



State of
New Hampshire

HOUSE RECORD

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Concord, N.H.

Thursday, February 17, 2022

No. 4

HOUSE JOURNAL NO. 3 (Cont'd)

Wednesday, February 16, 2022

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

HOUSE JOURNAL NO. 4

Thursday, February 17, 2022

The House assembled at 9:30 a.m., the hour to which it stood adjourned, and was called to order by the Speaker. Prayer was offered by House Chaplain, Reverend Bob Stewart, Pastor of St. Paul's United Methodist Church in Manchester.

O loving Creator of the Universe, thank You for every seat that has been filled here today. For each mind and heart that fills the presence of this room, we thank You. Only You truly know what we are setting out to accomplish today. We have an idea, a vision, hints, and daily instructions. We have talents, abilities, and time to work. However, only You can see in perfect detail the end of every beginning. O God, You are the Alpha and the Omega. You are the beginning and the end. You are everything! Every project, every season, every life. Nothing is ever in vain, for even mistakes and missteps are used for something good. Your righteousness transcends all our efforts and understanding. Guide and direct us this day as we seek a better way and a better life in this world that you have created. Help us to make decisions that will be good for those we represent in this great State of New Hampshire. Strengthen our confidence in who You have made us to be. Set us free from comparison in order to work together efficiently and in harmony. We thank You for the leadership that is represented here today. Bless this meeting today, all those present, as well as the lives of those we will encounter afterward. Ready us to make every moment count this day and, in the days, ahead. We pray all this in Your name who is God of us all. Amen.

Representative Joan Hamblet, member from Portsmouth, led the Pledge of Allegiance.

A recording of the National Anthem, performed by the United States Army Band, was played.

LEAVES OF ABSENCE

Reps. Berch, Cushing, Ellis, Frost, Mary Griffin, Guthrie, Kimball, Myler, Richards, Roy, Peter Schmidt, Spang, Tudor and Welch, the day, illness.

Reps. Baxter, Cote, Kennedy, Lundgren, O'Hara, Laurie Sanborn, Southworth, Varney, Verville and Walz, the day, important business.

Reps. Elliott and Rhodes, the day, illness in the family.

RESOLUTION

Reps. Osborne and Ebel offered the following: **RESOLVED**, that the House of Representatives notify the Honorable Senate that it is ready to meet in Joint Convention for the purpose of hearing the State of the State Address by his Excellency, Governor Christopher T. Sununu.

Motion adopted.

SENATE MESSAGE

The Senate is ready to meet with the House of Representatives in Joint Convention for the purpose of hearing the State of the State Address by his Excellency, Governor Chris Sununu.

The Clerk introduced and the Sergeant-at-Arms escorted the Honorable Senate and Senate President, Chuck Morse of Salem.

JOINT CONVENTION
(Speaker Packard presiding)
INTRODUCTION AND SEATING OF SPECIAL GUESTS

The Clerk introduced and the Sergeant-at-Arms escorted the following: Acting Secretary of State, David M. Scanlan. State Treasurer, Monica Mezzapelle. Chief Justice of the New Hampshire Supreme Court, Gordon J. MacDonald. Executive Councilor, Joseph D. Kenney.

The Clerk introduced and the Sergeant-at-Arms escorted Governor Christopher T. Sununu to the rostrum. Governor Sununu presented his State of the State Address to the Joint Convention.

STATE OF THE STATE ADDRESS

Good morning – thank you Mr. Speaker, Mr. Senate President, honorable members of the House, the Senate, the Executive Council, and of course, Chief Justice MacDonald – and to our fellow citizens tuning in remotely today, welcome This State of the State marks the first time we’ve come together—in person since COVID arrived 2 years ago. Since then, we’ve tragically lost over 2,300 Granite Staters to this awful virus and our hearts go out to their families. COVID has been extremely tough. But the state of New Hampshire is strong. It is resilient, and we are putting systems and policies in place that don’t just make us like everyone else, but truly separate us from the pack and capitalize on all our potential. So, let’s jump right into an update on how the state is doing, the opportunities we have and where we can go. Let’s start with some really good news: Today The Granite State is ranked as the Freest State in the Nation. We have the Strongest economy and the fastest population growth in the northeast. We are Number One in America for Public Safety. First in Economic Freedom • and we continue to have Lowest Poverty Rate in in the country with some of the highest average wages for our citizens. Ranking after ranking shows what we here in New Hampshire have long known – the Granite State is the place to be and America is taking notice. Our way of life here in the 603 is the best of the best. We didn’t get here by accident — we did it through smart management, prioritizing individuals over government, citizens over systems, and delivering results with the immense responsibility of properly managing our citizens tax dollars. As other states were forced to buckle down and weather the storm, we took a more proactive approach in 2021. In just the last year, we: Cut the statewide property tax by \$100 million to provide relief to New Hampshire taxpayers. Cut the rooms and meals tax. Cut business taxes — again. Began permanently phasing out the Interest & Dividends tax. And while we heard scary stories of how cutting taxes and returning such large amounts of money to citizens and towns would ‘cost too much’, the actual results have played out exactly as we planned, record tax revenue pouring into New Hampshire exceeding all surplus estimates, allowing us to double the State’s Rainy Day Fund to over \$250 Million. A few years ago, we would get excited over \$25M in surplus and yet this next year we now estimate that we will see 10 times that amount allowing for overdue investments in the state’s infrastructure without additional burden on our citizens. Along with the state, Local Governments have unprecedented amounts of additional financial opportunity as well. Federal Support has created \$600 million in additional education funding. Then you add another \$250 million in general Federal support to every city, town and county in the state through ARPA funds. When you add all that up with the \$100 Million of property tax relief and don’t forget that thanks to Senator Denise Ricciardi and her colleagues in the legislature that 45% MORE in meals and room tax revenue is coming to your towns, not just this year but every year. That’s an incredible amount of money to offset costs in your towns. So instead of downshifting costs, we downshifted cash, giving cities and towns extra flexibility — a win for our citizens. Because of these investments, many towns are using this increased financial opportunity to lower local property taxes, which everyone loves to see. I’m here to tell you – if your town isn’t lowering taxes for some reason, town meeting day is in less than a month, so go out, make your voice heard, and work with your local town officials to help make it happen. Now’s the time to do it. Last year, our nation continued to grapple with COVID — the pandemic strained our health care system and tested us like never before. While other states were seemingly caught flat footed just reacting to the surge, we took a forward-looking approach and prepared for what we knew would be a tough winter. We knew that the government couldn’t SOLVE Covid, but we came together, cut red tape, and flexed open our health care system to meet our citizen’s needs. Over the last year, New Hampshire: Was the fastest with the initial vaccine roll-out for citizens which meant. New Hampshire was the first state to open the vaccine up to everyone who wanted it. We Delivered over 1.5 million free rapid tests to households across the state. Kept Schools Open with children safely in the classroom. Built out internal surge centers at our hospitals, cut red tape to fast-track licensing of hundreds of nurses in just a few weeks. Strategically deployed federal dollars to support our health care and long-term care providers. And when it came to the mixed messaging and mismanagement of the Federal Government, we stood up for our citizens and held Washington accountable for their illegal mandates. New Hampshire has consistently ranked among the safest states in the country for COVID — now having one of the lowest hospitalization rates in America — and we did it without sacrificing the freedoms we hold dear. We kept businesses open. We stopped the federal vaccine mandates. We let individuals, businesses, and communities decide what worked best of them, but we also

didn't go to extremes and tell small businesses who they could hire or fire. We know it's not right to infringe on those businesses' rights and it's not what Live Free or Die is all about. We used a team approach and let local solutions drive our strategy. We listened to our citizens and took every question because it is our responsibility to inform our citizens. The nation has taken notice of the success we've achieved here in New Hampshire - and that's thanks to the citizens of this great state. You heeded the advice of public health experts. You craft the guidance that kept our economy open - You cared for your neighbors, and - You took on each day with the resiliency known only by Granite Staters. For all of that, we Thank You. Now we're moving forward as a state with the mindset that COVID may be here for quite some time — and we can manage. We can turn our 'New Normal' back to 'Old Normal.' The Pandemic of 2022 is not like March of 2020 because we have so many more tools in our toolbox. We have the vaccines, we have boosters, we have at-home tests. We know so much more, and we will continue to let data and science guide our approach — just as we have from Day One. But none of this would have been successful were it not for the dedicated, hardworking, and lifesaving Healthcare Workers on the front lines. And the men and women of our National Guard. These are New Hampshire's heroes that have worked nonstop through the pandemic, and it is because of them that we stand here today and say: THANK YOU! Because of our strength, our resilience, and Granite State innovation, we continue to grab the attention of those in Washington, D.C. and in state capitols across the country. And unlike those in Washington, D.C., when we say we're going to do something, we do it. I think we can all agree that its long time coming that politicians in Washington take a page out of New Hampshire's playbook. We lay out policy goals and go after it. Instead of partisan bickering and perpetual gridlock, we deliver results. Complacency isn't in our DNA — and it's not who we are as Granite Staters. State are the ones leading the management of today's challenges. The states are the laboratory for democracy — and thanks to a no-nonsense approach we design flexible programs to meet the needs of the 603. We had a great year last year — but there is still more work to be done. Last year when I delivered my inaugural address, I asked everyone to come together to find a more positive path so that we might head into the new year united. Understanding that we may disagree on policy or politics, which is OK, but we needed to enter the new year united as citizens with the responsibility to uplift our communities for positive change. Because I knew that when you break through the ugly political divide that we see eating away at the rest of the country, we could get some amazing things done. Last year, in my speech, I called for: Passing paid family medical leave — without an income tax. The result is that this year New Hampshire is developing the most innovative paid family medical leave program in America — one that is truly voluntary and funded without an income tax. Last year we fought to Expand Educational Opportunities for students and families. This year, for the first time in state history, a child's zip code or family income no longer dictates their educational options, with Education Freedom Savings Accounts New Hampshire is providing opportunities to thousands of families across our state with nothing but positive results. Last year I prioritized cutting taxes and attracting businesses. Thanks to this legislature, we cut taxes, and then cut more taxes - New Hampshire has one of the lowest tax burdens in the country, putting more money back into the pockets of families and small businesses — all while continuing robust services under a fair and balanced budget. The result is businesses pouring into New Hampshire, growing sustainably, and creating the biggest budget surplus in the state's history. Tax cuts work, so let's do it again! And remember back in 2016 when New Hampshire had some of the highest health care costs in America? Well, we challenged ourselves to change that. This year we redesigned our state-level policies with families in mind. And today in New Hampshire, benchmark health insurance premiums are the lowest in New England, and below the national average. And when it comes to mental health, we continued to face that challenge head on. When I came into office, the State had a mental health system that was fragmented. It was designed by bureaucrats and didn't work for families. We called it the unspoken crisis of our time, which has only been exacerbated by the COVID pandemic. It was no accident that when we needed a new Commissioner of Health and Human Services that I chose a nurse who had worked her way up through long term care and later ran New Hampshire Hospital. We have all gotten to know Commissioner Shubinette and have worked with her and her team to dramatically transform the entire mental health system. As we came through last year's Covid Emergency Order I immediately issued an Executive Order calling for direct action to ensure individuals in mental health crisis receive timely and appropriate medical care. A key piece of the transformation effort is to increase capacity in community-based services. This means providing access to mental health care for children and families before they find themselves in crisis, reducing the need for Emergency Room visits. • As many know, we recently signed a purchase agreement to buy Hampstead Hospital — this is a transformational investment to provide dedicated services to New Hampshire's kids who need and deserve access to high quality mental health providers. Last month, we doubled down on our Emergency On-Demand access to mental health. When you're in crisis, you don't have time to wait. There is now mobile crisis support and a 24/7 crisis call center. Over the last year we invested millions to promote youth activities outside the classroom and provided access to mental health supports through summer camps and in our schools through social and emotional learning. • And I am calling on the House and Senate today to continue the progress we've made in bolstering mental health services by passing SB 234 — which would

require every student ID card in New Hampshire to have the phone number of the National Suicide Prevention Lifeline. Easy access to this 24-Emergency service for every family – It's so simple, cost nothing, but will undoubtedly save lives. And we're not done. In the next few weeks, the Commissioner and I will be bringing forward a historic opportunity for a public-private partnership that will for the first time provide New Hampshire with an adequate number of crisis beds for those most in need. And at the same time allow us to attract the best and most specialized mental health workforce around. Let's get this done! Just a few years ago, alongside the Mental health crisis, New Hampshire was seeing drug related deaths continue to skyrocket – from 2013-2017 our drug related deaths doubled. When I became Governor, we said Enough is Enough and instead of just pumping more money into a failing system with little accountability we took the challenge head on and built a new system of care. The Doorways: A system that didn't just focus on 28 days of treatment, but one that actually integrated all of the wrap around services critical for long term success of the individual. Treatment – Recovery - Transitional Housing- Recovery Friendly Workplaces – Harm Reduction - Prevention – All of it working together for the first time, many services now being offered 24/7 Where you need them – when you need them. Thanks to The Doorway and the incredible men and women that support it, in 2021 New Hampshire became one of the only states in America where overdose deaths did not increase. In fact, over the last two years, we've reduced drug overdose deaths by more than 10% - while the national statistics have risen 50% Here in New Hampshire we are bucking the trend. We have not won this battle — far from it, but with the tools and resources we've deployed, citizens can rest assured that we are leaving no stone unturned in our battle against addiction. We are making strides with mental health and opioid addiction, but people always ask where we are on connectivity and infrastructure. During Covid, we brought broadband to over 4,500 hard-to-reach households creating connectivity to areas often forgotten across the state. And over the next 2 years, we are going to be one of the first states in the country to extend broadband to tens of thousands of more. We made investments to address PFAS contamination in our water systems. PFAS is one of the biggest Environmental Concerns this state has ever faced and with the leadership and help of Senator Chuck Morse, we allocated \$150M to fund water infrastructure projects to ensure when you turn on your faucet — you know the water in your cup is safe to drink. Unfortunately, we see Washington continue to ignore the nationwide inflation crisis that has led to skyrocketing energy costs. This affects Granite Staters at the gas pump, on their electric bills, and when they heat their homes. Increasing costs hurt our job creators, our families, and our seniors on fixed incomes. What we have seen over the past year only reinforces my philosophy on energy during my time in office: That first and foremost, we have to prioritize our ratepayers and make sure our policy decisions do not overly burden them. When possible, we must strive for New Hampshire solutions that are innovative and responsible. This methodical way of addressing energy policy pays dividends: According to data from the Federal Department of Energy, over the last 5 years, Massachusetts residential ratepayers have seen over double the increase in electricity rates than New Hampshire households have. Said another way, if New Hampshire had followed Massachusetts's lead New Hampshire families and seniors on fixed incomes would have paid an additional \$100 Million dollars A YEAR just to turn on the lights. You see, we no longer just say yes to every energy project that comes across our desk just because the lobbyists or special interests wants the funding. That's lazy, it's political, and it costs New Hampshire families a fortune. We can be smarter. Just last year, we established the Department of Energy and Funded the Office of Offshore Wind Industry Development for the First time in history to signal we can move forward in a responsible way. Clean, reliable, and affordable offshore wind energy will be a reality for New Hampshire. You might not be able to see it way out there, but we'll all benefit from it! And let's not forget our big win in net metering. It took a couple years to find the right balance, but we passed a bipartisan bill that did things the New Hampshire way. Protecting ratepayers, advancing clean energy, and helping cities and towns choose their energy future. I was proud to work with Representative Vose and Senator Avard and all the legislators that got this done. Thank you! A few years ago, I stood before you and said those of us that are born in New Hampshire are lucky, and those of us who move here are smart. Well, it appears we have a whole lot of smart people moving to New Hampshire. Families looking for low taxes, good schools, a sense of community, and beautiful lakes, mountains, and forests are moving here in droves – and at a faster clip than anywhere else in the Northeast. Which presents both opportunities and challenges. One of our biggest challenges is the availability of housing for our working families. Our state's shortage of available housing was further squeezed by the pandemic as people poured in. With that challenge I see opportunity. I created the Council for Housing Stability in November 2020. That council developed a three-year plan, that aims reduce homelessness and to increase housing options for our working families by 13,500 units in the next three years. These are achievable goals within our grasp. I'll also continue to ask the legislature to get SB 400 done — a bill to create regulatory incentives for workforce housing across this state. But with the post Covid economic boom hitting the Granite State, SB400 won't be enough. I have repeatedly asked the Federal Government to give New Hampshire flexibility with our housing relief funds, but they keep refusing. Nevertheless, I'm not deterred. We know that New Hampshire needs to make an investment today. We can and we must move forward and create more workforce housing but just as important, do so in a way that preserves what is best

about our state. Our shared sense of responsibility to our neighbors. This is the New Hampshire way and that is why today – I’m proposing the InvestNH Housing Incentive Fund – a historic \$100 Million Fund using ARP dollars to rebuild and expand Housing for New Hampshire’s next generation. Working with the legislature, this program is a multipronged approach: First – This proposal will invest \$60 million in flexible grants to match investments for multifamily housing projects ready to move to the building stage. Second – Slow and uncertain permitting deters investment. So, we want to incentivize towns to move quickly. I’m calling for a \$30 million commitment to reward municipalities that can approve permits within 6-months of application. These grants would be made directly to the towns to offset costs and increase their ability to invest locally. Third – I want to create a \$5 million demolition grant fund for those communities that have vacant and dilapidated buildings that they just cannot afford to remove. Let’s clean the old lots out to move the next generation of sustainable housing in. And finally, I want to invest directly into cities and towns by providing \$5 Million in planning grants so they can update planning and zoning regulations that facilitate modernizing development in New Hampshire. These investments are critical to ensuring New Hampshire is the number one destination in New England. This housing is for workers and families who work in our communities, go to our schools, and contribute to our economy. The Data is Clear - Housing creates regional stability for our families and businesses! And that’s a win this legislature can deliver for New Hampshire! Housing is critical to the success of our communities, but so is the safety of our neighborhoods. Back in 2020 New Hampshire aggressively took on the challenge of tackling issues surrounding law enforcement accountability, correctional reforms for modernizing our detention systems. We ensured that law enforcement worked in conjunction with community leaders to develop our Commission on Law Enforcement Accountability (we call it LE-ACT). NH law enforcement remains the gold standard across the country, and it is because of their collaborative work with the LEACT Commission that we are able to move forward on so many of these crucial and successful initiatives. But we also looked at the correction system designed for our youth. And after years of inaction, we brought from the shadows the horrific cases of abuse that occurred at New Hampshire’s Youth Detention Facility in Manchester. The Attorney General’s Office is continuing the comprehensive criminal investigation into these allegations. While this abuse occurred many years ago, in some cases decades ago, we will not stop until we have brought all perpetrators to justice. And to that end we have put forward a proposal to the legislature to set a \$100 million settlement fund for compensating these victims. This is the sensible and right thing to do. I hope you’ll support me in creating this fund, so that we can bring closure to this incredibly painful process, move the current group of kids to a more treatment focus model, and bulldoze that facility once and for all for Manchester. And despite our ranking as the Number One State for Public Safety in the United States – we know there is still more work to do to keep our communities safe. I was grateful to see that just yesterday the Senate passed SB 294 – which will ensure violent criminals do not automatically walk free on bail. This law is critical in protecting victims of domestic violence – attackers shouldn’t be able to continue to prey on their victims. At a time when law enforcement across the country is faced with unspeakable danger, we must continue to stand up and fight for a system that prioritizes safe communities above all else. NH is the gold standard for public safety, SB 294 will help make us even safer, and I urge the legislature to get this bill to my desk. I would like to close by talking about one final, very exciting project. One area I think we all passionate about is supporting our veterans and active military service members. This past year we opened new state of the art homeless facilities for our struggling veterans, but we can do more. We have to think bigger and broader. So many New Hampshire citizens have answered the call to serve; it’s a proud legacy in our state. That service comes with great personal sacrifice that we are all eternally grateful for. Over the past few months, I have worked with Adjutant General David Mikolaities, legislative leadership and our Veterans support groups on a proposal that takes advantage of an opportunity and partnership with Easter Seals. This \$21 million initiative creates a unique all-encompassing Veterans Campus. The Veterans Campus, being proposed for a site in Franklin, is designed to integrate veterans, active military, and their families. A campus that includes housing, supportive services, a retreat center, a true integration of care coordination, therapeutic and recreational services all designed by veterans and military personnel, for veterans and military personnel. Like never before New Hampshire is going to be able to create the gold standard in the health and wellness of America’s heroes. We have had a lot of success over the last year with a lot more opportunity ahead of us. But we cannot take any of this progress for granted. Too often across the country we see people fight in the extremes. We see ideological differences bring great ideas to a screeching halt - all over a political turf battle. We cannot let that happen here in New Hampshire. As a state we are moving full speed ahead, but we cannot get bogged down or disrupted by the extremes. We have to have the courage to reject those notions. The citizens of our state did not hire us to just be political ideologues, they hired us to do a job. If you are here to relish the attention over a fight that gets us nowhere, I have no patience for that. I have never and will never let our state be hijacked by these radical elements on either side. They let it happen to Washington, every day. No one stands up to stop it. But here in New Hampshire, together, we have worked hard to keep it from holding us back. Let’s not let social media dictate our priorities and sentiments. Because it’s not real. Let’s not fixate on cable news,...

CLERK'S NOTE

As the Governor began to conclude his State of the State address, a member of the House had a medical emergency. As medical professionals attended the member, the Speaker, Senate President, and Governor agreed that the joint convention should end and the member be attended to; accordingly, the Speaker declared the joint convention adjourned, without objection.

Without objection, the Speaker declared the Joint Convention adjourned.

HOUSE SESSION

(Speaker Packard in the Chair)

REGULAR CALENDAR CONT'D

HB 1535-FN, relative to cost of living adjustments for retirees in the state retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended, grants persons retired at least five years, or their beneficiaries, a 1.5% cost of living increase on the first \$30,000 of their pension. This is terminally funded immediately, from the general fund, to prevent down shifting this cost to the cities and towns. The committee amendment removes not only the down shifting but also the authority and duty of the board of trustees of the retirement system to grant further COLAs, based on the Social Security increase, every year, without any oversight. These are estimated to add almost two billion dollars to the retirement system's unfunded liability, to be paid for primarily by our property taxes. The committee was sympathetic to the needs of the retirees who have seen their pensions eroded over the years by inflation, but was unwilling to make such a costly change to the retirement system. Vote 17-2.

Amendment (0551h)

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

1 New Section; Retirement System; Cost of Living Adjustment; Supplemental Allowance. Amend RSA 100-A by inserting after section 41-e the following new section:

100-A:41-f Annual Cost of Living Adjustment; Supplemental Allowance.

I. Any retired member of the New Hampshire retirement system or any of its predecessor systems, who has been retired for at least 60 months prior to or on July 1, 2022, or any beneficiary of such member who is receiving an allowance, shall be entitled to receive a cost of living adjustment (COLA) as a supplemental allowance, on the retired member's first anniversary date occurring on or after July 1, 2022. The amount of such supplemental allowance shall be 1 1/2 percent of a member's or beneficiary's annual retirement allowance which is \$30,000 or less, or otherwise 1 1/2 percent of the first \$30,000 of a retired member's or beneficiary's allowance.

II. The total actuarial cost of the supplemental allowance under paragraph I, as determined by the actuary and certified by the board of trustees of the retirement system, shall be terminally funded from the state general fund. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. The supplemental allowance shall become a permanent addition to the beneficiary's base retirement allowance and shall be included in the monthly annuity paid to the retired member, or to the member's beneficiary if the member is deceased and the beneficiary is receiving an allowance under RSA 100-A:8, 100-A:9, 100-A:12, 100-A:13, or similar provisions of predecessor systems.

2 Effective Date. This act shall take effect July 1, 2022.

AMENDED ANALYSIS

This bill establishes a cost of living adjustment in 2022 to be paid by the retirement system on the first \$30,000 of a retired member's or beneficiary's allowance. The cost of this supplemental allowance is paid from the state general fund.

Committee amendment adopted.

Committee report adopted.

Reps. Andrus, Gordon, Wayne MacDonald, Moffett and Schapiro declared conflicts of interest and did not participate.

The Speaker referred the bill to the Committee on Finance.

HB 1587-FN-A, relative to determination of average final compensation under the retirement system and making an appropriation therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tom Lanzara for the Majority of Executive Departments and Administration. This bill ensures that a member's entire career (all years of service) is included in the averaging of compensation over base (overtime, special duty, and so forth) for their calculated average final compensation, which determines their pension. This is not a new benefit or an enhanced benefit, it simply asks for all the member's years of service to be

included in the average final compensation calculation. This bill removes a provision in the pension calculation that requires group II (PD, Corrections, Fire) employees to pay in on these earnings, but not have them count toward their pension calculation. This is not done anywhere else in the investment world. The result of taking part of a person's paycheck and applying it to a general overall fund is an income tax. This bill removes that income tax by having all payments made to the pension system count toward the person's calculated compensation. The employee still pays in the same amount as they always have. One classification of NH citizens should not be singled out to pay an income tax. This is one of many issues that would certainly impact the recruitment and retainment issues group II positions across the state have been dealing with. Since the changes were made to the system in 2011, occupations like firefighting, law enforcement and corrections have seen a drastic decrease in applications as well as an increase in active hires leaving current work to seek out opportunities in other states. Vote 12-6.

Rep. Matthew Santonastaso for the Minority of Executive Departments and Administration. This bill modifies final compensation for group II retirees of the New Hampshire Retirement System (NHRS) by including their highest 5 years in the calculation. The funds for this proposal will come from the general fund. The NHRS is already underfunded by 6 billion dollars, and it doesn't need new ways to increase liability. It makes little difference if the funds come from the State worker's paycheck or directly from property taxes, or from business taxes. This bill doesn't change that funds ultimately comes from the same citizens who will need to pay higher property taxes to fund this. This proposal that is expected to take \$55 million from the general fund will have ongoing costs. Although the general fund has a surplus now, it may not in the future. This proposal leaves an open question on the possibility of gaming the retirement system. An employee may be able to earn wages for a small period of time in a way that offsets the benefit to be more favorable than what is actually intended. The argument that this proposal is needed in order to increase hiring and retention of our police and firefighters is not sound. Every industry is facing a worker shortage. It is hard to imagine that a nuanced modification to the final calculation of the retirement program is going to bring in droves of new hires. Lastly this only increases the benefit calculation for a small group of group II retirees. In testimony we heard group I was left out because the cost would be too high. If we will allow this strange, and politically expedient discrimination in our retirement system, favoring one type of retiree over others; then we should expect group I retirees to demand an equitable increase. This will put the legislature in a corner to explain why we are favoring one group over another since it is not feasible to improve benefits to the retirement system as a whole.

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

Reps. Mark Pearson and Lanzara spoke in favor.

Rep. Santonastaso spoke against.

Rep. Bordes requested a roll call; sufficiently seconded.

YEAS 231 - NAYS 113

YEAS - 231

BELKNAP

Bordes, Mike	Harvey-Bolia, Juliet	Littlefield, Richard	Trottier, Douglas
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CARROLL

Nelson, Bill	Buco, Thomas	Burroughs, Anita	Crawford, Karel
Deshaies, Brodie	MacDonald, John	Smith, Jonathan	Knirk, Jerry
Marsh, William	McAleer, Chris	Woodcock, Stephen	

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Eaton, Daniel
Faulkner, Barry	Fenton, Donovan	Fox, Dru	Gomarlo, Jennie
Harvey, Cathryn	Maneval, Andrew	Mann, John	Parshall, Lucius
Schapiro, Joe	Toll, Amanda Elizabeth	Von Plinsky, Sparky	Weber, Lucy
Welkowitz, Lawrence			

COOS

Kelley, Eamon	Hatch, William	Laflamme, Larry	Merner, Troy
Theberge, Robert	Tucker, Edith		

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Dontonville, Roger
Egan, Timothy	Fellows, Sallie	Hakken-Phillips, Mary	Ham, Bonnie
Massimilla, Linda	Muirhead, Russell	Murphy, James	Nordgren, Sharon
Simon, Matthew	Stavis, Laurel	Smith, Suzanne	Sykes, George
Weston, Joyce			

HILLSBOROUGH

Alexander, Joe
King, Bill
Bouchard, Donald
Cohen, Bruce
DiSilvestro, Linda
Goley, Jeffrey
Hamer, Heidi
Homola, Susan
Kelsey, Niki
Lanzara, Tom
Long, Patrick
Marston, Dick
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rung, Rosemarie
Smith, Timothy
Van Houten, Constance

Bouldin, Amanda
Beaulieu, Jane
Bradley, Amy
Connors, Erika
Dutzy, Sherry
Gould, Linda
Healey, Robert
Schmidt, Janice
Klee, Patricia
Lascelles, Richard
King, Mark
McGhee, Kat
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Newman, Sue
Telerski, Laura
Veilleux, Daniel

Bouldin, Andrew
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Espitia, Manny
Graham, John
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Rice, Kimberly
Snow, Kendall
Toomey, Dan
Wilhelm, Matthew

Boyd, Bill
Booras, Efstathia
Cleaver, Skip
Creighton, Jim
Freitas, Mary
Griffith, Willis
Herbert, Christopher
Jeudy, Jean
Labranche, Tony
Leishman, Peter
Mangipudi, Latha
Notter, Jeanine
Pedersen, Michael
Porter, Marjorie
Rombeau, Catherine
Stevens, Deb
Vail, Suzanne

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Klose, John
Mason, James
Boyd, Stephen
Shurtleff, Steve
Wazir, Safiya
Yakubovich, Michael

Allard, James
Ellison, Arthur
Lane, Connie
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wells, Natalie

Bartlett, Christy
Gallager, Eric
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan

Cross, Kenna
Hall, Muriel
MacKay, James
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth
Woods, Gary

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Cahill, Michael
Doucette, Fred
Gay, Betty
Hamblet, Joan
Khan, Aboul
Maggiore, Jim
McMahon, Charles
Pratt, Kevin
Simpson, Alexis
Vose, Michael

Abrami, Patrick
Ayer, Paul
Cali-Pitts, Jacqueline
Edgar, Michael
Gilman, Julie
Janigian, John
Love, David
Malloy, Dennis
Meuse, David
Prudhomme-O'Brien, Katherine
Somssich, Peter
MacDonald, Wayne

Abramson, Max
Bernardy, JD
DeSimone, Debra
Emerick, Tracy
Grossman, Gaby
Murray, Kate
Lundgren, David
McBride, Everett
Paige, Mark
Read, Ellen
Thomas, Douglas
Ward, Gerald

Acton, Dennis
Bunker, Lisa
DiLorenzo, Charlotte
Ford, Oliver
Grote, Jaci
Katsakiores, Phyllis
Pearson, Mark
McKinney, Betsy
Pantelakos, Laura
Pearson, Stephen
Tripp, Richard
Weyler, Kenneth

STRAFFORD

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

Cannon, Gerri
Gourgue, Amanda
Levesque, Cassandra
Sandler, Catt

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Treleven, Susan

Fargo, Kristina
Horrigan, Timothy
Pitre, Joseph
Vincent, Kenneth

SULLIVAN

Callum, John
O'Hearne, Andrew
Smith, Steven

Cloutier, John
Oxenham, Lee
Sullivan, Brian

Gottling, Suzanne
Rollins, Skip
Tanner, Linda

Merchant, Gary
Stapleton, Walter

NAYS - 113**BELKNAP**

Aldrich, Glen
Howard, Raymond
Ploszaj, Tom

Bean, Harry
Johnson, Dawn
Silber, Norman

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Hough, Gregg
Mackie, Jonathan
Terry, Paul

CARROLL

Avellani, Lino

Cordelli, Glenn

McConkey, Mark

Umberger, Karen

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

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Craig, Kevin

Davis, Arnold

Thompson, Dennis

GRAFTON

Alliegro, Mark
Sanborn, Gail

Berezhny, Lex
Gordon, Edward

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Blasek, Melissa
Smith, Denise
Griffin, Gerald
Infantine, William
McLean, Mark
Plett, Fred
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Burt, John
Erf, Keith
Gagne, Larry
Kofalt, Jim
Mooney, Maureen
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Griffin, Barbara
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Lewicke, John
Nunez, Hershel
Prout, Andrew
Somero, Paul

Berry, Ross
Kelley, Diane
Foster, William
Greene, Bob
Mayville, Mary
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Cambrils, Jose
Moffett, Michael
Testerman, Dave

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Leavitt, John
Pitaro, Matthew
White, Nick

McGuire, Carol
Seaworth, Brian

ROCKINGHAM

Baldasaro, Al
Green, Dennis
Layon, Erica
Melvin, Charles
Potucek, John
Sytek, John
Wallace, Scott

Bershtein, Alan
Harb, Robert
Litchfield, Melissa
Milz, David
Soti, Julius
Tosorian, Peter
Yokela, Josh

Dodge, Dustin
Harley, Tina
Lynn, Bob
Osborne, Jason
Spillane, James
True, Chris

Dolan, Tom
Nelson, Jodi
Major, Norman
Piemonte, Tony
Sweeney, Joe
Vandecasteele, Susan

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Turcotte, Leonard

Bailey, Glenn
Hayward, Peter
Wuelper, Kurt

DeLemus, Susan
Horgan, James

Groen, Fenton
Kaczynski, Thomas

SULLIVAN

Aron, Judy

Spilsbury, Walter

and the majority committee report was adopted.

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

The Speaker referred the bill to the Committee on Finance.

HB 1590-FN-L, relative to municipalities withdrawing from the state retirement system. **MAJORITY: IN-EXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Stephen Pearson for the Majority of Executive Departments and Administration. This bill established an incomplete procedure for political subdivisions to withdraw employees from the New Hampshire Retirement System (NHRS). The bill fails to deal with the debt that the political subdivision is still responsible for, it fails to recognize what the political subdivisions responsibility is to its employees upon leaving, and it fails to take into account the negative impact on the overall system moving forward. This was such a concern to the committee that we decided this bill should be found inexpedient to legislate. There is also currently a method already established in statute for a community to withdraw from the system which makes this legislation unnecessary. Vote 15-3.

Rep. Matthew Santonastaso for the Minority of Executive Departments and Administration. This bill allows municipalities to withdraw from participation in the New Hampshire Retirement System (NHRS) for new hire group 1 employees only. This is unlike the existing withdrawal option in statute, which requires complete withdrawal from the retirement system, full payment of that municipality's portion of the retirement systems debt, and provision of an equivalent pension for employees. We heard in testimony that the town of Grafton, which only has between two and four group 2 employees and one group 1 employee, has paid \$70,247 to the retirement system over the last 5 years. That is more than any one employee receives in wages for the year. It is also more than the town pays a year for sand. It's not an insignificant amount to Grafton. Since this bill only allows new hire group 1 employees to opt out, the bill should not be a hindrance to the retirement system. It would be no different than if a town decided to not take on new hires. If it is true that the existing retirement system cannot persist without a constant influx of new investors, then it is difficult to believe that people who are often considered not prudent enough to invest for their own retirement could actually make a worse financial decision than to invest in an already bankrupt fund. It must be either contributions to the retirement system are a wise investment for a worker's future or they are a tax to compensate for the debts of the past. It cannot be both. Designating this bill for interim study will allow a deeper look into the issue of municipal obligations to the accumulated retirement system liabilities, and pension options for small town employees.

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

On a division vote, with 287 members having voted in the affirmative, and 7 in the negative, the majority committee report was adopted.

HB 1536-FN, relative to expanding Medicaid to include certain postpartum health care services. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for the Majority of Health, Human Services and Elderly Affairs. Today, nearly half of all births are paid for by Medicaid in a program where a woman must qualify once for coverage and is then covered through 60 days after birth. Five years' worth of federal funds are available to offset the cost of extending this benefit for 12 months after birth and, after this time, the cost of this federally structured plan would be paid fully by New Hampshire taxpayers. Should a woman become pregnant again before those 12 months end, she would continue to have Medicaid for each subsequent birth as long as she was pregnant again by the end of 12 months with no limit on income. Most women on Medicaid remain eligible even with income checks. The majority recommends interim study to understand the needs and experience of women who earn out of the Medicaid program to prevent a perverse incentive to more closely space births to retain public benefits, and to ensure that the burdens on hardworking families both in and out of Medicaid are not unnecessarily large. Vote 11-10.

Rep. Joe Schapiro for the Minority of Health, Human Services and Elderly Affairs. There is a growing recognition that the postpartum period extends far beyond 60 days. This bill would extend Medicaid maternity care benefits from the current 60 days to a full year pursuant to the state option under the American Rescue Plan of 2021. Currently, many women lose coverage at a critical time, leading to undiagnosed and untreated conditions such as cardiovascular disease, hypertension and depression. This is a common sense and inexpensive remedy for our nation's high rate of preventable pregnancy-related mortality and morbidity. Contrary to some who believe Medicaid recipients would intentionally become pregnant to maintain their coverage, this benefit would increase options for family planning and reduce unintended pregnancies. Expanding postpartum healthcare coverage is a wise investment in the health and wellbeing of New Hampshire families.

MOTION TO LAY ON THE TABLE

Rep. Mark Pearson moved that **HB 1536-FN**, relative to expanding Medicaid to include certain postpartum health care services, be laid on the table.

On a division vote, with 183 members having voted in the affirmative, and 161 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1578-FN, relative to including certain children and pregnant people in Medicaid and the children's health insurance program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dennis Acton for the Majority of Health, Human Services and Elderly Affairs. After careful consideration, a majority of the committee voted against this bill, which would extend Medicaid benefits to a subset of immigrants currently excluded from coverage. Members voting against this bill felt that extending these benefits would go against an agreement made in 2018 within HB 313 that placed a 5-year waiting period on those coming into the state via the immigration process. Additionally, members were concerned that changing the rules to extend benefits would place an undue burden on taxpayers at a time when both the negative effects of the COVID-19 pandemic are still with us and inflation is skyrocketing. With an unknown but reportedly massive number of asylum seekers entering the country and being transported to states without coordination with state-level agencies, the limited tax base in our state cannot absorb the expense of a large influx of additional Medicaid recipients. Vote 11-10.

Rep. Joe Schapiro for the Minority of Health, Human Services and Elderly Affairs. This bill would ease Medicaid eligibility requirements for certain groups of "lawfully residing" minor and pregnant immigrants. Taking the federal option provided in the 2009 Children's Health Insurance Plan Reauthorization Act, New Hampshire would join 33 other states and all of our New England neighbors in waiving the current 5-year wait for otherwise eligible children and pregnant people. This would not apply to undocumented people. It would apply to recent green card holders, those awaiting a final hearing for asylum, and those on Temporary Protected Status (TPS). Currently, we hear a constant refrain about New Hampshire's aging population and a critical lack of workers to staff and grow our businesses. This bill would send a clear message to immigrants that our state welcomes you. Increasing access to healthcare is a wise and practical investment in New Hampshire families.

MOTION TO LAY ON THE TABLE

Rep. Mark Pearson moved that **HB 1578-FN**, relative to including certain children and pregnant people in Medicaid and the children's health insurance program, be laid on the table.

On a division vote, with 187 members having voted in the affirmative, and 161 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1604-FN, including state medical facilities in the statute providing medical freedom in immunizations. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Leah Cushman for the Majority of Health, Human Services and Elderly Affairs. Since the announcement of the Center for Medicare and Medicaid Services (CMS) mandate, health care facilities subject to it have been forced to require COVID-19 vaccinations for all employees, with limited medical and religious exemptions. Unfortunately, few medical providers are willing to write exemptions for COVID-19 vaccinations, even when there are legitimate contraindications or risk factors present. The guidance the CDC gives on medical exemptions limits them to allergic reactions to the ingredients of the vaccines, or to previous anaphylactic reaction to a COVID-19 vaccine. Many employers reject any other reason for a medical exemption, even when a competent professional expresses that he or she believes it is not in the employee's health interest to be vaccinated. Religious exemptions are commonly an arduous and intrusive process, in effect taking the form of a religious inquisition. Religious beliefs are often scrutinized and exemptions are denied based on the deciding agent's opinion of the validity of the belief. In many instances, there is clear religious discrimination taking place. New Hampshire residents should never have to sue their employer to secure their constitutional and civil rights. The natural legislative solution to this problem is to prohibit such mandates, which the original bill would have done by restoring inclusion of state medical facilities in the Medical Freedom in Immunizations Act. However, there were concerns that such a prohibition would jeopardize CMS reimbursement and certification for medical facilities if they could not institute policies requiring COVID-19 vaccination. The amendment allows facilities to implement a mandate, but streamlines the exemption process and brings it in line with the New Hampshire Constitution. The employee simply writes a statement requesting a medical, religious, or conscientious exemption, and it shall be granted. Vaccine mandates and difficult exemption processes are worsening the already-critical healthcare worker shortage in New Hampshire. The State of New Hampshire must lead the way in ensuring the civil rights of employees are respected and set the example for the private sector. Vote 11-10.

Rep. Jerry Knirk for the Minority of Health, Human Services and Elderly Affairs. The Medical Freedom from Immunization statute, 141-C:1-a, which passed in 2021, exempted from the statute the county nursing homes, the NH state hospital, or any other medical facility operated by the state of New Hampshire or any political subdivision thereof. HB 1604, as amended, limits the exemption to facilities which are subject to the Center for Medicare and Medicaid Services (CMS) COVID-19 vaccination mandate for healthcare workers in facilities which receive Medicaid or Medicare funds. The bill also mandates that such facilities shall automatically grant an exemption from vaccination to any person who simply requests an exemption for medical, religious, or conscientious objection reasons upon request without any documentation as to the medical reason, the religious basis, or conscientious objection. This is in conflict with the rules promulgated by CMS with regard to the CMS COVID-19 vaccination mandate which require documentation of the medical reason for the medical exemption signed by a licensed practitioner, documentation of religious exemptions, and does not allow conscientious objection. This will place our facilities out of compliance with the CMS mandate and at risk of civil penalties, loss of reimbursement from CMS for Medicare and Medicaid patients which provides the majority of funding of our nursing homes and ultimately termination from the Medicare and Medicaid programs. Lack of compliance will also lead to loss of accreditation of facilities and the risk of losing payment from private insurers as well. The State of New Hampshire would then need to backfill that revenue loss in order to keep these facilities open. Vaccine mandates in the healthcare setting are crucial. Since hospitals and long-term care facilities care for vulnerable individuals, they must do everything they can to maintain safety. That includes a reasonable expectation of a patient or resident not to face unnecessary exposure to an infectious respiratory disease from the healthcare worker caring for them. The US Supreme Court ruling on January 13, 2022 upheld the CMS mandate for vaccination of health care workers, staying the lower court injunction, and the text of their decision makes it clear that they support the CMS vaccine mandate.

Majority Amendment (0554h)

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

1 Medical Freedom from Immunization; Exemption for State Medical Facilities. RSA 141-C:1-a, II(e) is repealed and reenacted to read as follows:

(e) Apply to a county nursing home, the New Hampshire state hospital, or any other medical facility or provider operated by the state of New Hampshire or any political subdivision identified in paragraph I, which is subject to a valid and enforceable Medicare or Medicaid condition of participation that imposes a vaccination requirement. Such facilities or providers shall, upon an employee's, contractor's, patient's, visitor's, or student's request for a medical, religious, or conscientious exemption, grant such exemption. The written request for exemption shall simply state: "I, (insert requestor's name), hereby submit a request for a medical, religious, or conscientious exemption from the required vaccinations. (insert requestor's signature and date)" and it shall be granted.

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

AMENDED ANALYSIS

This bill requires state hospitals and medical facilities that institute a vaccination requirement to grant an exemption on medical or religious grounds or as a matter of conscience.

Rep. Knirk spoke against.

Rep. Layon spoke in favor.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 174 - NAYS 173**YEAS - 174****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

Bean, Harry
Hough, Gregg
Littlefield, Richard
Sylvia, Michael

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Terry, Paul

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom
Trottier, Douglas

CARROLL

Avellani, Lino
McConkey, Mark

Nelson, Bill
Umberger, Karen

Cordelli, Glenn

Smith, Jonathan

CHESHIRE

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

Davis, Arnold

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Sanborn, Gail
Simon, Matthew

Berezhny, Lex
Gordon, Edward

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Healey, Robert
Kofalt, Jim
Lewicke, John
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Alexander, Joe
Berry, Ross
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Lanzara, Tom
Marston, Dick
Nunez, Hershel
Prout, Andrew
Somero, Paul

Ammon, Keith
Blasek, Melissa
Kelley, Diane
Foster, William
Gould, Linda
Infantine, William
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Greene, Bob
Kelsey, Niki
Laughton, Stacie-Marie
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Andrus, Louise
Klose, John
Moffett, Michael
Seaworth, Brian
White, Nick

Cambrils, Jose
Leavitt, John
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Cross, Kenna
Mason, James
Pitaro, Matthew
Walsh, Thomas

Hill, Gregory
McGuire, Carol
Boyd, Stephen
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Hobson, Deborah
Khan, Aboul
Lundgren, David
Melvin, Charles
Piemonte, Tony
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Nelson, Jodi
Layon, Erica
Pearson, Mark
Milz, David
Potucek, John
Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Weyler, Kenneth

Abramson, Max
Baxter, Tim
DeSimone, Debra
Emerick, Tracy
Harb, Robert
Janigian, John
Litchfield, Melissa
McBride, Everett
Osborne, Jason
Pratt, Kevin
Spillane, James
Torosian, Peter
Vose, Michael
Yokela, Josh

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harley, Tina
Katsakiores, Phyllis
Love, David
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac
Wuelper, Kurt

Bailey, Glenn
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Horgan, James
Sandler, Catt

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 173**CARROLL**

Buco, Thomas
MacDonald, John
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

Crawford, Karel
Marsh, William

Deshaies, Brodie
McAleer, Chris

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Ames, Richard
Fenton, Donovan
Maneval, Andrew
Toll, Amanda Elizabeth

Bordenet, John
Fox, Dru
Mann, John
Von Plinsky, Sparky

Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Egan, Timothy
Muirhead, Russell
Smith, Suzanne

Adjutant, Joshua
Fellows, Sallie
Murphy, James
Sykes, George

Almy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Jack, Martin
Labranche, Tony
King, Mark
Mullen, Sue
Perez, Maria
Query, Joshua
Rung, Rosemarie
Smith, Timothy
Van Houten, Constance

Bouldin, Andrew
Booras, Efstathia
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Judy, Jean
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Newman, Sue
Telerski, Laura
Vann, Ivy

Boyd, Bill
Bouchard, Donald
Cohen, Bruce
Dutzy, Sherry
Graham, John
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Rombeau, Catherine
Snow, Kendall
Toomey, Dan
Veilleux, Daniel

Beaulieu, Jane
Bradley, Amy
Connors, Erika
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
Mayville, Mary
O'Brien, Michael
Porter, Marjorie
Rouillard, Claire
Stevens, Deb
Vail, Suzanne

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Ellison, Arthur
Luneau, David
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Allard, James
Gallager, Eric
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schuett, Dianne
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Woods, Gary

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Meuse, David
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Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Major, Norman
Paige, Mark
Somssich, Peter

Cahill, Michael
Gilman, Julie
Murray, Kate
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Ward, Gerald

Cali-Pitts, Jacqueline
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Lynn, Bob
McKinney, Betsy
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Fargo, Kristina
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Rich, Cecilia

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

CLERK'S NOTE

The original vote was 173-173. Pursuant to House Rule 5, the Speaker voted "Yea" and the majority committee amendment was adopted.

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

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

YEAS 176 - NAYS 174**YEAS - 176****BELKNAP**

Aldrich, Glen
Hough, Gregg
Littlefield, Richard
Sylvia, Michael

Bean, Harry
Howard, Raymond
Mackie, Jonathan
Terry, Paul

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom
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CARROLL

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Notter, Jeanine
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Sheehan, Vanessa
Warden, Mark

Alexander, Joe
Berry, Ross
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Homola, Susan
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Marston, Dick
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Griffin, Barbara
Burt, John
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Griffin, Gerald
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Andrus, Louise
Klose, John
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Cambrils, Jose
Leavitt, John
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Walsh, Thomas

Cross, Kenna
Mason, James
Pitaro, Matthew
Wells, Natalie

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McGuire, Carol
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Khan, Aboul
Lundgren, David
Melvin, Charles
Potucek, John

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Nelson, Jodi
Layon, Erica
Pearson, Mark
Milz, David
Pratt, Kevin

Abramson, Max
Baxter, Tim
DeSimone, Debra
Emerick, Tracy
Harb, Robert
Janigian, John
Litchfield, Melissa
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine

Action, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harley, Tina
Katsakiores, Phyllis
Love, David
McMahon, Charles
Piemonte, Tony
Pearson, Stephen

Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Weyler, Kenneth

Spillane, James
Torosian, Peter
Vose, Michael
Yokela, Josh

Sweeney, Joe
Tripp, Richard
MacDonald, Wayne

Sytek, John
True, Chris
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Horgan, James
Turcotte, Leonard

Groen, Fenton
Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 174

BELKNAP

Bordes, Mike

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Toll, Amanda Elizabeth

Ames, Richard
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Bordenet, John
Fox, Dru
Parshall, Lucius
Weber, Lucy

Eaton, Daniel
Gomarlo, Jennie
Schapiro, Joe
Welkowitz, Lawrence

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Fellows, Sallie
Murphy, James
Sykes, George

Adjutant, Joshua
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Almy, Susan
Massimilla, Linda
Stavis, Laurel

Egan, Timothy
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Jack, Martin
Labranche, Tony
King, Mark
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Snow, Kendall
Toomey, Dan
Veilleux, Daniel

Bouldin, Andrew
Booras, Efsthia
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Judy, Jean
Langley, Diane
Murray, Megan
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rouillard, Claire
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Boyd, Bill
Bouchard, Donald
Cohen, Bruce
Dutzy, Sherry
Graham, John
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rung, Rosemarie
Smith, Timothy
Van Houten, Constance

Beaulieu, Jane
Bradley, Amy
Connors, Erika
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
Mayville, Mary
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Newman, Sue
Telerski, Laura
Vann, Ivy

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
Rogers, Katherine
Shurtleff, Steve
Walz, Mary Beth

Allard, James
Ellison, Arthur
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schuett, Dianne
Testerman, Dave
Wolf, Dan

Caplan, Tony
Hall, Muriel
Pimentel, Roderick
Schultz, Kristina
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Maggiore, Jim
McKinney, Betsy
Read, Ellen

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Major, Norman
Meuse, David
Simpson, Alexis

Cahill, Michael
Gilman, Julie
Murray, Kate
Malloy, Dennis
Paige, Mark
Somssich, Peter

Cali-Pitts, Jacqueline
Grossman, Gaby
Lynn, Bob
McBeath, Rebecca
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Sandler, Catt

Cannon, Gerri
Gourgue, Amanda
Levesque, Cassandra
Treleven, Susan

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Vincent, Kenneth

Fargo, Kristina
Horrigan, Timothy
Rich, Cecilia
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the majority committee report was adopted.

Rep. Testerman voted Nay and intended to vote Yea.

The Speaker referred the bill to the Committee on Finance.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Packard in the Chair)

REGULAR CALENDAR CONT'D

HB 1609-FN, relative to the scope of the fetal protection act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Mark Pearson for the Majority of Health, Human Services and Elderly Affairs. On January 1, 2022, New Hampshire began to protect fetal life after 24 weeks. Many states, red and blue alike, have similar laws that are in many cases stricter than what has just taken effect here. Before 2019, Massachusetts, New York, and Nevada all had felony 24-week abortion bans. Wisconsin, a purple state and politically similar to New Hampshire, currently mandates ultrasounds throughout pregnancy and further requires that women actually view the ultrasound. Our own modest law does nothing of the kind. The majority of the committee believes that changes to the law should be offered only after our new law has had a chance to demonstrate itself in practice, not just in theory. In the hearing, a few gave testimony stating that in criminalizing those who perform most abortions after 24 weeks, our state would have trouble recruiting quality medical workers. To say this ignores two truths. First, it assumes all, or nearly all, medical providers wish to provide abortions when we know that many do not. Secondly, before December of 2020, Massachusetts imposed felony penalties for most abortions after 24 weeks with no exceptions for fetal anomalies. Nonetheless, Massachusetts was routinely ranked as having the best medical care in the country. Additionally, the question of rape and incest was raised. Research in other states indicates many victims of rape and incest take a "morning after" pill, irrespective of whether one is pregnant or not, and most of those who do not take such a pill choose to terminate the pregnancy before 24 weeks, or six months. Moreover, we heard testimonies from women who had been told they were carrying a child with a "severe fetal anomaly." Despite being advised, in some cases, pressured, to have an abortion, they did not have one and the baby delivered was healthy and with no such anomaly. Vote 11-10.

Rep. Jerry Knirk for the Minority of Health, Human Services and Elderly Affairs. This bill as introduced corrects some of the most troublesome provisions of the Fetal Life Protection Act, which legislated the practice of medicine and compromised patient-centered, evidence-based care. This bill adds exceptions not present in current law for rape, incest, and for the presence of severe fetal anomalies incompatible with life. First, abortions after 24 weeks gestational age are a very rare medical procedure, usually done in major medical centers, nearly exclusively because of the discovery of a severe fetal anomaly incompatible with survival of the infant, or even more rarely, when the pregnancy presents a severe risk to the mother's health. Fetal anomalies may be discovered before 24 weeks but the severity of the anomaly may not become apparent until later. Given our large population of uninsured and under-insured patients, some women may not obtain prenatal care before 24 weeks. It is devastating for the mother and father to be confronted with a severe fetal anomaly incompatible with survival. Accepted medical choices available to the parents are either termination of the pregnancy or to carry to term and provide comfort care till the baby dies. This difficult decision should be made by the parents and the provider, not legislators. By prohibiting the choice of termination, the Fetal Life Protection Act forces the mother to carry the pregnancy to term and go through labor and delivery, only to deliver a stillborn baby, or watch their baby die. Second, in a case of rape or incest, a woman may be too traumatized to seek early prenatal care. Finally, this bill also removes the intrusive government mandate for an ultrasound in all cases before an abortion can be performed. Though ultrasound may be performed prior to an abortion, the decision as to the necessity of the ultrasound should be a medical decision, not a legislative decision.

Majority Amendment (0048h)

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

AN ACT relative to certain provisions of the fetal life protection act requiring an ultrasound examination. Amend the bill by replacing all after the enacting clause with the following:

1 Fetal Life Protection Act; Prohibitions; Ultrasound Examination Requirement. Amend RSA 329:44, I to read as follows:

I. Except in the case of a medical emergency as specifically defined in paragraph III, no abortion shall be performed, induced, or attempted by any health care provider unless a health care provider has first made a determination of the probable gestational age of the fetus. In making such a determination, the health care provider shall make such inquiries of the pregnant woman and perform or cause to be performed all such medical examinations, imaging studies, and tests as a reasonably prudent health care provider in the community, knowledgeable about the medical facts and conditions of both the woman and the fetus involved, would consider necessary to perform and consider in making an accurate diagnosis with respect to gestational age, provided, however, that the health care provider shall conduct an obstetric ultrasound examination of the patient for the purpose of making the determination. ***This subdivision shall be construed to require the performance of an ultrasound only if the provider either knows that the fetus has a gestational age of at least 24 weeks or is conscious of a substantial risk that the fetus has a gestational age of at least 24 weeks.***

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

AMENDED ANALYSIS

This bill construes the obstetric ultrasound examination requirement to determine probable gestational age prior to an abortion.

Rep. Knirk spoke against.

Rep. Mark Pearson spoke in favor.

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

On a division vote, with 175 members having voted in the affirmative, and 177 in the negative, the majority committee amendment failed.

MOTION TO LAY ON THE TABLE

Rep. Mark Pearson moved that **HB 1609-FN**, relative to the scope of the fetal protection act, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 177 - NAYS 176

YEAS - 177

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

Bean, Harry
Hough, Gregg
Littlefield, Richard
Sylvia, Michael

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Terry, Paul

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom
Trottier, Douglas

CARROLL

Avellani, Lino
Deshaies, Brodie
Umberger, Karen

Nelson, Bill
MacDonald, John

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin
Thompson, Dennis

Davis, Arnold

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Greeson, Jeffrey

Binford, David
Ham, Bonnie

Folsom, Beth
Ladd, Rick

Sanborn, Gail
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Greene, Bob
Kelsey, Niki
Laughton, Stacie-Marie
McLean, Mark

Alexander, Joe
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Healey, Robert
Kofalt, Jim
Lewicke, John
Mooney, Maureen

Ammon, Keith
Berry, Ross
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Lanzara, Tom
Marston, Dick
Notter, Jeanine

Boyd, Bill
Blasek, Melissa
Kelley, Diane
Foster, William
Gould, Linda
Infantine, William
Lascelles, Richard
Mayville, Mary
Nunez, Hershel

Plett, Fred
Rice, Kimberly
Ulery, Jordan

Post, Lisa
Sheehan, Vanessa
Warden, Mark

Prout, Andrew
Somero, Paul

Renzullo, Andrew
Lekas, Tony

MERRIMACK

Andrus, Louise
Klose, John
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Cambrils, Jose
Leavitt, John
Pitaro, Matthew
Walsh, Thomas

Cross, Kenna
McGuire, Carol
Boyd, Stephen
Wells, Natalie

Hill, Gregory
Moffett, Michael
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Green, Dennis
Nelson, Jodi
Layon, Erica
Lynn, Bob
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Harb, Robert
Janigian, John
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

Abramson, Max
Baxter, Tim
DeSimone, Debra
Emerick, Tracy
Harley, Tina
Katsakiores, Phyllis
Love, David
Major, Norman
Milz, David
Potucek, John
Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Gay, Betty
Hobson, Deborah
Khan, Aboul
Lundgren, David
McBride, Everett
Osborne, Jason
Pratt, Kevin
Spillane, James
Torosian, Peter
Vose, Michael

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Horgan, James
Turcotte, Leonard

Groen, Fenton
Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 176

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Ames, Richard
Fenton, Donovan
Maneval, Andrew
Toll, Amanda Elizabeth

Bordenet, John
Fox, Dru
Mann, John
Von Plinsky, Sparky

Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Stavis, Laurel

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Smith, Suzanne

Berezhny, Lex
Gordon, Edward
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Booras, Efstathia
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jeudy, Jean
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rung, Rosemarie

Bouldin, Andrew
Bouchard, Donald
Cohen, Bruce
Dutzy, Sherry
Graham, John
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
O'Brien, Michael
Petrigno, Peter
Newman, Ray
Newman, Sue

Beaulieu, Jane
Bradley, Amy
Connors, Erika
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Pauer, Diane
Piedra, Israel
Rombeau, Catherine
Snow, Kendall

Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Jack, Martin
Labranche, Tony
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rouillard, Claire
Sofikitis, Catherine

Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Smith, Timothy
Van Houten, Constance

Telerski, Laura
Vann, Ivy

Toomey, Dan
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Allard, James
Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Hall, Muriel
Mason, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Maggiore, Jim
Paige, Mark
Somssich, Peter

Bunker, Lisa
Edgar, Michael
Grote, Jaci
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Ford, Oliver
Hamblet, Joan
McBeath, Rebecca
Read, Ellen
Yokela, Josh

Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
Meuse, David
Simpson, Alexis

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Rich, Cecilia

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Salloway, Jeffrey

Chase, Wendy
Gourgue, Amanda
Levesque, Cassandra
Sandler, Catt

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

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

CLERK'S NOTE

The original vote was 176-176. Pursuant to House Rule 5, the Speaker voted "Yea" and the motion to Lay on the Table was adopted.

REGULAR CALENDAR CONT'D

HB 1207-FN, requiring an employer to provide paid time off for an employee to vote. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Lino Avellani for the Majority of Labor, Industrial and Rehabilitative Services. This bill requires employers from all sectors to pay employees up to three hours of paid time off to vote. New Hampshire has some of the highest voter participation percentages in the nation. There are absentee ballots that can be utilized prior to election day to make sure every vote is counted. Mandating all employers to schedule staff and to pay time off to vote would further burden private businesses, public employers and taxpayers. Vote 14-7.

Rep. Andrew Maneval for the Minority of Labor, Industrial and Rehabilitative Services. This bill, as amended, would support the important goal of facilitating participation in elections. It would assist workers in getting to the polls on election day, when they have some inability or difficulty in doing so based on the timing of their work shifts relative to poll hours. An employer would be required to allow up to 2 hours for a worker to vote, if the worker has less than 3 consecutive hours during polling hours when he/she is not on the job. Employers would get advance notice of any such request for the appropriate time off. The committee voted not to adopt the amendment, which would have provided employers with certain protections against an unwarranted or overlong period of time off. The majority of the committee voted the bill Inexpedient to Legislate, at least in part, because of the obligation of employers to pay employees for this time off, notwithstanding that at least 20 other states include that requirement in their "time off for voting" statutes. The minority considers helping those workers in need to get to the polls to be a valuable aid to heightened enfranchisement in a democratic society.

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

Rep. Maneval spoke against.

Rep. Infantine spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 158

YEAS - 195 BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

Bean, Harry
Hough, Gregg
Littlefield, Richard
Sylvia, Michael

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Terry, Paul

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom

CARROLL

Avellani, Lino
Crawford, Karel
McConkey, Mark

Nelson, Bill
Deshaies, Brodie
Umberger, Karen

Burroughs, Anita
MacDonald, John
Woodcock, Stephen

Cordelli, Glenn
Smith, Jonathan

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin
Thompson, Dennis

Davis, Arnold
Tucker, Edith

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Sanborn, Gail
Ladd, Rick

Berezhny, Lex
Gordon, Edward
Massimilla, Linda

Binford, David
Greeson, Jeffrey
Simon, Matthew

Folsom, Beth
Ham, Bonnie

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Blasek, Melissa
Kelley, Diane
Foster, William
Gorski, Ted
Healey, Robert
Kofalt, Jim
Marston, Dick
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Lekas, Tony

Alexander, Joe
King, Bill
Burt, John
Smith, Denise
Freitas, Mary
Gould, Linda
Homola, Susan
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Post, Lisa
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Bergeron, Paul
Creighton, Jim
Erf, Keith
Griffin, Gerald
Graham, John
Infantine, William
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Veilleux, Daniel

Boyd, Bill
Berry, Ross
Cushman, Leah
Fedolfi, Jim
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lewicke, John
Mooney, Maureen
Petrigno, Peter
Renzullo, Andrew
Somero, Paul
Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Pitaro, Matthew
Walsh, Thomas

Andrus, Louise
Klose, John
Moffett, Michael
Boyd, Stephen
Wells, Natalie

Cambriels, Jose
Leavitt, John
Pearl, Howard
Seaworth, Brian
White, Nick

Cross, Kenna
Mason, James
Pimentel, Roderick
Testerman, Dave
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Love, David
Major, Norman
Melvin, Charles
Potucek, John
Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Green, Dennis
Hobson, Deborah
Khan, Aboul
Lundgren, David
McBride, Everett
Milz, David
Pratt, Kevin
Spillane, James
Torosian, Peter
Vose, Michael
Yokela, Josh

Abramson, Max
Baxter, Tim
Cahill, Michael
Doucette, Fred
Grote, Jaci
Nelson, Jodi
Layon, Erica
Lynn, Bob
McKinney, Betsy
Osborne, Jason
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Tripp, Richard
MacDonald, Wayne

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Emerick, Tracy
Harb, Robert
Janigian, John
Litchfield, Melissa
Pearson, Mark
McMahon, Charles
Piemonte, Tony
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
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Horgan, James
Wuelper, Kurt

Bailey, Glenn
Groen, Fenton
Kaczynski, Thomas

DeLemus, Susan
Harrington, Michael
Kittredge, Mac

Fontneau, Timothy
Hayward, Peter
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 158**CARROLL**

Buco, Thomas

Knirk, Jerry

Marsh, William

McAleer, Chris

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Ames, Richard
Fenton, Donovan
Maneval, Andrew
Toll, Amanda Elizabeth

Bordenet, John
Fox, Dru
Mann, John
Von Plinsky, Sparky

Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

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Kelley, Eamon

Hatch, William

Laflamme, Larry

GRAFTON

Abel, Richard
Egan, Timothy
Murphy, James
Sykes, George

Adjutant, Joshua
Fellows, Sallie
Nordgren, Sharon
Weston, Joyce

Almy, Susan
Hakken-Phillips, Mary
Stavis, Laurel

Dontonville, Roger
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Cohen, Bruce
Dutzy, Sherry
Hamer, Heidi
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Porter, Marjorie
Rung, Rosemarie
Stevens, Deb
Vail, Suzanne

Bouldin, Andrew
Bradley, Amy
Connors, Erika
Espitia, Manny
Heath, Mary
Jeudy, Jean
Langley, Diane
King, Mark
Mullen, Sue
Pedersen, Michael
Query, Joshua
Newman, Sue
Smith, Timothy
Van Houten, Constance

Beaulieu, Jane
Chretien, Jacqueline
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Snow, Kendall
Telerski, Laura
Vann, Ivy

Booras, Efstathia
Cleaver, Skip
DiSilvestro, Linda
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Rombeau, Catherine
Sofikitis, Catherine
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Bartlett, Christy
Gallager, Eric
MacKay, James
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Caplan, Tony
Hall, Muriel
McWilliams, Rebecca
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Lane, Connie
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Read, Ellen

Bunker, Lisa
Ford, Oliver
Murray, Kate
Meuse, David
Simpson, Alexis

Cali-Pitts, Jacqueline
Gilman, Julie
Maggiore, Jim
Paige, Mark
Somssich, Peter

DiLorenzo, Charlotte
Grossman, Gaby
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Sandler, Catt

Cannon, Gerri
Grassie, Chuck
Smith, Marjorie
Treleaven, Susan

Chase, Wendy
Horrigan, Timothy
Rich, Cecilia
Wall, Janet

Conley, Casey
Kenney, Cam
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the majority committee report was adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Weber moved that **HB 1609-FN**, relative to the scope of the fetal protection act, be removed from the table.
Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 175

YEAS - 178**CARROLL**

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry

Ames, Richard
Fenton, Donovan

Bordenet, John
Fox, Dru

Eaton, Daniel
Gomarlo, Jennie

Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Maneval, Andrew
Toll, Amanda Elizabeth

Mann, John
Von Plinsky, Sparky

Parshall, Lucius
Weber, Lucy

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Stavis, Laurel

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Smith, Suzanne

Berezhny, Lex
Gordon, Edward
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Booras, Efstathia
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jeudy, Jean
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rung, Rosemarie
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Bouchard, Donald
Cohen, Bruce
Dutzy, Sherry
Graham, John
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Newman, Sue
Smith, Timothy
Van Houten, Constance

Beaulieu, Jane
Bradley, Amy
Connors, Erika
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Snow, Kendall
Tellerski, Laura
Vann, Ivy

Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Jack, Martin
Labranche, Tony
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rouillard, Claire
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Allard, James
Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Hall, Muriel
Mason, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Paige, Mark
Somssich, Peter

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Gilman, Julie
Murray, Kate
McKinney, Betsy
Read, Ellen
Yokela, Josh

Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Meuse, David
Simpson, Alexis

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Rich, Cecilia
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Salloway, Jeffrey

Chase, Wendy
Gourgue, Amanda
Levesque, Cassandra
Sandler, Catt

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 175

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

Bean, Harry
Hough, Gregg
Littlefield, Richard
Sylvia, Michael

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Terry, Paul

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom

CARROLL

Avellani, Lino
Deshaies, Brodie
Umberger, Karen

Nelson, Bill
MacDonald, John

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
McConkey, Mark

CHESHIRE

Hunt, John	Qualey, James	Santonastaso, Matthew
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COOS

Craig, Kevin	Davis, Arnold	Merner, Troy	Theberge, Robert
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GRAFTON

Alliegro, Mark	Binford, David	Folsom, Beth	Sanborn, Gail
Greeson, Jeffrey	Ham, Bonnie	Ladd, Rick	Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Boyd, Bill
Griffin, Barbara	King, Bill	Berry, Ross	Blasek, Melissa
Burt, John	Creighton, Jim	Cushman, Leah	Kelley, Diane
Smith, Denise	Erf, Keith	Fedolfi, Jim	Foster, William
Griffin, Gerald	Gagne, Larry	Gorski, Ted	Gould, Linda
Greene, Bob	Healey, Robert	Homola, Susan	Infantine, William
Kelsey, Niki	Kofalt, Jim	Lanzara, Tom	Lascalles, Richard
Laughton, Stacie-Marie	Lewicke, John	Marston, Dick	Mayville, Mary
McLean, Mark	Mooney, Maureen	Notter, Jeanine	Nunez, Hershel
Pauer, Diane	Plett, Fred	Post, Lisa	Prout, Andrew
Renzullo, Andrew	Rice, Kimberly	Sheehan, Vanessa	Somero, Paul
Lekas, Tony	Ulery, Jordan	Warden, Mark	

MERRIMACK

Andrus, Louise	Cambrils, Jose	Cross, Kenna	Hill, Gregory
Klose, John	Leavitt, John	McGuire, Carol	Moffett, Michael
Pearl, Howard	Pitaro, Matthew	Boyd, Stephen	Seaworth, Brian
Testerman, Dave	Walsh, Thomas	Wells, Natalie	White, Nick
Yakubovich, Michael			

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Acton, Dennis
Ayer, Paul	Baldasaro, Al	Baxter, Tim	Belanger, Cody
Bernardy, JD	Bershtein, Alan	DeSimone, Debra	Dodge, Dustin
Dolan, Tom	Doucette, Fred	Emerick, Tracy	Ford, Oliver
Gay, Betty	Green, Dennis	Harb, Robert	Harley, Tina
Hobson, Deborah	Nelson, Jodi	Janigian, John	Katsakiores, Phyllis
Khan, Aboul	Layon, Erica	Litchfield, Melissa	Love, David
Lundgren, David	Lynn, Bob	Pearson, Mark	Major, Norman
McBride, Everett	McMahon, Charles	Milz, David	Osborne, Jason
Piemonte, Tony	Potucek, John	Pratt, Kevin	Prudhomme-O'Brien, Katherine
Pearson, Stephen	Soti, Julius	Spillane, James	Sweeney, Joe
Sytek, John	Thomas, Douglas	Torosian, Peter	Tripp, Richard
True, Chris	Vandecasteele, Susan	Vose, Michael	MacDonald, Wayne
Wallace, Scott	Weyler, Kenneth		

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	DeLemus, Susan	Groen, Fenton
Harrington, Michael	Hayward, Peter	Horgan, James	Kaczynski, Thomas
Kittredge, Mac	Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt

SULLIVAN

Aron, Judy	Callum, John	Rollins, Skip	Spilsbury, Walter
Stapleton, Walter	Smith, Steven		

and the motion was adopted.

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

YEAS 179 - NAYS 174

YEAS - 179

CARROLL

Buco, Thomas	Burroughs, Anita	Knirk, Jerry	Marsh, William
McAleer, Chris	Woodcock, Stephen		

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Eaton, Daniel
Faulkner, Barry	Fenton, Donovan	Fox, Dru	Gomarlo, Jennie

Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Maneval, Andrew
Toll, Amanda Elizabeth

Mann, John
Von Plinsky, Sparky

Parshall, Lucius
Weber, Lucy

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Stavis, Laurel

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Smith, Suzanne

Berezhny, Lex
Gordon, Edward
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Jack, Martin
Labranche, Tony
King, Mark
Mullen, Sue
Pauer, Diane
Piedra, Israel
Rombeau, Catherine
Snow, Kendall
Telerski, Laura
Vann, Ivy

Bouldin, Andrew
Booras, Efstathia
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jeudy, Jean
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Pedersen, Michael
Porter, Marjorie
Rouillard, Claire
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Boyd, Bill
Bouchard, Donald
Cohen, Bruce
Dutzy, Sherry
Graham, John
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Perez, Maria
Query, Joshua
Rung, Rosemarie
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Beaulieu, Jane
Bradley, Amy
Connors, Erika
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
O'Brien, Michael
Petrigno, Peter
Newman, Ray
Newman, Sue
Smith, Timothy
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Allard, James
Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Hall, Muriel
Mason, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Major, Norman
Meuse, David
Simpson, Alexis

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Malloy, Dennis
Paige, Mark
Somssich, Peter

Cahill, Michael
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Pantelakos, Laura
Ward, Gerald

Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
McKinney, Betsy
Read, Ellen
Yokela, Josh

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Rich, Cecilia

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Salloway, Jeffrey

Chase, Wendy
Gourgue, Amanda
Levesque, Cassandra
Treleaven, Susan

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

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 174

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

Bean, Harry
Hough, Gregg
Littlefield, Richard
Sylvia, Michael

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Terry, Paul

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom

CARROLL

Avellani, Lino
Deshaies, Brodie
Umberger, Karen

Nelson, Bill
MacDonald, John

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
McConkey, Mark

CHESHIRE

Hunt, John	Qualey, James	Santonastaso, Matthew
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COOS

Craig, Kevin	Davis, Arnold	Merner, Troy	Theberge, Robert
Thompson, Dennis			

GRAFTON

Alliegro, Mark	Binford, David	Folsom, Beth	Sanborn, Gail
Greeson, Jeffrey	Ham, Bonnie	Ladd, Rick	Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Berry, Ross	Blasek, Melissa	Burt, John
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
Erf, Keith	Fedolfi, Jim	Foster, William	Griffin, Gerald
Gagne, Larry	Gorski, Ted	Gould, Linda	Greene, Bob
Healey, Robert	Homola, Susan	Infantine, William	Kelsey, Niki
Kofalt, Jim	Lanzara, Tom	Lascelles, Richard	Laughton, Stacie-Marie
Lewicke, John	Marston, Dick	Mayville, Mary	McLean, Mark
Mooney, Maureen	Notter, Jeanine	Nunez, Hershel	Plett, Fred
Post, Lisa	Prout, Andrew	Renzullo, Andrew	Rice, Kimberly
Sheehan, Vanessa	Somero, Paul	Lekas, Tony	Ulery, Jordan
Warden, Mark			

MERRIMACK

Andrus, Louise	Cambrils, Jose	Cross, Kenna	Hill, Gregory
Klose, John	Leavitt, John	McGuire, Carol	Moffett, Michael
Pearl, Howard	Pitaro, Matthew	Boyd, Stephen	Seaworth, Brian
Testerman, Dave	Walsh, Thomas	Wells, Natalie	White, Nick
Yakubovich, Michael			

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Acton, Dennis
Ayer, Paul	Baldasaro, Al	Baxter, Tim	Belanger, Cody
Bernardy, JD	Bershtein, Alan	DeSimone, Debra	Dodge, Dustin
Dolan, Tom	Doucette, Fred	Emerick, Tracy	Ford, Oliver
Gay, Betty	Green, Dennis	Harb, Robert	Harley, Tina
Hobson, Deborah	Nelson, Jodi	Janigian, John	Katsakiores, Phyllis
Khan, Aboul	Layon, Erica	Litchfield, Melissa	Love, David
Lundgren, David	Lynn, Bob	Pearson, Mark	McBride, Everett
McMahon, Charles	Milz, David	Osborne, Jason	Piemonte, Tony
Potucek, John	Pratt, Kevin	Prudhomme-O'Brien, Katherine	Pearson, Stephen
Soti, Julius	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	Torosian, Peter	Tripp, Richard	True, Chris
Vandecasteele, Susan	Vose, Michael	MacDonald, Wayne	Wallace, Scott
Weyler, Kenneth			

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	DeLemus, Susan	Groen, Fenton
Harrington, Michael	Hayward, Peter	Horgan, James	Kaczynski, Thomas
Kittredge, Mac	Pitre, Joseph	Sandler, Catt	Turcotte, Leonard
Wuelper, Kurt			

SULLIVAN

Aron, Judy	Callum, John	Rollins, Skip	Spilsbury, Walter
Stapleton, Walter	Smith, Steven		

and the minority committee report was adopted.

The Speaker referred the bill to the Committee on Finance.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Weber moved that the House reconsider its action whereby, on a roll call vote of 179-174, the House adopted the minority committee report of Ought to Pass on **HB 1609-FN**, relative to the scope of the fetal protection act.

The Speaker ruled the bill is in Finance and the motion is out of order.

REGULAR CALENDAR CONT'D

HB 1538-FN-L, requiring prevailing wages on state-funded public works projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mark Warden for the Majority of Labor, Industrial and Rehabilitative Services. This legislation would mandate that workers on public works construction projects in New Hampshire be paid the prevailing minimum hourly wage and benefits. So-called prevailing wage requirements lead to a number of unintended consequences, namely fewer bidders and higher costs to the taxpayers. In today's environment of historically low unemployment and increasing wages, such minimum wage schemes are unnecessary at best, and inflationary and anti-competitive at worst. The fiscal note cites the Department of Administrative Services, assuming that "compliance and enforcement for these projects will require 3 additional full-time" positions, yet there is no funding for such positions in the bill. Vote 11-10.

Rep. Brian Sullivan for the Minority of Labor, Industrial and Rehabilitative Services. The prevailing wage ensures taxpayer dollars spent on public works construction projects go to local workers and local companies and that those workers are paid a fair wage. The prevailing wage would help grow New Hampshire's economy by making sure our tax dollars stay right here at home, rather than going out of state. New Hampshire is the only New England state without a prevailing wage. This puts our workforce at a competitive disadvantage. The prevailing wage would help lift struggling workers out of poverty and reduce spending on state assistance programs, resulting in 600 fewer New Hampshire workers receiving food assistance and an additional 2,500 workers receiving health insurance benefits through their jobs.

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

Rep. Abramson spoke against.

Rep. Infantine spoke in favor.

On a division vote, with 182 members having voted in the affirmative, and 168 in the negative, the majority committee report was adopted.

(Representative Rice in the Chair)

REGULAR CALENDAR CONT'D

HB 1586-FN-A, relative to a likeness of Wentworth Cheswill at the state house. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gregory Hill for Legislative Administration. The legislation, as amended, seeks to authorize the Joint Legislative Historical Committee to accept a gift of a portrait of Newmarket, New Hampshire native, Wentworth Cheswill for the purpose of hanging the portrait within our State House in recognition of his service to his New Hampshire community and his state. While the committee heard testimony from the prime sponsor of many of the accomplishments of this native son, that only served to whet the appetite and the entire committee hopes this amended legislation will provide a platform and reason for many, especially school children, who view the eventual portrait to do their own research into the man who deserves recognition within the People's House. Vote 17-0.

Amendment (0345h)

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

2 Portrait of Wentworth Cheswill. The joint legislative historical committee is authorized to accept a gift of a portrait of Wentworth Cheswill and oversee the hanging of the portrait in the state house.

3 Effective Date. This act shall take effect July 1, 2022.

AMENDED ANALYSIS

This bill directs the joint legislative historical committee to accept and display a portrait of Wentworth Cheswill in the state house complex.

Committee amendment adopted.

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

Reps. Wall and Hill spoke in favor.

Committee report adopted and the bill was ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Espitia moved that the debate on **HB 1586-FN-A**, relative to a likeness of Wentworth Cheswill at the state house, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 1586-FN-A

Representative Hill: Thank you, Madam Speaker. Madam Speaker, I am pleased to be able to inform you about a man from Newmarket, New Hampshire and how this legislation will recognize his contribution to his community and the State of New Hampshire. February being Black History Month makes this story particularly poignant. You see, it is believed by some that Wentworth Cheswill is, in fact, the first black man elected to public office in the United States. Whether he was or not matters little to those of us who have taken the time to research a little into the life of this remarkable man.

Representative Wall: Thank you, Madam Speaker. The original legislation had asked for a blank check for a portrait to be painted of Wentworth Cheswill and to be displayed in our State House. Our committee was not comfortable with the financial aspect of that arrangement. The bill may well have died, but for a very fine and benevolent group of New Hampshire Mason's, who stepped forward and offered to commission and pay for the portrait. The amendment simply authorizes the Joint Historical Committee to accept the portrait and find a suitable spot where it might be seen in the State House. We owe a warm appreciation to our House Clerk, who is a Mason and for making this a reality and for pointing out that in addition to all of his other contributions, Wentworth Cheswill, too, was a Freemason. We ask that you support the amended version of this bill and especially because this is Black History Month. Please vote yes. Thank you.

REGULAR CALENDAR CONT'D

HB 1665-FN-A-L, establishing a municipal road and bridge disaster relief fund. OUGHT TO PASS WITH AMENDMENT.

Rep. Richard Tripp for Municipal and County Government. This bill would establish a municipal bridge and road disaster relief fund. The genesis of this bill was the heavy rains last July in Cheshire and Sullivan county resulting in damage to multiple roads and bridges. Under existing state law, funds are available to assist with repair costs but are delayed until the President declares an emergency disaster. In this case, it was six months before a disaster was declared. By creating a municipal road and bridge disaster relief fund, the delay in funding to begin infrastructure repairs is minimized and permits temporary repairs to facilitate safe passage of damaged town roads and bridges. Federal funds, when received, will be used to replace funds drawn earlier from the disaster relief fund. Vote 15-0.

Amendment (0320h)

Amend the bill by replacing section 1 with the following:

1 New Section; Homeland Security and Emergency Management; Municipal Road and Bridge Disaster Relief Fund. Amend RSA 21-P by inserting after section 37-c the following new section:

21-P:37-d Municipal Road and Bridge Disaster Relief Fund.

I. A municipal road and bridge disaster relief fund is established in order to provide gap funding to municipalities that have experienced damage to their roads and bridges due to a natural disaster (a) while they wait for federal emergency assistance from the Federal Emergency Management Administration (FEMA), or (b) while they wait for other funding sources that will be used to rebuild their roads and bridges. This gap funding shall be used for infrastructure repairs in order to facilitate the safe passage and access on municipal roads and bridges. The fund shall be nonlapsing and continually appropriated to the department of safety, division of homeland security and emergency management.

II. The municipal road and bridge disaster relief fund shall be used for the purposes described in paragraph I and shall be funded in the following manner:

(a) Municipalities wishing to draw from this fund in the future shall pay into the fund annually in an amount equal to one-half of one percent of its municipal operating budget.

(b) The sum of up to \$5,000,000 annually is hereby appropriated by the state to this fund, until the funding reaches \$30,000,000. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

(c) Any federal grant money received for purposes of municipal road and bridge disaster relief by the division of homeland security and emergency management may be deposited to this fund.

III. A municipality may draw from the municipal road and bridge disaster relief fund more than once in a calendar year.

IV. A municipality may only draw from the municipal road and bridge disaster relief fund if the amount of the total damage is at least 50 percent of the municipality's annual municipal operating budget and the amount needed for repairs is greater than what is available in the municipality's fund balance.

V. The division of homeland security and emergency management shall administer the expenditures from this fund. The department shall authorize municipal road and bridge disaster relief funds to the affected municipality upon receipt of:

(a) An assessment report prepared by a professional engineer outlining the costs of repairs intended to make the roads and/or bridges damaged by a natural disaster safely passable.

(b) A letter to the commissioner of the department of safety and the director of the division of homeland security and emergency management from the municipality's governing body and budget committee, if any, requesting the amount needed to repair damage to roads and bridges resulting from a natural disaster.

(c) Demonstration that the roads and/or bridges which were damaged due to natural disaster are of significant and/or critical importance to commerce, or provides access into or out of the municipality.

VI. The director of the division of homeland security and emergency management shall adopt rules pursuant to RSA 541-A on procedures for municipal participation, applications, compliance requirements, and withdrawal requests, and for other matters necessary for the administration of this section.

Amend the bill by replacing section 4 with the following:

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

AMENDED ANALYSIS

This bill establishes a municipal road and bridge disaster relief fund in the division of homeland security and emergency management to be used for infrastructure repairs in order to facilitate the safe passage and access on municipal roads and bridges.

Committee amendment adopted.

Committee report adopted and the bill was ordered to the Committee on Finance.

HB 1419-FN, relative to establishing a New Hampshire civilian climate corps advisory commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jose Cambrils for the Majority of Science, Technology and Energy. This bill attempts to create the New Hampshire Civilian Climate Corps Advisory Commission (CCCAC). The majority finds that this bill has several flaws: (1) When looking at what the responsibilities and functions of this new advisory commission would be, many if not all the included suggestions are already being done by New Hampshire Department of Energy, Department of Environmental Services, and other existing state agencies. This would make the proposed CCCAC a redundant commission and an inefficient use of taxpayer money. (2) Other potential initiatives for the CCCAC were heard during testimony, such as taking on the task to insulate homes to make them more energy efficient. This function is already provided by a variety of private businesses. Again, it would create redundancy and inefficiency, and an impractical use of tax money, to create a service that the free market currently provides at competitive rates. (3) The entire concept of creating the CCCAC was based on getting significant funding from the federal "Build Back Better" (BBB) plan that is no longer being considered by the U.S. Congress. Thus, there is no funding provision for this bill. (4) Providing "much needed jobs" to New Hampshire was another argument that was presented during the public hearing testimony; however, the reality is that New Hampshire currently has a worker shortage and one of the lowest unemployment rates in the United States. Vote 12-9.

Rep. Jacqueline Cali-Pitts for the Minority of Science, Technology and Energy. The minority of the committee felt that a climate conservation corps commission sponsored by the state was a wise idea -- we are all stewards of the planet and to give students and adults real life experience is what needs to be done, in an excellent way, to promote that stewardship. We have a beautiful state that deserves proper attention. We can instill a series of what can be done by individuals as well as businesses. The idea and details are what needs to be worked out by a committee. A greater appreciation of personal investment in care of our environment may encourage our young people to stay in New Hampshire and others to take better advantage of what we have.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 1419-FN**, relative to establishing a New Hampshire civilian climate corps advisory commission, be laid on the table.

On a division vote, with 184 members having voted in the affirmative, and 158 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1506-FN, establishing a revolving clean energy accelerator fund in the department of energy. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Lewicke for the Majority of Science, Technology and Energy. This bill seeks to set up a "green bank" revolving fund to finance green energy projects. It would duplicate programs and resources that are already in place to finance renewable energy. Those existing programs include both government programs and commercial finance. It would make the state the "investor of last resort" for installations that have been refused by government and commercial investors as not financially viable. The bill would impose mandates and costs on the Department of Energy without any provision for funding those costs. As introduced, it also would explicitly discriminate based on race, which clearly violates constitutional protections. Vote 12-9.

Rep. Rebecca McWilliams for the Minority of Science, Technology and Energy. This bill creates the structure for a state Revolving Clean Energy Accelerator Fund, that uses no State funds, but rather would be a "bucket" set up to receive money through both private capital and dedicated Federal ARPA funds of approximately \$60M/year for five years, administered by the New Hampshire Department of Energy. The intention of the Fund is to reduce greenhouse gas emissions by providing financial investments in low- and zero-emissions technologies to catalyze a rapid transition to a clean energy economy without raising energy costs to end users. The Fund would provide low-interest loans to schools, towns, and nonprofits seeking to purchase zero emissions vehicle fleets, among other carbon-reduction-focused energy projects. The Fund would provide secure oversight through the Department of Energy as an alternative to private or nonprofit management, which do not have the same level of controls and audits. This bill is not redundant with any existing departments or programs currently in effect.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 1506-FN**, establishing a revolving clean energy accelerator fund in the department of energy, be laid on the table.

On a division vote, with 183 members having voted in the affirmative, and 166 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1601-FN, relative to funding of the NHsaves program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Nick White for the Majority of Science, Technology and Energy. This bill seeks to change the threshold of Regional Greenhouse Gas Initiative (RGGI) rebates from \$1 per auction allowance to 15% of such allowances. It would therefore decrease the amount of money rebated to customers, which would increase the cost of a ratepayer bill. The committee saw no reason to change a system that has been working well for the past decade. Since RGGI is a tax on carbon emissions and carbon tax and dividend schemes that rebate all funds raised to consumers have been proposed at the national level, the current New Hampshire practice of rebating most of RGGI funds seem in line with such ideas. Vote 13-8.

Rep. Peter Somssich for the Minority of Science, Technology and Energy. The Regional Greenhouse Gas Initiative (RGGI) is a cooperative effort of 11 Northeast and Mid-Atlantic states aimed at reducing greenhouse gas emissions from the electric power generation sector. Each state requires its electric utilities to either generate renewable energy or to purchase RGGI auction allowances. Most of the RGGI states use the revenue from the auction to support in-state energy efficiency and renewable energy projects (using 50% up to even 100% of this revenue for that purpose). But not New Hampshire. Currently, we are using only approximately 10% of that revenue for such purposes, while rebating almost 90% back to customers (equivalent to approximately \$1 on a monthly bill). But this is the process that funds energy efficiency and renewable energy programs. According to our own state's experts, the price of these allowances are predicted to rise significantly (perhaps doubling) in the near future. However, because New Hampshire has locked in a \$1 amount from the auction price, instead of a percentage, the increase will not result in any more money for energy efficiency. That is why this bill calls for 15% of the allowance price to be provided to the Energy Efficiency Fund (EEF) but also sets a floor based on the 2021 revenue received by the EEF. Since the purpose of the RGGI system was to assist in funding Energy Efficiency (EE) programs, it only makes sense, that when RGGI allowance prices go up, so does the funding for EE programs. The amount being rebated likewise will rise as the RGGI allowance price increases.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 1601-FN**, relative to funding of the NHsaves program, be laid on the table.

On a division vote, with 180 members having voted in the affirmative, and 167 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1621-FN, relative to reducing the rebates distributed by the energy efficiency fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lex Berezhny for the Majority of Science, Technology and Energy. New Hampshire is part of the Regional Greenhouse Gas Initiative (RGGI) program, which requires electricity producers to purchase allowances, if their generation emits carbon dioxide. The proceeds from these allowance purchases are then returned to the participating states. New Hampshire has chosen to return most of these funds as rebates on the cost of electricity for consumers while reserving a small portion for energy efficiency. This bill aims to gradually phase out the rebate to consumers, until the rebate is eliminated by 2028; all proceeds will then go to energy efficiency programs. This will have the effect of increasing the cost of electricity for New Hampshire residents. Furthermore, this bill changes the management of the energy efficiency programs funded by the remaining RGGI funds. The bill would turn over management to the Department of Energy, which would also be required to contract with the Department of Education, to develop relevant educational materials and distribute programmable thermostats and other low-cost energy efficiency solutions to families. No testimony was provided on why it is necessary to change how the energy efficiency programs are managed. Vote 12-9.

Rep. John Mann for the Minority of Science, Technology and Energy. This bill reduces the RGGI rebate gradually over several years. Currently, the rebate is not competitive with other options to achieve equal or better savings on electric bills. Passing this bill would help to accelerate energy efficiency achievements in this state, to the benefits of residents and industry alike.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 1621-FN**, relative to reducing the rebates distributed by the energy efficiency fund, be laid on the table.

On a division vote, with 183 members having voted in the affirmative, and 165 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1644-FN, relative to the placement of telecommunication antennae and establishing a registry for residents who are experiencing biological symptoms from wireless radiation exposure. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. The committee heard testimony that provided anecdotal evidence of various physical and neurological medical issues in people living near radio frequency emitting towers. Testimony explained 5G technology, which is mainly a marketing term used to indicate the next generation of cell phone and data equipment. It is built on 3G and 4G technology and requires more densely positioned antennas and expanded infrastructure. Industry leaders and world organizations have produced numerous documents pointing to no serious effects in people from this technology. Yet, it cannot be denied certain people are suffering from various illnesses. Although there may be a correlation between those who live near towers who suffer from some form of discomfort, the committee was uncertain as to the causation of such ailments. Despite the fact that there was a 14-month commission that presented a very strong report that pointed to the effects of cumulative radio frequency bombardment, there were equally valid presentations that pointed to physics and testing that could dispel these claims. The committee feels there is enough doubt that the bill as presented could not be supported, yet a better compromise could be obtained with additional study. Vote 17-4.

Rep. Lucius Parshall for the Minority of Science, Technology and Energy. The minority believes that a well drafted amendment could address the following issues with this bill: (1) The self-reporting registry has met with some resistance. The sponsor has accepted a friendly and bipartisan amendment to remove the language around the registry which has already been drafted. (2) Safeguards that protect ham radio operators may already exist, however, further language could add additional protection for private operators. (3) The bill does not address any need for further study. A study sub-committee should also be attached to the amendment. Consideration can be given to a sunset clause, removing tower placement restrictions after a certain date should the sub-committee and/or the legislature not act in a timely manner. Another point of concern is the potential legislative over-reach that the Federal Communications Commission is imposing on local zoning. There are numerous cases across the United States questioning the FCC's apparent right of eminent domain in awarding tower sites to the industry. While 5G technology in theory provides greater coverage, a concern is that the 5G rollout would be subject to the same marketing forces that we witnessed with 4G. The more profitable metropolitan regions would be heavily serviced and rural locations would continue to be under-served. The leaving of many communities under served by 4G technology does not provide a good track record for the claims of 5G as made by the telecommunication industry. An amended bill would prevent the telecommunications industry from moving forward without rightful legislative oversight. Without guard rails to restrict tower placement, the legislature will be giving tacit approval to the telecommunications industry for the duration of the study. By the time we finish evaluating the appropriateness and safety of 5G service we could already be surrounded by 5G towers. The genie may already be out of the bottle by the time the interim committee comes to judgment. In summary, the minority supports the setbacks as given in the bill, as amended, at least until we refine our concerns around the technology, and supports Ought to Pass with Amendment as the proper approach to this time sensitive issue.

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

Rep. Parshall spoke against.

Rep. Thomas spoke in favor.

On a division vote, with 245 members having voted in the affirmative, and 104 in the negative, the majority committee report was adopted.

HB 1100-FN, relative to changing the penalties for driving without a license. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ted Gorski for the Majority of Transportation. This bill changes the penalties for driving without a license to a violation instead of a misdemeanor. Previously, it was a violation if someone drove without a license. However, in 2015, the legislature changed the law to make driving without a license a misdemeanor. The majority felt that setting it back to a violation could cause unintended consequences. The focus of the testimony in the committee hearing focused on immigrants who may be driving without a valid license. However, this bill includes citizens driving without a valid license as well. The majority feels that there should be consequences to driving without a license. Therefore, the majority felt it should remain a misdemeanor offense. Vote 10-9.

Rep. George Sykes for the Minority of Transportation. A change of the penalty for driving without a license from a violation to a misdemeanor only occurred in 2015. Unfortunately the newer higher existing penalty would result in a misdemeanor charge, which does require a court appearance. A violation is not criminal, and will not result in jail time. The higher penalty disproportionately affects single working parents, people who are economically challenged, and persons who may have English as a second language. An example of the enhanced nature of a misdemeanor would also require job applicants to "check the box" indicating a criminal charge. Finally this change back to a violation would help keep people out of the court systems for a relatively minor offense.

MOTION TO LAY ON THE TABLE

Rep. Infantine moved that **HB 1100-FN**, relative to changing the penalties for driving without a license, be laid on the table.

On a division vote, with 188 members having voted in the affirmative, and 161 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1208-FN, relative to driver education. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laura Telerski for the Majority of Transportation. This bill would allow for a waiver for the driver education requirement for 16 and 17-year-old drivers when taught by a responsible adult. The bipartisan majority has several concerns with this bill. Currently, certified instructors meet strict standards for training, have background and driving record checks, participate in continuing education, and are up to date on the newest safety technologies and techniques compared to a parent who learned how to drive 20+ years earlier. A study by the Texas Transportation Institute, which evaluated a similar program in that state, found that teen drivers who are taught by someone other than a professional instructor are more likely to be convicted of driving violations, more likely to be involved with serious crashes, and nearly three times more likely to be involved in a fatal crash than their peers who attended driver's ed. The majority is aware of the concerns with the cost and availability of driver's education classes and anticipates improvements from the Department of Motor Vehicles through rules changes. For these reasons, and others, the majority believes the state's youth operator license program should remain as it currently stands to ensure the safety of our newest drivers, as well as other Granite Staters, on our roadways. Vote 14-5.

Rep. Gregory Hill for the Minority of Transportation. This year's version of the Driver's Education bill would have the state finally recognize the role of parents to decide whether children are capable of learning to drive when taught by the parents themselves or a responsible adult when the child reaches age 16. The two alternatives are either the current system of parents being forced to hire a professional driver's education instructor for a fee or have the child wait an additional two years when they are allowed to take the exam without any formal driver's education training. The state mandate of driver's education virtually ensures a private corporate monopoly on 16- and 17-year-old New Hampshire children who must pay an average cost of \$700 to a select group of private businesses for the privilege of taking the exam two years early. The question posed by the prime sponsor is valid, "Does it really matter who taught the child if the examiners at the Department of Motor Vehicles deem the child to be a responsible driver after their rigorous examination?"

MOTION TO LAY ON THE TABLE

Rep. Walsh moved that **HB 1208-FN**, relative to driver education, be laid on the table.

Rep. Lang requested a roll call; sufficiently seconded.

YEAS 209 - NAYS 141**YEAS - 209****BELKNAP**

Terry, Paul

CARROLL

Nelson, Bill
Deshaies, Brodie
McAleer, Chris

Buco, Thomas
MacDonald, John
McConkey, Mark

Burroughs, Anita
Knirk, Jerry
Umberger, Karen

Crawford, Karel
Marsh, William
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Fenton, Donovan
Hunt, John
Schapiro, Joe

Bordenet, John
Fox, Dru
Maneval, Andrew
Toll, Amanda Elizabeth

Eaton, Daniel
Gomarlo, Jennie
Mann, John
Weber, Lucy

COOS

Kelley, Eamon
Theberge, Robert

Hatch, William
Thompson, Dennis

Laflamme, Larry

Merner, Troy

GRAFTON

Abel, Richard
Fellows, Sallie
Ham, Bonnie
Murphy, James
Sykes, George

Adjutant, Joshua
Sanborn, Gail
Ladd, Rick
Nordgren, Sharon
Weston, Joyce

Almy, Susan
Greeson, Jeffrey
Massimilla, Linda
Stavis, Laurel

Dontonville, Roger
Hakken-Phillips, Mary
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
 Bergeron, Paul
 Chretien, Jacqueline
 Creighton, Jim
 Espitia, Manny
 Graham, John
 Herbert, Christopher
 Klein-Knight, Nicole
 Laughton, Stacie-Marie
 Murray, Megan
 Mooney, Maureen
 O'Brien, Michael
 Piedra, Israel
 Newman, Ray
 Newman, Sue
 Stevens, Deb
 Ulery, Jordan
 Veilleux, Daniel

Bouldin, Andrew
 Booras, Efsthathia
 Cohen, Bruce
 Smith, Denise
 Freitas, Mary
 Griffith, Willis
 Schmidt, Janice
 Labranche, Tony
 Leishman, Peter
 Mangipudi, Latha
 Mullen, Sue
 Pedersen, Michael
 Plett, Fred
 Rombeau, Catherine
 Snow, Kendall
 Smith, Timothy
 Vail, Suzanne
 Wilhelm, Matthew

Griffin, Barbara
 Bouchard, Donald
 Connors, Erika
 DiSilvestro, Linda
 Gagne, Larry
 Hamer, Heidi
 Jack, Martin
 Langley, Diane
 Long, Patrick
 Marston, Dick
 Nutter-Upham, Frances
 Perez, Maria
 Porter, Marjorie
 Rouillard, Claire
 Sofikitis, Catherine
 Telerski, Laura
 Van Houten, Constance

Beaulieu, Jane
 Bradley, Amy
 Cornell, Patricia
 Dutzy, Sherry
 Goley, Jeffrey
 Heath, Mary
 Klee, Patricia
 Lanzara, Tom
 King, Mark
 McGhee, Kat
 Nutting-Wong, Allison
 Petrigno, Peter
 Query, Joshua
 Rung, Rosemarie
 Somero, Paul
 Toomey, Dan
 Vann, Ivy

MERRIMACK

Alicea, Caroletta
 Ellison, Arthur
 Lane, Connie
 Pimentel, Roderick
 Schamberg, Thomas
 Wallner, Mary Jane
 Woods, Gary

Allard, James
 Gallagher, Eric
 Luneau, David
 Pitaro, Matthew
 Schuett, Dianne
 Walsh, Thomas

Caplan, Tony
 Hall, Muriel
 MacKay, James
 Rogers, Katherine
 Schultz, Kristina
 Walz, Mary Beth

Ebel, Karen
 Hill, Gregory
 McWilliams, Rebecca
 Boyd, Stephen
 Soucy, Timothy
 Wazir, Safiya

ROCKINGHAM

Abbas, Daryl
 Cahill, Michael
 Edgar, Michael
 Hamblet, Joan
 Pearson, Mark
 McBride, Everett
 Packard, Sherman
 Simpson, Alexis
 Vandecasteele, Susan

Abrami, Patrick
 Cali-Pitts, Jacqueline
 Gilman, Julie
 Murray, Kate
 Maggiore, Jim
 McMahon, Charles
 Paige, Mark
 Somssich, Peter
 MacDonald, Wayne

Altschiller, Debra
 DiLorenzo, Charlotte
 Grossman, Gaby
 Katsakiores, Phyllis
 Malloy, Dennis
 Melvin, Charles
 Pantelakos, Laura
 Sytek, John
 Ward, Gerald

Bunker, Lisa
 Doucette, Fred
 Grote, Jaci
 Lundgren, David
 McBeath, Rebecca
 Osborne, Jason
 Pearson, Stephen
 Tudor, Paul
 Weyler, Kenneth

STRAFFORD

Bixby, Peter
 Fargo, Kristina
 Horrigan, Timothy
 Rich, Cecilia
 Wall, Janet

Cannon, Gerri
 Fontneau, Timothy
 Kenney, Cam
 Salloway, Jeffrey

Chase, Wendy
 Gourgue, Amanda
 Levesque, Cassandra
 Sandler, Catt

Conley, Casey
 Grassie, Chuck
 Smith, Marjorie
 Treleaven, Susan

SULLIVAN

Callum, John
 O'Hearne, Andrew

Cloutier, John
 Oxenham, Lee

Gottling, Suzanne
 Tanner, Linda

Merchant, Gary

NAYS - 141**BELKNAP**

Aldrich, Glen
 Hough, Gregg
 Littlefield, Richard
 Sylvia, Michael

Bean, Harry
 Howard, Raymond
 Mackie, Jonathan

Comtois, Barbara
 Johnson, Dawn
 Ploszaj, Tom

Harvey-Bolia, Juliet
 Lang, Timothy
 Silber, Norman

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

CHESHIRE

Qualey, James

Santonastaso, Matthew

Von Plinsky, Sparky

COOS

Craig, Kevin

Davis, Arnold

Tucker, Edith

GRAFTON

Alliegro, Mark
 Folsom, Beth

Berezhny, Lex
 Gordon, Edward

Binford, David
 Simon, Matthew

Egan, Timothy

HILLSBOROUGH

Lekas, Alicia
King, Bill
Cushman, Leah
Foster, William
Greene, Bob
Kelsey, Niki
Mayville, Mary
Pauer, Diane
Sheehan, Vanessa

Alexander, Joe
Berry, Ross
Kelley, Diane
Griffin, Gerald
Healey, Robert
Kofalt, Jim
McLean, Mark
Post, Lisa
Lekas, Tony

Ammon, Keith
Blasek, Melissa
Erf, Keith
Gorski, Ted
Homola, Susan
Lascelles, Richard
Notter, Jeanine
Prout, Andrew
Warden, Mark

Boyd, Bill
Burt, John
Fedolff, Jim
Gould, Linda
Infantine, William
Lewicke, John
Nunez, Hershel
Renzullo, Andrew

MERRIMACK

Andrus, Louise
Klose, John
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Bartlett, Christy
Leavitt, John
Pearl, Howard
Wells, Natalie

Cambrils, Jose
Mason, James
Seaworth, Brian
White, Nick

Cross, Kenna
McGuire, Carol
Shurtleff, Steve
Wolf, Dan

ROCKINGHAM

Abramson, Max
Baxter, Tim
DeSimone, Debra
Ford, Oliver
Harley, Tina
Khan, Aboul
Lynn, Bob
Piemonte, Tony
Read, Ellen
Thomas, Douglas
Vose, Michael

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Gay, Betty
Hobson, Deborah
Layon, Erica
Major, Norman
Potucek, John
Roy, Terry
Torosian, Peter
Wallace, Scott

Ayer, Paul
Bernardy, JD
Dolan, Tom
Green, Dennis
Nelson, Jodi
Litchfield, Melissa
Meuse, David
Pratt, Kevin
Soti, Julius
Tripp, Richard
Yokela, Josh

Baldasaro, Al
Bershtein, Alan
Emerick, Tracy
Harb, Robert
Janigian, John
Love, David
Milz, David
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Horgan, James
Turcotte, Leonard

Groen, Fenton
Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Sullivan, Brian

Rollins, Skip

Spilsbury, Walter

Stapleton, Walter

and the motion was adopted.

REGULAR CALENDAR CONT'D**HB 1461-FN, increasing penalties for littering. OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas Walsh for Transportation. This bill amends RSA 265:102, IV to read as follows: "Any person who violates any provision of this section shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person, and shall be fined \$300 plus penalty assessment for a first offense and \$500 plus penalty assessment for each subsequent offense." The effective date of this act shall be January 1, 2023. Vote 16-1.

Amendment (0283h)

Amend the bill by replacing section 1 with the following:

1 Littering; Penalty. Amend RSA 265:102, IV to read as follows:

IV. Any person who violates any provision of this section shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person, ***and shall be fined \$300 plus penalty assessment for a first offense and \$500 plus penalty assessment for each subsequent offense.***

Committee amendment adopted.

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

Rep. Green offered floor amendment (0633h).

Floor Amendment (0633h)

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

1 Littering; Penalty. Amend RSA 265:102, IV to read as follows:

IV. Any person who violates any provision of this section shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person, ***and shall be fined a minimum of \$300 for a first offense and \$500 for a second offense. Any third or subsequent offense may cause the suspension of the person's driver's license for a period of 90 days, pursuant to a valid court order.***

2 Duties of Clerks; Disposition of Fines. Amend RSA 502-A:8, I to read as follows:

I. The clerk of the applicable circuit court established in RSA 490-F shall receive all fines and forfeitures paid into the district court from any source. The clerk of any circuit court may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine amount which is deposited with the treasurer and not out of the penalty assessment charged by a district court. The clerk shall forward fines collected for violations of title XXI to the treasurer for deposit in the highway fund [and] ***within 14 days; provided that, the clerk shall forward 80 percent of the total fines collected under RSA 265:102, IV to the highway fund and shall retain the remainder for the citing law enforcement entity. The clerk shall forward*** fines collected for violations of title LXII and all other statutes to the treasurer for deposit in the general fund within 14 days. The clerk shall separately indicate which fines were for violations of title XXI. Fines and forfeitures collected by the clerk for ***remittance to the citing law enforcement entity for violations of RSA 265:102, IV and for*** violations of municipal ordinances, codes, or regulations, except those adopted pursuant to RSA 31:39, I(g); RSA 41:11; RSA 47:17, IV, VI, VII, or VIII; and RSA 105:6 and RSA 105:7, shall be remitted monthly to the treasurer of the municipality prosecuting said violations, for the use of the municipality. All expenses related to the processing of parking violations and the administrative collection of parking fines shall be the responsibility of the local unit of government, and all fines collected shall be retained in their entirety by the local unit of government.

3 Effective Date. This act shall take effect January 1, 2023.

AMENDED ANALYSIS

This bill establishes penalties for littering on any right-of-way and provides for the citing law enforcement agency to receive a portion of fines collected for littering.

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

YEAS 46 - NAYS 304

YEAS - 46

BELKNAP

Bean, Harry
Silber, Norman

Howard, Raymond

Littlefield, Richard

Mackie, Jonathan

CARROLL

Smith, Jonathan

McConkey, Mark

CHESHIRE

Hunt, John

GRAFTON

Sanborn, Gail

HILLSBOROUGH

Creighton, Jim
Lascelles, Richard
Pauer, Diane

Healey, Robert
Lewicke, John
Plett, Fred

Infantine, William
Marston, Dick
Renzullo, Andrew

Lanzara, Tom
Mayville, Mary
Sheehan, Vanessa

MERRIMACK

Moffett, Michael

Seaworth, Brian

Testerman, Dave

Wolf, Dan

ROCKINGHAM

Baldasaro, Al
Green, Dennis
Lynn, Bob
Prudhomme-O'Brien, Katherine
Spillane, James

Baxter, Tim
Nelson, Jodi
Pearson, Mark
Roy, Terry
Welch, David

Dolan, Tom
Katsakiores, Phyllis
Potucek, John
Pearson, Stephen
Weyler, Kenneth

Emerick, Tracy
Love, David
Pratt, Kevin
Soti, Julius

SULLIVAN

Rollins, Skip

Stapleton, Walter

NAYS - 304

BELKNAP

Aldrich, Glen
Hough, Gregg
Sylvia, Michael

Bordes, Mike
Johnson, Dawn
Terry, Paul

Comtois, Barbara
Lang, Timothy

Harvey-Bolia, Juliet
Ploszaj, Tom

CARROLL

Avellani, Lino
Cordelli, Glenn
Knirk, Jerry
Woodcock, Stephen

Nelson, Bill
Crawford, Karel
Marsh, William

Buco, Thomas
Deshaies, Brodie
McAleer, Chris

Burroughs, Anita
MacDonald, John
Umberger, Karen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Qualey, James
Von Plinsky, Sparky

Ames, Richard
Fenton, Donovan
Maneval, Andrew
Santonastaso, Matthew
Weber, Lucy

Bordenet, John
Fox, Dru
Mann, John
Schapiro, Joe
Welkowitz, Lawrence

Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Toll, Amanda Elizabeth

COOS

Craig, Kevin
Laflamme, Larry
Tucker, Edith

Davis, Arnold
Merner, Troy

Kelley, Eamon
Theberge, Robert

Hatch, William
Thompson, Dennis

GRAFTON

Abel, Richard
Berezchny, Lex
Fellows, Sallie
Ham, Bonnie
Murphy, James
Smith, Suzanne

Adjutant, Joshua
Binford, David
Gordon, Edward
Ladd, Rick
Nordgren, Sharon
Sykes, George

Alliegro, Mark
Dontonville, Roger
Greeson, Jeffrey
Massimilla, Linda
Simon, Matthew
Weston, Joyce

Almy, Susan
Egan, Timothy
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

HILLSBOROUGH

Lekas, Alicia
Bouldin, Andrew
Beaulieu, Jane
Booras, Efsthathia
Chretien, Jacqueline
Cushman, Leah
Dutzy, Sherry
Foster, William
Goley, Jeffrey
Greene, Bob
Herbert, Christopher
Kelsey, Niki
Labranche, Tony
Long, Patrick
McGhee, Kat
Notter, Jeanine
O'Brien, Michael
Piedra, Israel
Query, Joshua
Rung, Rosemarie
Somero, Paul
Telerski, Laura
Van Houten, Constance
Wilhelm, Matthew

Alexander, Joe
Boyd, Bill
Bergeron, Paul
Bouchard, Donald
Cohen, Bruce
Kelley, Diane
Erf, Keith
Freitas, Mary
Gorski, Ted
Griffith, Willis
Homola, Susan
Klee, Patricia
Langley, Diane
King, Mark
McLean, Mark
Nunez, Hershel
Pedersen, Michael
Porter, Marjorie
Newman, Ray
Newman, Sue
Stevens, Deb
Toomey, Dan
Vann, Ivy

Bouldin, Amanda
Griffin, Barbara
Berry, Ross
Bradley, Amy
Connors, Erika
Smith, Denise
Espitia, Manny
Griffin, Gerald
Gould, Linda
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Laughton, Stacie-Marie
Murray, Megan
Mooney, Maureen
Nutter-Upham, Frances
Perez, Maria
Post, Lisa
Rombeau, Catherine
Snow, Kendall
Lekas, Tony
Ulery, Jordan
Veilleux, Daniel

Ammon, Keith
King, Bill
Blasek, Melissa
Burt, John
Cornell, Patricia
DiSilvestro, Linda
Fedolfi, Jim
Gagne, Larry
Graham, John
Heath, Mary
Jack, Martin
Kofalt, Jim
Leishman, Peter
Mangipudi, Latha
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Prout, Andrew
Rouillard, Claire
Sofikitis, Catherine
Smith, Timothy
Vail, Suzanne
Warden, Mark

MERRIMACK

Alicea, Caroletta
Cambrils, Jose
Ellison, Arthur
Klose, John
MacKay, James
Pearl, Howard
Boyd, Stephen
Shurtleff, Steve
Walz, Mary Beth
Woods, Gary

Allard, James
Caplan, Tony
Gallager, Eric
Lane, Connie
Mason, James
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya
Yakubovich, Michael

Andrus, Louise
Cross, Kenna
Hall, Muriel
Leavitt, John
McGuire, Carol
Pitaro, Matthew
Schuett, Dianne
Wallner, Mary Jane
Wells, Natalie

Bartlett, Christy
Ebel, Karen
Hill, Gregory
Luneau, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walsh, Thomas
White, Nick

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Bershtein, Alan
DeSimone, Debra
Edgar, Michael
Grote, Jaci
Hobson, Deborah
Layon, Erica
Major, Norman
McMahon, Charles
Osborne, Jason
Piemonte, Tony

Abrami, Patrick
Ayer, Paul
Bunker, Lisa
DiLorenzo, Charlotte
Gay, Betty
Hamblet, Joan
Janigian, John
Litchfield, Melissa
Malloy, Dennis
Melvin, Charles
Packard, Sherman
Read, Ellen

Abramson, Max
Belanger, Cody
Cahill, Michael
Dodge, Dustin
Gilman, Julie
Harb, Robert
Murray, Kate
Lundgren, David
McBeath, Rebecca
Meuse, David
Paige, Mark
Simpson, Alexis

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Bernardy, JD
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Doucette, Fred
Grossman, Gaby
Harley, Tina
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Maggiore, Jim
McBride, Everett
Milz, David
Pantelakos, Laura
Somssich, Peter

Sweeney, Joe
Tripp, Richard
Vose, Michael
Yokela, Josh

Sytek, John
True, Chris
MacDonald, Wayne

Thomas, Douglas
Tudor, Paul
Wallace, Scott

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Vandecasteele, Susan
Ward, Gerald

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Bailey, Glenn
Conley, Casey
Gourgue, Amanda
Hayward, Peter
Kenney, Cam
Pitre, Joseph
Turcotte, Leonard

Bixby, Peter
DeLemus, Susan
Grassie, Chuck
Horgan, James
Kittredge, Mac
Rich, Cecilia
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Groen, Fenton
Horrigan, Timothy
Levesque, Cassandra
Salloway, Jeffrey
Wuelper, Kurt

Chase, Wendy
Fontneau, Timothy
Harrington, Michael
Kaczynski, Thomas
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Aron, Judy
Merchant, Gary
Smith, Steven

Callum, John
O'Hearne, Andrew
Sullivan, Brian

Cloutier, John
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Spilsbury, Walter

and floor amendment (0633h) failed.

Committee report adopted.

The Speaker referred the bill to the Committee on Criminal Justice and Public Safety.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 1176-FN, relative to reducing the penalty for sex work within one's own home. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Harriott-Gathright for Criminal Justice and Public Safety. This bill seeks to reduce the penalty for prostitution/sex work and related offenses when such activities take place within the "privacy of one's own home." The bill seeks to decriminalize prostitution and claims to be a means of harm reduction amongst consenting adults, for the betterment of impoverished single mothers and children. The committee heard the testimony of several women who had been trafficked as young as the age of 11 years old and above, as well as New Hampshire Coalition Against Domestic and Sexual Violence (NHCADSV). Each one felt that this bill would bring about unintended consequences by taking the eyes off those who are trafficked vs. willing participants. They were solely against legalizing sex work in any form. According to authors and researchers Pollack, Weiss and Mathieu, legalized prostitution will inadvertently force sex work further into the shadows and expose children to exploitation. In fact, "One of the most concerning side effects of the legalization of prostitution, is the potential for human trafficking crimes to become easier for perpetrators to commit against children." No child should be subject to sex work life in their home or anywhere. Some would say we are the product of teachings of our environment. We urge you to prevent the influx of human trafficking into New Hampshire communities, protect our children and trafficked community by opposing this bill. Vote 20-0.

On a division vote, with 319 members having voted in the affirmative, and 28 in the negative, the committee report was adopted.

(Speaker Packard in the Chair)

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1340, relative to the definition of "domestic violence" and relative to criminal convictions for domestic violence. **INEXPEDIENT TO LEGISLATE.**

Rep. Amy Bradley for Criminal Justice and Public Safety. The committee disagrees with the legislation's proposed definition of "domestic violence" that would be changed to reflect the federal definition. The proposed legislation narrows the scope of what is considered domestic violence by excluding partners and family members. Vote 21-0.

On a division vote, with 322 members having voted in the affirmative, and 26 in the negative, the committee report was adopted.

HB 1392-FN, relative to penalties for nonviolent drug offenses and repealing the criminal penalties for possession of drug paraphernalia. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. The Criminal Justice and Public Safety Committee, after hearing from the bill's sponsor and various law enforcement witnesses, recommends this bill be found inexpedient to legislate. The bill would allow a simple fine of \$40 for possession of 1 gram of carfentanyl. 2 milligrams is considered a lethal dose of carfentanyl. The punishment for possessing enough of this drug to kill 10,000 people would be just \$800.00. While reducing incarceration for simple drug possession is an admirable goal, the proposed legislation blurs the lines between what constitutes simple user level amounts and enough to kill entire towns and thus should be found inexpedient to legislate. Vote 17-1.

On a division vote, with 319 members having voted in the affirmative, and 29 in the negative, the committee report was adopted.

CACR 30, officers of the government. Providing that the elected positions of inspectors general are created. **INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for Executive Departments and Administration. If passed by the legislature and adopted by the people this constitutional amendment would create the elected positions of five Inspectors General. While they would be able to investigate any malfeasance by government officials, they would in particular have the authority to investigate election irregularities. This would result in yet another government department which would require staffing, offices, etc. There is no assurance that such Inspectors General would do their work in a fair and thorough manner. These would be elected political positions and as the political winds change, they could be used for partisan purposes. If the legislature is concerned about election irregularities it can pass legislation requiring the Secretary of State to perform investigations and audits of election results. If there are concerns about the Secretary of State not diligently performing such duties there is no assurance that the Inspectors General would do better. As for dealing with other government malfeasance, there are existing avenues for dealing with that, including a recent constitutional amendment granting the citizens of the state standing to sue in such instances. If the legislature decides that the current avenues for dealing with such problems are inadequate it has the power to provide other options without an amendment to our constitution. While this is a well-meaning amendment intended to deal with what may be real problems it is not necessary as there are other avenues for dealing with the concerns it would address. Vote 17-0. On a division vote, with 331 members having voted in the affirmative, and 15 in the negative, the committee report was adopted.

REFERRAL DECLINED

Rep. Abbas, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 47 (f), declined the referral of **HB 1461-FN**, increasing penalties for littering.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1262, commemorating the 250th anniversary of the Pine Tree Riot. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill is similar to many others that have come before the Executive Departments and Administration Committee (ED&A) that ask to commemorate important events in New Hampshire History. The majority of the committee considers these types of bills ineffective because there are many of these types of events in statute that are overlooked/unknown once the initial celebrations are completed. Due to the connection between this event and another major event in the history of the American Revolution (the Boston Tea Party). Vote 15-2.

Rep. McGuire spoke in favor.

Rep. Fellows spoke against.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 224 - NAYS 124

YEAS - 224

BELKNAP

Johnson, Dawn

Terry, Paul

CARROLL

Nelson, Bill
Marsh, William

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Umberger, Karen

Knirk, Jerry

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Ames, Richard
Fenton, Donovan
Hunt, John
Toll, Amanda Elizabeth

Bordenet, John
Fox, Dru
Maneval, Andrew
Von Plinsky, Sparky

Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

COOS

Kelley, Eamon
Theberge, Robert

Hatch, William
Thompson, Dennis

Laflamme, Larry

Merner, Troy

GRAFTON

Abel, Richard
Dontonville, Roger
Greeson, Jeffrey
Muirhead, Russell
Stavis, Laurel

Adjutant, Joshua
Egan, Timothy
Hakken-Phillips, Mary
Murphy, James
Smith, Suzanne

Alliegro, Mark
Sanborn, Gail
Ladd, Rick
Nordgren, Sharon
Sykes, George

Almy, Susan
Gordon, Edward
Massimilla, Linda
Simon, Matthew
Weston, Joyce

HILLSBOROUGH

Lekas, Alicia
Baroody, Benjamin

Bouldin, Amanda
Beaulieu, Jane

Bouldin, Andrew
Bergeron, Paul

King, Bill
Booras, Efsthathia

Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Hamer, Heidi
Infantine, William
Klein-Knight, Nicole
Laughton, Stacie-Marie
Murray, Megan
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Query, Joshua
Snow, Kendall
Smith, Timothy
Van Houten, Constance

Bradley, Amy
Cornell, Patricia
Espitia, Manny
Gorski, Ted
Heath, Mary
Schmidt, Janice
Langley, Diane
Leishman, Peter
Mangipudi, Latha
Mullen, Sue
Pedersen, Michael
Plett, Fred
Newman, Ray
Sofikitis, Catherine
Telerski, Laura
Vann, Ivy

Chretien, Jacqueline
Creighton, Jim
Freitas, Mary
Graham, John
Herbert, Christopher
Jack, Martin
Lanzara, Tom
Long, Patrick
Marston, Dick
Nutter-Upham, Frances
Perez, Maria
Porter, Marjorie
Rombeau, Catherine
Stevens, Deb
Toomey, Dan
Veilleux, Daniel

Cohen, Bruce
DiSilvestro, Linda
Gagne, Larry
Griffith, Willis
Homola, Susan
Klee, Patricia
Lascelles, Richard
King, Mark
Mayville, Mary
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Petrigno, Peter
Post, Lisa
Newman, Sue
Lekas, Tony
Vail, Suzanne
Wilhelm, Matthew

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Klose, John
McGuire, Carol
Pitaro, Matthew
Shurtleff, Steve
Wazir, Safiya

Andrus, Louise
Ellison, Arthur
Lane, Connie
McWilliams, Rebecca
Boyd, Stephen
Soucy, Timothy
Wolf, Dan

Bartlett, Christy
Gallager, Eric
Luneau, David
Pearl, Howard
Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

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Abrami, Patrick
DeSimone, Debra
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Janigian, John
Litchfield, Melissa
Major, Norman
McMahon, Charles
Osborne, Jason
Simpson, Alexis
Tudor, Paul

Bunker, Lisa
DiLorenzo, Charlotte
Gilman, Julie
Hamblet, Joan
Murray, Kate
Lynn, Bob
Malloy, Dennis
Melvin, Charles
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Vose, Michael

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Rich, Cecilia
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Grassie, Chuck
Kenney, Cam
Salloway, Jeffrey

Fargo, Kristina
Harrington, Michael
Levesque, Cassandra
Sandler, Catt

Fontneau, Timothy
Hayward, Peter
Smith, Marjorie
Treleven, Susan

SULLIVAN

Callum, John
O'Hearne, Andrew
Stapleton, Walter

Cloutier, John
Oxenham, Lee
Sullivan, Brian

Gottling, Suzanne
Rollins, Skip
Tanner, Linda

Merchant, Gary
Spilsbury, Walter

NAYS - 124

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Littlefield, Richard
Sylvia, Michael

Bean, Harry
Hough, Gregg
Mackie, Jonathan

Bordes, Mike
Howard, Raymond
Ploszaj, Tom

Comtois, Barbara
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
MacDonald, John

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
McConkey, Mark

Deshaies, Brodie
Woodcock, Stephen

CHESHIRE

Mann, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

Davis, Arnold

Tucker, Edith

GRAFTON

Berezhny, Lex

Binford, David

Ham, Bonnie

HILLSBOROUGH

Alexander, Joe
Blasek, Melissa
Smith, Denise
Griffin, Gerald
Kelsey, Niki
McLean, Mark
Pauer, Diane
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Burt, John
Erf, Keith
Gould, Linda
Kofalt, Jim
Mooney, Maureen
Prout, Andrew
Rung, Rosemarie
Warden, Mark

Boyd, Bill
Cushman, Leah
Fedolfi, Jim
Greene, Bob
Labranche, Tony
Notter, Jeanine
Renzullo, Andrew
Sheehan, Vanessa

Berry, Ross
Kelley, Diane
Foster, William
Healey, Robert
Lewicke, John
Nunez, Hershel
Rice, Kimberly
Somero, Paul

MERRIMACK

Cambrils, Jose
Mason, James
Seaworth, Brian
Yakubovich, Michael

Cross, Kenna
Moffett, Michael
Testerman, Dave

Hill, Gregory
Rogers, Katherine
Wells, Natalie

Leavitt, John
Schultz, Kristina
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Ford, Oliver
Love, David
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Weyler, Kenneth

Abramson, Max
Baldasaro, Al
Bershtein, Alan
Gay, Betty
Piemonte, Tony
Read, Ellen
Sweeney, Joe
Vandecasteele, Susan
Yokela, Josh

Acton, Dennis
Baxter, Tim
Dodge, Dustin
Hobson, Deborah
Potucek, John
Roy, Terry
Thomas, Douglas
Wallace, Scott

Altschiller, Debra
Belanger, Cody
Emerick, Tracy
Katsakiores, Phyllis
Pratt, Kevin
Soti, Julius
Torosian, Peter
Welch, David

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Pitre, Joseph

Bailey, Glenn
Horrigan, Timothy
Turcotte, Leonard

Conley, Casey
Kaczynski, Thomas
Wuelper, Kurt

DeLemus, Susan
Kittredge, Mac

SULLIVAN

Aron, Judy

Smith, Steven

and the committee report was adopted.

HB 1642-FN, relative to lead testing in children. OUGHT TO PASS WITH AMENDMENT.

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. Lead is a very dangerous neurotoxin, particularly damaging to young children during growth. Lead poisoning sources are lead paint in our older housing stock, soil contamination from leaded gasoline and agriculture, and lead pipes. SB 247, passed in 2018, requires blood lead level testing in all children by age 1 and again by age 2 in order to guide remediation and treatment, but compliance has been poor. This bill, as introduced, mandated a provider scorecard type of approach with reporting to the Department of Health and Human Services (DHHS) to nudge providers to get the testing done. It then inserted a required blood lead level test for admission to schools or child daycare, also with reporting to DHHS, but there was no appropriation to cover the reporting requirements. The reporting requirements also potentially conflicted with HIPPA requirements and DHHS Data Release Guidelines regarding privacy. The amendment markedly reduces the scope of the bill, stripping out the various reporting requirements, leaving just a requirement of a blood lead level test for school and child daycare admission. With no reporting requirements, an appropriation is no longer needed. Mandating a blood lead level report as a requirement for admission to child daycare and school admission will provide another reminder of the need to get the testing done at a common point of contact. If the provider has not done the required testing, the parent will become aware of the need and get it done. The amendment adds the provision of six months to remedy the deficiency so that a parent does not lose a valuable child daycare slot when it becomes available. The amendment also pushes out the effective date to January 1, 2023 given the current short staffing at child daycare agencies. The amendment reiterates that the parent still has the right to opt out of having blood lead level testing done on their child under RSA 130-A:5c, exempting the child from the requirement of the blood lead level test for admission to school or child day care. Vote 20-1.

Amendment (0443h)

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

1 Health and Sanitation; Physical Examination of Pupils; Lead Testing Requirement. Amend RSA 200:32 to read as follows:

200:32 Physical Examination of Pupils. There shall be a complete physical examination by a licensed physician, physician assistant, or advanced practice registered nurse of each child prior to or upon first entry into the public school system and thereafter as often as deemed necessary by the local school authority. The

result of the child's physical examination shall be presented to the local school officials on a form provided by the local school authorities. ***The form shall include at least one result of blood lead level testing required under RSA 130-A:5-a, RSA 130-A:5-b, or RSA 130-A:5-c, unless the child is exempted under RSA 130-A:5-c. If the child has not had a blood lead level test at the time of first entry to school, they shall be granted 6 months to remedy the deficiency.*** No physical examination shall be required of a child whose parent or guardian objects thereto in writing on the grounds that such physical examination is contrary to the child's religious tenets and teachings.

2 Child Day Care, Residential Care, and Child-Placing Agencies; Records; Lead Testing Required. Amend RSA 170-E:19 to read as follows:

170-E:19 Records. Every child day care agency shall keep and maintain such records as the department shall prescribe by rule pertaining to the admission, progress, health and discharge of children under the care of the child day care agency and shall report relative to such matters to the department whenever called for, upon forms prescribed by rule. ***Health forms shall include at least one result of blood lead level testing required under RSA 130-A:5-a, RSA 130-A:5-b, or RSA 130-A:5-c. At least one blood lead level test result shall be a requirement for entry in child day care facilities for children over age 9 months, unless the child is exempted under RSA 130-A:5-c. If the child has not had a blood level test at the time of admission, they shall be granted 6 months to remedy the deficiency.*** All records regarding children and all facts learned about children and their relatives shall be kept confidential both by the child day care agency and by the department.

3 Effective Date. This act shall take effect January 1, 2023.

AMENDED ANALYSIS

This bill establishes a blood lead level testing requirement for children entering day care and public schools. Committee amendment adopted.

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

Rep. Blasek spoke against.

Rep. Knirk spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Knirk moved that **HB 1642-FN**, relative to lead testing in children, be laid on the table.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 183

YEAS - 162

BELKNAP

Bean, Harry
Hough, Gregg
Littlefield, Richard
Terry, Paul

Bordes, Mike
Howard, Raymond
Ploszaj, Tom

Comtois, Barbara
Johnson, Dawn
Silber, Norman

Harvey-Bolia, Juliet
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark

Nelson, Bill

Cordelli, Glenn

Smith, Jonathan

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin
Thompson, Dennis

Davis, Arnold

Merner, Troy

Theberge, Robert

GRAFTON

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Gorski, Ted
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Nunez, Hershel

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Berry, Ross
Cushman, Leah
Foster, William
Gould, Linda
Infantine, William
Lascelles, Richard
McLean, Mark
Pauer, Diane

Ammon, Keith
Blasek, Melissa
Kelley, Diane
Griffin, Gerald
Greene, Bob
Kelsey, Niki
Lewicke, John
Mooney, Maureen
Plett, Fred

Boyd, Bill
Burt, John
Smith, Denise
Gagne, Larry
Healey, Robert
Kofalt, Jim
Marston, Dick
Notter, Jeanine
Post, Lisa

Prout, Andrew
Sheehan, Vanessa
Warden, Mark

Newman, Ray
Somero, Paul

Renzullo, Andrew
Lekas, Tony

Rice, Kimberly
Ulery, Jordan

MERRIMACK

Andrus, Louise
Klose, John
Moffett, Michael
Seaworth, Brian
White, Nick

Cambrils, Jose
Leavitt, John
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Cross, Kenna
Mason, James
Pitaro, Matthew
Walsh, Thomas

Hill, Gregory
McGuire, Carol
Boyd, Stephen
Wells, Natalie

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Abbas, Daryl
Baladasaro, Al
Bershtein, Alan
Dolan, Tom
Harb, Robert
Katsakiores, Phyllis
Love, David
Melvin, Charles
Potucek, John
Spillane, James
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
Cali-Pitts, Jacqueline
Doucette, Fred
Hobson, Deborah
Khan, Aboul
Lynn, Bob
Milz, David
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Ford, Oliver
Nelson, Jodi
Layon, Erica
McBride, Everett
Osborne, Jason
Roy, Terry
Sytek, John
Vandecasteele, Susan
Welch, David

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Green, Dennis
Janigian, John
Litchfield, Melissa
McMahon, Charles
Piemonte, Tony
Soti, Julius
Thomas, Douglas
Vose, Michael
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Horgan, James
Sandler, Catt

DeLemus, Susan
Kaczynski, Thomas
Turcotte, Leonard

Groen, Fenton
Kittredge, Mac
Wuelper, Kurt

Hayward, Peter
Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 183 CARROLL

Buco, Thomas
MacDonald, John
Umberger, Karen

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McAleer, Chris

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Ames, Richard
Fenton, Donovan
Maneval, Andrew
Toll, Amanda Elizabeth

Bordenet, John
Fox, Dru
Mann, John
Von Plinsky, Sparky

Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Egan, Timothy
Ladd, Rick
Nordgren, Sharon
Weston, Joyce

Adjutant, Joshua
Fellows, Sallie
Massimilla, Linda
Stavis, Laurel

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Smith, Suzanne

Dontonville, Roger
Ham, Bonnie
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua

Bouldin, Andrew
Booras, Efsthathia
Cohen, Bruce
Dutzy, Sherry
Graham, John
Herbert, Christopher
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Rombeau, Catherine

Baroody, Benjamin
Bouchard, Donald
Connors, Erika
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rouillard, Claire

Beaulieu, Jane
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Jack, Martin
Langley, Diane
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie

Newman, Sue
Smith, Timothy
Van Houten, Constance

Snow, Kendall
Telerski, Laura
Vann, Ivy

Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

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Alicea, Caroletta
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Grossman, Gaby
Pearson, Mark
McBeath, Rebecca
Pratt, Kevin
Somssich, Peter

Altschiller, Debra
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Read, Ellen
Torosian, Peter

Bunker, Lisa
Gay, Betty
Hamblet, Joan
Major, Norman
Paige, Mark
Pearson, Stephen
Ward, Gerald

Cahill, Michael
Gilman, Julie
Murray, Kate
Malloy, Dennis
Pantelakos, Laura
Simpson, Alexis

STRAFFORD

Bixby, Peter
Fargo, Kristina
Harrington, Michael
Smith, Marjorie
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Rich, Cecilia

Chase, Wendy
Gourgue, Amanda
Kenney, Cam
Salloway, Jeffrey

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Treleven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the motion failed.

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

YEAS 213 - NAYS 131

YEAS - 213

CARROLL

Nelson, Bill
Deshaies, Brodie
McAleer, Chris

Buco, Thomas
MacDonald, John
Umberger, Karen

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Crawford, Karel
Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe
Welkowitz, Lawrence

Ames, Richard
Fenton, Donovan
Maneval, Andrew
Toll, Amanda Elizabeth

Bordenet, John
Fox, Dru
Mann, John
Von Plinsky, Sparky

Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

COOS

Davis, Arnold
Merner, Troy

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

GRAFTON

Abel, Richard
Egan, Timothy
Ladd, Rick
Nordgren, Sharon
Weston, Joyce

Adjutant, Joshua
Fellows, Sallie
Massimilla, Linda
Stavis, Laurel

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Smith, Suzanne

Dontonville, Roger
Ham, Bonnie
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bradley, Amy
Cornell, Patricia
Espitia, Manny
Graham, John
Herbert, Christopher
Kelsey, Niki

Bouldin, Andrew
Bergeron, Paul
Chretien, Jacqueline
Creighton, Jim
Freitas, Mary
Griffith, Willis
Homola, Susan
Klee, Patricia

King, Bill
Booras, Efstathia
Cohen, Bruce
DiSilvestro, Linda
Gagne, Larry
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole

Baroody, Benjamin
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Labranche, Tony

Langley, Diane
Long, Patrick
Marston, Dick
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Newman, Sue
Smith, Timothy
Van Houten, Constance

Lascelles, Richard
King, Mark
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Snow, Kendall
Telerski, Laura
Vann, Ivy

Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rouillard, Claire
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rung, Rosemarie
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
McWilliams, Rebecca
Rogers, Katherine
Shurtleff, Steve
Walz, Mary Beth

Allard, James
Ellison, Arthur
Luneau, David
Moffett, Michael
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya

Bartlett, Christy
Gallager, Eric
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan

Caplan, Tony
Hall, Muriel
McGuire, Carol
Pitaro, Matthew
Schultz, Kristina
Walsh, Thomas
Woods, Gary

ROCKINGHAM

Abrami, Patrick
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Nelson, Jodi
Maggiore, Jim
McBride, Everett
Paige, Mark
Read, Ellen
MacDonald, Wayne

Altschiller, Debra
DeSimone, Debra
Gay, Betty
Hamblet, Joan
Murray, Kate
Major, Norman
McMahon, Charles
Pantelakos, Laura
Pearson, Stephen
Ward, Gerald

Bunker, Lisa
DiLorenzo, Charlotte
Gilman, Julie
Harb, Robert
Khan, Aboul
Malloy, Dennis
Meuse, David
Potucek, John
Simpson, Alexis

Cahill, Michael
Dolan, Tom
Grossman, Gaby
Hobson, Deborah
Pearson, Mark
McBeath, Rebecca
Milz, David
Pratt, Kevin
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Harrington, Michael
Kittredge, Mac
Sandler, Catt

Cannon, Gerri
Fontneau, Timothy
Hayward, Peter
Levesque, Cassandra
Treleaven, Susan

Chase, Wendy
Gourgue, Amanda
Horrigan, Timothy
Smith, Marjorie
Wall, Janet

Conley, Casey
Grassie, Chuck
Kenney, Cam
Rich, Cecilia

SULLIVAN

Cloutier, John
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Spilsbury, Walter

Merchant, Gary
Stapleton, Walter

O'Hearne, Andrew
Sullivan, Brian

NAYS - 131

BELKNAP

Bean, Harry
Hough, Gregg
Littlefield, Richard
Terry, Paul

Bordes, Mike
Howard, Raymond
Ploszaj, Tom

Comtois, Barbara
Johnson, Dawn
Silber, Norman

Harvey-Bolia, Juliet
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Gordon, Edward

Berezhny, Lex
Greenson, Jeffrey

Binford, David
Simon, Matthew

Sunborn, Gail

HILLSBOROUGH

Lekas, Alicia
Berry, Ross
Kelley, Diane
Griffin, Gerald
Healey, Robert
Lewicke, John
Notter, Jeanine

Alexander, Joe
Blasek, Melissa
Smith, Denise
Gorski, Ted
Infantine, William
Mayville, Mary
Nunez, Hershel

Ammon, Keith
Burt, John
Erf, Keith
Gould, Linda
Kofalt, Jim
McLean, Mark
Pauer, Diane

Boyd, Bill
Cushman, Leah
Foster, William
Greene, Bob
Lanzara, Tom
Mooney, Maureen
Plett, Fred

Post, Lisa
Sheehan, Vanessa
Warden, Mark

Prout, Andrew
Somero, Paul

Renzullo, Andrew
Lekas, Tony

Rice, Kimberly
Ulery, Jordan

MERRIMACK

Andrus, Louise
Klose, John
Boyd, Stephen
White, Nick

Cambrils, Jose
Leavitt, John
Seaworth, Brian
Yakubovich, Michael

Cross, Kenna
Mason, James
Testerman, Dave

Hill, Gregory
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Baxter, Tim
Dodge, Dustin
Janigian, John
Love, David
Piemonte, Tony
Spillane, James
Torousian, Peter
Vose, Michael
Yokela, Josh

Acton, Dennis
Belanger, Cody
Doucette, Fred
Katsakiores, Phyllis
Lynn, Bob
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
Wallace, Scott

Ayer, Paul
Bernardy, JD
Ford, Oliver
Layon, Erica
Melvin, Charles
Roy, Terry
Sytek, John
True, Chris
Welch, David

Baldasaro, Al
Bershtein, Alan
Green, Dennis
Litchfield, Melissa
Osborne, Jason
Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Kaczynski, Thomas
Wuelper, Kurt

DeLemus, Susan
Pitre, Joseph

Groen, Fenton
Salloway, Jeffrey

Horgan, James
Turcotte, Leonard

SULLIVAN

Aron, Judy

Callum, John

Rollins, Skip

Smith, Steven

and the committee report was adopted.

The Speaker referred the bill to the Committee on Finance.

HB 1654-FN, relative to termination of pregnancy statistics. **REFER FOR INTERIM STUDY.**

Rep. Bill King for Health, Human Services and Elderly Affairs. Many times when we discuss matters of pregnancy termination, especially in pregnancies beyond 21 weeks, we find there is no data because the Department of Health and Human Services (DHHS) currently does not collect this information. We worked on an amendment for this bill and got it very close, but there were still some gaps in our work. The biggest reason for this is that we are waiting for a best practice report being released by the Center for Disease Control (CDC). This report will help us with language for an amendment for a future bill. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Mark Pearson moved that **HB 1654-FN**, relative to termination of pregnancy statistics, be laid on the table. On a division vote, with 275 members having voted in the affirmative, and 65 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1397, relative to the length of terms for Rockingham county officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rosemarie Rung for Municipal and County Government. This bill extends the terms for certain county officers, the county attorney, the county sheriff, the county treasurer, registrar of probate and registrar of deeds, from two years to four years. The committee believes that these positions are full-time, professional jobs that risk being negatively impacted by the time and distraction of biennial campaigns and elections. A four-year term provides more stability and focus to address county needs. The original bill only applied to Rockingham County but the committee amended it to apply to all NH counties. Vote 19-0.

Amendment (0120h)

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

AN ACT relative to the length of terms for county officers.

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

1 County Attorneys; Length of Term. Amend RSA 7:33 to read as follows:

7:33 Election; Temporary Vacancies. There shall be a county attorney for each county, who shall be a member of the New Hampshire bar [~~elect~~ elected biennially by the voters of the county]; **provided that, beginning at the 2022 state general election, the county attorney for each county shall be chosen in the county by the voters for a 4-year term.** If the county attorney is absent at any term of court or unable to discharge the duties of the office, the superior court, acting as a body, shall appoint a county attorney, who shall be a member of the New Hampshire bar, for the time being and allow said appointee such compensation for his or her services as set by the county delegation.

2 New Section; Elected for 4-Year Term. Amend RSA 653 by inserting after section 1 the following new section: 653:1-a. Elected for 4-Year Term. Beginning at the 2022 state general election, the following county officers shall be elected for 4-year terms by the voters in each county: one sheriff, one county attorney, one county treasurer, one register of deeds, and one register of probate.

3 County Officers. Amend RSA 661:9, II(a) to read as follows:

II.(a) If a vacancy occurs in the office of a county commissioner, the members of the county convention, or, if the vacancy occurs in Hillsborough county, the members of the county convention representing the cities and towns in the commissioner's district, shall fill the vacancy by a majority of the ballots cast until the next biennial election [~~of county officers~~]. If the term filled is less than the unexpired term, then notwithstanding any provisions of RSA 653:1, VI the commissioner district filled pursuant to this paragraph shall be added to the next biennial election ballot to be chosen by the voters of the county for a 2-year term.

4 Repeal. RSA 653:1, V, relative to terms for county officers, is repealed.

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

AMENDED ANALYSIS

This bill establishes a 4-year term for the county treasurer, county sheriff, county register of deeds, and county attorney in each county.

Rep. Dolan spoke in favor.

Rep. Ammon spoke against and yielded to questions.

On a division vote, with 150 members having voted in the affirmative, and 189 in the negative, the committee amendment failed.

The question now being adoption of the motion of Ought to Pass.

On a division vote, with 216 members having voted in the affirmative, and 124 in the negative, the motion was adopted and the bill was ordered to third reading.

HB 1040, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges and their resulting improvements to the environment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barry Faulkner for Public Works and Highways. This bill will establish a commission to study the problem of the widening gap between our highway funding needs and decreasing road toll, gas tax, revenues, due in part to improved fuel economy and the shift to electric and hybrid vehicles. The Public Works and Highways Committee has considered a number of proposals to address this problem, many of which have practical or policy issues that need to be resolved. The committee finds that this commission provides the best chance to work through these issues and to develop a consensus on an approach where all highway users pay a fair share of the costs of maintaining an efficient highway system. The committee amendment retains the commission's membership and the scope of the original bill. The amendment changed the title and purpose statements to remove the sole focus on electric and hybrid vehicles and ensure that the commission considers the current and future funding needs of the highway system. Vote 20-2.

Amendment (0205h)

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

AN ACT establishing a commission to study revenue alternatives to the road toll for the funding of improvements to the state's highways and bridges and their resulting improvements to the environment.

Amend the bill by replacing sections 1-2 with the following:

1 New Section; Commission to Study Revenue Alternatives to the Road Toll. Amend RSA 21-J by inserting after section 48 the following new section:

21-J:49 Commission to Study Revenue Alternatives to the Road Toll

I. There is established a commission to study revenue alternatives to the road toll for the funding of improvements to the state's highways and bridges and their resulting improvements to the environment.

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

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives: 2 of whom shall be members of the house public works and highways committee; one of whom shall be a member of the house science, technology and energy committee; and one of whom shall be a member of the house ways and means committee.

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

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

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

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

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

(g) One member from the New Hampshire Automobile Dealers Association, appointed by that association.

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:

(a) Study alternatives to the road toll and may study emerging vehicle fuels and technologies, for funding improvements to the state's highways and bridges, ensuring that all motor vehicles contribute proportionally to their impact on New Hampshire's highway infrastructure.

(b) Study the impact the various fuel-efficient technologies have on the environment.

(c) Consider the interim report of the commission on taxation of alternative fuel and electric-powered motor vehicles of November 1, 2012, and the final report of the commission to study future sustainable revenue sources for funding improvements to state and municipal highways and bridges, dated November 1, 2010.

(d) Track current road toll revenues and, as it deems appropriate, analyze related programs developed in other states and recommend legislation.

(e) Consider the 2019-2020 federally-funded study of a prior road usage fee in New Hampshire.

(f) Evaluate the future funding needs for the operation and maintenance of, and improvements to, state and municipal roadways.

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. Three members of the commission shall constitute a quorum.

VI. The commission 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, 2022.

2 Repeal. RSA 21-J:49, relative to a commission to study revenue alternatives to the road toll, is repealed.

AMENDED ANALYSIS

This bill establishes a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges and resulting improvements to the environment.
Committee amendment adopted.

MOTION TO LAY ON THE TABLE

Rep. Graham moved that **HB 1040**, establishing a commission to study revenue alternatives to the road toll for the funding of improvements to the state's highways and bridges and their resulting improvements to the environment, be laid on the table.

On a division vote, with 85 members having voted in the affirmative, and 249 in the negative, the motion failed.

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

Committee report adopted and the bill was ordered to third reading.

HB 1656-FN-A-L, establishing a road usage registration fee and making an appropriation therefor. **INEX-PEDIENT TO LEGISLATE.**

Rep. David Milz for Public Works and Highways. This bill would establish a road usage fee based on a vehicle's weight and annual miles driven. The committee has several concerns on how the actual fee would be assessed and how miles driven outside of the state would be accounted for. The committee heard a separate bill, HB 1040, that would study the issue of how, or even if, New Hampshire would establish any type of road usage fee. This bill puts the cart before the horse. Vote 22-0.

MOTION TO LAY ON THE TABLE

Rep. Graham moved that **HB 1656-FN-A-L**, establishing a road usage registration fee and making an appropriation therefor, be laid on the table.

On a division vote, with 309 members having voted in the affirmative, and 29 in the negative, the motion was adopted.

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 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 1586-FN-A, relative to a likeness of Wentworth Cheswill at the state house.

HB 1397, relative to the length of terms for Rockingham county officers.

HB 1040, establishing a commission to study revenue alternatives to the road toll for the funding of improvements to the state's highways and bridges and their resulting improvements to the environment.

UNANIMOUS CONSENT

Rep. Labranche requested Unanimous Consent of the House regarding leaving the Democratic Party and addressed the House.

Consent was withdrawn.

The question being shall the member be allowed to continue speaking with consent of the House?

Rep. Labranche requested a roll call; sufficiently seconded.

YEAS 199 - NAYS 70**YEAS - 199****BELKNAP**

Bean, Harry
Lang, Timothy
Terry, Paul

Hough, Gregg
Littlefield, Richard

Howard, Raymond
Ploszaj, Tom

Johnson, Dawn
Silber, Norman

CARROLL

Avellani, Lino
MacDonald, John
Woodcock, Stephen

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

CHESHIRE

Eaton, Daniel
Qualey, James

Faulkner, Barry
Santonastaso, Matthew

Hunt, John
Weber, Lucy

Maneval, Andrew

COOS

Craig, Kevin
Merner, Troy

Davis, Arnold

Kelley, Eamon

Hatch, William

GRAFTON

Alliegro, Mark
Egan, Timothy
Stavis, Laurel

Berezhny, Lex
Sanborn, Gail

Binford, David
Greeson, Jeffrey

Dontonville, Roger
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Bergeron, Paul
Chretien, Jacqueline
Smith, Denise
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lanzara, Tom
Lewicke, John
Mullen, Sue
Nutting-Wong, Allison
Piedra, Israel
Renzullo, Andrew
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Gorski, Ted
Griffith, Willis
Kofalt, Jim
Lascelles, Richard
Marston, Dick
Notter, Jeanine
Pauer, Diane
Plett, Fred
Rice, Kimberly
Somero, Paul
Veilleux, Daniel

Boyd, Bill
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Labranche, Tony
Laughton, Stacie-Marie
Mayville, Mary
Nunez, Hershel
Perez, Maria
Post, Lisa
Rombeau, Catherine
Lekas, Tony
Warden, Mark

King, Bill
Burt, John
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Langley, Diane
Leishman, Peter
Mooney, Maureen
Nutter-Upham, Frances
Petrigno, Peter
Prout, Andrew
Rouillard, Claire
Telerski, Laura

MERRIMACK

Allard, James
Hall, Muriel
McGuire, Carol
Schuett, Dianne
Walz, Mary Beth
Yakubovich, Michael

Andrus, Louise
Klose, John
Moffett, Michael
Seaworth, Brian
Wells, Natalie

Cambrils, Jose
Luneau, David
Pearl, Howard
Testerman, Dave
White, Nick

Ellison, Arthur
Mason, James
Boyd, Stephen
Walsh, Thomas
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Ford, Oliver
Hamblet, Joan
Murray, Kate
Litchfield, Melissa

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Love, David

Acton, Dennis
Baxter, Tim
Bunker, Lisa
Doucette, Fred
Green, Dennis
Nelson, Jodi
Khan, Aboul
Lynn, Bob

Altschiller, Debra
Belanger, Cody
DeSimone, Debra
Edgar, Michael
Grote, Jaci
Janigian, John
Layon, Erica
Pearson, Mark

Major, Norman
Milz, David
Pratt, Kevin
Pearson, Stephen
Thomas, Douglas
Vose, Michael
Weyler, Kenneth

McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

McMahon, Charles
Piemonte, Tony
Read, Ellen
Spillane, James
True, Chris
Wallace, Scott

Melvin, Charles
Potucek, John
Roy, Terry
Sytek, John
Vandecasteele, Susan
Ward, Gerald

STRAFFORD

Bailey, Glenn
Hayward, Peter
Kittredge, Mac
Treleaven, Susan

DeLemus, Susan
Horgan, James
Smith, Marjorie
Turcotte, Leonard

Grassie, Chuck
Horrigan, Timothy
Pitre, Joseph
Wall, Janet

Groen, Fenton
Kaczynski, Thomas
Rich, Cecilia
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Cloutier, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 70 CARROLL

Buco, Thomas

Marsh, William

CHESHIRE

Ames, Richard
Parshall, Lucius

Bordenet, John

Fox, Dru

Harvey, Cathryn

COOS

Laflamme, Larry

GRAFTON

Abel, Richard
Gordon, Edward
Sykes, George

Adjutant, Joshua
Hakken-Phillips, Mary

Almy, Susan
Massimilla, Linda

Fellows, Sallie
Nordgren, Sharon

HILLSBOROUGH

Bouldin, Amanda
Connors, Erika
Hamer, Heidi
Klein-Knight, Nicole
Mangipudi, Latha
Query, Joshua
Wilhelm, Matthew

Bouldin, Andrew
Cornell, Patricia
Heath, Mary
Long, Patrick
McGhee, Kat
Stevens, Deb

Baroody, Benjamin
Dutzy, Sherry
Jack, Martin
King, Mark
O'Brien, Michael
Toomey, Dan

Bradley, Amy
Freitas, Mary
Klee, Patricia
Murray, Megan
Pedersen, Michael
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
Lane, Connie
Shurtleff, Steve

Bartlett, Christy
Pitaro, Matthew
Soucy, Timothy

Ebel, Karen
Rogers, Katherine
Wallner, Mary Jane

Gallager, Eric
Schultz, Kristina
Woods, Gary

ROCKINGHAM

Cahill, Michael
Maggiore, Jim
Toriosian, Peter

DiLorenzo, Charlotte
Malloy, Dennis

Gilman, Julie
Paige, Mark

Grossman, Gaby
Simpson, Alexis

STRAFFORD

Bixby, Peter

Cannon, Gerri

Kenney, Cam

Salloway, Jeffrey

SULLIVAN

Gottling, Suzanne

Sullivan, Brian

Tanner, Linda

and the member was allowed to continue.

RECESS MOTION

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

Motion adopted.

The House recessed at 4:30 p.m.

RECESS

(Speaker Packard in the Chair)

RESOLUTION

Rep. Walsh offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 307 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.

Motion adopted.

INTRODUCTION OF SENATE BILL

First, second reading and referral

SB 307, relative to the issuance of safe boater education certificates and commercial driving instruction.
(Transportation)

SENATE MESSAGES

CONCURRENCE

HB 54, apportioning county commissioner districts.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 54 and 549.
Rep. Osborne, Sen. Avarad for the Committee

SENATE MESSAGE

CONCURRENCE

HB 435-FN, relative to the suspension of drivers' licenses

RECESS