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HOUSE RECORD

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Wednesday, December 2, 2020

No. 1

HOUSE JOURNAL NO. 1

Wednesday, December 2, 2020

On the first Wednesday in December in the year of our Lord, two thousand twenty, it being the day designated by the New Hampshire Constitution for assembling for organizational purposes, the one hundred and sixty-seventh General Court of the State of New Hampshire convened at Memorial Field at the University of New Hampshire in Durham. The Representatives-elect were called to order by Paul C. Smith, Clerk of the House for the preceding session.

Prayer was offered by the member from Exeter, Representative-elect Alexis Simpson.

Let us pray. Eternal one, Lord of mercy and love, spirit of life and hope, divine within, around, and between us. We come together today as a community entrusted to serve the people of New Hampshire. Even as we gather in the cold, our hearts overflow with gratitude. We give You thanks for the gift of gathering in this space and via live stream. We give You thanks for the hospitality of the UNH community and for the State House staff who made today and every day's work go smoothly. We give You thanks for our families, our friends, and our home communities. We remember those who are not able to be with us in person today. We ask Your healing for those who are sick and grieving. Even as we pray for the health and strength of those gathered here, we ask Your continued care and protection for all those who are caring for others, especially those with COVID. As we prepare to commit ourselves to this honorable work, fill our hearts with strength and courage, with tenacity and grace, with humility and kindness. As You have on generations before us, we ask You to bestow Your wisdom today and throughout our term in office. May Your grace guide our decision making and our relationship building even under these difficult circumstances. Help us respect each other as a witness to what is sacred in each of us. May we be examples to our communities of how to work together under duress, treating each other with dignity, knowing that better days lie ahead for all of us. Amen.

House Clerk, Paul C. Smith led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Abel, Alicea, Almy, Baroody, Bartlett, Berch, Bergeron, Booras, Bouchard, Bradley, Bucu, Bunker, Burroughs, Cahill, Caplan, Cleaver, Cohen, Copp, Cote, DiLorenzo, DiSilvestro, Dontonville, Dutzy, Espitia, Fargo, Faulkner, Fellows, Fenton, Ford, Dru Fox, Samantha Fox, Freitas, Frost, Gallager, Gilman, Barbara Griffin, Griffith, Grossman, Guthrie, Ham, Hamblet, Hamer, Harvey, Hyland, Kimball, Mark King, Klee, Lane, Langle, Laughton, Leavitt, Levesque, Ley, Luneau, MacKay, Malloy, Mangipudi, Mann, Massimilla, McBeath, McGhee, Merchant, Meuse, Murphy, Megan Murray, Myler, Ray Newman, Sue Newman, Nordgren, Nutter-Upham, O'Hearne, Oxaal, Oxenham, Paige, Pantelakos, Parshall, Pedersen, Perez, Petrigno, Pickering, Piedra, Pimentel, Porter, Read, Richards, Rouillard, Rung, Sandler, Schapiro, Janice Schmidt, Peter Schmidt, Schultz, Snow, Sofikitis, Southworth, Spang, Stavis, Stevens, Sullivan, Toll, Toomey, Treleaven, Tucker, Vail, Van Houten, Vincent, Von Plinsky, Wallner, Walz, Ward, Wazir, Wolf, Woodcock, Woods, Wuelper, Vann, Welkowitz, Gourgue, Knirk, Altschiller, Chretien, Connors, Hatch, Aldrich, Sweeney and Cushing, the day, important business.

BELKNAP COUNTY

Dist. No. 1 (1)	Tom Ploszaj, r
Dist. No. 2 (4)	Harry Bean, r; Jonathan Mackie, r; Norm Silber, r
Dist. No. 3 (4)	Mike Bordes, r; Gregg Hough, r; Dawn Johnson, r; Richard Littlefield, r
Dist. No. 4 (2)	Juliet Harvey-Bolia, r; Timothy Lang, Sr., r
Dist. No. 5 (2)	Paul Terry, r; Peter Varney, r
Dist. No. 6 (2)	Mike Sylvia, r; Douglas Trottier, r

Dist. No. 7 (1) Barbara Comtois, r
 Dist. No. 8 (1) Raymond Howard, Jr., r
 Dist. No. 9 (1) Travis O'Hara, r

CARROL COUNTY

Dist. No. 1 (1)
 Dist. No. 2 (3) Karen Umberger, r
 Dist. No. 3 (2) Mark McConkey, r
 Dist. No. 4 (2) Glenn Cordelli, r; Karel Crawford, r
 Dist. No. 5 (3) Lino Avellani, r; Bill Nelson, r; Jonathan Smith, r
 Dist. No. 6 (2) Brodie Deshaies, r; John MacDonald, r
 Dist. No. 7 (1) Chris McAleer, d
 Dist. No. 8 (1) William Marsh, r

CHESHIRE COUNTY

Dist. No. 1 (4) Michael Abbott, d; Lucy Weber, d
 Dist. No. 2 (1)
 Dist. No. 3 (1) Daniel Eaton, d
 Dist. No. 4 (1)
 Dist. No. 5 (1) John Bordenet, d
 Dist. No. 6 (1)
 Dist. No. 7 (1)
 Dist. No. 8 (1)
 Dist. No. 9 (2) Richard Ames, d
 Dist. No. 10 (1)
 Dist. No. 11 (2) John Hunt, r; Jim Qualey, r
 Dist. No. 12 (2) Jennie Gomarlo, d
 Dist. No. 13 (1) Ben Kilanski, r
 Dist. No. 14 (1) Matthew Santonastaso, r
 Dist. No. 15 (1) Jennifer Rhodes, r
 Dist. No. 16 (2)

COOS

Dist. No. 1 (2) Donald Dostie, r; Dennis Thompson, r
 Dist. No. 2 (1) Arnold Davis, r
 Dist. No. 3 (3) Larry Laflamme, d; Eamon Kelley, d; Robert Theberge, r
 Dist. No. 4 (1) Kevin Craig, r
 Dist. No. 5 (1)
 Dist. No. 6 (1)
 Dist. No. 7 (1) Troy Merner, r

GRAFTON

Dist. No. 1 (2) Joseph DePalma, r
 Dist. No. 2 (1) Timothy Egan, d
 Dist. No. 3 (1) Denny Ruprecht, d
 Dist. No. 4 (1) Rick Ladd, r
 Dist. No. 5 (1)
 Dist. No. 6 (1) Gail Sanborn, r
 Dist. No. 7 (1) Mark Alliegro, r
 Dist. No. 8 (3) Suzanne Smith, d; Joyce Weston, d
 Dist. No. 9 (2) Lex Berezny, r; Ned Gordon, r
 Dist. No. 10 (1)
 Dist. No. 11 (1) Beth Folsom, r
 Dist. No. 12 (4) Mary Hakken-Phillips, d; Russell Muirhead, d
 Dist. No. 13 (4) George Sykes, d
 Dist. No. 14 (1) Matthew Simon, r
 Dist. No. 15 (1) David Binford, r
 Dist. No. 16 (1) Jeffrey Greeson, r
 Dist. No. 17 (1) Joshua Adjutant, d

HILLSBOROUGH

Dist. No. 1 (2) James Fedolfi, r
 Dist. No. 2 (3) Leah Cushman, r; Keith Erf, r; Gary Hopper, r
 Dist. No. 3 (1)
 Dist. No. 4 (2) Jim Kofalt, r; Lisa Post, r
 Dist. No. 5 (2) William Foster, r; Gerald Griffin, r
 Dist. No. 6 (5) Joe Alexander, Jr., r; Michael Gunski, r; Fred Plett, r
 Dist. No. 7 (6) David Danielson, r; Ted Gorski, r; Linda Gould, r; John Graham, r; Niki Kelsey, r; Sue Mullen, d
 Dist. No. 8 (2) Jeff Goley, d
 Dist. No. 9 (2)
 Dist. No. 10 (2) Jean Jeudy, d; Patrick Long, d
 Dist. No. 11 (2) Nicole Klein-Knight, d
 Dist. No. 12 (2) Amanda Bouldin, d; Andrew Bouldin, d
 Dist. No. 13 (2) Larry Gagne, r; William Infantine, r
 Dist. No. 14 (2) Mary Heath, d
 Dist. No. 15 (2) Mark Warden, r
 Dist. No. 16 (2) Joshua Query, d; Barbara Shaw, d
 Dist. No. 17 (2) Timothy Smith, d
 Dist. No. 18 (2) Patricia Cornell, d
 Dist. No. 19 (2) Dick Marston, r
 Dist. No. 20 (2) Ralph Boehm, r; Richard Lascelles, r
 Dist. No. 21 (8) Melissa Blasek, r; Bob Healey, r; Dick Hinch, r; Mary Mayville, r; Jeanine Notter, r; Maureen Mooney, r; Lindsay Tausch, r
 Dist. No. 22 (3) Tony Labranche, d; Daniel Veilleux, d
 Dist. No. 23 (4) Bill King, r; Vanessa Sheehan, r
 Dist. No. 24 (2) Peter Leishman, d
 Dist. No. 25 (2) Diane Kelley, r; Paul Somero, r
 Dist. No. 26 (2) John Lewicke, r; Diane Pauer, r
 Dist. No. 27 (2) Susan Homala, r
 Dist. No. 28 (3) Tom Lanzara, r
 Dist. No. 29 (3)
 Dist. No. 30 (3)
 Dist. No. 31 (3)
 Dist. No. 32 (3) Allison Nutting-Wong, d
 Dist. No. 33 (3)
 Dist. No. 34 (3) Melbourne Moran, Jr., d
 Dist. No. 35 (3) Laura Telerski, d
 Dist. No. 36 (3) Linda Harriott-Gathright, d; Martin Jack, d; Michael O'Brien, Sr., d
 Dist. No. 37 (11) Bob Greene, r; Alicia Lekas, r; Tony Lekas, r; Hershel Nunez, r; Lynne Ober, r; Russell Ober III, r; Andrew Prout, r; Andrew Renzullo, r; Kimberly Rice, r; Denise Smith, r; Jordan Ulery, r
 Dist. No. 38 (2) Jim Creighton, r
 Dist. No. 39 (1) John Burt, r
 Dist. No. 40 (1) Keith Ammon, r
 Dist. No. 41 (1) Laurie Sanborn, r
 Dist. No. 42 (2) Matt Wilhelm, d
 Dist. No. 43 (3) Christopher Herbert, d
 Dist. No. 44 (2) Ross Berry, r; Mark McLean, r
 Dist. No. 45 (2) Jane Beaulieu, d

MERRIMACK

Dist. No. 1 (1) Louise Andrus, r
 Dist. No. 2 (2) James Mason, r; David Testerman, r
 Dist. No. 3 (2) Kenna Cross, r; Gregory Hill, r
 Dist. No. 4 (1) Tom Schamberg, d
 Dist. No. 5 (2) Karen Ebel, d
 Dist. No. 6 (2)
 Dist. No. 7 (1) Margaret Kennedy, r
 Dist. No. 8 (1)
 Dist. No. 9 (2) Cambrils, r; Michael Moffett, r
 Dist. No. 10 (3)

Dist. No. 11 (1) Steve Shurtleff, d
 Dist. No. 12 (1)
 Dist. No. 13 (1)
 Dist. No. 14 (1)
 Dist. No. 15 (1)
 Dist. No. 16 (1) Timothy Soucy, d
 Dist. No. 17 (1)
 Dist. No. 18 (1)
 Dist. No. 19 (1)
 Dist. No. 20 (3) Dianne Schuett, d; Brian Seaworth, r; Nick White, r
 Dist. No. 21 (2) James Allard, r; John Klose, r
 Dist. No. 22 (1) Matthew Pitaro, r
 Dist. No. 23 (3)
 Dist. No. 24 (4) Stephen Boyd, r; Thomas Walsh, r; Michael Yakubovich, r
 Dist. No. 25 (1) Natalie Wells, r
 Dist. No. 26 (1) Howard Pearl, r
 Dist. No. 27 (2) Art Ellison, d; Rebecca McWilliams, d
 Dist. No. 28 (1) Katherine Rogers, d
 Dist. No. 29 (1) Carol McGuire, r

ROCKINGHAM

Dist. No. 1 (1) Paul Tudor, r
 Dist. No. 2 (3) Alan Bershtein, r; James Spillane, r; Kevin Verville, r
 Dist. No. 3 (3) Paul Ayer, r; Dustin Dodge, r; Kevin Pratt, r
 Dist. No. 4 (5) Jess Edwards, r; Jason Osborne, r; Tony Piemonte, r; Chris True, r
 Dist. No. 5 (7) Al Baldasaro, r; Tom Dolan, r; David Lundgren, r; Wayne MacDonald, r; Betsy McKinney, r; Sherman Packard, r; Doug Thomas, r
 Dist. No. 6 (10) Phyllis Katsakiores, r; Erica Layon, r; David Love, r; David Milz, r; Stephen Pearson, r; John Potucek, r; Katherine Prudhomme-O'Brien, r; Richard Tripp, r
 Dist. No. 7 (4) Mary Griffin, r; Bob Lynn, r; Charles McMahon, r; Julius Soti, r
 Dist. No. 8 (9) Daryl Abbas, r; Fred Doucette, r; Robert Elliott, r; Betty Gay, r; John Janigian, r; Everett McBride, Jr., r; John Sytek, r; Susan Vandecasteele, r
 Dist. No. 9 (2) Cody Belanger, r; Michael Vose, r
 Dist. No. 10 (1) Dennis Acton, r
 Dist. No. 11 (1) Melissa Litchfield, r
 Dist. No. 12 (1) Scott Wallace, r
 Dist. No. 13 (4) Dennis Green, r; David Welch, r; Kenneth Weyler, r
 Dist. No. 14 (4) Debra DeSimone, r; Robert Harb, r; Norman Major, r; Peter Torosian, r
 Dist. No. 15 (1) Charles R Melvin, Sr., r
 Dist. No. 16 (1) JD Bernardy, r
 Dist. No. 17 (3)
 Dist. No. 18 (4)
 Dist. No. 19 (2) Patrick Abrami, r
 Dist. No. 20 (3) Tim Baxter, r; Tina Harley, r; Aboul Khan, r
 Dist. No. 21 (4) Tracy Emerick, r
 Dist. No. 22 (1) Jim Maggiore, d
 Dist. No. 23 (1)
 Dist. No. 24 (2) Jaci Grote, d
 Dist. No. 25 (1)
 Dist. No. 26 (1)
 Dist. No. 27 (1) Peter Somssich, d
 Dist. No. 28 (1)
 Dist. No. 29 (1)
 Dist. No. 30 (1) Jacqueline Cali-Pitts, d
 Dist. No. 31 (1)
 Dist. No. 32 (1) Terry Roy, r
 Dist. No. 33 (1) Josh Yokela, r
 Dist. No. 34 (1) Mark Pearson, r
 Dist. No. 35 (1) Deborah Hobson, r
 Dist. No. 36 (1) Alexis Simpson, d
 Dist. No. 37 (1) Max Abramson, r

STRAFFORD

Dist. No. 1 (2) Glenn Bailey, r; Peter Hayward, r
 Dist. No. 2 (2) James Horgan, r; Joe Pitre, r
 Dist. No. 3 (2) Michael Harrington, r
 Dist. No. 4 (2) Len Turcotte, r
 Dist. No. 5 (1) Jeffrey Salloway, d
 Dist. No. 6 (5) Timothy Horrigan, d; Cam Kenney, d; Marjorie Smith, d; Janet Wall, d
 Dist. No. 7 (1) Timothy Fontneau, d
 Dist. No. 8 (1) Donna Ellis, d
 Dist. No. 9 (1) Clifford Newton, r
 Dist. No. 10 (1) Aidan Ankarberg, r
 Dist. No. 11 (1) Chuck Grassie, d
 Dist. No. 12 (1) Mac Kittredge, r
 Dist. No. 13 (1) Casey Conley, d
 Dist. No. 14 (1)
 Dist. No. 15 (1)
 Dist. No. 16 (1)
 Dist. No. 17 (3) Peter Bixby, d
 Dist. No. 18 (3) Gerri Cannon, d; Wendy Chase, d; Cecelia Rich, d
 Dist. No. 19 (1)
 Dist. No. 20 (1)
 Dist. No. 21 (1)
 Dist. No. 22 (1) Thomas Kaczynski, r
 Dist. No. 23 (1) Fenton Groen, r
 Dist. No. 24 (1) Susan Delemus, r
 Dist. No. 25 (1)

SULLIVAN

Dist. No. 1 (2)
 Dist. No. 2 (1) Sue Gottling, d
 Dist. No. 3 (1)
 Dist. No. 4 (1)
 Dist. No. 5 (1) Walter Stapleton, r
 Dist. No. 6 (2) John Callum, r; Skip Rollins, r
 Dist. No. 7 (1) Judy Aron, r
 Dist. No. 8 (1) Walter Spilsbury, r
 Dist. No. 9 (1) Linda Tanner, d
 Dist. No. 10 (1)
 Dist. No. 11 (1) Steven Smith, r

With 270 members-elect having answered the call of the roll, a quorum was declared present.

OATH OF OFFICE

His Excellency, Governor Christopher T. Sununu, having been informed that a quorum of the House was assembled, appeared, accompanied by the Honorable Executive Council. The members-elect, having presented their credentials, were duly qualified by the Governor as members of the House of Representatives by taking and subscribing the oath of office agreeable to the provisions of the Constitution of the State of New Hampshire. The Governor and Executive Councilors retired.

ADOPTION OF GROUND RULES FOR ELECTION

Rep. Hinch moved the adoption of the following ground rules for election:

The rules of these elections shall be the rules of the 2020 New Hampshire House of Representatives, subject to the following ground rules:

Only members certified by the Secretary of State shall be eligible to participate and vote. Access to the floor shall be limited to members, and such other officers and assistants as may be required by the Clerk and Sergeant-at-Arms. The Clerk will prepare a checklist of those present and qualified to vote.

Election of candidates will be by majority vote of those present and voting. If more than two candidates are standing for an office, and if there is no majority vote, there will be no elimination of the low candidate after any ballot. All candidates will remain in the running unless they withdraw of their own volition.

Balloting shall continue until an officer is elected. If there is no candidate with a majority of votes, there shall be a 20-minute recess after the announcement of the results.

On each ballot, the Clerk will have printed, in alphabetical order, the name of any candidates, who prior to the opening of the session, informed the Clerk of their candidacies. There will be one blank line for write-in candidates.

Each candidate will name five tellers to view counting of the ballots. First ballot nominating and seconding speeches will be limited to 15 minutes for each candidate. Subsequent speeches shall be limited to 3 minutes per candidate. Candidates who desire to concede or withdraw shall speak first. No other limitations will apply to these speeches.
Motion adopted.

AMENDMENT TO HOUSE RULES

Rep. Sylvia moved to amend House Rules such that a standing division vote may be taken for the election of Speaker.
The Chair ruled the motion out of order.

ELECTION OF HOUSE SPEAKER

The Chair declared that nominations for Speaker were in order.
Rep. Mooney placed the name of Rep. Hinch in nomination for Speaker and addressed the House.
Rep. Alexander seconded the nomination and addressed the House. Rep. Hinch accepted the nomination and addressed the House.
The Chair declared nominations closed. There being no further nominations, and with a motion by Rep. Shurtleff, adopted on a voice vote, the Chair closed nominations and one ballot was cast for Representative Dick Hinch and he was declared the duly-elected Speaker of the House for the 2021-2022 biennium.
The acting Sergeant-at-Arms escorted Speaker Hinch to the rostrum. The Speaker addressed the House.

(Speaker Hinch in the Chair) APPOINTMENTS

The Speaker made the following appointments:
Rep. Jason Osborne, Republican Leader. Rep. Renny Cushing, Democratic Leader.

ELECTION OF HOUSE OFFICERS

The Speaker declared nominations were in order for Clerk of the House.
Rep. Rice placed the name of Paul C. Smith in nomination for Clerk of the House and addressed the House.
Rep. Nutting-Wong seconded the nomination and addressed the House.
There being no further nominations, and upon motion by Rep. Eaton, the Speaker closed nominations and one ballot was cast for Paul C. Smith and he was declared the duly-elected Clerk of the House for the 2021-2022 biennium.
Paul C. Smith addressed the House.
The Speaker declared nominations were in order for Sergeant-at-Arms of the House.
Rep. Weyler placed the name of JB Cullen in nomination for Sergeant-at-Arms of the House and addressed the House.
Rep. Soucy seconded the nomination and addressed the House.
There being no further nominations, and without objection, the Speaker closed nominations and one ballot was cast for JB Cullen and he was declared the duly-elected Sergeant-at-Arms of the House for the 2021-2022 biennium.
JB Cullen addressed the House.
The Speaker administered the oath of office to Paul C. Smith and JB Cullen.

RESOLUTION

Reps. Osborne and Shurtleff offered the following: RESOLVED, that the House inform the Honorable Senate it has organized and is ready to meet in Joint Convention for the purposes of electing a Secretary of State and a State Treasurer.
Motion adopted.

SENATE MESSAGE

The Senate has organized and has elected its officers:
President of the Senate: Senator Chuck Morse. Clerk of the Senate: Tammy Wright.

SENATE MESSAGE

The Senate has organized and is ready to meet with the House of Representatives in Joint Convention for the purpose of electing a Secretary of State and a State Treasurer.

JOINT CONVENTION
(Speaker Hinch in the Chair)

The Speaker called the Joint Convention to order.

The Chair declared that nominations were in order for Secretary of State.

Sen. D'Allesandro placed the name of William Gardner in nomination for Secretary of State and addressed the Joint Convention.

Reps. Gordon and Shaw and Sen. Bradley seconded the nomination and addressed the Joint Convention.

The Chair declared nominations closed. There being no further nominations, and without objection, the Chair closed nominations and one ballot was cast for William M. Gardner and he was declared the duly-elected Secretary of State for the 2021-2022 biennium.

The Chair declared that nominations were in order for State Treasurer.

Rep. Weyler placed the name of Monica Mezzapelle in nomination for State Treasurer and addressed the Joint Convention.

Sen. Kahn seconded the nomination of Monica Mezzapelle and addressed the Joint Convention.

There being no further nominations, and without objection, the Chair closed nominations and one ballot was cast for Monica Mezzapelle and she was declared the duly-elected State Treasurer for the 2021-2022 biennium.

William M. Gardner and Monica Mezzapelle addressed the Joint Convention.

The Chair administered the oath of office to William M. Gardner and Monica Mezzapelle.

Rep. Osborne and Sen. Bradley moved that the Joint Convention arise.

Motion adopted.

The Joint Convention adjourned.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 12:30 p.m.

(Speaker Hinch in the Chair)
HOUSE SESSION

The Speaker reconvened the House Session.

RESOLUTION NO. 1

Rep. Osborne offered the following: RESOLVED, that the House adopt the Rules of the 2020 session for the 2021-2022 biennium.

FLOOR AMENDMENT TO HOUSE RESOLUTION NO. 1

Rep. Prout offered the following: Resolved, that the House adopt the rules of the 2018 session, excepting House Rule 65 which shall be adopted from the 2020 session, for the 2021-2022 Biennium.

Rep. Prout spoke in favor.

Rep. Timothy Smith Spoke against.

On a division vote, with 183 members having voted in the affirmative, and 60 in the negative, the floor amendment offered by Rep. Prout was adopted.

FLOOR AMENDMENT TO HOUSE RESOLUTION NO. 1

Rep. Andrew Bouldin offered the following: Amend the resolution by adding the following new section to House Rule 65:

(c) To protect the members and their constituents during the state of emergency resulting from the COVID-19 pandemic, the Speaker shall make arrangements to accommodate members who wish to participate and vote remotely in committees and while the House is in session.

Rep. Andrew Bouldin spoke in favor.

Rep. Packard spoke against.

On a division vote, with 56 members having voted in the affirmative, and 182 in the negative, the floor amendment offered by Rep. Andrew Bouldin failed.

The question now being adoption of House Resolution No. 1.

Motion adopted.

MOTION TO PRINT DEBATE

Without objection, the Speaker moved that the debate on House Resolution No.1 be printed in the Permanent Journal.

DEBATE ON HOUSE RESOLUTION NO. 1

Representative Wallace: Mister Speaker, I rise for a motion.

Speaker Hinch: There is a motion on the floor, Representative. We will get back to you.

Representative Wallace: Mister Speaker, before that motion, I gave to the Clerk the resolution, a concurrent resolution, that the Clerk has in his possession.

Speaker Hinch: Unfortunately Representative, it is not in order at this time. It may be at a later time.

Representative Wallace: Why is that not the case? If I might ask of the Chair?

Speaker Hinch: We haven't adopted rules yet.

Representative Wallace: That's correct. So as such we have not adopted rules so there is nothing to suspend and no rule from preventing this motion. I will be heard.

Speaker Hinch: Representative, without rules to promulgate legislation, we can't accept the motion at this time. There is a motion on the floor and it is amendable. The Chair recognizes Rep. Prout for a floor amendment.

Representative Wallace: I yield to Rep. Prout.

Speaker Hinch: The amendment is found in your seat pockets.

Representative Prout: Mister Speaker, House Resolution 1 traditionally adopts the rules of the most recent term, the one that ended at 12:01 a.m. this morning, as the temporary rules of the newly assembled House, subject to amendment by a majority vote until mid-January. This amendment would instead adopt the rules of the term before that for 2017-2018 session, except for Rule 65, which contains the calendar and the COVID-19 rescheduling rule, which would be preserved. The reason I am bringing forth this floor amendment is that I object to several of the rule changes made last term. I won't go into all of them now, but I will mention the one that I hope can get the broadest support, Rule 67, the sexual harassment training requirement, mandates in-person attendance. For those of you returning from last term, you may remember I had issues with this aspect of the rule. The mandate for in-person attendance is likely to cause even more problems this term. For this reason, among others, this rule needs to be looked at again and reworked. Some would say I should just let the rule go into effect as is and we'll fix it in January. However, I have been around long enough to know that we'll fix it later argument rarely works as well as hoped. I see that there are several major different schools of thought around this rule. That it is unconstitutional and shouldn't exist at all. That it belongs in statute, not rules. That it's fine but remote training should be allowed and there may even be some that still want to mandate in-person training. If these different positions are irreconcilable, and they may very well be, then no path forward could command the majority. We would be stuck with the rule as is. I find that unacceptable. Six rule changes from last term will be backed out by this amendment. Some of them are completely unobjectionable, but others have flaws that need a fresh look. However, it is not conducive to do line item editing in this venue here. We do that in January after the Rules Committee has met to consider the changes and we have our voting buttons programmed so we can do multiple roll calls without wearing out the Clerk's vocal cords and being here until dark. I plan to bring all six of the rules changes from last term to the attention of the Rules Committee for consideration. The vote today should not be viewed as the final decision to repeal them, but just a step in the deliberative process of organizing the new House. All of the rules that this amendment would suspend will get a vote on their final disposition in January. Today we just need some temporary rules that we can agree on to organize the House, knowing that our rules are still subject to amendment by majority vote until January 15. Thank you, Mister Speaker, and I ask everyone to vote Yea on this amendment.

Speaker Hinch: Thank you. The Chair recognizes Rep. Tim Smith from Manchester.

Representative Tim Smith: Thank you, Mister Speaker. Mister Speaker I was moved during your opening remarks after the election when you reminded us all of our duty as Representatives and you discouraged frivolous political theatre. I believe those were your exact words. This motion is frivolous political theatre. In the entire history of the New Hampshire House, in the entire history of New Hampshire, the legislative organization day has never been used as a vehicle for substantive rule changes. Not once. At best, this is an oversight that we can rectify by voting against this motion and allowing the regular Rules Committee process that has always worked to play out and that any of these proposed changes can be sent through the Rules Committee, which has not yet even been appointed, but at worst, this is a brazen unprecedented power grab that will quickly become a black stain on the legislative history of this state. I would urge all of my colleagues who are supportive of the net effect of this motion to bring these issues to the Rules Committee. We all know, everyone here on the field – I almost said in the room. Everyone here knows how to count. Everyone knows that those who want to make some of these rule changes are going to get what they want. Just go through the normal procedure for it. There is no need and no valid reason to abuse the situation we are in right now, where almost a third of us have not even been sworn in and push a substantive rule change on Organization Day. This is absurd. Thank you, Mister Speaker. Mister Speaker, I request a standing division. **Speaker Hinch:** Representative Horrigan.

Representative Horrigan: Thank you very much, Mister Speaker. I don't know that you have even decided the answer to this question, but I thought it is worth bringing it up anyway. When the Rules Committee

meets, which will probably be in a couple of weeks, will they be meeting remotely as many committees did very successfully last session during the summer, or is your intent to have some other model, like the traditional in-person meeting, which I think would be problematic because many of us wouldn't feel safe attending such a meeting or hybrid meetings. Just in order to guide my side to vote, will the Rules Committee meeting be held similarly to the remote meetings that we had this summer?

Speaker Hinch: Thank you, Representative. We are able to do a remote meeting, but that determination has not been made yet, nor has the date been set.

Representative Klein-Knight: I move that the arguments be printed in the Permanent Journal. Thank you.

Speaker Hinch: That motion is not appropriate at this time until we get to the vote. Rep. Cali-Pitts.

Representative Cali-Pitts: My question to the Chair is a parliamentary inquiry. Do we know how many people are still here? Many people left and many people didn't show up so I'm wondering, do we have any idea if we have enough people to go ahead with our 2/3 of those present.

Speaker Hinch: Thank you, Representative. We don't need 2/3 of those present and I believe we still have a quorum. The motion on the floor is the Prout amendment. This will be a division vote. The members will be standing and stay standing until you are counted by the staff. So you need to be at your seats before we can take a vote. Just for clarification, this will be a standing division vote and we will start. We have a request for a parliamentary inquiry from Rep. Verville. The Chair recognizes Rep. Verville. Excuse me one second, Representative. You have to be at your seat please. Go ahead, Representative.

Representative Verville: Thank you, Mister Speaker. Mister Speaker, if I know that we need to adopt rules today to organize the House. And, if I believe that the 2020 rules contained items that were contentious, divisive, often ignored and have not aged well. And, Mister Speaker, if I know many members would not vote to readopt them for those reasons, potentially leaving us with no rules. And, Mister Speaker, if I know that it is obvious to me that adopting a rule requiring in-person training when a quarter of the House, actually a third of the House, won't even show up in person to get sworn in, just isn't going to work. And, lastly Mister Speaker, would I now vote Yea to adopt this amendment so we can complete the organizing of this session of the New Hampshire House of Representatives?

Speaker Hinch: This will be a division vote. If you are in favor of the Prout amendment, please rise and stay standing. Members please be seated. All those voting No on the Prout amendment, please rise. Members may be seated. With a vote of 183 Yeas, 60 Nays, the Prout amendment passes. We have further amendments. The Clerk will read the amendment.

Clerk Smith: Mister Speaker, Representative Andrew Bouldin offers a floor amendment to House Resolution 1. Amend the resolution by adding the following new section to House Rule 65:

(c) To protect the members and their constituents during the state of emergency resulting from the COVID-19 pandemic, the Speaker shall make arrangements to accommodate members who wish to participate and vote remotely in committees and while the House is in session.

Speaker Hinch: The Chair recognizes Rep. Bouldin to speak to his amendment.

Representative Andrew Bouldin: Thank you, Mister Speaker. Mister Speaker the floor amendment I am offering is simple. It would add a new section to House Rule 65 that was just read. As you can see, many members chose to stay home today and instead be sworn in virtually at the Governor and Council meeting tomorrow. Many of those members have weakened immune systems or other factors that make them especially vulnerable to the COVID-19 virus. In addition, many members chose not to attend today because they were concerned that if they picked up COVID-19 here, they could bring it home to their communities. We should adopt this simple rule change to allow any member who chooses to participate in committee meetings and House sessions remotely, thus protecting those members, their families and members of the public. You heard the Honorable Clerk here today state that though the supreme court has ruled that we can meet remotely, we are not able to yet because we have no House Rules allowing it. This amendment would provide us a way to achieve this by requiring the Speaker to make necessary arrangements for members to attend remotely. Please join me and vote Yes on the floor amendment and let's make today the last legislative super spreader event in New Hampshire. And, Mister Speaker, I request a standing division.

Speaker Hinch: A standing division has been requested. The Chair recognizes Rep. Packard to speak against the motion.

Representative Packard: Thank you, Mister Speaker. Mister Speaker, it's kind of early in the session, seeing that we just got sworn in about an hour and a half ago to bring forth an amendment to the rules when we haven't even had a chance to look at the new rules and what we have to do. Is it possible that something like this is available? Yes, but before we can work with, we have to work with the staff. We have to work with other people in the State House and we have make sure that this all is possible before we can move forward. I'm asking everybody, give us a chance to work through this before we vote for something we don't know that's going to be able to work. So, I'm asking everybody to vote No on this amendment.

Speaker Hinch: The motion on the floor is the Bouldin amendment. This is going to be a standing division vote. If you are in favor of the motion, please stand at this time. If you are in favor, stand at this time. Let me remind the House Member that video is not authorized in House Session. Members be seated please. All those voting No, please rise. Members may be seated. With a vote of 56 Yeas and 182 Nays, the amendment fails.

Representative Verville: Thank you, Mister Speaker. I request that you as the Speaker request that the Sergeant-at-Arms ensure that video was deleted and that if it was shared on any social media or saved or sent anywhere else, that that be corrected. It's in clear violation and it's not a freshman member. That needs to be addressed please Mister Speaker.

Speaker Hinch: Thank you, Representative. The member is recognized. Wait a minute. Please sit down. The question before the House is the adoption of HR1 as amended. Does the member wish to speak against that? The member waives off. We are at the voting stage. All those in favor of adopting HR 1 as amended, so signify by saying Aye, those opposed, Nay. The Ayes have it and it is adopted. Without objection, the debate will be printed in the Permanent Journal.

RESOLUTION NO. 2

Reps. Osborne and Shurtleff offered the following: RESOLVED, that all action taken at all sessions of the House of Representatives be recorded through the public address system, and that the recording be used by the Clerk to confirm and correct the Permanent Journal. The Permanent Journal, as prepared by the Clerk, and as may be corrected by the House, shall be the official record of the House.

Motion adopted.

RESOLUTION NO. 3

Reps. Osborne and Shurtleff offered the following: RESOLVED, that the following policy be established for the distribution of House calendars and journals, bills and resolutions to members of the General Court and state departments:

1. Every citizen is entitled, free of charge, to one copy of any publication at the legislative counter or to have the publication mailed to that person upon individual request for one such copy.
2. Persons requesting copies for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees may be prorated when service is received for portions of the session only. All fees are payable in advance. The subscriber list may be submitted for legislative accounting and auditing purposes, but is not for publication or sale.
3. All fees charged for publications in accordance with this resolution shall be fixed with the approval of the Speaker, paid into the state treasury and credited to the legislative appropriation.

Motion adopted.

RESOLUTION NO. 4

Reps. Osborne and Shurtleff offered the following: RESOLVED, that the Speaker may employ such personnel as he may deem necessary and, with the approval of the House subcommittee of the Committee on Legislative Facilities, may fix their compensation in accordance with RSA 17-E:5.

Motion adopted.

RESOLUTION NO. 5

Reps. Osborne and Shurtleff offered the following: RESOLVED, that the members will be paid their legislative salary, as provided in the Constitution, in the month of January 2021, and that mileage of members of the House of Representatives be paid every two weeks during the session.

Motion adopted.

RESOLUTION

Rep. Wallace offered the following: RESOLVED, that in accordance with the copy of the Resolution in the possession of the Clerk, House Concurrent Resolution numbered 1 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committees.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

First and second reading

HCR 1, terminating the state of emergency due to Novel Coronavirus (COVID-19).

(The motions were not in order)

MOTION TO SUSPEND HOUSE RULES

Rep. Wallace, having been informed that he was attempting to first suspend rules, he moved that House Rules be so far suspended as to allow introduction and consideration of a House Concurrent Resolution regarding the state of emergency due to the Novel Coronavirus.

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

On a division vote, with 95 members having voted in the affirmative, and 137 in the negative, the motion failed lacking the necessary two-thirds vote.

RESOLUTION

Rep. Sylvia offered the following: RESOLVED, that the question of qualifications of members of the house sworn in remotely be referred to the committee on Legislative Administration to determine if they have properly taken the oath of office before the Governor and Council as required by Part II, Article 85 of the New Hampshire Constitution and until the House decides the matter, that members having taken the oath remotely not be seated pursuant to authority and Part II, Article 22 of the constitution for the House to judge the returns, elections and qualifications of its members.

The Speaker ruled the motion out of order.

RESOLUTION

Rep. Osborne 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 resolutions be by caption only and that all resolutions be read a third time and passed and when the House adjourns today it be to convene on Wednesday, January 6, 2021.

Motion adopted.

The Organizational session of the 2021-2022 House of Representatives adjourned at 1:15 p.m.

