attached. What does this bill do? This bill respects the principle of my body, my choice. What it does is it lets you as an adult go and ask for your own lab tests for diagnostic purposes. It does not, it's an enabling piece of legislation. It doesn't require the lab to provide the test. It doesn't require the insurance company to pay for it and it offered immunity for the physicians who took care of that patient but were unaware of the lab result. So this was just to handle the situation like I was in where I

went nine months without health insurance before the VA picked me up. I knew I needed A1C testing. I didn't want to pay for a physician. I knew what my diagnostic ranges were. I just needed my medical information. My body, my choice, and I wasn't allowed to get one. So, this would allow that. The other thing, if you look at our current situation with the pandemic. I was at the Auburn town meeting on Tuesday and a trauma surgeon from the ER at Elliott came by and talked to me and he said that would be great right now with the Coronavirus is once the tests are available, if people could go and directly get access to a test without coming into the providers office because when they come into the providers office they've got to put on their personal protective equipment and it gets to be a big deal. Then there is a bill so there are times when we can actually do a lot of good to avoid panic and bottlenecks by letting people go get their own diagnostic testing done. Then in the future. What's going on in the future? We have wearable diagnostic devices. Some people think of them as Apple watches or Fitbit, but increasingly the technology is going to allow these wrists watches to do tremendous amounts of diagnostic testing in real time and connect it into a virtual health care environment to where those results are being stored and reviewed. So what this bill does is, because of my body, my choice, a need to be able to handle the pandemic situations differently and to have clinical structures as flexible as the technology is going to be there to drive us, I would ask you to vote red on this ITL so that an amendment can be introduced and we can pass this. Thank you.

Deputy Speaker Ebel: Would the member accept a question? The member may inquire.

Representative Flanagan: Thank you, Madam Speaker. Representative, thank you for taking my question. Aside of the Coronavirus, which people may get hysterical taking tests, but is there another underlying assumption that these are more educated potential patients and also it could save money in the long run?

Representative Edwards: Thank you for the question. I'd say, I meant to speak a little bit to the cost savings question earlier when I mentioned that this would allow a patient or individual to go get a test done without going through the health care system and incurring the charges. I do think there is a long-term cost savings as a result. To the other part of your question that dealt with the extent to which an individual is intelligent enough, I think you used the word intelligent enough, to take a look at their own lab results, I would say that there is a significant subset of our population who, if they know they have an underlying medical condition, that they are more than smart enough to interact with their providers, to interact with other information that is available and to become aware enough to be able to get themselves in to see a provider if it looks like they are out of range. So, I don't know that you need to be particularly intelligent because if you have an underlying condition, you have a lot of motivation to get smarter.

Deputy Speaker Ebel: The Chair recognizes Rep. Knirk to speak in favor of the majority committee report.

Representative Knirk: Thank you, Madam Speaker. This bill would allow a person to obtain a laboratory test from a clinical laboratory without a request or authorization from any medical provider. It's important to understand though that laboratory tests are just part of the diagnosis of a medical condition. Diagnosis lies primarily on the history and the physical examination and then the laboratory test is generally done to confirm the suspected disorder. For any given laboratory test with a range of values you would find the range of normal such that 95% of people fall into that range which means that 5% of perfectly normal people will have an abnormal value. Many screening tests have significant false positive and false negative rates in the normal population. So when a false negative occurs, a person may be lulled into a sense that there is not a problem leading to a delay in seeking care for a condition. A false positive may drive that person to seek care when there is no real clinical problem increasing visits to a provider thereby increasing the workload of a provider and increasing medical costs as false positive results lead to a diagnostic cascade of unnecessary repeated tests and additional tests to reassure the person of the absence of disease. In addition, most providers will actually place an order for a person to get a lab test in the future or will order one as a response to a phone call from a patient from whom they already have a relationship. There were concerns with this bill stating the provider would not be held responsible for the results of a lab test they did not order, but this violates the standard of care of providers to act upon abnormal test results in the chart regardless of who ordered the test. Please support the 16-4 majority vote of Inexpedient to Legislate by pressing the green button.

Deputy Speaker Ebel: This is a division vote. All members please take their seats. A roll call has been requested. Is that seconded? It's been sufficiently seconded. This will be a roll call vote. The question before the House is on the ITL motion on HB 1275. This is a roll call vote. If you are in favor, you'll press the green button. I'm going to do it again. The Chair recognizes Rep. Pearson for a parliamentary inquiry.

Representative Mark Pearson: Thank you, Madam Speaker. If I know that the medical staff of the Family Practice Medical office of which I am part time CEO is in favor of this bill. And, if I know that because of increasing Internet accessibility many patients are highly knowledgeable about their personal well-being and health. And, if I know that such advances as wearable diagnostic devices are providing diagnostic information to people right now, which is leading forward thinking medical offices to adapt to the growing practice of information brought to them by their patients. And, finally if I know that at least one other state has allowed patient directed ordering of laboratory testing and has found this to be quite successful, why, then Madam Speaker would I not say no to the motion of Inexpedient to Legislate so another motion might be made and do so by asking for the red button to be pushed? Thank you, Madam Speaker.

Deputy Speaker Ebel: The Chair recognizes Rep. Knirk for a parliamentary inquiry.

Representative Knirk: Madam Speaker, if I know that the diagnosis and treatment of disease requires more than just a laboratory value. And, if I know that the result of a lab test alone without the context of a history and physical may lead to problems of misdiagnosis and also unneeded provider visits and over testing. If I know that providers already will order appropriate future lab studies for management of chronic diseases in patients known to them, would I then press the green button to support the committee recommendation of Inexpedient to Legislate?

Deputy Speaker Ebel: The question before the House is on the ITL motion on HB 1275. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members had an opportunity to vote? The House will attend to the state of the vote. With 189 Yeas, 123 Nays, the ITL motion on HB 1275 passes.

REGULAR CALENDAR CONT'D

HB 1404, relative to HIV/AIDS prophylaxis treatment for minors without parental consent and allowing pharmacists to dispense a limited supply of pre-exposure prophylaxis for the human immunodeficiency virus.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Jerry Knirk for the Majority of Health, Human Services and Elderly Affairs. This bill, as amended, allows minors, 14 years of age or older, to consent to and to obtain confidential prevention treatment for sexually transmitted diseases, including HIV/Aids prophylaxis. RSA 141-C:18, II already allows minors 14 years of age or older to consent to diagnosis and treatment of sexually transmitted diseases without the knowledge or consent of a parent or legal guardian. Since prevention is the most effective treatment, the majority of the committee believes that the current statute should be extended to include prevention. The amendment also removes the problematical provision allowing pharmacists to dispense pre-exposure prophylaxis without a prescription, and updates the list of healthcare providers authorized to treat minors to include physicians assistants and advanced practice registered nurses as well as physicians. Vote 11-7.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. The Health, Human Services and Elderly Affairs Committee recognizes the good intentions behind this bill, most specifically that increasing access to life-saving prophylactic medication may well enable certain individuals to become productive citizens. However, this bill has a number of issues which prevent the minority from recommending that it move forward at this time. The bill is modeled after a California law which presupposes that pharmacists have prescriptive authority. In New Hampshire, pharmacists do not have prescriptive authority; we have used a standing order model to expand access for emergency contraception, Narcan and hormonal contraceptives. The drugs involved are exceedingly expensive and it is unlikely this bill would actually make them available to the target population absent some mechanism to also make them affordable. The testing procedures for HIV in this bill conflict with provisions in RSA 141-F. This issue is resolved by the majority amendment. For these reasons, we recommend this bill for interim study.

Majority Amendment (0647h)

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

AN ACT relative to HIV/AIDS prophylaxis treatment for minors without parental consent.

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

1 Sexually Transmitted Disease. Amend RSA 141-C:18, II to read as follows:

II. Any minor 14 years of age or older may voluntarily submit ~~himself~~ to medical diagnosis ~~and~~, treatment ~~for~~ **or prevention of, or both**, a sexually transmitted disease and a licensed physician, **physician assistant, or advanced practice registered nurse** may diagnose, treat or prescribe for the treatment **or prevention of, or both**, of a sexually transmitted disease in a minor 14 years of age or older, without the knowledge or consent of the parent or legal guardian of such minor.

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

AMENDED ANALYSIS

This bill clarifies the law allowing minors to voluntarily submit themselves for testing for sexually transmitted diseases.

Rep. Marsh spoke against.

Rep. Lang requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 123

YEAS - 182

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

Knirk, Jerry

CHESHIRE

Abbott, Michael
Faulkner, Barry
Mann, John
Pearson, William

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

Berch, Paul
Harvey, Cathryn
Tatro, Bruce

Bordenet, John
Ley, Douglas
Von Plinsky, Sparky

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Woodbury, David

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Griffith, Willis
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Vail, Suzanne

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Fox, Samantha
Luneau, David
Rogers, Katherine
Soucy, Timothy
Wazir, Safiya

Doherty, David
Fulweiler, Joyce
MacKay, James
Saunderson, George
Turcotte, Alan
Wells, Kenneth

ROCKINGHAM

Abramson, Max
Cahill, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

Bushway, Patricia
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

STRAFFORD

Bixby, Peter
Frost, Sherry
Kenney, Cam
Schmidt, Peter
Vincent, Kenneth

Cannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Wall, Janet

Chase, Wendy
Horriggan, Timothy
Smith, Marjorie
Southworth, Thomas

Conley, Casey
Keans, Sandra
Opderbecke, Linn
Towne, Matthew

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 123**BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Barry, Richard
 Danielson, David
 Greene, Bob
 Lascelles, Richard
 Plett, Fred
 Sanborn, Laurie
 Warden, Mark

Boehm, Ralph
 Erf, Keith
 Gunski, Michael
 McLean, Mark
 Proulx, Mark
 Somero, Paul

Burt, John
 Flanagan, Jack
 Hinch, Richard
 Notter, Jeanine
 Prout, Andrew
 Toomey, Dan

Camarota, Linda
 Gagne, Larry
 Hopper, Gary
 Nunez, Hershel
 Renzullo, Andrew
 Ulery, Jordan

MERRIMACK

Allard, James
 Kotowski, Frank
 Seaworth, Brian

Hill, Gregory
 McGuire, Carol
 Testerman, Dave

Horn, Werner
 Moffett, Howard
 Wolf, Dan

Klose, John
 Pearl, Howard
 Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
 Barnes, Arthur
 Thomas, Douglas
 Edwards, Jess
 Harb, Robert
 Janigian, John
 Pearson, Mark
 Melvin, Charles
 Pratt, Kevin
 Spillane, James
 Verville, Kevin
 Weyler, Kenneth

Abrami, Patrick
 Bershtein, Alan
 DeSimone, Debra
 Gay, Betty
 Hobson, Deborah
 Janvrin, Jason
 Major, Norman
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Vose, Michael
 Yokela, Josh

Acton, Dennis
 Costable, Michael
 Dolan, Tom
 Green, Dennis
 Hoelzel, Kathleen
 Khan, Aboul
 McBride, Everett
 Piemonte, Tony
 Roy, Terry
 Torosian, Peter
 Wallace, Scott

Baldasaro, Al
 Davis, Dan
 Doucette, Fred
 Guthrie, Joseph
 Osborne, Jason
 Love, David
 McMahon, Charles
 Potucek, John
 Pearson, Stephen
 Vallone, Mark
 Welch, David

STRAFFORD

Fargo, Kristina
 Perreault, Mona
 Salloway, Jeffrey

Harrington, Michael
 Pitre, Joseph
 Wuelper, Kurt

Hayward, Peter
 Rooney, Abigail

Horgan, James
 Beaudoin, Steven

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
 Reps. Mark Pearson and Salloway spoke against.
 Rep. Weber spoke in favor.

(Rep. Ebel in the Chair)

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 125

**YEAS - 178
 BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
 Ticehurst, Susan

Butler, Edward
 Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
 Faulkner, Barry
 Parkhurst, Henry
 Weber, Lucy

Ames, Richard
 Fenton, Donovan
 Tatro, Bruce

Berch, Paul
 Harvey, Cathryn
 Von Plinsky, Sparky

Bordenet, John
 Mann, John
 Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Osborne, Richard
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Ruprecht, Dennis
Weston, Joyce

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stringham, Jerry

Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bosman, James
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Riel, Cole
St. John, Michelle
Telerski, Laura
Woodbury, David

Bouldin, Amanda
Beaulieu, Jane
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
Stack, Kathryn
Vail, Suzanne

Bouldin, Andrew
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Griffith, Willis
Herbert, Christopher
Judy, Jean
Langley, Diane
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Backus, Robert
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Schultz, Kristina
Wallner, Mary Jane
Wolf, Dan

Buchanan, Ryan
Fulweiler, Joyce
McWilliams, Rebecca
Rogers, Katherine
Seaworth, Brian
Walz, Mary Beth
Woods, Gary

Carson, Clyde
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wazir, Safiya

Doherty, David
Luneau, David
Myler, Mel
Schuett, Dianne
Turcotte, Alan
Wells, Kenneth

ROCKINGHAM

Abramson, Max
Cahill, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Altschiller, Debra
Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

Berrien, Skip
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

Bushway, Patricia
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Vallone, Mark

STRAFFORD

Bixby, Peter
Frost, Sherry
Kenney, Cam
Schmidt, Peter
Vincent, Kenneth

Cannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Wall, Janet

Chase, Wendy
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas

Conley, Casey
Keans, Sandra
Opderbecke, Linn
Towne, Matthew

SULLIVAN

Cloutier, John
Tanner, Linda

Lucas, Gates

O'Hearne, Andrew

Sullivan, Brian

NAYS - 125**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed

Kanzler, Harrison

MacDonald, John

CHESHIRE

O'Day, John

COOS

Craig, Kevin Furbush, Michael Merner, Troy

GRAFTON

Abel, Richard Gordon, Edward Hennessey, Erin Migliore, Vincent Paul

Stavis, Laurel

HILLSBOROUGH

Barry, Richard Bergeron, Paul Boehm, Ralph Burt, John

Camarota, Linda Danielson, David Erf, Keith Flanagan, Jack

Gagne, Larry Greene, Bob Gunski, Michael Hopper, Gary

Lascelles, Richard Long, Patrick McLean, Mark Notter, Jeanine

Nunez, Hershel Panasiti, Reed Plett, Fred Prout, Andrew

Renzullo, Andrew Rice, Kimberly Sanborn, Laurie Shaw, Barbara

Somero, Paul Toomey, Dan Ulery, Jordan Warden, Mark

MERRIMACK

Allard, James Hill, Gregory Horn, Werner Karrick, David

Klose, John Kotowski, Frank McGuire, Carol Pearl, Howard

Testerman, Dave Walsh, Thomas Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl Abrami, Patrick Acton, Dennis Baldasaro, Al

Barnes, Arthur Bershtein, Alan Costable, Michael Davis, Dan

Thomas, Douglas DeSimone, Debra Dolan, Tom Doucette, Fred

Edwards, Jess Gay, Betty Green, Dennis Guthrie, Joseph

Harb, Robert Hobson, Deborah Hoelzel, Kathleen Osborne, Jason

Janigian, John Janvrin, Jason Khan, Aboul Love, David

Pearson, Mark Major, Norman McBride, Everett McMahon, Charles

Melvin, Charles Piemonte, Tony Potucek, John Pratt, Kevin

Prudhomme-O'Brien, Katherine Roy, Terry Pearson, Stephen Somssich, Peter

Spillane, James Sytek, John Torosian, Peter Verville, Kevin

Vose, Michael Wallace, Scott Welch, David Weyler, Kenneth

Yokela, Josh

STRAFFORD

Fargo, Kristina Harrington, Michael Hayward, Peter Horgan, James

Perreault, Mona Pitre, Joseph Rooney, Abigail Beaudoin, Steven

Salloway, Jeffrey Wuelper, Kurt

SULLIVAN

Aron, Judy Callum, John Laware, Thomas Merchant, Gary

Rollins, Skip Stapleton, Walter Smith, Steven

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

(Speaker Shurtleff in the Chair)

The House recessed at 6:25 p.m.

RECESS

The House reconvened at 7:35 p.m.

(Rep. Ebel in the Chair)

Reps. Ley and Hinch offered the following:

AMENDMENT TO HOUSE RULES

Amend House Rule 65 by adding the following new subparagraph b and designating the list of deadlines as subparagraph a.

(b) in an effort to thwart the spread of Covid-19, after concurrence from the Democratic and Republican leadership, and public health officials about best practices concerning the safety of Representatives, staff, and the public, the deadlines may be reasonably amended at the discretion of the Speaker of the House, to be timely noticed in the House Calendar and on the General Court website.

Speaker Shurtleff spoke in favor.

Motion adopted by the necessary two-thirds vote.

(Speaker Shurtleff in the Chair)

REGULAR CALENDAR CONT'D

HB 1520, establishing the New Hampshire health policy commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for the Majority of Health, Human Services and Elderly Affairs. The healthcare delivery system of New Hampshire is vital to the economy and well-being of all New Hampshire citizens. Healthcare policy decisions affect multiple stakeholders, but too often state agencies and stakeholders work in their own silos. This bill will create a long-term New Hampshire health policy commission to bring together healthcare policy experts, stakeholders and agencies to function as a forward-looking think tank, being proactive to analyze and propose policies to improve healthcare outcomes and manage healthcare costs across the state. The commission is charged with advising and making recommendations to state agencies, the legislature, the governor, and the executive council, regarding healthcare needs and delivery in the state. The commission will have no regulatory authority so it will not function as a certificate of need body. The majority of the committee feels that New Hampshire will benefit from the collaboration this commission will provide. Vote 15-5.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. This bill would establish a New Hampshire health policy commission modeled after a similar commission in Massachusetts. Like most commission bills, on the face this seems innocuous, since the commission would have no regulatory authority, but the charges to the commission appear to be paving the way to just such a regulatory body. Members of the minority believe that section IV(a)(2) would usurp and potentially conflict with the authority given to licensing boards and with the Commissioner of the Department of Health and Human Services, both for providers and facilities. Section IV(a)(3) would attempt to establish standards of care in NH, long a prerogative of the court system. Section IV(a)(4) would potentially conflict with authority over mergers and transactions, long residing with the Charitable Trust Division of the Attorney General's Office and the Federal Trade Commission. Section IV(a)(6) would potentially conflict with the oversight authority of the NH Insurance Department. Section IV(a)(7) would potentially conflict with licensing authority granted to the Commissioner of Health and Human Services. Section IV(a)(8) would pave the way to the reestablishment of a certificate of need program. Section IV(a)(9) is a remarkably broad mandate. Last, all of the above is given to an un-elected commission, accountable to no one, without any sunset date. The minority therefore recommends this bill as Inexpedient to Legislate.

Majority Amendment (0953h)

Amend the bill by replacing section 1 with the following:

1 Statement of Purpose. The general court recognizes that the health care delivery system of the state of New Hampshire is responsible for constantly improving health care outcomes and managing health care costs across the state. The health care delivery system is therefore vital to the economy and well being of all New Hampshire citizens. Therefore the general court hereby establishes the New Hampshire health policy commission to advise and make recommendations to state agencies for the purposes of improved health and managed cost for all New Hampshire citizens.

Amend RSA 126-A:81, II-III as inserted by section 2 of the bill by replacing them with the following:

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

- (a) The commissioner of the department of health and human services, or designee.
- (b) The commissioner of the insurance department, or designee.
- (c) The attorney general, or designee.
- (d) A physician with expertise in health policy, appointed by the New Hampshire Medical Society.
- (e) A representative of New Hampshire health insurers, appointed by America's Health Insurance Plans (AHIP).
- (f) A representative of the New Hampshire Hospital Association, appointed by the association.
- (g) The director of the university of New Hampshire institute for health policy and practice, or designee.
- (h) The president of Endowment for Health, or designee.
- (i) A representative of the New Hampshire Health Care Association, appointed by the association.
- (j) The chair of the university of New Hampshire department of health management and policy, or designee.
- (k) A public member with expertise in health care delivery and management, appointed by the governor with confirmation by the executive council.
- (l) A representative of the Bi-State Primary Care Association, appointed by the association.
- (m) A representative of NAMI New Hampshire, appointed by that organization.
- (n) A representative of the New Hampshire Nurses' Association, appointed by that association.
- (o) A representative of the Business and Industry Association (BIA), appointed by the association.
- (p) A representative of labor with expertise in representing the health care workforce, appointed by the Service Employees International Union (SEIU) Local 1984.
- (q) A representative of the Home Care Association of New Hampshire, appointed by the association.
- (r) The commissioner of the department of corrections, or designee.
- (s) A member of the house of representatives who shall be a member of the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.

III. The legislative member shall receive mileage at the legislative rate when attending to the duties of the commission. The members appointed pursuant to subparagraphs II(a) through (c) and (r) and (s) shall

serve terms coterminous with their terms in office. The members appointed pursuant to subparagraphs II(d) through (q) shall serve 4-year terms; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner of the department of health and human services. The first meeting of the commission shall be held within 45 days of the effective date of this subdivision. A majority of the members shall constitute a quorum. The commission shall convene at least 4 times per year. The commission shall be subject to the provisions of 91-A.

Amend RSA 126-A:81, IV(a)(3) as inserted by section 2 of the bill by replacing it with the following:

(3) Recommending standards for health care delivery systems to best meet medical, behavioral, and social needs.

Majority committee amendment adopted.

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

Rep. Marsh spoke against.

On a division vote, with 178 members having voted in the affirmative, and 115 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1577-FN, relative to initiating amendments and corrections to birth records. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gerri Cannon for the Majority of Health, Human Services and Elderly Affairs. This bill will replace RSA 5-C:87, V. which reads, "Upon receipt of a certified copy of a court order advising that such individual born in the state of New Hampshire has had a sex change, a new birth record shall be prepared to reflect such change." The current statute does not address the needs of our courts, city clerks, town clerks, the Vital Records Department or the applicants. It also does not address the needs of NH gender dysphoric residents who are either unable to afford the very expensive surgical procedures or who would be at high medical risk, or the needs of non-binary people. This bill is identical to HB 446, passed by the House and Senate last year. It clearly defines what legally documented information will be required from the applicant and their licensed medical healthcare professionals to initiate a request for a birth record change. It defines how minors, with the consent of their parents or legal guardians, may apply for a birth record change. It also defines the procedures that our city and town clerks will follow to accept a birth record change application and how they should process it with the help of the State Vital Records Department. The amendment, not included in last year's bill, defines how a NH resident who was born in another state can request a NH Court hearing to obtain a court order that they can use to request a birth record change in the state of their birth. Vote 15-5. Rep. Walter Stapleton for the Minority of Health, Human Services and Elderly Affairs. Allowing gender designation changes on or to original birth certificate records constitutes an inappropriate change of ostensible gender condition at birth, and doing so retroactively based upon later gender changes, orientations or determinations, is an undue alteration of factual information at time of birth. Changes or amendments to birth records should be confined only to verifiable typos, clerical or entry errors. A better alternative would be a "gender re-designation certificate," a legal document reflecting a medically verifiable physiologic change, or an individual's assumed identity change.

Majority Amendment (0301h)

Amend RSA 5-C:87, V(e) as inserted by section 1 of the bill by replacing it with the following:

(e) If a New Hampshire resident, who was born in another state, seeks a birth record gender designation change, the individual shall petition the circuit court probate division for a hearing regarding the birth record change and shall submit to the court a notarized certification by a licensed and qualified health care provider affirming the individual's gender designation. After a court order authorizing the change has been issued, the individual shall submit the order to the individual's birth state for issuance of the revised birth record.

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

Majority committee amendment adopted.

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

Rep. Stapleton spoke against.

Rep. Horn requested a roll call; sufficiently seconded.

YEAS 194 - NAYS 109

YEAS - 194

BELKNAP

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Faulkner, Barry
Morrill, David
Pearson, William

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

Berch, Paul
Harvey, Cathryn
Tatro, Bruce

Bordenet, John
Ley, Douglas
Von Plinsky, Sparky

COOS

Craig, Kevin
Noel, Henry

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

GRAFTON

Abel, Richard
Dontonville, Roger
Hennessey, Erin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Seaworth, Brian
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Abramson, Max
Bershtein, Alan
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McMahon, Charles
Vallone, Mark

Acton, Dennis
Bushway, Patricia
Edwards, Jess
Janvrin, Jason
Maggiore, Jim
Meuse, David
Ward, Gerald

Altschiller, Debra
Cushing, Robert Renny
Gay, Betty
Murray, Kate
McBeath, Rebecca
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Grossman, Gaby
Le, Tamara
McConnell, Liz
Somssich, Peter

STRAFFORD

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

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Operbecke, Linn
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 109**BELKNAP**

Bean, Harry
 Jurius, Deanna
 Sylvia, Michael

Comtois, Barbara
 Lang, Timothy
 Tilton, Franklin

Fields, Dennis
 Mackie, Jonathan

Howard, Raymond
 Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Mann, John

O'Day, John

COOS

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
 Camarota, Linda
 Gagne, Larry
 Hopper, Gary
 Nunez, Hershel
 Renzullo, Andrew
 Ulery, Jordan

Barry, Richard
 Danielson, David
 Greene, Bob
 Lascelles, Richard
 Panasiti, Reed
 Rice, Kimberly
 Warden, Mark

Boehm, Ralph
 Erf, Keith
 Gunski, Michael
 McLean, Mark
 Plett, Fred
 Sanborn, Laurie

Burt, John
 Flanagan, Jack
 Hinch, Richard
 Notter, Jeanine
 Prout, Andrew
 Somero, Paul

MERRIMACK

Allard, James
 Kotowski, Frank
 Walsh, Thomas

Hill, Gregory
 McGuire, Carol
 Yakubovich, Michael

Horn, Werner
 Pearl, Howard

Klose, John
 Testerman, Dave

ROCKINGHAM

Abbas, Daryl
 Costable, Michael
 Dolan, Tom
 Harb, Robert
 Janigian, John
 Malloy, Dennis
 Piemonte, Tony
 Pearson, Stephen
 Vose, Michael
 Yokela, Josh

Abrami, Patrick
 Davis, Dan
 Doucette, Fred
 Hobson, Deborah
 Khan, Aboul
 McBride, Everett
 Pratt, Kevin
 Sytek, John
 Wallace, Scott

Baldasaro, Al
 Thomas, Douglas
 Green, Dennis
 Hoelzel, Kathleen
 Love, David
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Welch, David

Barnes, Arthur
 DeSimone, Debra
 Guthrie, Joseph
 Osborne, Jason
 Pearson, Mark
 Packard, Sherman
 Roy, Terry
 Verville, Kevin
 Weyler, Kenneth

STRAFFORD

Harrington, Michael
 Perreault, Mona
 Wuelper, Kurt

Hayward, Peter
 Pitre, Joseph

Horgan, James
 Rooney, Abigail

Keans, Sandra
 Beaudoin, Steven

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

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

Rep. Khan voted Nay and intended to vote Yea.

HB 1655-FN, expanding the New Hampshire vaccine association to include adult vaccines. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for the Majority of Health, Human Services and Elderly Affairs. This bill would expand the New Hampshire universal purchasing program for pediatric vaccines to cover adult vaccines as well. In the existing universal purchasing program for pediatric vaccines, all insurers are assessed for each of their insured pediatric lives in New Hampshire, and the pooled assessment is used to purchase the pediatric vaccines at the discounted Center for Disease Control rate. The vaccines are then provided to the providers for free. This allows the pediatric program to purchase \$36 million of vaccines for \$26 million, a savings of 28%. Expansion of the program to adults will allow the same savings to be extended to adult vaccines. The amendment removes some outdated language from the current pediatric vaccine program statute regarding the medical loss ratio calculation which has been superseded by the requirements of the Affordable Care Act and extends the effective date to July 1, 2021. In order to prevent any exposure of the state to liability, the amendment also excludes coverage of the pneumococcal polysaccharide vaccine

and the zoster vaccine as these are not covered by the National Vaccine Injury Compensation Program. Vaccination still remains voluntary. The majority of the committee feels that this program will decrease the costs of vaccines for the adults of New Hampshire. Vote 15-5.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. The minority believes this bill should be found Inexpedient to Legislate as it raises three serious issues which are not addressed in the bill. First, there is a liability issue which does not exist in the current program for children's vaccinations. The federal Vaccine Injury Compensation Program (VICP) covers liability for all vaccinations in the current program, and covers liability for any person of any age who receives a vaccination which is recommended for children or pregnant women. However, the Herpes Zoster vaccination, which is specifically included in this bill, is specifically excluded from such compensation under federal law. The pneumococcal polysaccharide vaccination is another common vaccination not currently covered under VICP, and there is a long list of vaccinations uncommonly administered which would similarly not be covered. If we were to expand NH's vaccination program as proposed, it is quite likely that NH would become liable for injuries not covered under the federal VICP, and there is no appropriation in this bill to cover such liability. Second, expanding this program as proposed may put our federal matching dollars for Medicaid at risk. The reason is that administrative costs of this vaccination program are passed on to insurers as medical costs, and potentially could result in a violation of the medical loss ratio requirements of the Affordable Care Act. The minority believes the program needs to be reworked so that administrative costs are properly accounted for, and NH does not end up violating federal law. Third, it is unlikely that this program is workable as drafted. Simply adding adults to the program and assessing insurers for the cost of adult vaccinations would not change the provisions of section 1928 of the federal Social Security Act, which governs the purchase of vaccines through the existing federal contracts for the purchase of pediatric vaccines. Until and unless these concerns are addressed, the minority believes this bill, even though it is well-intended, should be Inexpedient to Legislate. The minority recognizes that the amendment partially addresses the first concern and does address the second concern.

Majority Amendment (1001h)

Amend RSA 126-Q:1, IV as inserted by section 1 of the bill by replacing it with the following:

IV. "Assessment" means the assessable entity's liability with respect to [childhood] vaccines determined in accordance with this chapter. ~~[For purposes of rate setting and medical loss ratio calculations, all association assessments are considered pharmaceutical or medical benefit costs and not regulatory costs.]~~ In the event of any insolvency or similar proceeding affecting any payer, assessments shall be included in the highest priority of obligations to be paid by or on behalf of such payer.

Amend RSA 126-Q:1, XI as inserted by section 3 of the bill by replacing it with the following:

XI. "Vaccine" means any preparations of killed microorganisms, living attenuated organisms, or living fully virulent organisms that are approved by the federal Food and Drug Administration and recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention and have been authorized by the commissioner of the department of health and human services for administration to children *and adults* of the state of New Hampshire ~~[under the age of 19 years]~~ for the purposes of producing or artificially increasing immunity to particular life-threatening and disabling diseases. **"Vaccine" shall not include pneumococcal polysaccharide vaccine or herpes zoster vaccine.**

Amend RSA 126-Q:4, I as inserted by section 6 of the bill by replacing it with the following:

I. The board shall determine an assessment for each assessable entity in accordance with this section, except that no assessment shall be made based on children excluded from assessable lives whose vaccines are paid for under the federal Vaccines for Children program, established under 42 U.S.C. section 1396s[~~An assessment determination made pursuant to this section is a pharmaceutical cost and not a regulatory cost for purposes of calculating the carrier's medical loss ratio~~] **or adults whose vaccines are paid for under Medicare.**

Amend the bill by replacing section 9 with the following:

9 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.

Rep. Lang spoke against.

Rep. McGuire requested a roll call; sufficiently seconded.

YEAS 185 - NAYS 118

**YEAS - 185
BELKNAP**

CARROLL

Huot, David

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Fenton, Donovan
Morrill, David
Pearson, William

Berch, Paul
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

Bordenet, John
Ley, Douglas
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schultz, Kristina
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

Berrien, Skip
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Schmidt, Peter
Towne, Matthew

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

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

SULLIVAN

Cloutier, John

O'Hearne, Andrew

Sullivan, Brian

Tanner, Linda

NAYS - 118**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGHAlexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Nunez, Hershel
Prout, Andrew
Somero, PaulBarry, Richard
Danielson, David
Greene, Bob
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Ulery, JordanBoehm, Ralph
Erf, Keith
Gunski, Michael
McLean, Mark
Plett, Fred
Rice, Kimberly
Warden, MarkBurt, John
Flanagan, Jack
Hinch, Richard
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie**MERRIMACK**Allard, James
Kotowski, Frank
Testerman, DaveHill, Gregory
McGuire, Carol
Walsh, ThomasHorn, Werner
Pearl, Howard
Yakubovich, MichaelKlose, John
Seaworth, Brian**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Davis, Dan
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Love, David
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, DavidAbrami, Patrick
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janigian, John
Pearson, Mark
Packard, Sherman
Roy, Terry
Verville, Kevin
Weyler, KennethAbramson, Max
Bershtein, Alan
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Janvrin, Jason
McBride, Everett
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, JoshActon, Dennis
Costable, Michael
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
McMahon, Charles
Pratt, Kevin
Sytek, John
Wallace, Scott**STRAFFORD**Harrington, Michael
Pitre, JosephHayward, Peter
Rooney, AbigailHorgan, James
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt**SULLIVAN**Aron, Judy
Merchant, GaryCallum, John
Rollins, SkipLaware, Thomas
Stapleton, WalterLucas, Gates
Smith, Steven

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

HB 1666-FN, relative to investigations of sudden undetermined infant deaths (SUID) by the office of the chief medical examiner. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Ticehurst for the Majority of Health, Human Services and Elderly Affairs. The committee feels compassion for families who experience the loss of an infant and agrees that attempting to determine possible causes is a worthy endeavor. However, the bill raised concerns that the committee was not able to overcome by the amendment process. The bill requires the medical examiner to investigate sudden undetermined infant deaths (SUID) for vaccine-related correlation to death. However, once the medical examiner determines that a death has been caused by a reaction to a vaccine, the death is no longer "undetermined" and would not be reportable under the provisions of the bill. Some of the required tests for that determination do not exist. There is concern about the quality of the data that would be generated because most infants receive immunization on the recommended schedule, so correlation would not necessarily prove causality. Portions of the bill are already in practice or law. Current statutes provide for release of reports to next of kin. All SUID investigations are reviewed by the SUID subcommittee of the Child Fatality Review Committee (CFRC). De-identified data is already provided to the Centers for Disease Control for the purpose of identifying risk factors. Nevertheless, due to the seriousness of the matter, and out of respect for grieving families, the majority of the committee believes it is important to continue working on this bill. Vote 11-9.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. The minority agrees with the majority that this bill is unworkable as drafted. We also believe the state medical examiner is currently performing all currently available tests to determine the cause in cases of sudden, undetermined infant deaths (SUIDs). However, we do understand the good intent behind this bill in trying to do

more in this area. In particular, we note that reporting to the Vaccine Adverse Events Reporting System (VAERS) is currently voluntary. As death is clearly an adverse event, and VAERS desires to collect data about adverse events irrespective of causality, we believe as amended, this bill should pass, which would require such reporting.

The question being adoption of the majority committee report of Refer for Interim Study.

Rep. Camarota spoke against.

Rep. Ticehurst spoke in favor.

On a division vote, with 204 members having voted in the affirmative, and 94 in the negative, the majority committee report was adopted.

HB 1120, requiring periodic water tests of rental property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for the Majority of Judiciary. The prime sponsor of this bill, requiring periodic water tests of rental property, worked with a number of principals involved, including landlords and relevant state agencies. In the end, the decision was that while the bill had merit, there were a number of issues that needed to be resolved, and the committee agreed to the request that we create a study committee. Vote 12-8. Rep. Michael Sylvia for the Minority of Judiciary. The minority believes this study to be unnecessary. Landlords stand to face liability if there are any problems with water quality. They will test as needed to avoid lawsuits and unnecessary expenses. The cost of this study will be borne by taxpayers just as excessive water testing would be passed on to tenants.

Majority Amendment (0971h)

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

AN ACT establishing a committee to study the establishment of water testing requirements for residential rental property.

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

1 Committee Established. There is established a committee to study the establishment of water testing requirements for residential rental property.

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) Two members 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 the establishment of water testing requirements for residential rental property. The study shall include consideration of:

(a) The frequency and type of water testing to be required for residential rental property and the circumstances under which remediation may be required.

(b) An appropriate legal remedy and enforcement mechanism, including enabling tenants to withhold rent in appropriate cases.

(c) The role of the attorney general and the department of environmental services in implementing and enforcing a water testing and remediation requirement.

(d) A program to inform tenants and landlords of their rights and responsibilities regarding water quality in residential rental property.

II. The committee shall solicit information and testimony from any individual or entity the committee deems relevant to its study.

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 the establishment of water testing requirements for residential rental property.

Majority committee amendment adopted.

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

Rep. Sylvia spoke against.

Rep. DiLorenzo spoke in favor.

Majority committee report adopted and ordered to third reading.

HB 1143, repealing limited liability for manufacturers, distributors, dealers, or importers of firearms or ammunition. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for the Majority of Judiciary. The firearms industry is the only industry which has a blanket immunity from civil liability under state law. This immunity has only been in place since 2004. Our firearms industry flourished for centuries before that law was passed, and it will thrive even after this bill becomes law. This bill is not a gun control bill. It does not restrict the Second Amendment in any way, nor does it take anyone's firearms away. This bill simply allows anyone who has been harmed by the gun industry to seek justice through the New Hampshire civil courts. These cases might not be numerous or successful, but the victims deserve their day in court. The firearms industry should not be above the law. Vote 12-8.

Rep. Jason Janvrin for the Minority of Judiciary. This bill seeks to undo a protection of the firearms industry put in place that confers immunity to civil lawsuit, except when a warranty of suitability for a specific purpose was breached, or when a product was faulty. Such lawsuits only serve to put these lawful businesses out of business by costing considerable amounts of attorney fees even though a fault is not found in the adjudication of the civil case.

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

Rep. Sylvia spoke against.

Rep. Andrew Bouldin spoke in favor.

Rep. Janvrin requested a roll call; sufficiently seconded.

YEAS 170 - NAYS 126

YEAS - 170

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Faulkner, Barry
Mann, John
Pearson, William

Ames, Richard
Fenton, Donovan
Morrill, David

Berch, Paul
Harvey, Cathryn
Parkhurst, Henry

Bordenet, John
Ley, Douglas
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Almy, Susan
Ford, Susan
Muscatel, Garrett
Stringham, Jerry

Campion, Polly
Josephson, Timothy
Nordgren, Sharon
Smith, Suzanne

Egan, Timothy
Maes, Kevin
Osborne, Richard
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bouchard, Donald
Dargie, Paul
Freitas, Mary
Hammer, Heidi
Indruk, Greg
Klein-Knight, Nicole
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Vail, Suzanne

Bouldin, Andrew
Bergeron, Paul
Cleaver, Skip
Desjardin, Kathy
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Backus, Robert
Bordy, William
Connors, Erika
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jack, Martin
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bosman, James
Cornell, Patricia
Espitia, Manny
Hall, Brett
Herbert, Christopher
Klee, Patricia
Long, Patrick
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
Moffett, Howard
Rogers, Katherine
Soucy, Timothy
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
McWilliams, Rebecca
Richards, Beth
Schultz, Kristina
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Murray, Kate
McBeath, Rebecca
Somssich, Peter

Berrien, Skip
Edgar, Michael
Le, Tamara
McConnell, Liz
Ward, Gerald

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
Meuse, David

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Schmidt, Peter
Towne, Matthew

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

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

SULLIVAN

Cloutier, John

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 126**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

O'Day, John

Merner, Troy

Craig, Kevin

Furbush, Michael

GRAFTON

Adjutant, Joshua
Migliore, Vincent Paul

Dontonville, Roger
Ruprecht, Dennis

Gordon, Edward

Hennessey, Erin

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Flanagan, Jack
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Shaw, Barbara

Barry, Richard
Danielson, David
Gagne, Larry
Hinch, Richard
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Somero, Paul

Boehm, Ralph
Erf, Keith
Goley, Jeffrey
Hopper, Gary
Mullen, Sue
Plett, Fred
Rice, Kimberly
Ulery, Jordan

Burt, John
Davis, Fred
Greene, Bob
King, Mark
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie
Warden, Mark

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Horn, Werner
Seaworth, Brian

Klose, John
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Love, David
McMahon, Charles
Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janigian, John
Pearson, Mark
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

Abramson, Max
Bershtein, Alan
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Malloy, Dennis
Packard, Sherman
Roy, Terry
Vallone, Mark
Welch, David

Acton, Dennis
Costable, Michael
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
McBride, Everett
Piemonte, Tony
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

Rep. Timothy Smith declared a conflict of interest and did not participate.

HB 1164, concerning support for cats and dogs that are neglected or treated cruelly. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. This bill intends to alleviate the limbo-like conditions that animals may suffer when their owners are involved in court proceedings arising out of animal cruelty charges. The way this bill attacks the problem is to create a court approved spokesperson to advocate for those animals. Adding this level of advocacy complicates an already complex and hard-fought proceeding without really getting to the nub of the issue. Other bills, as yet to be drafted, could better and more directly provide relief to the animals without negatively impacting the court's procedures. Vote 13-6.

Committee report adopted.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **HB 1143**, repealing limited liability for manufacturers, distributors, dealers, or importers of firearms or ammunition, be printed in the Permanent Journal.

Rep. Verville requested a roll call; sufficiently seconded.

YEAS 159 - NAYS 138**YEAS - 159****BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Woodcock, Stephen

Knirk, Jerry

MacDonald, John

CHESHIRE

Ames, Richard
Morrill, David

Faulkner, Barry
O'Day, John

Ley, Douglas
Pearson, William

Mann, John
Weber, Lucy

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Noel, Henry

GRAFTON

Egan, Timothy
Migliore, Vincent Paul
Smith, Suzanne

Gordon, Edward
Muscatel, Garrett

Hennessey, Erin
Osborne, Richard

Josephson, Timothy
Stringham, Jerry

HILLSBOROUGH

Alexander, Joe
Burt, John
Flanagan, Jack
Griffith, Willis
Hinch, Richard
Murray, Megan
Nutting-Wong, Allison
Porter, Marjorie
Radhakrishnan, Julie
Somero, Paul
Ulery, Jordan

Barry, Richard
Camarota, Linda
Gagne, Larry
Gunski, Michael
Hopper, Gary
McLean, Mark
O'Brien, Michael
Proulx, Mark
Renzullo, Andrew
Smith, Timothy
Van Houten, Constance

Bernet, Jennifer
Danielson, David
Gidge, Kenneth
Hamer, Heidi
Lascelles, Richard
Notter, Jeanine
Panasiti, Reed
Prout, Andrew
Rice, Kimberly
Telerski, Laura
Warden, Mark

Boehm, Ralph
Espitia, Manny
Greene, Bob
Harriott-Gathright, Linda
Long, Patrick
Nunez, Hershel
Plett, Fred
Query, Joshua
Sanborn, Laurie
Toomey, Dan

MERRIMACK

Allard, James
Hill, Gregory
Pearl, Howard
Testerman, Dave

Doherty, David
Horn, Werner
Pimentel, Roderick
Walsh, Thomas

Fox, Samantha
Klose, John
Seaworth, Brian
Yakubovich, Michael

Fulweiler, Joyce
Kotowski, Frank
Soucy, Timothy

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Costable, Michael
 Dolan, Tom
 Gay, Betty
 Harb, Robert
 Janvrin, Jason
 McBride, Everett
 Piemonte, Tony
 Pearson, Stephen
 Verville, Kevin
 Weyler, Kenneth

Abrami, Patrick
 Barnes, Arthur
 Davis, Dan
 Doucette, Fred
 Green, Dennis
 Hobson, Deborah
 Khan, Aboul
 McMahon, Charles
 Pratt, Kevin
 Sytek, John
 Vose, Michael
 Yokela, Josh

Abramson, Max
 Berrien, Skip
 Thomas, Douglas
 Edgar, Michael
 Grote, Jaci
 Osborne, Jason
 Love, David
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Wallace, Scott

Acton, Dennis
 Bershtein, Alan
 DeSimone, Debra
 Edwards, Jess
 Guthrie, Joseph
 Janigian, John
 Pearson, Mark
 Packard, Sherman
 Roy, Terry
 Vallone, Mark
 Welch, David

STRAFFORD

Frost, Sherry
 Horrigan, Timothy
 Beaudoin, Steven

Harrington, Michael
 Schmidt, Peter
 Wuelper, Kurt

Hayward, Peter
 Perreault, Mona

Horgan, James
 Pitre, Joseph

SULLIVAN

Aron, Judy
 Lucas, Gates

Callum, John
 Rollins, Skip

Cloutier, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

**NAYS - 138
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita

Butler, Edward

DesMarais, Edith

Ticehurst, Susan

CHESHIRE

Abbott, Michael
 Harvey, Cathryn

Berch, Paul
 Parkhurst, Henry

Bordenet, John
 Tatro, Bruce

Fenton, Donovan

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
 Fellows, Sallie
 Nordgren, Sharon
 Weston, Joyce

Almy, Susan
 Ford, Susan
 Ruprecht, Dennis

Campion, Polly
 Maes, Kevin
 Stavis, Laurel

Dontonville, Roger
 Mulligan, Mary Jane
 Sykes, George

HILLSBOROUGH

Bouldin, Amanda
 Beaulieu, Jane
 Cleaver, Skip
 Desjardin, Kathy
 Freitas, Mary
 Herbert, Christopher
 King, Mark
 Mangipudi, Latha
 Nutter-Upham, Frances
 Piedra, Israel
 Shaw, Barbara
 Stack, Kathryn
 Woodbury, David

Bouldin, Andrew
 Bordy, William
 Connors, Erika
 Dutzy, Sherry
 Goley, Jeffrey
 Indruk, Greg
 Klee, Patricia
 Martin, Joelle
 Pedersen, Michael
 Newman, Ray
 Snow, Kendall
 Stevens, Deb

Backus, Robert
 Bosman, James
 Cornell, Patricia
 Erf, Keith
 Hall, Brett
 Schmidt, Janice
 Klein-Knight, Nicole
 Mullen, Sue
 Petrigno, Peter
 Riel, Cole
 Sofikitis, Catherine
 Vail, Suzanne

Balch, Chris
 Bouchard, Donald
 Dargie, Paul
 Davis, Fred
 Heath, Mary
 Jack, Martin
 Langley, Diane
 Murphy, Nancy
 Pickering, Daniel
 Newman, Sue
 St. John, Michelle
 Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
 Ellison, Arthur
 MacKay, James
 Myler, Mel
 Schuett, Dianne
 Wells, Kenneth

Buchanan, Ryan
 Karrick, David
 McGuire, Carol
 Richards, Beth
 Schultz, Kristina
 Woods, Gary

Carson, Clyde
 Lane, Connie
 McWilliams, Rebecca
 Rogers, Katherine
 Wallner, Mary Jane

Ebel, Karen
 Luneau, David
 Moffett, Howard
 Saunderson, George
 Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
 Grossman, Gaby
 Maggiore, Jim
 Meuse, David

Bushway, Patricia
 Hoelzel, Kathleen
 Malloy, Dennis
 Read, Ellen

Cushing, Robert Renny
 Murray, Kate
 McBeath, Rebecca
 Somssich, Peter

DiLorenzo, Charlotte
 Le, Tamara
 McConnell, Liz
 Ward, Gerald

STRAFFORD

Bixby, Peter
 Fargo, Kristina
 Levesque, Cassandra
 Salloway, Jeffrey
 Vincent, Kenneth

Cannon, Gerri
 Grassie, Chuck
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

Chase, Wendy
 Keans, Sandra
 Opderbecke, Linn
 Towne, Matthew

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

SULLIVAN

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

Tanner, Linda

and the motion was adopted.

DEBATE ON HB 1143

Representative Sylvia: Thank you, Mister Speaker. Mister Speaker I oppose this bill because it will remove liability from gun manufacturers. Some of you may understand that gun manufacturing is a rather large piece of the economy in New Hampshire.

Speaker Shurtleff: Will the member suspend for a moment? If members want to speak, please go out to the anteroom. The member has a right to be heard. The member may proceed.

Representative Sylvia: So, the firearms industry. It's a big business in New Hampshire. If we enact this law and I'm sure it won't make it past a certain office, this would devastate the economy in this state and I don't think anybody here wants to be on record for it and I suggest there is going to be a roll call so vote red.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass. The Chair recognizes the member from Manchester, Rep. Andrew Bouldin to speak in support of the recommendation.

Representative Andrew Bouldin: Thank you, Mister Speaker. No industry should be above the law, but especially not one that produces deadly weapons. Please support the Ought to Pass motion.

Speaker Shurtleff: The question before the House is the recommendation that the Ought to Pass. Rep. Janvrin has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the recommendation that the bill Ought to Pass. The House will be in order. The Chair recognizes Rep. Burt for a parliamentary inquiry.

Representative Burt: Thank you, Mister Speaker. Mister Speaker, if I know Sig, Ruger and many other manufacturing companies are located in New Hampshire and even one in Goffstown. And, if I also know I do not want to force those businesses to move to North Carolina or any other Southern state. And, lastly, Mister Speaker, with those companies leaving that will affect the middle class and the good paying jobs that comes with that. And, Mister Speaker, you know me, I support the middle class. Lastly, Mister Speaker, would I now vote with my friends in the cheap seats and press the red button? Thank you, Mister Speaker.

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

Representative Altschiller: Thank you, Mister Speaker. If I know that when the manufacturers, distributors, dealers or importers of firearms and ammunition are negligent in their fundamental duties to act with reasonable care toward public safety, the public should have access to the courts to seek remedy. And, if I further know that when a product fails or is misused and causes harm to citizens, they should have access to the courts to seek remedy where the courts would then decide if those citizens can establish a standing. Finally, if I know that the automobile industry, computer industry, food and pharmaceutical industries do not enjoy this special carve out from being found responsible for negligence that the firearms industry enjoys, then will I support HB 1143 and open the courthouse doors to those with standing harmed by this industry's negligence 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 Ought to Pass. If you are favor, you will 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 170 for and 126 against, the recommendation is adopted. Rep. Timothy Smith declared a conflict and did not participate.

REGULAR CALENDAR CONT'D

HB 1169, relative to requiring a roll call vote when one member of a public body participates electronically.

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

Rep. Wendy Chase for the Majority of Judiciary. This bill, as amended, changes the language of the Right-to-Know Law regarding meetings open to the public under RSA 91-A:2, III(e). As the law stands now, it is required by the public body to have all votes taken as roll call if a member or members are participating in the meeting utilizing electronic communication, which the committee heard can sometime be a lengthy process. The amendment would allow a roll call vote option to a public body for members participating in a meeting by electronic and other means of communication. Vote 12-8.

Rep. Jason Janvrin for the Minority of Judiciary. The committee heard no testimony that the requirement of a roll call vote is so onerous that it cannot be done. There is no advantage to not requiring the roll call required in current statute. Therefore, the minority would recommend the bill be found Inexpedient to Legislate.

Majority Amendment (0476h)

Amend RSA 91-A:2, III(e) as inserted by section 1 of the bill by replacing it with the following:

(e) A member participating in a meeting by the means described in this paragraph is deemed to be present at the meeting for purposes of voting. All votes taken during such a meeting [~~shall~~] **may** be by roll call vote.

AMENDED ANALYSIS

This bill clarifies the manner in which votes are recorded when a member of a public body is participating in a meeting by electronic or other means of communication.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1177, relative to qualifications of referees in the superior courts and circuit courts. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jason Janvrin for the Majority of Judiciary. The committee has debated this policy several times in the last few sessions. Each time, it is revealed in testimony that the policy is only applicable to one referee that is not a resident of the state and thus not eligible to be a justice of the peace. It is because this bill only would apply to one referee that the committee recommends Inexpedient to Legislate. Vote 15-4.

Rep. Michael Sylvia for the Minority of Judiciary. This bill would require court referees to be commissioned as justices of the peace. The minority believes this to be a beneficial policy, giving some oversight beyond the judiciary.

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

Majority committee report adopted.

HB 1178, relative to safety requirements for pools on foreclosed residential property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for the Majority of Judiciary. This bill requires that a pool, spa, or other water feature on the premises of a foreclosed residential property be secured to prevent harm. This requirement only applies when the property is unoccupied and the foreclosure has been completed for at least 60 days. The amendment clarifies that the requirement does not apply to surface waters on the property. The majority of the committee agreed with testimony that this is a reasonable safety measure and is consistent with current practices of major lenders such as the Federal National Mortgage Association (FNMA) and insurance companies. Vote 16-4.

Rep. Michael Sylvia for the Minority of Judiciary. This bill requires a mortgagee in possession of a foreclosed residential property to securely cover pools. It is intended to protect children from an attractive nuisance. Even if a mortgagee does so without being forced to by the government, older children and teens are likely resourceful enough to remove a covering. And when these older children leave, they are unlikely to properly re-secure the cover. This bill is simply government overreach which does extremely little good.

Majority Amendment (0167h)

Amend RSA 479:21-a as inserted by section 1 of the bill by replacing it with the following:

479:21-a Residential Property; Pool Cover or Net Required. A mortgagee in possession of a foreclosed residential property unoccupied for 60 or more days shall secure the surface of any pool, spa, or other water feature structure greater than 20 square feet located on the premises of the residential property with a cover or net approved by the American Society for Testing Materials (ASTM). This requirement shall not apply to any surface waters on the property, including but not limited to watercourses, lakes, ponds, marshes, or tidal waters.

AMENDED ANALYSIS

This bill requires that any pool, spa, or other water feature structure on the premises of a foreclosed residential property have an approved cover or net.

Majority committee amendment adopted.

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

Rep. Sylvia spoke against.

Rep. McLean spoke in favor.

Majority committee report adopted and ordered to third reading.

HB 1202-L, relative to matters discussed in nonpublic session under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the Majority of Judiciary. This change to the law may cause more problems than it solves. In responding to a reported problem with an employee, depending on the nature, administrators would and should take immediate action, particularly investigating. Delaying any discussion with the employee for 48 hours could possibly raise a safety issue. Currently, when there is a decision made on disciplinary action, after investigation, the employee is notified and may ask to have the discussion in public. This bill would cause an open meeting before any assessment has been made about the severity of the complaint. Vote 16-3.

Rep. Charlotte DiLorenzo for the Minority of Judiciary. This bill clarifies the rights of an individual being discussed in non-public session of a public body as defined by RSA 91-A, New Hampshire's Right-to-Know Law. The so-called "reputation" exemption to the law was created to place a protective shield around matters which if discussed in public would likely adversely affect or tarnish the reputation of any person. This bill allows the person to be discussed at a non-public session the rights to: 1) receive a 48-hour written notice of the non-public session; 2) be present at the non-public session; 3) have counsel to observe at the person's own expense; 4) have the right to speak on their own behalf and to create an audio recording or written transcript at their own expense.

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

HB 1212, relative to the effect of homicide on distribution at death. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Gordon for Judiciary. This bill is a well-intended attempt to clarify the law regarding the ability of a person who kills a decedent to inherit from the decedent's estate or serve as the decedent's fiduciary. However, the bill has created many questions regarding when the law will be applied, what delays will be caused to distribution of estate assets, how probate administration will be impacted, and who should decide that a person is a killer. Given the many issues, the committee recommends Inexpedient to Legislate. Vote 14-5. Committee report adopted.

HB 1226, prohibiting surveillance by the state on public ways or sidewalks. **OUGHT TO PASS.**

Rep. Gary Hopper for Judiciary. This bill prohibits the state from surveilling its people with methods such as video or electronic surveillance. The people overwhelmingly supported an amendment to our constitution that protects them from surveillance by the state, "Right to Privacy: An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." This bill helps to protect our constituents' privacy. We can live in a state of liberty or in a surveillance state but we can't do both. Vote 16-3.

On a division vote, with 267 members having voted in the affirmative, and 18 in the negative, the committee report was adopted and ordered to third reading.

HB 1236, relative to the expectation of privacy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sandra Keans for Judiciary. Two years ago, the citizens voted overwhelmingly for a constitutional amendment to protect their privacy. This bill is a modest attempt to put some statutes in place to start the process. It does not cover everything and future legislatures will certainly find more areas to cover. It does require warrants for governmental bodies before they snoop. However, it does allow for an emergency situation. Your personal information should remain private to the extent possible. Vote 14-5.

Amendment (0976h)

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

1 New Chapter; Expectation of Privacy. Amend RSA by inserting after chapter 507-G the following new chapter:

**CHAPTER 507-H
EXPECTATION OF PRIVACY**

507-H:1 Definitions. In this chapter, "personal information" means an individual's name, date or place of birth; social security number; address; employment history; credit history; financial and other account numbers; cellular telephone numbers; voice over Internet protocol or landline telephone numbers; location information; biometric identifiers including fingerprints, facial photographs or images, retinal scans, genetic profiles, and DNA/RNA data; or other identifying data unique to that individual.

507-H:2 Expectation of Privacy in Personal Information.

I. An individual shall have an expectation of privacy in personal information, including content and usage, given or available to third-party providers of information and services, including cellular and land-line telephone, electric, water, and other utility services; Internet service providers; cable television providers; streaming services; social media providers; email service providers; banks and financial institutions; insurance companies; and credit card companies.

II.(a) No municipal, county, state, or federal department, agency, employee, elected official, or contractor shall acquire, collect, retain, or use the personal information described in paragraph I, directly or indirectly, related to customers of third-party providers of information and services located in New Hampshire except:

(1) Pursuant to a warrant signed by a judge and based on probable cause or pursuant to a judicially-recognized exception to the warrant requirement.

(2) In the case of the division of emergency services and communications, when handling emergency 911 telecommunications.

(3) Pursuant to a validly issued subpoena by an entity authorized by state law to issue such subpoena.

(4) In an emergency.

(5) If the individual to whom the personal information pertains provides access to it or authorizes access to it, but only for the purpose for which such access is granted.

(b) Subparagraph (a) shall not apply to personal information described in paragraph I if authorized or required by a municipal, county, state, or federal department, agency, employee, elected official, or contractor pursuant to state or federal law, provided that such information is requested of and supplied by a third-party provider of information and services for named individuals only or, in the case of employees and/or contractors of a third-party provider of information and services, for all of its employees and/or contractors.

(c) Subparagraph (a) shall not apply to personal information described in paragraph I if the individual to whom it pertains:

(1) Provides it to a municipal, county, state, or federal department, agency, employee, elected official, or contractor, but only for the purpose for which it is provided, including but not limited to credit card transactions and affinity programs; or

(2) Authorizes access to it by a municipal, county, state, or federal department, agency, employee, elected official, or contractor, but only for the purpose for which such authorization is granted.

III. No municipal, state, county, or federal department, agency, employee, elected official, or contractor shall acquire, collect, or retain or use personal information to create dossiers, files, or databases with respect to any individual unless the dossier, file, or database is authorized or required by state or federal law.

IV. This chapter shall not apply to personal information acquired, collected, retained, or used by any state regulatory agency with respect to a particular individual when such acquisition, collection, retention, or use is within the agency's regulatory, investigative, adjudicatory, or administrative function.

V. Any person violating the provisions of this section shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.

VI. A person who suffers injury as a result of a violation of this chapter shall be entitled to damages from the person who committed the violation of not less than \$1,000 for each such violation and an award of costs and reasonable attorney fees.

507-H:3 Action Against a Corporation. This chapter shall not be construed to create a cause of action against a corporation or its officers, employees, or agents for providing information to a municipal, state, or federal department, agency, employee, or contractor in accordance with the provisions of this chapter.

507-H-4 Federal Preemption. If federal law preempts any provision of this chapter, that provision shall not apply.

2 Regulation of Biometric Information; Collection of Data Prohibited. Amend RSA 359-N:2, I(c) to read as follows:

(c) Obtain, retain, or provide any individual's biometric data except as set forth in this chapter ***or in RSA 507-H.***

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1247, relative to notice of rent increases in certain residential rental property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Cam Kenney for the Majority of Judiciary. Currently in New Hampshire, we undoubtedly have a housing crisis. Over the last five years, rents have increased by up to 33 percent in our state, according to the New Hampshire Housing Finance Authority. The statewide vacancy rate is 1 percent, and in several counties, it is even lower. This bill would require landlords to notify tenants of certain rent increases. As amended, the bill requires landlords to provide 60 days' notice for rents slated to increase by 5 percent and 90 days' notice for rents slated to increase 8 percent or more. Current law requires only 30 days' notice. This would allow an individual adequate time to find a different housing option if the rent increase is too egregious. There is nothing about this bill that limits how much any landlord can charge any tenant. It only requires them to give notice in situations when the increase rises above a certain threshold. Vote 12-7.

Rep. Michael Sylvia for the Minority of Judiciary. This bill, as amended, will have landlords notify tenants of rent increases of 5-8% 60 days prior to the increase, and 90 days prior to increases over 8%. The consequences of this bill will clearly harm those on the fringe of the housing affordability crisis. With the extended notice, more people will begin shopping for what few apartments are available. More demand in the market, caused by this bill, will push up rents. This is basic economics. Further, if the shopper is lucky enough to find a suitable unit, they will likely need to put down a deposit and take possession before they are free to leave their current lease. This bill introduces chaos into a very tight rental market and will put those on the fringe in the street; homeless. One can also view this as a baby step toward rent control. It tells a landlord when he may raise the rent; if we can say 60 days, we can say 365 days. The result of rent control is well understood; apartments are refitted to offer luxury accommodations at every turnover, reducing the number of units available for the average working person.

Majority Amendment (0687h)

Amend the bill by replacing section 1 with the following:

1 New Section; Actions Against Tenants; Notice of Rent Increase. Amend RSA 540 by inserting after section 2 the following new section:

540:2-a Notice of Rent Increase.

I. This section shall apply to all residential rental property except:

(a) "Nonrestricted property" as defined in RSA 540:1-a, I.

(b) Rental units in properties in buildings or apartment complexes containing a total of 4 or fewer dwelling units, provided:

(1) The property is owned by a natural person; and

(2) The owner does not rent more than 4 dwelling units.

(c) Occupancies described in RSA 540:1-a, IV.

(d) Shared facilities as defined in RSA 540-B:1.

(e) Vacation or recreational rental units as defined in RSA 540-C:1.

(f) A dwelling unit in which, due to a federal or state rent subsidy based on the tenant's household income, the increase in the contract rent does not affect the amount paid by the tenant as his or her share of the rent.

(g) Manufactured housing in a manufactured housing park governed by RSA 205-A.

II. Notwithstanding the provisions of RSA 540:2, IV, or any other provision of law:

(a) No increase in a tenant's rent which exceeds 5 percent of the tenant's current rent shall be effective and enforceable unless the tenant has been served with no less than 60 days prior written notice of the amount and effective date of the rent increase. Such notice shall be served in accordance with the provisions of RSA 540:5. If a landlord issues more than one notice of rent increase within a 60-day period, the combined total of which exceeds 5 percent of the rent that was in effect when the first notice was served, the amount of the rent increase which exceeds 5 percent of the rent that was in effect at the time of the first notice of rent increase shall not become effective until 60 days from the date of the most recent notice of rent increase.

(b) No increase in a tenant's rent which exceeds 8 percent of the tenant's current rent shall be effective and enforceable unless the tenant has been served with no less than 90 days prior written notice of the amount and effective date of the rent increase. Such notice shall be served in accordance with the provisions of RSA 540:5. If a landlord issues more than one notice of rent increase within a 90-day period, the combined total of which exceeds 8 percent of the rent that was in effect when the first notice was served, the amount of the rent increase which exceeds 8 percent of the rent that was in effect at the time of the first notice of rent increase, shall not become effective until 90 days from the date of the most recent notice of rent increase.

(c) Nothing in this paragraph shall be construed to permit a landlord to increase a tenant's rent during the term of a lease for a fixed term, unless the lease expressly authorizes such an increase.

(d) This paragraph shall apply to any rent increase that becomes effective upon or after the expiration of the lease, provided however that the landlord may provide the notice of rent increase required by this paragraph during the term of the lease.

(e) This paragraph shall not be construed to limit, in any way, the amount of a rent increase that is implemented in accordance with the notice requirements set forth in this paragraph.

AMENDED ANALYSIS

This bill requires notice by a landlord of at least 60 days of a proposed rent increase which exceeds 5 percent or notice of at least 90 days of an increase which exceeds 8 percent.

Majority committee amendment adopted.

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

Rep. Sylvia spoke against.

Rep. Kenney spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 108**YEAS - 188****BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Fenton, Donovan
Morrill, David
Pearson, William

Berch, Paul
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

Bordenet, John
Ley, Douglas
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Gordon, Edward
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne

MERRIMACK

Bartlett, Christy
Ebel, Karen
Horn, Werner
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Karrick, David
MacKay, James
Richards, Beth
Schultz, Kristina
Woods, Gary

Carson, Clyde
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Rogers, Katherine
Wallner, Mary Jane

Doherty, David
Fulweiler, Joyce
Lane, Connie
Moffett, Howard
Saunderson, George
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Sytek, John

Altschiller, Debra
DiLorenzo, Charlotte
Hoelzel, Kathleen
Maggiore, Jim
Meuse, David
Vallone, Mark

Berrien, Skip
Edgar, Michael
Murray, Kate
Malloy, Dennis
Read, Ellen
Ward, Gerald

Bushway, Patricia
Grossman, Gaby
Le, Tamara
McBeath, Rebecca
Somssich, Peter
Welch, David

STRAFFORD

Bixby, Peter
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Conley, Casey
Keans, Sandra
Schmidt, Peter
Towne, Matthew

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 108**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

O'Day, John

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGHAlexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Nunez, Hershel
Renzullo, Andrew
Ulery, JordanBarry, Richard
Danielson, David
Greene, Bob
Lascelles, Richard
Panasiti, Reed
Rice, Kimberly
Warden, MarkBoehm, Ralph
Erf, Keith
Gunski, Michael
McLean, Mark
Plett, Fred
Sanborn, LaurieBurt, John
Flanagan, Jack
Hinch, Richard
Notter, Jeanine
Prout, Andrew
Somero, Paul**MERRIMACK**Allard, James
Pearl, Howard
Walsh, ThomasHill, Gregory
Seaworth, Brian
Yakubovich, MichaelKlose, John
Soucy, TimothyMcGuire, Carol
Testerman, Dave**ROCKINGHAM**Abbas, Daryl
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Torosian, Peter
Weyler, KennethAbramson, Max
Bershtein, Alan
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Verville, Kevin
Yokela, JoshActon, Dennis
Costable, Michael
Dolan, Tom
Green, Dennis
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Vose, MichaelBaldasaro, Al
Davis, Dan
Doucette, Fred
Guthrie, Joseph
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Wallace, Scott**STRAFFORD**Harrington, Michael
Rooney, AbigailHayward, Peter
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt

Pitre, Joseph

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

Lucas, Gates

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

HB 1312, relative to persons held in civil contempt. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for the Majority of Judiciary. This bill, as amended, requires family division circuit courts to make written findings of fact prior to incarcerating a person for civil contempt. While findings of fact are currently required, said findings are not necessarily written and may lack detail. Vote 16-3.

Rep. Timothy Horrigan for the Minority of Judiciary. Under current law, parties to family court cases can be jailed for civil contempt if they fail to meet the terms of court orders. This is an extreme sanction, which is only rarely resorted to, but sometimes is needed when a parent blatantly disregards their child support obligations or other obligations to their families.

Majority Amendment (0811h)

Amend the bill by replacing section 1 with the following:

1 New Section; Penalties; Civil Contempt. Amend RSA 458 by inserting after section 52 the following new section:

458:53 Penalties; Civil Contempt. No family division circuit court shall incarcerate a person for civil contempt without written findings of fact to support such action.

AMENDED ANALYSIS

This bill provides that no person shall be incarcerated for civil contempt without written findings of fact. Majority committee amendment adopted.

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

Rep. Horrigan spoke against.

Rep. Sylvia spoke in favor.

Majority committee report adopted and ordered to third reading.

HB 1376, establishing a civil penalty for unauthorized sharing of electronic location information. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to begin protecting your privacy by enacting a civil penalty for unauthorized sharing of electronic location information by telecommunications service providers. The

majority believes these companies should not be profiting from tracking you just because you pay for some other services, like cell phone service or internet access. The bill contains broad exemptions for law enforcement and for emergency agencies/situations. It would not apply to any free service, or anything to which you authorize to keep, sell, and/or use. We believe New Hampshire must act to protect our citizens in the digital age and this bill is a small step in the right direction. Vote 11-8.

Amendment (0807h)

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

AN ACT relative to the sharing of location information by mobile telecommunications services, and establishing a civil penalty and civil cause of action for unauthorized sharing of electronic location information.

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

1 New Section; Unauthorized Disclosure of Location Information. Amend RSA 507 by inserting after section 8-i the following new section:

507:8-j Unauthorized Disclosure of Location Information.

I. In this section:

(a) "Location" means information related to the physical or geographical location of a person or the person's mobile communications device, regardless of the particular technological method used to obtain this information.

(b) "Mobile telecommunications service" means a service offered to the public for a fee that transmits sounds, images, or data through wireless telecommunications technology.

(c) "Share" means to make location data available to another person, for a fee or otherwise.

II. A mobile telecommunications service may share location information of a person only to fulfill an explicit request from that person and not for any other purpose, unless the person has affirmatively waived such right after being properly informed. For purposes of this section, continuing to use a service or website shall not be considered an affirmative waiver.

III. Notwithstanding paragraph II, a mobile telecommunications service may provide a customer's location data:

(a) To comply with an explicit court order or other requirement of law.

(b) To law enforcement officials who have a warrant based on probable cause and signed by a judge.

(c) To an emergency service agency responding to an emergency communication or an imminent threat to life or property.

IV. A mobile telecommunications service that violates this section shall be subject to a civil penalty of not less than \$1,000 nor more than \$10,000 per day for each violation. Any person whose rights under this section have been violated shall have a right of action against the mobile telecommunication service, including the right to court costs and reasonable attorney's fees as the prevailing party.

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

AMENDED ANALYSIS

This bill:

I. Prohibits mobile telecommunications services from sharing location information.

II. Establishes a civil penalty for unauthorized disclosure of electronic location information.

III. Establishes a private right of action in favor of a person whose location information was disclosed.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1391-FN, relative to prohibiting discrimination in housing against persons with pets. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for Judiciary. This bill, as amended, represents a significant compromise which will benefit tenants seeking apartments with pets, and will give landlords an incentive to make more units available to pet owners. With this agreement between landlords and tenants' rights advocates, more apartments will become available to those with pets. Tenants with pets will be given notice regarding service and support animals as it relates to the federal Fair Housing Act. Those with service animals are exempt from pet deposits. Concerns about allergies will be as it is currently with service animals. This bill places no mandate on landlords to accept pets. Vote 10-9.

Amendment (0820h)

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

AN ACT relative to pet deposits under a lease or rental agreement.

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

1 New Paragraph; Security Deposits; Definitions. Amend RSA 540-A:5 by inserting after paragraph IV the following new paragraph:

V. "Pet deposit" means funds that are transferred from a tenant to the landlord for the sole purpose of reimbursing a landlord for damage to a rental unit or common areas caused by the tenant's pet.

2 New Section; Security Deposits; Pet Deposits. Amend RSA 540-A by inserting after section 6 the following new section:

540-A:6-a Pet Deposits.

I. Notwithstanding RSA 540-A:5 or RSA 540-A:6, in addition to a security deposit of up to one month's rent, a landlord may collect a pet deposit in an amount of up to one-half of one month's rent.

II. Except as authorized in RSA 161-F:32, no landlord shall collect or attempt to collect a pet deposit for:

(a) A support or service animal to which a person with disabilities would be entitled pursuant to the Federal Fair Housing Act (42 U.S.C. 3604(f)(3)(B)); or

(b) An animal which a tenant was permitted to have in her or his household prior to the effective date of this section.

III. Any provision of a written lease or rental agreement which provides for a pet deposit shall contain the following language: "NO PET DEPOSIT IS REQUIRED FOR A SERVICE OR SUPPORT ANIMAL TO WHICH A PERSON WITH DISABILITIES IS ENTITLED TO UNDER THE FEDERAL FAIR HOUSING ACT (42 USC 3604 (f)(3)(B))."

IV. Except as provided in this section, the provisions of RSA 540-A:7, I and RSA 540-A:8 shall apply to pet deposits; provided that for a violation of RSA 540-A:6-a, III, a landlord shall be liable to a tenant who has a pet and has paid a pet deposit, in the amount of \$100.

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

AMENDED ANALYSIS

This bill adds requirements for the establishment and enforcement of a pet deposit by a landlord under a lease or rental agreement with a tenant.

MOTION TO LAY ON THE TABLE

Rep. Read moved that **HB 1391-FN**, relative to prohibiting discrimination in housing against persons with pets, be laid on the table.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 196 - NAYS 96

YEAS - 196

BELKNAP

Fields, Dennis	Huot, David	Lang, Timothy	Tilton, Franklin
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CARROLL

Burroughs, Anita	Butler, Edward	DesMarais, Edith	Knirk, Jerry
Ticehurst, Susan	Woodcock, Stephen		

CHESHIRE

Ames, Richard	Berch, Paul	Bordenet, John	Fenton, Donovan
Ley, Douglas	Morrill, David	O'Day, John	Parkhurst, Henry
Tatro, Bruce	Von Plinsky, Sparky	Pearson, William	Weber, Lucy

COOS

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

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Campion, Polly
Dontonville, Roger	Egan, Timothy	Fellows, Sallie	Ford, Susan
Hennessey, Erin	Josephson, Timothy	Maes, Kevin	Migliore, Vincent Paul
Mulligan, Mary Jane	Muscatel, Garrett	Nordgren, Sharon	Osborne, Richard
Ruprecht, Dennis	Stavis, Laurel	Stringham, Jerry	Smith, Suzanne
Sykes, George	Weston, Joyce		

HILLSBOROUGH

Alexander, Joe	Bouldin, Amanda	Bouldin, Andrew	Backus, Robert
Balch, Chris	Beaulieu, Jane	Bergeron, Paul	Bernet, Jennifer
Boehm, Ralph	Bordy, William	Bosman, James	Bouchard, Donald
Cleaver, Skip	Connors, Erika	Cornell, Patricia	Dargie, Paul
Dutzy, Sherry	Espitia, Manny	Davis, Fred	Freitas, Mary
Goley, Jeffrey	Griffith, Willis	Hall, Brett	Hamer, Heidi
Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher	Indruk, Greg
Schmidt, Janice	King, Mark	Klee, Patricia	Klein-Knight, Nicole

Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Newman, Sue
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Sanborn, Laurie
St. John, Michelle
Telerski, Laura

Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rice, Kimberly
Shaw, Barbara
Stack, Kathryn
Toomey, Dan

Murray, Megan
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne

MERRIMACK

Buchanan, Ryan
Ellison, Arthur
Karrick, David
McWilliams, Rebecca
Richards, Beth
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fox, Samantha
Lane, Connie
Moffett, Howard
Rogers, Katherine
Wallner, Mary Jane

Doherty, David
Fulweiler, Joyce
Luneau, David
Pearl, Howard
Saunderson, George
Walz, Mary Beth

Ebel, Karen
Horn, Werner
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wells, Kenneth

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
DiLorenzo, Charlotte
Grote, Jaci
Lovejoy, Patricia
McBeath, Rebecca
Prudhomme-O'Brien, Katherine
Vallone, Mark

Altschiller, Debra
Bushway, Patricia
Dolan, Tom
Hoelzel, Kathleen
Pearson, Mark
McConnell, Liz
Read, Ellen
Ward, Gerald

Baldasaro, Al
Cushing, Robert Renny
Gay, Betty
Murray, Kate
Maggiore, Jim
Melvin, Charles
Pearson, Stephen

Barnes, Arthur
DeSimone, Debra
Grossman, Gaby
Le, Tamara
Malloy, Dennis
Meuse, David
Sytek, John

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Rooney, Abigail
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Lucas, Gates
Smith, Steven

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Stapleton, Walter

NAYS - 96

BELKNAP

Bean, Harry
Mackie, Jonathan

Comtois, Barbara
Spanos, Peter

Howard, Raymond
Sylvia, Michael

Jurius, Deanna

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Abbott, Michael

Faulkner, Barry

Harvey, Cathryn

Mann, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

HILLSBOROUGH

Barry, Richard
Erf, Keith
Gunski, Michael
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Woodbury, David

Burt, John
Flanagan, Jack
Hinch, Richard
McLean, Mark
Plett, Fred
Somero, Paul

Camarota, Linda
Gagne, Larry
Hopper, Gary
Notter, Jeanine
Proulx, Mark
Ulery, Jordan

Danielson, David
Greene, Bob
Jack, Martin
Nunez, Hershel
Prout, Andrew
Warden, Mark

MERRIMACK

Allard, James
Kotowski, Frank
Yakubovich, Michael

Bartlett, Christy
McGuire, Carol

Hill, Gregory
Seaworth, Brian

Klose, John
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Costable, Michael
Edwards, Jess
Hobson, Deborah
Khan, Aboul
Piemonte, Tony
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Davis, Dan
Green, Dennis
Osborne, Jason
Love, David
Pratt, Kevin
Vose, Michael
Yokela, Josh

Acton, Dennis
Thomas, Douglas
Guthrie, Joseph
Janigian, John
McBride, Everett
Roy, Terry
Wallace, Scott

Bershtein, Alan
Edgar, Michael
Harb, Robert
Janvrin, Jason
Packard, Sherman
Torosian, Peter
Welch, David

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Beaudoin, Steven

Horgan, James
Salloway, Jeffrey

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John

Cloutier, John

Laware, Thomas

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1461, relative to the penalty for carnival or amusement ride operators. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for Judiciary. This legislation is designed to keep the courthouse doors open to persons who have been injured as a result of negligent violations or rules relating to the operation of carnival or amusement rides. It guarantees citizens, by statute, an opportunity to access the courts irrespective of efforts by businesses to avoid responsibility through waivers of liability. The amendment clarifies that such a lawsuit must allege both a violation of rules and a resultant injury. Vote 13-6.

Amendment (0545h)

Amend the bill by replacing section 1 with the following:

1 Carnival-Amusement Operators; Penalty. Amend RSA 321-A:9 to read as follows:

321-A:9 Penalty. Any person convicted of operating a carnival or amusement ride without having first registered it with the commissioner, as provided in RSA 321-A:5, or violating the rules adopted by the commissioner, as provided in RSA 321-A:2, shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person. Any operator or owner who operates after a suspension, as provided in RSA 321-A:7, shall be guilty of a violation for each day of illegal operation. ***Any person injured as a result of a violation of the rules adopted by the commissioner, as provided in RSA 321-A:2, shall have a private right of action against the person or persons who committed the violation resulting in the injury. This section shall not be interpreted or construed to alter the common law.***

Committee amendment adopted.

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

Rep. Sylvia spoke against.

Rep. Berch spoke in favor.

Committee report adopted and ordered to third reading.

HB 1475-FN, prohibiting abortions after detection of fetal heartbeat. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the Majority of Judiciary. This bill would ban abortion after about six weeks of pregnancy, before most women even know they're pregnant and well before viability. The U.S. Supreme Court ruled long ago that bans on abortion prior to viability are unconstitutional and has repeatedly reaffirmed that position. (*Roe v. Wade*, *Planned Parenthood v. Casey*, *Whole Woman's Health v. Hellerstedt*). Arkansas and North Dakota passed "heartbeat" ban bills in 2013 that were struck down in 2015 and 2013 respectively. Iowa followed suit in 2018 and its law was struck down in January 2019. Despite this, six states passed such legislation in 2019: Georgia, Mississippi, Kentucky, Ohio, Louisiana, and Missouri. They are all being challenged; most have been blocked and several have already been struck down. Vote 12-7.

Rep. Kurt Wuelper for the Minority of Judiciary. The beating heart is a universal indication of life. The presence of a fetal heartbeat is a very strong indicator that a child will survive to birth. Studies have shown that less than 5% of normal, natural pregnancies result in spontaneous miscarriage after a heartbeat is detected. We believe that when enough states stand in defense of the pre-born, even the Supreme Court will change its mind and honor the compelling interest of the state to protect them. This bill will be a brick in the wall of protection for the most defenseless humans.

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

Reps. Abramson and Testerman spoke against.

Rep. Keans spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 194 - NAYS 91**YEAS - 194
BELKNAP**

Huot, David

CARROLLBurroughs, Anita
MacDonald, JohnButler, Edward
Ticehurst, SusanDesMarais, Edith
Woodcock, Stephen

Knirk, Jerry

CHESHIREAbbott, Michael
Eaton, Daniel
Ley, Douglas
Tatro, BruceAmes, Richard
Faulkner, Barry
Mann, John
Von Plinsky, SparkyBerch, Paul
Fenton, Donovan
Morrill, David
Pearson, WilliamBordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy**COOS**Craig, Kevin
Noel, HenryHatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

GRAFTONAbel, Richard
Dontonville, Roger
Hennessey, Erin
Muscatel, Garrett
Stringham, JerryAdjutant, Joshua
Fellows, Sallie
Josephson, Timothy
Nordgren, Sharon
Smith, SuzanneAlmy, Susan
Ford, Susan
Maes, Kevin
Osborne, Richard
Sykes, GeorgeCampion, Polly
Gordon, Edward
Mulligan, Mary Jane
Ruprecht, Dennis
Weston, Joyce**HILLSBOROUGH**Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Nunez, Hershel
Petrigno, Peter
Proulx, Mark
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, SuzanneBouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Flanagan, Jack
Gunski, Michael
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Nutter-Upham, Frances
Pickering, Daniel
Prout, Andrew
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, ConstanceBackus, Robert
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Mullen, Sue
Nutting-Wong, Allison
Piedra, Israel
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, MatthewBalch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David**MERRIMACK**Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Soucy, TimothyBuchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Walz, Mary BethCarson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Wells, KennethDoherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Woods, Gary**ROCKINGHAM**Acton, Dennis
Bushway, Patricia
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter
Yokela, JoshAltschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, MarkBerrien, Skip
Davis, Dan
Grote, Jaci
Maggiore, Jim
Meuse, David
Vose, MichaelBershtein, Alan
DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen
Ward, Gerald**STRAFFORD**Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, JanetCannon, Gerri
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Towne, MatthewChase, Wendy
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Treleven, SusanConley, Casey
Harrington, Michael
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

SULLIVANCloutier, John
Sullivan, BrianMerchant, Gary
Tanner, Linda

O'Hearne, Andrew

Rollins, Skip

NAYS - 91**BELKNAP**Bean, Harry
Jurius, Deanna
Sylvia, MichaelComtois, Barbara
Lang, Timothy
Tilton, FranklinFields, Dennis
Mackie, JonathanHoward, Raymond
Spanos, Peter**CARROLL**

Avellani, Lino

Comeau, Ed

Marsh, William

CHESHIRE

O'Day, John

COOS

Furbush, Michael

GRAFTON

Migliore, Vincent Paul

HILLSBOROUGHAlexander, Joe
Camarota, Linda
Greene, Bob
McLean, Mark
Renzullo, Andrew
Ulery, JordanBarry, Richard
Danielson, David
Hinch, Richard
Notter, Jeanine
Rice, Kimberly
Warden, MarkBoehm, Ralph
Erf, Keith
Hopper, Gary
Panasiti, Reed
Sanborn, LaurieBurt, John
Gagne, Larry
Lascelles, Richard
Plett, Fred
Somero, Paul**MERRIMACK**Allard, James
Kotowski, Frank
Yakubovich, MichaelHill, Gregory
McGuire, CarolHorn, Werner
Pearl, HowardKlose, John
Testerman, Dave**ROCKINGHAM**Abbas, Daryl
Costable, Michael
Doucette, Fred
Harb, Robert
Janvrin, Jason
McBride, Everett
Prudhomme-O'Brien, Katherine
Verville, KevinAbrami, Patrick
Thomas, Douglas
Gay, Betty
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Pearson, Stephen
Wallace, ScottAbramson, Max
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Love, David
Piemonte, Tony
Sytek, John
Welch, DavidBarnes, Arthur
Dolan, Tom
Guthrie, Joseph
Janigian, John
Pearson, Mark
Pratt, Kevin
Torosian, Peter
Weyler, Kenneth**STRAFFORD**Hayward, Peter
Rooney, AbigailHorgan, James
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt

Pitre, Joseph

SULLIVANAron, Judy
Smith, Steven

Callum, John

Laware, Thomas

Stapleton, Walter

and the majority committee report was adopted.

HB 1511, relative to actions against tenants. INEXPEDIENT TO LEGISLATE.

Rep. Charlotte DiLorenzo for Judiciary. This bill would change the current statute by taking away the judge's discretion and forcing the court to issue an eviction order if the tenant does not file an appearance for the trial. The tenant's failure to file an appearance places the tenant in default. If the default is not removed by the discretion of the court, a judgment for possession will issue and the tenant can be evicted from the apartment in just a few days. The current statute allows the judge discretion to remove the tenant's default and proceed to trial. There are valid reasons that tenants fail to file for an appearance, including improper service of notice of the hearing, and tenants may have a reasonable excuse due to language proficiency, illness, disability, or military service that can be verified and excused by the court. This bill would change the court's discretionary power to allow up to a 90-day grace period to stay possession when the court finds for the landlord. It reduces the 90-day stay of possession to 45 days or less. During the discretionary stay of possession, the court orders and the tenant agrees to pay for use and occupancy of the apartment equal to the rent for the unit on a court-imposed payment schedule. Additionally, in the written terms of the discretionary stay, the court can and will order the tenant to pay the old rent arrearage. In the event the tenant does

not pay use and occupancy and/ or the arrearage, writ of possession will issue, and the sheriff shall evict the tenant as soon as possible. The New Hampshire Local Welfare Administrators Association opposes this bill. Municipalities, through local welfare and state and federal homeless prevention programs will be penalized by this bill. This increases the costs to local taxpayers and uses homeless prevention resources that are already in short supply. Vote 18-1.

Committee report adopted.

HB 1539, relative to the relocation of children with elevated lead levels. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Diane Langley for the Majority of Judiciary. This bill requires landlords to reduce further harm from lead poisoning. Lead poisoning, as a result of a child's exposure to particles of lead paint, has been plaguing children for years, while remediation efforts that protect children from lead paint poisoning are understood. This bill outlines ways for property owners to remediate the cause of continued poisonings. However, our children continue to be exposed even when we know the solution! Federal and state monies are available to cover the expenses incurred by landlords to free their buildings of lead paint damages. Many of these funds go unused annually as the industry fails to take advantage of their availability and undertake remediation efforts. Any amount of lead in a child's body is not safe. Lead is a cumulative toxin that, even in small amounts, can result in permanent irreversible harm. It is safer for a child to be out of their home environment while full remediation is done and the safety of the dwelling for occupancy is established. Therefore, the majority believes we have an obligation to eradicate the cause of known poisonings from children's lives. Vote 11-7.

Rep. Kurt Wuelper for the Minority of Judiciary. This bill requires landlords under lead remediation orders to unconditionally offer a tenant needing to relocate for the duration of repairs to return the entire security deposit, regardless of any arrears or the condition of the apartment, to relocate the tenant to a temporary similar place and pay any increase in rent for the duration of relocation; to pay moving and storage costs (both ways); and to allow the tenant to re-occupy after remediation. The landlord and tenant may reach a lump sum buyout. The minority believes these excessive costs will drive rents up, reduce the stock of affordable housing, and be grossly unfair to landlords who could face these costs even if tenant actions caused the problems to begin with; and for these reasons recommends Inexpedient to Legislate.

Majority Amendment (0029h)

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

1 Lead Paint Poisoning Prevention and Control; Relocation of Tenants. RSA 130-A:8-a, I is repealed and reenacted to read as follows:

I. Within 45 days of receiving an order for lead hazard reduction from the commissioner pursuant to RSA 130-A:5, I(c) the owner shall make an unconditional written offer to facilitate relocation of the tenant until such time as the department approves the premises for re-occupancy. The offer shall include the following:

(a) An offer to prorate the tenant's rent for the month in which the tenant temporarily vacates the premises, and to return the portion paid by the tenant for the days after the tenant has left the premises.

(b) An offer to relocate the tenant to an adequate temporary dwelling that does not contain lead hazards, and to pay the difference between the tenant's rent for the temporary dwelling, and the tenant's rent at the time the landlord received the order from the department, until the department approves the dwelling for re-occupancy. The offer shall inform the tenant that if the tenant independently locates a temporary replacement dwelling the maximum monthly payment for which an owner shall be liable is the difference between the tenant's current rent and the fair market rent established annually by the United States Department of Housing and Urban Development, for a unit with the same number of bedrooms in the tenant's current apartment.

(c) An offer to pay reasonable moving and/or storage costs, including moving costs incurred by the tenant in re-occupying the premises.

(d) An offer to give the tenant a right to resume his or her tenancy when the dwelling is approved for re-occupancy.

(e) An offer to immediately rescind the existing lease if the tenant chooses not to re-occupy the premises.

I-a. Within 15 days of receiving an order for lead hazard reduction from the commissioner pursuant to RSA 130-A:5, I(c), the owner shall provide written notice to the tenant that within no more than 45 days from the date of the order, and prior to commencing any lead hazard reduction measures, the tenant shall receive an offer to help with temporary relocation for the duration of time that lead hazard reduction measures are being carried out at the premises, and that such offer shall, if necessary, include:

(a) Moving assistance.

(b) Storage costs.

(c) The additional cost of the temporary dwelling.

2 New Paragraph; Lead Paint Poisoning Prevention and Control; Lump Sum Payment. Amend RSA 130-A:8-a by inserting after paragraph III the following new paragraph:

III-a. As an alternative to the measures and payments required by paragraph RSA 130-A:8, I, I-a, and II, and notwithstanding provisions of RSA 540:28, the parties may agree to a lump sum payment for the tenant to permanently vacate the premises. Each such agreement shall be in writing and shall provide as follows:

(a) One half of the sum agreed to by parties shall be paid within 72 hours of the parties reaching the agreement.

(b) The remainder of the sum agreed to shall be paid within 48 hours of tenant vacating the property along with tenant's full security deposit regardless of any damage to the property or rental arrears, provided that the tenant vacates by the date stipulated in the agreement.

3 New Paragraph; Prohibited Practices and Security Deposits; Certain Specific Acts Prohibited. Amend RSA 540-A:3 by inserting after paragraph VII the following new paragraph:

VIII. No landlord shall willfully violate the requirements of RSA 130-A:8, I. It shall be a defense to any action brought under this paragraph that:

(a) The tenant unreasonably failed to accept an offer from the owner that complied with the requirements of RSA 130-A:8-a, I; or

(b) That, notwithstanding the owner's good faith efforts, the owner was unable to locate an adequate temporary dwelling as set forth in RSA 130-A:8-a, I(c), and that the owner did not unreasonably refuse to provide the assistance required by RSA 130-A:8, I for a dwelling that the tenant located independently.

4 New Subparagraph; Prohibited Practices and Security Deposits; Remedies. Amend RSA 540-A:4, IX by inserting after subparagraph (e) the following new subparagraph:

(f) For a violation of RSA 540-A:4, VIII, the provisions of RSA 540-A:4, IX(a) shall apply provided however that each 10-day period that a violation continues after the issuance of a temporary order shall constitute a separate violation.

5 New Subparagraph; Action Against Tenants; Termination of Tenancy. Amend RSA 540:2, II by inserting after subparagraph (g) the following new subparagraph:

(h) Failure of the tenant to vacate the premises as required by an agreement made pursuant to RSA 130-A:8-a.

6 Action Against Tenants; Eviction Notice. Amend RSA 540:3, II to read as follows:

II. For all residential tenancies, 30 days' notice shall be sufficient in all cases; provided, however, that 7 days' notice shall be sufficient if the reason for the termination is as set forth in RSA 540:2, II(a), (b), [or] (d), **or h**.

7 Effective Date. This act shall take effect 90 days after its passage.
Majority committee amendment adopted.

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

Rep. Langley spoke in favor.

Rep. Sylvia spoke against, yielded to question and requested a roll call; sufficiently seconded.

YEAS 185 - NAYS 112

YEAS - 185 BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

Ticehurst, Susan

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Andrew
Bergeron, Paul

Backus, Robert
Bernet, Jennifer

Balch, Chris
Bordy, William

Beaulieu, Jane
Bosman, James

Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rice, Kimberly
Snow, Kendall
Stevens, Deb
Vail, Suzanne

Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Soucy, Timothy
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Wallner, Mary Jane

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Wells, Kenneth

MERRIMACK

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
Edgar, Michael
Murray, Kate
Malloy, Dennis
Read, Ellen

Bushway, Patricia
Gay, Betty
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Cushing, Robert Renny
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

ROCKINGHAM

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

STRAFFORD

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Stapleton, Walter

SULLIVAN

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

NAYS - 112

BELKNAP

CARROLL

MacDonald, John

Marsh, William

CHESHIRE

COOS

Merner, Troy

GRAFTON

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gagne, Larry
Hopper, Gary
Nunez, Hershel
Prout, Andrew
Ulery, Jordan

Barry, Richard
Danielson, David
Greene, Bob
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Warden, Mark

Boehm, Ralph
Erf, Keith
Gunski, Michael
McLean, Mark
Plett, Fred
Sanborn, Laurie

Burt, John
Flanagan, Jack
Hinch, Richard
Notter, Jeanine
Proulx, Mark
Somero, Paul

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan
Doucette, Fred
Harb, Robert
Janigian, John
Pearson, Mark
Pratt, Kevin
Sytek, John
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Hobson, Deborah
Janvrin, Jason
McBride, Everett
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Abramson, Max
Bershtein, Alan
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Melvin, Charles
Roy, Terry
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Costable, Michael
Dolan, Tom
Guthrie, Joseph
Osborne, Jason
Love, David
Packard, Sherman
Pearson, Stephen
Vose, Michael
Yokela, Josh

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Smith, Steven

Laware, Thomas

Lucas, Gates

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

MOTION TO SPECIAL ORDER

Rep. Timothy Smith moved that **HB 1358**, relative to the identification of lobbyists, be made a Special Order as the next order of business.

On a division vote, with 101 members having voted in the affirmative, and 194 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 1542, relative to children, vulnerable adults, and animals in hot vehicles. **INEXPEDIENT TO LEGISLATE.** Rep. Michael Sylvia for Judiciary. This bill, while being well intended, stands to cause confusion in a critical situation. It outlines seven steps which must be taken prior to taking action to break into a car to rescue a child or animal. This bill would give a person immunity from civil suit if he or she follows the seven steps. Failing to follow the process would void the immunity. If there is a true emergency, no rational person would waste time notifying police, getting a witness, trying to find the owner, checking the locks, pondering when assistance may arrive, determining the proper force to use, and, after the fact, remaining with the child or animal until law enforcement arrives. All of this is not to save a child or animal, but to provide immunity to the rescuer. Vote 13-7. Committee report adopted.

HB 1559, relative to sealing records in nonpublic session under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark McLean for Judiciary. This bill seeks to address the concern that minutes sealed in non-public session rarely are unsealed after the fact. While the entering of public bodies into non-public session serves a legitimate function, the sealing of minutes in perpetuity can erode trust and, in rare cases, hide activity that should be disclosed to the public. The bill, as introduced, attempted to correct this issue by requiring the unsealing of all minutes after one year, unless a majority of the public body voted to keep them sealed. The committee recognized that this was too broad a remedy. There may be circumstances under which minutes should remain forever sealed, such as matters which would hurt the reputation of a person. The amended version of the bill, therefore, mandates the automatic unsealing, after one year, of only one category of minutes; those having to do with the "acquisition or sale of property which, if discussed in public, would benefit parties whose interests are adverse to the general community." The bill would continue the current practice of allowing sealed minutes generated for all other purposes to remain sealed in perpetuity. The automatic unsealing of this one category will provide public bodies with the opportunity to develop and evaluate mechanisms in a very narrow area which might be applied in the future to broader areas of the law governing non-public sessions. The amended bill also incorporates a safeguard that allows minutes in this one category to remain sealed if a majority of members vote to keep them so. The majority of the committee supported the bill as a modest step towards increasing public trust. Vote 10-9.

Amendment (0029h)

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

1 New Subparagraph; Right-to-Know-Law; Nonpublic Sessions. Amend RSA 91-A:3, II by inserting after subparagraph (l) the following new subparagraph:

(m) Consideration of whether to unseal minutes after one year due to a change in circumstances under paragraph III.

2 Right-to-Know Law; Nonpublic Minutes. Amend RSA 91-A:3, III to read as follows:

III. Minutes of meetings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes of such sessions shall record all actions in such a manner that the vote of each member is ascertained and recorded. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present taken in public session, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. This shall include training to carry out such functions. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members *voting in nonpublic session*, the aforesaid circumstances no longer apply. *An exception shall apply to those minutes generated from subparagraph II(d), which may be unsealed at any time but which will automatically be unsealed after one year unless a majority of the members vote that the minutes should remain sealed.*

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

AMENDED ANALYSIS

This bill declares that sealed minutes in nonpublic sessions under the right-to-know law may be unsealed if in the opinion of a majority of members voting in nonpublic session determine that circumstances have changed. The minutes sealed pursuant to RSA 91-A:3, II(d) would become public after one year.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1640-FN, relative to parental notification prior to abortion. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the Majority of Judiciary. This bill removes the judicial bypass provision of the law, such that all minors would be forced to notify their parents without exception, even if notification would be harmful or dangerous to the minor. New Hampshire has a law that requires parental notification before a minor can obtain an abortion. This law includes a judicial bypass system, such that if a pregnant minor is unable to notify her parents, often for safety concerns, there is a system set up where she can appear before a judge who will decide if she is mature enough to make the decision to have an abortion. In 1979, the U.S. Supreme Court ruled that parents cannot have veto power over a minor's constitutional right to abortion, and if states are going to require parental involvement, then there must be a waiver process available to minors who do not or cannot involve a parent in their abortion decision. In *Planned Parenthood v. Casey*, the Supreme Court was clear that a statute that will have the practical effect of giving someone else a veto over a person's abortion decision is an undue burden and must be struck down as unconstitutional. Young women who have a supportive relationship with parents are likely to consult them about an abortion decision, but not all young people are fortunate to have a healthy relationship with parents. For those who do not share it with parents, there is usually a good reason. In New Hampshire, our experience has been that almost no young women have utilized the judicial bypass, but it has been essential to protect the young women in the few remaining cases. Vote 13-6.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that a pregnant teen needs the support of her parents more when she has an unintended pregnancy than at any other time in her life, and parents are far more likely to be loving and caring than even teens in troubled households believe. We believe that the law should protect both the mother and her child. We think parents have moral, legal, financial, and natural rights to care for their child, but are hindered in that when denied any chance to even know when their daughter has an invasive medical procedure. We think the judicial bypass hurts far more women than it helps and should be repealed.

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

Reps. Horn and Love spoke against.

Rep. Keans spoke in favor.

Rep. Horn requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 102

**YEAS - 191
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
MacDonald, John

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Gordon, Edward
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Hennessey, Erin
Muscatel, Garrett
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Maes, Kevin
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Prout, Andrew
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Query, Joshua
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Soucy, Timothy
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Wallner, Mary Jane

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Wells, Kenneth

ROCKINGHAM

Acton, Dennis
Cushing, Robert Renny
Edwards, Jess
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Altschiller, Debra
Davis, Dan
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Grote, Jaci
Maggiore, Jim
Meuse, David
Yokela, Josh

Bushway, Patricia
Edgar, Michael
Murray, Kate
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 102**BELKNAP**

Bean, Harry
Jurius, Deanna
Tilton, Franklin

Comtois, Barbara
Lang, Timothy

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
 Camarota, Linda
 Greene, Bob
 Lascelles, Richard
 Panasiti, Reed
 Rice, Kimberly

Barry, Richard
 Danielson, David
 Gunski, Michael
 McLean, Mark
 Plett, Fred
 Sanborn, Laurie

Boehm, Ralph
 Erf, Keith
 Hinch, Richard
 Notter, Jeanine
 Radhakrishnan, Julie
 Somero, Paul

Burt, John
 Gagne, Larry
 Hopper, Gary
 Nunez, Hershel
 Renzullo, Andrew
 Ulery, Jordan

MERRIMACK

Allard, James
 Pearl, Howard
 Yakubovich, Michael

Hill, Gregory
 Seaworth, Brian

Horn, Werner
 Testerman, Dave

Kotowski, Frank
 Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
 Barnes, Arthur
 DeSimone, Debra
 Green, Dennis
 Hoelzel, Kathleen
 Khan, Aboul
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Welch, David

Abrami, Patrick
 Bershtein, Alan
 Dolan, Tom
 Guthrie, Joseph
 Osborne, Jason
 Love, David
 Packard, Sherman
 Roy, Terry
 Verville, Kevin
 Weyler, Kenneth

Abramson, Max
 Costable, Michael
 Doucette, Fred
 Harb, Robert
 Janigian, John
 Pearson, Mark
 Piemonte, Tony
 Pearson, Stephen
 Vose, Michael

Baldasaro, Al
 Thomas, Douglas
 Gay, Betty
 Hobson, Deborah
 Janvrin, Jason
 McBride, Everett
 Pratt, Kevin
 Sytek, John
 Wallace, Scott

STRAFFORD

Harrington, Michael
 Pitre, Joseph

Hayward, Peter
 Rooney, Abigail

Horgan, James
 Beaudoin, Steven

Perreault, Mona
 Wuelper, Kurt

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

HB 1659-FN, relative to patient directed care and patient's rights with regard to end-of-life decisions.

MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Paul Berch for the Majority of Judiciary. This legislation provides for legally assisted dying. The committee heard considerable testimony from the public. It is a complex subject and the sponsor has filed an extensive redraft which has not been subject to either public or committee scrutiny. For that reason, the committee recommends Interim Study. Vote 11-8.

Rep. Mark McLean for the Minority of Judiciary. This bill allows mentally competent persons who have been diagnosed with a terminal disease to receive a prescription to enable them to end their life at the time and place of their choosing. The minority of the committee felt that the bill's protections against coercion were extremely inadequate and had deep concerns that the elderly and disabled might be taken advantage of out of a desire for expediency. This view was universally shared by every disabled group that testified, all of whom were unanimous in their opposition to the bill. Attempts to study the subject in the past have always been defeated due to the legitimate fear that once the journey to medical aid in dying is begun, it will be very difficult to reverse course. It is on these grounds that the minority of the committee opposed Interim Study and seek a motion of Inexpedient to Legislate.

The question being adoption of the majority committee report of Refer for Interim Study.

Rep. Le spoke against.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **HB 1659-FN**, relative to patient directed care and patient's rights with regard to end-of-life decisions, be laid on the table.

On a division vote, with 131 members having voted in the affirmative, and 154 in the negative, the motion failed.

The question now being adoption of the majority committee report of Refer for Interim Study.

Rep. McLean spoke against.

Rep. Berch spoke in favor.

Majority committee report adopted.

HB 1673-FN, relative to the definition of “public body” under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for the Majority of Judiciary. This bill seems to extend the reach of the Right-to-Know Law from publicly elected or appointed boards to non-governmental organizations which receive a certain low measure of “state funding.” The committee recognized that this bill sought to turn RSA 91-A on its head by extending it into the private sector. This unprecedented extension did not find favor under the circumstances. Vote 19-1.

Rep. Michael Sylvia for the Minority of Judiciary. The minority believes that any organization that derives 50% of their income from the public purse should be subject to the transparency required under RSA 91-A.

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

Majority committee report adopted.

HB 1678-FN, relative to prohibiting abortion in certain cases. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the Majority of Judiciary. This is a ban on abortion following fetal diagnoses. The majority believes that we all have a responsibility to make sure that people with disabilities do not face discrimination and are treated with dignity and respect. But this bill does not address discrimination, nor does it address the needs of people with disabilities. Instead, it takes away an individual’s right to make one of life’s most deeply personal decisions and turns it over to the government. Laws that ban abortion before viability are unconstitutional. The U.S. Supreme Court precedent clearly prohibits states from placing bans on abortion before viability. Banning pre-viability abortions based on the reason a woman seeks an abortion prohibits women in those circumstances from exercising their constitutional right to obtain the procedure. A ban on abortions sought because of the diagnosis of a disability or the sex of the fetus is, therefore, unconstitutional. Vote 13-7.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes women are a vital part of our society and possess the same fundamental human rights as men. In spite of this, sex-selection abortion has been documented to increasingly exist in the U.S. and the victims are overwhelmingly female. Persons with Down Syndrome, physical or mental deformities, or handicaps contribute to American culture and are a valuable part of our society. In some countries, Down has been virtually eliminated by aborting every baby with a prenatal Down diagnosis. We find that horrific and terrifying. Who is next? Left-handed people? We believe NH should stand for the inalienable right to life of every baby, no matter what the Supreme Court says.

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

Rep. Rooney spoke against and yielded to questions.

Rep. Marjorie Smith spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 101**YEAS - 193
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
MacDonald, John

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Gordon, Edward
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Egan, Timothy
Hennessey, Erin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Maes, Kevin
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
 Beaulieu, Jane
 Bosman, James
 Cornell, Patricia
 Espitia, Manny
 Gidge, Kenneth
 Hamer, Heidi
 Indruk, Greg
 Klee, Patricia
 Long, Patrick
 Mullen, Sue
 O'Brien, Michael
 Piedra, Israel
 Query, Joshua
 Shaw, Barbara
 Stack, Kathryn
 Toomey, Dan
 Woodbury, David

Bouldin, Andrew
 Bergeron, Paul
 Bouchard, Donald
 Dargie, Paul
 Davis, Fred
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klein-Knight, Nicole
 Murray, Megan
 Murphy, Nancy
 Pedersen, Michael
 Porter, Marjorie
 Newman, Ray
 Snow, Kendall
 Stevens, Deb
 Vail, Suzanne

Backus, Robert
 Bernet, Jennifer
 Cleaver, Skip
 Desjardin, Kathy
 Flanagan, Jack
 Griffith, Willis
 Heath, Mary
 Jack, Martin
 Langley, Diane
 Mangipudi, Latha
 Nutter-Upham, Frances
 Petrigno, Peter
 Proulx, Mark
 Riel, Cole
 Sofikitis, Catherine
 Smith, Timothy
 Van Houten, Constance

Balch, Chris
 Bordy, William
 Connors, Erika
 Dutzy, Sherry
 Freitas, Mary
 Hall, Brett
 Herbert, Christopher
 King, Mark
 Leishman, Peter
 Martin, Joelle
 Nutting-Upham, Allison
 Pickering, Daniel
 Prout, Andrew
 Newman, Sue
 St. John, Michelle
 Telerski, Laura
 Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
 Ebel, Karen
 Karrick, David
 McWilliams, Rebecca
 Rogers, Katherine
 Soucy, Timothy
 Woods, Gary

Buchanan, Ryan
 Ellison, Arthur
 Lane, Connie
 Moffett, Howard
 Saunderson, George
 Wallner, Mary Jane

Carson, Clyde
 Fox, Samantha
 Luneau, David
 Pimentel, Roderick
 Schuett, Dianne
 Walz, Mary Beth

Doherty, David
 Fulweiler, Joyce
 MacKay, James
 Richards, Beth
 Schultz, Kristina
 Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
 Cushing, Robert Renny
 Grossman, Gaby
 Lovejoy, Patricia
 McConnell, Liz
 Vose, Michael

Berrien, Skip
 DiLorenzo, Charlotte
 Grote, Jaci
 Maggiore, Jim
 Meuse, David
 Ward, Gerald

Bushway, Patricia
 Edgar, Michael
 Murray, Kate
 Malloy, Dennis
 Read, Ellen

Costable, Michael
 Edwards, Jess
 Le, Tamara
 McBeath, Rebecca
 Somssich, Peter

STRAFFORD

Bixby, Peter
 Fargo, Kristina
 Keans, Sandra
 Schmidt, Peter
 Towne, Matthew

Cannon, Gerri
 Frost, Sherry
 Kenney, Cam
 Rich, Cecilia
 Treleaven, Susan

Chase, Wendy
 Grassie, Chuck
 Levesque, Cassandra
 Salloway, Jeffrey
 Vincent, Kenneth

Conley, Casey
 Horrigan, Timothy
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Cloutier, John
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

O'Hearne, Andrew

Rollins, Skip

NAYS - 101**BELKNAP**

Bean, Harry
 Jurius, Deanna

Comtois, Barbara
 Lang, Timothy

Fields, Dennis
 Mackie, Jonathan

Howard, Raymond
 Tilton, Franklin

CARROLL

Avellani, Lino

Comeau, Ed

Marsh, William

CHESHIRE**COOS**

O'Day, John

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON**HILLSBOROUGH**

Alexander, Joe
 Camarota, Linda
 Greene, Bob
 Lascelles, Richard
 Panasiti, Reed
 Sanborn, Laurie

Barry, Richard
 Danielson, David
 Gunski, Michael
 McLean, Mark
 Plett, Fred
 Somero, Paul

Boehm, Ralph
 Erf, Keith
 Hinch, Richard
 Notter, Jeanine
 Radhakrishnan, Julie
 Ulery, Jordan

Burt, John
 Gagne, Larry
 Hopper, Gary
 Nunez, Hershel
 Rice, Kimberly

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Horn, Werner
Seaworth, Brian

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Thomas, Douglas
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Weyler, Kenneth

Abrami, Patrick
Barnes, Arthur
DeSimone, Debra
Guthrie, Joseph
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Verville, Kevin
Yokela, Josh

Abramson, Max
Bershtein, Alan
Dolan, Tom
Harb, Robert
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Wallace, Scott

Acton, Dennis
Davis, Dan
Doucette, Fred
Hobson, Deborah
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Sytek, John
Welch, David

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Laware, Thomas

Lucas, Gates

and the majority committee report was adopted.

HB 1685-FN, providing for the appointment of special conservators of the peace. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charlotte DiLorenzo for the Majority of Judiciary. This bill expands policing in a society that already feels over-policed because it provides for the appointment of special conservators who would, in effect, provide private police services to corporations, municipalities, condo or apartment complexes, retail establishments including shopping malls, and other entities. The New Hampshire Police Association opposes this legislation which, if passed, would effectively de-professionalize policing and reduce transparency, accountability, and inter-agency logistics amongst policing agencies. If passed, this law would allow contracted police officers to make misdemeanor arrests, and that prospect leads to many questions about jurisdiction, transportation and detention of arrestees, and processing and retaining evidence records and paperwork. Vote 17-3.

Rep. Michael Sylvia for the Minority of Judiciary. This bill would create special conservators of the peace. They would be appointed by the superior court to perform duties as assigned. They could be employed in towns lacking a police department. Unlike law enforcement, these special conservators of the peace would not be protected by limited or sovereign immunity. As such, they would have to operate in a much-restrained manner. They would not be law enforcement officers, but would be required to have similar training. Their power to arrest would be detailed in their appointment. As occurs in a free market, over time, competition would lead to better services that are properly valued by consumers.

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

MOTION TO PRINT DEBATE

Rep. Horn moved that the debate on **HB 1640-FN**, relative to parental notification prior to abortion, be printed in the Permanent Journal.
Motion failed.

REGULAR CALENDAR CONT'D**MOTION TO SUSPEND HOUSE RULES**

Rep. Leishman moved that House Rules be so far suspended as to allow the remaining bills on today's calendar be taken up at a date to be determined by the Speaker.

The House recessed at 10:45 p.m.

RECESS

The House reconvened at 10:50 p.m.

(Speaker Shurtleff in the Chair)

The question being adoption of the motion to suspend House Rules.

Reps. Verville and Comtois spoke against.

Rep. Treleven moved the previous question.

The question now being shall debate be limited?

Rep. Wuelper requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 116

YEAS - 182 BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Davis, Fred
Griffith, Willis
Herbert, Christopher
King, Mark
Leishman, Peter
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Freitas, Mary
Hall, Brett
Indruk, Greg
Klee, Patricia
Long, Patrick
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Sofikitis, Catherine
Telerski, Laura
Wilhelm, Matthew

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Sanborn, Laurie
St. John, Michelle
Toomey, Dan
Woodbury, David

Balch, Chris
Bordy, William
Connors, Erika
Espitia, Manny
Goley, Jeffrey
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Vail, Suzanne

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Wallner, Mary Jane

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Walz, Mary Beth

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Wells, Kenneth

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Woods, Gary

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Harb, Robert
Lovejoy, Patricia
McConnell, Liz
Sytek, John

Berrien, Skip
Edgar, Michael
Hoelzel, Kathleen
Maggiore, Jim
Meuse, David
Vallone, Mark

Bushway, Patricia
Grossman, Gaby
Murray, Kate
Malloy, Dennis
Read, Ellen
Ward, Gerald

Cushing, Robert Renny
Grote, Jaci
Le, Tamara
McBeath, Rebecca
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Conley, Casey
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cloutier, John
Tanner, Linda

Merchant, Gary

SULLIVAN

O'Hearne, Andrew

Sullivan, Brian

NAYS - 116

BELKNAP

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Flanagan, Jack
Harriott-Gathright, Linda
Murray, Megan
Panasiti, Reed
Renzullo, Andrew
Smith, Timothy

Barry, Richard
Danielson, David
Gagne, Larry
Hinch, Richard
McLean, Mark
Plett, Fred
Rice, Kimberly
Ulery, Jordan

Boehm, Ralph
Desjardin, Kathy
Greene, Bob
Hopper, Gary
Notter, Jeanine
Proulx, Mark
Riel, Cole
Warden, Mark

Burt, John
Erf, Keith
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Somero, Paul

MERRIMACK

Allard, James
McGuire, Carol
Testerman, Dave

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Horn, Werner
Seaworth, Brian
Yakubovich, Michael

Kotowski, Frank
Soucy, Timothy

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan
Doucette, Fred
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Vose, Michael
Yokela, Josh

Abramson, Max
Bershtein, Alan
DeSimone, Debra
Green, Dennis
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Wallace, Scott

Acton, Dennis
Costable, Michael
Dolan, Tom
Guthrie, Joseph
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Torosian, Peter
Welch, David

STRAFFORD

Harrington, Michael
Perreault, Mona
Wuelper, Kurt

Hayward, Peter
Pitre, Joseph

Horgan, James
Rooney, Abigail

Horrigan, Timothy
Beaudoin, Steven

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the motion was adopted and debate was limited.

The question now being adoption of the motion to suspend House Rules.
Reps. Yokela and Hopper spoke against.
Rep. Notter requested a roll call; sufficiently seconded.

YEAS 165 - NAYS 134

YEAS - 165

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Woodcock, Stephen

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Weber, Lucy

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
Fellows, Sallie
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

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

Egan, Timothy
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
Mangipudi, Latha
Nutter-Upham, Frances
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stevens, Deb
Vail, Suzanne

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Danielson, David
Davis, Fred
Hall, Brett
Indruk, Greg
Klein-Knight, Nicole
Martin, Joelle
Nutting-Wong, Allison
Porter, Marjorie
Riel, Cole
Snow, Kendall
Smith, Timothy
Van Houten, Constance

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Langley, Diane
Mullen, Sue
O'Brien, Michael
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Wilhelm, Matthew

Balch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Heath, Mary
King, Mark
Leishman, Peter
Murphy, Nancy
Pedersen, Michael
Newman, Ray
Sanborn, Laurie
Stack, Kathryn
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Fox, Samantha
Luneau, David
Richards, Beth
Schultz, Kristina
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Rogers, Katherine
Shurtleff, Steve

Doherty, David
Karrick, David
McWilliams, Rebecca
Saunderson, George
Wallner, Mary Jane

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Hoelzel, Kathleen
Maggiore, Jim
Meuse, David

Berrien, Skip
Edgar, Michael
Murray, Kate
Malloy, Dennis
Read, Ellen

Bushway, Patricia
Grossman, Gaby
Le, Tamara
McBeath, Rebecca
Vallone, Mark

Cushing, Robert Renny
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

STRAFFORD

Bixby, Peter
Grassie, Chuck
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

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

Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

Frost, Sherry
Kenney, Cam
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 134**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

O'Day, John

Von Plinsky, Sparky

Craig, Kevin

Furbush, Michael

Merner, Troy

Noel, Henry

GRAFTON

Adjutant, Joshua
Migliore, Vincent Paul

Almy, Susan

Gordon, Edward

Josephson, Timothy

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gagne, Larry
Harriott-Gathright, Linda
Lascelles, Richard
Notter, Jeanine
Pickering, Daniel
Renzullo, Andrew
Ulery, Jordan

Barry, Richard
Desjardin, Kathy
Greene, Bob
Hinch, Richard
Long, Patrick
Nunez, Hershel
Plett, Fred
Rice, Kimberly
Warden, Mark

Boehm, Ralph
Erf, Keith
Griffith, Willis
Hopper, Gary
Murray, Megan
Panasiti, Reed
Proulx, Mark
Sofikitis, Catherine

Burt, John
Flanagan, Jack
Gunski, Michael
Jack, Martin
McLean, Mark
Petrigno, Peter
Prout, Andrew
Somero, Paul

MERRIMACK

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

Buchanan, Ryan
Kotowski, Frank
Seaworth, Brian
Woods, Gary

Ellison, Arthur
McGuire, Carol
Soucy, Timothy
Yakubovich, Michael

Hill, Gregory
Moffett, Howard
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan
Doucette, Fred
Harb, Robert
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Somssich, Peter
Vose, Michael
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott

Abramson, Max
Bershtein, Alan
DeSimone, Debra
Green, Dennis
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Torosian, Peter
Welch, David

Acton, Dennis
Costable, Michael
Dolan, Tom
Guthrie, Joseph
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Cannon, Gerri
Horgan, James
Rooney, Abigail

Chase, Wendy
Perreault, Mona
Beaudoin, Steven

Harrington, Michael
Pitre, Joseph
Wuelper, Kurt

Hayward, Peter
Rich, Cecilia

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the motion failed lacking the necessary two-thirds vote.

MOTION TO PRINT DEBATE

Rep. Ley moved that the debate on the motion to suspend House Rules, be printed in the Permanent Journal.
Rep. Soucy requested a roll call; sufficiently seconded.

YEAS 267 - NAYS 32**YEAS - 267****BELKNAP**

Bean, Harry
Huot, David
Spanos, Peter

Comtois, Barbara
Jurius, Deanna
Sylvia, Michael

Fields, Dennis
Lang, Timothy
Tilton, Franklin

Howard, Raymond
Mackie, Jonathan

CARROLL

Avellani, Lino
DesMarais, Edith
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

Butler, Edward
MacDonald, John

Comeau, Ed
Marsh, William

CHESHIRE

Abbott, Michael
Eaton, Daniel
Morrill, David
Von Plinsky, Sparky

Ames, Richard
Faulkner, Barry
O'Day, John
Pearson, William

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

Bordenet, John
Ley, Douglas
Tatro, Bruce

COOS

Craig, Kevin
Merner, Troy

Furbush, Michael
Moynihan, Wayne

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Gordon, Edward
Migliore, Vincent Paul
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Egan, Timothy
Hennessey, Erin
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

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

HILLSBOROUGH

Alexander, Joe
Barry, Richard
Bordy, William
Camarota, Linda
Dargie, Paul
Flanagan, Jack
Griffith, Willis
Heath, Mary
Indruk, Greg
Klein-Knight, Nicole
Long, Patrick
McLean, Mark
Nunez, Hershel
Panasiti, Reed
Plett, Fred
Query, Joshua
Riel, Cole
Sofikitis, Catherine
Stevens, Deb
Vail, Suzanne

Bouldin, Amanda
Bergeron, Paul
Bosman, James
Connors, Erika
Dutzy, Sherry
Gagne, Larry
Gunski, Michael
Herbert, Christopher
Schmidt, Janice
Langley, Diane
Murray, Megan
Mullen, Sue
Nutter-Upham, Frances
Pedersen, Michael
Porter, Marjorie
Newman, Ray
Sanborn, Laurie
Somero, Paul
Smith, Timothy
Van Houten, Constance

Bouldin, Andrew
Bernet, Jennifer
Bouchard, Donald
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Hall, Brett
Hinch, Richard
King, Mark
Lascelles, Richard
Mangipudi, Latha
Murphy, Nancy
Nutting-Wong, Allison
Petrigno, Peter
Proulx, Mark
Radhakrishnan, Julie
Shaw, Barbara
St. John, Michelle
Telerski, Laura

Balch, Chris
Boehm, Ralph
Burt, John
Danielson, David
Davis, Fred
Greene, Bob
Hamer, Heidi
Hopper, Gary
Klee, Patricia
Leishman, Peter
Martin, Joelle
Notter, Jeanine
O'Brien, Michael
Pickering, Daniel
Prout, Andrew
Rice, Kimberly
Snow, Kendall
Stack, Kathryn
Ulery, Jordan

MERRIMACK

Allard, James
Doherty, David
Hill, Gregory
Luneau, David
Pearl, Howard
Schuett, Dianne
Testerman, Dave
Woods, Gary

Bartlett, Christy
Ebel, Karen
Horn, Werner
MacKay, James
Richards, Beth
Schultz, Kristina
Wallner, Mary Jane
Yakubovich, Michael

Buchanan, Ryan
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Rogers, Katherine
Seaworth, Brian
Walsh, Thomas

Carson, Clyde
Fulweiler, Joyce
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bushway, Patricia
Thomas, Douglas
Edgar, Michael
Grote, Jaci
Osborne, Jason
Khan, Aboul
Pearson, Mark
McBride, Everett
Packard, Sherman
Pearson, Stephen
Verville, Kevin
Welch, David

Abrami, Patrick
Barnes, Arthur
Costable, Michael
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Le, Tamara
Maggiore, Jim
McConnell, Liz
Pratt, Kevin
Somssich, Peter
Vose, Michael
Weyler, Kenneth

Abramson, Max
Berrien, Skip
Cushing, Robert Renny
DiLorenzo, Charlotte
Green, Dennis
Harb, Robert
Janvrin, Jason
Love, David
Malloy, Dennis
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott
Yokela, Josh

Altschiller, Debra
Bershtein, Alan
Davis, Dan
Doucette, Fred
Grossman, Gaby
Hobson, Deborah
Murray, Kate
Lovejoy, Patricia
McBeath, Rebecca
Meuse, David
Read, Ellen
Vallone, Mark
Ward, Gerald

STRAFFORD

Cannon, Gerri
Frost, Sherry
Horgan, James
Levesque, Cassandra
Pitre, Joseph
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Grassie, Chuck
Horrigan, Timothy
Smith, Marjorie
Rich, Cecilia
Southworth, Thomas
Wall, Janet

Conley, Casey
Harrington, Michael
Keans, Sandra
Schmidt, Peter
Rooney, Abigail
Towne, Matthew
Wuelper, Kurt

Fargo, Kristina
Hayward, Peter
Kenney, Cam
Perreault, Mona
Beaudoin, Steven
Treleaven, Susan

SULLIVAN

Aron, Judy
Lucas, Gates
Smith, Steven

Callum, John
O'Hearne, Andrew
Sullivan, Brian

Cloutier, John
Rollins, Skip
Tanner, Linda

Laware, Thomas
Stapleton, Walter

NAYS - 32 CARROLL

Ticehurst, Susan

CHESHIRE

Harvey, Cathryn

Mann, John

HILLSBOROUGH

Backus, Robert
Erf, Keith
Jack, Martin
Toomey, Dan

Beaulieu, Jane
Freitas, Mary
Piedra, Israel
Warden, Mark

Cleaver, Skip
Gidge, Kenneth
Renzullo, Andrew
Wilhelm, Matthew

Desjardin, Kathy
Harriott-Gathright, Linda
Newman, Sue
Woodbury, David

MERRIMACK

Ellison, Arthur
Walz, Mary Beth

Karrick, David

McGuire, Carol

Pimentel, Roderick

ROCKINGHAM

Acton, Dennis
Roy, Terry

Dolan, Tom
Sytek, John

Hoelzel, Kathleen

Piemonte, Tony

STRAFFORD

Bixby, Peter

SULLIVAN

Merchant, Gary

and the motion was adopted.

DEBATE ON MOTION TO SUSPEND HOUSE RULES

Representative Leishman: Mister Speaker, I'd like to move that we suspend the rules of action, deadline for the remaining and I believe it is 67 bills to be taken up at a date to be determined by you, pursuant to House Rule 67 (b).

Speaker Shurtleff: That motion is in order. A roll call has been requested. 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 recess for a couple of minutes while the member is attended to. The House will be in order. The member is recognized for a point of order.

Representative Prout: Mister Speaker, the motion that was just made was pursuant to the brand-new rule 65 (b), which requires the consent of both the Democrat and Republican leader.

Speaker Shurtleff: No, let the member finish their question.

Representative Prout: The new rule 65 (b) requires the consent of both the Democrat and the Republican leader. Is that correct and has that consent been given?

Speaker Shurtleff: As the member said and I apologize for interrupting the member a minute ago. It wasn't polite of me and I apologize. What I was trying to say is what the member said is under rule 67 that the bill, these remaining bills will be taken up at a later date at a time determined by the Speaker, pursuant to the new rule that was passed. It would be in conjunction with the new rule we are talking about, but I thank the member for his question. We have three people who wish to speak against the motion. The Chair recognizes Rep. Verville to speak against the motion to special order.

Representative Verville: Parliamentary inquiry, Mister Speaker.

Speaker Shurtleff: Please state your inquiry. The House will be in order.

Representative Verville: There is a lot of activity and confusion. This is a motion to suspend the rules to finish these bills at a later date. Is that correct?

Speaker Shurtleff: At a date to be determined under the new rule that was passed earlier this evening, House Rule 67.

Representative Verville: Not the rule today, but before.

Speaker Shurtleff: I'm sorry, rule 65. You may speak. Do you wish to speak against?

Representative Marsh: Mister Speaker, may I ask a question of the Chair?

Speaker Shurtleff: Yes.

Representative Marsh: Mister Speaker, this motion that was made referred to the new rule which refers to COVID-19. May I inquire of the Chair if there is any information available to us that there is COVID-19 in the Chamber such that that rule is actually applicable at this point and time?

Speaker Shurtleff: That wasn't the member's motion. The motion was simply that we suspend pursuant to the rule that the Speaker under the rule taken set a date to take up the remaining bills. Please state your question.

Representative Lang: Mister Speaker, correct me if I'm wrong, but I think when we passed this rule you specifically said it would not apply to actions today.

Speaker Shurtleff: It would not take; it would not be. Representative you are correct, that was said earlier, but pursuant to our rules, any member can make a motion. Rep. Verville, you are recognized to speak against the motion.

Representative Verville: Thank you, Mister Speaker. So I don't care why we want to suspend the rules. Oh, I take that back, I do because the reason for suspending the rules is to extend a deadline. A previously noticed in the calendar deadline for completing this business in front of us. Honorable colleagues, it was not long ago I stood before you defending myself against a reprimand for an arbitrary date set by the Speaker I was found by you to be in noncompliance with. You have controlled the process. You control the calendar. You control the committees. You control the rate at which this work was brought to the floor of the House and now you're asking from me and my colleagues to vote to give you a get out of jail free card to give you extra time to continue the business that is to be concluded today by House Rules by House proceedings, noticed in the calendar for months. There is no COVID in this room that we know of but I don't care which rule you want to suspend on. What you are doing in my opinion is very hypocritical based on the reprimands given to members for previous rule violations for deadlines set arbitrarily. You can shake your heads and disagreement. You can moan and groan. I could call for the House to be brought to order. You are giving yourselves a pass for something more important, more important to the people of this state than what you wasted a half a day on when we had regularly scheduled Session and we could have disposed of those 36 bills before and these could have been taken up then, but no, but no.

Speaker Shurtleff: The House will be in order.

Representative Verville: I think I know what you're going to do and I condemn it because it's hypocritical. You control the committee. You control the calendar. You can't meet your own deadlines. Your deadlines are set for yourselves for all of us, but yet you would run me out and for that reason I am going to vote against the suspension of the rules. I'm going to encourage everybody out of fairness.

Speaker Shurtleff: The member will suspend before you have a stroke. Whatever. Nurse Dianne is standing by in the back and we thank her for that. Be careful with your remarks. That's all I will say.

Representative Verville: Thank you, Mister Speaker. I would encourage every member in this body to vote no against suspending the rules. Let us finish the remaining business up on this table like the deadlines we voted for called for. Let us live up to our House Rules, our House proceedings and our House deadlines. Thank you, Mister Speaker.

Speaker Shurtleff: The House will be in order. The Chair recognizes Rep. Comtois to speak against the motion.

Representative Comtois: Thank you, Mister Speaker and Honorable colleagues. I rise in opposition to the suspension of rules for a couple of reasons. First off, by extending this deadline creates a hardship for my employer and myself. I have scheduled this day. I have taken off work today. I informed them that I would be late tomorrow due to the timing, due to the deadline. Now you are asking me to take another day off and put more hardship on myself and my employer. There was a deadline in the calendar. We are supposed to meet it. I have deadlines at work. I have to meet them. It doesn't matter if I'm here. I have to make up those hours and suspending the rules is a hardship. The other thing. We are all sitting hearing about the COVID-19 virus, yet we are all in this room, we are going to go out into the public and who knows what is going to happen to any one of us as we're outside this State House tonight. Who's going to come in contact with someone with COVID? When will we able to come back into this House and do the people's business? We don't know and that is unfair to all of us here and to the people of this state and I ask you to please vote no on the suspension of rules. Thank you.

Speaker Shurtleff: The House will be in order. Rep. Treleaven is recognized for a motion. Rep. Treleaven is recognized for a motion. Did you wish to make a motion?

Representative Treleaven: Thank you, Mister Speaker. I didn't think I was going to be recognized to make the motion.

Speaker Shurtleff: I'd recognize you anywhere.

Representative Treleaven: With or without the snacks on my head?

Speaker Shurtleff: I'll ask the questions.

Representative Treleaven: Thank you very much. He will ask the questions. My motion is to move the question now.

Speaker Shurtleff: That motion is in order. The question to move the question. Members will take their seats. This will be a voice vote. I will explain what the motion means.

Representative Baldasaro: Point of order. Will the other ones that were in line here waiting to speak, will they get to speak?

Speaker Shurtleff: All those that are signed up. I'll explain the motion so people know. Again, the member has moved the question. Especially for our new members and maybe some that have been here for a while. What that means is if the motion should pass, those that have signed up. There is three more speakers that have signed up to speak against the motion. If the motion passes, those people would be allowed to speak, but no other members would be allowed to sign up. If it fails then we will continue with what we are doing. That's what we mean by moving the question. So, the question by the member is to move to limit debate.

This will be a voice vote. Rep. Wuelper has requested a roll call. Is that sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The House will be in order. Members will kindly take their seats. The question before the House is on the motion to limit debate. This will be a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 182 Yea and 116 Nay, the motion to limit debate passes. The Chair recognizes Rep. Yokela to speak against the motion. The House will be in order.

Representative Yokela: Thank you, Mister Speaker. I'm prepared to go through the rest of this calendar and I would like, I think that there were some other people here suggested a very good reason that is we don't know what could happen with the Coronavirus before the next scheduled meeting and this could be postponed for who knows how long. For those reasons, I think that we need to continue. Thank you.

Speaker Shurtleff: The question is on the motion to suspend rules. The Chair recognizes Rep. Prout to speak against the motion.

Representative Prout: Thank you, Mister Speaker. I feel like the motion as worded which is essentially to suspend the deadline to a date uncertain as it was worded is not the best one that could have been made. So I would ask you to vote down this motion and if anyone thinks of making a similar motion, I would ask that you suspend to at least a date certain subject to further postponement due to the new rule, but really at this point in time, the new rule should not be in play and mentioning it I don't think brining into this discussion helped anything. So I would say vote no to this and if we are going to suspend the rules to delay the deadline, it should be to a date certain subject to further delay under the new rule, but not just a date uncertain. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is on the motion to suspend the rules. The Chair recognizes Rep. Hopper for a parliamentary inquiry. Not a parliamentary inquiry, to speak. We will find out once he comes to the well. He always surprises us.

Representative Hopper: Thank you, Mister Speaker. Because I have the luck of the Irish, I have like 4 of the markers for people who might be subject to this wonderful new virus we are being possibly exposed to. If we take care of this tonight, the probability that virus being in this room right now is very low because there has only been a few cases in New Hampshire. The next time we meet that number will be considerably higher. Tonight is the safest night to complete this business. And, Mister Speaker, Mister Speaker, as the largest contributor to the Republicans for. What's your name again? Shurtleff. I screwed that up. Anyways, the largest contributor to Shurtleff for Speaker PAC, I ask you to vote no on this motion.

Speaker Shurtleff: The question before the House is the motion to suspend the rules. Rep. Leishman is recognized for a parliamentary inquiry. We brought people in but I understand people left again. This will be a roll call vote. Members will kindly take their seats. The question before the House is the motion to suspend the rules. The Chair recognizes Rep. Abbas for a parliamentary inquiry.

Representative Abbas: Thank you, Mister Speaker. If I know that this deadline did not catch anyone in this room by surprise. And, if I know that everyone in this room made accommodations to be here to vote on the bills today. And, if I know that we all knew how many bills that we had scheduled today and therefore could make accommodations like I have. And, if I know that I made accommodations with daycare, childcare, my family, my work, my business partners, to be here and I'm all invested, would I then oppose the motion for the rules suspension and push that red button? Thank you.

Speaker Shurtleff: The question before the House is the motion to suspend the rules. The Chair recognizes Rep. Leishman for a parliamentary inquiry.

Representative Leishman: Thank you, Mister Speaker. If I know this isn't about the Speaker as one of the speakers previously suggested, but this is about the House. This is about the Members of the House that are here tonight and also about the Members of the House that couldn't stay because they couldn't find a baby-sitter or they have a sick wife or spouse of some kind to take care of. That's what this is about so if I believe that this is in the best interest of this body. And, I also know, Mister Speaker, that I served under Gene Chandler, Speaker Chandler and I also served under Speaker Sytek and oftentimes rules were suspended, would I press the green button and to support the amendment?

Speaker Shurtleff: This will be a roll call vote. The question before the House is on the motion to suspend the rules. 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 a vote of 165 Yea, 134 Nay, the motion fails and we will continue with our work.

REGULAR CALENDAR CONT'D

HB 1171-FN-1, relative to the application of federal Occupational Safety and Health Act standards to public employers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Brian Sullivan for the Majority of Labor, Industrial and Rehabilitative Services. The amendment clarifies that the board created in this bill is charged with developing a state plan to cover public sector employees under standards at least as strong as the federal Occupational Safety and Health Act standards. The majority feels that public employees should be covered by standards equal to those that cover private sector employees. Employee safety should be a priority for private and public employees. Vote 12-8.

Rep. Jack Flanagan for the Minority of Labor, Industrial and Rehabilitative Services. This bill attempts to place all Occupational Safety and Health Act (OSHA) standards upon the state and municipal governments. The trouble is that it will place an unfunded mandate upon the cities and towns (28-A issue), and its true cost is unknown. Most agencies that presented felt the bill should have created a committee due to all of the unanswered questions. According to information received in conversations regarding OSHA rules, this bill creates an 8-year, multi-million-dollar project. The minority strongly believes in the safety of our employees; however, this bill is not the solution to any current or future problems.

Majority Amendment (0827H)

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

1 New Subdivision; Safety and Health of Employees; Occupational Safety and Health Standards Advisory Board Established. Amend RSA 277 by inserting after section 38 the following new subdivision:

Occupational Safety and Health Standards

277:39 Occupational Safety and Health Standards Advisory Board Established.

I. There is established an occupational safety and health standards advisory board to consult with and advise the labor commissioner on the adoption and enforcement of occupational safety and health standards for public employees.

II.(a) The advisory board shall consist of the following members:

(1) Three representatives of public employers, appointed by the governor, one of whom shall represent state agencies, one of whom shall represent counties, and one of whom shall represent municipalities.

(2) Three representatives of public employees, appointed by the governor, one of whom shall represent state employees, one of whom shall represent school employees, and one of whom shall represent municipal employees.

(3) One representative of an insurance company licensed to insure workers' compensation within the state, appointed by the governor.

(4) One representative of Keene State WorkWISE NH, appointed by that organization.

(5) Two members of the public, appointed by the governor.

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

(b) The legislative member shall receive mileage at the legislative rate when attending to the duties of the advisory board. The legislative member shall serve a term coterminous with his or her term in office. The remaining members shall serve 4-year terms, except that the initial appointments shall be staggered in the following manner. Three members shall be appointed for an initial term of 2 years, 3 members shall be appointed for an initial term of 3 years, and 3 members shall be appointed for an initial term of 4 years. Each member shall hold office until a successor is duly appointed and qualified. Any vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(c) The members of the advisory board shall biennially elect a chairperson from among the members. The first meeting of the advisory board shall be called by the member appointed to represent state agencies. The first meeting of the advisory board shall be held within 45 days of the effective date of this section. Six members of the advisory board shall constitute a quorum.

III. The advisory board shall:

(a) Consult with the labor commissioner and the Region 1 Office for the Occupational Safety and Health Administration on the development and submission of a state plan for occupational safety and health standards to the United States Secretary of Labor pursuant to 29 U.S.C. section 667 and 29 C.F.R. section 1902.3.

(b) Review state and local government employee plans from other states, including Maine, Illinois, New Jersey, Connecticut, and New York, and consult with the Occupational Safety and Health State Plan Association regarding the process for establishing and administering a state plan for New Hampshire's public employees.

(c) Evaluate injury and illness data, recommend training and implementation of safety and health measures, monitor the effectiveness of safety and health programs, and determine where additional resources are needed to protect the safety and health of public employees.

IV. Beginning November 1, 2020, and each November 1 thereafter, the advisory board 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.

277:40 Adoption of Occupational Safety and Health Standards.

I. Each employer, as defined in RSA 277:1-b, II, shall provide employees, as defined in RSA 277:1-b, I, at least the level of protection provided under the federal Occupational Safety and Health Act of 1970, 29 U.S.C. section 651, et seq., including standards and the provision of the general duty clause in 29 U.S.C. section 654.

II. The labor commissioner, in consultation with the advisory board established in RSA 277:39, shall adopt rules under RSA 541-A relative to the protections required under this section.

2 Contingency. RSA 277:40, as inserted by section 1 of this act, shall take effect on the date the labor commissioner certifies to the director of legislative services that the Occupational Safety and Health Administration has approved a state plan for the protection of public employees pursuant to the Occupational Safety and Health Act of 1970.

3 Effective Date.

I. RSA 277:40, as inserted by section 1 of this act, shall take effect as provided in section 2 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes an occupational safety and health advisory board to advise the labor commissioner on the adoption and enforcement of occupational safety and health standards for public employees. The bill also requires public employers to provide employees with at least the level of protection provided under the federal Occupational Safety and Health Act, contingent upon federal approval of a state plan.

Majority committee amendment adopted.

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

YEAS 179 - NAYS 106

YEAS - 179

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy

Moynihan, Wayne

GRAFTON

Abel, Richard
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Vail, Suzanne

Bouldin, Andrew
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Backus, Robert
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Balch, Chris
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
Moffett, Howard
Saunderson, George
Wallner, Mary Jane

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

Carson, Clyde
Fox, Samantha
MacKay, James
Richards, Beth
Schultz, Kristina
Wells, Kenneth

Doherty, David
Fulweiler, Joyce
McWilliams, Rebecca
Rogers, Katherine
Soucy, Timothy
Woods, Gary

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Murray, Kate
McBeath, Rebecca
Somssich, Peter

Berrien, Skip
Edgar, Michael
Le, Tamara
McConnell, Liz
Ward, Gerald

Bushway, Patricia
Grossman, Gaby
Maggiore, Jim
Meuse, David

Cushing, Robert Renny
Grote, Jaci
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

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

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 106**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Marsh, William

CHESHIRE**COOS****GRAFTON**

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gagne, Larry
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

Barry, Richard
Danielson, David
Greene, Bob
McLean, Mark
Plett, Fred
Rice, Kimberly
Warden, Mark

Boehm, Ralph
Erf, Keith
Gunski, Michael
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie

Burt, John
Flanagan, Jack
Hinch, Richard
Nunez, Hershel
Prout, Andrew
Somero, Paul

MERRIMACK

Allard, James
McGuire, Carol
Yakubovich, Michael

Hill, Gregory
Pearl, Howard

Horn, Werner
Seaworth, Brian

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Thomas, Douglas
Green, Dennis
Hoelzel, Kathleen
Love, David
Packard, Sherman
Roy, Terry
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Bershtein, Alan
DeSimone, Debra
Guthrie, Joseph
Osborne, Jason
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, Josh

Abramson, Max
Costable, Michael
Dolan, Tom
Harb, Robert
Janigian, John
McBride, Everett
Pratt, Kevin
Sytek, John
Wallace, Scott

Action, Dennis
Davis, Dan
Edwards, Jess
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

STRAFFORDHarrington, Michael
Pitre, JosephHayward, Peter
Rooney, AbigailHorgan, James
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt**SULLIVAN**Aron, Judy
Rollins, SkipCallum, John
Stapleton, Walter

Laware, Thomas

Lucas, Gates

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

HB 1386, relative to employment protection for qualified patients of New Hampshire's therapeutic cannabis program. **REFER FOR INTERIM STUDY.**

Rep. Lino Avellani for Labor, Industrial and Rehabilitative Services. This bill, while well intended, needs more work. There were several questions that need to be further explained and given more detail in how they are interpreted to make it a better bill. Vote 11-9.

Committee report adopted.

HB 1358, relative to the identification of lobbyists. **INEXPEDIENT TO LEGISLATE.**

Rep. Gregory Hill for Legislative Administration. The legislation seeks to recall the days of the scarlet letter, but with a prominent letter "L" for lobbyist. The bill requires lobbyists to identify themselves as such in all manner of communication - telephone, fax, email, and speech where a lobbyist has even tangential contact with any member of the legislature, legislative staff, or any member of the Executive Branch. The majority therefore felt the new requirements would be difficult to enforce and onerous for lobbyists to comply with. Vote 10-3.

Rep. Timothy Smith spoke against.

Rep. Buchanan requested a roll call; sufficiently seconded.

YEAS 221 - NAYS 63**YEAS - 221****BELKNAP**Bean, Harry
Huot, David
Spanos, PeterComtois, Barbara
Jurius, Deanna
Sylvia, MichaelFields, Dennis
Lang, Timothy
Tilton, FranklinHoward, Raymond
Mackie, Jonathan**CARROLL**Avellani, Lino
Marsh, WilliamBurroughs, Anita
Ticehurst, SusanComeau, Ed
Woodcock, Stephen

DesMarais, Edith

CHESHIREAbbott, Michael
Faulkner, Barry
Morrill, David
Pearson, WilliamAmes, Richard
Harvey, Cathryn
O'Day, John
Weber, LucyBordenet, John
Ley, Douglas
Parkhurst, HenryEaton, Daniel
Mann, John
Tatro, Bruce**COOS**Craig, Kevin
Moynihan, WayneFurbush, Michael
Tucker, Edith

Laflamme, Larry

Merner, Troy

GRAFTONAbel, Richard
Egan, Timothy
Hennessey, Erin
Muscatel, Garrett
Smith, SuzanneAlmy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Sykes, GeorgeCampion, Polly
Ford, Susan
Migliore, Vincent Paul
Osborne, Richard
Weston, JoyceDontonville, Roger
Gordon, Edward
Mulligan, Mary Jane
Stavis, Laurel**HILLSBOROUGH**Alexander, Joe
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Goley, Jeffrey
Hinch, Richard
Klee, Patricia
Murray, Megan
Mullen, Sue
O'Brien, Michael
Plett, Fred
Radhakrishnan, Julie
Newman, Sue
Somero, Paul
Warden, MarkBackus, Robert
Boehm, Ralph
Burt, John
Desjardin, Kathy
Freitas, Mary
Greene, Bob
Hopper, Gary
Langley, Diane
Mangipudi, Latha
Notter, Jeanine
Panasiti, Reed
Porter, Marjorie
Renzullo, Andrew
Sanborn, Laurie
Telerski, Laura
Woodbury, DavidBalch, Chris
Bordy, William
Camarota, Linda
Dutzy, Sherry
Gagne, Larry
Gunski, Michael
Indruk, Greg
Lascelles, Richard
Martin, Joelle
Nunez, Hershel
Petrigno, Peter
Proulx, Mark
Rice, Kimberly
Shaw, Barbara
Ulery, JordanBarry, Richard
Bosman, James
Cornell, Patricia
Erf, Keith
Gidge, Kenneth
Heath, Mary
Jack, Martin
Leishman, Peter
McLean, Mark
Nutter-Upham, Frances
Pickering, Daniel
Prout, Andrew
Riel, Cole
Snow, Kendall
Van Houten, Constance

MERRIMACK

Allard, James
Ebel, Karen
Horn, Werner
Luneau, David
Pearl, Howard
Soucy, Timothy
Woods, Gary

Bartlett, Christy
Ellison, Arthur
Karrick, David
MacKay, James
Saunderson, George
Testerman, Dave
Yakubovich, Michael

Carson, Clyde
Fox, Samantha
Kotowski, Frank
McGuire, Carol
Schuett, Dianne
Wallner, Mary Jane

Doherty, David
Hill, Gregory
Lane, Connie
Moffett, Howard
Seaworth, Brian
Walz, Mary Beth

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Green, Dennis
Janigian, John
Love, David
McBride, Everett
Pratt, Kevin
Sytek, John
Wallace, Scott
Yokela, Josh

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Guthrie, Joseph
Janvrin, Jason
Pearson, Mark
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Ward, Gerald

Acton, Dennis
Bushway, Patricia
DeSimone, Debra
Edgar, Michael
Harb, Robert
Murray, Kate
Malloy, Dennis
Packard, Sherman
Roy, Terry
Verville, Kevin
Welch, David

Baldasaro, Al
Costable, Michael
DiLorenzo, Charlotte
Edwards, Jess
Hobson, Deborah
Khan, Aboul
McBeath, Rebecca
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Grassie, Chuck
Keans, Sandra
Pitre, Joseph
Salloway, Jeffrey
Wuelper, Kurt

Cannon, Gerri
Harrington, Michael
Smith, Marjorie
Rich, Cecilia
Towne, Matthew

Chase, Wendy
Hayward, Peter
Schmidt, Peter
Rooney, Abigail
Vincent, Kenneth

Fargo, Kristina
Horrigan, Timothy
Perreault, Mona
Beaudoin, Steven
Wall, Janet

SULLIVAN

Aron, Judy
Lucas, Gates
Sullivan, Brian

Callum, John
O'Hearne, Andrew
Tanner, Linda

Cloutier, John
Rollins, Skip

Laware, Thomas
Stapleton, Walter

**NAYS - 63
CARROLL**

Butler, Edward

Knirk, Jerry

CHESHIRE**COOS****GRAFTON**

Adjutant, Joshua

Josephson, Timothy

Ruprecht, Dennis

Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Connors, Erika
Hall, Brett
Schmidt, Janice
Murphy, Nancy
Query, Joshua
Stack, Kathryn
Vail, Suzanne

Bouldin, Andrew
Danielson, David
Hamer, Heidi
King, Mark
Nutting-Wong, Allison
Newman, Ray
Stevens, Deb
Wilhelm, Matthew

Bernet, Jennifer
Espitia, Manny
Harriott-Gathright, Linda
Klein-Knight, Nicole
Pedersen, Michael
Sofikitis, Catherine
Smith, Timothy

Cleaver, Skip
Griffith, Willis
Herbert, Christopher
Long, Patrick
Piedra, Israel
St. John, Michelle
Toomey, Dan

MERRIMACK

Buchanan, Ryan
Schamberg, Thomas

Fulweiler, Joyce
Schultz, Kristina

McWilliams, Rebecca
Wells, Kenneth

Richards, Beth

ROCKINGHAM

Abramson, Max
Grote, Jaci
Meuse, David

Altschiller, Debra
Le, Tamara
Read, Ellen

Cushing, Robert Renny
Maggiore, Jim

Grossman, Gaby
McConnell, Liz

STRAFFORD

Conley, Casey
Treleaven, Susan

Frost, Sherry

Kenney, Cam

Southworth, Thomas

SULLIVAN

Merchant, Gary

and the committee report was adopted.

HB 1486, establishing a committee to study information technology in the legislative process. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Matthew Wilhelm for the Majority of Legislative Administration. This bill establishes a committee to study information technology in the legislative process. The majority believes that significant time and energy should be invested to explore opportunities to increase efficiency, effectiveness, and equity especially for both legislators and members of the public who live further away from the state house. The amendment expands the duties of the committee to include the study of the expansion of public testimony opportunities to remote locations. Vote 7-6. Rep. Kimberly Rice for the Minority of Legislative Administration. The minority has serious concerns with this bill. The sponsor testified that he wanted to essentially open up the entire legislative process, including voting without quorums. The bill and amendments were drafted without correct references (i.e. mentioning the Department of Information Technology, which has nothing to do with the legislative branch). This should be handled by the Legislative Administration Committee, which is required by rule to study these very items. This is why the minority would prefer to refer this bill for Interim Study.

Majority Amendment (1080h)

Amend subparagraph I(a) of section 2 of the bill by replacing it with the following:

(a) Three members of the house of representatives, one of whom shall be from the minority party, appointed by the speaker of the house of representatives.

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall study information technology in the legislative process and shall:

(a) Review the current use of information technology in the legislative process including, but not limited to, public hearings, session days, committee and subcommittee meetings, and communications.

(b) Develop a training needs assessment for legislators and staff to effectively utilize the currently available Microsoft Office or other similar commercial software applications for legislative work.

(c) Examine the potential for use of telecommunications for committee and subcommittee meetings.

(d) Review the rules of the house of representatives to identify what uses of information technology are currently permitted for session days, public hearings, committee and subcommittee work, and communications.

(e) Hear testimony from stakeholders including, but not limited to, the department of information technology and the house and senate clerks.

II. The committee shall also study the expansion of public testimony opportunities to remote locations statewide and shall:

(a) Review laws and programs enacted in other states, counties, or municipalities authorizing remote testimony to legislative committees.

(b) Make recommendations regarding the technologies, formats, policies, and procedures used for remote testimony.

(c) Determine the administrative costs anticipated to establish and sustain remote testimony procedures.

(d) Make recommendations regarding administrative oversight of remote testimony programs.

(e) Study any other issue that the committee determines is relevant to its objective.

III. The committee shall solicit information from any individual or entity the committee deems relevant to its study, including but not limited to:

(a) The New Hampshire department of information technology.

(b) The clerk of the New Hampshire house of representatives.

(c) The clerk of the New Hampshire senate.

(d) The attorney general.

(e) The community college system of New Hampshire.

(f) The New Hampshire Disability Rights Center.

(g) Community Support Network, Inc.

(h) New Futures.

(i) The New Hampshire association of regional planning commissions.

(j) The New Hampshire Council on Development Disabilities.

(k) The University of New Hampshire's Carsey School of Public Policy.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1694, relative to recusal by members of the general court for conflicts of interest. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kimberly Rice for Legislative Administration. This bill clarifies the law requiring a legislator to recuse himself or herself from participation in a legislative activity when the legislator or the legislator's household member has a conflict of interest in an official legislative activity. The amendment more clearly defines conflict of interest and special interest. Vote 12-0.

Amendment (1058h)

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 6: 4 Legislative Ethics; Definition; Conflict of Interest. Amend RSA 14-B:1, I to read as follows:

I. "Conflict of interest" means the condition in which a legislator has a [special] **financial interest or a non-financial personal interest** in any matter which could directly or indirectly affect or influence the performance of the legislator's official activities. **For this definition:**

(a) **A financial interest exists where a legislator or household member could stand to gain or lose anything of material value as a result of the official activity.**

(b) **A non-financial personal interest exists where a legislator or household member has a responsibility for the welfare of an organization by virtue of holding a position with a fiduciary responsibility, such as a board member, trustee, or director.**

5 Legislative Ethics; Definition; Special Interest. Amend RSA 14-B:1, V to read as follows:

V. "Special interest" means any financial or non-financial personal interest in the outcome of a matter that is the subject of official **legislative** activity, [~~distinct from and greater than the interests of the public at large~~] **which could reasonably be expected to produce a direct benefit or detriment to the legislator or a legislator's household member or to produce a benefit or detriment to a business, client, or organization, by whom the legislator or a legislator's household member is employed or holds a position of authority, which is materially greater than the benefit or detriment which would accrue to businesses, clients, or organizations in general.**

AMENDED ANALYSIS

This bill requires a legislator to recuse himself or herself from participation in a legislative activity when the legislator or the legislator's household member has a conflict of interest in an official legislative activity. The bill also amends certain applicable definitions.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1105-L, relative to warrant articles in official ballot town, school district, or village district meetings. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Julie Gilman for the Majority of Municipal and County Government. In a traditional town meeting, participating voters may amend proposed warrant articles. If the amendment passes, they then vote Ought to Pass with Amendment or Inexpedient to Legislate on the amended article in the same session. In SB 2 towns, amendments may be made only at the first, or deliberative, session and is then voted Ought to Pass with Amendment or Inexpedient to Legislate by a majority of voters at the second session. By ballot, this bill mandates printing the warrant article in its original wording and also the amended version, if there is one. This will lead to confusion at the polls by having two articles that may have only small differences between them. With both versions on the ballot, the deliberative session, becomes ineffective, leading to less participation. Imagine if there were more than one amendment? This bill is a solution looking for a problem. Vote 10-7.

Rep. Tony Lekas for the Minority of Municipal and County Government. Currently, the deliberative session in political subdivisions that use the official ballot for voting, otherwise known as SB 2 towns, may amend a warrant article to significantly change it. At the polls, voters may only accept or reject the amended warrant article, but if they prefer the article as initially presented, they may feel they are forced to vote for the amended article and accept what they see as its problems, rather than rejecting the article in its entirety. They may also feel that they must reject the amended article even if they believe the article addresses an important need. While this can occur for any article, it can be a particular issue for petitioned warrant articles which might have been amended to be something very different than the petitioners intended. This bill would present the voters with the choice of accepting the amended article, accepting the original article, or rejecting both. It requires that both the original and the amended article appear on the ballot and, if both pass, the amended version is the one that takes effect.

Majority committee report adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Ebel moved that the House reconsider its action whereby, on a voice vote, the House adopted the majority committee report of Inexpedient to Legislate on **HB 1105-L**, relative to warrant articles in official ballot town, school district, or village district meetings.

Motion adopted.

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

Rep. Abramson spoke against.

Rep. Josephson spoke in favor.

Majority committee report adopted.

REGULAR CALENDAR CONT'D

HB 1115, relative to the discharge of a firearm in the compact part of a city or town. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Donna Mombourquette for the Majority of Municipal and County Government. The committee is sympathetic to homeowners experiencing repetitive gunfire from target shooting by neighbors in close proximity. However, the bill does not address this specific concern, nor did testimony validate a 900-foot radius in nonresidential areas. The committee considered testimony from the New Hampshire Fish and Game Commission when voting in opposition, due to its effects on hunting. It should also be noted that the committee encourages the bill's authors to consider further study and resubmission of a bill that could address the concerns raised by established shooting ranges, hunters, and homeowners. Vote 17-1. Rep. Max Abramson for the Minority of Municipal and County Government. Due to the many issues affecting hunters, sport shooters, property owners, and veterans, the minority felt that this issue needed to be sent to Interim Study.

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

YEAS 282 - NAYS 6**YEAS - 282
BELKNAP**

Bean, Harry
Huot, David
Spanos, Peter

Comtois, Barbara
Jurius, Deanna
Sylvia, Michael

Fields, Dennis
Lang, Timothy
Tilton, Franklin

Howard, Raymond
Mackie, Jonathan

CARROLL

Avellani, Lino
DesMarais, Edith
Ticehurst, Susan

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Butler, Edward
MacDonald, John

Comeau, Ed
Marsh, William

CHESHIRE

Abbott, Michael
Eaton, Daniel
Ley, Douglas
Parkhurst, Henry
Weber, Lucy

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

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

Bordenet, John
Harvey, Cathryn
O'Day, John
Pearson, William

COOS

Craig, Kevin
Merner, Troy

Furbush, Michael
Moynihan, Wayne

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

GRAFTON

Adjutant, Joshua
Egan, Timothy
Hennessey, Erin
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

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

Dontonville, Roger
Gordon, Edward
Migliore, Vincent Paul
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Boehm, Ralph
Burt, John
Cornell, Patricia
Dutzy, Sherry
Freitas, Mary
Griffith, Willis
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Nutter-Upham, Frances
Petrigno, Peter
Porter, Marjorie
Newman, Ray
Riel, Cole
Snow, Kendall

Bouldin, Amanda
Barry, Richard
Bordy, William
Camarota, Linda
Danielson, David
Erf, Keith
Gagne, Larry
Hall, Brett
Herbert, Christopher
Jack, Martin
Lascelles, Richard
Mangipudi, Latha
Murphy, Nancy
Nutting-Wong, Allison
Pickering, Daniel
Proulx, Mark
Radhakrishnan, Julie
Newman, Sue
Sofikitis, Catherine

Bouldin, Andrew
Bergeron, Paul
Bosman, James
Cleaver, Skip
Dargie, Paul
Espitia, Manny
Goley, Jeffrey
Hamer, Heidi
Hinch, Richard
King, Mark
Leishman, Peter
Martin, Joelle
Notter, Jeanine
Panasiti, Reed
Piedra, Israel
Prout, Andrew
Renzullo, Andrew
Sanborn, Laurie
Somero, Paul

Backus, Robert
Bernet, Jennifer
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Greene, Bob
Harriott-Gathright, Linda
Indruk, Greg
Klee, Patricia
Long, Patrick
McLean, Mark
Nunez, Hershel
Pedersen, Michael
Plett, Fred
Query, Joshua
Rice, Kimberly
Shaw, Barbara
Stack, Kathryn

Stevens, Deb
Ulery, Jordan
Woodbury, David

Smith, Timothy
Van Houten, Constance

Telerski, Laura
Warden, Mark

Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Allard, James
Ebel, Karen
Hill, Gregory
Lane, Connie
McWilliams, Rebecca
Richards, Beth
Seaworth, Brian
Walsh, Thomas
Yakubovich, Michael

Bartlett, Christy
Ellison, Arthur
Horn, Werner
Luneau, David
Moffett, Howard
Saunderson, George
Soucy, Timothy
Walz, Mary Beth

Buchanan, Ryan
Fox, Samantha
Karrick, David
MacKay, James
Pearl, Howard
Schamberg, Thomas
Testerman, Dave
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
Kotowski, Frank
McGuire, Carol
Pimentel, Roderick
Schultz, Kristina
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Bushway, Patricia
Thomas, Douglas
Doucette, Fred
Grossman, Gaby
Hobson, Deborah
Murray, Kate
Lovejoy, Patricia
McBeath, Rebecca
Meuse, David
Prudhomme-O'Brien, Katherine
Torosian, Peter
Ward, Gerald

Abrami, Patrick
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Edgar, Michael
Grote, Jaci
Osborne, Jason
Khan, Aboul
Pearson, Mark
McBride, Everett
Packard, Sherman
Read, Ellen
Verville, Kevin
Welch, David

Abramson, Max
Barnes, Arthur
Cushing, Robert Renny
DiLorenzo, Charlotte
Edwards, Jess
Guthrie, Joseph
Janigian, John
Le, Tamara
Maggiore, Jim
McConnell, Liz
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Weyler, Kenneth

Acton, Dennis
Bershtein, Alan
Davis, Dan
Dolan, Tom
Green, Dennis
Harb, Robert
Janvrin, Jason
Love, David
Malloy, Dennis
Melvin, Charles
Pratt, Kevin
Sytek, John
Wallace, Scott
Yokela, Josh

STRAFFORD

Bixby, Peter
Fargo, Kristina
Hayward, Peter
Kenney, Cam
Perreault, Mona
Beaudoin, Steven
Treleven, Susan

Cannon, Gerri
Frost, Sherry
Horgan, James
Levesque, Cassandra
Pitre, Joseph
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Grassie, Chuck
Horrigian, Timothy
Smith, Marjorie
Rich, Cecilia
Southworth, Thomas
Wall, Janet

Conley, Casey
Harrington, Michael
Keans, Sandra
Schmidt, Peter
Rooney, Abigail
Towne, Matthew
Wuelper, Kurt

SULLIVAN

Aron, Judy
Lucas, Gates
Stapleton, Walter

Callum, John
Merchant, Gary
Smith, Steven

Cloutier, John
O'Hearne, Andrew
Sullivan, Brian

Laware, Thomas
Rollins, Skip
Tanner, Linda

NAYS - 6 GRAFTON

Abel, Richard

HILLSBOROUGH

Hopper, Gary

St. John, Michelle

MERRIMACK

Doherty, David

Rogers, Katherine

Schuett, Dianne

and the majority committee report was adopted.
Rep. Hopper voted Nay and intended to vote Yea.

HB 1147, prohibiting municipalities from requiring a license for a lemonade stand operated by a person under the age of 18. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jim Maggiore for the Majority of Municipal and County Government. The Municipal and County Government Committee was not presented with any evidence of a statewide or even localized issue of violations issued for the operation of a lemonade stand. The proposed bill is limited to lemonade and does not include any other soft drinks or refreshments. This bill left a bitter taste in the mouths of those who want to encourage a business spirit without additional government interference. Vote 15-4.

Rep. Max Abramson for the Minority of Municipal and County Government. New Hampshire should not wait until a couple of small children face oversight from City Hall. Every single comment on Citizens Count was in favor of keeping children's lemonade stands up and running.

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

Reps. Abramson and Torosian spoke against.

Rep. Maggiore spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 110**YEAS - 181
BELKNAP**

Huot, David

Tilton, Franklin

Burroughs, Anita
MacDonald, JohnButler, Edward
Ticehurst, SusanAbbott, Michael
Eaton, Daniel
Ley, Douglas
Von Plinsky, SparkyAmes, Richard
Faulkner, Barry
Morrill, David
Pearson, William

Laflamme, Larry

Moynihan, Wayne

Abel, Richard
Egan, Timothy
Maes, Kevin
Nordgren, Sharon
Stringham, JerryAlmy, Susan
Fellows, Sallie
Migliore, Vincent Paul
Osborne, Richard
Smith, SuzanneBouldin, Amanda
Barry, Richard
Bosman, James
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Pedersen, Michael
Query, Joshua
Newman, Sue
Stevens, Deb
Van Houten, ConstanceBouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Smith, Timothy
Wilhelm, MatthewBartlett, Christy
Ebel, Karen
Karrick, David
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary JaneBuchanan, Ryan
Ellison, Arthur
Lane, Connie
Richards, Beth
Schuett, Dianne
Walz, Mary BethAbrami, Patrick
Cushing, Robert Renny
Edgar, Michael
Khan, Aboul
Malloy, Dennis
Meuse, DavidAltschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Le, Tamara
McBeath, Rebecca
Read, EllenBixby, Peter
Fargo, Kristina
Kenney, Cam
Rich, Cecilia
Treleaven, SusanCannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey
Vincent, KennethCloutier, John
Tanner, Linda

Merchant, Gary

CARROLLDesMarais, Edith
Woodcock, Stephen

Knirk, Jerry

CHESHIREBerch, Paul
Fenton, Donovan
Parkhurst, Henry
Weber, LucyBordenet, John
Harvey, Cathryn
Tatro, Bruce**COOS**

Noel, Henry

GRAFTONCampion, Polly
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, GeorgeDontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce**HILLSBOROUGH**Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Telerski, Laura
Woodbury, DavidBalch, Chris
Bordy, William
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Panasiti, Reed
Porter, Marjorie
Riel, Cole
Stack, Kathryn
Toomey, Dan**MERRIMACK**Carson, Clyde
Fox, Samantha
Luneau, David
Rogers, Katherine
Schultz, Kristina
Wells, KennethDoherty, David
Fulweiler, Joyce
MacKay, James
Saunders, George
Soucy, Timothy
Woods, Gary**ROCKINGHAM**Barnes, Arthur
Dolan, Tom
Grote, Jaci
Lovejoy, Patricia
McBride, Everett
Ward, GeraldBushway, Patricia
Doucette, Fred
Murray, Kate
Maggiore, Jim
McConnell, Liz**STRAFFORD**Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, JanetConley, Casey
Horrigan, Timothy
Schmidt, Peter
Towne, Matthew**SULLIVAN**

O'Hearne, Andrew

Sullivan, Brian

NAYS - 110**BELKNAP**

Bean, Harry
 Julius, Deanna
 Sylvia, Michael

Comtois, Barbara
 Lang, Timothy

Fields, Dennis
 Mackie, Jonathan

Howard, Raymond
 Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

Marsh, William

CHESHIRE

Mann, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Adjutant, Joshua

Gordon, Edward

Hennessey, Erin

HILLSBOROUGH

Alexander, Joe
 Danielson, David
 Gunski, Michael
 McLean, Mark
 Plett, Fred
 Rice, Kimberly
 St. John, Michelle

Boehm, Ralph
 Erf, Keith
 Hinch, Richard
 Notter, Jeanine
 Proulx, Mark
 Sanborn, Laurie
 Ulery, Jordan

Burt, John
 Gagne, Larry
 Hopper, Gary
 Nunez, Hershel
 Prout, Andrew
 Shaw, Barbara
 Warden, Mark

Camarota, Linda
 Greene, Bob
 Lascelles, Richard
 Petrigno, Peter
 Renzullo, Andrew
 Somero, Paul

MERRIMACK

Allard, James
 McGuire, Carol
 Seaworth, Brian

Hill, Gregory
 McWilliams, Rebecca
 Testerman, Dave

Horn, Werner
 Moffett, Howard
 Walsh, Thomas

Kotowski, Frank
 Pearl, Howard
 Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
 Bershtein, Alan
 DeSimone, Debra
 Harb, Robert
 Janvrin, Jason
 Packard, Sherman
 Roy, Terry
 Verville, Kevin
 Weyler, Kenneth

Abramson, Max
 Costable, Michael
 Edwards, Jess
 Hobson, Deborah
 Love, David
 Piemonte, Tony
 Pearson, Stephen
 Vose, Michael
 Yokela, Josh

Acton, Dennis
 Davis, Dan
 Green, Dennis
 Osborne, Jason
 Pearson, Mark
 Pratt, Kevin
 Sytek, John
 Wallace, Scott

Baldasaro, Al
 Thomas, Douglas
 Guthrie, Joseph
 Janigian, John
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Welch, David

STRAFFORD

Harrington, Michael
 Perreault, Mona
 Wuelper, Kurt

Hayward, Peter
 Pitre, Joseph

Horgan, James
 Rooney, Abigail

Keans, Sandra
 Beaudoin, Steven

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

HB 1160-L, allowing municipalities to collect an occupancy fee from operators of local room rentals. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for the Majority of Municipal and County Government. This bill enables municipalities to charge up to two dollars as an occupancy fee for local room rentals which goes directly to local government to help offset costs of added services for paying guests staying overnight. Vote 10-7.

Rep. Tom Dolan for the Minority of Municipal and County Government. This room fee will be in addition to the current rooms and meals tax of 9%. The fee represents an additional tax that was not supported by the minority. It would be more appropriate to insist on the original sharing of 40% of the rooms and meals tax with municipalities from the state which actually shares only approximately 28%.

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

Rep. Edgar spoke in favor.

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

YEAS 174 - NAYS 113

YEAS - 174**BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Woodcock, Stephen

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan

Bouldin, Andrew
Bordy, William
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Backus, Robert
Bosman, James
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Balch, Chris
Bouchard, Donald
Dargie, Paul
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John

Merchant, Gary

Sullivan, Brian

Tanner, Linda

NAYS - 113**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Burt, John
Gagne, Larry
Hopper, Gary
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie
Warden, Mark

Barry, Richard
Camarota, Linda
Greene, Bob
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Shaw, Barbara

Bergeron, Paul
Danielson, David
Gunski, Michael
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Somero, Paul

Boehm, Ralph
Erf, Keith
Hinch, Richard
Mullen, Sue
Plett, Fred
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Horn, Werner
Seaworth, Brian

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Thomas, Douglas
Green, Dennis
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
DeSimone, Debra
Harb, Robert
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Sytek, John
Wallace, Scott

Abramson, Max
Bershtein, Alan
Dolan, Tom
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Acton, Dennis
Costable, Michael
Edwards, Jess
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

(Rep. Ebel in the Chair)

HB 1173-L, relative to the use of an official ballot in towns. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Dargie for the Majority of Municipal and County Government. For municipalities and school districts that have adopted the official ballot form of government, if the proposed budget fails at the second session of town meeting, then the default budget becomes the enacted budget. A person that votes against a proposed budget can vote against it because they believe that it is too high, or they can vote against it because they believe that it is too low. To account for this, the fairest approach is to set the default budget at a level that approximates the level of funding that will result in the status quo for provided services. The default budget can be higher or lower than the proposed budget depending on the choices made for the proposed budget. The default budget definition starts with the previous year's authorized expenditures and either removes or adds costs for debt service, contracts, other obligations previously incurred or mandated by law, and one-time expenditures. The changes contained in this bill remove items that had been included in the default budget definition that were purposely included to drive the default budget lower than a status quo definition. An example is the removal of that portion of the default budget definition that requires the removal from the default budget positions that are eliminated in the proposed budget. If this rule is left in place, then voters will not be given the option of voting against a proposed budget for being too low, since the eliminated positions are removed from both the proposed budget and the default budget, and the voters will have no opportunity to vote to keep the positions. Vote 10-8.

Rep. Vincent Paul Migliore for the Minority of Municipal and County Government. This bill is a noble, but short-circuited attempt to fix a complex challenge when it comes to default budgets, which is part of a far larger and monumental problem known to us as "SB 2." Default budgets were fixed in the recent past, with a great deal of bi-partisan work and effort, subcommittee work and with an important element sorely missing in this unneeded fix/version: education of voters. The bill, if passed, will likely be litigated because it authorizes monies to be included in defaulted budgets that is unapproved by the legislative body.

Majority Amendment (0984h)

Amend RSA 40:13, IX(b) as inserted by section 1 of the bill by replacing it with the following:

(b) "Default budget" as used in this subdivision means the amount of the same appropriations as contained in the operating budget authorized for the previous year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the operating budget *authorized for the previous year* [and by salaries and benefits of positions that have been eliminated in the proposed budget]. For the purposes of this paragraph, one-time expenditures shall be *one-time* appropriations not likely to recur in the succeeding budget, [and eliminated positions shall not include vacant positions under recruitment or positions redefined in the proposed operating budget;] as determined by the governing body, unless the provisions of RSA 40:14-b are adopted, of the local political subdivision. In calculating the default budget amount, the governing body shall follow the statutory formula which may result in a higher or lower amount than the proposed operating budget. *The default budget shall be calculated independently of the proposed operating budget.*

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1211, relative to a capital reserve fund in towns under the control of the budget committee. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jim Maggiore for the Majority of Municipal and County Government. There does not seem to be a budget committee within the state that has both oversight authority and spending authority. The committee was not presented with a deficiency that this bill remedies. The bill itself has a deficiency that creates a conflict with the Division of Charitable Trust should the budget committee be required to accept grants or gifts rather than the governing body. Vote 17-1.

Rep. Max Abramson for the Minority of Municipal and County Government. Many opportunities exist to save money if towns enjoyed the flexibility that cities, business, and non-profits already have. Contractors offer 5 - 10% discounts on contracts when projects are put out to bid in November or December. Some projects cost less if they are insourced or outsourced. Likewise parking lot, water, sidewalk, and other infrastructure maintenance can be done in the fall at a much lower cost than putting a project on the March ballot as a complete rebuild. Voters, under this bill, would be allowed to fund a capital reserve through a warrant article permitting selectmen or school boards to draw on during the year with a 2/3 vote by the budget committee.

Majority committee report adopted.

MOTION TO ADJOURN

Rep. Sylvia moved that the House adjourn.

Clerk Smith explained parliamentary situation.

Rep. Lang requested a roll call; sufficiently seconded.

YEAS 41 - NAYS 247

**YEAS - 41
BELKNAP**

Bean, Harry

Howard, Raymond

Sylvia, Michael

CARROLL

Avellani, Lino

Comeau, Ed

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Migliore, Vincent Paul

HILLSBOROUGH

Boehm, Ralph
Gunski, Michael
Somero, Paul

Burt, John
Nunez, Hershel
Ulery, Jordan

Erf, Keith
Prout, Andrew
Warden, Mark

Greene, Bob
Renzullo, Andrew

MERRIMACK

McGuire, Carol

Testerman, Dave

Yakubovich, Michael

ROCKINGHAM

Abramson, Max
Dolan, Tom
Roy, Terry
Wallace, Scott

Acton, Dennis
Green, Dennis
Torosian, Peter

Bershtein, Alan
Love, David
Verville, Kevin

Costable, Michael
Piemonte, Tony
Vose, Michael

STRAFFORD

Harrington, Michael

Horgan, James

Pitre, Joseph

Beaudoin, Steven

SULLIVAN

Callum, John

Rollins, Skip

NAYS - 247**BELKNAP**

Comtois, Barbara
Lang, Timothy

Fields, Dennis
Mackie, Jonathan

Huot, David
Spanos, Peter

Jurius, Deanna
Tilton, Franklin

CARROLL

Burroughs, Anita
MacDonald, John

Butler, Edward
Marsh, William

DesMarais, Edith
Ticehurst, Susan

Knirk, Jerry
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Ley, Douglas
Parkhurst, Henry
Weber, Lucy

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

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

Bordenet, John
Harvey, Cathryn
O'Day, John
Pearson, William

COOS

Furbush, Michael
Noel, Henry

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

GRAFTON

Abel, Richard
Dontonville, Roger
Gordon, Edward
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Hennessey, Erin
Muscatel, Garrett
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Maes, Kevin
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bordy, William
Cleaver, Skip
Dargie, Paul
Davis, Fred
Goley, Jeffrey
Harriott-Gathright, Linda
Hopper, Gary
King, Mark
Lascelles, Richard
Martin, Joelle
Notter, Jeanine
Panasiti, Reed
Piedra, Israel
Query, Joshua
Riel, Cole
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Bouldin, Amanda
Barry, Richard
Bosman, James
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Griffith, Willis
Heath, Mary
Indruk, Greg
Klee, Patricia
Leishman, Peter
McLean, Mark
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Newman, Ray
Newman, Sue
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Dutzy, Sherry
Gagne, Larry
Hall, Brett
Herbert, Christopher
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Porter, Marjorie
Radhakrishnan, Julie
Sanborn, Laurie
St. John, Michelle
Telerski, Laura
Woodbury, David

Backus, Robert
Bernet, Jennifer
Camarota, Linda
Danielson, David
Espitia, Manny
Gidge, Kenneth
Hamer, Heidi
Hinch, Richard
Jack, Martin
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
O'Brien, Michael
Pickering, Daniel
Proulx, Mark
Rice, Kimberly
Shaw, Barbara
Stack, Kathryn
Toomey, Dan

MERRIMACK

Allard, James
Doherty, David
Hill, Gregory
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walsh, Thomas

Bartlett, Christy
Ellison, Arthur
Horn, Werner
Luneau, David
Pearl, Howard
Saunderson, George
Seaworth, Brian
Walz, Mary Beth

Buchanan, Ryan
Fox, Samantha
Karrick, David
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Abbas, Daryl
 Bushway, Patricia
 DeSimone, Debra
 Edwards, Jess
 Hobson, Deborah
 Murray, Kate
 Pearson, Mark
 McBride, Everett
 Packard, Sherman
 Pearson, Stephen
 Welch, David

Abrami, Patrick
 Cushing, Robert Renny
 DiLorenzo, Charlotte
 Grossman, Gaby
 Osborne, Jason
 Khan, Aboul
 Maggiore, Jim
 McConnell, Liz
 Pratt, Kevin
 Somssich, Peter
 Weyler, Kenneth

Altschiller, Debra
 Davis, Dan
 Doucette, Fred
 Grote, Jaci
 Janigian, John
 Le, Tamara
 Malloy, Dennis
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Yokela, Josh

Barnes, Arthur
 Thomas, Douglas
 Edgar, Michael
 Harb, Robert
 Janvrin, Jason
 Lovejoy, Patricia
 McBeath, Rebecca
 Meuse, David
 Read, Ellen
 Ward, Gerald

STRAFFORD

Bixby, Peter
 Fargo, Kristina
 Horrigan, Timothy
 Schmidt, Peter
 Salloway, Jeffrey
 Vincent, Kenneth

Cannon, Gerri
 Frost, Sherry
 Kenney, Cam
 Perreault, Mona
 Southworth, Thomas
 Wall, Janet

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

Conley, Casey
 Hayward, Peter
 Smith, Marjorie
 Rooney, Abigail
 Treleaven, Susan

SULLIVAN

Aron, Judy
 Merchant, Gary
 Sullivan, Brian

Cloutier, John
 O'Hearne, Andrew
 Tanner, Linda

Laware, Thomas
 Stapleton, Walter

Lucas, Gates
 Smith, Steven

and the motion failed.

REGULAR CALENDAR CONT'D

HB 1309, relative to the effect of warrant articles. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jim Maggiore for the Majority of Municipal and County Government. This bill would make the decision of the legislative body binding for any petitioned warrant articles. While illegally petitioned warrant articles would still be illegal under this bill, the responsibility of the governing body to manage the prudent affairs of the town is usurped. A legally petitioned warrant article could have the effect of vacating legally binding decisions of a governing body, empty a fund balance in spite of prudent fiscal management, affect the bond rating of the municipality, or set a governing body on a path inconsistent to best practices for short-term political gains among other potential problems. Vote 10-7.

Rep. Tom Dolan for the Minority of Municipal and County Government. A citizen's petitioned warrant article should be sacred and implemented if voted by a majority of the legislative body. Failure to implement by the governing body undermines the faith citizens have in their government.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1309**, relative to the effect of warrant articles, be laid on the table.

On a division vote, with 185 members having voted in the affirmative, and 105 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1443, relative to the city of Claremont police commission. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill was brought forth on behalf of the city of Claremont. Under current law, the city's police commission is appointed by the city manager. HB 1443 changes that, allowing the city council to make those appointments instead. Claremont's city council approves this change. Vote 14-3.

Rep. Tom Dolan for the Minority of Municipal and County Government. While the change from "city manager" to "city council" is supported, the fact that the law still requires candidates for the Police Commission to pass a political party litmus test was objectionable to some on the committee. The minority felt an amendment to fix the political litmus test should have been offered.

The question being adoption of the majority committee report of Ought to Pass.
 Majority committee report adopted and ordered to third reading.

HB 1451, relative to the definition of contracts relative to official ballot default budgets. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Julie Gilman for the Majority of Municipal and County Government. The definition of default budgets in SB 2 towns has been amended several times. This amendment changes the definition of contract in default budgets to remove the restriction to only pay contracts in the same amount as the previous year regardless of any escalators or mid-year price raising. The results may force select boards to manipulate budget lines. Vote 10-8.

Rep. Vincent Paul Migliore for the Minority of Municipal and County Government. Under our current system, not one single dollar can be spent without the approval of a majority of the voters in the town or school board meeting. This bill would take away from the voters both this vital check on select boards and school boards and the authority to approve town and school district spending, giving it to selectmen and school boards. This massive transfer of spending authority would cut the heart out of our democratic traditions and should be rejected.

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

Majority committee report adopted and ordered to third reading.

HB 1460, relative to the form of municipal budgets. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Clyde Carson for the Majority of Municipal and County Government. This bill has the objective of increasing transparency to the municipal budget process by requiring that the budget be available to the public in an active, detailed, spreadsheet format. There is nothing prohibiting municipalities from making detailed budget information available and most do so in a format and time frame that works for their municipality. The majority of the committee supports making budget detail available to the public, but has concerns about the unintended consequences of requiring all towns to follow the same format and timing requirements. Vote 10-8.

Rep. Tony Piemonte for the Minority of Municipal and County Government. This would allow select boards, budget committees, and the public the ability to plug and play their existing budget on an active, exportable, commercially-available, spreadsheet (excel if you will). This legislation would allow the budget in live spreadsheet format, and, with any unopened package, a thumb drive can be used to download a workable, active budget that could provide a "what if" situation instantly. The governing body will hold and maintain the original budget and any duplicate budgets could have a watermark on any unapproved budgets. This would be an extremely valuable tool that could save time and provide experience to future committee volunteers. Right now the ability to download the budget is available if you provide a thumb drive, but in read-only format. This has to be taken one step further and would apply the requirement for full line item detail in an active, exportable, commercially-available spreadsheet.

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

Rep. Carson spoke against.

On a division vote, with 43 members having voted in the affirmative, and 207 in the negative, the majority committee report failed.

Rep. Carson moves the minority committee report of Ought to Pass and offered Floor Amendment (1096h).

Floor Amendment (1096h)

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

1 Municipal Budget Law; Duties of Governing Body and Other Officials. Amend RSA 32:17 to read as follows:

32:17 Duties of Governing Body and Other Officials. The governing bodies of municipalities adopting this subdivision, or of districts which are wholly within towns adopting this subdivision, shall review the statements submitted to them under RSA 32:4 and shall submit their own recommendations to the budget committee, together with all information necessary for the preparation of the annual budget, including each purpose for which an appropriation is sought and each item of anticipated revenue, at such time as the budget committee shall fix. In the case of a special meeting calling for the appropriation of money, the governing body shall submit such information not later than 5 days prior to the required public hearing. Department heads and other officers shall submit their departmental statements of estimated expenditures and receipts to the budget committee, if requested. ***The budget committee may require a governing body to provide its budget recommendations in full line item detail in active spreadsheet format.***

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

AMENDED ANALYSIS

This bill permits municipal budget committees to require governing bodies to provide budget recommendations in full line item detail in active spreadsheet format.

Rep. Piemonte spoke in favor.

Floor Amendment (1096h) adopted.

Rep. Wuelper requested a quorum call.

Speaker Shurtleff declared a quorum present.

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

On a division vote, with 281 members having voted in the affirmative, and 8 in the negative, the minority committee report was adopted and ordered to third reading.

HB 1490, establishing a committee to study the taxation of property owners on private roads. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laurel Stavis for the Majority of Municipal and County Government. This bill establishes a study committee to examine the status of private roads in New Hampshire. While the stated concern of the bill is “taxation of residents on private roads,” we note that all state residents, whether they live on private roads or not, pay taxes to support a shared burden. However, we do feel that the issues involved with private road developments should be reviewed more broadly at this time. New Hampshire faces a housing shortage and planning boards statewide are dealing with developers eager to create communities that may or may not be well-served by being situated on private roads. Vote 12-6.

Rep. Donna Mombourquette for the Minority of Municipal and County Government. Testimony of supporters of the bill indicated that they knowingly purchased a home on a private road and paid a homeowner’s association fee. Over time, the roads have become very expensive to maintain or repair, including water lines, drainage, etc. While a study committee has been proposed, it would seem most appropriate to handle this issue locally to protect the investments of their residents.

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

Majority committee report adopted and ordered to third reading.

HB 1533-L, limiting the increase in property taxes for certain persons **INEXPEDIENT TO LEGISLATE**.

Rep. Bruce Tatro for Municipal and County Government. This bill mandates cities and towns do not increase property taxes for persons 67 years and older by more than 1% per year. The bill does not take into consideration the value of the property or the income level of the owner and transfers the increase to other taxpayers. These tax limits are generally handled by individual towns and cities with the state empowering them instead of mandating them. Vote 16-2.

MOTION TO LAY ON THE TABLE

Rep. Roy moved that **HB 1533-L**, limiting the increase in property taxes for certain persons, be laid on the table. On a division vote, with 282 members having voted in the affirmative, and 7 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1124, relative to the definition of prime wetland. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Chuck Grassie for the Majority of Resources, Recreation and Development. Prime wetlands are those few wetlands which a municipality has asked to be so designated by the state “because of their size, unspoiled character, fragile condition or other relevant factors making them of substantial significance.” Nomination by the town follows a thorough study and a vote by the town. A wetland permit application for a prime wetland receives a higher level of review by the state. Several years ago the statutes defining prime wetlands were changed so they eliminated some of the most important parts of the wetland, the narrower portions that might connect two wetland systems or be an integral part of their water supply and wildlife habitat. This bill corrects this by allowing these significant but narrower portions to be included in the delineated prime wetland as they should be. These areas must meet the same requirement that they “provide significant contribution to the primary wetland functions of the prime wetland.” The bill provides for exemptions for man-made structures such as drainage ditches and berms, work conducted by the Department of Transportation within highway right-of-ways, does not require any set buffers, and would not impact forest management activities on adjoining uplands. The bill also provides that a “municipality shall consider any potential adverse effects on the landowner from including any narrower portion.” Any designation as a prime wetland shall require landowner and abutter notice, a vote by the local land use board, receive a full public hearing, and a vote by the local legislative body. Finally, the EPA has stated that “wetlands’ highly developed root systems hold the soil in place and filter pollutants, naturally improving water quality (including water that is eventually used for drinking).” Vote 11-9.

Rep. Andrew Renzullo for the Minority of Resources, Recreation and Development. On July 29th, 2019, Governor Sununu vetoed House Bill 326, relative to the definition of prime wetland. The Governor stated that “New Hampshire currently has sound and responsible protections for wetlands and our environment. This bill adds additional and unnecessary regulations to those laws and does not properly account for property owners who could be negatively affected by them. Any change to the definition of prime wetland should allow for sufficient protection for individual property rights before moving forward.” This bill is a second bite of the apple and, according to the prime sponsor, is no different than the vetoed final committee of conference version of HB 326. The NH Association of Natural Resource Scientists, an organization of wetland scientists, soil scientists, biologists, foresters, surveyors, ecologists, state and municipal employees and citizens who work to promote the science of New Hampshire’s wetlands and soils, opposed the bill. In 2012, SB 19 was enacted that tightened up the regulations as to what characteristics made a wetland “prime.” Among these objective requirements were that a prime wetland must be contiguous, at least two acres in size, and have a width of at least 50 feet at its narrowest point, plus meet four of the primary wetlands functions. The Association of General Contractors, speaking against this bill, testified that they participated in the 2011/2012 effort that first established the 50-foot minimum in response to some cities and towns claiming channels and drainage

ditches as prime wetlands, which made it extremely difficult for development. People from the forestry industry testified of the difficulties dealing with DES to get permits to log in the prime wetlands, especially in dealing with alternating areas of wetland and upland (fingers and toes mentioned in the bill). There are many sections in DES statutes dealing with prime wetlands. The minority believes that expansion of the prime wetlands designation proposed by this bill will have a deleterious effect on landowners who will be subject to setback requirements and stringent permitting requirements on usable land presently not under such requirements.

Majority Amendment (1015h)

Amend the bill by replacing section 1 with the following:

1 Prime Wetlands; Definition. Amend RSA 482-A:15, I-a and I-b to read as follows:

I-a. For the purposes of this chapter, "prime wetlands" shall mean any contiguous areas falling within the jurisdictional definitions of RSA 482-A:2, X and RSA 482-A:4 that, because of their size, unspoiled character, fragile condition, or other relevant factors, make them of substantial significance. A prime wetland shall be at least 2 acres in size, ***excluding those areas described in paragraph I-b***, shall not consist of a water body only, shall have at least 4 primary wetland functions ***within the 2 acre or greater area***, one of which shall be wildlife habitat. ***A prime wetland*** ~~[-and]~~ shall have a width of at least 50 feet at its narrowest point ***across and perpendicular to its longitudinal axis***.

I-b. A prime wetland may include additional connected narrower wetland areas less than 50 feet at their narrowest point across and perpendicular to their longitudinal axis if the municipality can demonstrate that any such narrower portion provides a significant contribution to the primary wetland functions of the prime wetland. To qualify as a significant contribution, a narrower portion shall contain 4 or more primary wetland functions as defined in RSA 482-A:2, XI and shall not include any man-made structures under RSA 482-A:3, IV(b). The municipality shall consider any potential adverse effects on the landowner from including any narrower portion.

I-c. The boundary of a prime wetland shall coincide, where present, with the upland edge of any wetland, as defined in RSA 482-A:2, X, that is part of the prime wetland. On-site verification of proposed prime wetland boundaries shall be performed where landowner permission is provided.

I-d. For the purposes of this paragraph existing state highway rights-of-way, including associated permanent easements, shall not include prime wetlands or their adjacent buffers.

~~[I-b.]~~ ***I-e.*** The commissioner shall adopt rules under RSA 541-A relative to the form, criteria, and methods that shall be used to designate, map, and document prime wetlands, determine boundaries in the field, and amend maps and designations once filed and accepted by the department under paragraph II.

AMENDED ANALYSIS

This bill further defines prime wetland for local protection in fill and dredge permits. 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 175 members having voted in the affirmative, and 107 in the negative, the majority committee report was adopted and ordered to third reading.

MOTION TO LIMIT DEBATE

Rep. Janvrin moved to limit debate to 3 minutes on each side.

On a division vote, with 166 members having voted in the affirmative, and 120 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1116, relative to the definition of "eligible facility" as it pertains to renewable generation to provide fuel diversity. **OUGHT TO PASS.**

Rep. Lee Oxenham for Science, Technology and Energy. To safeguard public health and the environment, NH has adopted a number of policies to reward generation by diverse renewable, clean energy technologies such as solar, wind, and small hydro. In the last session, however, a non-renewable source, solid waste incineration, was added to the definition of an "eligible facility" in the statute dedicated to the preservation and use of renewable generation. Not only is waste incineration non-renewable, it is the opposite of a clean and green energy resource. People living near waste incinerators are regularly exposed to toxic emissions of dioxins, mercury, and lead for which there are no "safe" exposures. Waste incinerators are far more toxic than the fossil fuel plants renewable energy is designed to replace. In comparison to the coal-fired Merrimack plant, the Wheelabrator incinerator in Concord emits, per MWh produced, more than 8 times the lead, 4.5 times the mercury, 3.5 times as much particulate matter, and more than double the carbon monoxide and sulphur dioxide. NH has a solid waste problem, and there are bills before the legislature this session to address that problem. We know the best way to deal with waste is to reduce, reuse, and recycle. Burning waste doesn't make it disappear, it just converts it into more concentrated hazardous waste and toxic emissions. This bill removes a glaring anomaly in our statutes by removing municipal solid waste from qualifying as a renewable energy source. Vote 14-4. Committee report adopted and ordered to third reading.

HB 1225, allowing increased net energy metering limits for municipal hydroelectric facilities. **REFER FOR INTERIM STUDY.**

Rep. Howard Moffett for Science, Technology and Energy. Although well-intentioned, this bill, which would apply only to a single municipality in New Hampshire, is unnecessary because more comprehensive legislation which has passed the House and been referred to a second committee would accomplish the same result for a much broader group of municipalities and private businesses as well. Vote 11-9.

MOTION TO LAY ON THE TABLE

Rep. Backus moved that **HB 1225**, allowing increased net energy metering limits for municipal hydroelectric facilities, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1229, requiring proposed natural gas facilities to include decommissioning costs. **WITHOUT RECOMMENDATION**

Statement in support of Inexpedient to Legislate: This bill singles out natural gas (NG) facilities for additional decommissioning requirements that do not apply to most other energy facilities. This sends a strong message that NH does not want to expand its use of NG. Expanding the use of NG for heating would mainly replace heating oil. This would reduce air pollution emissions including CO2 and mercury. In addition, this bill is just not needed. The Administrator of the Site Evaluation Committee which has jurisdiction over energy projects of all types stated that it is redundant and not needed. According to testimony, under existing law the SEC cannot issue a certificate to any energy facility projects that lacks plans for a fully funded decommissioning plan. This bill is a solution in search of a problem.

Rep. Michael Harrington

MOTION TO LAY ON THE TABLE

Rep. Backus moved that **HB 1229**, requiring proposed natural gas facilities to include decommissioning costs, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1261, relative to the energy consumption reduction goal. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kenneth Wells for the Majority of Science, Technology and Energy. This bill changes the focus of New Hampshire's energy consumption reduction goal to "greenhouse gas emissions" rather than "fossil fuel consumption." This adds an unnecessary complication to our efforts to reduce air pollution from state-owned buildings because the ambiguous mixture called "greenhouse gas" is more difficult to quantify. The current straightforward method of tracking building energy and CO2 emissions is accomplished through fuel receipts. This bill does not clarify by which new means the emitted mixture of greenhouse gases shall be tabulated, or whether it simply continues the status quo. Most important, the bill's stated goal of attaining a 25% reduction of our greenhouse gas pollution relative to 2005 levels was surpassed several years ago, according to testimony by the Department of Environmental Services. This bill accomplishes little, complicates accountability, and sets a retrograde goal. Vote 11-8.

Rep. Michael Harrington for the Minority of Science, Technology and Energy. The minority believes this bill would help lower emissions of greenhouse gases by allowing not just fossil fuels to be included in the energy consumption reduction goal for state buildings contained in statute. We have seen the switch to natural gas drastically reduce the amount of CO2 emitted by electric generation in New England. This bill would allow the switch in state buildings from oil heat to natural gas or propane, both of which emit less CO2 per BTU and less of other pollutants, to be included in the energy reduction goals.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1261**, relative to the energy consumption reduction goal, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1301, establishing a committee to study applications of microgrids in electricity supply. **OUGHT TO PASS.**

Rep. Peter Somssich for Science, Technology and Energy. The bill would create a committee to study the opportunities in New Hampshire to benefit from electrical micro grids. These micro grids can be seen as energy islands that while normally connected to the primary grid have the option to disconnect from that grid whenever needed or when it is advantageous. The committee would explore applications in NH that would lend themselves to a micro grid. These could be as small as a community solar network or as expansive as several towns connecting to each other and sharing energy resources. These energy islands could serve as

emergency areas in the case of severe weather events or in the case of a grid malfunction. The committee heard strong testimony for this idea from numerous groups including utilities and the clean energy industry. In fact, UNH is currently working with a utility to set up its own micro grid, the first in our state. Vote 12-6. Committee report adopted and ordered to third reading.

HB 1430, establishing a commission to study attainment of a clean-energy electric grid by 2030. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kat McGhee for the Majority of Science, Technology and Energy. This bill, as amended, pulls together electric utilities and relevant expertise to review renewable and clean energy plans for the region in relation to the goal of achieving a 100% clean electric grid within a rapid time frame (10 years). The commission's goal will be to work towards a realistic plan for achieving a zero emissions electric grid, while allowing sufficient growth to accommodate beneficial electrification of transportation, heat pumps, etc. The majority believes this can make an important contribution to meeting this goal. Vote 12-7.

Rep. Michael Vose for the Minority of Science, Technology and Energy. The commission established by this bill will be charged with the unachievable task of determining how to create a clean-energy electric grid in NH by 2030. Building such grid in nine years from the date of the commissions' final report would require building the equivalent of a new Seabrook Station, which cannot be accomplished in nine years. Building a Seabrook equivalent using solar panels or windmills would consume two to three square miles of land to provide a few hours of electricity per day. This bill further instructs the commission to sacrifice the state's sovereignty to "aggressive regional planning." Since part of our state's grid consists of transmission lines controlled by ISO New England and the Federal Energy Regulatory Commission, the envisioned clean energy grid will need federal buy-in. But the minority finds the bill's most glaring weakness to be its absence of any requirement to determine the cost of attaining a clean-energy grid. Without knowing how much such a transition will cost, there can be no plan to fund or to build it.

Majority Amendment (0519h)

Amend RSA 125-O:5-b, II as inserted by section 1 of the bill by replacing it with the following:

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

- (a) Three members of the house of representatives, who shall be members of the science, technology and energy committee, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the president of the senate.
- (c) The director of the office of strategic initiatives, or designee.
- (d) The commissioner of the department of environmental services, or designee.
- (e) The president of the New Hampshire Electric Cooperative, or designee.
- (f) The chief executive officer of Liberty Utilities, or designee.
- (g) The president of Eversource Energy, or designee.
- (h) The president of Unitil, or designee.
- (i) The president of NextEra Energy, or designee.

Amend RSA 125-O:5-b, V(e) as inserted by section 1 of the bill by replacing it with the following:

(e) ISO-NE analysis of the megawatt hour growth resulting from the beneficial electrification of all relevant sectors, including transportation, home heating, and elective power usage through 2030.

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2021.

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

Majority committee amendment adopted.

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

Rep. Vose spoke against.

Rep. Wells spoke in favor.

On a division vote, with 169 members having voted in the affirmative, and 100 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1444-FN, requiring the adoption of vehicle emissions standards based on the California clean car standards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca McWilliams for the Majority of Science, Technology and Energy. This bill, as amended, brings NH in line with all of the surrounding states in the Northeast and enables NH residents to test drive low and zero-emissions vehicles by directing manufacturers to deliver cars and light duty trucks that meet the California Clean Air Act, Section 177, to auto dealerships in NH. Auto manufacturers will not deliver these vehicles to NH unless NH closes the donut hole and joins the existing 13 states who have adopted Section 177. Last year approximately 1,100 zero and low-emissions vehicles that meet this standard were registered in NH. Unfortunately, this represents around \$36 million in vehicles sold out of state and imported by their owners into NH, all because Section 177 vehicles are not available in NH. The number of Section 177 vehicles

on the road have doubled year-over-year in NH, ME, and VT, resulting in significant NH business revenue loss. The extended emissions-related warranty provisions of Section 177 of up to 15 years and 150,000 miles would be a cost benefit to NH consumers. This bill creates a retroactive two-year credit bank for all vehicles delivered to NH lots prior to implementation on January 1, 2022 in order to build credits and ease the transition to providing Section 177 vehicles to NH. Vote 10-8.

Rep. Fred Plett for the Minority of Science, Technology and Energy. Passage of this bill abdicates the responsibility we carry as New Hampshire legislators to unelected regulators in California who have drafted electric vehicle regulations designed for California's consumers, not New Hampshire's. Worse still, a vote in favor is a vote to force our constituents to live under rules that these unelected regulators in California have not even drafted yet. Under federal EPA regulations, NH cannot even begin to enforce the provisions of this bill until 2025. California's regulations expire in 2025 and regulations for 2026 and beyond have not yet been drafted. We are effectively voting for one year of a known program, after which nobody knows the impact. The switch to electric vehicles (EVs) has not been made by NH consumers. This is not due to lack of availability, but because NH is largely rural, hilly, and suffers extreme weather in winter, none of which works well with EVs and EV batteries. Perhaps the technology will evolve to provide better options for our consumers, but until then we should focus on policies that understand our state, not something designed for California. Moreover, there is clear evidence from neighboring states that this bill will do little to increase the number of EV drivers in New Hampshire. Both Maine and Rhode Island adopted a Zero Emission Vehicle mandate over a decade ago, and they are still within one half of one percent of New Hampshire's EV adoption rate. Electric vehicles make up 1.0% of vehicles on New Hampshire roadways, while Maine and Rhode Island are at 1.2% and 1.4%, respectively. This is hardly the path to an EV future that proponents describe. Further, this bill forces EVs on dealer lots but does nothing to incent consumers to buy. So dealers will move the metal with discounts, at a loss or marginal income, and will attempt to make up the difference on all other vehicle prices.

Majority Amendment (0514h)

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

AN ACT requiring the adoption of innovative vehicle emissions standards pursuant to section 177 of the federal Clean Air Act.

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

1 Statement of Purpose. The general court finds that:

I. Implementation of the California Low Emission/Zero Emission Vehicle (LEV/ZEV) program pursuant to section 177 of the Clean Air Act will result in consumer, public health, and environmental benefits for citizens of New Hampshire. Currently the states of Vermont, Maine, Massachusetts, New York, New Jersey, Connecticut, Oregon, Rhode Island, Maryland, and Colorado have adopted the LEV/ZEV standards, while the states of Delaware, Pennsylvania, and Washington have adopted only the LEV requirements. New Hampshire is the only state in the Northeast that has not yet adopted this program.

II. Motor vehicles account for approximately one-half of the emissions of air pollutants that cause the formation of ground level ozone and over one-third of the state's greenhouse gas emissions. Ground level ozone is a respiratory irritant that can cause severe health impacts to the sick, the very young, the elderly, and those with chronic respiratory conditions such as asthma. Greenhouse gases contribute to climate change, which is causing more frequent and more extreme weather events that have led to loss of life and significant damage to statewide infrastructure, particularly roads and bridges.

III. Although vehicles sold in New Hampshire currently comport with the California emissions standards (as a result of the harmonization of federal and California standards through 2025), New Hampshire consumers cannot benefit from the extended emissions-specific warranty provisions of the California standards because New Hampshire has not formally adopted the California standards. New Hampshire automobile dealers currently cannot obtain some types of vehicles that manufacturers only allocate to ZEV states, thus limiting consumer choice within New Hampshire. In addition, New Hampshire will benefit from reduced emissions upon California's adoption of post-2025 standards, when the federal and California emissions standards will no longer be in alignment.

2 New Section; Adoption of California Air Resources Board Standards. Amend RSA 125-C by inserting after section 21 the following new sections:

125-C:22 Adoption of Vehicle Emissions Standards; Federal Clean Air Act.

I.(a) Notwithstanding RSA 541-A:3-b, on or before January 1, 2022, the commissioner of the department of environmental services shall adopt rules, in accordance with the provisions of RSA 541-A, to implement the light duty motor vehicle exhaust emission standards of the state of California section 1961.2 and the light duty motor vehicle greenhouse gas exhaust emission standards of the state of California section 1961.3, and shall amend such regulations from time to time, in accordance with changes in such standards. The regulations shall be applicable to new motor vehicles sold in the state of New Hampshire upon the year of departmental

rule adoption as authorized by the Federal Clean Air Act. Such regulations may incorporate by reference the California motor vehicle emissions standards set forth in final regulations issued by the California Air Resources Board pursuant to Title 13, California Code of Regulations, as of October 1, 2019 (last amended October 1, 2019), and promulgated under the authority of Division 26 of the California Health and Safety Code, as may be amended from time to time. Nothing in this section shall limit the commissioner's authority to regulate motor vehicle emissions for any other class of vehicle.

II.(a) Rules adopted pursuant to this section shall also include requirements for the sale of zero emissions vehicles (ZEV) or related provisions set forth in California Code of Regulations, section 1962.2 starting on January 1, 2022, and using New Hampshire specific vehicle numbers.

(b) Such rules shall include a credit system in accordance with the regulations cited in paragraph I for manufacturers of low emission vehicles (LEVs) and ZEVs. Manufacturers shall receive credits for LEV/ZEV vehicles delivered to New Hampshire lots beginning January 1, 2020. Credits received between January 1, 2020 and January 1 of the year the department adopts rules under paragraph I shall be treated as received on January 1 of the year of departmental rule adoption for purposes of expiration. Credits received by January 1 of the year of departmental rule adoption shall not be traded or shared with other states or manufacturers.

III.(a) The administration of this section by the department shall be funded through the motor vehicle air pollution abatement fund established by RSA 125-S:3.

125-C:23 Penalties. Notwithstanding RSA 125-C:15, the commissioner of the department of environmental services shall:

I. Impose a civil penalty not to exceed \$37,500 on any manufacturer who sells, attempts to sell, or causes to be offered for sale a new motor vehicle that fails to meet the applicable emission standards in RSA 125-C:22.

II. Impose a civil penalty not to exceed \$5,000 per zero-emission vehicle credit on a manufacturer that produces and delivers for sale in New Hampshire fewer ZEVs or ZEVs than required to meet its ZEV credit obligation under rules adopted by the department in a given model year.

III. All funds received from penalties under this section shall be deposited in the motor vehicle air pollution abatement fund established in RSA 125-S:3

3 Inspection Stickers; Fees. Amend RSA 266:2 to read as follows:

266:2 Fees. The fee for inspection stickers shall be [~~\$3-25~~] **\$3.75** for each sticker furnished an approved inspection station. The division shall transfer [~~\$-25~~] **\$.50** of each fee collected under this section to the motor vehicle air pollution abatement fund established by RSA 125-S:3 and [~~\$-25~~] **\$.50** of each fee collected under this section to the general fund. All unused stickers returned by the approved inspection station to the division shall be refundable at the rate of [~~\$3-25~~] **\$3.75** each, except that unused stickers purchased from the division for a fee of \$2.50 shall be refundable at the same rate at which the stickers were purchased.

4 Motor Vehicle Air Pollution Abatement Fund; Funding Source Added. Amend RSA 125-S:4 to read as follows:

125-S:4 Fund Established; Collection. Funding for the motor vehicle air pollution abatement fund shall be from the portion of the motor vehicle inspection fee established by RSA 266:2 **and from penalties collected for sales of motor vehicles failing to meet applicable emission standards and misuse of zero-emission vehicle credits under RSA 125-C:23.**

5 Department of Environmental Services; Positions Established; Appropriation. There is established within the department of environmental services one classified environmentalist III position for the purposes of implementing the requirements of RSA 125-C:22. The sum necessary to pay the salary, benefits, and other costs related to the positions established in this section is hereby appropriated to the department of environmental services for the biennium ending June 30, 2021. This appropriation shall be in addition to any other appropriations made to the department. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated.

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

AMENDED ANALYSIS

This bill requires the adoption of California Low Emission/Zero Emission vehicle standards to protect public health, enable New Hampshire automotive customers to utilize the extended emissions-specific warranty, and to enable New Hampshire automotive dealers to carry Zero Emissions Vehicles in stock. The bill also makes an appropriation to the department of environmental services to fund an additional position. Majority committee amendment adopted.

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

MOTION TO LAY ON THE TABLE

Rep. Burt moved that **HB 1444-FN**, requiring the adoption of innovative vehicle emissions standards pursuant to section 177 of the federal Clean Air Act, be laid on the table.

Rep. Edwards requested a roll call; sufficiently seconded.

YEAS 110 - NAYS 178**YEAS - 110
BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Greene, Bob
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

Barry, Richard
Danielson, David
Gunski, Michael
McLean, Mark
Plett, Fred
Rice, Kimberly
Warden, Mark

Boehm, Ralph
Erf, Keith
Hinch, Richard
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie

Burt, John
Gagne, Larry
Hopper, Gary
Nunez, Hershel
Prout, Andrew
Somero, Paul

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Horn, Werner
Seaworth, Brian

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan
Doucette, Fred
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, Josh

Abramson, Max
Bershtein, Alan
DeSimone, Debra
Harb, Robert
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Sytek, John
Wallace, Scott

Acton, Dennis
Costable, Michael
Dolan, Tom
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

STRAFFORD

Harrington, Michael
Rooney, Abigail

Hayward, Peter
Beaudoin, Steven

Perreault, Mona
Salloway, Jeffrey

Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

**NAYS - 178
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Bouldin, Andrew
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Backus, Robert
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Williams, Kermit

Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Woods, Gary

Buchanan, Ryan
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Shurtleff, Steve
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

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

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

and the motion failed.

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

Rep. Plett spoke against.

Rep. McWilliams spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 179 - NAYS 109

YEAS - 179

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Eaton, Daniel
Ley, Douglas
Tatro, Bruce

Faulkner, Barry
Mann, John
Von Plinsky, Sparky

Fenton, Donovan
Morrill, David
Pearson, William

Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Bouldin, Andrew
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Williams, Kermit

Backus, Robert
Bosman, James
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Van Houten, Constance

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Shurtleff, Steve
Wells, Kenneth

Buchanan, Ryan
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

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

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 109**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
 Camarota, Linda
 Goley, Jeffrey
 Hopper, Gary
 Nunez, Hershel
 Prout, Andrew
 Somero, Paul

Barry, Richard
 Danielson, David
 Greene, Bob
 Lascelles, Richard
 Panasiti, Reed
 Renzullo, Andrew
 Ulery, Jordan

Boehm, Ralph
 Erf, Keith
 Gunski, Michael
 McLean, Mark
 Plett, Fred
 Rice, Kimberly
 Warden, Mark

Burt, John
 Gagne, Larry
 Hinch, Richard
 Notter, Jeanine
 Proulx, Mark
 Sanborn, Laurie

MERRIMACK

Allard, James
 McGuire, Carol
 Yakubovich, Michael

Hill, Gregory
 Seaworth, Brian

Horn, Werner
 Testerman, Dave

Kotowski, Frank
 Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Davis, Dan
 Doucette, Fred
 Osborne, Jason
 Love, David
 Packard, Sherman
 Roy, Terry
 Verville, Kevin
 Yokela, Josh

Abrami, Patrick
 Barnes, Arthur
 Thomas, Douglas
 Edwards, Jess
 Janigian, John
 Pearson, Mark
 Piemonte, Tony
 Pearson, Stephen
 Vose, Michael

Abramson, Max
 Bershtein, Alan
 DeSimone, Debra
 Harb, Robert
 Janvrin, Jason
 McBride, Everett
 Pratt, Kevin
 Sytek, John
 Welch, David

Acton, Dennis
 Costable, Michael
 Dolan, Tom
 Hobson, Deborah
 Khan, Aboul
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Weyler, Kenneth

STRAFFORD
 Harrington, Michael
 Pitre, Joseph
 SULLIVAN
 Aron, Judy
 Rollins, Skip

Hayward, Peter
 Rooney, Abigail
 Callum, John
 Stapleton, Walter

Horgan, James
 Beaudoin, Steven
 Laware, Thomas
 Smith, Steven

Perreault, Mona
 Wuelper, Kurt
 Lucas, Gates

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

(Speaker Shurtleff in the Chair)

HB 1478, repealing the law on preservation and use of renewable generation to provide fuel diversity. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Howard Moffett for the Majority of Science, Technology and Energy. The committee majority felt that this bill was inadvisable because, first, it will expire by its own terms in 2021, and second, regardless of any Federal Energy Regulatory Commission ruling that a particular application of the statute (RSA 362-H) may be pre-empted by federal law, the statute is an important expression of state policy to encourage the preservation and use of renewable energy, including energy from biomass sources. Vote 10-8.

Rep. Michael Harrington for the Minority of Science, Technology and Energy. This bill removes from statute RSA 362-H that was found to be in conflict with the Federal Power Act by the Federal Energy Regulatory Commission.

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

HB 1481, relative to the net metering cap for customer-generators. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. George Saunderson for the Majority of Science, Technology and Energy. The majority of the committee felt that the legislature should not be directly involved in rate setting and that this responsibility should be left in the hands of the Public Utilities Commission (PUC). The rate the bill proposes to set for electricity fed into the electrical distribution system for larger systems is only half of the existing rate that the PUC has found to be fair under current law. The PUC has also determined that with the existing rate, there is no significant evidence of cost shifting to other ratepayers. Vote 12-7.

Rep. Douglas Thomas for the Minority of Science, Technology and Energy. This bill would have guaranteed that a customer-generator greater than one megawatt would use 80 percent of the power generated. They could net meter the surplus 20 percent. Further, the bill would set the price for the surplus energy at avoided cost rates relative to the wholesale market. Essentially, it prevents cost-shifting and requires the Public Utilities Commission to investigate an appropriate new metering tariff.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1481**, relative to the net metering cap for customer-generators, be laid on the table. On a division vote, with 222 members having voted in the affirmative, and 65 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1496-FN, relative to the regional greenhouse gas initiative cap and trade program for controlling carbon dioxide emissions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Mann for the Majority of Science, Technology and Energy. This bill, as amended, rededicates a portion of the Energy Efficiency Fund, derived from New Hampshire's participation in the Regional Greenhouse Gas Initiative (RGGI), to energy efficiency programs by ending the current rebate scheme for residential electricity customers, once utilities have had time to show ratepayers how to deal with this change. Retaining the annual millions formerly distributed as rebates will provide greatly increased support for energy efficiency programs which in turn will keep wealth in our economy that we now expend to import fuel. Energy efficiency reduces heating, cooling, and electricity costs for households that participate in these programs, reduces the production of greenhouse gases, makes buildings more livable and useful, and provides many new long-term job opportunities. Rebates to customers in the commercial and industrial sector will continue without major change. The bill also removes a prohibition against hiring expertise by the Energy Efficiency and Sustainable Energy Board and reinstates an oversight role for the board. Vote 10-8.

Rep. Michael Vose for the Minority of Science, Technology and Energy. Earlier this year the House tabled HB 735, a carbon fuels tax and dividend bill. That bill recognized that a tax on carbon-based fuels would only work if most of the funds so raised were returned as rebates or dividends. This idea has been part of NH energy law since 2012 when the legislature returned \$4 out of every \$5 of the RGGI carbon tax proceeds to ratepayers. This bill seeks to undo that well-established precedent and sound fiscal practice. It would remove \$5 million in residential rebates and use that money to buy an indeterminate amount of energy efficiency improvements. Removing residential rebates while preserving rebates for commercial/industrial customers amounts to a corporate subsidy. This change in current law has been attempted for the past five years without success. The minority believes that this year's attempt deserves the same result.

Majority Amendment (0978h)

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

1 Findings.

I. The general court finds that light-emitting diode (LED) bulbs save enough electric power compared to incandescent bulbs to rapidly earn back the cost of their purchase and, through additional purchases using only previous savings, thereafter easily exceed current rebates. Therefore, and in view of climate concerns, the general court finds it both reasonable and necessary to end the rebate to residential ratepayers of revenue derived from the regional greenhouse gas initiative and invest it all, as originally intended, on effective energy efficiency programs for buildings.

II. According to the Energy Information Administration more than 40 percent of New Hampshire houses are heated by fuel oil.

III. Energy efficiency measures that reduce heat loss in buildings (through air sealing, adding insulation, and other measures tailored for each building) not only lower demand for electricity but also for fuel, lowering heating expense for our families, while directly reducing the burning of fossil fuels which produces greenhouse gases.

IV. Continuing failure to implement a serious energy efficiency program produces an unnecessary and accelerating loss of wealth from the New Hampshire economy, to the benefit only of out-of-state fossil-fuel producers.

2 New Subparagraph; Energy Efficiency and Sustainable Energy Board. Amend RSA 125-O:5-a, I by inserting after subparagraph (j) the following new subparagraph:

(k) Serve as a stakeholder forum that makes recommendations to program administrators and the public utilities commission with respect to the development and implementation of program plans under the energy efficiency resource standard, including providing assistance interpreting and applying state policies with respect to energy efficiency, demand response, and strategic electrification.

3 Energy Efficiency Fund and Use of Auction Proceeds. Amend RSA 125-O:23, II to read as follows:

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

ner to all residential ratepayers, prorated over the 4 months following the effective date of this paragraph, after which the residential rebates shall permanently end. During this 4-month period utility-run energy efficiency programs shall distribute information to all residential ratepayers alerting them of the pending end of the rebate and informing them of how to grow the savings from using one or 2 LED bulbs to fully compensate for the end of the rebate.

4 Energy Efficiency Fund and use of Auction Proceeds. Amend RSA 125-O:23, III(a) to read as follows:

(a) At least 15 percent to the low-income core energy efficiency program. ***Starting as of the effective date of this subparagraph, this program may provide, through coupons or otherwise, one or more 60 or 75 watt-equivalent LED bulbs to each low-income household along with instructions for increasing the savings from the first LED bulbs to more than compensate for the pending end of the rebate.***

5 Energy Consumption Reduction Goal; Reports. Amend RSA 21-I:14-c, III to read as follows:

III. Beginning in calendar year 2016, the commissioner shall submit an annual report to be made available to the public on or before January 15 compiling the annual reports submitted under paragraph II, with findings on the departments' annual progress in complying with the energy consumption reduction goal established in paragraph I and problems which may prevent the departments from achieving this goal, to ***the energy efficiency and sustainable energy board established under RSA 125-O:5-a***, the governor, the senate president, the speaker of the house of representatives, the chair of the senate energy and natural resources committee, and the chair of the house science, technology and energy committee.

6 Energy Efficiency Fund and Use of Auction Proceeds. Amend RSA 125-O:23, I to read as follows:

I. There is hereby established an energy efficiency fund. This nonlapsing, special fund shall be continually appropriated to the commission to be expended in accordance with this section. The state treasurer shall invest the moneys deposited therein, as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All programs supported by these funds shall be subject to audit by the commission as deemed necessary. A portion of the fund moneys shall be used to pay for commission and department costs to administer this subdivision, including contributions for the state's share of the costs of the RGGI regional organization. ~~[No fund moneys shall be used by the commission or the department to contract with outside consultants.]~~ The commission shall transfer from the fund to the department such costs as may be budgeted and expended, or otherwise approved by the fiscal committee of the general court and the governor and council, for the department's cost of administering this subdivision.

7 Repeal. The following are repealed:

I. RSA 125-O:21, III-a, relative to unsold budget allowances in the carbon dioxide emissions budget trading program.

II. 2012, 281:11 through 281:17, relative to the contingent repeal of the carbon dioxide cap and the regional greenhouse gas initiative.

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

AMENDED ANALYSIS

This bill:

I. Requires the energy efficiency and sustainable energy board to provide recommendations to the public utilities commission on the energy efficiency and renewable energy funds.

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

III. Requires that any funds remaining in the energy efficiency fund at a year's end be retained for use in subsequent years, and forbids use of the fund for any but its intended purpose.

IV. Repeals the contingent repeal of the regional greenhouse gas initiative program.

Majority committee amendment adopted.

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

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 180 - NAYS 101

YEAS - 180

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
Ford, Susan
Muscatel, Garrett
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Van Houten, Constance

Bouldin, Andrew
Bordy, William
Connors, Erika
Dutzy, Sherry
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Smith, Timothy
Wilhelm, Matthew

Backus, Robert
Bosman, James
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Tellerski, Laura
Williams, Kermit

Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Shurtleff, Steve
Wells, Kenneth

Buchanan, Ryan
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

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

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 101**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGHAlexander, Joe
Camarota, Linda
Hinch, Richard
Nunez, Hershel
Rice, KimberlyBarry, Richard
Erf, Keith
Lascelles, Richard
Plett, Fred
Somero, PaulBoehm, Ralph
Gagne, Larry
McLean, Mark
Proulx, Mark
Ulery, JordanBurt, John
Greene, Bob
Notter, Jeanine
Prout, Andrew
Warden, Mark**MERRIMACK**Allard, James
McGuire, Carol
Yakubovich, MichaelHill, Gregory
Pearl, HowardHorn, Werner
Testerman, DaveKotowski, Frank
Walsh, Thomas**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Davis, Dan
Edwards, Jess
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Vose, MichaelAbrami, Patrick
Barnes, Arthur
Thomas, Douglas
Harb, Robert
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Sytek, John
Welch, DavidAbramson, Max
Bershtein, Alan
DeSimone, Debra
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Weyler, KennethActon, Dennis
Costable, Michael
Dolan, Tom
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Verville, Kevin
Yokela, Josh**STRAFFORD**Harrington, Michael
Pitre, JosephHayward, Peter
Rooney, AbigailHorgan, James
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt**SULLIVAN**Aron, Judy
Rollins, SkipCallum, John
Stapleton, WalterLaware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1518-FN, relative to the alternative compliance payments for renewable energy obligations not met through the purchase of renewable energy credits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McWilliams for Science, Technology and Energy. This bipartisan bill seeks consistency in alternative compliance payments (ACP) in our Renewable Portfolio Standards program. The amendment sets ACPs based on a base amount of \$55, while doing no harm to eligible facilities currently in classes I and II. The amendment also unifies the escalation rate at 50% of the consumer price index (CPI), as some classes were being raised at 100% of CPI. The committee agreed that these changes were warranted and would benefit the renewable energy program. Vote 13-5.

Amendment (0983h)

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

2 Electric Renewable Portfolio Standards; Electric Renewable Energy Classes. Amend RSA 362-F:4, I (c) to read as follows:

(c) Hydrogen derived from biomass fuels, ***water***, or methane gas.

3 Electric Renewable Portfolio Standards; Renewable Energy Fund. Amend RSA 362-F:10, II-III to read as follows:

II. In lieu of meeting the portfolio requirements of RSA 362-F:3 for a given year if, and to the extent sufficient certificates are not otherwise available at a price below the amounts specified in this paragraph, an electricity provider may, at the time of report submission for that year under RSA 362-F:8, make payment to the commission at the following rates for each megawatt-hour not met for a given class obligation through the acquisition of certificates:

(a) Class I-\$55, except for that portion of the class electric renewable portfolio standards to be met by qualifying renewable energy technologies producing useful thermal energy under RSA 362-F:3 which shall be [~~\$25~~] **\$55** beginning January 1, [~~2013~~] **2020**.

(b) Class II-\$55.

(c) Class III-~~[\$31.50]~~ **\$55 beginning January 1, 2020.**

(d) Class IV-~~[\$26.50]~~ **\$55 beginning January 1, 2020**

III.(a) Beginning in 2013 ***for Class I (except for useful thermal energy under RSA 362-F:3) and Class II, and beginning in 2021 for Class I qualifying renewable energy technologies producing useful thermal energy under RSA 362-F:3, Class III, and Class IV***, the commission shall adjust these rates by January 31 of each year using **1/2 of** the Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor [~~for classes III and IV and 1/2 of such Index for classes I and II~~].

(b) ~~[In lieu of the adjustments under subparagraph (a) for class III in 2015 and 2016, the class rate in each of those years shall be \$45. In lieu of the adjustments under subparagraph (a) for class III in 2017, 2018, and 2019, the class rate in each of those years shall be \$55.~~

(c) ~~By January 31, 2020 the commission shall compute the 2020 class III rate to equal the rate that would have resulted in 2020 by the application of subparagraph (a) to the 2013 rate and each subsequent year's rate to 2020.~~

(d) ~~In 2021 and thereafter, the class III rate shall be determined by application of subparagraph (a) to the prior year's rate]~~ ***The 2019 class rates for all classes are those in effect on December 1, 2019 as posted by the commission.***

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

AMENDED ANALYSIS

This bill sets the alternative compliance payment at \$55 per megawatt hour to the renewable energy fund for electric distribution utility requirements not satisfied by renewable energy credits.

This bill also changes the rate adjustments for certain class obligations.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1676-FN, requiring monitoring of certain radioactive air pollutants. **WITHOUT RECOMMENDATION Statement in support of Ought to Pass:** This bill charges the Department of Health and Human Services (DHHS) with implementing a real-time monitoring system to identify any radiological air emissions within NH's 10 Mile Emergency Planning Zone. Such real-time monitoring would provide enhanced safety for NH residents living near the Seabrook nuclear power plant. This type of real-time monitoring provides immediate and actionable data, which currently is not available using the TLD devices deployed by DHHS. Since these real-time monitors would include measurement of both wind direction and wind speed, they would detect any radioactive material in the air regardless of its source. This would provide enhanced safety in a number of obvious scenarios including radioactive releases from Seabrook, radioactive material blown in from the ocean, accidental release of radioactive medical waste, and in the extreme case, radioactive material released in a terrorist incident. Such real time monitoring has been in place in Massachusetts since the late 1990s, however, NH still does not have this capability. The cost of implementing such real-time monitoring can easily be absorbed by the annual emergency planning budget of approximately \$3 million.

Rep. Peter Somssich

Statement in support of Inexpedient to Legislate: This bill seeks to provide additional monitoring of radioactive discharges. Seabrook Station is its obvious target, and the bill proposes to locate real-time radiation monitors that are not regulated by the Nuclear Regulatory Commission (NRC) further away from the source of radiation than those in place today. That would be like protecting your home from fires by putting your smoke detector on your neighbor's fence a half mile down the road instead of having one on each floor of your house. Seabrook Station's NRC and Federal Emergency Management Agency (FEMA) compliant radiation-monitoring system currently includes 80 on-site monitoring stations as well as off-site monitors within a 20-mile emergency-planning zone. This bill postulates that this existing network of 80 real-time monitoring stations may not be sufficient. It further asserts that real-time data from off-site monitors authorized by this bill, captured continuously, provides better information than the on-site monitors. It would remove the state system that collects cumulative data that tracks what, if any, long-term exposure exists at any given location. Seabrook's off-site monitoring (which exceeds federal regulations) began operation in 1982 (eight years before the plant went online) and in the subsequent 30 years of plant operations, no changes in offsite radiation conditions attributable to the plant have been detected. This monitoring involves direct radiation monitoring, groundwater sampling, milk sampling, food crop and vegetation sampling, and fish and invertebrate sampling. This legislation seeks to establish a program similar to one called C-10 in Massachusetts. In over 20 years of continuous radiation monitoring, C-10 has detected no radiation that has resulted in the NRC issuing even a low-level finding against Seabrook Station. C-10 monitoring has resulted in no changes in programs, policies, or procedures at Seabrook. This bill also suggests that real-time monitors can alert us to a terrorist attack or a hospital radiation accident, but that kind of monitoring would have to be statewide to be effective, making this bill much more expensive. The bill's fiscal note estimates the three-year cost of this expanded network at \$350,000. The bill expects the funds to be added to the yearly \$3.2 million charge to Seabrook for state emergency planning as authorized by RSA 107-B. However, such an additional charge may not be approved for an activity that is already being conducted and deemed appropriate. The bottom line here is that the bill provides no additional safety or protection over what currently exists at Seabrook Station.

Rep. Michael Vose

MOTION TO LAY ON THE TABLE

Rep. Harrington moved that **HB 1676-FN**, requiring monitoring of certain radioactive air pollutants, be laid on the table.

Rep. Somssich requested a roll call; sufficiently seconded.

YEAS 118 - NAYS 163**YEAS - 118
BELKNAP**

Bean, Harry
Huot, David
Spanos, Peter

Comtois, Barbara
Jurius, Deanna
Sylvia, Michael

Fields, Dennis
Lang, Timothy
Tilton, Franklin

Howard, Raymond
Mackie, Jonathan

CARROLL

Avellani, Lino
Marsh, William

Butler, Edward

Comeau, Ed

MacDonald, John

CHESHIRE

Bordenet, John

Faulkner, Barry

O'Day, John

Parkhurst, Henry

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Egan, Timothy

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Gunski, Michael
Notter, Jeanine
Plett, Fred
Sanborn, Laurie
Van Houten, Constance

Barry, Richard
Erf, Keith
Hopper, Gary
Nunez, Hershel
Proulx, Mark
Shaw, Barbara
Warden, Mark

Boehm, Ralph
Gagne, Larry
Lascelles, Richard
Nutter-Upham, Frances
Prout, Andrew
Somero, Paul

Burt, John
Greene, Bob
McLean, Mark
O'Brien, Michael
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Allard, James
McGuire, Carol
Soucy, Timothy

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Horn, Werner
Schamberg, Thomas
Yakubovich, Michael

Kotowski, Frank
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Thomas, Douglas
Harb, Robert
Janvrin, Jason
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Vose, Michael

Abrami, Patrick
Bershtein, Alan
DeSimone, Debra
Hobson, Deborah
Khan, Aboul
McBride, Everett
Pratt, Kevin
Sytek, John
Welch, David

Acton, Dennis
Costable, Michael
Dolan, Tom
Osborne, Jason
Love, David
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Weyler, Kenneth

Baldasaro, Al
Davis, Dan
Edwards, Jess
Janigian, John
Lovejoy, Patricia
Packard, Sherman
Roy, Terry
Verville, Kevin
Yokela, Josh

STRAFFORD

Bixby, Peter
Smith, Marjorie
Beaudoin, Steven

Harrington, Michael
Perreault, Mona
Vincent, Kenneth

Hayward, Peter
Pitre, Joseph
Wuelper, Kurt

Horgan, James
Rooney, Abigail

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

NAYS - 163**CARROLL**

Burroughs, Anita
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Fenton, Donovan
Morrill, David
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Tatro, Bruce

Berch, Paul
Ley, Douglas
Von Plinsky, Sparky

Eaton, Daniel
Mann, John
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Adjutant, Joshua
 Fellows, Sallie
 Mulligan, Mary Jane
 Stringham, Jerry

Almy, Susan
 Ford, Susan
 Muscatel, Garrett
 Smith, Suzanne

Campion, Polly
 Josephson, Timothy
 Osborne, Richard
 Weston, Joyce

Dontonville, Roger
 Maes, Kevin
 Ruprecht, Dennis

HILLSBOROUGH

Bouldin, Amanda
 Bernet, Jennifer
 Cleaver, Skip
 Dargie, Paul
 Freitas, Mary
 Hall, Brett
 Indruk, Greg
 Klee, Patricia
 Long, Patrick
 Mullen, Sue
 Petrigno, Peter
 Query, Joshua
 Newman, Sue
 Stack, Kathryn
 Toomey, Dan

Bouldin, Andrew
 Bordy, William
 Connors, Erika
 Dutzy, Sherry
 Gidge, Kenneth
 Hamer, Heidi
 Schmidt, Janice
 Klein-Knight, Nicole
 Murray, Megan
 Murphy, Nancy
 Pickering, Daniel
 Newman, Ray
 Snow, Kendall
 Stevens, Deb
 Wilhelm, Matthew

Backus, Robert
 Bosman, James
 Cornell, Patricia
 Espitia, Manny
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Jack, Martin
 Langley, Diane
 Mangipudi, Latha
 Nutting-Wong, Allison
 Piedra, Israel
 Radhakrishnan, Julie
 Sofikitis, Catherine
 Smith, Timothy
 Williams, Kermit

Bergeron, Paul
 Bouchard, Donald
 Danielson, David
 Davis, Fred
 Griffith, Willis
 Heath, Mary
 King, Mark
 Leishman, Peter
 Martin, Joelle
 Pedersen, Michael
 Porter, Marjorie
 Riel, Cole
 St. John, Michelle
 Telerski, Laura
 Woodbury, David

MERRIMACK

Bartlett, Christy
 Ebel, Karen
 Karrick, David
 McWilliams, Rebecca
 Rogers, Katherine
 Shurtleff, Steve
 Wells, Kenneth

Buchanan, Ryan
 Ellison, Arthur
 Lane, Connie
 Moffett, Howard
 Saunderson, George
 Testerman, Dave
 Woods, Gary

Carson, Clyde
 Fox, Samantha
 Luneau, David
 Pimentel, Roderick
 Schuett, Dianne
 Wallner, Mary Jane

Doherty, David
 Fulweiler, Joyce
 MacKay, James
 Richards, Beth
 Schultz, Kristina
 Walz, Mary Beth

ROCKINGHAM

Abramson, Max
 DiLorenzo, Charlotte
 Le, Tamara
 McConnell, Liz
 Ward, Gerald

Altschiller, Debra
 Edgar, Michael
 Maggiore, Jim
 Meuse, David

Bushway, Patricia
 Grossman, Gaby
 Malloy, Dennis
 Read, Ellen

Cushing, Robert Renny
 Murray, Kate
 McBeath, Rebecca
 Somssich, Peter

STRAFFORD

Cannon, Gerri
 Frost, Sherry
 Kenney, Cam
 Salloway, Jeffrey
 Wall, Janet

Chase, Wendy
 Grassie, Chuck
 Levesque, Cassandra
 Southworth, Thomas

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

Fargo, Kristina
 Keans, Sandra
 Rich, Cecilia
 Treleaven, Susan

SULLIVAN

Cloutier, John
 Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

and the motion failed.

Rep. Somssich moved Ought to Pass and spoke in favor.

Rep. Vose spoke against and yielded to questions.

Rep. Somssich requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 118

**YEAS - 162
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
 Ticehurst, Susan

Butler, Edward
 Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
 Eaton, Daniel
 Mann, John
 Von Plinsky, Sparky

Ames, Richard
 Fenton, Donovan
 Morrill, David
 Weber, Lucy

Berch, Paul
 Harvey, Cathryn
 Parkhurst, Henry

Bordenet, John
 Ley, Douglas
 Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

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

Campion, Polly
Ford, Susan
Ruprecht, Dennis

Dontonville, Roger
Josephson, Timothy
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan

Bouldin, Andrew
Bordy, William
Connors, Erika
Dutzy, Sherry
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Wilhelm, Matthew

Backus, Robert
Bosman, James
Cornell, Patricia
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Williams, Kermit

Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Wallner, Mary Jane

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Grossman, Gaby
Le, Tamara
Meuse, David

Bushway, Patricia
Grote, Jaci
Malloy, Dennis
Read, Ellen

Cushing, Robert Renny
Harb, Robert
McBeath, Rebecca
Somssich, Peter

Edgar, Michael
Murray, Kate
McConnell, Liz
Ward, Gerald

STRAFFORD

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Wall, Janet

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas

Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John

O'Hearne, Andrew

Sullivan, Brian

Tanner, Linda

NAYS - 118**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward
Sykes, George

Hennessey, Erin

Migliore, Vincent Paul

Muscatel, Garrett

HILLSBOROUGH

Alexander, Joe
 Camarota, Linda
 Gagne, Larry
 Hopper, Gary
 Nunez, Hershel
 Proulx, Mark
 Sanborn, Laurie

Barry, Richard
 Danielson, David
 Goley, Jeffrey
 Lascelles, Richard
 O'Brien, Michael
 Prout, Andrew
 Somero, Paul

Boehm, Ralph
 Erf, Keith
 Greene, Bob
 McLean, Mark
 Panasiti, Reed
 Renzullo, Andrew
 Ulery, Jordan

Burt, John
 Espitia, Manny
 Hinch, Richard
 Notter, Jeanine
 Plett, Fred
 Rice, Kimberly
 Warden, Mark

MERRIMACK

Allard, James
 McGuire, Carol
 Soucy, Timothy

Hill, Gregory
 Pearl, Howard
 Testerman, Dave

Horn, Werner
 Schamberg, Thomas
 Walsh, Thomas

Kotowski, Frank
 Seaworth, Brian
 Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
 Barnes, Arthur
 Thomas, Douglas
 Edwards, Jess
 Janvrin, Jason
 Pearson, Mark
 Packard, Sherman
 Roy, Terry
 Verville, Kevin
 Yokela, Josh

Abrami, Patrick
 Bershtein, Alan
 DeSimone, Debra
 Hobson, Deborah
 Khan, Aboul
 Maggiore, Jim
 Piemonte, Tony
 Pearson, Stephen
 Vose, Michael

Acton, Dennis
 Costable, Michael
 Dolan, Tom
 Osborne, Jason
 Love, David
 McBride, Everett
 Pratt, Kevin
 Sytek, John
 Welch, David

Baldasaro, Al
 Davis, Dan
 Doucette, Fred
 Janigian, John
 Lovejoy, Patricia
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Weyler, Kenneth

STRAFFORD

Bixby, Peter
 Perreault, Mona
 Wuelper, Kurt

Harrington, Michael
 Pitre, Joseph

Hayward, Peter
 Rooney, Abigail

Horgan, James
 Vincent, Kenneth

SULLIVAN

Aron, Judy
 Merchant, Gary

Callum, John
 Rollins, Skip

Laware, Thomas
 Stapleton, Walter

Lucas, Gates
 Smith, Steven

and the motion was adopted and ordered to third reading.

HB 1330, proclaiming an annual observance of a day commemorating caregivers of wounded veterans. **OUGHT TO PASS.**

Rep. Ryan Buchanan for State-Federal Relations and Veterans Affairs. We, as a state, recognized the importance of our wounded and disabled veterans and their caregivers. We believe that these wonderful and dedicated people should have their day of observation. This did not go on consent so we may speak on the floor to honor those that serve and those who have served. Vote 20-0.

Committee report adopted and ordered to third reading.

HB 1493, establishing a committee to study the effects of deportation of primary earners on United States citizen family members. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Latha Mangipudi for the Majority of State-Federal Relations and Veterans Affairs. This study committee will provide the much-needed current data on the economic impact of deportation of primary bread winners on communities in NH. At this time when NH communities are experiencing work force shortage, reduced vibrancy and vitality of communities due to underutilized human potential due to increased deportations. This study would give us a basis to find appropriate solutions to sustain communities economic growth. Vote 11-9. Rep. Al Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority recommends ITL because this study is a waste of time and taxpayer dollars. Per the constitution, the federal government is responsible for all immigration enforcement matters, and custom enforcements (or ICE) comes under federal law. Everyday immigration matters, such as application processing are handled by U.S. citizenship and immigration services, or USCIS. Customs and border protection is also a player, guarding not only the U.S. border but a broad swath of land within it, plus other points of entry such as air and seaports. The study will have no effect on NH and will just lead back to the federal government and constitution.

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

Rep. Baldasaro spoke against.

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

YEAS 172 - NAYS 107

YEAS - 172

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Morrill, David
Weber, Lucy

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry

COOS

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTON

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Weston, Joyce

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

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

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

HILLSBOROUGH

Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Williams, Kermit
MERRIMACK
Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Bouldin, Andrew
Bordy, William
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Toomey, Dan
Woodbury, David

Backus, Robert
Bosman, James
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Van Houten, Constance

Bergeron, Paul
Bouchard, Donald
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Smith, Timothy
Wilhelm, Matthew

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Shurtleff, Steve
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Wall, Janet

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

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 107**BELKNAP**

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGHAlexander, Joe
Camarota, Linda
Greene, Bob
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Ulery, JordanBarry, Richard
Danielson, David
Gunski, Michael
McLean, Mark
Plett, Fred
Rice, Kimberly
Warden, MarkBoehm, Ralph
Erf, Keith
Hinch, Richard
Notter, Jeanine
Proulx, Mark
Sanborn, LaurieBurt, John
Gagne, Larry
Hopper, Gary
Nunez, Hershel
Prout, Andrew
Somero, Paul**MERRIMACK**Allard, James
McGuire, Carol
Walsh, ThomasHill, Gregory
Pearl, HowardHorn, Werner
Seaworth, BrianKotowski, Frank
Testerman, Dave**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Davis, Dan
Doucette, Fred
Osborne, Jason
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Vose, MichaelAbrami, Patrick
Barnes, Arthur
Thomas, Douglas
Edwards, Jess
Janigian, John
McBride, Everett
Pratt, Kevin
Sytek, John
Welch, DavidAbramson, Max
Bershtein, Alan
DeSimone, Debra
Harb, Robert
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Weyler, KennethActon, Dennis
Costable, Michael
Dolan, Tom
Hobson, Deborah
Love, David
Packard, Sherman
Roy, Terry
Verville, Kevin
Yokela, Josh**STRAFFORD**Harrington, Michael
Pitre, JosephHayward, Peter
Rooney, AbigailHorgan, James
Beaudoin, StevenPerreault, Mona
Wuelper, Kurt**SULLIVAN**Aron, Judy
Rollins, SkipCallum, John
Stapleton, WalterLaware, Thomas
Smith, Steven

Lucas, Gates

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

HCR 9, rescinding all requests by the New Hampshire legislature for a federal constitutional convention.
MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.

Rep. Anne Warner for the Majority of State-Federal Relations and Veterans Affairs. This resolution rescinds any active requests for Article V conventions. The amendment simplifies the resolution, paring it down to a clear statement of purpose. It also adds the date of 01/01/2020 so that it will not affect any such requests initiated after that date. Vote 18-2.

Rep. Richard Lascelles for the Minority of State-Federal Relations and Veterans Affairs. The U.S. constitution is a marvelous document that provides for states to bring proposals for amendments when the congress is unwilling to bring this provision is Article V. To rescind all requests at this time would send the wrong message that deficit spending is tolerated and encouraged.

Majority Amendment (0853h)

Amend the resolution by replacing all after the title with the following:

Whereas, the New Hampshire legislature, acting with the best of intentions, has, at various times and during various sessions, previously made applications to the United States Congress to call one or more conventions to propose amendments concerning specific subjects to the United States Constitution, pursuant to Article V thereof; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That any and all requests by the New Hampshire legislature prior to January 1, 2020, for an Article V constitutional convention are hereby rescinded and deemed null and void; and

That copies of this resolution be forwarded by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, each member of the New Hampshire congressional delegation, and the Administrator of the United States General Services Administration.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HCR 9**, rescinding all requests by the New Hampshire legislature for a federal constitutional convention, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HCR 10, urging Congress to grant states broader authority to set higher environmental standards than those established in federal law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Joshua Adjutant for the Majority of State-Federal Relations and Veterans Affairs. In September of 2011, the federal government revoked the ability of a state to set higher admission standards than the federal standards. The majority of this committee is not concerned which administration this may be aimed at. New Hampshire has several environmental issues facing us and the majority believes the state should choose whether or not we surpass the minimum federal standards. Vote 11-9.

Rep. Al Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority believes that shifting regulatory power to the states won't improve the environment. Per the conversation article: "Many U.S. environmental laws include roles for states and the federal government to work cooperatively to achieve shared objectives." Often, this involves the federal government setting strict goals, with states taking the lead on implementation and enforcement. This careful balance of federal and state power has been implemented by Republican and Democratic administrations alike. In recent years, scholars have expanded on Justice Brandeis' famous "laboratories of democracy" model of federalism with the notion of "democratic experimentation." Brandeis' core insight, updated for contemporary society, is that decentralization lets state and local governments experiment with different policies to generate information about what works and what doesn't. Other states and the national government can use those insights to generate better policy outcomes. This resolution does not work for NH because we are already working with the federal government and we have raised standards above federal regulations.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HCR 10**, urging Congress to grant states broader authority to set higher environmental standards than those established in federal law, be laid on the table.

On a division vote, with 237 members having voted in the affirmative, and 43 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HJR 4, urging Congress to enact legislation or propose a constitutional amendment to grant statehood to the District of Columbia. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ryan Buchanan for the Majority of State-Federal Relations and Veterans Affairs. We believe that the citizens of Washington DC, also known as the District of Columbia, should enjoy the same rights as all other citizens of the United States. As of now, none of our fellow Americans in DC enjoy the rights that their fellow Americans with representation in Congress have with an equal vote. They cannot set their own laws without the threat of Congress overriding those laws, or changing their budgets. The majority believes we should stand up for our brothers and sisters in DC. Vote 11-9.

Rep. Al Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority of the committee believes HJR4 does not acknowledge the U.S. Constitution, article 1, section 8, clause 17 regarding the establishment of a permanent federal seat of government. DC maintains a neutral geographic area for all three branches of federal government; however, the U.S. Congress retains control over the district's revenue and expenditures. This is not the first time we have seen this resolution and we are sure it won't be the last. We expressed support in their determination to become a state but Congress has a bill (HR 51) that has been filed in 2019 and it still sits on someone's desk. This bill would admit Washington, DC, minus the federal properties, into the union as the 51st state.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HJR 4**, urging Congress to enact legislation or propose a constitutional amendment to grant statehood to the District of Columbia, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HR 10, urging the return of armed service members from the Middle East. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Al Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. The majority believes that HR10 needs a lot of work. Many veterans support bringing our warriors back home but are willing to let our Department of Defense and Pentagon work with the intelligence on the ground to identify the right time to depart from the theater of operations. We should not be trying to second guess, or be a Monday morning quarterback, when we do not have the intelligence on the ground. The president has made it very clear; he wants to bring our military personnel home but not broadcast a timeline. Vote 17-3.

Rep. Joshua Adjutant for the Minority of State-Federal Relations and Veterans Affairs. For the last 18 years, the United States has been involved in numerous lasting conflicts all over the Middle East. Recently, Americans were shocked to see with all the bloodshed in Afghanistan, that the United States was making peace talks for control with the Taliban.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HR 10**, urging the return of armed service members from the Middle East, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1114, relative to state motor vehicle inspections. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael O'Brien for the Majority of Transportation. This bill would have eliminated the current state annual inspection program for motor vehicles. The majority of the committee felt that the current annual inspection ensures the operational safety of the vehicle, making the roads safe for us all. This bill would not have eliminated the annual on-board diagnostics requirements; therefore, it is prudent to keep annual inspections along with emission standards and vehicle safety standards. Vote 18-2.

Rep. Peter Torosian for the Minority of Transportation. The link between inspections and highway safety is tenuous at best. Right now, 34 states don't have safety inspections, including states like Minnesota, Wisconsin, and Washington that have similarly difficult winters, and similar or better highway safety data as New Hampshire. A federal highway study on 2.1 million crashes found component failure accounted for only about 2 percent of crashes. Inspections capture only a moment in time and they offer a degree of comfort about a vehicle's safety, but there is no way to be sure 12 or even 16 months later that a vehicle is safe or roadworthy. Further, countless vehicles from states without inspections travel New Hampshire roads on a daily basis without any problems or any concerns from state highway or law enforcement officials.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1114**, relative to state motor vehicle inspections, be laid on the table.

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

On a division vote, with 226 members having voted in the affirmative, and 43 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1153, relative to limited driving privilege after operating under the influence revocation or suspension. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for Transportation. The majority of the committee voted to recommend this bill Inexpedient to Legislate because it mirrored a similar bill, HB 1465. The committee felt HB 1465 was a better vehicle to meet the expectations of the bill's author. Vote 16-4.

Committee report adopted.

HB 1401, prohibiting smoking and e-cigarettes in motor vehicles when a passenger is under 16 years of age. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Pickering for the Majority of Transportation. This bill, as amended, shall prohibit any person from smoking tobacco products or e-cigarettes in a motor vehicle at any time when a child under the age of 16 is in the vehicle. The fine for violation shall be \$100, provided that a police officer has detained the driver of the vehicle for a suspected violation of another provision of Title XXI. The committee took into account statistics from the Environmental Protection Agency regarding secondhand smoke and its link to many diseases and illnesses affecting children such as cancer, asthma, and brain tumors. Vote 10-9.

Rep. Thomas Walsh for the Minority of Transportation. The minority agrees that smoking in a vehicle is irresponsible. However, this bill, if passed, is simply unenforceable. Does that cigarette actually contain tobacco? How old is the child in the vehicle? They rarely have an identification card. The committee amendment changes the enforcement to a secondary action, but the underlying questions remain.

Majority Amendment (0379h)

Amend RSA 265:107:-b, II as inserted by section 1 of the bill by replacing it with the following:

II. The fine for a violation of this section shall be \$100, provided that a police officer may enforce the provisions of this section only as a secondary action when the police officer detains a driver of a motor vehicle for a suspected violation of another provision of Title XXI.

Majority committee amendment adopted.

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

Rep. Steven Smith spoke against.

Reps. Sykes and Pickering spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 174 - NAYS 109**YEAS - 174
BELKNAP**

Huot, David

Burroughs, Anita
Marsh, WilliamAbbott, Michael
Eaton, Daniel
Ley, Douglas
Tatro, BruceHatch, William
Tucker, EdithAdjutant, Joshua
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Weston, JoyceBouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Van Houten, ConstanceBartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Shurtleff, Steve
Wells, KennethAltschiller, Debra
Edgar, Michael
Khan, Aboul
Malloy, Dennis
Read, EllenBixby, Peter
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, SusanCloutier, John
Tanner, LindaButler, Edward
Ticehurst, SusanAmes, Richard
Faulkner, Barry
Mann, John
Von Plinsky, Sparky

Laflamme, Larry

Almy, Susan
Fellows, Sallie
Maes, Kevin
Stringham, JerryBouldin, Andrew
Bordy, William
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Heath, Mary
Jack, Martin
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Smith, Timothy
Wilhelm, MatthewBuchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Woods, GaryBarnes, Arthur
Grossman, Gaby
Le, Tamara
McConnell, Liz
Somssich, PeterCannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Merchant, Gary

CARROLLDesMarais, Edith
Woodcock, Stephen**CHESHIRE**Berch, Paul
Fenton, Donovan
Morrill, David
Pearson, William**COOS**

Moynihan, Wayne

GRAFTONCampion, Polly
Ford, Susan
Mulligan, Mary Jane
Smith, Suzanne**HILLSBOROUGH**Backus, Robert
Bosman, James
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Telerski, Laura
Williams, Kermit**MERRIMACK**Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane**ROCKINGHAM**Bushway, Patricia
Grote, Jaci
Lovejoy, Patricia
Meuse, David
Ward, Gerald**STRAFFORD**Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas
Wall, Janet**SULLIVAN**

O'Hearne, Andrew

Knirk, Jerry

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

Noel, Henry

Dontonville, Roger
Gordon, Edward
Muscatel, Garrett
Sykes, GeorgeBergeron, Paul
Bouchard, Donald
Danielson, David
Espitia, Manny
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Murray, Megan
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, DanDoherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary BethCushing, Robert Renny
Murray, Kate
Maggiore, Jim
Pratt, KevinFargo, Kristina
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Sullivan, Brian

NAYS - 109**BELKNAP**

Bean, Harry
Jurius, Deanna
Tilton, Franklin

Comtois, Barbara
Lang, Timothy

Fields, Dennis
Mackie, Jonathan

Howard, Raymond
Sylvia, Michael

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Hennessey, Erin

Migliore, Vincent Paul

Ruprecht, Dennis

HILLSBOROUGH

Alexander, Joe
Camarota, Linda
Greene, Bob
Hopper, Gary
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Ulery, Jordan

Barry, Richard
Erf, Keith
Gunski, Michael
Langley, Diane
Nunez, Hershel
Proulx, Mark
Sanborn, Laurie
Warden, Mark

Boehm, Ralph
Gagne, Larry
Hall, Brett
Lascelles, Richard
O'Brien, Michael
Prout, Andrew
Shaw, Barbara

Burt, John
Goley, Jeffrey
Hinch, Richard
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Somero, Paul

MERRIMACK

Allard, James
McGuire, Carol
Testerman, Dave

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Horn, Werner
Schamberg, Thomas
Yakubovich, Michael

Kotowski, Frank
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Thomas, Douglas
Edwards, Jess
Janigian, John
McBride, Everett
Prudhomme-O'Brien, Katherine
Torosian, Peter
Weyler, Kenneth

Abrami, Patrick
Bershtein, Alan
DeSimone, Debra
Harb, Robert
Janvrin, Jason
Melvin, Charles
Roy, Terry
Verville, Kevin
Yokela, Josh

Abramson, Max
Costable, Michael
DiLorenzo, Charlotte
Hobson, Deborah
Love, David
Packard, Sherman
Pearson, Stephen
Vose, Michael

Acton, Dennis
Davis, Dan
Doucette, Fred
Osborne, Jason
Pearson, Mark
Piemonte, Tony
Sytek, John
Welch, David

STRAFFORD

Chase, Wendy
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 1463, relative to the operation of a mixed use school bus. **INEXPEDIENT TO LEGISLATE.**

Rep. Nicole Klein-Knight for Transportation. This bill would allow non-certified bus drivers to transport children. The Department of Safety (DOS) opposes the bill as there would be no way to ensure or enforce any safety measures on non-certified drivers. This would put children at risk and compromise their safety. Similar bills have attempted this in the past and have been opposed by NH school superintendents for the exact safety concerns that the DOS raised. The committee agrees with New Hampshire school superintendents and DOS. Vote 10-9.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1463**, relative to the operation of a mixed use school bus, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 1489, allowing registered nurses to certify walking disability plate eligibility. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. This bill would have allowed registered nurses to sign off on walking disability placards. The form from the Division of Motor Vehicles requires them to attest to certain patient diagnoses under penalty of law. There were many questions regarding their ability to legally do that. Vote 13-6.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1489**, allowing registered nurses to certify walking disability plate eligibility, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1502, relative to equipment required for vehicle inspections. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Skip Cleaver for the Majority of Transportation. This bill seeks to ensure that a state inspection cannot be failed because of faulty equipment on the vehicle if such equipment is not required or is added on after sale; for example, extra fog lights. Required equipment for inspection is very clearly delineated in existing law, therefore this bill is superfluous and unnecessary. Vote 15-5.

Rep. Charlie St. Clair for the Minority of Transportation. While RSA 266 informs inspection stations on what working equipment is required to pass inspection, some stations may not follow the law. This bill gives added protection to the consumer. Rather than having the car owner go from station to station, this bill will help clear up any misunderstanding about added on equipment, put on by the car's owner. If such equipment is not in working order, such as a fog light, it shall not have a bearing on the pass or fail of an inspection.

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

Majority committee report adopted.

HB 1547, eliminating fees for walking disability placards. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Nicole Klein-Knight for the Majority of Transportation. Charging disabled people for their disability placard violates the current federal law under the Americans with Disabilities Act (ADA). This bill will update the old state law that is in conflict with the ADA and bring the state law in conformance with the federal law and current Division of Motor Vehicles practice. Vote 16-3.

Rep. Chris True for the Minority of Transportation. In 2016, the governor signed into law SB 471 which set the \$5 application fee for disability placards. Notwithstanding the fact the bill passed the General Court and was signed by the governor, the Division of Motor Vehicles stated they do not charge the fee due to a letter from the New Hampshire Disability Council, stating the fee is against the Americans with Disabilities Act. The committee was not given a copy of the letter. New Hampshire is a state with a history of pay a fee for service. The minority does not agree the \$5 fee to cover the cost of printing and mailing is against the Americans with Disabilities Act.

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

Majority committee report adopted and ordered to third reading.

HB 1552-FN, requiring learner's permits for certain persons seeking drivers' licenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for the Majority of Transportation. This bill, as amended, will require a learner's permit as part of a 15 ½ to 18-year-old's entry point for driving. This bill will move the written exam from the back side of the process to the first requirement before the new operator goes on the road. This will demonstrate the new operator's knowledge of the rules of the road prior to any driving. The majority of the committee believes this bill assists the Division of Motor Vehicles to improve the graduated license program. Vote 11-9.

Rep. Steven Smith for the Minority of Transportation. The stated goal was to ensure that once eligible to practice driving at 15 1/2 years old, a knowledge test of rules of the road be taken. Unfortunately, instead of using the same model as off-highway recreational vehicle and boating safety certificates, a new Division of Motor Vehicles card is created. This costs \$65,000. Further, the bill neglects to include the new card in the statutes requiring that they be kept accurate and up-to-date. The minority believes this is too flawed and expensive to implement.

Majority Amendment (0875h)

Amend RSA 263:22-a as inserted by section 3 of the bill by replacing it with the following:

263:22-a Learner's Permit Required. Any person who intends to drive a motor vehicle in this state pursuant to RSA 263:25 shall first obtain a learner's permit issued by the director. The director shall issue a learner's permit to any applicant who is at least 15-1/2 years of age and who satisfactorily passes the driving knowledge exam prescribed by the director pursuant to RSA 263:6. The fee for a learner's permit shall be \$5. Permits issued pursuant to this section shall be valid for one year from the date of issuance. No applicant for a learner's permit shall be required to pass any road skill portion of any examination prescribed by the director for regular driver's licenses. The director shall adopt rules pursuant to RSA 541-A implementing the requirements of this section.

Amend the bill by replacing section 5 with the following:

5 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.

Rep. Warden requested a roll call; sufficiently seconded.

YEAS 167 - NAYS 114**YEAS - 167
BELKNAP**

Huot, David

CARROLLBurroughs, Anita
Ticehurst, SusanButler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIREAbbott, Michael
Eaton, Daniel
Ley, Douglas
Von Plinsky, SparkyAmes, Richard
Faulkner, Barry
Mann, John
Pearson, WilliamBerch, Paul
Fenton, Donovan
Parkhurst, Henry
Weber, LucyBordenet, John
Harvey, Cathryn
Tatro, Bruce**COOS**

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTONAdjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Weston, JoyceAlmy, Susan
Fellows, Sallie
Mulligan, Mary Jane
Stringham, JerryCampion, Polly
Ford, Susan
Muscatel, Garrett
Smith, SuzanneDontonville, Roger
Josephson, Timothy
Osborne, Richard
Sykes, George**HILLSBOROUGH**Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Davis, Fred
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Williams, KermitBouldin, Andrew
Bordy, William
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Woodbury, DavidBackus, Robert
Bosman, James
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Indruk, Greg
Klee, Patricia
Long, Patrick
Mullen, Sue
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Van Houten, ConstanceBergeron, Paul
Bouchard, Donald
Danielson, David
Espitia, Manny
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Wilhelm, Matthew**MERRIMACK**Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary BethBuchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Shurtleff, Steve
Wells, KennethCarson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Woods, GaryDoherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane**ROCKINGHAM**Altschiller, Debra
Edgar, Michael
Lovejoy, Patricia
McConnell, Liz
Ward, GeraldBushway, Patricia
Grossman, Gaby
Maggiore, Jim
Meuse, DavidCushing, Robert Renny
Murray, Kate
Malloy, Dennis
Read, EllenDiLorenzo, Charlotte
Le, Tamara
McBeath, Rebecca
Somssich, Peter**STRAFFORD**Bixby, Peter
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, JanetCannon, Gerri
Horrigan, Timothy
Schmidt, Peter
Towne, MatthewChase, Wendy
Keans, Sandra
Rich, Cecilia
Treleven, SusanFargo, Kristina
Kenney, Cam
Salloway, Jeffrey
Vincent, Kenneth**SULLIVAN**Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 114**BELKNAP**

Bean, Harry
 Jurius, Deanna
 Tilton, Franklin

Comtois, Barbara
 Lang, Timothy

Fields, Dennis
 Mackie, Jonathan

Howard, Raymond
 Sylvia, Michael

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Morrill, David

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Alexander, Joe
 Camarota, Linda
 Griffith, Willis
 Hinch, Richard
 Notter, Jeanine
 Plett, Fred
 Rice, Kimberly
 Toomey, Dan

Barry, Richard
 Erf, Keith
 Gunski, Michael
 Hopper, Gary
 Nunez, Hershel
 Proulx, Mark
 Sanborn, Laurie
 Ulery, Jordan

Boehm, Ralph
 Gagne, Larry
 Hall, Brett
 Lascelles, Richard
 Nutting-Wong, Allison
 Prout, Andrew
 Somero, Paul
 Warden, Mark

Burt, John
 Greene, Bob
 Harriott-Gathright, Linda
 McLean, Mark
 Panasiti, Reed
 Renzullo, Andrew
 Smith, Timothy

MERRIMACK

Allard, James
 McGuire, Carol
 Walsh, Thomas

Hill, Gregory
 Pearl, Howard
 Yakubovich, Michael

Horn, Werner
 Seaworth, Brian

Kotowski, Frank
 Testerman, Dave

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Thomas, Douglas
 Grote, Jaci
 Janigian, John
 Pearson, Mark
 Piemonte, Tony
 Pearson, Stephen
 Vose, Michael

Abrami, Patrick
 Barnes, Arthur
 DeSimone, Debra
 Harb, Robert
 Janvrin, Jason
 McBride, Everett
 Pratt, Kevin
 Sytek, John
 Welch, David

Abramson, Max
 Bershtein, Alan
 Doucette, Fred
 Hobson, Deborah
 Khan, Aboul
 Melvin, Charles
 Prudhomme-O'Brien, Katherine
 Torosian, Peter
 Weyler, Kenneth

Acton, Dennis
 Costable, Michael
 Edwards, Jess
 Osborne, Jason
 Love, David
 Packard, Sherman
 Roy, Terry
 Verville, Kevin
 Yokela, Josh

STRAFFORD

Frost, Sherry
 Perreault, Mona
 Wuelper, Kurt

Hayward, Peter
 Pitre, Joseph

Horgan, James
 Rooney, Abigail

Levesque, Cassandra
 Beaudoin, Steven

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

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

HB 1617-FN, clarifying the prohibition against the use of mobile electronic devices while driving. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for the Majority of Transportation. This bill, as amended, will increase the fines for the use of mobile electronic devices while driving. These include \$100 plus penalty assessment for a first offense (no change from current law) and \$300 plus penalty assessment for a second offense, up from \$250 plus penalty assessment. It also eliminates the \$500 fine plus penalty assessment to be replaced by a 30-day suspension of a person's license for any third or subsequent offense. This bill also cleans up current law where the use of mobile electronic devices while driving were mentioned in two separate statutes to one, RSA 265:79-c, making consistency of law and enforcement by eliminating confusion. Vote 10-9.

Rep. Steven Smith for the Minority of Transportation. This bill, as amended, increases the fine for second offenses and removes the fine for third offenses. In lieu of the fine, a mandatory 30-day license suspension is created. The committee previously heard HB 1506, establishing a commission to study this topic. The committee also learned that this chapter of law, "Serious Traffic Offenses" contains no provision for points to be assigned. That would be a better problem to solve and would make this bill unnecessary.

Majority Amendment (0890h)

Amend RSA 265:79-c, III as inserted by section 2 of the bill by replacing it with the following:

III. Any person who violates this section shall be guilty of a violation and shall be fined \$100 plus penalty assessment for a first offense, [~~\$250 plus penalty assessment~~] **and \$300 plus penalty assessment** for a second offense[, and \$500 plus penalty assessment for any subsequent offense within a 24-month period]. ***The director shall suspend a person's license to drive for 30 days for any third or subsequent offense.***

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect 90 days after its passage.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1622-FN-L, relative to the use of passenger restraints in motor vehicles. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Skip Cleaver for the Majority of Transportation. Seat belts save lives. This bill was written and promoted in conjunction with the Department of Safety, a priority for them. New Hampshire has been the only state in the USA not to have a seat belt law for adults. New Hampshire, therefore, has the lowest seat belt usage in the nation, 67%. This bill was amended to make it a secondary offense, but even so, it will serve to educate the public and increase seat belt usage statewide. This bill will save scores of lives and prevent significant numbers of serious injuries. Vote 10-9.

Rep. Steven Smith for the Minority of Transportation: This bill repeals RSA 265:107-a (Child Passenger Restraints Required) and replaces it with mandatory belt usage for all drivers and passengers of vehicles with a gross domestic vehicle weight of 8,000 pounds or less. Unfortunately, the committee amendment, which replaces the entire bill, confuses this weight exemption with an existing exemption for school buses. Today, if your 9-year-old rides in your camper or 15 passenger van, they must wear a seat belt. If this bill becomes law, they do not. This is too important and major a policy change to pass with glaring flaws.

Majority Amendment (0532h)

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

1 Motor Vehicles; Original and Youth Operators' Licenses. Amend RSA 263:14, IV to read as follows:

IV. A driver who is under 18 years of age shall not be subject to license suspension for a first violation of RSA 265:107-a, [I-a] **I.**

2 Rules of the Road; Passenger Restraints Required. RSA 265:107-a is repealed and reenacted to read as follows:

265:107-a Passenger Restraints Required.

I. Any person operating a motor vehicle with a gross domestic vehicle weight of 8,000 pounds or less on a public way, and any passenger therein, shall wear a properly fastened safety belt that meets all applicable federal standards unless exempted in this section.

II. No person shall drive any motor vehicle on any way while carrying as a passenger a person less than 8 years of age unless such passenger is properly fastened and secured by a child restraint system which is in accordance with the safety standards approved by the United States Department of Transportation in 49 C.F.R. section 517.213. If the passenger is 56 inches or more in height, the provisions of this paragraph shall not apply.

III. A person shall not be guilty of a violation of this section if the motor vehicle the person is driving is a motorcycle as defined in RSA 259:63, is being operated in a parade authorized by law or ordinance, provided that the parade vehicle is traveling at a speed of no more than 15 miles per hour, or is a vehicle that makes frequent stops, such as a United States Postal Service carrier or delivery carrier.

IV. A person shall not be guilty of a violation of this section if the person is a passenger in a motor vehicle for hire, such as a taxi or livery, that is regularly used for such purpose, is a passenger of an authorized emergency vehicle, or is a person with a mental or physical handicap which prevents the use of approved restraints, provided that such restriction is certified by a licensed physician or nurse practitioner.

V. Any driver who violates the provisions of this section shall be guilty of a violation and shall be subject to the following fines:

(a) \$50 per offense.

(b) \$25 per offense for each passenger not properly restrained in accordance with this section.

VI. The provisions of this section shall be enforceable only as a secondary offense when the police officer detains the driver for a suspected violation of another provision of Title XXI. A conviction for violating the provisions of this section shall not preclude any other offense for which violation of this section might constitute an element.

3 New Section; Equipment of Vehicles; Inspections; Passenger Restraints. Amend RSA 266 by inserting after section 3-a the following new section:

266:3-b Passenger Restraints.

I. Any motor vehicle with a gross vehicle weight of 8,000 pounds or less operating on a public way shall be equipped with passenger restraints and shall be able to accommodate child safety restraint systems meeting all federal motor vehicle safety standards unless such vehicle was manufactured prior to January 1, 1968.

II. The director shall establish a procedure for the examination of passenger restraints on motor vehicles during the inspection required pursuant to RSA 266:1. The procedure shall confirm that passenger restraints meeting applicable federal motor vehicle safety standards are properly installed for the driver and each passenger of the vehicle being inspected.

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

MOTION TO LAY ON THE TABLE

Rep. Horn moved that **HB 1622-FN-L**, relative to the use of passenger restraints in motor vehicles, be laid on the table.

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

On a division vote, with 133 members having voted in the affirmative, and 148 in the negative, the motion failed.

The question now being adoption of majority committee amendment (0532h).

Majority committee amendment adopted.

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

Rep. Sykes offered floor amendment (1130h).

Floor Amendment (1130h)

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

1 Motor Vehicles; Original and Youth Operators' Licenses. Amend RSA 263:14, IV to read as follows:

IV. A driver who is under 18 years of age shall not be subject to license suspension for a first violation of RSA 265:107-a, [I-a] **I**.

2 Rules of the Road; Passenger Restraints Required. RSA 265:107-a is repealed and reenacted to read as follows:
265:107-a Passenger Restraints Required.

I. Any person operating a motor vehicle on a public way, and any passenger therein, shall wear a properly fastened safety belt that meets all applicable federal standards unless exempted in this section.

II. No person shall drive any motor vehicle on any way while carrying as a passenger a person less than 8 years of age unless such passenger is properly fastened and secured by a child restraint system which is in accordance with the safety standards approved by the United States Department of Transportation in 49 C.F.R. section 517.213. If the passenger is 57 inches or more in height, the provisions of this paragraph shall not apply.

III. A person shall not be guilty of a violation of this section if the motor vehicle the person is driving is a motorcycle as defined in RSA 259:63, is being operated in a parade authorized by law or ordinance, provided that the parade vehicle is traveling at a speed of no more than 15 miles per hour, or is a vehicle that makes frequent stops, such as a United States Postal Service carrier or delivery carrier.

IV. A person shall not be guilty of a violation of this section if the person is a passenger in a motor vehicle for hire, such as a taxi or livery, that is regularly used for such purpose, is a passenger of an authorized emergency vehicle, or is a person with a mental or physical handicap which prevents the use of approved restraints, provided that such restriction is certified by a licensed physician or nurse practitioner.

V. Any driver who violates the provisions of this section shall be guilty of a violation and shall be subject to the following fines:

(a) \$50 per offense.

(b) \$25 per offense for each passenger not properly restrained in accordance with this section.

VI. The provisions of this section shall be enforceable only as a secondary offense when the police officer detains the driver for a suspected violation of another provision of Title XXI. A conviction for violating the provisions of this section shall not preclude any other offense for which violation of this section might constitute an element.

3 New Section; Equipment of Vehicles; Inspections; Passenger Restraints. Amend RSA 266 by inserting after section 3-a the following new section:

266:3-b Passenger Restraints.

I. Any motor vehicle operating on a public way shall be equipped with passenger restraints and shall be able to accommodate child safety restraint systems meeting all federal motor vehicle safety standards unless such vehicle was manufactured prior to January 1, 1968.

II. The director shall establish a procedure for the examination of passenger restraints on motor vehicles during the inspection required pursuant to RSA 266:1. The procedure shall confirm that passenger restraints meeting applicable federal motor vehicle safety standards are properly installed for the driver and each passenger of the vehicle being inspected.

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

Rep. Sykes spoke in favor.

Floor amendment (1130h) adopted.

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

YEAS 171 - NAYS 114**YEAS - 171****BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Marsh, William

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Fenton, Donovan
Morrill, David
Pearson, William

Berch, Paul
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy

Bordenet, John
Ley, Douglas
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Weston, Joyce

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

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

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

HILLSBOROUGH

Bouldin, Amanda
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Freitas, Mary
Heath, Mary
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
St. John, Michelle
Telerski, Laura
Williams, Kermit

Bouldin, Andrew
Bordy, William
Connors, Erika
Desjardin, Kathy
Griffith, Willis
Herbert, Christopher
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stack, Kathryn
Toomey, Dan
Woodbury, David

Backus, Robert
Bosman, James
Cornell, Patricia
Espitia, Manny
Hall, Brett
Indruk, Greg
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Bergeron, Paul
Bouchard, Donald
Danielson, David
Davis, Fred
Hamer, Heidi
Schmidt, Janice
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Shurtleff, Steve
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Cushing, Robert Renny
Grote, Jaci
Maggiore, Jim
Meuse, David

DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Keans, Sandra
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey
Wall, Janet

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

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

SULLIVANCloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 114**BELKNAP**Bean, Harry
Jurius, Deanna
Tilton, FranklinComtois, Barbara
Lang, TimothyFields, Dennis
Mackie, JonathanHoward, Raymond
Sylvia, Michael**CARROLL**

Avellani, Lino

Comeau, Ed

MacDonald, John

CHESHIRE

Eaton, Daniel

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGHAlexander, Joe
Camarota, Linda
Goley, Jeffrey
Hinch, Richard
Lascelles, Richard
Panasiti, Reed
Renzullo, Andrew
Shaw, BarbaraBarry, Richard
Dutzy, Sherry
Greene, Bob
Hopper, Gary
McLean, Mark
Plett, Fred
Rice, Kimberly
Somero, PaulBoehm, Ralph
Erf, Keith
Gunski, Michael
Jack, Martin
Notter, Jeanine
Proulx, Mark
Riel, Cole
Ulery, JordanBurt, John
Gagne, Larry
Harriott-Gathright, Linda
King, Mark
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Warden, Mark**MERRIMACK**Allard, James
McGuire, Carol
Walsh, ThomasHill, Gregory
Pearl, Howard
Yakubovich, MichaelHorn, Werner
Seaworth, BrianKotowski, Frank
Testerman, Dave**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Davis, Dan
Edwards, Jess
Janigian, John
Pearson, Mark
Piemonte, Tony
Pearson, Stephen
Vose, MichaelAbrami, Patrick
Barnes, Arthur
Thomas, Douglas
Harb, Robert
Janvrin, Jason
McBride, Everett
Pratt, Kevin
Sytek, John
Welch, DavidAbramson, Max
Bershtein, Alan
DeSimone, Debra
Hobson, Deborah
Khan, Aboul
Melvin, Charles
Prudhomme-O'Brien, Katherine
Torosian, Peter
Weyler, KennethActon, Dennis
Costable, Michael
Doucette, Fred
Osborne, Jason
Love, David
Packard, Sherman
Roy, Terry
Verville, Kevin
Yokela, Josh**STRAFFORD**Hayward, Peter
Pitre, Joseph
Wuelper, KurtHorgan, James
Rooney, AbigailKenney, Cam
Beaudoin, StevenPerreault, Mona
Vincent, Kenneth**SULLIVAN**Aron, Judy
Rollins, SkipCallum, John
Stapleton, WalterLaware, Thomas
Smith, Steven

Lucas, Gates

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

CACR 17, relating to taxation. Providing that a new state broad-based tax may be enacted only to reduce property taxes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dennis Malloy for the Majority of Ways and Means. This constitutional amendment proposes to establish a broad-based tax that can only be used to lower property taxes. The Ways and Means committee recommends Inexpedient to Legislate because the amendment does not explain to voters which broad-based taxes would be affected. It's also not certain if this CACR would restrict future legislatures, or whether property taxes would actually go down. Letting voters decide on whether to accept a broad-based tax that would lower property taxes has merit, and since property taxes have risen by nearly 25% over 10 years, this bill's sponsor felt it was time to look at other revenue streams. Vote 17-3.

Rep. Thomas Schamberg for the Minority of Ways and Means. The minority of the committee believes that this amendment provides an incentive to voters to express to both ends of the political spectrum their view

for reducing the mandated Statewide Education Property Tax and county taxes. By adding Article 6-c to the NH State Constitution for the purpose of reducing property taxes by the same amount of revenue raised by such tax, and putting this new designated tax revenue into a “lock box,” this bill gives the voters a voice and the legislature the knowledge that they have the backing of the voters to move forward and establish a tax, hopefully a discretionary tax, to reduce state and county mandated property taxes. The money released from the “lock box” would go directly to the tax obligations of the school district and county for each town thus reducing local property tax obligations. With NH having the third-highest property tax bills in the nation, this bill provides a universal method statewide property tax reduction but still leaves the power to the legislature of deciding upon multiple avenues of the type of tax to be enacted and the distribution percentages.

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

Majority committee report adopted.

HB 1132, establishing a committee to study the establishment of a multi-state agreement to phase out corporate giveaways. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Ways and Means. The majority believes that the State of New Hampshire provides many fewer tax breaks or special arrangements than do our neighboring states. The likelihood of convincing our neighbors to follow our approach seems limited. To the extent outreach may be beneficial, the Governor’s Office is already in a position to enter into discussions. Vote 16-4.

Committee report adopted.

HB 1200, relative to the tax expenditure report. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The amended bill removes an antiquated tax expenditure from the tax expenditure report and purview of the committee (the original purpose); adds the new career and technical education center tax credit; and most importantly, delays the start of a single sales factor for calculating business taxes from 2022 to 2026. Currently, when a business operates in several states, its portion available for taxation by New Hampshire is determined by a combination of the ratio of New Hampshire to nationwide amounts of three factors: payroll, real and tangible property, and sales. In the budget trailer, there is a provision for New Hampshire to change this to a dependence on sales only starting in January 2022, unless a special committee, after hearings, votes that it is not in the state’s interest to do so. But we have just converted to market-based sourcing through a bill passed by the House, Senate and Governor, and there will be no useful data available for the single sales decision until that transition has been complete for at least two full years. A bipartisan commission report on these issues last term agreed that market-based sourcing was an urgent need, and that consideration of single sales should await the results of the new situation. We cannot know which types of businesses will be hurt or helped, and we cannot guess whether our state’s revenues will increase or decline. The Ways and Means Committee is unanimous in continuing to support this decision, and amended this bill, after a non-germane hearing, to put off the single sales factor decision and change until the end of 2024 and beginning of 2026 respectively. This is the earliest that good data will be available for the decision. Vote 20-0.

Amendment (0834h)

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

AN ACT relative to the tax expenditure report and relative to delaying the enactment of the single sales factor under the business profits and business enterprise taxes.

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

1 Tax Expenditure Report; Weighted Apportionment Factors Removed. Amend RSA 71-C:2 to read as follows:

71-C:2 Tax Expenditures Specified. Tax expenditures include, but may not be limited to, the community development finance authority investment tax credit as computed in RSA 162-L:10; the economic revitalization zone tax credit as computed in RSA 162-N:6; the research and development tax credit under RSA 77-A:5, XIII; the Coos county job creation tax credit under RSA 77-E:3-c; the education tax credit as computed in RSA 77-G:4; ~~[the weighted apportionment factors under RSA 77-A:3, H(a);]~~ **the regional career and technical education center tax credit pursuant to RSA 188-E:9-a;** and the exemption for qualified regenerative manufacturing companies allowed under RSA 77-A:1, I and RSA 77-E:1, III.

2 Business Profits Tax; Single Sales Factor; Amendment to Prospective Amendment. 2019, 346:426, prospectively amending RSA 77-A:3, I-III, are repealed and reenacted to read as follow:

346:426 Business Profits Tax; Apportionment; 2026. RSA 77-A:3, I-III are repealed and reenacted to read as follows:

I. A business organization which derives gross business profits from business activity both within and without this state, and which is subject to a net income tax, a franchise tax measured by net income, or a capital stock tax in another state or is subject to the jurisdiction of another state to impose a net income tax or capital stock tax upon it, whether or not such tax is actually imposed, shall apportion its gross business profits so as to allocate to this state a fair and equitable proportion of such business profits. Except as provided in this section, such apportionment shall be made in the following manner:

(a) For taxable periods ending before December 31, 2026:

(1) The business organization's gross business profits shall be apportioned on the basis of the following 3 factors:

(A) The percentage of value of the total real and tangible personal property owned, rented and employed by the business organization everywhere as is owned, rented and employed by it in the operation of its business in this state. Property owned by the business organization shall be valued at its original cost. Property rented by the business organization shall be valued at 8 times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the business organization less any annual rental rate received by the business organization from subrentals.

(B) The percentage of total compensation paid by the business organization to employees everywhere as is paid by the business organization to employees for services rendered within this state. Such compensation is deemed to be disbursed for services in this state if the service is performed entirely within this state, or if the service is performed both within and without this state and the service performed without this state is incidental to the service within this state, or some of the service is performed in this state and (i) the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in this state, or (ii) the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual performing such service resides within this state.

(C) The percentage of the total sales, including charges for services, made by the business organization everywhere as is made by it within this state:

(i) Sales of tangible personal property are made in this state if the property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of f.o.b. point or other conditions of sale, or the property is shipped from an office, store, warehouse, factory or other place of storage in this state and the purchaser is the United States government, or the business organization is not taxable in the state of the purchaser.

(ii) Sales other than sales of tangible personal property are in this state if the business organization's market for the sales is in this state, as follows:

1. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;
2. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;
3. In the case of sale of a service, if and to the extent the service is delivered to a location in this state;
4. In the case of sale, rental, lease, or license of intangible property, if and to the extent the property is used in this state;
5. In the case of interest income, if and to the extent the debtor or encumbered property is located in this state;
6. In the case of dividend income, if and to the extent the business organization's commercial domicile is in this state; and
7. In the case of other income, if and to the extent the income is derived from sources in this state.

(iii) In the case of sales other than sales of tangible personal property, if the state or states of assignment cannot be determined, the state or states of assignment shall be reasonably approximated.

(iv) In the case of sales other than sales of tangible personal property, if the taxpayer is not taxable in a state to which a sale is assigned, or if the state of assignment cannot be determined or reasonably approximated, such sale shall be excluded from the denominator of the sales factor.

(2) A fraction, the numerator of which shall be the property factor in subparagraph I(a)(1)(A) plus the compensation factor in subparagraph I(a)(1)(B) plus 2 multiplied by the sales factor in subparagraph I(a)(1)(C) and the denominator of which is 4, shall be applied to the total gross business profits (less foreign dividends) of the business organization to ascertain its gross business profits in this state.

(b) For taxable periods ending on or after December 31, 2026, the business organization's gross business profits shall be apportioned by multiplying the total gross business profits (less foreign dividends) of the business organization by the sales factor in subparagraph I(a)(1)(C).

II.(a) If the applicable method of apportionment in paragraph I does not fairly represent the business organization's business activity in this state, the business organization may petition for, or the commissioner may require, in respect to all or any part of the business organization's business activity, if reasonable, the employment of any other method to effect an equitable apportionment of the business organization's gross business profits.

(b) For foreign dividends from unitary sources, the following formula shall be used to modify factors relating to included dividends:

(1) Determine a percentage for each dividend payor consisting of dividends paid divided by taxable income which has been computed using United States standards.

(2) Apply this percentage to the dividend payor's foreign property, payroll, and sales for taxable periods ending before December 31, 2026, or to the dividend payor's foreign sales for taxable periods ending on or after December 31, 2026.

(3) Sum the results in subparagraph (2) for all dividend payors.

(4) Add the result in subparagraph (3) to the denominators of the combined water's edge group. The numerator will remain the New Hampshire numerator.

(5) Apply the resulting percentage to the foreign dividends.

(6) Add this amount to the amount of New Hampshire taxable business profits computed pursuant to RSA 77-A:3, I.

III. When 2 or more related business organizations are engaged in a unitary business, as defined in RSA 77-A:1, XIV, a part of which is conducted in this state by one or more members of the group, the income attributable to this state shall be determined by means of the applicable combined apportionment factors of the unitary business group in accordance with paragraphs I and II.

3 Legislative Committee on Apportionment; Extended; Duties Revised. Amend RSA 77-A:23-a to read as follows:

77-A:23-a Legislative Committee on Apportionment. There is established a committee to study the apportionment of gross business profits under the business profits tax, and to authorize the enactment of the single sales factor for the business profits tax and business enterprise tax.

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

(a) Three members of the senate, appointed by the president of the senate.

(b) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

III.(a) The committee shall study apportionment among states pursuant to RSA 77-A:3 of gross business profits under the business profits tax. The committee shall also monitor the laws and legislation of other states concerning market-based sourcing and may study any other related issues. The committee may solicit input or testimony from any person or organization the committee deems relevant to the study.

(b) The committee shall conduct meetings and on or before November 1, [2020] **2024**, *shall examine the data provided by the department of revenue administration on the effects of single sales factor under current apportionment rules, and* shall hold at least 2 public hearings on the enactment of the single sales tax provisions contained in sections 426-429 of HB 4-FN-A-LOCAL of the 2019 regular legislative session. In November [2020] **2024**, the committee shall, by majority vote of the committee, vote on whether to rescind the enactment of the amendments contained in sections 426-429 of HB 4-FN-A-LOCAL regular legislative session. If the majority of the committee rescinds the enactment of sections 426-429 of HB 4-FN-A-LOCAL regular legislative session, such sections shall not take effect. The committee shall report on its actions to the chairpersons of the senate and house finance committees, the chairpersons of the senate and house ways and means committees, the secretary of state, and the director of the office of legislative services.

IV. The members of the committee shall elect a chairperson from among the members. The first meeting shall be called by the first-named [senate] *house* member. The first meeting of the committee shall be held within 45 days [of the effective date of this section] *after May 1, 2024*. Four members of the committee shall constitute a quorum.

V. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, [2020] **2024**.

4 Enactment of Single Sales Factor; Date Changed. Amend 2019, 346:432 to read as follows:

346:432 Enactment of Single Sales Factor. Sections 426-429 of this act shall take effect January 1, [2022] **2026** unless upon the report of the committee established in RSA 77-A:23-a as inserted in this act, that by majority vote of the committee, sections 426-429 are rescinded.

5 Repeal of Legislative Committee; Change to Effective Date. Amend 2019, 346:440, XIII to read as follows:

XIII. Section 433 of this act shall take effect December 1, [2020] **2024**.

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

AMENDED ANALYSIS

This bill removes the consideration of weighted apportionment factors under the business profits tax from inclusion in the tax expenditure report and includes the regional career and technical education center tax credit. The bill also delays the enactment of the single sales factor for determining apportionment under the business profits tax and the business enterprise tax and extends and amends the legislative committee on apportionment. Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1477-FN, relative to the rate of the tobacco tax for cigarettes. **OUGHT TO PASS WITH AMENDMENT.** Rep. Edith Tucker for Ways and Means. The original bill, which proposed to raise the cigarette tax from \$1.78 to \$1.90 per pack, has been replaced by a study committee. Previous research has shown that raising the tobacco tax by less than 10% does not discourage youth smoking. The amended bill calls for a study of our state's tobacco and nicotine taxes, their impact on tobacco and nicotine use, the funding and effectiveness of smoking cessation programs, and the online nicotine sales to NH residents from out-of-state suppliers. The committee shall report its findings on or before November 1, 2020. Vote 12-8.

Amendment (0808h)

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

AN ACT establishing a committee to study the impact of taxes on tobacco use and their role in tobacco and nicotine cessation programs.

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

1 Committee Established. There is established a committee to study the impact of taxes on tobacco use and their role in tobacco and nicotine cessation programs.

2 Membership and Compensation.

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

(a) Four members of the house of representatives, with at least one each from the majority and minority parties, 2 of whom shall be members of the ways and means committee, one of whom shall be a member of the health, human services, and elderly affairs committee, and one of whom shall be a member of the commerce and consumer affairs committee, appointed by the speaker of the house of representatives.

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

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

III. The committee may seek input and advice from experts as the committee deems relevant to its study, including state and national level anti-smoking organizations, vaping and tobacco retailers, the New Hampshire Retail Association, the New Hampshire Hospital Association, the department of justice, and the department of revenue administration.

3 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.

4 Duties. The committee shall study:

I. The tax rate for tobacco products, including e-cigarettes, for the delivery of nicotine, as compared to our regional competitors and the nation as a whole.

II. The role of taxes on tobacco and nicotine as a prevention and cessation tool for tobacco and nicotine use.

III. The effectiveness of New Hampshire's prevention and cessation programs.

IV. The purposes and performance of the tobacco settlement fund.

V. Coverage and access to services to help residents quit tobacco through cessation programs.

VI. The income losses to New Hampshire businesses due to online tobacco and nicotine sales to New Hampshire residents, and any potential for recovery of tobacco tax revenues for such sales to New Hampshire residents.

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 the impact of taxes on tobacco use and their role in tobacco and nicotine cessation programs.

Committee amendment adopted.

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

On a division vote, with 169 members having voted in the affirmative, and 107 in the negative, the committee report was adopted and ordered to third reading.

HB 1646-FN, relative to historic racing. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for the Majority of Ways and Means. This bill would allow the installation of historic racing machines in our already existing charitable gaming facilities. The bill places a three-year moratorium on these machines being allowed in any new licensed facility to ensure these new facilities establish the tra-

ditional charitable games of chance before adding these new machines. These machines are not slot machines. Slot machines are based upon a random number generator in which the patron is playing against the house and cannot influence the outcome. Historic racing machine patrons are betting on historic races that have been run years ago with the outcomes known and the winnings calculated based upon a pari-mutuel form of wagering in which the winning pool is based upon the amount wagered by patrons. For a patron to increase their chances of winning, they can review the history of the horses running, the history of the jockey, etc. as published when that historic race was run. All names, dates, records, etc. are blinded, so a patron cannot ever look up the historic race before they place their bet. The Kentucky Supreme Court ruled that these are not slot machines in that state. There are six states all without slot machines that have allowed the historic racing machine. Even when played in the auto-play mode, these machines are slower than a slot machine. The committee heard testimony that these machines will never be found in a true casino since slot machines are much faster. To ensure that these machines do not have the feel of a slot machine the amendment says that an auto-play feature will not be allowed in NH. Three significant differences from last year's bill is that money from "breakage" is directed to the Council for Responsible Gaming; it caps each bet to \$10 which is consistent with the other charitable games; and each charitable gaming facility must submit a self-exclusion program plan approved by the Lottery Commission to identify those over betting. As far as the integrity of these machines and the company that maintains the pari-mutuel pools, the Lottery Commission already has protocols in place since the state does allow simulcast betting at all former race tracks (at this point only the old Seabrook dog track) which the Lottery Commission oversees. With the Encore Casino in MA opening on 6/23/19, there has been a 10-15% drop in total charitable gaming revenues (depending upon the periods chosen) before and after this date, with even a greater drop attributed to the charitable gaming facilities along the NH southern border. At the hearing on this bill, many charities presented that they have seen falling revenues and see historic racing machines as a way to bring these revenues back. The majority of the committee feels that the charities need to be supported to this end. Vote 14-6.

Rep. Lisa Bunker for the Minority of Ways and Means. The most consistent concern expressed by the minority of the committee in opposition to historic racing machines was the addictive nature of gaming. The minority found disingenuous the majority's insistence on the technical differences between these machines and slot machines. The feeling was that an unsophisticated end user would not be aware of the differences and would be attracted to game play in direct proportion to the similarities between the two types of machines. Despite the passage of a committee amendment to disable the autoplay feature, those in the minority had heard too many stories of lives destroyed by gaming addiction to feel comfortable allowing yet another form of gaming-based revenue into the state's income stream. Also, when this amendment was being considered, several suggestions were made immediately as to how the autoplay disabling could be circumvented, for example by an electronic override when no law enforcement was present, or, more simply, by a player simply blindly picking three horses per race and making the wager. Committee members also expressed skepticism about the soundness of the financial and development practices of any non-profit charity whose continued existence would be imperiled by the loss of a revenue stream dependent on gaming. And, it was finally noted that the majority of the house's take from each play would go to the gaming establishment, not to the charities or to the state. We were informed that for each \$100 a player bets, \$1.05 would go to the charities. In sum, the minority feels historic racing machines would bring a lot of trouble for little actual benefit to New Hampshire.

Majority Amendment (1053h)

Amend RSA 284:6-a, VII as inserted by section 2 of the bill by replacing it with the following:

VII. Notwithstanding paragraph VI, the lottery commission shall authorize wagers on historic horse racing, whether on an electronic gaming device or otherwise, provided such wagers meet the requirements of this chapter. Historic racing machines shall be programmed and operated for pari-mutuel wagering only. Historic racing machines shall either not have an autoplay feature or shall have the autoplay feature disabled. For the purpose of this paragraph, "autoplay" means the racing machine software chooses the horse the player wagers on for the player.

Amend RSA 284:22-b, V as inserted by section 7 of the bill by replacing it with the following:

V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of not greater than 12 percent. In addition to the above commission, 100 percent of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as breakage, shall be paid to the lottery commission and used in accordance with RSA 338-B:7.

Amend the bill by replacing all after section 9 with the following:

10 Unclaimed Ticket Money. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association, or corporation conducting a race or race meet, whether live racing, [or] simulcast racing, ***or historic horse racing*** hereunder shall pay to the state treasurer all moneys collected during the previous year of pari-mutuel pool tickets and vouchers which have not been redeemed. The books or records of said person, association, or corporation, which clearly show the tickets entitled to reimbursement in any given race, live, [or] simulcast, ***or***

historic, shall be forwarded to the lottery commission. Such moneys shall become a part of the special fund established in RSA 284:21-j. The state treasurer shall pay the amount due on any ticket or voucher to the holder thereof from funds not otherwise appropriated upon an order from the lottery commission. Pari-mutuel tickets and vouchers which remain unclaimed after 11 months shall not be paid. Vouchers shall be remitted to the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed voucher.

11 Licensed Facilities; Eligible in 2023. RSA 284:22-b, II is repealed and reenacted to read as follows:

II. A game operator employee licensed under RSA 287-D may sell pari-mutuel pools on historic horse races provided such sales are within the enclosure of the facility at which the licensee holds its licensed activities under RSA 287-D.

12 Effective Date.

I. Section 11 of this act shall take effect July 1, 2023.

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

MOTION TO LAY ON THE TABLE

Rep. Stringham moved that **HB 1646-FN**, relative to historic racing, be laid on the table.

Rep. Horn requested a roll call; sufficiently seconded.

YEAS 155 - NAYS 121

YEAS - 155 BELKNAP

Comtois, Barbara
Mackie, Jonathan

Howard, Raymond
Sylvia, Michael

Huot, David

Jurius, Deanna

CARROLL

DesMarais, Edith

Knirk, Jerry

Marsh, William

Ticehurst, Susan

CHESHIRE

Ames, Richard
Fenton, Donovan
Tatro, Bruce

Berch, Paul
Mann, John
Von Plinsky, Sparky

Bordenet, John
Morrill, David
Pearson, William

Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William

Moynihan, Wayne

Noel, Henry

GRAFTON

Adjutant, Joshua
Fellows, Sallie
Mulligan, Mary Jane
Stringham, Jerry

Almy, Susan
Ford, Susan
Muscatel, Garrett
Smith, Suzanne

Campion, Polly
Josephson, Timothy
Osborne, Richard
Sykes, George

Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Boehm, Ralph
Burt, John
Desjardin, Kathy
Herbert, Christopher
King, Mark
Martin, Joelle
Pickering, Daniel
Riel, Cole
Stack, Kathryn
Wilhelm, Matthew

Bouldin, Andrew
Bordy, William
Camarota, Linda
Freitas, Mary
Hopper, Gary
Klein-Knight, Nicole
McLean, Mark
Piedra, Israel
Snow, Kendall
Stevens, Deb
Williams, Kermit

Backus, Robert
Bosman, James
Cleaver, Skip
Greene, Bob
Schmidt, Janice
Langley, Diane
Nutting-Wong, Allison
Proulx, Mark
Sofikitis, Catherine
Toomey, Dan
Woodbury, David

Bernet, Jennifer
Bouchard, Donald
Connors, Erika
Hall, Brett
Jack, Martin
Mangipudi, Latha
Petrigno, Peter
Query, Joshua
St. John, Michelle
Van Houten, Constance

MERRIMACK

Allard, James
Doherty, David
Karrick, David
McGuire, Carol
Richards, Beth
Wells, Kenneth

Bartlett, Christy
Ellison, Arthur
Lane, Connie
McWilliams, Rebecca
Saunderson, George
Woods, Gary

Buchanan, Ryan
Fox, Samantha
Luneau, David
Moffett, Howard
Wallner, Mary Jane

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Walz, Mary Beth

ROCKINGHAM

Acton, Dennis
DiLorenzo, Charlotte
Le, Tamara
Malloy, Dennis
Pratt, Kevin
Somssich, Peter

Altschiller, Debra
Grossman, Gaby
Lovejoy, Patricia
McBeath, Rebecca
Read, Ellen
Sytek, John

Davis, Dan
Grote, Jaci
Pearson, Mark
McConnell, Liz
Roy, Terry
Toriosian, Peter

DeSimone, Debra
Harb, Robert
Maggiore, Jim
Meuse, David
Pearson, Stephen
Ward, Gerald

STRAFFORD

Bixby, Peter
Frost, Sherry
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Grassie, Chuck
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Conley, Casey
Hayward, Peter
Perreault, Mona
Towne, Matthew
Wuelper, Kurt

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

SULLIVAN

Aron, Judy
Sullivan, Brian

Laware, Thomas
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

NAYS - 121**BELKNAP**

Bean, Harry

Fields, Dennis

Lang, Timothy

Tilton, Franklin

CARROLL

Avellani, Lino
MacDonald, John

Burroughs, Anita
Woodcock, Stephen

Butler, Edward

Comeau, Ed

CHESHIRE

Abbott, Michael
O'Day, John

Eaton, Daniel

Harvey, Cathryn

Ley, Douglas

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Dontonville, Roger

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Barry, Richard
Dutzy, Sherry
Gagne, Larry
Hamer, Heidi
Indruk, Greg
Long, Patrick
Nunez, Hershel
Pedersen, Michael
Newman, Ray
Newman, Sue
Smith, Timothy

Bergeron, Paul
Erf, Keith
Goley, Jeffrey
Harriott-Gathright, Linda
Klee, Patricia
Murray, Megan
Nutter-Upham, Frances
Plett, Fred
Radhakrishnan, Julie
Sanborn, Laurie
Telerski, Laura

Danielson, David
Espitia, Manny
Griffith, Willis
Heath, Mary
Lascelles, Richard
Mullen, Sue
O'Brien, Michael
Porter, Marjorie
Renzullo, Andrew
Shaw, Barbara
Ulery, Jordan

Dargie, Paul
Davis, Fred
Gunski, Michael
Hinch, Richard
Leishman, Peter
Murphy, Nancy
Panasiti, Reed
Prout, Andrew
Rice, Kimberly
Somero, Paul
Warden, Mark

MERRIMACK

Hill, Gregory
Rogers, Katherine
Seaworth, Brian

Horn, Werner
Schamberg, Thomas
Soucy, Timothy

Kotowski, Frank
Schuett, Dianne
Testerman, Dave

Pearl, Howard
Schultz, Kristina
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Cushing, Robert Renny
Edwards, Jess
Janvrin, Jason
Melvin, Charles
Verville, Kevin
Yokela, Josh

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Hobson, Deborah
Khan, Aboul
Packard, Sherman
Vose, Michael

Abramson, Max
Bushway, Patricia
Doucette, Fred
Osborne, Jason
Love, David
Piemonte, Tony
Welch, David

Baldasaro, Al
Costable, Michael
Edgar, Michael
Janigian, John
McBride, Everett
Prudhomme-O'Brien, Katherine
Weyler, Kenneth

STRAFFORD

Chase, Wendy
Kenney, Cam

Horgan, James
Pitre, Joseph

Horrigan, Timothy
Rooney, Abigail

Keans, Sandra
Beaudoin, Steven

SULLIVAN

Callum, John
Stapleton, Walter

Cloutier, John

Lucas, Gates

Rollins, Skip

and the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 1637-FN, establishing a kinship navigator program in the department of health and human services. **OUGHT TO PASS.**

Rep. Elaine French for Children and Family Law. This bill establishes a kinship navigator program that offers information to grandparents and other relatives who are raising children to find available services and benefits. This program will bring New Hampshire into the Family First Act compliance. Vote 18-0.

Rep. McGuire spoke against.
Committee report adopted and ordered to third reading.

MOTION OF REPRIMAND

Rep. McGuire moved that the Chairman of the Committee on Children and Family Law be reprimanded on a violation of House Rule 51.

The question being should Representative Patrick Long be reprimanded by the House of Representatives?

Rep. Weber spoke against.

Rep. Verville requested a roll call; sufficiently seconded.

YEAS 80 - NAYS 196

YEAS - 80

BELKNAP

Bean, Harry	Comtois, Barbara	Howard, Raymond	Lang, Timothy
Mackie, Jonathan	Sylvia, Michael		

CARROLL

Avellani, Lino	Comeau, Ed	MacDonald, John	Marsh, William
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CHESHIRE

O'Day, John

COOS

Craig, Kevin	Furbush, Michael	Merner, Troy	Moynihan, Wayne
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GRAFTON

Hennessey, Erin	Migliore, Vincent Paul
-----------------	------------------------

HILLSBOROUGH

Alexander, Joe	Barry, Richard	Boehm, Ralph	Burt, John
Erf, Keith	Gagne, Larry	Greene, Bob	Gunski, Michael
Hinch, Richard	Lascelles, Richard	Notter, Jeanine	Nunez, Hershel
Panasiti, Reed	Plett, Fred	Prout, Andrew	Renzullo, Andrew
Sanborn, Laurie	Ulery, Jordan	Warden, Mark	

MERRIMACK

Allard, James	Hill, Gregory	Horn, Werner	McGuire, Carol
Pearl, Howard	Seaworth, Brian	Testerman, Dave	Walsh, Thomas
Yakubovich, Michael			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Baldasaro, Al	Barnes, Arthur
Bershtein, Alan	Costable, Michael	Davis, Dan	Thomas, Douglas
Edwards, Jess	Osborne, Jason	Janigian, John	Janvrin, Jason
Khan, Aboul	Love, David	Melvin, Charles	Packard, Sherman
Piemonte, Tony	Pratt, Kevin	Prudhomme-O'Brien, Katherine	Pearson, Stephen
Sytek, John	Torosian, Peter	Verville, Kevin	Weyler, Kenneth

STRAFFORD

Horgan, James	Perreault, Mona	Pitre, Joseph	Beaudoin, Steven
Wuelper, Kurt			

SULLIVAN

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

NAYS - 196

BELKNAP

Fields, Dennis	Huot, David	Jurius, Deanna	Tilton, Franklin
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CARROLL

Burroughs, Anita	Butler, Edward	DesMarais, Edith	Knirk, Jerry
Ticehurst, Susan	Woodcock, Stephen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Faulkner, Barry	Fenton, Donovan	Harvey, Cathryn
Ley, Douglas	Mann, John	Morrill, David	Parkhurst, Henry
Tatro, Bruce	Von Plinsky, Sparky	Pearson, William	Weber, Lucy

COOS

Hatch, William

Laflamme, Larry

Noel, Henry

Tucker, Edith

GRAFTON

Adjutant, Joshua
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Sykes, George

Almy, Susan
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Weston, Joyce

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

Dontonville, Roger
Gordon, Edward
Muscatel, Garrett
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bordy, William
Cleaver, Skip
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
Jack, Martin
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Wilhelm, Matthew

Bouldin, Andrew
Bosman, James
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Hopper, Gary
King, Mark
Leishman, Peter
Martin, Joelle
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Newman, Sue
Somero, Paul
Telerski, Laura
Williams, Kermit

Backus, Robert
Bouchard, Donald
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Indruk, Greg
Klee, Patricia
Long, Patrick
McLean, Mark
Nutting-Wong, Allison
Porter, Marjorie
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Woodbury, David

Bernet, Jennifer
Camarota, Linda
Danielson, David
Espitia, Manny
Griffith, Willis
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Pedersen, Michael
Proulx, Mark
Rice, Kimberly
Snow, Kendall
Stevens, Deb
Van Houten, Constance

MERRIMACK

Bartlett, Christy
Ebel, Karen
Kotowski, Frank
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Saunderson, George
Shurtleff, Steve
Wells, Kenneth

Carson, Clyde
Fox, Samantha
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Doherty, David
Fulweiler, Joyce
MacKay, James
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Abbas, Daryl
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Meuse, David
Welch, David

Acton, Dennis
DeSimone, Debra
Grote, Jaci
Le, Tamara
Malloy, Dennis
Read, Ellen
Yokela, Josh

Altschiller, Debra
DiLorenzo, Charlotte
Harb, Robert
Lovejoy, Patricia
McBeath, Rebecca
Somssich, Peter

Bushway, Patricia
Edgar, Michael
Hobson, Deborah
Pearson, Mark
McConnell, Liz
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Chase, Wendy
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Towne, Matthew

Conley, Casey
Hayward, Peter
Levesque, Cassandra
Rooney, Abigail
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Stapleton, Walter

and the motion failed.

MOTION TO PRINT DEBATE

Rep. Verville moved that the debate on the motion to reprimand the Chairman of the Committee on Children and Family Law, be printed in the Permanent Journal.

Motion failed.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1397, relative to the referral of debts for collection. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. As the title suggests, this bill would require notice for the referral of a debt for collection. The notice would be required 2 weeks in advance by 'affirmative ac-

tion' – a home visit, certified mail, direct phone communication, posting of a notice on the consumer's door. The committee believes that work needs to be done in order to understand how this notice requirement would make a positive impact on consumer protections already in place. Vote 19-0.
Committee report adopted.

HB 1464-FN, relative to insurance coverage for yoga therapy as an alternative or substitute for opioids. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would mandate insurance coverage for yoga therapy as an alternative to prescribing opioids. As one of the committee members noted, the beneficial therapeutic effects of yoga have been known for over 5000 years. However, there are various forms of yoga and, though there may be various credentialing processes, there is no clarity for licensing or credentialing that could currently be used for regulatory oversight. Further work needs to be done before the legislature can consider an insurance mandate. Vote 18-1.

Committee report adopted.

HB 1508, relative to paper receipts. **REFER FOR INTERIM STUDY.**

Rep. Joyce Weston for Commerce and Consumer Affairs. This bill would prohibit businesses with more than 20 employees from issuing a paper receipt unless the customer asks for one. Concern was raised in the hearing about cash-based transactions, with which there would be no receipt to validate a return or exchange. There was also concern about the growth of "return fraud," which costs retailers billions annually and could be exacerbated by this bill. But the feeling of the committee was that the adoption of this change is just a matter of time, as more and more customers reject the use of receipts laced with the chemical bisphenol A and prefer electronic receipts. Since the bill needed more work, both in content and structure, we voted to refer the bill for Interim Study. Vote 19-0.

Committee report adopted.

HB 1690, prohibiting paper billing fees. **REFER FOR INTERIM STUDY.**

Rep. Kermit Williams for Commerce and Consumer Affairs. The committee recognized the inequity of charging for paper versions of bills for consumers who don't have online access, are uncomfortable using the internet, or want a paper version for archiving. However, the bill would have had limited effectiveness in preventing those fees, especially with the entities that are most likely to impose them. We felt that additional work was required on this issue. Vote 19-1.

Committee report adopted.

HB 1697-FN, relative to prescription drug discount prohibition. **REFER FOR INTERIM STUDY.**

Rep. Kristina Fargo for Commerce and Consumer Affairs. This bill prohibits drug manufacturers from offering coupons or discounts to cover insurance copayments or deductibles. While the committee overwhelmingly agreed that something needs to be done to curb the high cost of prescription drugs, prohibiting copay assistance which provides relief for many commercially-insured patients who are struggling with escalating out-of-pocket costs for their medications warrants further review. Concern about unintended consequences causing patients to ration or skip their medications because of the cost needs to be examined. In addition, in 2019 there was a study committee established under HB 656 to study how the use of copay coupons and drug discounts affect the health plan formularies, use of medications, charges, and payment rates for drugs. Their final report is due on or before November 1, 2020. These findings may influence the outcome of future legislation relating to prescription drug discounts and coupons. Vote 18-1.

Committee report adopted.

HB 1256, establishing a committee to study the effectiveness of the Granite Hammer/Shield programs. **IN-EXPEDIENT TO LEGISLATE.**

Rep. Linda Harriott-Gathright for Criminal Justice and Public Safety. This bill would establish a committee to study the effectiveness of the Granite Hammer/Shield programs. The Granite Hammer/Shield is required to submit semi-annual reports to the state. Rather than establish another study committee, we recommend that a performance audit of the program be done as a starting point. Vote 19-0.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1256**, establishing a committee to study the effectiveness of the Granite Hammer/Shield programs, be laid on the table.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1268, establishing a committee to study student loan forgiveness on the basis of volunteer work, including service in the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Vallone for Education. The committee found technical issues with the bill and voted unanimously to recommend Inexpedient to Legislate. Vote 16-0.

Rep. Schultz spoke against.

On a division vote, with 225 members having voted in the affirmative, and 47 in the negative, the committee report was adopted.

HB 1337, permitting parents or guardians to opt out of armed assailant drills in their child's school. **REFER FOR INTERIM STUDY.**

Rep. David Luneau for Education. This bill would allow parents to opt their children out of some emergency response drills conducted in public schools, specifically from participation in armed assailant drills. Current law requires schools to conduct such drills following recommendations from the Governor's School Safety Preparedness Task Force. And state law provides school administrators with the discretion to use discussion-based techniques for these drills. Although the committee recognizes that there are some concerns with regards to participation in these drills, the committee believes the existing law provides the flexibility schools need to make sure emergency response drills can be conducted in the best interest of students. Vote 17-2.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1337**, permitting parents or guardians to opt out of armed assailant drills in their child's school, be laid on the table.

On a division vote, with 156 members having voted in the affirmative, and 119 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1195, relative to pesticide use and notification of such use on community playgrounds. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherry Dutzy for Environment and Agriculture. Although the intent of this bill is noble, the committee had many questions. Playgrounds are often located near ball fields, but no distances of spray areas from playgrounds was noted. Many communities have Integrated Pest Management plans which focus on prevention and use of other control means other than pesticides. Municipal workers use pesticides as a last resort. Areas that are sprayed are closed and have signage. Additionally, pesticides are expensive to use. Vote 19-0.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1195**, relative to pesticide use and notification of such use on community playgrounds, be laid on the table.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1562, including soil health and soil conservation in the state soil conservation plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. This bill, as amended, updates the state soil conservation plan to include soil health and resilience to environmental change and climate change. The soil conservation plan, initially created as a response to the Dustbowl in the 1930s, is the guiding statute for county soil conservation districts (SCD) which provide education and technical assistance on soil and natural resource conservation to farmers and landowners. Most SCD programs are grant funded. This change to the SCDs' charter statute will strengthen their ability to apply successfully for grants related to soil health, environmental change, and climate change. The bill places no new requirement on SCDs. It simply opens new funding avenues for the good work they are already doing. Vote 19-0.

Amendment (0915h)

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

1 State Plan; Implementation of the Federal Soil Conservation. Amend RSA 432:3 to read as follows:

432:3 State Plan. The department is hereby authorized, empowered and directed to formulate and submit to the Secretary of Agriculture, in conformity with the provisions of said Soil Conservation and Domestic Allotment Act, a state plan for each year. It shall be the purpose of each such plan and each such plan shall be designed to promote such utilization of land and such farming practices as the department finds will tend, in conjunction with the operation of such other plans as may be approved for other states by the Secretary of Agriculture, to preserve and improve soil fertility **and soil health; to promote mitigation of and adaptation to climate change and environmental change**; to promote the economic use and conservation of land; to diminish exploitation and wasteful and unscientific use of natural soil resources; to protect rivers and waterways against the results of soil erosion and aid in flood control; and to reestablish and maintain the ratio between the purchasing power of the net income per person on farms and that of the income per person not on farms, as defined in subsection (a) of section 7 of the Soil Conservation and Domestic Allotment Act. Each such plan shall provide for adjustments in utilization of land, and in farming practices through agreements with producers or through other voluntary methods, and for benefit payments in connection therewith,

and for such methods of administration not in conflict with any law of the state, and for such reports as the Secretary of Agriculture finds necessary for the effective administration of the plan, and for ascertaining whether the plan is being carried out according to its terms.

2 Declaration of Policy; Conservation Districts; Soil Conservation. Amend RSA 432:8 to read as follows:

432:8 Declaration of Policy. It is hereby declared to be the policy of the state to provide for the establishment of conservation districts under the supervision of a state conservation committee, said districts to be composed of landowners and land occupiers within the district, who may join together in the interest of the **health**, conservation, and development of the soil, water, and related natural resources; [and] preventing soil erosion, floodwater and sediment damages; **promoting soil health practices, and the mitigation of and adaption to climate change and environmental change**. It is the intent of this subdivision to facilitate the joint effort of landowners, land occupiers, and units of government in carrying out measures for the conservation and development of lands within the district, voluntarily and with such assistance as may be available for this purpose from local, state, or federal governmental agencies.

3 Soil Conservation; Conservation Districts. Amend RSA 432:9 to read as follows:

432:9 Definitions. As used in this subdivision the following words shall have the following meanings:

I. "Adaptation" means the process of adjustment to actual or expected climate and environmental change and its effects.

[I] **II.** "District" or "conservation district" means the territory included within the boundaries of a county, organized in accordance with the provisions of this subdivision.

[II] **III.** "Land occupier" or "occupier of land" includes any person who shall hold title to, or shall be in lawful possession of, any parcel of land lying within a district organized under the provisions of this subdivision.

[III] **IV.** "District supervisor" or "supervisor" shall mean a member of the governing body appointed in accordance with the provisions of this subdivision.

V. "Soil health" means the overall composition of the soil, including the amount of organic matter in and water holding capacity of the soil, and the continued capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans.

VI. "Healthy soils practices" mean agricultural practices that improve the health of soils, including but not limited to consideration of depth of topsoil horizons, water infiltration rate, organic carbon content, nutrient content, bulk density, biological activity, biological and microbiological diversity, and minimization of bare ground.

VII. "Mitigation" means a human intervention to reduce the sources or enhance the sinks of greenhouse gasses and reduce, prevent, or reverse other causes of climate and environmental change.

4 Creation of Conservation Districts; Soil Health. Amend RSA 432:12 to read as follows:

432:12 Creation of Conservation Districts. There are hereby established, as governmental subdivisions of this state and public bodies corporate and politic, 10 conservation districts as follows: (1) each of the 10 counties within the state is hereby incorporated into a conservation district; (2) each of the 10 districts shall be known by the name of the county to which its boundaries conform. Upon the appointment of the district supervisors as hereinafter provided the districts shall become duly organized and thereafter the districts and the supervisors thereof shall have all powers and duties conferred upon them by this subdivision; provided, however, that no such district shall exercise any of the powers conferred on districts or the supervisors thereof under this subdivision until after the state conservation committee shall adopt a resolution determining that there is a need, in the interest of public health, safety and welfare, for such district to function and that a substantial proportion of the land occupiers of such districts are in favor of its operation. In making such determinations the committee may accept petitions and conduct such public meetings and referenda as it deems necessary, and shall give due consideration to the distribution and intensity of erosion, floodwaters and sediment damages, need for land drainage, [and] changes in land use and the conservation, and development of the natural resources, **the impact of climate and environmental change, and the promotion of practices to mitigate and adapt to a changing climate and environment** on land within the said district, and to other relevant factors. From and after the date of adoption by the committee of a resolution in favor of the operation of a particular district, such district shall be deemed to be duly organized, and the supervisors of such district shall thereupon be entitled to exercise the powers conferred on them by this subdivision. A certified copy of such resolution shall be evidence of the due organization of such districts. All districts heretofore organized under RSA 430 or 430-B shall be identified as "conservation districts" and shall have all the powers and duties provided in this subdivision for conservation districts.

5 Conservation Districts; Powers of Districts and Supervisors; Soil Conservation. Amend RSA 432:16 to read as follows:

432:16 Powers of Districts and Supervisors. A conservation district organized under the provisions of this subdivision, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this subdivision:

I. To conduct surveys, investigations and research relating to the character of soil erosion; floodwater and sediment damages; land drainage; the *health*, conservation, and development of the soil, water, and related natural resources; *the impact of climate and environmental change and the promotion of practices to mitigate and adapt to a changing climate and environment*; and the preventive and control measures and works of improvement needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures and works of improvement; provided, however, that in order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the government of this state or any of its agencies, or with the United States or any of its agencies;

II. To conduct demonstrational projects within the district on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands, in order to demonstrate by example the means, methods, and measures by which soil and soil resources may be conserved *and soil health improved*, and how soil erosion in the form of soil blowing and soil washing may be prevented and controlled, and how land may be drained and floodwater and sediment damages may be prevented; and how other works of improvement for the *health*, conservation, and development of the soil, water, and related natural resources may be carried out; *and how healthy soils practices can aid in mitigation of and adaptation to climate and environmental change*;

III. To carry out preventive and control measures and works of improvement for the *health*, conservation, and development of the soil, water, and related natural resources within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, the drainage of land and changes in use of land, and measures for the prevention of floodwater and sediment damages, on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency administering and having jurisdiction thereof, and on any other land within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands;

IV. To cooperate, or enter into agreements with and to furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district, in carrying out the erosion control, flood prevention, drainage, watershed protection, and resource conservation and development projects or other works of improvement for the *health*, conservation, and development of the soil, water, and related natural resources within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this subdivision;

V. To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer, and improve any properties acquired; to receive income from such properties and to expend such income in carrying out the purposes and provisions of this subdivision; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this subdivision;

VI. To make available, on such terms as it shall prescribe, to land occupiers within the district, *incentives, education, technical assistance*, agricultural and engineering machinery, equipment, fertilizer, seeds, seedlings, and such other material or equipment as will assist such land occupiers to carry on operations upon their lands for the *health*, conservation, and development of soil, water, and related natural resources, *for the promotion of practices to mitigate and adapt to a changing climate and environment*, for the drainage of land, for the prevention and control of soil erosion, and for the prevention of floodwater and sediment damages;

VII. To construct, improve, operate and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this subdivision;

VIII. To develop comprehensive plans for changes in land use and for the *health*, conservation, and development of the soil, water, and related natural resources, for the control and prevention of soil erosion, for land drainage, [and] for the prevention of floodwater and sediment damages within the district *and for mitigation of and adaptation to climate and environmental change*, which plans shall specify in such detail as may be possible the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of lands; and to publish such plans and information and bring them to the attention of occupiers of lands within the district;

IX. To take over by purchase, lease, or otherwise, and to administer any *soil health*, soil conservation, drainage, *drought resilience*, flood prevention, erosion control, erosion prevention, watershed protection, or resource conservation and development project, or other works of improvement for the *health*, conservation, and development of soil, water, and related natural resources or combinations thereof, located within its boundaries undertaken by the United States or any of its agencies, or by this state or any of its agencies; to manage, as agent of the United States or any of its agencies, or of this state or any of its agencies, any *soil*

health, soil conservation, **drought resilience**, drainage, flood prevention, erosion control, erosion prevention, watershed protection, or resource conservation and development project, or other works of improvement for the **health**, conservation, and development of soil, water, and related natural resources or combinations thereof within its boundaries; to act as agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the acquisition, construction, operation, or administration of any **soil health**, soil conservation, drainage, **drought resilience**, flood prevention, erosion control, erosion prevention, watershed protection, or resource conservation and development project or other works of improvement for the **health**, conservation, and development of soil, water, and related natural resources or combinations thereof within its boundaries; to accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies or from this state or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

X. As a condition to the extending of any benefits under this subdivision to, or the performance of work upon, any lands not owned or controlled by this state or any of its agencies, the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to provide drainage, prevent or control erosion, prevent floodwater and sediment damages, and otherwise provide for the conservation and development of the resources thereon.

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

AMENDED ANALYSIS

This bill amends current provisions relative to soil conservation to include soil health and climate and environmental change mitigation and adaptation.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1628-FN, increasing the age for vaping. **INEXPEDIENT TO LEGISLATE.**

Rep. Walter Stapleton for Health, Human Services and Elderly Affairs. This bill is in conflict with federal law which in 2019 raised the minimum age from 18 to 21 nationwide for the sales of all tobacco products. The bill only raised the age to 19 for the sale of tobacco products. In the committee hearing, there was testimony that a bill coming to us from the Senate had more review and stakeholder participation to produce better legislation. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1628-FN**, increasing the age for vaping, be laid on the table.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1607-FN, relative to liability for wrongful acts in an employer/employee relationship. **INEXPEDIENT TO LEGISLATE.**

Rep. Jason Janvrin for Judiciary. This bill would grant immunity from prosecution to an employee who is following instructions of their employer. The committee feels that if an employee were instructed by their employer to dump hazardous waste, or if they were instructed to do some other unlawful act, that the employee should still be culpable for their actions. Therefore, the committee unanimously recommends Inexpedient to Legislate. Vote 20-0.

Committee report adopted.

HB 1670-FN, relative to recording grand jury testimony. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Gordon for Judiciary. This bill, as amended, provides that all grand jury proceedings will be audio recorded. The recordings will be maintained by the court. The bill also established a standard to be applied by the court in determining when a recording or any portion thereof should be made available to a party. Vote 17-1.

Amendment (1071h)

Amend the bill by replacing section 1 with the following:

1 New Section; Grand Juries; Recording Testimony Given to Grand Juries. Amend RSA 600 by inserting after section 5 the following new section:

600:6 Recording the Proceedings.

I. Except while the grand jury is deliberating or voting, all grand jury proceedings shall be audio recorded by a suitable recording device. The unintentional failure to make a recording shall not affect the validity of a prosecution or indictment. Unless the court orders otherwise, the court having jurisdiction over the proceedings shall retain control of the recording, the reporter's notes, and any transcript prepared from those notes. Upon application to the court made no later than 30 days before trial, or later for good cause shown, and by order of the court, a party may obtain a copy of the recording or transcript when:

- (a)(1) The party can show that grounds may exist to dismiss the indictment; or
- (2) The material is needed to avoid a possible injustice in another judicial proceeding; and
- (b) The need for disclosure outweighs the need for secrecy; and
- (c) The request for disclosure is structured to cover only the material needed.

II. Nothing in this section shall alter the provisions of rule 8 of the New Hampshire rules of criminal procedure or New Hampshire supreme court rule 52.

AMENDED ANALYSIS

This bill requires grand jury proceedings to be audio recorded and authorizes a party to obtain a copy of such recording under certain circumstances.

Committee amendment adopted.

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

Rep. Burt spoke against.

Rep. Gordon spoke in favor and yielded to questions.

Committee report adopted and ordered to third reading.

HB 1144, requiring certain employers to submit data on wage differences between male and female employees to the department of labor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda DiSilvestro for Labor, Industrial and Rehabilitative Services. This bill will require an employer to submit salary data (non-identifying) regarding wages differences between male and female employees. The Department of Labor (DOL) can publish this data on its website which can help with discussions of inequality in the work force. Vote 19-1.

Amendment (0149h)

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

AN ACT requiring certain data to be filed with the department of labor.

Amend the bill by replacing section 1 with the following:

1 New Section; Discrimination in the Workplace. Equal Employment Opportunity Commission; Required Filing. Amend RSA 275 by inserting after section 41-d the following new section:

275:41-e Required Filing. An employer located in this state which is required under federal law to file the EEO-1 form with the Equal Employment Opportunity Commission (EEOC) shall annually submit its Component 2 data to the commissioner of the department of labor upon filing with the EEOC. The commissioner shall, upon request, make the Component 2 data available.

AMENDED ANALYSIS

This bill requires an employer located in this state which is required under federal law to file the EEO-1 form with the Equal Employment Opportunity Commission (EEOC) to submit its Component 2 data to the commissioner of the department of labor. The commissioner shall, upon request, make the Component 2 data available.

Committee amendment adopted.

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

On a division vote, with 179 members having voted in the affirmative, and 98 in the negative, the committee report was adopted and ordered to third reading.

HB 1165, prohibiting ATVs on a rail trail in Gorham. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Wendy Thomas for Resources, Recreation and Development. The sport of OHRV riding has grown exponentially in New Hampshire in the last 10 years. One negative effect of this has been how their use affects people whose homes abut OHRV trails. A small section of the Presidential Rail trail which extends from Whitefield to Gorham was opened to OHRV use and this small section in Gorham directly affects a neighborhood there. The committee traveled to Gorham and observed the dust and noise which permeates the neighborhood. The amendment which replaces the entire bill is a compromise between the residents who abut this rail trail and the OHRV enthusiasts. This bill is not intended to penalize OHRV use. Instead it is intended to protect the health of abutters along the trail from the health impacts of fugitive dust and potentially hazardous materials in that dust that is kicked up by OHRV traffic. As amended, the bill closes a portion of the rail trail from the Route 2 parking lot to 540 feet west of the trestle bridge over route 16. This allows the abutters to have relief from the harmful impacts of fugitive dust while still allowing the OHRV traffic to access the trails further down the rail trail. Vote 18-2.

Amendment (0966h)

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

AN ACT prohibiting OHRV operation on a section of rail trail in Gorham.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Off Highway Recreational Vehicles; Regulation of Political Subdivisions. Amend RSA 215-A:15 by inserting after paragraph VI the following new paragraph:

VII. Notwithstanding paragraphs I and I-a, no OHRV shall be operated on the section of the rail trail in the town of Gorham from the Lancaster Road/Route 2 parking lot to 540 feet west of the trestle bridge over Route 16.

AMENDED ANALYSIS

This bill prohibits OHRV operation on a section of the rail trail in the town of Gorham.

MOTION TO LAY ON THE TABLE

Rep. Hatch moved that **HB 1165**, prohibiting ATVs on a rail trail in Gorham, be laid on the table.

On a division vote, with 208 members having voted in the affirmative, and 69 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HR 11, urging Congress to remove marijuana as a schedule I drug and to support the Ending Federal Marijuana Prohibition Act. **INEXPEDIENT TO LEGISLATE.**

Rep. Amanda Bouldin for State-Federal Relations and Veterans Affairs. This is a House Resolution, a statement intended to formalize the views of the entire House on a particular topic. The Governor's signature is not needed for passage of an HR, and the Senate is not entitled to a vote on an HR. Despite this, HR11 as written states that it speaks for "the General Court," a term which actually includes the Senate by definition. This resolution begins with an extensive preamble containing many statistics which the committee felt it necessary, but difficult, to verify, in addition to statements about the effect and intent of the 10th Amendment to the U.S. Constitution, which the committee felt was more a matter of scholarly debate, not fact. Also, this resolution did not clearly differentiate between recreational cannabis use, medical use, and scientific research. HR11 also asserts support for a particular congressional bill, a copy of which was never provided to the committee. Many members of the committee largely support the issues mentioned in the resolution, but HR11 takes a long road to reach its conclusions, requiring agreement on too many extraneous points. An effort was made to amend HR11 and strip it down to its main goals, but the committee found wide disagreement as to which parts of the resolution should be edited, kept as-is, or removed entirely. The committee considered three different amendments and engaged in a thoughtful and lengthy discussion. In the end, it was clear that the committee was essentially tasked with drafting a new resolution in its entirety, and the committee concluded that the resolution was more complex than it would be impactful. Furthermore, actual votes of the House on the issue of cannabis clearly demonstrate the position of the House on the matter, making a House Resolution on this topic rather duplicative. For these reasons and more, the committee unanimously voted HR11 inexpedient to legislate. Vote 12-0.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **HR 11**, urging Congress to remove marijuana as a schedule I drug and to support the Ending Federal Marijuana Prohibition Act, be laid on the table.

On a division vote, with 240 members having voted in the affirmative, and 37 in the negative, the motion was adopted.

RESOLUTION

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

Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 1136, relative to the duty of school superintendents regarding criminal history records checks.

HB 1206, relative to the membership of the state board of education.

HB 1285, relative to possession of firearms on school property.

HB 1306, relative to the recitation of the Lord's prayer in public elementary schools.

HB 1321, relative to the chartered public school joint legislative oversight committee.

HB 1327, relative to the authority of the department of education.

HB 1423, relative to reports on education tax credit scholarships.

HB 1435, relative to the powers of the state board of education.

HB 1459, relative to non-academic surveys administered by a public school or a chartered public school to its students.

HB 1473, requiring schools to have a special education parent advisory council.

HB 1501, establishing a commission to study financial literacy in New Hampshire and to make recommendations for a multi-generational approach to financial education.

HB 1686-FN-L, relative to the Medicaid to schools program.

HB 1687-FN, relative to the installation of audio and video surveillance equipment in special education school buses.

HB 1715, relative to the renomination of teachers.

HB 1266, relative to absentee ballot request forms.

HB 1279, relative to the terms resident, inhabitant, residence, and residency.

HB 1415, establishing a committee to study campaign finance disclosure laws and anonymous contributions, receipts, and expenditures.

HB 1525, relative to the definition of political advocacy organization.

HB 1534, establishing a commission to study the creation of online voter registration for the 2022 state elections.

HB 1643-FN, relative to permissible campaign contributions by business organizations and labor unions and relative to funding source disclosure for political advertising.

HB 1651-FN, relative to prisoners' voting rights.

HB 1653-FN, relative to domicile, residency, voter registration, and investigation of voter verification letters.

HB 1665-FN-A, establishing an independent advisory commission on redistricting.

HB 1672-FN, allowing voters to vote by absentee ballot.

HB 1319, prohibiting the siting of new landfills or expansions of existing landfills near state parks, national parks, or United States Department of Agriculture forest land.

HB 1630-FN, relative to pet vendors.

HB 1122-FN, relative to death benefits of first responders who die from suicide.

HB 1228, proclaiming Climate Change Awareness Day.

HB 1253, establishing an advisory council on the dispensing of eyeglasses and contact lenses.

HB 1286-FN, relative to the licensure and regulation of music therapists.

HB 1382, establishing April 8, 2024 as Solar Eclipse Day.

HB 1494-FN, relative to death benefits for public works employees killed in the line of duty, and relative to workers' compensation offsets for certain retirement system benefits.

HB 1404, relative to HIV/AIDS prophylaxis treatment for minors without parental consent.

HB 1520, establishing the New Hampshire health policy commission.

HB 1577-FN, relative to initiating amendments and corrections to birth records.

HB 1655-FN, expanding the New Hampshire vaccine association to include adult vaccines.

HB 1120, establishing a committee to study the establishment of water testing requirements for residential rental property.

HB 1143, repealing limited liability for manufacturers, distributors, dealers, or importers of firearms or ammunition.

HB 1169, relative to requiring a roll call vote when one member of a public body participates electronically.

HB 1178, relative to safety requirements for pools on foreclosed residential property.

HB 1226, prohibiting surveillance by the state on public ways or sidewalks.

HB 1236, relative to the expectation of privacy.

HB 1247, relative to notice of rent increases in certain residential rental property.

HB 1312, relative to persons held in civil contempt.

HB 1376, relative to the sharing of location information by mobile telecommunications services, and establishing a civil penalty and civil cause of action for unauthorized sharing of electronic location information.

HB 1461, relative to the penalty for carnival or amusement ride operators.

HB 1539, relative to the relocation of children with elevated lead levels.

HB 1559, relative to sealing records in nonpublic session under the right-to-know law.

HB 1171-FN-L, relative to the application of federal Occupational Safety and Health Act standards to public employers.

HB 1486, establishing a committee to study information technology in the legislative process.

HB 1694, relative to recusal by members of the general court for conflicts of interest.

HB 1160-L, allowing municipalities to collect an occupancy fee from operators of local room rentals.

HB 1173-L, relative to the use of an official ballot in towns.

HB 1443, relative to the city of Claremont police commission.

HB 1451, relative to the definition of contracts relative to official ballot default budgets.

HB 1460, relative to the form of municipal budgets.

HB 1124, relative to the definition of prime wetland.

HB 1116, relative to the definition of "eligible facility" as it pertains to renewable generation to provide fuel diversity.

HB 1301, establishing a committee to study applications of microgrids in electricity supply.

HB 1430, establishing a commission to study attainment of a clean-energy electric grid by 2030.

HB 1444-FN, requiring the adoption of innovative vehicle emissions standards pursuant to section 177 of the federal Clean Air Act.

HB 1496-FN, relative to the regional greenhouse gas initiative cap and trade program for controlling carbon dioxide emissions.

HB 1518-FN, relative to the alternative compliance payments for renewable energy obligations not met through the purchase of renewable energy credits.

HB 1676-FN, requiring monitoring of certain radioactive air pollutants.

HB 1330, proclaiming an annual observance of a day commemorating caregivers of wounded veterans.

HB 1493, establishing a committee to study the effects of deportation of primary earners on United States citizen family members.

HB 1401, prohibiting smoking and e-cigarettes in motor vehicles when a passenger is under 16 years of age.

HB 1547, eliminating fees for walking disability placards.

HB 1552-FN, requiring learner's permits for certain persons seeking drivers' licenses.

HB 1617-FN, clarifying the prohibition against the use of mobile electronic devices while driving.

HB 1622-FN-L, relative to the use of passenger restraints in motor vehicles.

HB 1200, relative to the tax expenditure report and relative to delaying the enactment of the single sales factor under the business profits and business enterprise taxes.

HB 1477-FN, establishing a committee to study the impact of taxes on tobacco use and their role in tobacco and nicotine cessation programs.

HB 1637-FN, establishing a kinship navigator program in the department of health and human services.

HB 1562, including soil health and soil conservation in the state soil conservation plan.

HB 1670-FN, relative to recording grand jury testimony.

HB 1144, requiring certain data to be filed with the department of labor.

RECESS MOTION

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

Motion adopted.

The House recessed at 4:00 a.m.

RECESS

(Rep. Ebel in the Chair)

RESOLUTION

Rep. Suzanne Smith offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 412, 414, 416, 433, 446, 450, 452, 456, 460, 479, 501, 503, 522, 524, 536, 540, 544, 555, 556, 562, 564, 566, 570, 577, 578, 579, 592, 594, 598, 600, 611, 614, 621, 627, 630, 632, 636, 652, 656, 664, 669, 678, 706, 709, 712, 713, 720, 724, 728, 738 and 743 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 412, establishing a commission to study issues relating to corrections officers. (Executive Departments and Administration)

SB 414, relative to roads within the Woodsville Fire District. (Public Works and Highways)

SB 416, relative to domestic insurance company investments. (Commerce and Consumer Affairs)

SB 433, establishing October 2020 as eczema awareness month. (Executive Departments and Administration)

SB 446, relative to airport fees for transportation network companies. (Transportation)

SB 450, relative to brew pubs allowing customers to bring dogs to outdoor areas. (Commerce and Consumer Affairs)

SB 452, making certain technical changes to the insurance laws. (Commerce and Consumer Affairs)

SB 456, relative to the use of capital reserve funds. (Municipal and County Government)

SB 460, relative to enforcement of zoning violations. (Municipal and County Government)

SB 479, establishing a committee to study the regulation of food trucks. (Commerce and Consumer Affairs)

SB 501, relative to the Honor and Remember Flag. (State-Federal Relations and Veterans Affairs)

SB 503, relative to the task force on work and family. (Children and Family Law)

SB 522, relative to an exception to the warning label requirement for opiates and requiring prescribers of opiates to get a verbal acknowledgment for an initial prescription. (Health, Human Services and Elderly Affairs)

SB 524-FN, relative to immunity from arrest or prosecution for prostitution for seeking medical assistance for reporting certain crimes. (Criminal Justice and Public Safety)

SB 536, requiring an annual report of the housing appeals board. (Municipal and County Government)

SB 540, repealing the emergency medical services personnel licensure interstate compact. (Executive Department and Administration)

SB 544, relative to the filing of administrative rules by state agencies. (Executive Departments and Administration)

SB 555, relative to telemedicine coverage and reimbursements. (Commerce and Consumer Affairs)

SB 556, relative to violence in schools. (Education)

SB 562, relative to a property tax relief program for qualifying residential property in a designated residential property revitalization zone. (Municipal and County Government)

SB 564, proclaiming August 31 as Overdose Awareness Day. (Executive Departments and Administration)

SB 566, relative to information submitted to the department of business and economic affairs regarding recruitment. (Executive Departments and Administration)

SB 570, relative to the reimbursement of costs of training nursing assistants. (Commerce and Consumer Affairs)

SB 577-FN, relative to self-service storage insurance. (Commerce and Consumer Affairs)

SB 578, changing the requirement a member of the sponsoring charitable organization to be present during certain games of chance. (Ways and Means)

SB 579, relative to e-delivery of insurance documents and commercial lines renewal notices. (Commerce and Consumer Affairs)

SB 592, relative to the Pease development authority board of directors. (Public Works and Highways)

SB 594, relative to certification requirements for speech pathologists and relative to the use of ultrasound or electrical physical agent modalities by occupational therapists. (Executive Departments and Administration)

SB 598, adding physician assistants to the law governing advance directives. (Health, Human Services and Elderly Affairs)

SB 600-FN-L, requiring medication-assisted treatment for substance use disorders for prisoners incarcerated in a county correctional facility. (Criminal Justice and Public Safety)

SB 611, defining mobile service garages and relative to state vehicle inspection stations. (Transportation)

SB 614, exempting the department of transportation from the notice requirement for lessors of real or personal property owned by the state or its political subdivisions. (Public Works and Highways)

SB 621-FN, relative to specialty beverages. (Commerce and Consumer Affairs)

SB 627-FN, establishing a dock registration procedure. (Resources, Recreation and Development)

SB 630-FN, relative to removing names from the voter checklist. (Election Law)

SB 632, relative to enforcement of the state building code by municipalities and the state fire marshal. (Executive Departments and Administration)

SB 636-FN, authorizing the commissioner of safety to appoint security officers at department facilities. (Criminal Justice and Public Safety)

SB 652, relative to possessing controlled drugs for public health purposes. (Health, Human Services and Elderly Affairs)

SB 656-FN-L, relative to including business impacts in department of transportation engineering and design plans. (Public Works and Highways)

SB 664, relative to life insurance. (Commerce and Consumer Affairs)

SB 669, relative to authorization to grow industrial hemp. (Environment and Agriculture)

SB 678-FN, relative to the penalty for escape. (Criminal Justice and Public Safety)

SB 706-FN, relative to appeals under New Hampshire's Child Protection Act. (Children and Family Law)

SB 709-FN, relative to the definition of controlled drug analog. (Health, Human Services and Elderly Affairs)

SB 712-FN, establishing a surcharge on certain saltwater licenses and establishing a fund for derelict fishing gear and coastal cleanup. (Fish and Game and Marine Resources)

SB 713-FN, relative to the municipal winter maintenance certification program. (Resources, Recreation and Development)

SB 720-FN, relative to adult protective services. (Health, Human Services and Elderly Affairs)

SB 724-FN, relative to removal of abandoned or disabled vehicles by towing. (Transportation)

SB 728-FN, establishing the coastal program administered by the department of environmental services. (Resources, Recreation and Development)

SB 738-FN, relative to suspension or revocation of motor carrier privileges for default, noncompliance, or nonpayment of fine. (Transportation)

SB 743-FN, relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor. (Criminal Justice and Public Safety)

RECESS

(Speaker Shurtleff in the Chair)

RESOLUTION

Rep. Ley offered the following: RESOLVED, that late drafting and introduction having been approved by the Rules Committee, and in accordance with the list in the possession of the Clerk, Constitutional Amendment Concurrent Resolution numbered 21 shall be by this resolution read a first and second time by the therein listed title.

Motion adopted.

INTRODUCTION OF CACR

First and second reading

CACR 21, the continuity of government. Providing that the general court shall have the power and duty to adopt measures necessary for the continuity of government in periods of emergency. (Shurtleff, Merr. 11)

RECESS

CLERK'S NOTE

For reference, it is important to explain the several events following the recess of the session date of March 12. Within 48 hours of recess, legislative leadership, based on advice from the Department of Health and Human Services, the Center for Disease Control, the Governor's Office, and a myriad of other professionals, closed the State House. In the weeks and months that followed, the House passed all existing deadlines, however those House committees that had second committee bills in their possession did meet electronically to report them out. This was permissible as the Governor, through Executive and Emergency Orders, suspended some of the RSA 91-A requirements regarding physical presence for quorums, and since House Rules reference 91-A in committee procedure, we could adapt to those requirements without changing House Rules. Additional Journals will note that the House Rules Committee made a recommendation of amending deadlines to act on bills for consideration by the House, but in large part, the House was essentially inoperable from March 14th through April 30th, when the House Finance Committee became the first committee to hold an executive session remotely. Additionally, it is important to note that the Children and Family Law Committee became the first committee to hold a public hearing on legislation on June 2nd.