



State of
New Hampshire

HOUSE RECORD

Second Year of the 167th General Court

Calendar and Journal of the 2022 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 44

Concord, N.H.

Thursday, March 17, 2022

No. 8

HOUSE JOURNAL NO. 7 (Cont'd)

Wednesday, March 16, 2022

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

HOUSE JOURNAL NO. 8

Thursday, March 17, 2022

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

Prayer was offered by House Chaplain, Reverend Bob Stewart, Pastor of St. Paul's United Methodist Church in Manchester.

Happy St. Patrick's Day my friends. Let me start by offering you an Irish Blessing. May love and laughter light your days and warm your heart and home. May good and faithful friends be yours wherever you may roam. May peace and plenty bless your world with joy that long endures. May all life's passing seasons bring the best to you and yours. O Loving God, in You we can be a transformation for others. When the discouraged cry for hope, help us be an encourager. When the hungry cry for bread, help us lead them to finding food. When the thirsty cry for water, help us lead them to a drink of water. When the suffering cry for help, let us be their helping hand. When the sick cry for healing, let us pray to You for their healing. When the outcasts cry for love, let us be Your love. O Compassionate God, look down with mercy on the Ukrainian people. Protect and save them from the unjust aggressors who seek to subdue them. Grant them steadfast trust in Your mercy and protection. We also seek prayers for the Russian people who do not want any part of this aggression. O God, please help everyone learn that You are a God of peace and love. O God, I once again ask for prayers for all my brothers and sisters through You that are gathered here today. I pray for their health and safety as they lead this great State of New Hampshire. Be with them as they work hard to make the best decisions based on that which is presented before the House today. Give them the wisdom and guidance they need. Be with all the leadership of this House of Representatives and I ask that Your hand be upon each leader to give them the strength and courage to lead. O God, we pray all this to glorify only You for You are our Shalom. Amen!

Representative Howard Pearl, member from Loudon, led the Pledge of Allegiance.

The National Anthem was performed by Don Taylor of Loudon, a doorkeeper for the New Hampshire House of Representatives.

LEAVES OF ABSENCE

Reps. Berch, Cleaver, Connors, Ellis, Gourgue, Mary Griffin, Heath, Hopper, Kennedy, Laughton, Lundgren, Myler, Newton, Salloway, Sofikitis, Spang, Stevens, Tudor and Vail, the day, illness.

Reps. Booras, Bradley, Cote, Crawford, Cross, DiSilvestro, Frost, Harvey, Hunt and Milz, the day, important business.

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

INTRODUCTION OF GUESTS

James Thibault, student at Winnesquam Regional High School, Page for the day.

Muriel and John Stickney, grandparents of Rep. Belanger. Faye Linda Tiffault, guest of Rep. Pearl. Mary Fucarino, cousin of Rep. Yokela. Marguerite Moffett, and Beth Boardman, mother and wife of Rep. Moffett.

UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent of the House regarding an apology and addressed the House.

REGULAR CALENDAR CONT'D

HB 1053, relative to the hourly rate paid to an employee for hours worked but not previously scheduled. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mark Warden for the Majority of Labor, Industrial and Rehabilitative Services. This legislation would require an employer to pay "time and a half" for hours worked by any employee who is called in to work hours not previously scheduled. With thousands of different employers in this state, all with their own policies and procedures for scheduling work shifts for employees and independent contractors, the idea behind this bill is wholly unworkable. The committee heard from a number of trade associations representing many industries and employers, all of whom opposed this one size fits all proposal. Vote 18-3.

Rep. Joshua Adjutant for the Minority of Labor, Industrial and Rehabilitative Services. The minority of the Labor, Industrial and Rehabilitative Services Committee believes that an employee's free time is valuable to them. They may have planned to use it to volunteer at their community center, run errands, spend time with their families, or rest. An employer calling in an employee at a whim can disrupt their personal life, and as such, the minority believes that an employee who is called in for hours not previously scheduled should be paid time and a half for those hours worked, the same standard we require for work past 40 hours a week.

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

Majority committee report adopted.

HB 1076, relative to illegal productivity quotas. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joshua Adjutant for the Majority of Labor, Industrial and Rehabilitative Services. This bill seeks to deal with the issues that have arisen over the last decade with productivity quotas that are so stringent and unreasonable that employees are technically denied bathroom breaks to ensure their work gets done on time, because taking the time to walk to the bathroom could get them in trouble. The majority of the committee understands that bathroom breaks are already a protected right that employees enjoy, but the time it takes to get to and use the bathroom, or take a meal break, or rest period, is not. With this bill, we both require the notification of a company's productivity quotas to prospective employees, guaranteeing transparency, while also ensuring that no productivity quota can deny the right of an employee to use the bathroom without fear of losing their job. Vote 11-9.

Rep. Leonard Turcotte for the Minority of Labor, Industrial and Rehabilitative Services. This bill would impose an extensive number of new burdensome and unnecessary regulations onto New Hampshire businesses for a perceived problem that has been nearly non-existent. When an isolated case has occurred, the New Hampshire Department of Labor has quickly and efficiently resolved the issue. Much like other bills this committee has heard, the provisions in this bill are a better fit for inclusion into collective bargaining agreements. The Labor, Industrial and Rehabilitative Services Committee consistently avoids getting in between the relationship of private employers and their employees, and this issue should be no different.

Majority Amendment (0630h)

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

1 New Subdivision; Productivity Quotas. Amend RSA 275 by inserting after section 77 the following new subdivision:

Productivity Quotas

275:78 Definitions. In this subdivision:

I. "Commissioner" means the labor commissioner.

II. "Defined time period" means any unit of time measurement equal to or less than the duration of an employee's shift, and includes hours, minutes, and seconds and any fraction thereof.

III. "Department" means the department of labor.

IV. "Employee" means an employee who works at a warehouse distribution center.

V. "Employee work speed data" means information an employer collects, stores, analyzes, or interprets relating to an individual employee's performance of a quota, including, but not limited to, quantities of tasks performed, quantities of items or materials handled or produced, rates or speeds of tasks performed, measurements or metrics of employee performance in relation to a quota, and time categorized as performing tasks or not performing tasks. "Employee work speed data" shall not include qualitative performance assessments, personnel records, or itemized wage statements, except for any content of those records that includes employee work speed data as defined in this subdivision.

VI. "Employer" means a person who directly or indirectly, or through an agent or any other person, including through the services of a third-party employer, temporary service, or staffing agency or similar entity, employs or exercises control over the wages, hours, or working conditions of 100 or more employees at a single warehouse distribution center or 1,000 or more employees at one or more warehouse distribution centers in the state.

VII. "Person" means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

VIII. "Quota" means a work standard under which an employee is assigned or required to perform at a specified productivity speed, or perform a quantified number of tasks, or to handle or produce a quantified amount of material, within a defined time period and under which the employee may suffer an adverse employment action if they fail to complete the performance standard.

IX.(a) "Warehouse distribution center" means an establishment as defined by any of the following North American Industry Classification System (NAICS) Codes, however that establishment is denominated, and may include the following:

- (1) 493110 for General Warehousing and Storage.
- (2) 423 for Merchant Wholesalers, Durable Goods.
- (3) 424 for Merchant Wholesalers, Nondurable Goods.
- (4) 454110 for Electronic Shopping and Mail-Order Houses.

(b) The term "warehouse distribution center" shall not include NAICS Code 493130, Farm Product Warehousing and Storage.

275:79 Employer Disclosure of Productivity Quotas. Each employer shall provide to each prospective employee, a written description of each quota to which the employee is subject, including the quantified number of tasks to be performed or materials to be produced or handled, within the defined time period, and any potential adverse employment action that could result from failure to meet the quota

275:80 Productivity Quotas. An employee shall not be required to meet a quota that prevents compliance with meal or rest periods, use of bathroom facilities, including reasonable travel time to and from bathroom facilities, or occupational health and safety laws in state law or department rules. An employer shall not take adverse employment action against an employee for failure to meet a quota that does not allow a worker to comply with meal and rest periods, or occupational health and safety laws in state law or department rules, or for failure to meet a quota that has not been disclosed to the employee pursuant to RSA 275:79.

275:81 Productive Time. Any action taken by an employee to comply with occupational health and safety laws shall be considered time on task and productive time for purposes of any quota or monitoring system. Meal and rest breaks shall not be considered productive time unless the employee is required to remain on call.

275:82 Right to Request Quota Description. If a current employee believes that meeting a quota caused a violation of their right to a meal or rest period or required them to violate any occupational health and safety laws in state law or department rules, then such employee shall have the right to contact the department of labor and submit a complaint pursuant to RSA 275:80. An employer that does not monitor this data shall have no obligation to provide it.

275:83 Duties of the Commissioner. The commissioner shall:

I. Enforce this subdivision by engaging in coordinated and strategic enforcement efforts with the department. The commissioner shall have access to data from the department including employer-reported injury data and enforcement actions in warehouses.

II. Adopt rules pursuant to RSA 541-A relating to the procedures for an employee to make a complaint alleging a violation of this subdivision.

275:84 Employer Right to Cure. In any action by a current employee that could be brought for a violation of this subdivision, the employer shall have the right to a reasonable amount of time to cure an alleged violation.

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

MOTION TO LAY ON THE TABLE

Rep. Turcotte moved that **HB 1076**, relative to illegal productivity quotas, be laid on the table.

Rep. Turcotte requested a roll call; sufficiently seconded.

YEAS 169 - NAYS 152

YEAS - 169

BELKNAP

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

Bordes, Mike
Howard, Raymond
O'Hara, Travis
Trottier, Douglas

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark

Cordelli, Glenn
Umberger, Karen

MacDonald, John

Smith, Jonathan

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin
Thompson, Dennis

Laflamme, Larry

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
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Sheehan, Vanessa
Warden, Mark

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Somero, Paul

Boyd, Bill
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Lekas, Tony

MERRIMACK

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

Cambrils, Jose
McGuire, Carol
Testerman, Dave
Yakubovich, Michael

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Klose, John
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Nelson, Jodi
Layon, Erica
Pearson, Mark
Melvin, Charles
Pratt, Kevin
Spillane, James
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Abrami, Patrick
Belanger, Cody
Dodge, Dustin
Emerick, Tracy
Harb, Robert
Janigian, John
Litchfield, Melissa
Major, Norman
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris
Wallace, Scott

Ayer, Paul
Bernardy, JD
Dolan, Tom
Ford, Oliver
Harley, Tina
Khan, Aboul
Love, David
McBride, Everett
Piemonte, Tony
Roy, Terry
Thomas, Douglas
Verville, Kevin
Welch, David

Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Hobson, Deborah
Kimball, Mary Ann
Lynn, Bob
McMahon, Charles
Potucek, John
Pearson, Stephen
Torosian, Peter
Vose, Michael
Weyler, Kenneth

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

**NAYS - 152
CARROLL**

Buco, Thomas
Marsh, William

Burroughs, Anita
McAleer, Chris

Deshaies, Brodie
Woodcock, Stephen

Knirk, Jerry

CHESHIRE

Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Weber, Lucy

Ames, Richard
Fenton, Donovan
Mann, John
Welkowitz, Lawrence

Bordenet, John
Fox, Dru
Parshall, Lucius

Eaton, Daniel
Gomarlo, Jennie
Schapiro, Joe

COOS

Kelley, Eamon

Hatch, William

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Ham, Bonnie
Nordgren, Sharon
Weston, Joyce

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

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

Depalma IV, Joseph
Hakken-Phillips, Mary
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Dutzy, Sherry
Hamer, Heidi
Klee, Patricia
King, Mark
Mullen, Sue
Perez, Maria
Query, Joshua
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Chretien, Jacqueline
Espitia, Manny
Infantine, William
Klein-Knight, Nicole
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Newman, Sue
Van Houten, Constance

Baroody, Benjamin
Cohen, Bruce
Freitas, Mary
Schmidt, Janice
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Beaulieu, Jane
Cornell, Patricia
Goley, Jeffrey
Jack, Martin
Long, Patrick
McGhee, Kat
Pedersen, Michael
Porter, Marjorie
Rouillard, Claire
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Wallner, Mary Jane

Allard, James
Gallager, Eric
MacKay, James
Rogers, Katherine
Seaworth, Brian
Wazir, Safiya

Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schamberg, Thomas
Shurtleff, Steve
Wolf, Dan

Ebel, Karen
Lane, Connie
Moffett, Michael
Schuett, Dianne
Soucy, Timothy
Woods, Gary

ROCKINGHAM

Abramson, Max
Cahill, Michael
Gay, Betty
Murray, Kate
Meuse, David
Somssich, Peter

Acton, Dennis
Cali-Pitts, Jacqueline
Gilman, Julie
Maggiore, Jim
Paige, Mark
Ward, Gerald

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Pantelakos, Laura

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McKinney, Betsy
Simpson, Alexis

STRAFFORD

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

Cannon, Gerri
Levesque, Cassandra
Sandler, Catt

Fargo, Kristina
Smith, Marjorie
Southworth, Thomas

Grassie, Chuck
Schmidt, Peter
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the motion was adopted.

Rep. Laflamme voted Yea and intended to vote Nay.

MOTION TO PRINT DEBATE

Rep. Verville moved that the debate on **HB 1673-FN**, relative to the scope of the fetal life protection act, be printed in the Permanent Journal.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1088, relative to employee protections from COVID-19 in the workplace. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gregg Hough for the Majority of Labor, Industrial and Rehabilitative Services. While this bill seeks to make it lawful for employees to receive COVID-19 vaccinations as well as to be able to wear personal protective equipment in the workplace under the premise of non-discriminatory practices, the majority of the committee found through testimony and current law that there is nothing preventing citizens currently from doing either. Also, there was no evidence of employers taking punitive actions against employees who chose to do either, or both. Vote 11-9.

Rep. Brian Sullivan for the Minority of Labor, Industrial and Rehabilitative Services. The minority of the committee believes that an employee should have the right to protect him/herself from infection while at work. While uncommon, some employers have discouraged or even not allowed employees to wear protective equipment or to become vaccinated. Employees' rights to protect their own health and the health of others should be protected.

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

Rep. Horrigan spoke against.

Rep. Infantine spoke in favor.

Majority committee report adopted.

HB 1089, relative to the unenforceability of noncompete agreements upon termination of an employee for noncompliance with a vaccination mandate. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for the Majority of Labor, Industrial and Rehabilitative Services. As amended, this bill would protect employees from being caught in a non-compete agreement with an employer who, essentially, forced them out through a change in employment terms. The original language was specific to vaccines and sought to nullify prior non-compete agreements upon this imposition of a new vaccine mandate. This intent was explained as merely a clarification of existing case law rather than a new regulation. As amended, the bill now focuses on the phrase “material change to the terms of employment” that would require a re-execution of any previously negotiated non-compete agreements. This would apply to items like compensation as well as medical testing and intervention. Passage of this bill should not disrupt existing and legally enforceable non-compete agreements. It will, however, allow the New Hampshire Department of Labor to intervene in cases where non-competes are being improperly enforced. Vote 13-8.

Rep. Andrew Maneval for the Minority of Labor, Industrial and Rehabilitative Services. This bill, as amended, makes unenforceable a noncompete agreement that an employer has entered into with its employee, if the employer makes any material change to the terms of employment. The term “material” is not defined here, although the bill provides that it at least includes “new requirements” for medical testing, vaccination, or other medical intervention made a condition of employment by the employer. What else a “material change” could include is not addressed. Further, this bill actively discourages employers in certain circumstances from applying their discretion as to new medical requirements that might otherwise be advantageous or in the interests of public health. It also creates new responsibilities within the New Hampshire Department of Labor for dealing with disputes between employers and employees over enforceability of the noncompete agreements they negotiated, with the possibility of warnings and/or fines issued by the DOL in addition to potential liability of the employer in civil lawsuits. This bill is burdensome on employers, ambiguous in meaning, and engages the DOL in matters that would best be resolved by other means.

Majority Amendment (0376h)

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

AN ACT relative to the unenforceability of noncompete agreements upon termination of an employee for noncompliance with a medical intervention mandate.

Amend RSA 275:70, II as inserted by section 1 of the bill by replacing it with the following:

II. If an employer makes any material change to the terms of employment for any employee, any existing noncompete agreement shall be unenforceable against such employee. Termination of employment resulting from the material change in terms of employment or the failure to agree to a new employment contract or noncompete contract shall be considered a termination at the will of the employer. New requirements for medical testing, vaccination, or other medical intervention, established by the employer as a condition of employment, shall be considered a material change in the terms of employment. Any other employment agreement, including confidentiality, nondisclosure, trade secret, intellectual property assignment, or other agreement between the employer and such employee shall remain in full force and effect.

Amend the bill by replacing section 2 with the following:

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

AMENDED ANALYSIS

This bill provides that a noncompete agreement between an employer and an employee who is terminated for refusing to comply with an employer-mandated medical intervention shall be unenforceable against such employee.

Majority committee amendment adopted.

Majority committee report adopted and the bill was ordered to third reading.

HB 1094, relative to employee work schedules and rest periods. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would place additional, and unnecessary, burdens upon New Hampshire’s businesses by requiring the advanced planning and notification of an employee’s work schedule. Many individuals from the business community testified that businesses primarily performing work outdoors could not possibly predict schedules due to the inability to forecast weather. Others testified to the sheer impracticality due to types of work performed and

time required for planning. The bill further discriminates based on a business' size and number of locations, implements restrictions on rest periods, and reads more like a union collective bargaining agreement than a statute. Vote 18-3.

Rep. Joshua Adjutant for the Minority of Labor, Industrial and Rehabilitative Services. Though the minority understands that there are certain professions where scheduling seven days ahead of time may be harder than others, we still hold that there are many benefits to employees knowing their schedules ahead of time, such as life planning, ability to secure child care, ability to rest, and the mental security that comes with knowing when you're working. The bill also requires a minimum standard for a rest period, which the minority of the committee supports, because tired employees become tired drivers, and tired drivers pose a risk to everyone on the road. The National Highway Traffic Safety Administration found hundreds of traffic fatalities associated with exhausted drivers in 2019. It is for the above reasons that we support this bill.

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

Majority committee report adopted.

HB 1165, repealing the Granite State paid family leave plan. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would repeal the Granite State Paid Family Leave Plan (FMLI) that was included in the omnibus HB 2 this past year (Ch. 91:139, Laws of 2021). That plan has significant deficiencies, many unanswered questions, and is no longer needed. The plan would require taxpayers to pay for FMLI for 11,000 state employees (at a cost yet unknown), at no cost to the employee. The bill would give the potential private employers who sign up a 50% tax break for premiums paid, yet the impact on tax revenues is unknown. The number of private businesses interested in purchasing this insurance is unknown. Over the years, this FMLI will morph into a public sector benefit/entitlement paid for by taxpayers. Finally, insurance carriers have recently filed plans to the Insurance Department to offer this type of insurance in NH, whether the state moves forward with the state's FMLI plan or not. This proves the private market already can and will provide FMLI type insurance through the free market without bureaucracy's involvement. Since the FMLI plan will not be implemented any earlier than the end of 2022, we have the opportunity to remove it from the books before it is forever ensconced into law. Vote 11-10.

Rep. Joshua Adjutant for the Minority of Labor, Industrial and Rehabilitative Services. The minority of the labor committee opposes this bill, the repeal of the regressive Granite State Paid Family Leave Plan (FMLI). The minority of the labor committee, in a vacuum, does not support the FMLI plan that was passed in HB 2 in 2021 (Ch. 91:139, Laws of 2021). We feel it is financially exclusionary to lower income Granite Staters who are forced to pay the premiums but are expected to forgo 40% of their income if they want to use their "plan." An administrative assistant at a state agency who makes \$50,000 can likely afford to take that hit, but an employee at a state liquor store who makes \$12 an hour is essentially expected to live on \$7 an hour to use the plan that they've paid into. The very people who are supposed to be helped by this plan are hurt the most by an upward redistribution of wealth from the working class to the permanent managerial class. With 7 out of 10 Americans living paycheck to paycheck, this is a bad plan that makes everyone pay premiums that only a select few get to use, and we feel that is wrong. However, these are not the reasons why advocates are asking for a repeal. The minority disagrees with the premise that the biggest issue with the FMLI plan is that it costs money. We understand that public programs do cost money, but if they have the kind of popular support that a robust Paid Family Leave Program would have, it's worth it. That's why the position of the minority of the labor committee is to fix the Granite State Family Leave Plan, not to throw it away and leave everyone with nothing. We oppose this bill, and recommend the bill be referred for Interim Study, so the Granite State Paid Family Leave Plan can be improved, and have it's regressive, technocratic obstacles removed, so that true FMLI can be a reality for all Granite Staters.

MOTION TO LAY ON THE TABLE

Rep. Sullivan moved that **HB 1165**, repealing the Granite State paid family leave plan, be laid on the table. Rep. Prout requested a roll call; sufficiently seconded.

YEAS 160 - NAYS 172

YEAS - 160

BELKNAP

Bordes, Mike

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Marsh, William

Deshaies, Brodie
McAleer, Chris

MacDonald, John
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Schapiro, Joe

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

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

Eaton, Daniel
Gomarlo, Jennie
Rhodes, Jennifer
Welkowitz, Lawrence

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

Adjutant, Joshua
Egan, Timothy
Muirhead, Russell
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Murphy, James
Sykes, George

Depalma IV, Joseph
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
Beaulieu, Jane
Cornell, Patricia
Goley, Jeffrey
Schmidt, Janice
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Rombeau, Catherine
Telerski, Laura
Veilleux, Daniel

Bouldin, Amanda
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Jack, Martin
Long, Patrick
McGhee, Kat
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Klee, Patricia
King, Mark
Mullen, Sue
Perez, Maria
Query, Joshua
Newman, Sue
Van Houten, Constance

Baroody, Benjamin
Cohen, Bruce
Freitas, Mary
Herbert, Christopher
Klein-Knight, Nicole
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Smith, Timothy
Vann, Ivy

MERRIMACK

Alicea, Caroletta
Gallager, Eric
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Walsh, Thomas

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

ROCKINGHAM

Abbas, Daryl
Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
McKinney, Betsy
Pantelakos, Laura

Altschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Khan, Aboul
McMahon, Charles
Simpson, Alexis

Bunker, Lisa
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Somssich, Peter

Cahill, Michael
Edwards, Jess
Hamblet, Joan
Malloy, Dennis
Paige, Mark
Ward, Gerald

STRAFFORD

Bixby, Peter
Grassie, Chuck
Schmidt, Peter
Treleaven, Susan

Cannon, Gerri
Horrigan, Timothy
Rich, Cecilia
Vincent, Kenneth

Fargo, Kristina
Levesque, Cassandra
Sandler, Catt
Wall, Janet

Fontneau, Timothy
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Stapleton, Walter

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

NAYS - 172**BELKNAP**

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

Bean, Harry
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
Umberger, Karen

Cordelli, Glenn

Smith, Jonathan

McConkey, Mark

CHESHIRE

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Sanborn, Gail
Ladd, Rick

Berezhny, Lex
Gordon, Edward
Simon, Matthew

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ham, Bonnie

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Labranche, Tony
Marston, Dick
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Somero, Paul

Boyd, Bill
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Plett, Fred
Rouillard, Claire
Ulery, Jordan

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Testerman, Dave

Andrus, Louise
Leavitt, John
Pitaro, Matthew
Wells, Natalie

Cambriels, Jose
McGuire, Carol
Boyd, Stephen
White, Nick

Hill, Gregory
Moffett, Michael
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Hobson, Deborah
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
DeSimone, Debra
Emerick, Tracy
Guthrie, Joseph
Nelson, Jodi
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Sweeney, Joe
True, Chris
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Thomas, Douglas
Verville, Kevin
Welch, David

Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harley, Tina
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Torosian, Peter
Vose, Michael
Weyler, Kenneth

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Smith, Steven

Callum, John

Rollins, Skip

Spilsbury, Walter

and the motion failed.

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

Rep. Adjutant spoke against.

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

YEAS 172 - NAYS 164**YEAS - 172****BELKNAP**

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

Bean, Harry
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

McConkey, Mark

CHESHIRE

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTONAlliegro, Mark
Sanborn, Gail
Ladd, RickBerezhny, Lex
Gordon, Edward
Simon, MatthewBinford, David
Greeson, JeffreyFolsom, Beth
Ham, Bonnie**HILLSBOROUGH**Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Greene, Bob
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Rouillard, Claire
Ulery, JordanAmmon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Healey, Robert
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Warden, MarkBoyd, Bill
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Somero, PaulGriffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Lekas, Tony**MERRIMACK**Allard, James
Klose, John
Moffett, Michael
Seaworth, Brian
White, NickAndrus, Louise
Leavitt, John
Pearl, Howard
Testerman, Dave
Yakubovich, MichaelCambrils, Jose
MacKay, James
Pitaro, Matthew
Walsh, ThomasHill, Gregory
McGuire, Carol
Boyd, Stephen
Wells, Natalie**ROCKINGHAM**Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Ford, Oliver
Hamblet, Joan
Nelson, Jodi
Layon, Erica
Pearson, Mark
McKinney, Betsy
Potucek, John
Pearson, Stephen
Torosian, Peter
Vose, Michael
Weyler, KennethAbramson, Max
Baxter, Tim
Dodge, Dustin
Gay, Betty
Harb, Robert
Janigian, John
Litchfield, Melissa
Major, Norman
Melvin, Charles
Pratt, Kevin
Soti, Julius
Tripp, Richard
MacDonald, Wayne
Yokela, JoshActon, Dennis
Belanger, Cody
Dolan, Tom
Green, Dennis
Harley, Tina
Katsakiores, Phyllis
Love, David
Malloy, Dennis
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sytek, John
True, Chris
Wallace, ScottAyer, Paul
Bernardy, JD
Doucette, Fred
Guthrie, Joseph
Hobson, Deborah
Kimball, Mary Ann
Lynn, Bob
McBride, Everett
Piemonte, Tony
Roy, Terry
Thomas, Douglas
Verville, Kevin
Welch, David**STRAFFORD**Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac
Wuelper, KurtBailey, Glenn
Hayward, Peter
Newton, CliffordDeLemus, Susan
Horgan, James
Pitre, JosephGroen, Fenton
Kaczynski, Thomas
Turcotte, Leonard**SULLIVAN**Aron, Judy
Stapleton, WalterCallum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 164**BELKNAP**

Bordes, Mike

CARROLLBuco, Thomas
Knirk, Jerry
Woodcock, StephenBurroughs, Anita
Marsh, WilliamDeshaies, Brodie
McAleer, ChrisMacDonald, John
Umberger, Karen**CHESHIRE**Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Schapiro, JoeAmes, Richard
Fenton, Donovan
Mann, John
Toll, Amanda ElizabethBordenet, John
Fox, Dru
Parshall, Lucius
Weber, LucyEaton, Daniel
Gomarlo, Jennie
Rhodes, Jennifer
Welkowitz, Lawrence

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

Adjutant, Joshua
Egan, Timothy
Muirhead, Russell
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Murphy, James
Sykes, George

Depalma IV, Joseph
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
Beaulieu, Jane
Cornell, Patricia
Goley, Jeffrey
Harriott-Gathright, Linda
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Smith, Timothy
Vann, Ivy

Bouldin, Amanda
Bouchard, Donald
Dutzy, Sherry
Graham, John
Herbert, Christopher
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Telerski, Laura
Veilleux, Daniel

Bouldin, Andrew
Chretien, Jacqueline
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Labranche, Tony
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Baroody, Benjamin
Cohen, Bruce
Freitas, Mary
Hamer, Heidi
Jack, Martin
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Bartlett, Christy
Hall, Muriel
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Ebel, Karen
Lane, Connie
Richards, Beth
Schultz, Kristina
Wazir, Safiya

Ellison, Arthur
Luneau, David
Rogers, Katherine
Shurtleff, Steve
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Cali-Pitts, Jacqueline
Edwards, Jess
Grote, Jaci
McMahon, Charles
Simpson, Alexis

Altschiller, Debra
DeSimone, Debra
Emerick, Tracy
Murray, Kate
Meuse, David
Somssich, Peter

Bunker, Lisa
DiLorenzo, Charlotte
Gilman, Julie
Khan, Aboul
Paige, Mark
Sweeney, Joe

Cahill, Michael
Edgar, Michael
Grossman, Gaby
Maggiore, Jim
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Southworth, Thomas

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Treleaven, Susan

Conley, Casey
Horrigan, Timothy
Rich, Cecilia
Vincent, Kenneth

Fargo, Kristina
Levesque, Cassandra
Sandler, Catt

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

Rep. DeSimone voted Nay and intended to vote Yea.

Rep. Hamblet voted Yea and intended to vote Nay.

HB 1210, relative to exemptions from vaccine mandates. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill is the result of merging three bills that came before the Labor, Industrial and Rehabilitative Services Committee dealing with vaccine mandates. The language of this bill would require that any public employer, any private employer that receives any type of public funding or any post-secondary educational institutions that mandate a vaccine or inoculation shall give the employee or student the opportunity to request an exemption. In addition to religious or medical exemptions, a "right of conscience" exemption would also be an option. Once an exemption was requested, it would be granted, along with the opportunity for the employer to see if a reasonable accommodation might be reached with the employee. Vote 11-10.

Rep. Brian Sullivan for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes that this bill, as amended, is a bill that creates both economic and medical risk for the people of New Hampshire. The amendment adds a new exemption for vaccine mandates to the current medical and religious exemption. The new exemption would be for right of conscience. Medical professionals testified that any broadening of exemptions creates a reduction in vaccination rates and the risk of infectious disease increases.

The new exemption and the likely increase in infectious disease applies to all vaccines, not just COVID-19. The medical professionals also testified that allowing hospital and nursing home employees to opt out of vaccines will put Medicaid and Medicare funding at risk to these institutions. This bill also makes it so that all exemptions must be approved without challenge by the employer. For these reasons, the minority believes this bill should be found inexpedient to legislate.

Majority Amendment (0724h)

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

1 Legislative Findings. The general court finds that:

I. It is the longstanding public policy of New Hampshire to protect the rights of its citizens to live free; and

II. The state of New Hampshire has affirmed in statute the natural, essential, and inherent right to individual bodily integrity. Therefore, citizens shall have the right to choose what, if any, substances are injected into their bodies, including without limitation, any mandated vaccine.

2 New Subdivision; Labor; Protective Legislation; Exemption from Vaccination Mandates. Amend RSA 275 by inserting after section 77 the following new subdivision:

Exemption from Vaccination Mandates

275:78 Exemption from Vaccination Mandates; Public and Private Employers.

I. Any public or private employer that receives public funds from the federal or state government or any subdivision thereof, whether such funds are in the form of payment for contractual services, grants, or in any other form however denominated, and irrespective of the amount or level of such funding, and mandates any vaccine, inoculation, or immunization procedure, shall offer an employee the opportunity to submit a request for a medical, religious, or right of conscience exemption.

II. An employee's written request for exemption shall simply state: "I, (employee name), hereby submit a request for a medical, religious, or right of conscience exemption from the mandated vaccination or inoculation. [employee signature and date]". Such request for exemption shall be granted. The employer may then work with the employee to see if an agreement for a reasonable accommodation can be reached.

III. If any provision of this section or its application to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this section that can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

3 New Chapter; Exemptions from Vaccination Mandates in Postsecondary Educational Institutions. Amend RSA by inserting after chapter 200-N the following new chapter:

CHAPTER 200-O EXEMPTIONS FROM VACCINATION MANDATES IN POSTSECONDARY EDUCATIONAL INSTITUTIONS

200-O:1 Exemptions from Vaccination Mandates; Postsecondary Educational Institutions.

I. Any postsecondary educational institution that receives public funds from the federal or state government or any subdivision thereof, whether such funds are in the form of payment for contractual services, grants, or in any other form however denominated, and irrespective of the amount or level of such funding, and mandates any vaccine, inoculation, or immunization procedure, shall offer each student the opportunity to submit a request for a medical, religious, or right of conscience exemption.

II. A student's written request for exemption shall simply state: "I, (student name), hereby submit a request for a medical, religious, or right of conscience exemption from the mandated vaccination or inoculation. [student signature and date]". Such request for exemption shall be granted. The school may then work with the student to see if an agreement for a reasonable accommodation can be reached.

200-O:2 Severability. If any provision of this chapter or its application to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

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

AMENDED ANALYSIS

This bill requires public employers, private employers, and postsecondary education institutions that receive public funds and mandate a vaccination or other inoculation procedure to accept an employee's or student's request for a medical, religious, or right of conscience exemption.

Majority committee amendment adopted.

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

Rep. Sullivan spoke against.

Rep. Infantine spoke in favor.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 155**YEAS - 181****BELKNAP**

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

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

Bordes, Mike
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

CARROLL

Avellani, Lino
McConkey, Mark

Cordelli, Glenn
Umberger, Karen

MacDonald, John

Smith, Jonathan

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Gordon, Edward

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Greene, Bob
Kelsey, Niki
Lascelles, Richard
Mooney, Maureen
Plett, Fred
Rouillard, Claire
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Healey, Robert
Kofalt, Jim
Lewicke, John
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Sanborn, Laurie
Marston, Dick
Nunez, Hershel
Prout, Andrew
Somero, Paul

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Infantine, William
Lanzara, Tom
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Andrus, Louise
Leavitt, John
Pitaro, Matthew
Walsh, Thomas
Yakubovich, Michael

Cambrils, Jose
McGuire, Carol
Boyd, Stephen
Wells, Natalie

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

Klose, John
Pearl, Howard
Testerman, Dave
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
McMahon, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
Malloy, Dennis
Melvin, Charles
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Verville, Kevin
Welch, David

Abramson, Max
Baxter, Tim
DeSimone, Debra
Emerick, Tracy
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
McKinney, Betsy
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kittredge, Mac
Wuelper, Kurt

Bailey, Glenn
Hayward, Peter
Newton, Clifford

Conley, Casey
Horgan, James
Pitre, Joseph

DeLemus, Susan
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 155 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
Weber, Lucy

Bordenet, John
Fox, Dru
Parshall, Lucius
Welkowitz, Lawrence

Eaton, Daniel
Gomarlo, Jennie
Schapiro, Joe

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Egan, Timothy
Massimilla, Linda
Stavis, Laurel

Adjutant, Joshua
Fellows, Sallie
Muirhead, Russell
Smith, Suzanne

Almy, Susan
Hakken-Phillips, Mary
Murphy, James
Sykes, George

Dontonville, Roger
Ham, Bonnie
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Cornell, Patricia
Goley, Jeffrey
Schmidt, Janice
Labranche, Tony
King, Mark
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Telerski, Laura
Veilleux, Daniel

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Hamer, Heidi
Jack, Martin
Langley, Diane
Murray, Megan
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Boyd, Bill
Chretien, Jacqueline
Espitia, Manny
Harriott-Gathright, Linda
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Van Houten, Constance

Baroody, Benjamin
Cohen, Bruce
Freitas, Mary
Herbert, Christopher
Klein-Knight, Nicole
Long, Patrick
Mayville, Mary
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Smith, Timothy
Vann, Ivy

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Richards, Beth
Schultz, Kristina
Wazir, Safiya

Allard, James
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Maggiore, Jim
Simpson, Alexis

Bunker, Lisa
Edgar, Michael
Grote, Jaci
Meuse, David
Somssich, Peter

Cahill, Michael
Edwards, Jess
Hamblet, Joan
Paige, Mark
Ward, Gerald

Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
Pantelakos, Laura

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Levesque, Cassandra
Sandler, Catt

Cannon, Gerri
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Chase, Wendy
Harrington, Michael
Schmidt, Peter
Treleven, Susan

Fargo, Kristina
Horrigan, Timothy
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

PERSONAL PRIVILEGE

Rep. Weber requested Personal Privilege and addressed the House.

REGULAR CALENDAR CONT'D

HB 1251, prohibiting payment of subminimum wages. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would have the effect of raising the minimum wage component for employees who regularly receive tips to the federal

minimum wage rate. The committee has heard variations of this minimum wage bill several times over the past years and each time it has been appropriately killed. As before, no employee who would be affected by this bill testified in favor. Previous testimony by industry representatives affirmed that tipped employees make on average between \$15 and \$25 an hour, more at higher-end businesses. And under no circumstance can any employee in our state be paid less than the federal minimum wage. Many examples exist where businesses and bureaucrats or politicians, believing they knew best, changed minimum wage laws or business practices with negative effects. The economic principle of supply and demand has allowed New Hampshire's minimum wage laws to work perfectly as-is. Vote 11-10.

Rep. Brian Sullivan for the Minority of Labor, Industrial and Rehabilitative Services. The minority of the committee feels that the subminimum wage for tipped workers is an outdated relic dating back to the early post-slavery era. Tipped wage workers have most of their compensation determined at the whim of the customer. Their wages often are negatively impacted by back of the house issues that are beyond their control. Many employers have realized that, in order to attract employees for tipped employment, they need to pay a base pay greater than the full minimum wage with employees earning tips on top of that base pay. Other states have eliminated the subminimum wage without serious consequences. New Hampshire should do the same.

MOTION TO LAY ON THE TABLE

Rep. Turcotte moved that **HB 1251**, prohibiting payment of subminimum wages, be laid on the table. On a division vote, with 187 members having voted in the affirmative, and 149 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1337, relative to the duration of unemployment benefits. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill, as amended, would index the length of time one could collect unemployment compensation to the latest benchmarked unemployment rate. Currently, the longest an individual may collect unemployment compensation is 26 weeks. Under this bill, 26 weeks would still be permitted when the unemployment rate is greater than 8.0%. The 26 weeks would reduce to 16 weeks, in ½ point increments, whenever the unemployment rate is 3% or less. The primary result of this bill will be to encourage everyone to return to the workforce as quickly as possible, while also reducing business' unemployment insurance taxes. While New Hampshire has an unemployment compensation system that works fairly well, there are always ways to improve. States implementing this indexing concept have seen their insurance rates fall, some dramatically. Vote 11-10.

Rep. Andrew Maneval for the Minority of Labor, Industrial and Rehabilitative Services. The system currently in place effectively discourages excessive reliance on unemployment compensation benefits, while also seeking to protect those persons and families from the devastation that can result from losing a job. Each person's circumstances are unique. Some individuals, for good and comprehensible reasons, require a longer period of benefits to regain their footing and to protect their families. The challenges such people face are not reducible to statistical or analytical theorems. Their specific exposures are related little, if at all, to state average unemployment rates. Indexing the length of available benefit time to such rates is illogical and can have a cruel effect. We recommend voting against this bill, that seeks to fix something that isn't broken.

Majority Amendment (0732h)

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

1 New Paragraph; Unemployment Compensation; Weekly Benefit Amount. Amend RSA 282-A:25 by inserting after paragraph III the following new paragraph:

IV.(a) Notwithstanding RSA 4:45 and the maximum benefit amounts in paragraph I, for unemployment compensation claims submitted during a calendar year, the duration of benefits under this chapter shall be limited to 16 weeks, if the state's average unemployment rate is at or below 3 percent, plus one additional week for each 0.5 percent increment in the state's average unemployment rate above 3 percent, up to a maximum of 26 weeks if the state's average unemployment rate exceeds 8 percent.

(b) In this paragraph, "state average unemployment rate" shall mean the average of the 3 months for the most recent fourth calendar year quarter of the seasonally adjusted total unemployment rates as determined and benchmarked by the department of labor.

2 Effective Date. This act shall take effect 120 days after its passage.

Majority committee amendment adopted.

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

Rep. Maneval spoke against.

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

YEAS 179 - NAYS 153**YEAS - 179
BELKNAP**

Aldrich, Glen
Hough, Gregg
O'Hara, Travis
Terry, Paul

Bean, Harry
Howard, Raymond
Ploszaj, Tom
Trottier, Douglas

Comtois, Barbara
Lang, Timothy
Silber, Norman

Harvey-Bolia, Juliet
Littlefield, Richard
Sylvia, Michael

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gorski, Ted
Healey, Robert
Kofalt, Jim
Marston, Dick
Notter, Jeanine
Prout, Andrew
Somero, Paul

Alexander, Joe
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Gould, Linda
Homola, Susan
Sanborn, Laurie
Mayville, Mary
Nunez, Hershel
Renzullo, Andrew
Lekas, Tony

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Graham, John
Infantine, William
Lascelles, Richard
McLean, Mark
Pauer, Diane
Rouillard, Claire
Ulery, Jordan

Boyd, Bill
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Goley, Jeffrey
Greene, Bob
Kelsey, Niki
Lewicke, John
Mooney, Maureen
Post, Lisa
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Klose, John
Boyd, Stephen
Wells, Natalie

Andrus, Louise
Leavitt, John
Seaworth, Brian
White, Nick

Cambrils, Jose
McGuire, Carol
Testerman, Dave
Wolf, Dan

Hill, Gregory
Moffett, Michael
Walsh, Thomas
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Ford, Oliver
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Melvin, Charles
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Gay, Betty
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Toriosian, Peter
Vose, Michael
Yokela, Josh

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Green, Dennis
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
McKinney, Betsy
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Emerick, Tracy
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
McMahon, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

STRAFFORD

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Harrington, Michael
Kittredge, Mac
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 153 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
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
Bouchard, Donald
Dutzy, Sherry
Harriott-Gathright, Linda
Klee, Patricia
Lanzara, Tom
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Porter, Marjorie
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Chretien, Jacqueline
Espitia, Manny
Herbert, Christopher
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Newman, Sue
Van Houten, Constance

Baroody, Benjamin
Cohen, Bruce
Freitas, Mary
Schmidt, Janice
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Ray
Smith, Timothy
Vann, Ivy

Beaulieu, Jane
Cornell, Patricia
Hamer, Heidi
Jack, Martin
Langley, Diane
King, Mark
Mullen, Sue
Pedersen, Michael
Plett, Fred
Rombeau, Catherine
Tellerski, Laura
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Ellison, Arthur
Luneau, David
Richards, Beth
Schultz, Kristina
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Maggiore, Jim
Paige, Mark
Ward, Gerald

Bunker, Lisa
Edgar, Michael
Guthrie, Joseph
Malloy, Dennis
Pantelakos, Laura

Cahill, Michael
Gilman, Julie
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

Cali-Pitts, Jacqueline
Grossman, Gaby
Murray, Kate
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Treleaven, Susan

Cannon, Gerri
Fontneau, Timothy
Schmidt, Peter
Vincent, Kenneth

Chase, Wendy
Grassie, Chuck
Sandler, Catt

Conley, Casey
Horrigan, Timothy
Southworth, Thomas

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

(Representative Steven Smith in the Chair)

REGULAR CALENDAR CONT'D

HB 1472, prohibiting anti-union activities by employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gregg Hough for the Majority of Labor, Industrial and Rehabilitative Services. This bill seeks to regulate the relationship between employer and employee by limiting the actions employers may take with regard to

unions and employees. The committee found, through testimony and current laws, that there is considerable oversight of anti- and pro-union activities both by the federal National Labor Relations Act and the Railway Labor Act. This bill was redundant and unnecessary. Vote 11-10.

Rep. Dan Toomey for the Minority of Labor, Industrial and Rehabilitative Services. Employees should have a right to come together to decide to bargain as a group without employer interference. That decision must be free from coercion or intimidation. Mandatory employer produced anti-union workplace meetings are by their nature meant to be coercive and in many cases part of a campaign of harassment and punishment to those employees favoring unionization.

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

Rep. Toomey spoke against.

Rep. Infantine spoke in favor.

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

On a division vote, with 181 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Schultz moved that the debate on **HB 1472**, prohibiting anti-union activities by employers, be printed in the Permanent Journal.

On a division vote, with 195 members having voted in the affirmative, and 141 in the negative, the motion was adopted.

DEBATE ON HB 1472

Representative Toomey: Working people sometimes question whether it is in their best interest to bargain with their employer as an individual or bargain as a group and so if a majority of them decides it is in their best interest to bargain as a group, they can go through a legal process and an election and be certified as a sole bargaining agent as part of a union. They should be able to do this without interference from their employer, yet more than 75% of private sector employees respond to organizing drives with aggressive anti-union campaigns. These typically involve a series of mandatory captive meetings. At the workplace, where the employer makes his case against unionizations, these meetings are by their nature coercive because workers must attend and employers make dire claims about the consequences of unionization. Those who question the company line can face discipline or termination and it happens. High ranking company officials often attend and present and union activists are pointed out for derision. These meetings are often followed by supervisor one on ones as the primary means through which employers deliver threats and engage in interrogation. Employers use these supervisors one on one to threaten workers with union activity at least 54% of the time and interrogate workers about their union activity and that of coworkers in at least 63% of the time. Employers use surveillance about 14% of the time. There are laws against firing employees for organizing unions, but in more than 40% of the union election campaigns employers are charged with violating laws. However, the penalties for breaking the law are minimal and they are applied many months after an employee is fired for the purpose of intimidating other employees. Employers own their business but they don't own their employees. Employees are free citizens whose work makes all of our lives better and as such they are deserving of dignity and respect. They should be free from coercion or intimidation. Employers often claim that these meetings are an exercise in free speech, but mandating a person or a group to listen to your point of view is not free speech. It's not free. I don't know what it is, but it is not free speech. Please vote against the committee's recommendation of ITL and press the red button. Thank you.

Speaker Steven Smith: The Member from Manchester, Rep. Infantine is recognized to speak in support of the committee report.

Representative Infantine: Thank you, Mister Speaker. When a group of individuals decide that they are going to make an attempt to form a union or be organized, that's okay. That's fair and that's the way our system works. But we all know and I will use a legal term here, that more often than not, in the trenches, no one has clean hands. Alright? Management may say something that is against forming the union and say you are going to spend money on this and this and you may not get that. The union on the other hand will say but we will get you this and this. So, then each one uses the media to see what they can do to try to dissuade an opinion. National Labor Relations Board is in place and gets involved when need be. The bill was one-sided and said that management can't say anything negative about a union. Well what about the other side? Why do we have a one-sided bill? That was something that the majority could not get past. If you are going to do something, it needs to be fair for all. That's what the National Labor Board does. They try to get involved when things get out of control and bring things back to where they should be. So we had a bill that was not equal to both. We have an organization that is already in place to do things and unfortunately as I said things don't always, aren't always pretty. When we are making legislation, they aren't always pretty when a group is trying to organize. It is not the best system

but it's the best one we have and so far, it seems to be working so I would request that the Members of the House support the Labor Committee position of Inexpedient to Legislate. Mister Speaker, I would like a division vote.

Speaker Steven Smith: The question before the House is the majority committee report of Inexpedient to Legislate. Are you ready for the question? A roll call has been requested. Is that sufficiently seconded? Who requested it? Is that sufficiently seconded? It is not sufficiently seconded. This will be a division vote. The House will be in order. Rep. Bouchard is recognized for a parliamentary inquiry.

Representative Bouchard: Thank you, Mister Speaker. Mister Speaker, if I know that employees should have the right to come together and decide and then bargain as a group with employer interference. And, Mister Speaker, if I know that this decision to come together to decide and bargain as a group must be free from coercion and intimidation. Then, Mister Speaker, would I press the red button so that someone can make another motion? Thank you, Mister Speaker.

Speaker Steven Smith: Rep. Infantine is recognized for a parliamentary inquiry.

Representative Infantine: Thank you, Mister Speaker. If I know that the bill was well intended, but is one sided. If I also know that there are mechanisms in place with the National Labor Relations Board to deal with issues that go on when a group of employees want to organize, then would I support the committee recommendation of Inexpedient to Legislate? Thank you.

Speaker Steven Smith: The question is on the majority committee report of Inexpedient to Legislate. This is a division vote. If you are in favor, you'll be pressing the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 181 having voted in the affirmative, 149 in the negative, the committee report is adopted.

REGULAR CALENDAR CONT'D

HB 1508-FN, prohibiting discharge of volunteer firefighters or volunteer emergency medical technicians from other employment. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Lino Avellani for the Majority of Labor, Industrial and Rehabilitative Services. This bill seeks to address an issue that, at this time, does not exist. The committee heard no public testimony that this bill was needed and it created more questions than it seemed to solve. For those reasons and more, the majority supports Inexpedient to Legislate. Vote 12-8.

Rep. Andrew Maneval for the Minority of Labor, Industrial and Rehabilitative Services. This bill would preclude an employer from firing or disciplining an employee who does not report to work because that employee is then responding to an emergency as a member of a volunteer fire or ambulance department. The employer is not obligated to pay the employee for the time away from work. Other protections against misuse of this statute are included. Many of New Hampshire's small towns rely on volunteer fire and ambulance departments as first responders to fires and medical emergencies. Those small towns are facing enormous and increasing difficulties in finding volunteers for this service and in ensuring that such volunteers can balance work responsibilities with emergency duties. New Hampshire communities depend on such volunteer service, even at the occasional cost of some disruption to an employer's schedule. This bill would facilitate performance of these critical services. The question being adoption of the majority committee report of Inexpedient to Legislate. Majority committee report adopted.

HB 1514-FN, relative to an employee's unused earned time. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Lino Avellani for the Majority of Labor, Industrial and Rehabilitative Services. This iteration of this bill, while well intentioned, seeks to redefine certain employer benefits as compensation and constitute wages due. Yet, it also redefines sick time benefits, as not wages due. While the sponsor looks to address this issue by legislation, it is best left up to the employer/employee relationship to define benefits and wages. Also, redefining compensation and wages to include certain benefits could cause other conflicts within existing employment compensation laws, including but not limited to, the timely payment of wages when earned. For these reasons, the majority felt it should be found Inexpedient to Legislate. Vote 11-10.

Rep. Michael Cahill for the Minority of Labor, Industrial and Rehabilitative Services. With the amendment, the bill applies only when employment terminates under two circumstances: a permanent layoff or the sale of the company. The employee's earned but unused time (excluding sick) would be paid or transferred if they continue working for the new owner. While these steps are common practice, incidents have occurred where the employer did not do as one might reasonably expect. This legislation would protect employees from loss of hours that were on their pay stub prior to the unanticipated layoff or sale of the company.

MOTION TO LAY ON THE TABLE

Rep. Harrington moved that **HB 1514-FN**, relative to an employee's unused earned time, be laid on the table. On a division vote, with 168 members having voted in the affirmative, and 172 in the negative, the motion failed.

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

Rep. Cahill spoke against and yielded to questions.

Rep. Infantine spoke in favor.

Rep. Turcotte requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 164

YEAS - 172

BELKNAP

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

Bean, Harry
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
Smith, Jonathan

Nelson, Bill
McConkey, Mark

Cordelli, Glenn
Umberger, Karen

MacDonald, John

CHESHIRE

Mann, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lewicke, John
Notter, Jeanine
Post, Lisa
Somero, Paul

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Marston, Dick
Nunez, Hershel
Prout, Andrew
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Sanborn, Laurie
Mayville, Mary
Pauer, Diane
Rice, Kimberly
Ulery, Jordan

Boyd, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Lascelles, Richard
Mooney, Maureen
Plett, Fred
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Andrus, Louise
Leavitt, John
Pitaro, Matthew
Walsh, Thomas

Cambrils, Jose
McGuire, Carol
Boyd, Stephen
Wells, Natalie

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

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Harley, Tina
Khan, Aboul
Love, David
McKinney, Betsy
Piemonte, Tony
Soti, Julius
Toriosian, Peter
MacDonald, Wayne
Yokela, Josh

Abrami, Patrick
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Grote, Jaci
Hobson, Deborah
Kimball, Mary Ann
Lynn, Bob
McMahon, Charles
Potucek, John
Spillane, James
Tripp, Richard
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Layon, Erica
Major, Norman
Melvin, Charles
Prudhomme-O'Brien, Katherine
Sytek, John
True, Chris
Welch, David

Ayer, Paul
Bernardy, JD
Dolan, Tom
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
McBride, Everett
Osborne, Jason
Roy, Terry
Thomas, Douglas
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac
Vincent, Kenneth

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy

Callum, John

Rollins, Skip

Spilsbury, Walter

**NAYS - 164
BELKNAP**

Bordes, Mike

CARROLLBuco, Thomas
Marsh, WilliamBurroughs, Anita
McAleer, ChrisDeshaies, Brodie
Woodcock, Stephen

Knirk, Jerry

CHESHIREAbbott, Michael
Faulkner, Barry
Maneval, Andrew
Von Plinsky, SparkyAmes, Richard
Fenton, Donovan
Parshall, Lucius
Weber, LucyBordenet, John
Fox, Dru
Schapiro, Joe
Welkowitz, LawrenceEaton, Daniel
Gomarlo, Jennie
Toll, Amanda Elizabeth**COOS**

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTONAbel, Richard
Fellows, Sallie
Murphy, James
Sykes, GeorgeAdjutant, Joshua
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, JoyceAlmy, Susan
Massimilla, Linda
Stavis, LaurelEgan, Timothy
Muirhead, Russell
Smith, Suzanne**HILLSBOROUGH**Bouldin, Amanda
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Schmidt, Janice
Labranche, Tony
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Rung, Rosemarie
Telerski, Laura
Veilleux, DanielBouldin, Andrew
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Jack, Martin
Langley, Diane
King, Mark
McLean, Mark
O'Brien, Michael
Piedra, Israel
Renzullo, Andrew
Newman, Sue
Toomey, Dan
Wilhelm, MatthewBaroody, Benjamin
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Klee, Patricia
Lanzara, Tom
Murray, Megan
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rombeau, Catherine
Snow, Kendall
Van Houten, ConstanceBeaulieu, Jane
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rouillard, Claire
Smith, Timothy
Vann, Ivy**MERRIMACK**Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Woods, GaryEbel, Karen
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary JaneEllison, Arthur
Luneau, David
Richards, Beth
Schultz, Kristina
Wazir, SafiyaGallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wolf, Dan**ROCKINGHAM**Abramson, Max
DiLorenzo, Charlotte
Grossman, Gaby
Pearson, Mark
Paige, Mark
Simpson, AlexisAltschiller, Debra
Edgar, Michael
Hamblet, Joan
Malloy, Dennis
Pantelakos, Laura
Somssich, PeterBunker, Lisa
Gay, Betty
Nelson, Jodi
McBeath, Rebecca
Pratt, Kevin
Vose, MichaelCahill, Michael
Gilman, Julie
Murray, Kate
Meuse, David
Pearson, Stephen
Ward, Gerald**STRAFFORD**Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Sandler, CattCannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Southworth, ThomasChase, Wendy
Grassie, Chuck
Schmidt, Peter
Treleven, SusanConley, Casey
Horriggan, Timothy
Rich, Cecilia
Wuelper, Kurt**SULLIVAN**Cloutier, John
Oxenham, LeeGottling, Suzanne
Stapleton, WalterMerchant, Gary
Sullivan, BrianO'Hearne, Andrew
Tanner, Linda

and the majority committee report was adopted.

CACR 23, the New Hampshire constitution. Providing that all references to persons in the New Hampshire constitution be gender-neutral. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bob Greene for the Majority of Legislative Administration. This bill asked that all references to gender in the NH Constitution be made gender-neutral. As one can imagine, the number of corrections was extensive and throughout the document. The practicality and the benefit to society of making all these changes was questioned by the majority of the committee. Testimony was received that, in the eyes of the law, the document is already gender-neutral. Additionally, in order to provide the complete picture to the voters, who need to approve this constitutional change, each and every change would need to be shown on the ballot question. Our constitution is roughly 12 pages long, and printing the entire document to show each change would be a significant misuse of paper and expense. When balanced against any possible benefit, this led the majority of the committee to vote Inexpedient to Legislate. Vote 9-6.

Rep. Manny Espitia for the Minority of Legislative Administration. The New Hampshire Constitution is an important document that frames our state government. It is one we are proud to uphold and support. This CACR would allow the voters to change the language of the constitution to reflect our population. We are proud to have elected two women governors and we'd like the constitution to reflect that.

MOTION TO LAY ON THE TABLE

Rep. Hill moved that **CACR 23**, the New Hampshire constitution. Providing that all references to persons in the New Hampshire constitution be gender-neutral, be laid on the table.

On a division vote, with 190 members having voted in the affirmative, and 140 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1007, relative to qualifications for office. **INEXPEDIENT TO LEGISLATE.**

Rep. Matthew Simon for Legislative Administration. This bill seeks to provide the General Court of New Hampshire with the ability to simply declare one of its members guilty of insurrection or rebellion, removing that member thereby creating a vacancy, and then asking the community to fill the vacancy. The majority of the committee finds a number of reasons the bill needs to be found Inexpedient to Legislate. The General Court, in the opinion of the majority, should tread lightly when removing a duly elected member and overturning an election. Secondly, since insurrection and rebellion are already prohibited according to Amendment 14 section 3 of the US Constitution and 18 US Code section 2383, and under that law, any citizen who has been found guilty of insurrection or rebellion against the constitution is ineligible from holding any political office at the federal, state, or local level. Our House attorney provided analysis which pointed out that the federal government itself has concerns over the definitions and suggested, for that reason, application would be difficult. For the New Hampshire General Court to appropriate those powers itself, that are presently given to the federal government, where definitions are strained, means we would be compounding an already complex issue. In summary, the language used in this bill to determine whether "insurrection or rebellion" has occurred is ambiguous; the meaning is malleable and we are particularly concerned the issue could easily be weaponized against political opponents. Vote 9-6.

MOTION TO LAY ON THE TABLE

Rep. Hill moved that **HB 1007**, relative to qualifications for office, be laid on the table.

Rep. Timothy Smith requested a roll call; sufficiently seconded.

YEAS 186 - NAYS 150

YEAS - 186

BELKNAP

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

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

Bordes, Mike
Howard, Raymond
O'Hara, Travis
Trottier, Douglas

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin
Tucker, Edith

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Somero, Paul

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Ulery, Jordan

Boyd, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Seaworth, Brian
White, Nick

Andrus, Louise
Leavitt, John
Pimentel, Roderick
Testerman, Dave
Wolf, Dan

Cambrils, Jose
McGuire, Carol
Pitaro, Matthew
Walsh, Thomas
Yakubovich, Michael

Hill, Gregory
Moffett, Michael
Boyd, Stephen
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Melvin, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Edwards, Jess
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Osborne, Jason
Pratt, Kevin
Soti, Julius
Torosian, Peter
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
DeSimone, Debra
Emerick, Tracy
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
McKinney, Betsy
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sytek, John
True, Chris
Welch, David

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

**NAYS - 150
BELKNAP**

Sylvia, Michael

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

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
Bouchard, Donald
Dutzy, Sherry
Hamer, Heidi
Jack, Martin
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Chretien, Jacqueline
Espitia, Manny
Harriott-Gathright, Linda
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

Baroody, Benjamin
Cohen, Bruce
Freitas, Mary
Herbert, Christopher
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Beaulieu, Jane
Cornell, Patricia
Griffith, Willis
Schmidt, Janice
Labranche, Tony
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane

Ebel, Karen
Lane, Connie
Richards, Beth
Schultz, Kristina
Wazir, Safiya

Ellison, Arthur
Luneau, David
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

Gallager, Eric
MacKay, James
Schamberg, Thomas
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Simpson, Alexis

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Somssich, Peter

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

Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Paige, Mark

STRAFFORD

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

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Southworth, Thomas

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Treleven, Susan

Conley, Casey
Horrigan, Timothy
Rich, Cecilia

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1033-FN-L, prohibiting recipients of state or local grants or appropriations from using such funds for lobbying. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gregory Hill for Legislative Administration. The current Lobbyist statute, RSA 15:5, does not prohibit the purchasing of lobbying services to influence legislation. The statute does only two things. Number one, it prohibits the use of state funds for purchasing lobbying services and number two, it outlines the process if lobbying services are purchased with non-state funds and how those funds must not be co-mingled with state funds. Testimony and subsequent communication from municipal officials clearly indicated to the majority that the basic awareness of the existing law, RSA 15:5, has been nonexistent, or not fully understood, or just not followed by municipal, county, or school officials. The lack of awareness may stem from the fact that the prohibitions are not on the lobbyists, but on the entity who purchases the lobbying services. This bill, as amended, extends and clarifies, in the appropriate statutes, that counties, municipalities, and school districts may not use state or local property tax dollars for lobbying. The committee unanimously passed the amendment to additionally place the language of the law into municipal statutes, county statutes, and school statutes rather than just in the lobbyist statute. Vote 9-4.

Amendment (0815h)

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

AN ACT prohibiting the use of state or local grants, appropriations, or property tax revenue for lobbying activities.

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

1 New Paragraphs; Powers; Use of Funds for Lobbying Restricted. Amend RSA 24:13 by inserting after paragraph IV the following new paragraphs:

V. Except as provided in paragraph VII, no state grant or appropriation provided to any county shall be used for lobbying as referenced in RSA 15:1, II (a) and (b).

VI. Except as provided in paragraph VII, no funds collected from property taxes provided to any county shall be used for lobbying as referenced in RSA 15:1, II (a) and (b).

VII. Any county that wishes to engage in any of the activities prohibited in paragraph V or VI, shall segregate funds for such in a separate account, in such a manner that such funds are physically and financially separate from any funds that shall not be used for any of these purposes. Mere bookkeeping separation of state funds or county funds collected from taxpayers from other moneys shall not be sufficient.

2 New Section; Use of Property Tax Funds. Amend RSA 31 by inserting after section 8-a the following new section:

31:8-b Use of Taxpayer Funds

I. Except as provided in paragraph III, no state grant or appropriation provided to any town, city, village district or unincorporated place shall be used for lobbying as referenced in RSA 15:1, II (a) and (b).

II. Except as provided in paragraph III, no funds collected from property taxes provided to any town, city, village district or unincorporated place shall be used for lobbying as referenced in RSA 15:1, II (a) and (b).

III. Any town, city, village district or unincorporated place that wishes to engage in any of the activities prohibited in paragraph I or II, shall segregate non-taxpayer funds in a separate account, in such a manner that such funds are physically and financially separate from any funds that shall not be used for any of these purposes. Mere bookkeeping separation of state funds or county funds collected from taxpayers from other moneys shall not be sufficient.

3 New Section; Limitation on Use of Funds. Amend RSA 194 by inserting after section 5 the following new section:

194:5-a Limitation on Use of Funds.

I. Except as provided in paragraph III, no state grant or appropriation provided to a school district shall be used for lobbying as referenced in RSA 15:1, II (a) and (b).

II. Except as provided in paragraph III, no funds raised by property taxpayers provided to any school district shall be used for lobbying as referenced in RSA 15:1, II (a) and (b).

III. Any school district that wishes to engage in any of the activities prohibited in paragraph I or II, shall segregate non-taxpayer funds in a separate account, in such a manner that such funds are physically and financially separate from any funds that may not be used for any of these purposes. Mere bookkeeping separation of state funds or school district funds collected from taxpayers from other moneys shall not be sufficient.

4 Prohibited Activities; Lobbying. RSA 15:5 is repealed and reenacted to read as follows:

15:5 Prohibited Activities.

I. Except as provided in paragraph II, no state grant or appropriation of funds or funds collected from property taxes shall be used to lobby or attempt to influence legislation, participate in political activity, promote or oppose, directly or indirectly, any legislation pending or proposed before the general court.

II. Any entity that wishes to engage in any of the activities prohibited in paragraph I shall segregate such state funds and funds collected from property taxes in a separate account, in such a manner that such funds are physically and financially separate from any non-state grant and appropriation or property taxpayer funds that may be used for any of these purposes. Mere bookkeeping separation of the state funds or funds collected from property taxes from other moneys shall not be sufficient.

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

AMENDED ANALYSIS

This bill prohibits counties, municipalities, or school districts that are recipients of a state or local grant, appropriation, or property taxes from using such funds to engage in lobbying activities.

MOTION TO LAY ON THE TABLE

Rep. Schultz moved that **HB 1033-FN-L**, prohibiting recipients of state or local grants or appropriations from using such funds for lobbying, be laid on the table.

Rep. Belanger requested a roll call; sufficiently seconded.

YEAS 174 - NAYS 161

**YEAS - 174
BELKNAP**

Bordes, Mike

O'Hara, Travis

CARROLL

Buco, Thomas

Burroughs, Anita

Deshaies, Brodie

MacDonald, John

Knirk, Jerry

Marsh, William

McAleer, Chris

Umberger, Karen

Woodcock, Stephen

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
Thompson, Dennis

Hatch, William
Tucker, Edith

Laflamme, Larry

Merner, Troy

GRAFTON

Abel, Richard
Egan, Timothy
Massimilla, Linda
Stavis, Laurel

Adjutant, Joshua
Fellows, Sallie
Muirhead, Russell
Smith, Suzanne

Almy, Susan
Hakken-Phillips, Mary
Murphy, James
Sykes, George

Dontonville, Roger
Ham, Bonnie
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Dutzy, Sherry
Graham, John
Herbert, Christopher
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Porter, Marjorie
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Chretien, Jacqueline
Espitia, Manny
Griffith, Willis
Jack, Martin
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Newman, Sue
Van Houten, Constance

Baroody, Benjamin
Cohen, Bruce
Freitas, Mary
Hamer, Heidi
Klee, Patricia
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Ray
Snow, Kendall
Vann, Ivy

Beaulieu, Jane
Cornell, Patricia
Goley, Jeffrey
Harriott-Gathright, Linda
Klein-Knight, Nicole
King, Mark
Mullen, Sue
Pedersen, Michael
Plett, Fred
Rombeau, Catherine
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Allard, James
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wolf, Dan

Bartlett, Christy
Hall, Muriel
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Ellison, Arthur
Luneau, David
Richards, Beth
Schultz, Kristina
Wazir, Safiya

ROCKINGHAM

Acton, Dennis
Cali-Pitts, Jacqueline
Edwards, Jess
Grote, Jaci
Lynn, Bob
McBride, Everett
Pantelakos, Laura
Ward, Gerald

Altschiller, Debra
DiLorenzo, Charlotte
Emerick, Tracy
Hamblet, Joan
Maggiore, Jim
McMahon, Charles
Simpson, Alexis
Yokela, Josh

Bunker, Lisa
Dolan, Tom
Gilman, Julie
Harb, Robert
Malloy, Dennis
Meuse, David
Somssich, Peter

Cahill, Michael
Edgar, Michael
Grossman, Gaby
Murray, Kate
McBeath, Rebecca
Paige, Mark
Tripp, Richard

STRAFFORD

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

Cannon, Gerri
Fontneau, Timothy
Levesque, Cassandra
Sandler, Catt

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Conley, Casey
Harrington, Michael
Schmidt, Peter
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Rollins, Skip

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

NAYS - 161**BELKNAP**

Aldrich, Glen
Hough, Gregg
Littlefield, Richard
Terry, Paul

Bean, Harry
Howard, Raymond
Ploszaj, Tom
Trottier, Douglas

Comtois, Barbara
Johnson, Dawn
Silber, Norman
Varney, Peter

Harvey-Bolia, Juliet
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark

Nelson, Bill

Cordelli, Glenn

Smith, Jonathan

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Theberge, Robert

GRAFTONAlliegro, Mark
Folsom, Beth
Ladd, RickBerezhny, Lex
Sanborn, Gail
Simon, MatthewBinford, David
Gordon, EdwardDepalma IV, Joseph
Greeson, Jeffrey**HILLSBOROUGH**Lekas, Alicia
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Post, Lisa
Rouillard, Claire
Smith, TimothyAmmon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Infantine, William
Labranche, Tony
Marston, Dick
Notter, Jeanine
Prout, Andrew
Sheehan, Vanessa
Ulery, JordanBoyd, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Greene, Bob
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Renzullo, Andrew
Somero, Paul
Warden, MarkKing, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Healey, Robert
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Rice, Kimberly
Lekas, Tony**MERRIMACK**Andrus, Louise
Leavitt, John
Pitaro, Matthew
Walsh, ThomasCambrils, Jose
McGuire, Carol
Boyd, Stephen
Wells, NatalieHill, Gregory
Moffett, Michael
Seaworth, Brian
White, NickKlose, John
Pearl, Howard
Testerman, Dave
Yakubovich, Michael**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Gay, Betty
Nelson, Jodi
Kimball, Mary Ann
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Wallace, ScottAbrami, Patrick
Baxter, Tim
DeSimone, Debra
Green, Dennis
Janigian, John
Layon, Erica
Major, Norman
Piemonte, Tony
Roy, Terry
Sytek, John
Verville, Kevin
Welch, DavidAbramson, Max
Belanger, Cody
Dodge, Dustin
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
McKinney, Betsy
Potucek, John
Pearson, Stephen
Thomas, Douglas
Vose, Michael
Weyler, KennethAyer, Paul
Bernardy, JD
Ford, Oliver
Hobson, Deborah
Khan, Aboul
Love, David
Melvin, Charles
Pratt, Kevin
Soti, Julius
Torosian, Peter
MacDonald, Wayne**STRAFFORD**Ankarberg, Aidan
Hayward, Peter
Newton, CliffordBailey, Glenn
Horgan, James
Pitre, JosephDeLemus, Susan
Kaczynski, Thomas
Turcotte, LeonardGroen, Fenton
Kittredge, Mac
Wuelper, Kurt**SULLIVAN**

Aron, Judy

Callum, John

Spilsbury, Walter

Stapleton, Walter

and the motion was adopted.

Rep. Theberge voted Nay and intended to vote Yea.

REGULAR CALENDAR CONT'D**HB 1041-FN**, extending the public employees labor relations act to employees of the general court and relative to the duties of the joint committee on legislative facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for Legislative Administration. This bill seeks to extend the Public Employee Labor Relations Act to employees of the General Court. The nonpartisan staff, who this bill is purported to serve, have never been asked nor surveyed if they had any desire to unionize. This bill has been heard at least four times in recent years, originating in both the House and Senate, and has never sought input from the staff it would affect. Each time the bill has missed the mark in one way or another, which is a clear indicator that this bill has no need in becoming law. There is much confusion caused by the bill's language. For example: the Office of Legislative Services could be represented by one union, while the Speaker's Office could be represented by another, and the Clerk's Office still another. Contrary to what we heard in testimony, research shows most General Court employees retire from the General Court rather than resign. The nonpartisan employees of the House and Senate typically serve a full career here, the vast majority are

not terminated. The majority of the committee felt this legislation could very easily turn the nonpartisan staff into unwitting accomplices in political battles and that would not serve what is a very good working relationship. Vote 9-6.

MOTION TO LAY ON THE TABLE

Rep. Hill moved that **HB 1041-FN**, extending the public employees labor relations act to employees of the general court and relative to the duties of the joint committee on legislative facilities, be laid on the table. On a division vote, with 187 members having voted in the affirmative, and 146 in the negative, the motion was adopted.

MOTION TO PRINT DEBATE

Rep. Parshall moved that the debate on **HB 1007**, relative to qualifications for office, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 1007

Speaker Steven Smith: For what reason does the member rise?

Representative Hill: To make a motion.

Speaker Steven Smith: State your motion.

Representative Hill: I'd like to table HB 1007.

Speaker Steven Smith: Rep. Hill moves that HB 1007 be laid on the table. Are you ready for the question? A roll call has been requested by Rep. Marsh? So who requested the roll call? Rep. Tim Smith requested a roll call. Is that sufficiently seconded. It is. This will be a roll call vote. Members take their seats. The House will come to order. The question is whether to lay HB 1007 on the table. We are going. The House will come to order. Rep. Rouillard is recognized for a parliamentary inquiry.

Representative Rouillard: Thank you, Mister Speaker. If I know that removal of a Member of this House for insurrection and rebellion would be a very difficult task. And, if I know that this bill is vague, the language is poor and there is no procedure outlined for removal in the bill. And, if I know that this bill could be used as a political weapon by one party against the other, would I vote with the majority of Legislative Administration and vote the color of my jacket, green? Thank you, Mister Speaker.

Speaker Steven Smith: Rep. Marsh is recognized for a parliamentary inquiry

Representative Marsh: Thank you, Mister Speaker. Mister Speaker, if I know that the disqualification clause of the 14th Amendment already prohibits those who engage in insurrection and rebellion from holding any public office and at this time, even without the passage of this bill, a member can be removed or not seated for that reason. And, if I know that the New Hampshire Constitution gives the New Hampshire House under Part II, Article 14 and the New Hampshire Senate under Part II, Article 29, the sole authority to rule on the qualifications of their members and they can do so at any time. But if I know that there is no authority under current statute to call a special election if either body disqualified a member for violating the 14th Amendment and therefore an entire district of this house or of the other body could remain unrepresented for an entire biennium, then would I push the red button so that we can ensure that all of our citizens are represented in this body? Thank you.

Speaker Steven Smith: The question is whether to lay HB 1007 on the table. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 186 having voted in the affirmative, 150 in the negative, HB 1007 is laid on the table.

REGULAR CALENDAR CONT'D

HB 1084, relative to disclosure of the sources of legislative bill proposals. **INEXPEDIENT TO LEGISLATE.** Rep. Bob Greene for Legislative Administration. The legislation seeks to put into statute a definition of "model legislation" for purposes of identification of legislation that a member of the General Court submits that may be "equivalent or substantially similar" to legislation filed in more than one other state. Currently, it is the sponsor's prerogative to determine whether disclosure of the original source is beneficial or detrimental to the legislation's passage. To some, model legislation disclosure may help identify legislation that has withstood legal challenges elsewhere and should be, therefore, a preferred source. To others, it is believed the stated source of the model legislation could be used as a weapon to suggest a reason to categorically dismiss the legislation. In other words, the legislation would not be evaluated on the merits of the words contained, but simply because of the original sources itself and their statement of purpose. The majority of the committee continues to feel that regardless of the source, legislation needs to be evaluated and supported or dismissed on that basis alone. Content of character. Either a bill has merit or it doesn't. That's the only criteria that should matter. We would continue to leave it up to the bill sponsor to decide on disclosure. Vote 9-6. Committee report adopted.

HB 1102, relative to certain committees and commissions of the department of state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Greene for Legislative Administration. This is a simple housekeeping bill. The Department of State's most recent Financial Audit Report states that "the Boxing and Wrestling Commission and the Joint Board of Licensure and Certification are not functioning 'within the department of state as a separate organizational entity' as cited in the statute." The amended bill removes both the commission and the board from RSA 5:13, as well as removing the language of the attachment in the Boxing and Wrestling Commission statute, RSA 285:2. No attachment was shown in statute for the Licensure Board to repeal. The amendment was additionally needed to remove repeals of three unrelated committees and commissions that the prime sponsor indicated were included on the original bill in error. Vote 9-6.

Amendment (0188h)

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

1 Department of State; Commissions and Boards Functioning Within Department; Removals. Amend RSA 5:13 to read as follows:

5:13 Commissions and Boards Functioning Within Department. The ballot law commission[~~the boxing and wrestling commission and the joint board of licensure and certification~~] shall [each] function within the department of state as a separate organizational entity and with all the powers and duties as heretofore provided, except as otherwise provided by law.

2 Boxing and Wrestling Commission; Attachment Removed. Amend RSA 285:2 to read as follows:

285:2 Establishment of Commission. There is hereby established a boxing and wrestling commission which shall oversee amateur and professional fighting sports in the state. [~~The commission shall be administratively attached to the department of state pursuant to RSA 21-G:10.~~]

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

Committee amendment adopted.

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

HB 1129, relative to the fiscal committee of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Legislative Administration. This bill changes who appoints four of the ten members of the General Court Joint Fiscal Committee. The bill removes the selection of two members by the chairperson of House Finance and two members by the chairperson of Senate Finance, and gives that selection to the minority leader in the House and the minority leader in the Senate. This would change the way the committee has been selected and worked for at least ten years. Testimony presented to the committee was that this move is political rather than the selection of best person for the job. The committee currently has three members of the minority committee appointed by House and Senate majority party. Last year, when the majority was reversed, there was one member of the minority party on the fiscal committee. This committee has always worked well together. As the saying goes, if it is not broke, don't fix it. Vote 9-6.

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

On a division vote, with 188 members having voted in the affirmative, and 142 in the negative, the committee report was adopted.

HB 1170, limiting the authority of New Hampshire delegates to policymaking conventions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Scott Wallace for Legislative Administration. As amended, this bill places needed controls on delegates to inter/intrastate conventions, establishes the process by which the delegates are selected, provides for discipline and removal for unfaithful delegates, and sets forth their compensation. The previous version of this bill, HB 148 in 2015, was essentially the same bill and passed 233-76 in the House and passed the other body on a voice vote. Overturning the Governor's veto was unsuccessful, but the majority of the committee feels it is important to know why the governor vetoed the bill. "Whether or not one agrees that an Article V convention is the right course of action for proposing amendments to the United States Constitution, and regardless of one's stance on potential amendments proposed across the political spectrum, it is apparent that a convention to consider amending the constitution is not going to be called by the states any time soon." At the time, there were only seven states, including New Hampshire, that had the needed legislation in place. Here it is, seven short years later and the number has grown to 27 states, which means only seven more states are needed to call for a convention. It makes sense at this time to prepare for the eventuality of a convention so the legislature doesn't have to work hastily in the future. This non-partisan language has been vetted thoroughly and has prior approval by both bodies of the General Court. The amendment clarifies the language of the original bill and defines the method of electing representatives. Vote 9-8.

Amendment (0270h)

Amend RSA 20-C:2, I(a) and (b) as inserted by section 1 of the bill by replacing them with the following:

(a) Four members of the delegation shall be selected by the New Hampshire house of representatives; one member shall be appointed by the speaker of the house of representatives and 3 members shall be elected by a majority vote of the house of representatives.

(b) Three members shall be selected by the New Hampshire senate; one member shall be appointed by the senate president and 2 members shall be elected by a majority vote of the senate members.

Amend RSA 20-C:2, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Each New Hampshire delegate member shall be paid \$100 per day and reimbursed for actual expenses submitted, including, but not limited to, transportation, lodging, and meals.

Amend RSA 20-C:3, III as inserted by section 1 of the bill by replacing it with the following:

III. Every delegate from New Hampshire to an interstate convention shall be required to take the following oath:

"I do solemnly swear or affirm that to the best of my abilities, I will, as a delegate to an interstate convention, uphold the Constitution and laws of the United States of America and the state of New Hampshire. I will accept and act in accordance to the limits of the authority as a delegate granted to me by New Hampshire law, and I will not vote to consider or approve any unauthorized amendment or policy proposal introduced by the convention as prohibited by New Hampshire law. I understand penalties may be imposed under New Hampshire law for violation this oath."

MOTION TO LAY ON THE TABLE

Rep. Timothy Smith moved that **HB 1170**, limiting the authority of New Hampshire delegates to policymaking conventions, be laid on the table.

Rep. Turcotte requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 186

YEAS - 157

BELKNAP

Sylvia, Michael

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Umberger, Karen

Knirk, Jerry
Woodcock, Stephen

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

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

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
Blasek, Melissa
Cornell, Patricia
Goley, Jeffrey
Healey, Robert
Jeudy, Jean
Lewicke, John
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Schmidt, Janice
Langley, Diane
King, Mark
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Leishman, Peter
Murray, Megan
Notter, Jeanine
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Bartlett, Christy
Hall, Muriel

Ebel, Karen
Lane, Connie

Ellison, Arthur
Luneau, David

Gallager, Eric
MacKay, James

McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Richards, Beth
Schultz, Kristina
Wazir, Safiya

Rogers, Katherine
Shurtleff, Steve
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Pantelakos, Laura
Yokela, Josh

Bunker, Lisa
Gilman, Julie
Murray, Kate
McKinney, Betsy
Simpson, Alexis

Cahill, Michael
Grossman, Gaby
Maggiore, Jim
Meuse, David
Somssich, Peter

DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Paige, Mark
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Sandler, Catt

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Southworth, Thomas

Conley, Casey
Horrigan, Timothy
Pitre, Joseph
Treleaven, Susan

SULLIVAN

Gottling, Suzanne

Merchant, Gary

O'Hearne, Andrew

Oxenham, Lee

NAYS - 186

BELKNAP

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

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

Bordes, Mike
Howard, Raymond
O'Hara, Travis
Trottier, Douglas

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

Welkowitz, Lawrence

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Massimilla, Linda

Depalma IV, Joseph
Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Kelsey, Niki
Labranche, Tony
Mayville, Mary
Pauer, Diane
Renzullo, Andrew
Somero, Paul

Alexander, Joe
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Klee, Patricia
Lanzara, Tom
McLean, Mark
Plett, Fred
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Berry, Ross
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Kofalt, Jim
Lascelles, Richard
Mooney, Maureen
Post, Lisa
Rouillard, Claire
Ulery, Jordan

Boyd, Bill
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Infantine, William
Sanborn, Laurie
Marston, Dick
Nunez, Hershel
Prout, Andrew
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Andrus, Louise
Leavitt, John
Pitaro, Matthew
Walsh, Thomas

Cambrils, Jose
McGuire, Carol
Boyd, Stephen
Wells, Natalie

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

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom

Abramson, Max
Baxter, Tim
Cali-Pitts, Jacqueline
Doucette, Fred

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess

Emerick, Tracy
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sytek, John
True, Chris
Wallace, Scott

Ford, Oliver
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Verville, Kevin
Welch, David

Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Osborne, Jason
Pratt, Kevin
Soti, Julius
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Packard, Sherman
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Turcotte, Leonard

Groen, Fenton
Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Spilsbury, Walter

Callum, John
Stapleton, Walter

Cloutier, John
Tanner, Linda

Rollins, Skip

and the motion failed.

The question being adoption of committee amendment (0270h).

Committee amendment adopted.

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

Reps. Abramson and Horrigan spoke against.

On a division vote, with 173 members having voted in the affirmative, and 162 in the negative, the committee report was adopted and the bill was ordered to third reading.

(Speaker Packard in the Chair)

REGULAR CALENDAR CONT'D

HB 1309, establishing a committee to study revising house rules to assure that all sections of the budget trailer bill receive an adequate public hearing. **INEXPEDIENT TO LEGISLATE.**

Rep. Matthew Simon for Legislative Administration. This bill seeks to create a study committee to ensure that all sections of the budget trailer bill receive an adequate public hearing by revising House rules. Although the majority of the committee agrees that all legislation should be given an adequate public hearing, this bill is too flawed to address the issue. First of all, the majority does not believe that the House of Representatives is typically responsible for putting items in the budget trailer that have not received an adequate public hearing. Secondly, the bill inappropriately calls for members of the Senate to participate in a discussion that would affect House rules. Vote 10-7.

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

On a division vote, with 180 members having voted in the affirmative, and 154 in the negative, the committee report was adopted.

HB 1370, establishing a committee to study childcare options for New Hampshire state legislators. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Matthew Simon for the Majority of Legislative Administration. In the direct words of this bill, it seeks to create a committee to study solely childcare options for New Hampshire state legislators. The majority of the committee believes there is no doubt that balancing the duties of an elected office in the State of New Hampshire with all the responsibilities of life can be a difficult task. The majority also believes that the problem some legislators face is much greater than just the matter of childcare, yet the bill only seeks to study that one issue. Regardless, voluntary public service is a personal choice and therefore a personal responsibility. We all face difficult decisions about how to prioritize our lives, and whether or not we are best positioned, at any particular point in time, to provide public service in this capacity. The majority of the committee believes that if holding office creates a substantial hardship regarding childcare, it is not the responsibility of the state to provide a solution. It is both the greater good for our children and for our society to elevate our children over running for political office. Furthermore, we do not believe that this completely eliminates the ability of parents to be involved in the political process. There are other avenues of service that may be more accessible during this stage of life. Vote 9-8.

Rep. Allison Nutting-Wong for the Minority of Legislative Administration. The minority of the committee recognizes that the average age of our membership is decreasing and more young people who are parents are interested in the legislative process. The minority believes it is important to study childcare options, as well as scheduling and notices that fall in the scope of childcare, to be a more inclusive and diverse representation of our communities.

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

On a division vote, with 187 members having voted in the affirmative, and 153 in the negative, the majority committee report was adopted.

The House recessed at 12:00 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Kim Rice in the Chair)

REGULAR CALENDAR CONT'D

HB 1046, relative to the election of the Sullivan county commissioners. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard Tripp for the Majority of Municipal and County Government. The intent of this bill is to limit the election of Sullivan County Commissioners to only those voters in each commissioner's district. During the hearing, it was determined that the method for transitioning from at-large to district election of commissioner positions was not clear, difficult to understand, and would benefit from a rewrite and resubmittal in a future year. Vote 10-9.

Rep. Rosemarie Rung for the Minority of Municipal and County Government. The three Sullivan County Commissioners each represent one of three county districts. However, voters, regardless of the district in which they reside, vote for all commissioner positions as if they were at-large positions. This bill would have corrected elections so only voters of a district can vote for the commissioner representing their district. The minority believes that constituents should be the only ones voting for their representative, not other people.

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

Rep. Rung spoke against.

Rep. Tripp spoke in favor.

On a division vote, with 158 members having voted in the affirmative, and 169 in the negative, the majority committee report failed.

Rep. Rung moved the minority committee report of Ought to Pass.

On a division vote, with 192 members having voted in the affirmative, and 141 in the negative, the minority committee report was adopted and the bill was ordered to third reading.

HB 1070, relative to the default budget in official ballot jurisdictions. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for the Majority of Municipal and County Government. This bill modifies the statutory formula for calculation of the default budget amount in an official ballot town or district. The change requires any appropriation reduction by the governing body to the proposed operating budget be similarly reduced in the default budget. Vote 10-9.

Rep. Julie Gilman for the Minority of Municipal and County Government. This bill is yet another jiggering of the definition of default budgets in official ballot town meetings we have seen in the past few years and conflicts with other parts of the RSA. In the existing RSA there is a definition of contracts, such that contracts previously approved "in the amount so approved" are included in the default budget. Example: a town appropriated \$20k each year for a five-year bond. During FY 22 expenses decreased such that the last year of the bond contract was paid off. So currently the proposed FY 23 default budget does not include the bond appropriation but the \$20k as a previously approved contract is included in the FY 23 default budget. However the new language in this bill conflicts because it requires that because the lack of bond appropriations is a decrease in the proposed FY 23 operating budget, it must be excluded from the FY 23 default budget. The FY 23 default budget doesn't include the 20k bond payment, or does it? This confusion is one of the many problems that the minority found in this bill.

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

Rep. Gilman spoke against.

Rep. Boehm spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 162

YEAS - 172

BELKNAP

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

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

Bordes, Mike
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Lanzara, Tom
McLean, Mark
Plett, Fred
Rombeau, Catherine
Ulery, Jordan

Alexander, Joe
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Kelsey, Niki
Lascelles, Richard
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Warden, Mark

Ammon, Keith
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Kofalt, Jim
Lewicke, John
Nunez, Hershel
Prout, Andrew
Somero, Paul

Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Sanborn, Laurie
Marston, Dick
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Allard, James
Leavitt, John
Pitaro, Matthew
Walsh, Thomas

Andrus, Louise
McGuire, Carol
Boyd, Stephen
Wells, Natalie

Cambriels, Jose
Moffett, Michael
Seaworth, Brian
White, Nick

Hill, Gregory
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bershtein, Alan
Doucette, Fred
Green, Dennis
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Verville, Kevin
Welch, David

Abrami, Patrick
Baldasaro, Al
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abramson, Max
Baxter, Tim
Dodge, Dustin
Ford, Oliver
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Bernardy, JD
Dolan, Tom
Gay, Betty
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
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

Callum, John

Spilsbury, Walter

Stapleton, Walter

NAYS - 162**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Marsh, William

McAleer, Chris

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
Gomarilo, Jennie
Schapiro, Joe
Welkowitz, Lawrence

COOS

Kelley, Eamon

Laflamme, Larry

Tucker, Edith

GRAFTON

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

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Boyd, Bill	King, Bill
Baroody, Benjamin	Beaulieu, Jane	Bergeron, Paul	Bouchard, Donald
Chretien, Jacqueline	Cohen, Bruce	Cornell, Patricia	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Goley, Jeffrey	Griffith, Willis
Hamer, Heidi	Harriott-Gathright, Linda	Healey, Robert	Herbert, Christopher
Schmidt, Janice	Jack, Martin	Jeady, Jean	Klee, Patricia
Klein-Knight, Nicole	Labranche, Tony	Langley, Diane	Long, Patrick
King, Mark	Murray, Megan	Mangipudi, Latha	Mayville, Mary
McGhee, Kat	Mooney, Maureen	Mullen, Sue	Nutter-Upham, Frances
Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael	Perez, Maria
Petrigno, Peter	Piedra, Israel	Porter, Marjorie	Query, Joshua
Newman, Ray	Rung, Rosemarie	Newman, Sue	Sheehan, Vanessa
Snow, Kendall	Smith, Timothy	Telerski, Laura	Toomey, Dan
Van Houten, Constance	Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Caplan, Tony	Ebel, Karen
Ellison, Arthur	Gallager, Eric	Hall, Muriel	Lane, Connie
Luneau, David	MacKay, James	McWilliams, Rebecca	Pimentel, Roderick
Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne	Schultz, Kristina
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Wazir, Safiya
Wolf, Dan	Woods, Gary		

ROCKINGHAM

Altschiller, Debra	Bunker, Lisa	Cahill, Michael	Cali-Pitts, Jacqueline
DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie	Grossman, Gaby
Grote, Jaci	Hamblet, Joan	Harb, Robert	Murray, Kate
Maggiore, Jim	Malloy, Dennis	McBeath, Rebecca	Meuse, David
Pantelakos, Laura	Read, Ellen	Simpson, Alexis	Somssich, Peter
Ward, Gerald			

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fargo, Kristina	Fontneau, Timothy	Grassie, Chuck	Horrigan, Timothy
Levesque, Cassandra	Smith, Marjorie	Schmidt, Peter	Rich, Cecilia
Sandler, Catt	Southworth, Thomas	Treleaven, Susan	Vincent, Kenneth
Wall, Janet			

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	Oxenham, Lee
Rollins, Skip	Sullivan, Brian	Tanner, Linda	

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

HB 1081, relative to the dissolution of a village district. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for the Majority of Municipal and County Government. Per RSA 52:1, village districts are established by voters domiciled in the district by a simple majority. This bill changes the number of votes required to dissolve a village district from a 2/3 majority to a simple majority. Vote 10-9.

Rep. Jim Maggiore for the Minority of Municipal and County Government. Currently, NH RSA 52 permits the creation of a village district by a simple majority of voters. Once created, the village district has the right to raise and appropriate funds for purposes such as their own supply of water for domestic and fire purposes; street lights; shade and ornamental trees; construction and maintenance of sidewalks; construction, operation, and maintenance of sewage and waste treatment plants; creation and maintenance of parks or commons; construction or purchase and maintenance of a municipal lighting plant; control of pollen, insects, and pests; appointing and employment of watchmen and police officers; the layout, acceptance, construction, and maintenance of roads; and, the maintenance of ambulance services. It seems only right that dissolution of a village district and the subsequent absorption of the costs to maintain all infrastructure therein by the municipality should be by a 2/3 vote.

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

Rep. Rung spoke against.

Rep. Jonathan Smith spoke in favor.

Rep. Torosian requested a roll call; sufficiently seconded.

YEAS 174 - NAYS 162**YEAS - 174****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Sylvia, Michael

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

Bordes, Mike
Howard, Raymond
Ploszaj, Tom
Trottier, Douglas

Comtois, Barbara
Johnson, Dawn
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

CHESHIRE

Mann, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Gordon, Edward

Depalma IV, Joseph
Greeson, Jeffrey

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lascelles, Richard
Mooney, Maureen
Plett, Fred
Rouillard, Claire
Ulery, Jordan

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Lewicke, John
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Sanborn, Laurie
Marston, Dick
Nunez, Hershel
Prout, Andrew
Somero, Paul

King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Lanzara, Tom
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Allard, James
Leavitt, John
Pitaro, Matthew
Wells, Natalie

Andrus, Louise
McGuire, Carol
Boyd, Stephen
White, Nick

Cambriels, Jose
Moffett, Michael
Seaworth, Brian
Yakubovich, Michael

Hill, Gregory
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Green, Dennis
Hobson, Deborah
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Verville, Kevin
Welch, David

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Guthrie, Joseph
Nelson, Jodi
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Harb, Robert
Janigian, John
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harley, Tina
Katsakiores, Phyllis
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy

Rollins, Skip

Spilsbury, Walter

Stapleton, Walter

NAYS - 162 CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Von Plinsky, Sparky

Ames, Richard
Fenton, Donovan
Parshall, Lucius
Weber, Lucy

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

Eaton, Daniel
Gomarlo, Jennie
Toll, Amanda Elizabeth

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Ham, Bonnie
Nordgren, Sharon
Weston, Joyce

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

Alliegro, Mark
Fellows, Sallie
Muirhead, Russell
Smith, Suzanne

Almy, Susan
Hakken-Phillips, Mary
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Judy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
Long, Patrick
Mayville, Mary
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

Boyd, Bill
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
King, Mark
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Jack, Martin
Labranche, Tony
Murray, Megan
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

MERRIMACK

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

Bartlett, Christy
Gallager, Eric
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Caplan, Tony
Hall, Muriel
McWilliams, Rebecca
Schuett, Dianne
Testerman, Dave
Woods, Gary

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Khan, Aboul
Meuse, David
Ward, Gerald

Bunker, Lisa
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Read, Ellen

Cahill, Michael
Gay, Betty
Hamblet, Joan
Malloy, Dennis
Simpson, Alexis

Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Southworth, Thomas

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Sandler, Catt
Wall, Janet

SULLIVAN

Callum, John
Oxenham, Lee

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

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

MOTION TO REMOVE FROM THE TABLE

Rep. Adjutant moved that **HB 1076**, relative to illegal productivity quotas, be removed from the table.
Rep. Berry requested a roll call; sufficiently seconded.

YEAS 165 - NAYS 171**YEAS - 165
CARROLL**

Buco, Thomas
Marsh, William

Burroughs, Anita
McAleer, Chris

Deshaies, Brodie
Woodcock, Stephen

Knirk, Jerry

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
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

Depalma IV, Joseph
Gordon, Edward
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Infantine, William
Klee, Patricia
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Veilleux, Daniel

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Wilhelm, Matthew

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
Moffett, Michael
Schuett, Dianne
Wallner, Mary Jane

Allard, James
Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

Bartlett, Christy
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wolf, Dan

Caplan, Tony
Hall, Muriel
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

ROCKINGHAM

Abramson, Max
Cahill, Michael
Gay, Betty
Hamblet, Joan
McBeath, Rebecca
Somssich, Peter

Acton, Dennis
Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
Meuse, David
Ward, Gerald

Altschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Maggiore, Jim
Read, Ellen
Yokela, Josh

Bunker, Lisa
Edgar, Michael
Grote, Jaci
Malloy, Dennis
Simpson, Alexis

STRAFFORD

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

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Southworth, Thomas

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Treleven, Susan

Conley, Casey
Horrigan, Timothy
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

**NAYS - 171
BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Sylvia, Michael

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

Bordes, Mike
Howard, Raymond
Ploszaj, Tom
Trottier, Douglas

Comtois, Barbara
Johnson, Dawn
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
Smith, Jonathan

Nelson, Bill
McConkey, Mark

Cordelli, Glenn
Umberger, Karen

MacDonald, John

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Sanborn, Gail
Simon, Matthew

Berezhny, Lex
Greeson, Jeffrey

Binford, David
Ham, Bonnie

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Boyd, Bill
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Somero, Paul

MERRIMACK

Andrus, Louise
McGuire, Carol
Seaworth, Brian
White, Nick

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

Hill, Gregory
Pitaro, Matthew
Walsh, Thomas

Leavitt, John
Boyd, Stephen
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne

Ayer, Paul
Bernardy, JD
Dolan, Tom
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Verville, Kevin
Welch, David

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

and the motion failed.

REGULAR CALENDAR CONT'D

HB 1087, relative to zoning for single family housing lots. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joseph Guthrie for the Majority of Municipal and County Government. This bill limits the authority of local land use planning boards relating to ordinances governing lot sizes. This bill specifies that no ordinance shall require more than a 10,000 square foot lot size for single family housing lots. Although the bill is an attempt at helping the housing shortage, it was a mandate that the majority of the committee felt would be unacceptable. Vote 11-8.

Rep. Laurel Stavis for the Minority of Municipal and County Government. This bill would prohibit municipalities from limiting lot size for single-family homes in areas served by public water and sewer. The bill would encourage development of single family homes and provide much needed housing in the state's already existing population centers while allowing regions that rely on private water and sewer systems to remain rural. In the midst of a housing crisis, adopting policies that facilitate development in communities that have already invested in the infrastructure to support that development makes good sense. It may also have the benefit of adding revenue to towns and cities that have expended or may expend funds for such infrastructure, helping to defray costs and reduce taxes.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Vann spoke against.

MOTION TO LAY ON THE TABLE

Rep. Dolan moved that **HB 1087**, relative to zoning for single family housing lots, be laid on the table.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 1112-FN, relative to competitive bidding in counties. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard Tripp for the Majority of Municipal and County Government. The committee determined that creating special legislation for counties with respect to the bidding process was unnecessary. The committee determined that the language in this bill, changing the competitive bidding process, should be handled by the county commissioners. The committee determined that the bidding process is an issue of local control, therefore it should fall on the county commissioners to determine the bidding process requirements. Vote 10-9.
Rep. Julie Gilman for the Minority of Municipal and County Government. This is a housekeeping bill regarding the fiduciary duties of counties by amending RSA 28:8. It delineates the process for acquiring equipment and services through competitive bidding processes to be the same in all counties. Currently RSA 28:8 covers this with little detail which leaves room for manipulation. However, there are carve outs for the counties of Rockingham (1998) and Hillsborough (2014) adding more detail to the process. House members from Carroll County submitted a bill in 2021 consisting of the exact same language as the current Hillsborough law. The bill was retained and in the executive session several committee members questioned why another county needed a special section to carry out their duties especially considering there would be two counties with the same language. That question is answered by this bill making the process the same for all counties. During testimony at the hearing for this bill and during the executive session it was mentioned that small municipalities don't have the resources to handle the proposed process. This bill is not about municipalities. It's about counties and their fiduciary duties to taxpayers which should be consistent across the state.

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

On a division vote, with 175 members having voted in the affirmative, and 163 in the negative, the majority committee report was adopted.

HB 1119, relative to the regulation of single-use bags. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles Melvin for the Majority of Municipal and County Government. This bill fails to recognize several important facts. Plastic bags are 100% recyclable, highly reused, and the vast majority are made and recycled in the United States, which supports tens of thousands of U.S. manufacturing jobs. Charging fees for plastic bag use will not address overall litter and waste issues. The Environmental Protection Agency (EPA) says that plastic bags make up less than 0.3% of the nation's municipal solid waste. Statewide litter surveys have found that plastic bags typically make up less than 1% of litter. Study after study has found that plastic bags are the most sustainable and least resource intensive option at the checkout counter. The manufacturing of paper bags, reusable bags, and cloth bags have a higher carbon footprint than plastic bags. Charging fees for plastic bags will only make doing business in New Hampshire more expensive and burdensome for our citizens, businesses, and visitors, while doing nothing to address overall litter and waste. Plastic bag fees will promote shopping on line and hurt our local businesses. These online companies who ship products from out of state will be allowed to use any type or size of plastic bag they choose. Those bags and/or containers may or may not be made of recyclable materials. Yet they will still become part of New Hampshire's solid waste. The bill, as written, will have serious consequences. It will have added costs to our New Hampshire retailers, create more plastic being produced, which is ultimately used by the consumer. The current standard in California is 2.25 mils and is considered to be one of the strictest standards in the world. The majority believes educational efforts concerning the use, reuse, and recycling of plastic bags should first be attempted prior to imposing an indirect tax on our residents and visitors. Vote 10-9.

Rep. Rosemarie Rung for the Minority of Municipal and County Government. New Hampshire municipalities bear the responsibility and cost for waste disposal and recycling in their communities, but are limited in their

control of waste generation. This bill would have allowed them to regulate the distribution of single use plastic bags and paper bags at the point of sale, if municipalities decided that it was in their best interest to do so. Despite statements to the contrary, this bill is not a ban on plastic bags, but rather enabling legislation that allows communities to make their own decision for reasons that may include limiting the damage single used plastic bags cause to their machinery, encouraging the use of reusable shopping bags, reducing fossil fuel consumption, or a myriad of other reasons. The statute already enables municipalities to regulate noise, tattoo parlors, local elective office contributions, and retail display of martial arts weapons. The minority believes adding single use plastic bags and paper bags to this statute is reasonable and respectful of local control.

MOTION TO LAY ON THE TABLE

Rep. Dolan moved that **HB 1119**, relative to the regulation of single-use bags, be laid on the table. Rep. Burt requested a roll call; sufficiently seconded.

YEAS 300 - NAYS 35

YEAS - 300

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Sylvia, Michael

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

Bordes, Mike
Howard, Raymond
Ploszaj, Tom
Trottier, Douglas

Comtois, Barbara
Johnson, Dawn
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
Cordelli, Glenn
Knirk, Jerry
Umberger, Karen

Nelson, Bill
Deshaies, Brodie
Marsh, William

Buco, Thomas
MacDonald, John
McAleer, Chris

Burroughs, Anita
Smith, Jonathan
McConkey, Mark

CHESHIRE

Abbott, Michael
Fox, Dru
Santonastaso, Matthew

Ames, Richard
Gomarlo, Jennie
Schapiro, Joe

Bordenet, John
Qualey, James
Weber, Lucy

Faulkner, Barry
Rhodes, Jennifer
Welkowitz, Lawrence

COOS

Craig, Kevin
Thompson, Dennis

Laflamme, Larry
Tucker, Edith

Merner, Troy

Theberge, Robert

GRAFTON

Abel, Richard
Binford, David
Folsom, Beth
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Alliegro, Mark
Depalma IV, Joseph
Sanborn, Gail
Ham, Bonnie
Murphy, James
Sykes, George

Almy, Susan
Dontonville, Roger
Gordon, Edward
Ladd, Rick
Nordgren, Sharon
Weston, Joyce

Berezhny, Lex
Fellows, Sallie
Greeson, Jeffrey
Massimilla, Linda
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Bouldin, Andrew
Baroody, Benjamin
Blasek, Melissa
Creighton, Jim
Dutzy, Sherry
Foster, William
Gould, Linda
Harriott-Gathright, Linda
Infantine, William
Kelsey, Niki
Langley, Diane
Long, Patrick
Marston, Dick
Mooney, Maureen
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Query, Joshua
Rouillard, Claire
Snow, Kendall
Telerski, Laura
Vann, Ivy

Alexander, Joe
Boyd, Bill
Beaulieu, Jane
Boehm, Ralph
Cushman, Leah
Erf, Keith
Griffin, Gerald
Graham, John
Healey, Robert
Schmidt, Janice
Klee, Patricia
Lanzara, Tom
King, Mark
Mayville, Mary
Mullen, Sue
Nutting-Wong, Allison
Perez, Maria
Porter, Marjorie
Newman, Ray
Rung, Rosemarie
Somero, Paul
Toomey, Dan
Warden, Mark

Bouldin, Amanda
Griffin, Barbara
Bergeron, Paul
Burt, John
Kelley, Diane
Espitia, Manny
Gagne, Larry
Greene, Bob
Herbert, Christopher
Jack, Martin
Kofalt, Jim
Lascelles, Richard
Murray, Megan
McGhee, Kat
Notter, Jeanine
O'Brien, Michael
Petrigno, Peter
Post, Lisa
Renzullo, Andrew
Newman, Sue
Lekas, Tony
Ulery, Jordan
Wilhelm, Matthew

Ammon, Keith
King, Bill
Berry, Ross
Cornell, Patricia
Smith, Denise
Fedolfi, Jim
Gorski, Ted
Hamer, Heidi
Homola, Susan
Jeudy, Jean
Sanborn, Laurie
Lewicke, John
Mangipudi, Latha
McLean, Mark
Nunez, Hershel
Pauer, Diane
Piedra, Israel
Prout, Andrew
Rombeau, Catherine
Sheehan, Vanessa
Smith, Timothy
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
 Caplan, Tony
 Lane, Connie
 McWilliams, Rebecca
 Boyd, Stephen
 Seaworth, Brian
 Wallner, Mary Jane
 White, Nick

Allard, James
 Ellison, Arthur
 Leavitt, John
 Moffett, Michael
 Schamberg, Thomas
 Shurtleff, Steve
 Walsh, Thomas
 Wolf, Dan

Andrus, Louise
 Hall, Muriel
 MacKay, James
 Pearl, Howard
 Schuett, Dianne
 Soucy, Timothy
 Wazir, Safiya
 Woods, Gary

Cambrils, Jose
 Hill, Gregory
 McGuire, Carol
 Pitaro, Matthew
 Schultz, Kristina
 Testerman, Dave
 Wells, Natalie
 Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
 Altschiller, Debra
 Belanger, Cody
 Cahill, Michael
 Dodge, Dustin
 Edwards, Jess
 Green, Dennis
 Hamblet, Joan
 Nelson, Jodi
 Khan, Aboul
 Love, David
 Major, Norman
 Melvin, Charles
 Potucek, John
 Pearson, Stephen
 Thomas, Douglas
 Verville, Kevin
 Ward, Gerald

Abrami, Patrick
 Ayer, Paul
 Bernardy, JD
 Cali-Pitts, Jacqueline
 Dolan, Tom
 Ford, Oliver
 Grossman, Gaby
 Harb, Robert
 Janigian, John
 Kimball, Mary Ann
 Lynn, Bob
 Malloy, Dennis
 Osborne, Jason
 Pratt, Kevin
 Simpson, Alexis
 Torosian, Peter
 Vose, Michael
 Welch, David

Abramson, Max
 Baldasaro, Al
 Bershtein, Alan
 DeSimone, Debra
 Doucette, Fred
 Gay, Betty
 Grote, Jaci
 Harley, Tina
 Murray, Kate
 Layon, Erica
 Pearson, Mark
 McBeath, Rebecca
 Pantelakos, Laura
 Prudhomme-O'Brien, Katherine
 Soti, Julius
 Tripp, Richard
 MacDonald, Wayne
 Weyler, Kenneth

Acton, Dennis
 Baxter, Tim
 Bunker, Lisa
 DiLorenzo, Charlotte
 Edgar, Michael
 Gilman, Julie
 Guthrie, Joseph
 Hobson, Deborah
 Katsakiores, Phyllis
 Litchfield, Melissa
 Maggiore, Jim
 McBride, Everett
 Piemonte, Tony
 Roy, Terry
 Spillane, James
 True, Chris
 Wallace, Scott
 Yokela, Josh

STRAFFORD

Ankarberg, Aidan
 Chase, Wendy
 Fontneau, Timothy
 Horgan, James
 Newton, Clifford
 Sandler, Catt
 Wall, Janet

Bailey, Glenn
 Conley, Casey
 Groen, Fenton
 Kaczynski, Thomas
 Schmidt, Peter
 Southworth, Thomas
 Wuelper, Kurt

Bixby, Peter
 DeLemus, Susan
 Harrington, Michael
 Kittredge, Mac
 Pitre, Joseph
 Treleaven, Susan

Cannon, Gerri
 Fargo, Kristina
 Hayward, Peter
 Levesque, Cassandra
 Rich, Cecilia
 Turcotte, Leonard

SULLIVAN

Aron, Judy
 Merchant, Gary
 Sullivan, Brian

Callum, John
 Rollins, Skip

Cloutier, John
 Spilsbury, Walter

Gottling, Suzanne
 Stapleton, Walter

**NAYS - 35
BELKNAP**

O'Hara, Travis

CARROLL

Woodcock, Stephen

CHESHIRE

Fenton, Donovan
 Toll, Amanda Elizabeth

Maneval, Andrew
 Von Plinsky, Sparky

Mann, John

Parshall, Lucius

COOS

Kelley, Eamon

Hatch, William

GRAFTON

Adjutant, Joshua

Egan, Timothy

Smith, Suzanne

HILLSBOROUGH

Bouchard, Donald
 Griffith, Willis

Chretien, Jacqueline
 Klein-Knight, Nicole

Cohen, Bruce
 Labranche, Tony

Freitas, Mary
 Veilleux, Daniel

MERRIMACK

Bartlett, Christy
 Pimentel, Roderick

Ebel, Karen
 Rogers, Katherine

Gallager, Eric

Luneau, David

ROCKINGHAM

Meuse, David

Read, Ellen

Somssich, Peter

STRAFFORD

Grassie, Chuck

Horrigan, Timothy

Smith, Marjorie

SULLIVAN

Oxenham, Lee

Tanner, Linda

and the motion was adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Verville moved that **HB 1087**, relative to zoning for single family housing lots, be removed from the table. On a division vote, with 166 members having voted in the affirmative, and 169 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 1172-FN, requiring composting and waste recycling to be made available to residents of public housing. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for the Majority of Municipal and County Government. Given that there is an ongoing study committee focusing on solid waste issues, which include compost, the committee felt that considering composting from that point of view was the better alternative to inexpedient to legislate. Vote 11-8.

Rep. Tony Piemonte for the Minority of Municipal and County Government. This bill was designed to make public access to composting mandatory. The New Hampshire Municipal Association opposed the bill. The minority felt that this legislation needed a broader approach.

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

HB 1177, relative to permissible residential units in a residential zone. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for the Majority of Municipal and County Government. The committee seldom recommends ought to pass on a state-wide mandate but given the seriousness of the housing shortage and given that allowing local control of this issue for more than 40 years has not produced any easing of local regulations constraining the housing supply we recommend ought to pass. Much research lately has focused on the extent that local zoning makes the building and rebuilding of historically appropriate density very difficult or even impossible; this bill relegalizes historic building types such as duplexes, triple-deckers, and four-unit buildings in places already served by municipal water and sewer. It is an important step toward the creation of smaller, more affordable housing units in a state desperate for housing. This bill leaves the questions of building height, mass, lot placement, lot coverage, parking, and all other similar standards in the hands of the local jurisdiction. Vote 10-8.

Rep. Richard Tripp for the Minority of Municipal and County Government. This bill requires that local legislative bodies permit single-family lots in residential districts to be used for up to four residential units. It is yet another attempt to transfer land use authority from the municipalities to the state. While a variety of dwelling unit types are permitted, it is expected the most common would be older large single family homes converted to rentals. This would achieve the goal of increased work force housing, it would be at the cost of reduced neighborhood home values and homogeneity.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Abramson spoke against.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **HB 1177**, relative to permissible residential units in a residential zone, be laid on the table.

Rep. Abramson requested a roll call; sufficiently seconded.

YEAS 167 - NAYS 157**YEAS - 167****BELKNAP**

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

Bean, Harry
Howard, Raymond
O'Hara, Travis
Terry, Paul

Bordes, Mike
Johnson, Dawn
Ploszaj, Tom
Trottier, Douglas

Comtois, Barbara
Lang, Timothy
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie

CHESHIRE

Qualey, James

Rhodes, Jennifer

COOS

Merner, Troy

Thompson, Dennis

GRAFTONAlliegro, Mark
Fellows, Sallie
Ham, BonnieBerezhny, Lex
Sanborn, Gail
Ladd, RickBinford, David
Gordon, Edward
Simon, MatthewDepalma IV, Joseph
Greeson, Jeffrey**HILLSBOROUGH**Ammon, Keith
Berry, Ross
Creighton, Jim
Foster, William
Gould, Linda
Homola, Susan
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Somero, PaulBoyd, Bill
Blasek, Melissa
Kelley, Diane
Griffin, Gerald
Graham, John
Infantine, William
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Ulery, JordanGriffin, Barbara
Boehm, Ralph
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lewicke, John
Mooney, Maureen
Petrigno, Peter
Rouillard, ClaireKing, Bill
Burt, John
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Marston, Dick
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa**MERRIMACK**Allard, James
Hill, Gregory
Pitaro, Matthew
Walsh, ThomasAndrus, Louise
Leavitt, John
Boyd, Stephen
Wells, NatalieCambrils, Jose
Moffett, Michael
Seaworth, Brian
Wolf, DanEbel, Karen
Pearl, Howard
Testerman, Dave
Yakubovich, Michael**ROCKINGHAM**Abbas, Daryl
Ayer, Paul
Dolan, Tom
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Torosian, Peter
Vose, Michael
Welch, DavidAbrami, Patrick
Baldasaro, Al
Edwards, Jess
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Tripp, Richard
MacDonald, Wayne
Weyler, KennethAbramson, Max
Bernardy, JD
Ford, Oliver
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Wallace, ScottActon, Dennis
DeSimone, Debra
Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Thomas, Douglas
Verville, Kevin
Ward, Gerald**STRAFFORD**Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac
Turcotte, LeonardDeLemus, Susan
Hayward, Peter
Newton, Clifford
Vincent, KennethFontneau, Timothy
Horgan, James
Pitre, Joseph
Wuelper, KurtGroen, Fenton
Kaczynski, Thomas
Sandler, Catt**SULLIVAN**Aron, Judy
Stapleton, WalterCallum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 157**CARROLL**Buco, Thomas
Umberger, KarenKnirk, Jerry
Woodcock, Stephen

Marsh, William

McAleer, Chris

CHESHIREAbbott, Michael
Faulkner, Barry
Maneval, Andrew
Schapiro, JoeAmes, Richard
Fenton, Donovan
Mann, John
Toll, Amanda ElizabethBordenet, John
Fox, Dru
Parshall, Lucius
Weber, LucyEaton, Daniel
Gomarlo, Jennie
Santonastaso, Matthew
Welkowitz, Lawrence**COOS**

Craig, Kevin

Kelley, Eamon

Laflamme, Larry

Tucker, Edith

GRAFTON

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

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

Almy, Susan
Massimilla, Linda
Stavis, Laurel

Dontonville, Roger
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Lekas, Alicia
Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Herbert, Christopher
Klee, Patricia
Long, Patrick
McGhee, Kat
O'Brien, Michael
Plett, Fred
Rombeau, Catherine
Lekas, Tony
Van Houten, Constance
Wilhelm, Matthew

Alexander, Joe
Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Schmidt, Janice
Klein-Knight, Nicole
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Smith, Timothy
Vann, Ivy

Bouldin, Amanda
Bergeron, Paul
Cornell, Patricia
Hamer, Heidi
Jack, Martin
Sanborn, Laurie
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Telerski, Laura
Veilleux, Daniel

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Harriott-Gathright, Linda
Judy, Jean
Labranche, Tony
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Newman, Ray
Snow, Kendall
Toomey, Dan
Warden, Mark

MERRIMACK

Alicea, Caroletta
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
White, Nick

Bartlett, Christy
Hall, Muriel
McGuire, Carol
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Caplan, Tony
Lane, Connie
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane

Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Meuse, David
Somssich, Peter

Baxter, Tim
Cahill, Michael
Gilman, Julie
Maggiore, Jim
Paige, Mark
Yokela, Josh

Belanger, Cody
DiLorenzo, Charlotte
Grossman, Gaby
Malloy, Dennis
Read, Ellen

Bershtein, Alan
Dodge, Dustin
Grote, Jaci
McBeath, Rebecca
Simpson, Alexis

STRAFFORD

Bailey, Glenn
Conley, Casey
Levesque, Cassandra
Southworth, Thomas

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

Cannon, Gerri
Grassie, Chuck
Schmidt, Peter

Chase, Wendy
Horrigan, Timothy
Rich, Cecilia

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

and the motion was adopted.

(Representative Steven Smith in the Chair)**MOTION TO PRINT DEBATE**

Rep. Barbara Griffin moved that the debate on **HB 1177**, relative to permissible residential units in a residential zone, be printed in the Permanent Journal.

On a division vote, with 199 members having voted in the affirmative, and 136 in the negative, the motion was adopted.

DEBATE ON HB 1177

Representative Abramson: Thank you, Madam Speaker. Madam Speaker I rise in opposition to the Ought to Pass motion on HB 1177, requiring apartment buildings be added in suburban areas. Almost the same bill came through Municipal and County when I was there and comes through almost every year. This bill tries to override local control by forcing our towns and cities to accept apartment buildings where the voters have only approved the construction of a single-family house. According to the bill, "These may be configured as a single 4-unit building, 2 duplex units, 2 single units, 1 duplex unit with 2 accessory buildings, 4 townhouses or a single-family house with 3 accessory dwelling units." Really? But you can't have a duplex, a townhouse and an accessory for each? How about a mini courtyard for 3 plus a whole McMansion added on? Or 2 houses and a hotel on Marvin Gardens? Will this require the town to accept a 4-story high mini skyscraper like those in downtown Manchester near where I used to live? Should even the suburbs of Manchester be required by

the state to allow buildings that would only fit in the busier parts of Elm Street? And would buildings on Elm Street be torn down and replaced with pairs of duplexes contrary to the intent of the planners at city hall that put years and years and years in developing their cities plan? A kind of nightmare on Elm Street. Okay, wasn't meant to be a joke but I guess it is. Towns like Seabrook are already overloaded with apartment buildings and most people there are now dead set against them. I used to serve on my towns' planning board and every single member of my planning board was opposed to adding apartment buildings to my town. Should the state override the will of the voters also? Should towns like Hampton Falls and Hampton be commanded by another top down one size fits all solution to replace the suburbs with medium density apartment buildings over 40 feet high blocking everyone's view of the water? Would you want to see your neighborhood overbuilt? Would you want to explain to an angry planning board and other land use boards why you have thrown out years of town planning built around limited municipal services and staff to turn everything into something that looks somewhat like downtown Lawrence? What will we tell our constituents when they see their property tax rates nearly double because of the sudden need to add 2 police stations, 2 fire stations and another high school to serve a state induced surge in migration? And where will already overworked water departments find more water and bigger pipes in towns that are already at their limit? Or \$6 million for a new wastewater treatment facility? How will our emergency rooms and fire departments deal with the large influx of people moving up from Lynn and Lawrence and North Shore Mass because thousands of cheaply built low-income stack and pack or Section 8 apartment buildings are only 10 feet apart. Sometimes not far enough apart for our fire trucks in some of these small towns. This bill is the worst idea since Congress forced us to pay for giant pink flatulent balloons that cows have to have strapped on to combat global warming. Please press the red button.

Speaker Rice: For what purpose does the member rise?

Representative Baldasaro: To make a motion.

Speaker Rice: Please state your motion.

Representative Baldasaro: Yes, I'd like to make a motion to table this bill.

Speaker Rice: The motion on the floor is to table HB 1177. A division vote has been requested. Members will take their seats. A roll call has been requested. Is that sufficiently seconded? That is sufficiently seconded. Members will take their seats. The House will come to order. The Chair recognizes Rep. Baldasaro for a parliamentary inquiry.

Representative Baldasaro: Thank you, Madam Speaker. Madam Speaker, if I know that this bill allows residential zones, single family homes be rezoned for purposes up to 4 residential units. And Madam Speaker if I know New Hampshire believe in local control. And, if I know statewide zoning mandates creates a one size fits all. And Madam Speaker if I know many in this House has invested their hard-earned money in property only to have it changed by a vote here in the House, would I press the green button and table this bill?

Speaker Rice: The House will come to order. The Chair recognizes Rep. Vann for a parliamentary inquiry.

Representative Vann: Thank you, Madam Speaker. Members of the House, if I know that New Hampshire is short somewhere between 20 and 30,000 housing units. And if I know that our restrictive zoning is part of the reason that we cannot build more units. And if I know that this bill allows 4, 4 units. And if I know that the federal home administration believes that 4 units is a house, would I now vote red against the tabling motion so that we can debate this bill? Thank you very much.

Speaker Rice: The question is on the tabling motion for HB 1177. This is a roll call vote. If you are in favor, you will press the green button. If you are opposed, you will press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 167 in the affirmative, 157 in the negative, the motion passes.

REGULAR CALENDAR CONT'D

HB 1184, authorizing the establishment of revolving funds. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John MacDonald for the Majority of Municipal and County Government. This bill permits a government entity to create revolving funds for its administration of the county. The funds must be limited to the following purposes: recycling, ambulance service, fire services, public safety, such as construction projects, transactions to create affordable housing, cable access, energy conservation and clean energy, and group net metering. Money in these funds is allowed to accumulate from year to year. The bill as presented creates confusion and conflicting guidance for local governments. The limits listed are not complete such that local officials can properly manage the funds. Vote 17-2.

Rep. Rosemarie Rung for the Minority of Municipal and County Government. Currently, New Hampshire municipalities and village districts may establish revolving funds to help manage self-funding programs. This bill would have extended that option to county governments, however, it contained drafting errors and redundant language which could not be corrected by amendment within the committee deadline. The minority supports the intent of the bill and hopes that a floor amendment is proposed to remedy the errors and restore the validity of the bill.

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

HB 1194, relative to the procedure for overriding a local tax cap. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the Majority of Municipal and County Government. This bill amends the method of overriding a local tax cap to require a 3/5 super majority vote, by ballot, to approve any appropriation that would exceed the tax cap. Current statute enables the voters of a town or district to adopt a local tax cap by a 3/5 super majority vote and further allows the legislative body to override the tax cap by a simple majority vote. Presently, a tax cap serves only to limit total appropriations presented to the voters at an annual meeting as proposed by the governing body or budget committee. Requiring a 3/5 super majority, instead of a simple majority, vote of the legislative body to override puts much needed teeth into the tax cap by ensuring that any additional appropriations are truly supported by the taxpayers. Moreover, this bill provides for flexibility in spending while at the same time maintaining fiscal responsibility at the local level. In 2021, an analogous bill, SB 52 relative to cities and municipal charter provisions for tax caps, was signed by the Governor and was effective August 20th, 2021, included similar provisions to this bill. Vote 10-9.

Rep. Julie Gilman for the Minority of Municipal and County Government. This bill proposes a change to the voting process of a tax cap override in a municipality, of which there are currently four, or school district, of which there are currently three, that has adopted RSA 32:5-c. The proposed legislation requires a 3/5 super majority vote for an override rather than the simple majority typically used for budget approval. When asked why force a super majority the answer was that this is not new legislation, just clarifying legislation. The bill has an additional change to include only the first-year payment on a multi-year bond in the cap calculation. Bonds are voted separately from operating budgets in the first year and then, if approved, appropriated in the subsequent operating budgets. With this bill, only one year of bond commitments made and already approved are included in the cap calculation. A further concern not included is that bond ratings, which may be affected by a lack of guaranteed bond payments, were not considered in this bill. It also has no provision for the possibility of rising inflation. This bill is not clarifying as it leads to more questions than answers.

MOTION TO LAY ON THE TABLE

Rep. Maggiore moved that **HB 1194**, relative to the procedure for overriding a local tax cap, be laid on the table. Rep. Prout requested a roll call; sufficiently seconded.

YEAS 148 - NAYS 181

YEAS - 148

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Weber, Lucy

Ames, Richard
Fenton, Donovan
Parshall, Lucius
Welkowitz, Lawrence

Bordenet, John
Fox, Dru
Schapiro, Joe

Eaton, Daniel
Gomarlo, Jennie
Toll, Amanda Elizabeth

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

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

Adjutant, Joshua
Fellows, Sallie
Murphy, James
Weston, Joyce

Almy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon

Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cornell, Patricia
Goley, Jeffrey
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Hamer, Heidi
Jack, Martin
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Harriott-Gathright, Linda
Judy, Jean
King, Mark
Mullen, Sue
Pedersen, Michael
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Herbert, Christopher
Klee, Patricia
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Snow, Kendall
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Rogers, Katherine
Soucy, Timothy
Woods, Gary

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

Caplan, Tony
Hall, Muriel
McWilliams, Rebecca
Schultz, Kristina
Wazir, Safiya

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Shurtleff, Steve
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Pantelakos, Laura

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

Cahill, Michael
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Paige, Mark
Ward, Gerald

STRAFFORD

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

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Southworth, Thomas

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Treleaven, Susan

Conley, Casey
Horrigan, Timothy
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne

Merchant, Gary

Oxenham, Lee

NAYS - 181**BELKNAP**

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

Bean, Harry
Hough, Gregg
O'Hara, Travis
Terry, Paul

Bordes, Mike
Johnson, Dawn
Ploszaj, Tom
Trottier, Douglas

Comtois, Barbara
Lang, Timothy
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

CHESHIRE

Mann, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Lekas, Tony

Alexander, Joe
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Labranche, Tony
Marston, Dick
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Sheehan, Vanessa
Warden, Mark

Boyd, Bill
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Somero, Paul

MERRIMACK

Allard, James
Leavitt, John
Boyd, Stephen
White, Nick

Andrus, Louise
McGuire, Carol
Seaworth, Brian
Yakubovich, Michael

Cambrils, Jose
Moffett, Michael
Testerman, Dave

Hill, Gregory
Pearl, Howard
Wells, Natalie

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	Edwards, Jess	Ford, Oliver
Gay, Betty	Green, Dennis	Guthrie, Joseph	Harb, Robert
Harley, Tina	Hobson, Deborah	Nelson, Jodi	Janigian, John
Katsakiores, Phyllis	Khan, Aboul	Kimball, Mary Ann	Layon, Erica
Litchfield, Melissa	Love, David	Lynn, Bob	Pearson, Mark
Major, Norman	McBride, Everett	Melvin, Charles	Osborne, Jason
Piemonte, Tony	Potucek, John	Pratt, Kevin	Prudhomme-O'Brien, Katherine
Roy, Terry	Pearson, Stephen	Soti, Julius	Spillane, James
Thomas, Douglas	Torosian, Peter	Tripp, Richard	True, Chris
Verville, Kevin	Vose, Michael	MacDonald, Wayne	Wallace, Scott
Welch, David	Weyler, Kenneth	Yokela, Josh	

STRAFFORD

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

SULLIVAN

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

and the motion failed.

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

Rep. Gilman spoke against.

Rep. Pauer spoke in favor.

Rep. Torosian requested a roll call; sufficiently seconded.

YEAS 183 - NAYS 146**YEAS - 183****BELKNAP**

Aldrich, Glen	Bean, Harry	Bordes, Mike	Comtois, Barbara
Harvey-Bolia, Juliet	Hough, Gregg	Howard, Raymond	Johnson, Dawn
Lang, Timothy	Littlefield, Richard	O'Hara, Travis	Ploszaj, Tom
Silber, Norman	Sylvia, Michael	Terry, Paul	Trottier, Douglas
Varney, Peter			

CARROLL

Avellani, Lino	Nelson, Bill	Cordelli, Glenn	Deshaies, Brodie
MacDonald, John	Smith, Jonathan	McConkey, Mark	Umberger, Karen

CHESHIRE

Mann, John	Qualey, James	Rhodes, Jennifer	Santonastaso, Matthew
------------	---------------	------------------	-----------------------

COOS

Craig, Kevin	Merner, Troy	Theberge, Robert	Thompson, Dennis
--------------	--------------	------------------	------------------

GRAFTON

Alliegro, Mark	Berezhny, Lex	Binford, David	Depalma IV, Joseph
Folsom, Beth	Sanborn, Gail	Gordon, Edward	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
Boehm, Ralph	Burt, John	Creighton, Jim	Cushman, Leah
Kelley, Diane	Smith, Denise	Erf, Keith	Fedolfi, Jim
Foster, William	Griffin, Gerald	Gagne, Larry	Gorski, Ted
Gould, Linda	Graham, John	Greene, Bob	Healey, Robert
Homola, Susan	Infantine, William	Kelsey, Niki	Kofalt, Jim
Sanborn, Laurie	Lanzara, Tom	Lascelles, Richard	Lewicke, John
Mayville, Mary	McLean, Mark	Mooney, Maureen	Notter, Jeanine
Nunez, Hershel	Pauer, Diane	Plett, Fred	Post, Lisa
Prout, Andrew	Renzullo, Andrew	Rice, Kimberly	Rombeau, Catherine
Rouillard, Claire	Sheehan, Vanessa	Somero, Paul	Lekas, Tony
Ulery, Jordan	Warden, Mark		

MERRIMACK

Allard, James
Leavitt, John
Pitaro, Matthew
Walsh, Thomas
Yakubovich, Michael

Andrus, Louise
McGuire, Carol
Boyd, Stephen
Wells, Natalie

Cambriis, Jose
Moffett, Michael
Seaworth, Brian
White, Nick

Hill, Gregory
Pearl, Howard
Testerman, Dave
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harley, Tina
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Thomas, Douglas
Verville, Kevin
Welch, David

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

NAYS - 146**CARROLL**

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Weber, Lucy

Ames, Richard
Fenton, Donovan
Parshall, Lucius
Welkowitz, Lawrence

Bordenet, John
Fox, Dru
Schapiro, Joe

Eaton, Daniel
Gomarlo, Jennie
Toll, Amanda Elizabeth

COOS

Kelley, Eamon

Hatch, William

Tucker, Edith

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
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Vann, Ivy

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Snow, Kendall
Veilleux, Daniel

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Jack, Martin
Labranche, Tony
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Smith, Timothy
Wilhelm, Matthew

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Judy, Jean
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Telerski, Laura

MERRIMACK

Alicea, Caroletta
Ellison, Arthur

Bartlett, Christy
Gallager, Eric

Caplan, Tony
Hall, Muriel

Ebel, Karen
Lane, Connie

Luneau, David
Schamberg, Thomas
Soucy, Timothy

MacKay, James
Schuett, Dianne
Wallner, Mary Jane

Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

Rogers, Katherine
Shurtleff, Steve
Woods, Gary

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Read, Ellen

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

Cahill, Michael
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Grassie, Chuck
Schmidt, Peter
Treleaven, Susan

Chase, Wendy
Horrigan, Timothy
Rich, Cecilia
Vincent, Kenneth

Conley, Casey
Levesque, Cassandra
Sandler, Catt
Wall, Janet

Fontneau, Timothy
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

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

(Speaker Packard in the Chair)

REGULAR CALENDAR CONT'D

HB 1219, relative to parking requirements for religious institution-affiliated housing development projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Paul Ayer for the Majority of Municipal and County Government. This bill addresses parking requirements for religious institution affiliated housing development projects. While this may appear to help parking for churches, etc. it may create local problems with urban development and contradict local zoning rules as planned by respective planning boards. The New Hampshire Municipal Association (NHMA) discourages statewide zoning mandates such as this bill. With the inclusion of vague definitions, the committee felt that this legislation needs more work before it is ready to be considered. Vote 10-9.

Rep. Eric Gallagher for the Minority of Municipal and County Government. The minority of the committee opposes the report of inexpedient to legislate on this bill. This bill is an attempt to make it easier for churches with declining membership to turn unused portions of their parking lots into housing. The basic idea behind it is that zoning boards shouldn't be denying housing project applications proposed on property owned by religious institutions solely on the basis of parking. In the hearing for this bill, multiple questions were raised about the language and implementation of the policy put forward in the bill. While the minority of the committee acknowledges that many of these questions are legitimate, we do not believe they justify finding the bill inexpedient to legislate. Rather, our preferred outcome would be to refer the bill to interim study, so that we can have time to fully address these questions and feedback about language and implementation.

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

HB 1223, relative to meeting attendance requirements for elected members of budget committee and school board. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Lascelles for the Majority of Municipal and County Government. This bill requires in person attendance by an elected member of a budget committee or a school board except under extenuating circumstances, and provides for a vacancy if an elected member fails to attend two or more meetings, or 25 percent of such meetings, annually. The majority felt this legislation should be referred for Interim Study. Vote 10-8.

Rep. Rosemarie Rung for the Minority of Municipal and County Government. This bill attempts to amend various areas of statute concerning budget committee and school board attendance. The minority of the committee recommend it inexpedient to legislate due to the conflicts it creates within current RSAs regarding remote participation and removal from office. Committee members were also concerned that the bill, if passed, would remove elected officials after two absences, regardless if they resulted from illness, death in the family, or other excused reasons.

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

HB 1268, limiting the authority for city council bylaws and ordinances. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Lascelles for the Majority of Municipal and County Government. The majority of the committee felt that this legislation would rightly limit the overreach of municipalities to restrict the normal conduct of business during periods deemed emergencies. Vote 10-9.

Rep. Laurel Stavis for the Minority of Municipal and County Government. While the amended version of this bill is an improvement on the original, it still constitutes a dangerous overreach by the legislature into the local control of municipalities. city councils are granted broad authority under Section XV of RSA 47:17 to regulate the activities taking place within their jurisdictions that are, as the law states, “salutary and needful.” It concludes by assuring that cities shall be permitted to make any bylaws and regulations which “may seem needful for the well-being of the city.” This bill seeks to delete this latter reference, substituting language that only allows city councils to regulate “nuisances that interfere with the use or enjoyment of property.” As such, it undermines the intent of RSA 47:17, which is to ensure that local elected officials are empowered to protect the people they serve, and not just their “property,” and it subverts existing law by preventing city councils from carrying out the duties they are sworn to perform.

Majority Amendment (0680h)

Amend RSA 47:17, XV as inserted by section 1 of the bill by replacing it with the following:

XV. Miscellaneous. Relative to the grade of streets, and the grade and width of sidewalks; to the laying out and regulating public squares and walks, commons, and other public grounds, public lights, and lamps; to trees planted for shade, ornament, convenience, or use, and the fruit of the same; to trespasses committed on public buildings and other public property, and in private yards and gardens; in relation to cemeteries, public burial grounds, the burial of the dead, and the returning and keeping records thereof, and bills of mortality, and the duties of physicians, sextons and others in relation thereto; relative to public wells, cisterns, pumps, conduits, and reservoirs; the places of military parade and rendezvous, and the marching of military companies with music in the streets of the city; relative to precautions against fire; relative to oaths and bonds of city officers, and penalties upon those elected to such offices refusing to serve; and relative to licensing and regulating butchers, petty grocers, or hucksters, peddlers, hawkers, and common victualers; dealers in and keepers of shops for the purchase, sale or barter of junk, old metals or second-hand articles, and pawnbrokers; under such limitations and restrictions as to them shall appear necessary. They may make any other bylaws and regulations ~~[which may seem for the well-being of the city]~~ **for the abatement of nuisances that interfere with the use or enjoyment of property**; but no bylaw or ordinance shall be repugnant to the constitution or laws of the state; and such bylaws and ordinances shall take effect and be in force from the time therein limited without the sanction or confirmation of any other authority whatever.

AMENDED ANALYSIS

This bill limits the general authority of city councils to make bylaws and ordinances to the abatement of nuisances that interfere with the use or enjoyment of property.

Majority committee amendment adopted.

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

Rep. Stavis spoke against.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 176 - NAYS 156

YEAS - 176

BELKNAP

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

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

Bordes, Mike
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Gordon, Edward
Smith, Suzanne

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill

Alexander, Joe
Berry, Ross

Ammon, Keith
Blasek, Melissa

Griffin, Barbara
Boehm, Ralph

Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Kelsey, Niki
Lascelles, Richard
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kofalt, Jim
Lewicke, John
Nunez, Hershel
Prout, Andrew
Somero, Paul

Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Sanborn, Laurie
Mayville, Mary
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Lanzara, Tom
McLean, Mark
Plett, Fred
Rouillard, Claire
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Carol
Boyd, Stephen
White, Nick

Cambrils, Jose
Moffett, Michael
Seaworth, Brian
Yakubovich, Michael

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Leavitt, John
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Thomas, Douglas
Verville, Kevin
Welch, David

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac
Turcotte, Leonard

Bailey, Glenn
Hayward, Peter
Newton, Clifford
Wuelper, Kurt

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Sandler, Catt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 156

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
Egan, Timothy
Massimilla, Linda
Stavis, Laurel

Adjutant, Joshua
Fellows, Sallie
Muirhead, Russell
Sykes, George

Almy, Susan
Hakken-Phillips, Mary
Murphy, James
Weston, Joyce

Dontonville, Roger
Ham, Bonnie
Nordgren, Sharon

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
King, Mark

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Schmidt, Janice
Labranche, Tony
Murray, Megan

Boyd, Bill
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Jack, Martin
Langley, Diane
Mangipudi, Latha

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Jeudy, Jean
Long, Patrick
McGhee, Kat

Mooney, Maureen
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
Rogers, Katherine
Shurtleff, Steve
Wolf, Dan

Allard, James
Ellison, Arthur
Luneau, David
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

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

Caplan, Tony
Hall, Muriel
Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Read, Ellen

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

Cahill, Michael
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Southworth, Thomas

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Treleaven, Susan

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Rich, Cecilia
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

and the majority committee report was adopted and the bill was ordered to third reading.
Rep. Suzanne Smith voted Yea and intended to vote Nay.

HB 1289, relative to applications for abatements and authority to abate prior years' taxes for certain homeowners. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Rosemarie Rung for the Majority of Municipal and County Government. This bill would provide homeowners exposed to the nuisances of OHRVs on class IV and V roads "good cause" to seek a tax abatement. The committee is aware that work is being done on other OHRV related bills by the Judiciary and Resources, Recreational, and Development committees and their work may inform the best course of action for this bill. Therefore, a majority voted for Interim Study to examine this issue in more depth. Vote 13-3.

Rep. Joseph Guthrie for the Minority of Municipal and County Government. This bill is not necessary. The selectmen and assessors can already determine what "good cause" is when considering an application for an abatement. The underlying causes for this bill are the result of OHRVs using public roads. A study of an abatement issue will not result in any improvement in the process. The underlying issue needs more than a study when it is very clear that the serious problem of OHRVs on public roads is the real problem.

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

HB 1307, modifying the authority and duties of the housing appeals board. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for the Majority of Municipal and County Government. This bill reduces the housing appeals board authority by first eliminating verbiage permitting unlimited review powers. Subsequently, it further limits the housing appeals board review powers by enumerating those boards and commissions whose decisions it is permitted to review. Vote 13-3.

Rep. Ivy Vann for the Minority of Municipal and County Government. This bill attempts to make changes to the authority and scope of the Housing Appeals Board (HAB), a new entity established to provide an alternative to the Superior Court for developers who seek an additional review of decisions handed down by municipal land use boards. While the sponsor testified that the bill would limit the HAB's authority and purview, its language suggests otherwise since the entities subject to HAB review are deleted from the first part of the bill, then simply re-inserted in a subsequent paragraph but in general terms. The legislation creating the board is very specific as to which local land use decisions are subject to its review, but striking them from the exhaustive list only to replace them with the more generalized language as this bill proposes, may in fact have the opposite effect of broadening the HAB's powers.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Vann spoke against.

Rep. Barbara Griffin spoke in favor.

Majority committee report adopted and the bill was ordered to third reading.

HB 1342, relative to municipal charter provisions for tax caps. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patricia Klee for the Majority of Municipal and County Government. In 2021, when SB 52 passed, one of the unintended consequences was that it omitted to provide an override feature for any municipality that did not have one in place. This bill seeks to correct that omission by allowing any municipality, that does not have an override, the ability to implement an override to their spending/tax cap, with a supermajority vote by the governing body as mandated in RSA 49-C:33, I(d). At this point in time, the only municipality that does not currently have an override ability is the city of Nashua. While many have said, based on RSA 49-C:33, I(d)'s mandate, that every municipality has this ability, it is inaccurate as shown in the Hillsborough-Southern Judicial District Court Case Number 2018-0171. In 2019, the New Hampshire Supreme Court upheld the lower court's ruling that Nashua's spending cap was unenforceable because they have no override provision as required in RSA 49-C:12, III and 49-C:33, I(d). In addition, the court went on to say that just because an elected official referred to an override provision, it was a subjective belief that the city's spending cap contained an override provision and is irrelevant to the statutory interpretation. This bill will provide Nashua with the ability to have an override with a supermajority vote by the governing body. It does not seek to reverse 2021's SB 52. The majority of the committee felt that it was unfair to single out any municipality. Vote 12-7.

Rep. Richard Tripp for the Minority of Municipal and County Government. This bill is an attempt to codify municipal tax caps in state law rather than municipal charters. It removes the ability of the municipality's voters to accept or reject charter changes. When asked why this approach was being taken rather than to simply amend the charter the answer was it would take two years to do so. It appears that the municipality intends to make use of the tax cap override provision in the near future with or without voter approval.

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

Rep. Pauer spoke against.

Rep. O'Brien spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 181

YEAS - 157

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
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
Cornell, Patricia
Goley, Jeffrey
Harriott-Gathright, Linda
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Gorski, Ted
Herbert, Christopher
Klee, Patricia
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Hamer, Heidi
Jack, Martin
Labranche, Tony
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

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

Bartlett, Christy
 Gallagher, Eric
 MacKay, James
 Schuett, Dianne
 Wallner, Mary Jane

Caplan, Tony
 Hall, Muriel
 Pimentel, Roderick
 Schultz, Kristina
 Wazir, Safiya

Ebel, Karen
 Lane, Connie
 Rogers, Katherine
 Shurtleff, Steve
 Woods, Gary

ROCKINGHAM

Altschiller, Debra
 Edgar, Michael
 Hamblet, Joan
 McBeath, Rebecca
 Simpson, Alexis

Bunker, Lisa
 Gilman, Julie
 Murray, Kate
 Meuse, David
 Somssich, Peter

Cahill, Michael
 Grossman, Gaby
 Maggiore, Jim
 Pantelakos, Laura
 Ward, Gerald

DiLorenzo, Charlotte
 Grote, Jaci
 Malloy, Dennis
 Read, Ellen

STRAFFORD

Bixby, Peter
 Fargo, Kristina
 Kenney, Cam
 Rich, Cecilia
 Vincent, Kenneth

Cannon, Gerri
 Fontneau, Timothy
 Levesque, Cassandra
 Sandler, Catt
 Wall, Janet

Chase, Wendy
 Grassie, Chuck
 Smith, Marjorie
 Southworth, Thomas
 Wuelper, Kurt

Conley, Casey
 Horrigan, Timothy
 Schmidt, Peter
 Treleven, Susan

SULLIVAN

Cloutier, John
 Sullivan, Brian

Gottling, Suzanne
 Tanner, Linda

Merchant, Gary

Oxenham, Lee

NAYS - 181**BELKNAP**

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

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

Bordes, Mike
 Howard, Raymond
 O'Hara, Travis
 Terry, Paul

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

CARROLL

Avellani, Lino
 MacDonald, John

Nelson, Bill
 Smith, Jonathan

Cordelli, Glenn
 McConkey, Mark

Deshaias, Brodie
 Umberger, Karen

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
 Folsom, Beth
 Ham, Bonnie

Berezhny, Lex
 Sanborn, Gail
 Ladd, Rick

Binford, David
 Gordon, Edward
 Simon, Matthew

Depalma IV, Joseph
 Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
 Griffin, Barbara
 Boehm, Ralph
 Kelley, Diane
 Foster, William
 Graham, John
 Infantine, William
 Lanzara, Tom
 Mayville, Mary
 Nunez, Hershel
 Prout, Andrew
 Sheehan, Vanessa

Alexander, Joe
 King, Bill
 Burt, John
 Smith, Denise
 Griffin, Gerald
 Greene, Bob
 Kelsey, Niki
 Lascelles, Richard
 McLean, Mark
 Pauer, Diane
 Renzullo, Andrew
 Somero, Paul

Ammon, Keith
 Berry, Ross
 Creighton, Jim
 Erf, Keith
 Gagne, Larry
 Healey, Robert
 Kofalt, Jim
 Lewicke, John
 Mooney, Maureen
 Plett, Fred
 Rice, Kimberly
 Lekas, Tony

Boyd, Bill
 Blasek, Melissa
 Cushman, Leah
 Fedolfi, Jim
 Gould, Linda
 Homola, Susan
 Sanborn, Laurie
 Marston, Dick
 Notter, Jeanine
 Post, Lisa
 Rouillard, Claire

MERRIMACK

Allard, James
 Leavitt, John
 Pitaro, Matthew
 Walsh, Thomas
 Yakubovich, Michael

Andrus, Louise
 McGuire, Carol
 Boyd, Stephen
 Wells, Natalie

Cambrils, Jose
 Moffett, Michael
 Seaworth, Brian
 White, Nick

Hill, Gregory
 Pearl, Howard
 Testerman, Dave
 Wolf, Dan

ROCKINGHAM

Abbas, Daryl
 Ayer, Paul

Abrami, Patrick
 Baldasaro, Al

Abramson, Max
 Baxter, Tim

Acton, Dennis
 Belanger, Cody

Bernardy, JD
Dodge, Dustin
Ford, Oliver
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Bershtein, Alan
Dolan, Tom
Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Sweeney, Joe
True, Chris
Wallace, Scott

Cali-Pitts, Jacqueline
Doucette, Fred
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Thomas, Douglas
Verville, Kevin
Welch, David

DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Torousian, Peter
Vose, Michael
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

and the majority committee report failed.

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

Minority committee report adopted.

HB 1393, relative to the adoption of school district budget caps. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the Majority of Municipal and County Government. This bill is enabling legislation that allows the legislative body of a school district to adopt a budget cap by a 3/5 supermajority vote. The budget cap limits the total dollar amount recommended by the school board or official budget committee for the fiscal year to not exceed a specific dollar amount adjusted annually, based on the average daily membership of students and an annual inflation factor. The inflation factor can be a fixed percentage, including zero, or an index published by the U.S. Bureau of Labor Statistics. Additionally, a 3/5 supermajority override provision permits the legislative body to approve total spending to exceed the budget cap when necessary. This bill offers an effective mechanism for school district voters to control spending in light of the trend across the state of rapidly increasing school district budgets despite declining student enrollments. In summary, this bill provides granite state taxpayers with a much-needed tool to rein in unsustainable spending at the local level and control escalating property taxes. Vote 10-9.

Rep. Jim Maggiore for the Minority of Municipal and County Government. While this bill is enabling, the minority believes that the bill lacks specificity in order to set a reasonable budget. More importantly, if passed, a school would experience crippling budgetary constraints. Annual increases to the school budget would be pegged to either a fixed percentage, including zero, or an inflation index published by the Bureau of Labor Statistics (BLS). The bill lacks an upper range to the percentage and any specificity as to which index from the BLS should be used. While these issues of definition could be resolved, the minority feels strongly that the fiscal impacts imposed by this bill are the salient defects. There is no accommodation in the cap for costs of and unanticipated enrollment of a student with special needs. The cost for just one special needs student range into the hundreds of thousands of dollars. Catastrophic insurance is not available until the second year of enrollment. Budgets would also include only the first-year payment on any approved long-term expenditures from bonds, multi-year projects, or contracts. If a school approves a 30-year bond, a five-year contract, and a three-year equipment lease in one year, only the first-year payments for each would be used in the calculus of all budgets moving forward.

MOTION TO LAY ON THE TABLE

Rep. Maggiore moved that **HB 1393**, relative to the adoption of school district budget caps, be laid on the table. Rep. Bergeron requested a roll call; sufficiently seconded.

YEAS 164 - NAYS 178

YEAS - 164
BELKNAP

Bordes, Mike

CARROLL

Buco, Thomas
Marsh, William

Burroughs, Anita
McAleer, Chris

Deshaies, Brodie
Woodcock, Stephen

Knirk, Jerry

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
Dontonville, Roger
Ham, Bonnie
Nordgren, Sharon
Weston, Joyce

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

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

Depalma IV, Joseph
Hakken-Phillips, Mary
Murphy, James
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Judy, Jean
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Smith, Timothy
Vann, Ivy

Bouldin, Andrew
Bergeron, Paul
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
King, Mark
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Griffin, Barbara
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Jack, Martin
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
Richards, Beth
Shurtleff, Steve
Wolf, Dan

Allard, James
Ellison, Arthur
Luneau, David
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

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

Caplan, Tony
Hall, Muriel
Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

ROCKINGHAM

Acton, Dennis
Cali-Pitts, Jacqueline
Grossman, Gaby
Malloy, Dennis
Pantelakos, Laura
Tosorian, Peter

Altschiller, Debra
DiLorenzo, Charlotte
Hamblet, Joan
McBeath, Rebecca
Read, Ellen
MacDonald, Wayne

Bunker, Lisa
Edgar, Michael
Murray, Kate
Meuse, David
Simpson, Alexis
Ward, Gerald

Cahill, Michael
Gilman, Julie
Maggiore, Jim
Paige, Mark
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Cannon, Gerri
Fontneau, Timothy
Levesque, Cassandra
Sandler, Catt
Wall, Janet

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Conley, Casey
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

SULLIVAN

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

Sullivan, Brian

NAYS - 178**BELKNAP**

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

Bean, Harry
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
Smith, Jonathan

Nelson, Bill
McConkey, Mark

Cordelli, Glenn
Umberger, Karen

MacDonald, John

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTONAlliegro, Mark
Sanborn, Gail
Simon, MatthewBerezhny, Lex
Gordon, EdwardBinford, David
Greeson, JeffreyFolsom, Beth
Ladd, Rick**HILLSBOROUGH**Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Labranche, Tony
Marston, Dick
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Warden, MarkAlexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Sheehan, VanessaAmmon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Somero, PaulBoyd, Bill
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Lekas, Tony**MERRIMACK**Andrus, Louise
McGuire, Carol
Rogers, Katherine
Walsh, ThomasCambrils, Jose
Moffett, Michael
Boyd, Stephen
Wells, NatalieHill, Gregory
Pearl, Howard
Seaworth, Brian
White, NickLeavitt, John
Pitaro, Matthew
Testerman, Dave
Yakubovich, Michael**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Harley, Tina
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Verville, Kevin
Weyler, KennethAbrami, Patrick
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Grote, Jaci
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Pearson, Stephen
Thomas, Douglas
Vose, Michael
Yokela, JoshAbramson, Max
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Guthrie, Joseph
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Tripp, Richard
Wallace, ScottAyer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harb, Robert
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Welch, David**STRAFFORD**Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac
Wuelper, KurtBailey, Glenn
Hayward, Peter
Newton, CliffordDeLemus, Susan
Horgan, James
Pitre, JosephGroen, Fenton
Kaczynski, Thomas
Turcotte, Leonard**SULLIVAN**Aron, Judy
Spilsbury, WalterCallum, John
Stapleton, WalterCloutier, John
Smith, Steven

Rollins, Skip

and the motion failed.

Rep. Torosian voted Yea and intended to vote Nay.

Rep. Grote voted Nay and intended to vote Yea.

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

Majority committee report adopted and the bill was ordered to third reading.

(Representative Steven Smith in the Chair)**REGULAR CALENDAR CONT'D****HB 1667**, relative to the standard and optional veterans' tax credits and the all veterans' tax credit. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the Majority of Municipal and County Government. This bill rectifies discrepancies pertaining to the veterans' tax credits under RSA 72. Presently, the standard and optional veterans' tax credits and the optional veterans' tax credit exclude eligibility of some service members who are in fact veterans by definition under NH statute. RSA 21:50 clearly defines a veteran as a US armed forces member who has

served four years and continues to serve or has completed their service and has been discharged or released from duty with an honorable discharge or uncharacterized discharge based on a service-connected injury, illness, or disability. Firstly, this bill aligns RSA 72 with the definition of a veteran in RSA 21:50 and further clarifies that currently serving veterans are eligible for veterans' tax credits. In addition, RSA 72 only counts service performed in Title 10 status towards the 90-day eligibility requirement. This inadvertently creates inequitable groups of veterans which is incongruent with the notion of an all-veterans' tax credit. Most national guardsmen perform the vast majority of their active duty in Title 32 status or state active-duty status, and coast guardsmen perform the vast majority of their active duty in Title 14 status. Secondly, this bill amends RSA 72 so that active-duty service, by any member of the armed forces, in any status, appropriately counts toward the 90-day service requirement in qualification for the all veterans' tax credit. To summarize, this bill clarifies that all veterans of the US armed forces pursuant to RSA 21:50 who served not less than 90 days in any active-duty status as well as service members who continue to serve are correctly classified as veterans and accordingly qualify for the veterans' property tax credits. Vote 10-8.

Rep. Patricia Klee for the Minority of Municipal and County Government. It is the minority's belief that with the ever-increasing local real estate taxes, that this bill would increase the burden of taxes to those who do not qualify for these tax credits and exemptions. The broadened definition of a veteran will add more qualified residents and thus shifting the tax burden to other groups. Title 38 USC 101 is used by the Department of Veterans Affairs to determine qualifications of benefits and very clearly defines a veteran as a person who served in actively in the military, naval, or air service and who was discharged or released therefrom under condition other than dishonorable and not those who are actively serving or attending active training. While the veterans tax credits and exemptions are enabling legislation, those municipalities who have already implemented these credits and exemptions will be mandated to uphold the broadened definition of a veteran to include active service and active training. It is true that the municipalities will not feel the burden of this expanded definition, it is also true that those taxpayers who do not qualify will see an increase in their real estate taxes. If a municipality chose not to pass on this burden, they would have to roll back the amount that they currently give as an exemption or credit or eliminate it all together. In 2020, based on the Department of Revenue Administration (DRA), New Hampshire had granted a total of \$31,775,637 in tax relief to 54,654 veterans and the spouses and children of veterans. Municipalities such as Derry, Dover, Hampton, Londonderry, Manchester, and Nashua had granted veterans tax relief in the amounts of \$533,667; \$892,760; \$774,100; \$640,750; \$1,372,526; \$1,541,710 respectively. While the intent is well meaning, this bill will only add taxes to those residents who do not qualify for these credits and exemptions.

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

Rep. Klee spoke against.

Rep. Pauer spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 205 - NAYS 127

YEAS - 205

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Littlefield, Richard
Terry, Paul

Bean, Harry
Hough, Gregg
O'Hara, Travis
Trottier, Douglas

Bordes, Mike
Johnson, Dawn
Ploszaj, Tom
Varney, Peter

Comtois, Barbara
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
Deshaies, Brodie
Umberger, Karen

Nelson, Bill
MacDonald, John
Woodcock, Stephen

Burroughs, Anita
McAleer, Chris

Cordelli, Glenn
McConkey, Mark

CHESHIRE

Faulkner, Barry
Schapiro, Joe

Mann, John

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin
Thompson, Dennis

Kelley, Eamon
Tucker, Edith

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Egan, Timothy
Gordon, Edward
Massimilla, Linda

Berezhny, Lex
Fellows, Sallie
Greeson, Jeffrey
Simon, Matthew

Binford, David
Folsom, Beth
Ham, Bonnie

Depalma IV, Joseph
Sanborn, Gail
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Baroody, Benjamin
Bouchard, Donald
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Jack, Martin
Langley, Diane
Marston, Dick
Mullen, Sue
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Veilleux, Daniel

Alexander, Joe
Berry, Ross
Burt, John
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Notter, Jeanine
Petrigno, Peter
Renzullo, Andrew
Snow, Kendall

Boyd, Bill
Blasek, Melissa
Chretien, Jacqueline
Kelley, Diane
Foster, William
Gould, Linda
Herbert, Christopher
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Nunez, Hershel
Plett, Fred
Rice, Kimberly
Somero, Paul

King, Bill
Boehm, Ralph
Cohen, Bruce
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Labranche, Tony
Lewicke, John
Mooney, Maureen
Nutter-Upham, Frances
Post, Lisa
Rombeau, Catherine
Toomey, Dan

MERRIMACK

Allard, James
Hill, Gregory
Pearl, Howard
Soucy, Timothy
White, Nick

Andrus, Louise
Leavitt, John
Pitaro, Matthew
Testerman, Dave
Wolf, Dan

Cambrils, Jose
McGuire, Carol
Boyd, Stephen
Walsh, Thomas
Yakubovich, Michael

Caplan, Tony
Moffett, Michael
Seaworth, Brian
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Piemonte, Tony
Read, Ellen
Soti, Julius
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Edgar, Michael
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Potucek, John
Roy, Terry
Spillane, James
Tripp, Richard
MacDonald, Wayne

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Grote, Jaci
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
True, Chris
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Prudhomme-O'Brien, Katherine
Simpson, Alexis
Thomas, Douglas
Verville, Kevin
Welch, David

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kaczynski, Thomas
Pitre, Joseph

Bailey, Glenn
Harrington, Michael
Kittredge, Mac
Turcotte, Leonard

DeLemus, Susan
Hayward, Peter
Levesque, Cassandra
Vincent, Kenneth

Fontneau, Timothy
Horgan, James
Newton, Clifford
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Tanner, Linda

Rollins, Skip

Spilsbury, Walter

**NAYS - 127
BELKNAP**

Howard, Raymond

CARROLL

Buco, Thomas

Smith, Jonathan

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Fenton, Donovan
Qualey, James
Welkowitz, Lawrence

Ames, Richard
Gomarlo, Jennie
Toll, Amanda Elizabeth

Bordenet, John
Maneval, Andrew
Von Plinsky, Sparky

Eaton, Daniel
Parshall, Lucius
Weber, Lucy

COOS

Hatch, William

Laflamme, Larry

GRAFTON

Abel, Richard
Hakken-Phillips, Mary
Stavis, Laurel

Adjutant, Joshua
Muirhead, Russell
Smith, Suzanne

Almy, Susan
Murphy, James
Sykes, George

Dontonville, Roger
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Espitia, Manny
Hamer, Heidi
Klee, Patricia
Murray, Megan
O'Brien, Michael
Porter, Marjorie
Rung, Rosemarie
Van Houten, Constance

Ammon, Keith
Bergeron, Paul
Freitas, Mary
Harriott-Gathright, Linda
Klein-Knight, Nicole
Mangipudi, Latha
Pedersen, Michael
Query, Joshua
Newman, Sue
Vann, Ivy

Bouldin, Andrew
Cornell, Patricia
Goley, Jeffrey
Schmidt, Janice
Long, Patrick
McGhee, Kat
Perez, Maria
Newman, Ray
Lekas, Tony
Wilhelm, Matthew

Griffin, Barbara
Dutzy, Sherry
Griffith, Willis
Judy, Jean
King, Mark
Nutting-Wong, Allison
Piedra, Israel
Rouillard, Claire
Telerski, Laura

MERRIMACK

Alicea, Caroletta
Gallager, Eric
MacKay, James
Schamberg, Thomas
Wallner, Mary Jane

Bartlett, Christy
Hall, Muriel
Pimentel, Roderick
Schuett, Dianne
Wazir, Safiya

Ebel, Karen
Lane, Connie
Richards, Beth
Schultz, Kristina
Woods, Gary

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

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Murray, Kate
Meuse, David
Ward, Gerald

Bunker, Lisa
Gilman, Julie
Maggiore, Jim
Paige, Mark
Yokela, Josh

Cahill, Michael
Grossman, Gaby
Malloy, Dennis
Pantelakos, Laura

Cali-Pitts, Jacqueline
Hamblet, Joan
McBeath, Rebecca
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Smith, Marjorie
Treleaven, Susan

Cannon, Gerri
Grassie, Chuck
Rich, Cecilia
Wall, Janet

Chase, Wendy
Horrigan, Timothy
Sandler, Catt

Conley, Casey
Kenney, Cam
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne

Merchant, Gary

Oxenham, Lee

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

MOTION TO REMOVE FROM THE TABLE

Rep. Beaulieu moved that **HB 1177**, relative to permissible residential units in a residential zone, be removed from the table.

Rep. Tripp requested a roll call; sufficiently seconded.

YEAS 159 - NAYS 176

**YEAS - 159
BELKNAP**

Bordes, Mike

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Umberger, Karen

Knirk, Jerry
Woodcock, Stephen

Marsh, William

CHESHIRE

Abbott, Michael
Faulkner, Barry
Mann, John
Toll, Amanda Elizabeth

Ames, Richard
Fox, Dru
Parshall, Lucius
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Santonastaso, Matthew
Weber, Lucy

Eaton, Daniel
Maneval, Andrew
Schapiro, Joe
Welkowitz, Lawrence

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

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

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

Almy, Susan
Massimilla, Linda
Stavis, Laurel

Dontonville, Roger
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Lekas, Alicia
Beaulieu, Jane

Bouldin, Amanda
Bergeron, Paul

Bouldin, Andrew
Bouchard, Donald

Baroody, Benjamin
Chretien, Jacqueline

Cohen, Bruce
Freitas, Mary
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Rombeau, Catherine
Lekas, Tony
Vann, Ivy

Cornell, Patricia
Griffith, Willis
Infantine, William
Klee, Patricia
Long, Patrick
McGhee, Kat
O'Brien, Michael
Porter, Marjorie
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Dutzy, Sherry
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
King, Mark
Mullen, Sue
Pedersen, Michael
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Espitia, Manny
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Snow, Kendall
Van Houten, Constance

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Richards, Beth
Schultz, Kristina
Wazir, Safiya

Bartlett, Christy
Gallager, Eric
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

Caplan, Tony
Hall, Muriel
Moffett, Michael
Schamberg, Thomas
Soucy, Timothy

Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

Baxter, Tim
Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Paige, Mark
Yokela, Josh

Belanger, Cody
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Read, Ellen

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Southworth, Thomas

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

Chase, Wendy
Horrigan, Timothy
Rich, Cecilia
Vincent, Kenneth

Conley, Casey
Kenney, Cam
Sandler, Catt
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

NAYS - 176

BELKNAP

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

Bean, Harry
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Nelson, Bill
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie

CHESHIRE

COOS

Craig, Kevin

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Fellows, Sallie
Greeson, Jeffrey

Berezhny, Lex
Folsom, Beth
Ham, Bonnie

Binford, David
Sanborn, Gail
Ladd, Rick

Depalma IV, Joseph
Gordon, Edward
Simon, Matthew

HILLSBOROUGH

Alexander, Joe
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Kelsey, Niki
Lascelles, Richard
McLean, Mark

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kofalt, Jim
Lewicke, John
Mooney, Maureen

Boyd, Bill
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Sanborn, Laurie
Marston, Dick
Notter, Jeanine

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Lanzara, Tom
Mayville, Mary
Nunez, Hershel

Pauer, Diane
Prout, Andrew
Sheehan, Vanessa

Petrigno, Peter
Renzullo, Andrew
Somero, Paul

Plett, Fred
Rice, Kimberly

Post, Lisa
Rouillard, Claire

MERRIMACK

Allard, James
Leavitt, John
Boyd, Stephen
Wells, Natalie

Andrus, Louise
McGuire, Carol
Seaworth, Brian
White, Nick

Cambrils, Jose
Pearl, Howard
Testerman, Dave
Wolf, Dan

Hill, Gregory
Pitaro, Matthew
Walsh, Thomas
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
Osborne, Jason
Pratt, Kevin
Soti, Julius
Torosian, Peter
Vose, Michael
Welch, David

Abrami, Patrick
Baldasaro, Al
Dodge, Dustin
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Major, Norman
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne
Weyler, Kenneth

Abramson, Max
Bernardy, JD
Dolan, Tom
Gay, Betty
Hobson, Deborah
Khan, Aboul
Love, David
McBride, Everett
Piemonte, Tony
Roy, Terry
Sweeney, Joe
True, Chris
Wallace, Scott

Acton, Dennis
Bershtein, Alan
Doucette, Fred
Green, Dennis
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Melvin, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Verville, Kevin
Ward, Gerald

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Bailey, Glenn
Harrington, Michael
Kittredge, Mac
Wuelper, Kurt

DeLemus, Susan
Hayward, Peter
Newton, Clifford

Fontneau, Timothy
Horgan, James
Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spillsbury, Walter

and the motion failed.

REGULAR CALENDAR CONT'D

HB 1432, prohibiting the use of state funds for new passenger rail projects. **WITHOUT RECOMMENDATION** Statement in support of Ought to Pass: If adopted, this bill would prohibit the use of state funds for the planning, construction, operation or management of any passenger rail projects in New Hampshire. No passenger rail service in the world operates without extensive public subsidies and passage of this bill would ensure that New Hampshire does not go down that path. There are some who argue that the bill might jeopardize the use of private-public partnerships on passenger rail. Nothing in this bill prohibits any political sub-division of the state, such as Nashua or Manchester, from entering into such partnerships. There is an ongoing project development phase for the Capital Corridor rail service project that was funded entirely with federal funds. The results of this work will be available sometime in 2023 and is supposed to include estimates on construction costs, operating costs, ridership and recommendations on how to pay for it all. This legislation, when signed into law, will provide clear notice to those making recommendations on how to fund passenger rail in New Hampshire that such recommendations not include monies from the state.

Rep. John Graham

Statement in support of Inexpedient to Legislate: Committee members who support Inexpedient to Legislate believe this bill is premature. In 2019, the New Hampshire Department of Transportation (DOT) was authorized to conduct a project development phase for the proposed Capitol Corridor Rail Line between Manchester and Boston, MA under the state's 10-Year Transportation Plan when Senate Bill 241 became law. The project development, scheduled to be completed in 2023, is being entirely paid for with federal transportation funds. No state dollars are being utilized for this project development. When completed next year, the project development should give the legislature a clearer picture of the total capital and operating costs for establishing a passenger rail line. Then the real debate of how such costs will be paid for can actually begin. While the use of state funds is possible, there are plenty of other financing options. Such options include requiring the communities and businesses, to be served by the proposed rail line, to help pay for the service. Others might be federal transportation funds like those from the bipartisan infrastructure law recently enacted by the U.S. Congress. Additionally, there is the possibility of financing passenger rail through a public-private partnership or series of partnerships, also known as "PPPs" or "P3s." Such partnerships were authorized in 2016 under Senate Bill 549, a bipartisan measure, enacted to help pay for specified transportation projects including bus and rail lines. Furthermore, we believe that if this bill becomes law, it could not only affect

the proposed Capitol Corridor Rail Line, but also prohibit state aid in the future to the present Downeaster and Vermonter Passenger Lines. Rail lines which provide service to New Hampshire, but are entirely paid for by the states of Maine and Vermont. Finally, while this bill could become law, and prohibit the current legislature from allocating state money for passenger rail, a future legislature could easily repeal the law. In other words, no legislature can ever “bind” a future legislature on this or other policy manners.

Rep. John Cloutier

MOTION TO LAY ON THE TABLE

Rep. O'Brien moved that **HB 1432**, prohibiting the use of state funds for new passenger rail projects, be laid on the table.

Rep. O'Brien requested a roll call; sufficiently seconded.

YEAS 152 - NAYS 182

YEAS - 152

CARROLL

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

McAleer, Chris

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

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
Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Jeudy, Jean
Long, Patrick
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Ammon, Keith
Bergeron, Paul
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
King, Mark
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Van Houten, Constance

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Vann, Ivy

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Jack, Martin
Langley, Diane
Mangipudi, Latha
O'Brien, Michael
Piedra, Israel
Rombeau, Catherine
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Rogers, Katherine
Soucy, Timothy

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

Caplan, Tony
Hall, Muriel
Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

Ebel, Karen
Lane, Connie
Richards, Beth
Shurtleff, Steve
Woods, Gary

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Maggiore, Jim
Paige, Mark
Simpson, Alexis

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Malloy, Dennis
Pantelakos, Laura
MacDonald, Wayne

Cahill, Michael
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Read, Ellen
Ward, Gerald

Cali-Pitts, Jacqueline
Grossman, Gaby
Pearson, Mark
Meuse, David
Pearson, Stephen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Smith, Marjorie
Treleaven, Susan

Cannon, Gerri
Grassie, Chuck
Rich, Cecilia
Wall, Janet

Chase, Wendy
Kenney, Cam
Sandler, Catt

Conley, Casey
Levesque, Cassandra
Southworth, Thomas

SULLIVAN

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

Oxenham, Lee

NAYS - 182**BELKNAP**

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

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

Bordes, Mike
Howard, Raymond
O'Hara, Travis
Terry, Paul

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

CARROLL

Avellani, Lino
Deshaies, Brodie
Umberger, Karen

Nelson, Bill
MacDonald, John

Buco, Thomas
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin
Tucker, Edith

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Labranche, Tony
Marston, Dick
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Lekas, Tony

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Warden, Mark

Boyd, Bill
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Lascelles, Richard
McGhee, Kat
Nunez, Hershel
Prout, Andrew
Sheehan, Vanessa

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Sanborn, Laurie
Lewicke, John
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Somero, Paul

MERRIMACK

Allard, James
Leavitt, John
Pitaro, Matthew
Testerman, Dave
Wolf, Dan

Andrus, Louise
McGuire, Carol
Boyd, Stephen
Walsh, Thomas
Yakubovich, Michael

Cambrils, Jose
Moffett, Michael
Schamberg, Thomas
Wells, Natalie

Hill, Gregory
Pearl, Howard
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Hobson, Deborah
Khan, Aboul
Love, David
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris
Welch, David

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Piemonte, Tony
Somssich, Peter
Thomas, Douglas
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Layon, Erica
Major, Norman
Potucek, John
Soti, Julius
Torousian, Peter
Vose, Michael
Yokela, Josh

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Melvin, Charles
Pratt, Kevin
Spillane, James
Tripp, Richard
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kaczynski, Thomas
Turcotte, Leonard

Bailey, Glenn
Hayward, Peter
Kittredge, Mac
Wuelper, Kurt

DeLemus, Susan
Horgan, James
Newton, Clifford

Groen, Fenton
Horrigan, Timothy
Pitre, Joseph

SULLIVAN

Aron, Judy
and the motion failed.

Rep. Graham moved Ought to Pass and spoke in favor.
Rep. Jack spoke against.
Rep. Potucek requested a roll call; sufficiently seconded.

YEAS 187 - NAYS 144**YEAS - 187****BELKNAP**

Aldrich, Glen	Bean, Harry	Bordes, Mike	Comtois, Barbara
Harvey-Bolia, Juliet	Hough, Gregg	Howard, Raymond	Johnson, Dawn
Lang, Timothy	Littlefield, Richard	O'Hara, Travis	Ploszaj, Tom
Silber, Norman	Sylvia, Michael	Terry, Paul	Trottier, Douglas
Varney, Peter			

CARROLL

Avellani, Lino	Nelson, Bill	Buco, Thomas	Cordelli, Glenn
Deshaies, Brodie	MacDonald, John	Smith, Jonathan	McConkey, Mark
Umberger, Karen			

CHESHIRE

Qualey, James	Rhodes, Jennifer	Santonastaso, Matthew
---------------	------------------	-----------------------

COOS

Craig, Kevin	Merner, Troy	Theberge, Robert	Thompson, Dennis
Tucker, Edith			

GRAFTON

Alliegro, Mark	Berezhny, Lex	Binford, David	Depalma IV, Joseph
Folsom, Beth	Sanborn, Gail	Gordon, Edward	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
Boehm, Ralph	Burt, John	Creighton, Jim	Cushman, Leah
Kelley, Diane	Smith, Denise	Erf, Keith	Fedolff, Jim
Foster, William	Griffin, Gerald	Gagne, Larry	Goley, Jeffrey
Gorski, Ted	Gould, Linda	Graham, John	Greene, Bob
Healey, Robert	Herbert, Christopher	Homola, Susan	Infantine, William
Kelsey, Niki	Kofalt, Jim	Sanborn, Laurie	Lanzara, Tom
Lascalles, Richard	Lewicke, John	Marston, Dick	Mayville, Mary
McLean, Mark	Mooney, Maureen	Mullen, Sue	Notter, Jeanine
Nunez, Hershel	Pauer, Diane	Plett, Fred	Post, Lisa
Prout, Andrew	Renzullo, Andrew	Rice, Kimberly	Rombeau, Catherine
Rouillard, Claire	Sheehan, Vanessa	Somero, Paul	Lekas, Tony
Warden, Mark			

MERRIMACK

Allard, James	Andrus, Louise	Cambrils, Jose	Hill, Gregory
Leavitt, John	McGuire, Carol	Moffett, Michael	Pearl, Howard
Boyd, Stephen	Schamberg, Thomas	Seaworth, Brian	Testerman, Dave
Walsh, Thomas	Wells, Natalie	White, Nick	Wolf, Dan
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	Edwards, Jess	Ford, Oliver
Gay, Betty	Green, Dennis	Guthrie, Joseph	Harb, Robert
Hobson, Deborah	Nelson, Jodi	Janigian, John	Katsakiores, Phyllis
Khan, Aboul	Kimball, Mary Ann	Layon, Erica	Litchfield, Melissa
Love, David	Lynn, Bob	Pearson, Mark	Major, Norman
Melvin, Charles	Osborne, Jason	Piemonte, Tony	Potucek, John
Pratt, Kevin	Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen
Soti, Julius	Spillane, James	Sweeney, Joe	Thomas, Douglas

Torosian, Peter
Vose, Michael
Weyler, Kenneth

Tripp, Richard
MacDonald, Wayne
Yokela, Josh

True, Chris
Wallace, Scott

Verville, Kevin
Welch, David

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Bailey, Glenn
Harrington, Michael
Kittredge, Mac
Wuelper, Kurt

DeLemus, Susan
Hayward, Peter
Newton, Clifford

Fargo, Kristina
Horgan, James
Pitre, Joseph

SULLIVAN

Aron, Judy

Callum, John

Rollins, Skip

Spilsbury, Walter

NAYS - 144

CARROLL

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

McAleer, Chris

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

GRAFTON

Abel, Richard
Egan, Timothy
Muirhead, Russell
Sykes, George

Adjutant, Joshua
Fellows, Sallie
Murphy, James
Weston, Joyce

Almy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon

Dontonville, Roger
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Hamer, Heidi
Jeu, Jean
Langley, Diane
Mangipudi, Latha
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Van Houten, Constance

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Harriott-Gathright, Linda
Klee, Patricia
Long, Patrick
McGhee, Kat
Perez, Maria
Query, Joshua
Snow, Kendall
Vann, Ivy

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Schmidt, Janice
Klein-Knight, Nicole
King, Mark
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Telerski, Laura
Veilleux, Daniel

Bergeron, Paul
Cornell, Patricia
Griffith, Willis
Jack, Martin
Labranche, Tony
Murray, Megan
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Richards, Beth
Shurtleff, Steve
Woods, Gary

Bartlett, Christy
Gallager, Eric
MacKay, James
Rogers, Katherine
Soucy, Timothy

Caplan, Tony
Hall, Muriel
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Ebel, Karen
Lane, Connie
Pitaro, Matthew
Schultz, Kristina
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Read, Ellen

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

Cahill, Michael
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Smith, Marjorie
Vincent, Kenneth

Cannon, Gerri
Grassie, Chuck
Rich, Cecilia
Wall, Janet

Chase, Wendy
Horrigan, Timothy
Sandler, Catt

Conley, Casey
Levesque, Cassandra
Southworth, Thomas

SULLIVAN

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

Oxenham, Lee

and the motion was adopted and the bill was ordered to third reading.
Rep. Goley voted Yea and intended to vote Nay.

HB 2022, relative to the 10-year transportation plan. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. John Graham for the Majority of Public Works and Highways. This bill is the biennial update to the state's Ten-Year Transportation Plan (TYP) as required by RSA 228:99 and RSA 240. The draft plan of all projects can be found on the Department of Transportation (DOT) website and covers fiscal years 2023-2032. The plan spends \$4.65 billion over the next ten years. The plan is fiscally constrained to anticipated revenues and does include the federal funding from the recently passed bipartisan infrastructure bill. Furthermore, the funding is from several different federal appropriations, state highway funds, as well as turnpike funds. In broad categories spending is as follows: Individual road projects \$973.8million; roadsides (culverts, guard rails, etc.) \$273.5 million; paving, \$876.1 million; bridges, \$997.4 million; mandated federal programs, \$359.4 million; rail, \$10.5 million; transit, \$416.34 million; airports, \$382 million; debt service, \$221.6 million; active transportation, \$171.5 million. Active transportation is a new category for this TYP. It encompasses projects such as pedestrian walkways or bicycle trails and was broken out due to citizen interest in support of this type of transportation network. An example of a project under this heading is the replacement of a pedestrian bridge over the Souhegan River in Merrimack at a cost of \$1.2 million. The overall planning sequence starts at the municipal level, is coordinated at the regional level by the regional planning commissions who forward their recommendations for changes, deletions or additions to the DOT. The department began working with the Governor's Advisory Council on Intermodal Transportation (GACIT) last July to begin the refinement of the draft plan, with the initial draft being released last September. Over the next 2 months the GACIT held 22 public hearings, each chaired by one of the Executive Councilors. As the hearings were going on it became obvious that additional federal money would be coming to the state as a result of the bipartisan infrastructure bill. The overall strategy that the GACIT and the department used to refine the initial plan and incorporate the increase in federal funding was fund regional priority projects; focus on the preservation and maintenance of the existing network of roads and bridges; continue to prioritize core system projects such as the fixing Red List bridges. The passage of the federal bill in the late stages of the GACIT process with additional funding for only five years led the GACIT and the department to recommend accelerating existing TYP projects, fully funding projects that had been scaled back due to lack of funds, and convert projects that were to be bonded to cash payments. In the federal legislation there was a carve out of funds that can only be utilized for bridges, some \$45 million a year. The GACIT proposed setting aside 15% of this money for use on municipal bridges, but due to time constraints were unable to recommend which municipal bridges would be funded. The committee working with DOT was able to develop a plan that covers bridges in 43 cities or towns. The list is included in the committee amendment. One segment of the transportation system that was not part of the largesse received from the federal funding is the turnpike system. Over the past several years, due to the decrease in traffic volume and the elimination of toll plazas, turnpike revenue has declined considerably. This decline is forcing the delay of several major turnpike projects by two to four years. Projects such as the rehabilitation of the General Sullivan Bridge will not be completed until 2026, while the expansion of the Everett Turnpike from Nashua through Merrimack and Bedford will not be finished until 2028. This is why the majority committee amendment calls for the ownership transfer of Continental Blvd to the town of Merrimack. This road is currently maintained by the turnpike system, but is tangential to the system as a whole. The majority of the committee feels that to continue to expend limited turnpike funds in maintaining a roadway that does not contribute to the system as a whole is unwarranted. The majority also believes that based on historical cost data from DOT that the figure used by the minority for annual maintenance appears to be inflated. If it is not, then the same annual costs would be on the turnpike system. At the request of the Hudson delegation the committee amendment reinstates a feasibility study of construction on the southern portion of the Hudson circumferential highway. The amendment also cleans up several RSA's dealing with the turnpike system. Many of the items being repealed were from the 1970's, well before the beginning of the TYP process and had simply not been updated. The changes clarify that the TYP process is the mechanism for proposing and funding turnpike projects. Finally, the amendment requires a traffic and safety study of portions of Route 153 to see what, if any, improvements to the roadway may be needed in the future. This TYP is fiscally constrained and utilizes all available funding without over promising. The overwhelming bipartisan majority of the committee supports this amendment and bill. Vote 21-2.

Rep. Bill Boyd for the Minority of Public Works and Highways. We unequivocally support the Department of Transportation's 10-year plan except the amendment which moves Continental Boulevard, an arterial roadway connecting the F.E. Everett Turnpike with Routes 101A and three, all State roads, and all costs associated with the maintenance of this roadway to the Town of Merrimack. This downshifting of costs to the local taxpayers is estimated to exceed \$200,000 annually. Continental Boulevard is not used for local town navigation. It facilitates travel between Nashua, Amherst, Hollis, Milford and points west. The minority believes that local taxpayers should not assume costs for state roads that only serve the state's interests. The traffic volumes on the state section of Continental Boulevard exceed those of any Merrimack public road - including the urban compact (Class IV) section of Daniel Webster Highway (Route three). Continental Boulevard's primary purpose serves as a thoroughfare for these state roads. Consequently, it should remain under state control.

Majority Amendment (0745h)

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

2 Ownership Transfer. The project named Nashua-Merrimack-Bedford, project number 13761, shall be amended to provide that the commissioner of the department of transportation shall transfer ownership of the state-owned portion of Continental Boulevard in Merrimack to the town of Merrimack no later than July 1, 2025.

3 Project Restored. The project named Hudson, project number 42108 in the 2021-2030 10-year transportation improvement plan, to construct a roadway between Route 3A and Route 111 as the southern portion of the circumferential highway, shall be included and amended in the 2023-2032 10-year transportation improvement plan to require the department of transportation evaluate the feasibility of constructing said roadway with engineering totaling \$250,375 in fiscal year 2024 and \$750,000 in fiscal year 2025, contingent on the availability of federal funding.

4 Route 153 Report. The commissioner of the department of transportation shall submit an annual report to the long range capital planning and utilization committee relative to Route 153 from the Wakefield town line to the Eaton/Conway town line. Said report shall be submitted to the department of transportation by January 1 of each year and shall include the following:

(a) Traffic counts by town with average speed data.

(b) Road conditions to include shoulders.

(c) Accident data by location.

(d) Correspondences to the department from the towns and citizens with safety concerns in this corridor.

5 The commissioner of the department of transportation may modify funding sources and accelerate schedules of municipally owned bridge projects in the 2022-2032 10-year transportation improvement plan by leveraging additional funding opportunities made available to New Hampshire. Funding sources include the state aid bridge (SAB) program, municipally owned bridge rehabilitation and replacement (MOBRR) program, and municipal owned bridge-bipartisan infrastructure law (MOBIL) program. Recommended changes are based on the eligibility of projects for federal aid funds. To be eligible for MOBIL funding a bridge must be 20 feet or greater in length and off the federal aid system. The affected projects are:

Project	Funding	Proposed TYP Year
ALSTEAD 40649	SAB to MOBIL	2026
ALSTEAD 40661	SAB to MOBIL	2024
AMHERST 40654	SAB	2023
AMHERST 40657	SAB to MOBIL	2024
ANDOVER 41407	SAB to MOBIL	2024
ANTRIM 14942	SAB	2023
AUBURN 29316	SAB to MOBIL	2023
BARRINGTON 26722	SAB	2023
BARRINGTON 41410	SAB	2025
BEDFORD 21684	SAB	2023
BEDFORD 24217	SAB to MOBIL	2023
BOW 24223	SAB	2024
BOW 24224	SAB	2025
BROOKLINE 41408	SAB	2025
CANAAN 26704	SAB	2023
CANAAN 41399	SAB to MOBIL	2023
CANAAN 41406	SAB to MOBIL	2024
COLEBROOK 40651	SAB	2023
COLEBROOK 40652	SAB	2023
COLEBROOK 40655	SAB to MOBIL	2023
CONCORD 41212	MOBRR	2023
DORCHESTER 42091	SAB	2023
DORCHESTER 42092	SAB	2025
ENFIELD 13592	SAB to MOBIL	2025
FRANCESTOWN 42709	SAB to MOBIL	2026
FREMONT 23793	SAB	2023
GOFFSTOWN 41597	SAB	2025
HARRISVILLE 16114	SAB to MOBIL	2026
JACKSON 40808	SAB	2023
JAFFREY 41401	SAB	2023
KEENE 40653	SAB	2023
KEENE-SWANZEY 40666	MOBRR	2025
LACONIA 26706	SAB to MOBIL	2023

LACONIA 43845	MOBRR	2026
LANCASTER 22192	SAB	2025
LEBANON 13558A	MOBRR	2023
LEBANON 24221	SAB to MOBIL	2023
LEBANON 24222	MOBRR	2023
MADBURY 41462	SAB	2026
MANCHESTER 15837	SAB to MOBRR	2025
MANCHESTER 24206	MOBRR	2024
MANCHESTER 24212	MOBRR	2024
MERRIMACK 29174	MOBRR	2026
MILTON, NH-LEBANON, ME 40658	MOBRR	2023
NEW BOSTON 14771	SAB to MOBIL	2026
NEW BOSTON 15505	SAB to MOBIL	2024
NEWPORT 20006	SAB	2023
ORFORD 41151	SAB to MOBIL	2023
PELHAM 29450	SAB to MOBIL	2023
PITTSFIELD 14972	SAB	2025
RICHMOND 29055	SAB to MOBIL	2023
RICHMOND 29056	SAB	2023
RUMNEY 27162	SAB	2023
SANDOWN 41412	SAB	2027
SUGAR HILL 24218	SAB to MOBIL	2023
SWANZEY 41403	SAB to MOBIL	2024
WEARE 14338	SAB	2026
WEBSTER 40810	SAB to MOBIL	2023
WENTWORTH 40648	SAB	2023
WILTON 15767	SAB	2023
WILTON 15768	SAB to MOBIL	2025

6 Turnpike Authority; Authority Granted. RSA 237:2 is repealed and reenacted to read as follows:

237:2 Authority Granted. The commissioner of the department of transportation, with the approval of the governor and council, is authorized to make such other and further improvements to the New Hampshire turnpike system as may be required by RSA 240.

7 Turnpike Authority; Limitations. Amend RSA 237:5, II(h) to read as follows:

(h) Establish a ~~[temporary]~~ turnpike engineering section ~~[for the period of design and construction of any portion of the system, assign permanent employees of the department of transportation to duties and positions in said section]~~ and employ such engineers and assistants as may be necessary ~~[on a temporary basis for said period of]~~ **for** design and construction. The costs of said turnpike engineering section shall be a charge against the funds made available under this chapter or otherwise for the system.

8 Turnpike System; Funds Provided. RSA 237:7 is repealed and reenacted to read as follows:

237:7 Funds Provided.

I. The amounts necessary to fund turnpike system projects approved in the state 10-year transportation improvement plan as authorized by RSA 240 are hereby appropriated.

II. After substantial completion of the project or projects authorized by paragraph I of this section the governor and council may transfer appropriations for such project or projects to other projects under this chapter. The appropriations made by this chapter shall be continuing appropriations and shall not lapse.

III. The governor and council are authorized under RSA 237-A to provide, solely by resolutions or by trust or security agreements, without further appropriation, for application or expenditures of moneys deposited or held in funds established in connection with the issuance of revenue bonds under RSA 237-A, including without limitation the application of moneys to operate, maintain, and make improvements to the turnpike system, to pay costs of issuance of bonds including costs of traffic studies and engineering reports prepared for issuance of bonds, and to establish and maintain reserves.

9 Repeals. The following are repealed:

I. RSA 237:5, I, relative to the authority of the commissioner of the department of transportation.

II. RSA 237:5, II(o), relative to limitations on the authority of the commissioner of the department of transportation.

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

Majority committee amendment adopted.

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

Rep. Bill Boyd offered minority committee amendment (0859h).

Minority Amendment (0859h)

Amend the bill by deleting section 2 and renumbering the original sections 3-10 to read as 2-9, respectively. Rep. Bill Boyd spoke in favor and yielded to questions.

Reps. Abbott and Graham spoke against.

Rep. Rung spoke in favor.

On a division vote, with 148 members having voted in the affirmative, and 181 in the negative, the minority committee amendment failed.

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

Majority committee report adopted and the bill was ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. Osborne moved that **HB 1097**, relative to taxation of income of New Hampshire residents when working remotely for an out of state employer, be made a Special Order as the next order of business.

Motion adopted.

SPECIAL ORDER

HB 1097, relative to taxation of income of New Hampshire residents when working remotely for an out of state employer. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Walter Spillsbury for the Majority of Ways and Means. This bill addresses an issue that arose during the COVID-19 pandemic, when the Commonwealth of Massachusetts required that certain New Hampshire residents, who customarily commuted to work at employer sites within Massachusetts, but who instead were working exclusively from home in New Hampshire, continue to be subject to Massachusetts' personal income tax and withholding requirements. Governor Sununu immediately lodged objection to this assertion of taxation power across state lines, but Massachusetts did not back off. Subsequently, New Hampshire, through its Attorney General, filed suit before the United States Supreme Court, invoking the court's original jurisdiction under the U.S. Constitution to resolve legal disputes arising directly between two states. The court decided to dismiss the complaint (without explanation, as is common) despite assertions that it was required to accept jurisdiction. One can speculate as to why the Justices elected not to take up the case, knowing that this is a power that they are reluctant to invoke and knowing that they often seek to avoid further burdening their calendar when they do not believe a particular controversy demands resolution by them at that juncture. One possibility is that they did not detect that the State of New Hampshire had a sovereign interest to protect, independent of the claims of any individually aggrieved taxpayer, who might conceivably be asked to litigate in his own right, thus drawing into question the issue of standing on the part of the state. Alternatively, they may have conjectured that the dispute was temporary, likely to disappear soon, as the emergency receded. Indeed, more recently in October 2022, Massachusetts let its emergency order in this regard lapse, as the pandemic was lessening in urgency, thus rendering the pending dispute moot. Even so, the committee took up the bill with an eye on preventing a recurrence. As originally drafted, this bill asserted that, "No state has the power to tax value earned outside of its borders, ...," but it created no viable means of enforcing such an admonishment directly against any other offending state and potentially created ambiguities over the term "value earned." The committee believes that this bill addresses a very important issue that was offensive to New Hampshire's independent sovereignty and that this issue must still be addressed preemptively, lest it arise again without recourse. Yet, the committee concluded that the bill needs to be re-framed. In concert with the Attorney General and the Department of Revenue Administration, the committee's amendment seeks to re-aim the bill towards firmly and unequivocally establishing an explicit claim of policy and sovereign interest that will put other states on notice and clearly lay the foundation for successful litigation if it should ever again become necessary. Vote 17-6.

Rep. Mary Hakken-Phillips for the Minority of Ways and Means. The minority agrees with the majority that personal income earned by New Hampshire residents working entirely remotely within New Hampshire should be protected from personal income taxation by other states. But the minority believes the complexities of interstate taxation and constitutional interstate commerce law require that the proposed statutory assertion of state sovereignty in this matter must be further studied in conjunction with legal and tax experts at the Department of Revenue Administration and Attorney General's offices. The matter of remote work and multi-state income taxation is increasingly a ripe question for judicial determination, but the minority believes that a deeper understanding of the complexities is needed to develop a statute putting the state in the best possible position to protect its citizens.

Majority Amendment (1037h)

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

1 New Chapter; Position on Out-of-state Taxation of Remote Worker Income. Amend RSA by inserting after chapter 78-E the following new chapter:

CHAPTER 78-F

POSITION ON OUT-OF-STATE TAXATION OF REMOTE WORKER INCOME

78-F:1 Purpose. In order to promote the health of its economy and the welfare of its citizens, by preserving an environment in which labor is not unduly penalized, it is declared to be the sovereign interest of the state of New Hampshire that the income earned and received by residents of the state of New Hampshire for services entirely performed within the state of New Hampshire may not be subject to taxation as earned income in any other state.

78-F:2 Business Profits Tax Application. Notwithstanding any other provisions in this chapter, any business organization carrying on any business activity within New Hampshire within the meaning and provisions of RSA 77-A shall be subject to the business profits tax within the provisions of RSA 77-A.

78-F:3 Business Enterprise Tax Application. Notwithstanding any other provisions in this chapter, any business enterprise engaged in or carrying on any business activity within New Hampshire within the meaning and provisions of RSA 77-E shall be subject to the business enterprise tax within the provisions of RSA 77-E.

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

AMENDED ANALYSIS

This bill declares the position of the state on income earned and received by residents of the state of New Hampshire for services entirely performed within this state.

Majority committee amendment adopted.

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

Rep. Hakken-Phillips spoke against.

Rep. Spillsbury spoke in favor.

Rep. Yokela requested a roll call; sufficiently seconded.

YEAS 251 - NAYS 72

YEAS - 251

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Sylvia, Michael

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

Bordes, Mike
Howard, Raymond
Ploszaj, Tom
Varney, Peter

Comtois, Barbara
Johnson, Dawn
Silber, Norman

CARROLL

Avellani, Lino
Deshaies, Brodie
Umberger, Karen

Nelson, Bill
MacDonald, John

Burroughs, Anita
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

CHESHIRE

Fenton, Donovan
Toll, Amanda Elizabeth

Qualey, James
Von Plinsky, Sparky

Rhodes, Jennifer
Welkowitz, Lawrence

Santonastaso, Matthew

COOS

Craig, Kevin
Tucker, Edith

Kelley, Eamon

Merner, Troy

Theberge, Robert

GRAFTON

Adjutant, Joshua
Depalma IV, Joseph
Gordon, Edward
Massimilla, Linda

Alliegro, Mark
Dontonville, Roger
Greeson, Jeffrey
Simon, Matthew

Berezhny, Lex
Folsom, Beth
Ham, Bonnie
Stavis, Laurel

Binford, David
Sanborn, Gail
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Bouldin, Andrew
Beaulieu, Jane
Boehm, Ralph
Cornell, Patricia
Smith, Denise
Freitas, Mary
Gorski, Ted
Griffith, Willis
Schmidt, Janice
Klein-Knight, Nicole
Lascelles, Richard
Marston, Dick
Notter, Jeanine
O'Brien, Michael
Petrigno, Peter

Alexander, Joe
Griffin, Barbara
Bergeron, Paul
Bouchard, Donald
Creighton, Jim
Erf, Keith
Griffin, Gerald
Gould, Linda
Healey, Robert
Jack, Martin
Kofalt, Jim
Lewicke, John
McLean, Mark
Nunez, Hershel
Pauer, Diane
Piedra, Israel

Bouldin, Amanda
King, Bill
Berry, Ross
Burt, John
Cushman, Leah
Fedolfi, Jim
Gagne, Larry
Graham, John
Homola, Susan
Kelsey, Niki
Sanborn, Laurie
Murray, Megan
Mooney, Maureen
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred

Ammon, Keith
Baroody, Benjamin
Blasek, Melissa
Cohen, Bruce
Kelley, Diane
Foster, William
Goley, Jeffrey
Greene, Bob
Infantine, William
Klee, Patricia
Lanzara, Tom
Mangipudi, Latha
Mullen, Sue
Nutting-Wong, Allison
Perez, Maria
Post, Lisa

Prout, Andrew
Rombeau, Catherine
Somero, Paul
Van Houten, Constance

Query, Joshua
Rouillard, Claire
Lekas, Tony
Veilleux, Daniel

Newman, Ray
Rung, Rosemarie
Telerski, Laura
Warden, Mark

Renzullo, Andrew
Sheehan, Vanessa
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Leavitt, John
Moffett, Michael
Schuett, Dianne
Soucy, Timothy
White, Nick

Allard, James
Ellison, Arthur
Luneau, David
Pearl, Howard
Schultz, Kristina
Testerman, Dave
Wolf, Dan

Andrus, Louise
Hall, Muriel
MacKay, James
Pitaro, Matthew
Seaworth, Brian
Walsh, Thomas
Yakubovich, Michael

Cambrils, Jose
Hill, Gregory
McGuire, Carol
Boyd, Stephen
Shurtleff, Steve
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Ford, Oliver
Grote, Jaci
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Malloy, Dennis
Osborne, Jason
Potucek, John
Pearson, Stephen
Sweeney, Joe
True, Chris
Wallace, Scott

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Gay, Betty
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
McBeath, Rebecca
Packard, Sherman
Pratt, Kevin
Simpson, Alexis
Thomas, Douglas
Verville, Kevin
Welch, David

Abramson, Max
Baxter, Tim
Cali-Pitts, Jacqueline
Edgar, Michael
Gilman, Julie
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Maggiore, Jim
Melvin, Charles
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Soti, Julius
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
Major, Norman
Meuse, David
Piemonte, Tony
Roy, Terry
Spillane, James
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
DeLemus, Susan
Hayward, Peter
Levesque, Cassandra
Treleven, Susan

Bailey, Glenn
Fontneau, Timothy
Horgan, James
Newton, Clifford
Turcotte, Leonard

Bixby, Peter
Groen, Fenton
Kaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt

Conley, Casey
Harrington, Michael
Kittredge, Mac
Rich, Cecilia

SULLIVAN

Aron, Judy
Merchant, Gary
Sullivan, Brian

Callum, John
Rollins, Skip
Tanner, Linda

Cloutier, John
Spilsbury, Walter

Gottling, Suzanne
Stapleton, Walter

NAYS - 72

CARROLL

Buco, Thomas

Knirk, Jerry

Marsh, William

Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Parshall, Lucius

Ames, Richard
Gomarlo, Jennie
Schapiro, Joe

Bordenet, John
Maneval, Andrew
Weber, Lucy

Eaton, Daniel
Mann, John

COOS

Hatch, William

Laflamme, Larry

GRAFTON

Abel, Richard
Hakken-Phillips, Mary
Smith, Suzanne

Almy, Susan
Muirhead, Russell
Sykes, George

Egan, Timothy
Murphy, James
Weston, Joyce

Fellows, Sallie
Nordgren, Sharon

HILLSBOROUGH

Chretien, Jacqueline
Harriott-Gathright, Linda
Long, Patrick
Newman, Sue

Dutzy, Sherry
Jeudy, Jean
King, Mark
Snow, Kendall

Espitia, Manny
Labranche, Tony
McGhee, Kat
Vann, Ivy

Hamer, Heidi
Langley, Diane
Porter, Marjorie

MERRIMACK

Bartlett, Christy
Pimentel, Roderick
Wazir, Safiya

Caplan, Tony
Rogers, Katherine
Woods, Gary

Gallager, Eric
Schamberg, Thomas

Lane, Connie
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Grossman, Gaby
Somssich, Peter

Bunker, Lisa
Hamblet, Joan

Cahill, Michael
Murray, Kate

DiLorenzo, Charlotte
Read, Ellen

STRAFFORD

Cannon, Gerri
Horrigan, Timothy
Wall, Janet

Chase, Wendy
Smith, Marjorie

Fargo, Kristina
Schmidt, Peter

Grassie, Chuck
Southworth, Thomas

SULLIVAN

Oxenham, Lee

and the majority committee report was adopted and the bill was ordered to third reading.
Reps. Paige and Ward declared conflicts of interest and did not participate in the vote.

MOTION TO PRINT DEBATE

Rep. Pantelakos moved that the debate on **HB 1266**, relative to restrictions on enforcement of federal immigration laws, be printed in the Permanent Journal.
Without objection the Speaker ordered.

MOTION TO PRINT DEBATE

Rep. Pantelakos moved that the debate on **HB 1476-FN**, relative to persons arrested while out on bail, be printed in the Permanent Journal.
Without objection, the Speaker ordered.

CLERK'S NOTE

The debate on **HB 1266** and **HB 1476** can be found in House Journal # 6 dated March 15, 2022.

(Speaker Packard in the Chair)

MOTION TO SPECIAL ORDER

Rep. Osborne moved that **HB 1221-FN**, relative to the rate of the business profits tax, be made a Special Order as the next order of business.
Motion adopted.

SPECIAL ORDER

HB 1221-FN, relative to the rates of the business profits tax and the business enterprise tax. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Janigian for the Majority of Ways and Means. This bill originally proposed lowering the business profits tax (BPT) to 7.5% from 7.6% and the business enterprise tax (BET) to 0.5% from 0.55%. The bill was amended to only lower the BPT from 7.6% to 7.5%. According to the fiscal note, the lowering of the BET would lower tax revenue by about \$27.5 million and the lowering of the BPT would lower revenue by about \$8.5 million. Cumulatively, they would lower tax revenues by about \$36 million. By adopting the amendment, and not lowering the BET tax, we would only be lowering tax revenue by about \$8 million. Many taxes were lowered in the previous year and although business tax collections are up, we are still determining the full impact of the Paycheck Protection Program (PPP) loans and COVID-19 stimulus on tax revenue. Therefore, keeping the tax reduction more moderate and not reducing other taxes is prudent at this time. Furthermore, when businesspeople consider moving their business to NH or keeping it in NH, one of the top line considerations is the Business Profits Tax (BPT). At a new rate of 7.5%, we will compare favorably with our neighbors in Massachusetts at 8% and Vermont at between 6 and 8.5%, where any business making over \$25,000 is taxed at 8.5%. This very moderate tax reduction of 0.1% meets our original goal from several years ago to reduce from the then 8.5% rate to a 7.5% rate. This rate reduction will be good for NH businesses and good for the state. Vote 12-11.

Rep. Richard Ames for the Minority of Ways and Means. As amended, this bill reduces the Business Profits Tax rate from 7.6% to 7.5%. Overall, it is expected to lower the state's total business tax revenues by about \$8 million annually. This change has not been requested or lobbied for by business owners. Testimony on the bill included no persuasive evidence demonstrating that this single decimal point rate reduction would have any noticeable impact on business decisions to move to or depart from the state. State revenues have been high this year, largely due to a huge temporary infusion of COVID-19-related federal funds, but even so, they have proved insufficient to meet local school and essential human service funding needs. Property tax rates have been forced up this year in many property-poor jurisdictions where state funding has failed to keep up with essential needs. Testimony on this bill and at the Ways and Means economic forum on March 4 provided no evidence-based support for this bill's proposed rate reduction, but made clear instead that equitable relief from high property tax rates is urgently needed to enhance the profitability of many struggling New Hampshire businesses as well as the quality and sufficiency of local public schools, worker housing, and infrastructure.

Since 2014, rapid national and global growth, and more recently enormous federal stimulus funding for state businesses and consumers alike, have masked the state's revenue losses due to tax cuts given mostly to our largest businesses over the last six years. As the stimulus fades, and as new recession threatens, our revenue situation could become dire. This relief cannot be provided by the state if its tax base continues to be eroded.

Majority Amendment (0471h)

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

AN ACT relative to the rate of the business profits tax.

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

1 New Paragraph; Business Profits Tax; Imposition of Rate; Rate Reduced 2023. Amend RSA 77-A:2 by inserting after paragraph II the following new paragraph:

III. For all taxable periods ending on or after December 31, 2023, a tax is imposed at the rate of 7.5 percent upon the taxable business profits of every business organization.

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

AMENDED ANALYSIS

This bill reduces the rate of the business profits tax for tax years ending on or after December 31, 2023.

The question being adoption of the majority committee amendment.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 227 - NAYS 99

YEAS - 227

BELKNAP

Hough, Gregg

Lang, Timothy

Mackie, Jonathan

Varney, Peter

CARROLL

Nelson, Bill
MacDonald, John
Umberger, Karen

Buco, Thomas
Knirk, Jerry
Woodcock, Stephen

Burroughs, Anita
Marsh, William

Cordelli, Glenn
McAleer, Chris

CHESHIRE

Abbott, Michael
Faulkner, Barry
Maneval, Andrew
Schapiro, Joe
Welkowitz, Lawrence

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

Bordenet, John
Fox, Dru
Parshall, Lucius
Von Plinsky, Sparky

Eaton, Daniel
Gomarlo, Jennie
Qualey, James
Weber, Lucy

COOS

Craig, Kevin
Tucker, Edith

Kelley, Eamon

Hatch, William

Laflamme, Larry

GRAFTON

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

Almy, Susan
Folsom, Beth
Ladd, Rick
Nordgren, Sharon
Weston, Joyce

Depalma IV, Joseph
Gordon, Edward
Massimilla, Linda
Stavis, Laurel

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

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Chretien, Jacqueline
Dutzy, Sherry
Gagne, Larry
Griffith, Willis
Homola, Susan
Klee, Patricia
Lascelles, Richard
McGhee, Kat
Nunez, Hershel
Pedersen, Michael
Porter, Marjorie
Rice, Kimberly
Newman, Sue
Van Houten, Constance
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Cohen, Bruce
Espitia, Manny
Goley, Jeffrey
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
King, Mark
Mooney, Maureen
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rombeau, Catherine
Snow, Kendall
Vann, Ivy

Griffin, Barbara
Bouchard, Donald
Cornell, Patricia
Fedolfi, Jim
Gorski, Ted
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
Murray, Megan
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Rouillard, Claire
Telerski, Laura
Veilleux, Daniel

Baroody, Benjamin
Burt, John
Smith, Denise
Freitas, Mary
Graham, John
Healey, Robert
Judy, Jean
Langley, Diane
Mangipudi, Latha
Notter, Jeanine
O'Brien, Michael
Piedra, Israel
Renzullo, Andrew
Rung, Rosemarie
Toomey, Dan
Warden, Mark

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
Pearl, Howard
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan

Allard, James
Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walsh, Thomas
Woods, Gary

Bartlett, Christy
Gallager, Eric
MacKay, James
Boyd, Stephen
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Hall, Muriel
Moffett, Michael
Schamberg, Thomas
Soucy, Timothy
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Cahill, Michael
Dodge, Dustin
Edwards, Jess
Grossman, Gaby
Harb, Robert
Katsakiores, Phyllis
Maggiore, Jim
Melvin, Charles
Pantelakos, Laura
Pearson, Stephen
True, Chris
Welch, David

Abrami, Patrick
Baldasaro, Al
Cali-Pitts, Jacqueline
Dolan, Tom
Ford, Oliver
Grote, Jaci
Nelson, Jodi
Khan, Aboul
Major, Norman
Meuse, David
Pratt, Kevin
Simpson, Alexis
Vose, Michael
Weyler, Kenneth

Acton, Dennis
Bershtein, Alan
DeSimone, Debra
Doucette, Fred
Gay, Betty
Guthrie, Joseph
Janigian, John
Lynn, Bob
Malloy, Dennis
Osborne, Jason
Prudhomme-O'Brien, Katherine
Thomas, Douglas
MacDonald, Wayne

Altschiller, Debra
Bunker, Lisa
DiLorenzo, Charlotte
Edgar, Michael
Gilman, Julie
Hamblet, Joan
Murray, Kate
Pearson, Mark
McBeath, Rebecca
Paige, Mark
Read, Ellen
Torosian, Peter
Ward, Gerald

STRAFFORD

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

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Southworth, Thomas

Conley, Casey
Hayward, Peter
Smith, Marjorie
Treleven, Susan

Fargo, Kristina
Horgan, James
Schmidt, Peter
Wall, Janet

SULLIVAN

Aron, Judy
Merchant, Gary
Stapleton, Walter

Callum, John
Oxenham, Lee
Smith, Steven

Cloutier, John
Rollins, Skip
Sullivan, Brian

Gottling, Suzanne
Spilsbury, Walter
Tanner, Linda

NAYS - 99**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Ploszaj, Tom

Bean, Harry
Howard, Raymond
Silber, Norman

Bordes, Mike
Johnson, Dawn
Sylvia, Michael

Comtois, Barbara
Littlefield, Richard
Terry, Paul

CARROLL

Avellani, Lino

Deshaias, Brodie

Smith, Jonathan

McConkey, Mark

CHESHIRE

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Merner, Troy

GRAFTON

Adjutant, Joshua
Sanborn, Gail

Alliegro, Mark
Greeson, Jeffrey

Berezhny, Lex
Simon, Matthew

Binford, David

HILLSBOROUGH

Lekas, Alicia
Berry, Ross
Cushman, Leah
Griffin, Gerald
Kelsey, Niki
Lewicke, John
Plett, Fred
Somero, Paul

Alexander, Joe
Blasek, Melissa
Kelley, Diane
Gould, Linda
Kofalt, Jim
Marston, Dick
Post, Lisa
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Erf, Keith
Greene, Bob
Sanborn, Laurie
McLean, Mark
Prout, Andrew

King, Bill
Creighton, Jim
Foster, William
Infantine, William
Lanzara, Tom
Pauer, Diane
Sheehan, Vanessa

MERRIMACK

Andrus, Louise
McGuire, Carol
White, Nick

Cambrils, Jose
Rogers, Katherine
Yakubovich, Michael

Hill, Gregory
Seaworth, Brian

Leavitt, John
Testerman, Dave

ROCKINGHAM

Abramson, Max
Green, Dennis
Litchfield, Melissa
Roy, Terry
Sweeney, Joe
Yokela, Josh

Baxter, Tim
Hobson, Deborah
Love, David
Somssich, Peter
Tripp, Richard

Belanger, Cody
Kimball, Mary Ann
Piemonte, Tony
Soti, Julius
Verville, Kevin

Bernardy, JD
Layon, Erica
Potucek, John
Spillane, James
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bixby, Peter
Kaczynski, Thomas
Turcotte, Leonard

DeLemus, Susan
Kittredge, Mac
Wuelper, Kurt

and the majority committee amendment was adopted.

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

Rep. Janigian spoke in favor.

Rep. Major requested a roll call; sufficiently seconded.

YEAS 177 - NAYS 141**YEAS - 177****BELKNAP**

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

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

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom
Varney, Peter

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

MacDonald, John

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Infantine, William
Sanborn, Laurie
Marston, Dick
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Warden, Mark

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Kelsey, Niki
Lanzara, Tom
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Sheehan, Vanessa

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Klee, Patricia
Lascelles, Richard
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Somero, Paul

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lewicke, John
Notter, Jeanine
Post, Lisa
Rombeau, Catherine
Lekas, Tony

MERRIMACK

Allard, James
Leavitt, John
Seaworth, Brian
White, Nick

Andrus, Louise
McGuire, Carol
Testerman, Dave
Wolf, Dan

Cambrils, Jose
Moffett, Michael
Walsh, Thomas
Yakubovich, Michael

Hill, Gregory
Boyd, Stephen
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Harb, Robert
Katsakiores, Phyllis

Abami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Hobson, Deborah
Khan, Aboul

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Grote, Jaci
Nelson, Jodi
Kimball, Mary Ann

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Guthrie, Joseph
Janigian, John
Layon, Erica

Litchfield, Melissa
Maggiore, Jim
Osborne, Jason
Pratt, Kevin
Soti, Julius
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Love, David
Major, Norman
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Lynn, Bob
Malloy, Dennis
Piemonte, Tony
Roy, Terry
Sweeney, Joe
True, Chris
Wallace, Scott

Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Verville, Kevin
Welch, David

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Newton, Clifford

Bailey, Glenn
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Horgan, James
Turcotte, Leonard

Groen, Fenton
Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Spilsbury, Walter

Callum, John
Stapleton, Walter

Cloutier, John

Rollins, Skip

NAYS - 141

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
Fenton, Donovan
Mann, John
Von Plinsky, Sparky

Ames, Richard
Fox, Dru
Parshall, Lucius
Weber, Lucy

Bordenet, John
Gomarlo, Jennie
Schapiro, Joe
Welkowitz, Lawrence

Faulkner, Barry
Maneval, Andrew
Toll, Amanda Elizabeth

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Fellows, Sallie
Murphy, James
Smith, Suzanne

Adjutant, Joshua
Hakken-Phillips, Mary
Nordgren, Sharon
Sykes, George

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

Dontonville, Roger
Muirhead, Russell
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cornell, Patricia
Goley, Jeffrey
Schmidt, Janice
Langley, Diane
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Rung, Rosemarie
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Bouchard, Donald
Dutzy, Sherry
Griffith, Willis
Jack, Martin
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Sue
Van Houten, Constance

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Hamer, Heidi
Judy, Jean
King, Mark
Mullen, Sue
Pedersen, Michael
Query, Joshua
Snow, Kendall
Vann, Ivy

Beaulieu, Jane
Cohen, Bruce
Freitas, Mary
Harriott-Gathright, Linda
Labranche, Tony
Murray, Megan
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Gallager, Eric
MacKay, James
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Hall, Muriel
Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

Caplan, Tony
Lane, Connie
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

Ellison, Arthur
Luneau, David
Schamberg, Thomas
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Hamblet, Joan
Paige, Mark
Ward, Gerald

Bunker, Lisa
Edgar, Michael
Murray, Kate
Read, Ellen

Cahill, Michael
Gilman, Julie
McBeath, Rebecca
Simpson, Alexis

Cali-Pitts, Jacqueline
Grossman, Gaby
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Southworth, Thomas

Cannon, Gerri
Fontneau, Timothy
Smith, Marjorie
Treleven, Susan

Chase, Wendy
Grassie, Chuck
Schmidt, Peter
Wall, Janet

Conley, Casey
Horrigan, Timothy
Rich, Cecilia

SULLIVAN

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

Sullivan, Brian

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

MOTION TO PRINT DEBATE

Rep. Espitia moved that the debate on **HB 1221-FN**, relative to the rate of the business profits tax, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 1221-FN

Speaker Packard: The question is on the amendment. Roll call has been requested. Is that sufficiently seconded? It is sufficiently seconded. The roll call will be on the amendment. Members take your seats. This is a roll call vote. The motion before us is the adoption of the amendment (0471h). This is a roll call vote. The Chair recognizes Rep. Sylvia for a parliamentary inquiry.

Representative Sylvia: Thank you, Mister Speaker. Mister Speaker, if I know that HB 1221 in its original form provides tax relief for both the business enterprise tax and the business profits tax, but that the committee amendment would only reduce the business profits tax. And Mister Speaker if I also know that the business profits tax is mostly paid by larger companies, while smaller business are much more likely to pay just the business enterprise tax. And Mister Speaker if I further know that the small businesses were much more likely to be negatively impacted during the pandemic and they are at least as deserving, if not more deserving, as larger businesses to receive tax relief. Mister Speaker if I know that New Hampshire had several other rounds of business relief in the past 7 years and despite assertions that these cuts would undermine our business tax revenues, our business taxes for this fiscal year are currently more than 88% higher than they were the final year at the highest rates. Finally, Mister Speaker, if I know that this fiscal year alone, through just eight months, our business taxes are already more than \$91 million ahead of plan and overall revenues are more than \$191 million over plan so we can clearly afford to give relief for BET and BPT, then would I now press the red button so that we can provide tax relief to all businesses...

Speaker Packard: This is a parliamentary inquiry.

Representative Sylvia: Then would I press the red button so that we can provide tax relief to all businesses so that we can continue to grow the New Hampshire advantage and our economy? Thank you, Mister Speaker.

Speaker Packard: The Chair recognizes Rep. Major for a parliamentary inquiry.

Representative Major: Thank you, Mister Speaker. If I know that this bill originally was to reduce the business profits tax and the business enterprise tax and would reduce income by a total of \$36 million. Also, if I know that we have instituted through HB 2 last year and others a reduction in the business enterprise tax, business profits tax, meals and rooms tax and are going to glide down to zero on the interest and dividend tax and we also raised the threshold for filing the business enterprise tax, raised the threshold for filing the business tax. And if I know that yes, our business taxes are high and there are two major reasons for that. I know they are high because we didn't change the tax laws for PPE loans and therefore the businesses had to pay taxes on those and that's going to be about \$100 million that will have to be refunded. And if I also know there's been a number of stimulus over the last couple of years. Everybody gets checks for \$1,400. We get checks for our employment. All kinds of checks. Now, that raises our profits and we are seeing that now. Those are a one-time thing.

Speaker Packard: The member will suspend. This is a parliamentary inquiry.

Representative Major: Okay. If I know that raises our profits and this is a one-time event and that this amendment reduces, changes the bill from just a tax on business profits tax and business enterprise tax to just business profits tax, which will be \$8 million. And if I know that over time due to \$100 million of refunds and not receiving stimulus tax in the future years, that this bill is very reasonable, then would you vote no on the amendment? I'm sorry, yes on the amendment. Sorry.

Speaker Packard: The motion before us is the amendment to HB 1221. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 227 voting Yea, 99 voting Nay, the amendment is adopted. We will now move on to the majority report of Ought to Pass as Amended. For what reason does the member rise?

Representative Marjorie Smith: Mister Speaker I have a question and I'm not sure how to word it so I think it's a question to the Speaker.

Speaker Packard: State your question.

Representative Marjorie Smith: At the beginning of the discussion, something was said that would indicate that the Chair of Ways and Means would be more likely to give members a favor if we voted with him. There is no one in this body who is more honorable than the Chair of Ways and Means.

Speaker Packard: Representative, you were recognized for a question.

Representative Marjorie Smith: And my question is how do we correct that problem?

Speaker Packard: Once again Representative I'm going to move on to the bill. The motion before us now is the majority report of Ought to Pass as Amended. The Chair recognizes Rep. Ames to speak against the committee report.

Representative Ames: Thank you, Mister Speaker. So I rise to speak against the pending OTP/A motion on HB 1221. The amended version of HB 1221 reduces the business profits tax from a rate of 7.6% of net taxable business profits to a rate of 7.5%. That is all it does. It makes no change in the business enterprise tax. This single decimal BPT tax rate reduction is expected per Department of Revenue Administration estimates to lower the state's total business tax revenues by about \$2 million in fiscal year 2023 and then the annual loss is expected to build up to about \$8.5 million per year starting in fiscal year 2024. This HB 1221 revenue loss will be additional to a probably \$100 million in revenue losses attributable to prior year cuts in the BPT tax rate. The business profits tax is paid mostly by big business as you have heard. Of the 77,866 businesses that filed business property tax returns for fiscal year 2019, just 671 were about 1% of all filers paid close to 80% of the \$515 million in business profits tax revenue received that year. Eighty of these high-end filers had taxable profits above \$1 million per year. These high-end filers, mostly of not exclusively out of state international corporations will be the primary beneficiaries of HB 1221's single decimal point tax rate reduction. The average tax rate for each of the top 20 would be about \$36,700 based on fiscal year 2019 data. In contrast, about 59,400 businesses were 76% of all businesses filing BPT tax returns in 2019 would get no benefit from the new HB 1221 tax break since their net profit after all credits will remain too low to be taxable. In the middle of the 2019 business profit taxpayer range, about 7,800 taxpayers, those with net business property tax paid in fiscal 2019, are between \$1,000 and \$10,000, will receive on average just a \$49 tax break from the HB 1221 single decimal point rate reduction. Testimony on the bill included no persuasive evidence demonstrating that a single decimal point rate reduction would have any noticeable on business decisions to move to or depart from New Hampshire. State revenues have been high this year. Most likely because New Hampshire has benefited from a huge temporary infusion of COVID related federal funds and from soaring worldwide corporate profits realized by our largest business profit taxpayers. Even so, the state's revenues have proved insufficient to meet local school and essential human service funding needs. Property tax rates have been forced up this year and many property poor jurisdictions where state aid has failed to keep up with essential needs. In Jaffrey, where I live, state school aid is substantially down from fiscal year 2021 levels and the school tax rate is expected to rise this year by about \$3.00 per thousand of assessed property valuation translating to a \$300 property tax increase for each \$100,000 of business property valuation. This property tax increase will for most business property taxpayers in Jaffrey dwarf any tax break received because of HB 1221 and even with that \$3.00 per thousand school tax rate increase, the public school system serving Jaffrey is being forced to reduce its staff by about 7 full time teachers. Testimony on this bill and at the Ways and Means Economic Forum on March 4, provided no evidence-based support for the bills proposed rate reduction, but made clear instead that equitable relief from high property tax rates is urgently needed to enhance the profitability of many struggling New Hampshire businesses as well as the quality and sufficiency of local public schools, working housing and infrastructure on which these businesses depend. Since 2014, rapid national and global growth and more recently enormous federal stimulus funding for state businesses and consumers alike, have masked the state's revenue losses due to tax cuts given mostly to our largest businesses over the last six years. As the stimulus fades and as a new recession threatens, our revenue situation could become dire. The HB 1221 single decimal point business property tax rate cut is mindless and senseless. I hope you will agree and join me in voting against the pending OTP/A motion so that another motion can be brought. Thank you.

Speaker Packard: A roll call has been requested. Is that sufficiently seconded? Rep. Major requests a roll call. It is sufficiently seconded. This will be a roll call vote. Members take your seats. We are on the last speaker. The Chair recognizes Rep. Janigian. Take your seats quietly.

Representative Janigian: Thank you, Mister Speaker. Mister Speaker, as several speakers before me have now announced, the original HB 1221 proposed to cut the business enterprise tax and the business profits tax. We all know that now. It's been said more than once. The amendment that we just voted on and approved is only going to lower the business profits tax so any revenue hit to the state is very minimal. It's estimated to be \$8 million, but the thing that we have seen is every time we have cut taxes, we've seen an increase in tax revenue. The \$8 million may, it may actually be zero in terms of tax revenue loss. Many taxes were lowered in previous years and so that was one of the reasons, as Rep. Major mentioned, that we focused just on the BPT right now is because we want things to settle down. We want to see how the PPE loans and the COVID relief funds effect the tax in the end. Now some will say and some have already said that big business is going to profit from this. I disagree with that basic assertion. There are a lot of small businesses that are paying the business profits tax and not paying the business enterprise tax. Both those thresholds were increased. The business profits tax threshold and the business enterprise tax threshold have both been raised and that's helping small business. I beg to differ. Even a .1% decrease helps business. Furthermore, when we think about those who are thinking about coming to New Hampshire and bringing their business to New Hampshire and

those who are in New Hampshire that we want them to stay here, every .1% matters. Now, we compare very favorably to the other states. Massachusetts is at 8% so they compare with our 7.5%. Vermont is at 8.5% as soon as you net more than \$25,000. I'm going to venture to say there is a lot of businesses that make more than \$25,000. So, in the end, this tax reduction will be good for New Hampshire businesses, good for this state. Please vote yes and push the green button. We will send the message once again that the fittest and safest state in New Hampshire is open for business. Thank you.

Speaker Packard: The motion before us is the majority report of Ought to Pass as Amended on HB 1221. This is a roll call vote. The Chair recognizes Rep. Almy for a parliamentary inquiry. Just a minute Representative. You may continue.

Representative Almy: Thank you, Mister Speaker. If I know as our Chair said earlier that there have been major changes to our tax rates, law and structure in recent years, not just in this term, as well as unforeseeable blows and one-time federal supports to our economy. And if I know that property taxes, which businesses as well as residents have to pay, raise even faster when the state deficits cause shortfalls in municipal or school aid or both. And if I know that our committee finds it exceedingly difficult to forecast whether we will find ourselves next year, maybe even the end of this year or in several years to come in deficit or in surplus. And, finally, if I believe that it is foolheartedly to make this further totally symbolic .1% cut to our revenues until things stabilize, shouldn't I push the red button? Thank you.

Speaker Packard: The Chair recognizes Rep. Major for a parliamentary inquiry.

Representative Major: Thank you, Mister Speaker. If I know this bill originally proposed lowering the business profits tax and the business enterprise tax resulting in about \$36 million reduction in revenues. And if I know the bill was amended to only lower the business profits tax from 7.6% to 7.5%, which will lower the business taxes approximately \$8 million. And if I know this reduction in the business profits tax rate will be good for both small and the large businesses and therefore resulting in the most important thing, keeping our economy growing, then would you join with me and the majority of the committee and push the green button? Thank you, Mister Speaker.

Speaker Packard: The motion before us is the majority committee report of Ought to Pass as Amended on HB 1221. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 177 voting Yea, 141 voting Nay, the committee report is adopted.

REGULAR CALENDAR CONT'D

HB 1071, relative to wake surfing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gregg Hough for the Majority of Resources, Recreation and Development. This bill sought to increase the shore distance required for wake boarding from 150 ft to 250 ft away from New Hampshire shorelines. The committee majority heard convincing testimony that enforcement of a separate and unique distance rule for this one activity, separate and distinct from all other activities, would be problematic and cause confusion for boaters and the general public alike. Many boats and activities generate wakes, but only wake surfing would be subject to this added setback. Testimony also showed wake surfing is generally of better quality further from shore and away from other boats and property. Further, the committee heard testimony that wake surfing can be done in a manner whereby any wave action will be directed away from the shore. The majority was also impressed with the boating industry and Marine Patrol actively promoting an information campaign focused toward those who participate in wake boating, promoting safety, best practices and respectful behavior to others on our lakes. The broadcasting of 2,363 radio ads was part of that "Wake Responsibly" campaign in 2021. It should be noted that 1179 people signed in opposed to this bill (63% opposed). The majority of the committee recommends this bill be deemed inexpedient to legislate. Vote 11-10.

Rep. Suzanne Gottling for the Minority of Resources, Recreation and Development. HB 1071 is a modest proposal to require any watercraft creating the conditions necessary for wake surfing remain 250 feet from shore, docks, and other boats. At present, the distance required is 150 feet. Citizens in favor of this bill who use our waterbodies for recreation sent individualized emails describing the effects of larger, more powerful wakes on their ability to safely navigate in small, unpowered vessels such as kayaks, canoes, rowing shells, and paddleboards. Others detailed their reluctance to sit on the dock after large waves swept their chairs and cushions into the water. Boats tied up at a dock were damaged by the heaving waves and dock boards pulled loose. Many parents and grandparents noted the frightening effect of the waves on small children playing in shallow water. Owners of shoreline properties lamented the loss of their shoreline due to erosion. Small and large lake associations expressed concern about the effect on the quality of water resulting from higher, more powerful wave action. The Department of Environmental Services (DES) spoke in approval of this modest protection of a valuable New Hampshire asset, its waterbodies, while protecting the right of citizens to use these assets. Opponents of the bill testified that education and enforcement are sufficient to limit the possible damage caused by the large waves needed for wake surfing. However, the hundreds of communications from

supporters of the bill make it clear that these are not sufficient. Opponents also stated enforcement would be a problem with a change in distance. The Captain of Marine Patrol told the committee enforcement by Marine Patrolmen would not be a problem as they are highly trained in monitoring distances and many use laser devices for even more accuracy. The opponents also felt that wake surfing was being singled out with a higher than 150-foot required separation distance. However, "ski craft" must be 300 feet from shore. Most of the objections included the fear that extension of the distance was a step in banning wake surfing. The intent of the bill is quite the opposite. By increasing the safe passage distance for this activity, wake surfers can continue to enjoy the activity and, because the large waves will be further from shore, those enjoying sunbathing on their docks can also enjoy their time by the water. The minority believes family fun does not diminish proportionate to one's distance from shore, docks, and other boats.

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

On a division vote, with 171 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted.

HB 1227, relative to the definition of prime wetland. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Andrew Renzullo for the Majority of Resources, Recreation and Development. Wetlands designated as "prime" are the gold standard of wetlands. Due to their size, unspoiled character, fragile condition, and other relevant factors they are considered as being substantially significant. They are the premier wetlands in New Hampshire. In 2011, SB 19 was enacted that tightened up the regulations as to what characteristics made a wetland "prime." Among these objective requirements were that a prime wetland must be contiguous, at least two acres in size, and have a width of at least 50 feet at its narrowest point, plus meet 4 of the 12 primary wetlands functions enumerated in statute. Any wetland missing any one of these requirements, while still being considered a wetland, could not be designated a "prime" wetland. This bill would allow a lesser width (less than 50 ft) if it can be demonstrated that its narrower portions provide a significant contribution (a subjective determination) to the primary wetland functions of the prime wetland. This cheapens the designation of prime wetlands as it suddenly allows sub-prime wetlands, or even streams (which are not wetlands) to connect prime wetlands that do not meet the size requirements of the statute. Sponsors have made much of the bill itself not defining the size of the buffer zone (non-wet land) which is required to protect the prime wetland, suggesting that there would be no buffer setback. Not so, as the local buffer setback requirements in the local wetland ordinance would apply. And, in fact, nothing prevents a local ordinance from adopting more severe setbacks for prime wetlands specifically. The New Hampshire Timber Owners Association (NHTOA) opposed the bill stating, "...portions of a wetland less than 50 feet wide could be eligible for designation (e.g., inlets/outlets to, or depressions adjacent to, a bog or swamp). Once designated, the regulatory /permitting requirements for any activity (including forest management) become a lot more complex and costly (e.g., abutter notification, Conservation Commission review, wetland assessments, etc.). The NHTOA opposes this bill because this law remains a problem for landowners seeking to conduct forest management projects on properties with prime wetlands. Currently there are 32 NH towns with prime wetlands, and in some communities, if the inlets and outlets were to become designated, large parcels of land would be "land locked" behind this regulation." The New Hampshire Association of Natural Resource Scientists, an organization of wetland scientists, soil scientists, biologists, foresters, surveyors, ecologists, state and municipal employees and citizens who work to promote the science of New Hampshire's wetlands and soils, opposed the bill, along with the New Hampshire Homebuilders Association, the New Hampshire Association of General Contractors and Eversource Energy. And finally, on July 29th, 2019, Governor Sununu vetoed the predecessor to this bill. The Governor stated that "New Hampshire currently has sound and responsible protections for wetlands and our environment. This bill adds additional and unnecessary regulations to those laws and does not properly account for property owners who could be negatively affected by them. Any change to the definition of prime wetland should allow for sufficient protection for individual property rights before moving forward." There are many sections in DES statutes dealing with prime wetlands. The majority believes that expansion of the prime wetlands designation proposed by this bill will have a deleterious effect on land owners who will be subject to stringent permitting requirements on usable land presently not under such requirements. Vote 11-10.

Rep. Chuck Grassie for the Minority of Resources, Recreation and Development. Prime wetlands are those few wetlands which a municipality has asked to be so designated by the state "because of their size, unspoiled character, fragile condition or other relevant factors making them of substantial significance." Nomination by the town follows a thorough study and a vote by the town. A wetland permit application for a prime wetland receives a higher level of review by the state. Several years ago, the statutes defining prime wetlands were changed so they eliminated some of the most important parts of the wetland, the narrower portions that might connect two wetland systems or be an integral part of their water supply and wildlife habitat. This bill corrects this by allowing these significant but narrower portions to be included in the delineated prime wetland as they should be. These areas must meet the same requirement that they "provide significant contribution to the primary wetland functions of the prime wetland." The bill provides for exemptions for man-made

structures such as drainage ditches and berms, work conducted by the Department of Transportation within highway rights-of-way, does not require any set buffers, and would not impact forest management activities on adjoining uplands. The bill also provides that a “municipality shall consider any potential adverse effects on the landowner from including any narrower portion.” Any designation as a prime wetland shall require landowner and abutter notice, a vote by the local land use board, receive a full public hearing, and a vote by the local legislative body. Finally, the EPA has stated that “wetlands’ highly developed root systems hold the soil in place and filter pollutants, naturally improving water quality (including water that is eventually used for drinking).”

MOTION TO LAY ON THE TABLE

Rep. Renzullo moved that **HB 1227**, relative to the definition of prime wetland, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 1317, requiring the director of the state police in consultation with the bureau of marine patrol to report annually to the legislature regarding new developments in electric and gasoline powered recreational watercraft. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gregg Hough for the Majority of Resources, Recreation and Development. This bill requires the director of the state police, in consultation with the bureau of marine patrol, to report annually to the legislature regarding new developments in electric and gasoline powered recreational watercraft. The bill is well intended, encouraging transparency and providing informational value. However, after testimony from the Marine Patrol, it was determined by the majority that this information is already voluntarily provided, making this legislation unnecessary. The majority of the committee finds that not all requests for information by legislative committees need be placed in statute, thus rendering the recommendation of inexpedient to legislate. Vote 14-7. Rep. Suzanne Gottling for the Minority of Resources, Recreation and Development. This bill requires the director of the state police in consultation with the bureau of marine patrol to issue a report annually to the appropriate House and Senate committees regarding new developments in electric or gasoline powered recreational watercraft. This report will inform the committees if the bureau believes legislation or authorization of new rules are needed to meet the challenges of the new developments. The emergence of efoils and the burgeoning popularity of wake surfing are examples of recent challenges to our water bodies from both electric and gasoline powered watercraft. On the horizon is the jet-powered surfboard. There was no testimony in opposition and the Director of Marine Patrol was favorable to this requirement. The majority stated that because the director has verbally agreed to this reporting, no legislation is required. The minority believes that a record of this agreement is needed given the usual turnover in committee members and committee chairs every two years. In addition, the Captain of Marine Patrol may someday think retirement is in his/her plans.

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

On a division vote, with 201 members having voted in the affirmative, and 120 in the negative, the majority committee report was adopted.

The House recessed at 6:00 p.m.

RECESS

The House reconvened at 7:00 p.m.

(Speaker Packard in the Chair)

REGULAR CALENDAR CONT'D

HB 1116, relative to renewable energy customer-generators accounts and credits. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jeanine Notter for the Majority of Science, Technology and Energy. This bill seeks to allow net metering customers with multiple accounts to share credits across accounts. This sharing would be difficult for utilities to track, increasing their costs, which would then be passed along to ratepayers. Such sharing would be very complex to administer. The majority believes that this would cause a billing nightmare that we do not wish to see materialize. Vote 13-8.

Rep. Rebecca McWilliams for the Minority of Science, Technology and Energy. This bill is enabling legislation to allow the monthly transfer of money earned by producing electricity to another account. Granite Staters who currently generate renewable energy can only apply the credits that they earn from their own electric production to another meter under the same utility provider once per year. This severely limits the customer generator’s access to (in many cases significant) funds they have already earned to pay down other utility bills.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 1116**, relative to renewable energy customer-generators accounts and credits, be laid on the table.

On a division vote, with 168 members having voted in the affirmative, and 127 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1148, relative to prohibiting government entities subordinate to the state from restricting the types of fuel sources that may be used for energy. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fred Plett for the Majority of Science, Technology and Energy. This bill is designed to prevent municipalities from enacting ordinances to prevent fuel types (natural gas, liquefied natural gas, wind, solar, hydro, or whatever) for power production or conversion. Determinations of this type are a state responsibility, and we have a Site Evaluation Committee to aid in this decision making. Any proposed power production or conversion must follow local zoning, unless exempted, but this will keep a municipality from deliberately enacting zoning to block a project. The municipality may intervene in Site Evaluation Committee proceedings to express its support or opposition. Vote 11-10.

Rep. Kat McGhee for the Minority of Science, Technology and Energy. The minority finds this to be an extremely disruptive bill to New Hampshire energy planning. This bill not only removes local control for energy planning from those who are doing the work on town energy committees to help lower costs and emissions, it voids decisions already made by towns to adopt plans that eliminate fossil fuels from their municipal energy portfolios. This bill is an about-face in direction-setting that walks back support for local, clean energy efforts. To implement a mandate that says New Hampshire counties and towns have no authority to exclude an energy source can only be seen as paving the way for continued fossil fuel use and dependence. This is not the desire of the many towns who have already invested in moving forward with clean energy targets. This bill disrupts orderly planning for many municipalities and defies our long-standing tradition of local control.

MOTION TO LAY ON THE TABLE

Rep. Pimentel moved that **HB 1148**, relative to prohibiting government entities subordinate to the state from restricting the types of fuel sources that may be used for energy, be laid on the table.

Motion failed.

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

Rep. McGhee spoke against.

Rep. Plett spoke in favor.

On a division vote, with 167 members having voted in the affirmative, and 142 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1250, requiring the public utilities commission to consider climate change in making rate-setting decisions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. JD Bernardy for the Majority of Science, Technology and Energy. The Public Utilities Commission is tasked with determining "just and reasonable or lawful rates, fares, and charges" for "services performed and observed." This is largely a financial assessment. This bill proposes taking into consideration climate change, a non-quantifiable subject from a financial standpoint. More staff would be needed to create financial and economic criteria from environmental principles. This is very difficult to do for a theoretical environmental hazard. Vote 12-10.

Rep. Lee Oxenham for the Minority of Science, Technology and Energy. The minority of the committee considers that it would be highly beneficial for the Public Utilities Commission (PUC) to take climate change into consideration when determining if utility investment decisions are just and reasonable. For example, a PUC approval of a new substation in an area likely to be inundated by rising seas long before the end of that infrastructure's useful life would be a waste of ratepayer money. Due to a drafting error, HB 1250 placed the relevant language that would have added climate change to the PUC's list of factors to consider in the wrong section of RSA 378. The minority therefore recommends this bill be referred for Interim Study.

MOTION TO LAY ON THE TABLE

Rep. Thomas moved that **HB 1250**, requiring the public utilities commission to consider climate change in making rate-setting decisions, be laid on the table.

On a division vote, with 168 members having voted in the affirmative, and 143 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1258, relative to the implementation of the department of energy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Harrington for Science, Technology and Energy. This bill addresses the recent creation of the Department of Energy in 2021's HB 2 (Ch. 91, Laws of 2021). As amended, it fixes numerous administrative oversights and omissions in the division of duties and responsibilities between the department and the Public Utilities Commission. It further defines the "bright red line" that separates the department and the commission to guarantee that no future conflicts of interest may contaminate any of the proceedings of the two bodies. Vote 22-0.

Amendment (0851h)

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

1 Department of Energy; General Provisions. Amend RSA 12-P:3, II to read as follows:

II. The department of energy is authorized to work with the department of business and economic affairs, **the public utilities commission**, and the department of administrative services to coordinate the implementation of the establishment of the department, and to transfer appropriations and create the proper expenditure lines, if needed, for the establishment of their respective operations, including but not limited to the relocation of personnel, work stations, books, papers, personnel record files, and equipment, with the approval of the governor and council and of the director of personnel.

2 New Paragraph; Department of Energy; General Provisions. Amend RSA 12-P:3 by inserting after paragraph II the following new paragraph:

III. The department shall have the authority to petition for any proceeding before the public utilities commission and shall automatically be a party to all proceedings before the commission. Any person or party that initiates a proceeding before the public utilities commission by petition or otherwise shall provide a copy to the department at the time of filing. Any person or party filing confidential information in any proceeding in which the department may appear, or exchanging confidential information in discovery or otherwise, shall provide the department with such confidential information. In adjudicative proceedings as defined by RSA 541-A:1, I, the public utilities commission and the department shall be subject to RSA 541-A:36.

3 Department of Energy; Duties of the Commissioner. Amend RSA 12-P:5, IV to read as follows:

IV. Have the authority to adopt rules, pursuant to RSA 541-A, necessary to assure the continuance or granting of federal funds or other assistance intended to promote the administration of this chapter, not otherwise provided for by law, and to adopt all rules necessary to implement the specific statutes administered by the department or by any division or unit within the department, whether the rulemaking authority delegated by the legislature is granted to the commissioner, the department, or any administrative unit or subordinate official of the department. **Where the commissioner has adopted rules under this paragraph, the department shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.**

4 Department of Energy; Duties of the Commissioner. Amend RSA 12-P:5, VII to read as follows:

VII. Ensure that the department provides all necessary support to the public utilities commission, the site evaluation committee, office of the consumer advocate, and any other entity that is administratively attached to the department~~[-, provided that, other than for administrative functions, department employees shall not communicate with the public utilities commission and its staff in connection with any issue in a matter pending before the commission or the department, except upon notice and opportunity for all parties to participate].~~

5 Regulatory Support; Reference Deleted. Amend RSA 12-P:9 to read as follows:

12-P:9 Division of Regulatory Support. There is established within the department the division of regulatory support, under the supervision of an unclassified director of the division of regulatory support. The division, through its officials, shall be responsible for all functions, duties, and responsibilities which may be assigned to it by the commissioner or laws enacted by the general court. ~~[The division shall automatically be a party to all proceedings before the public utilities commission.]~~

6 Department of Energy; Transfer of Rules, Orders, Approvals. Amend RSA 12-P:14 to read as follows:

12-P:14 Transfer of Rules, Orders, Approvals. Existing rules, orders, and approvals of the public utilities commission which are associated with any functions, powers, and duties, transferred to the department of energy pursuant to RSA 12-P:11 or any other statutory provision, shall continue in effect **notwithstanding any provision of RSA 541-A:17, II to the contrary**, and be enforced by the commissioner of the department of energy **or the commission, as applicable**, until they **otherwise** expire or are repealed or amended in accordance with applicable law, **or for a period of 5 years, whichever occurs first. To the extent the department acts pursuant an existing rule, order, or approval, the department shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.**

7 Energy Efficiency and Sustainable Energy Board. RSA 125-O:5-a, II is repealed and reenacted to read as follows:

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

- (a) The commissioner of the department of energy, or designee.
- (b) The consumer advocate, or designee.
- (c) The commissioner of the department of environmental services, or designee.
- (d) The commissioner of the department of business and economic affairs, or designee.
- (e) The president of the Business and Industry Association of New Hampshire, or designee.
- (f) The executive director of the New Hampshire Municipal Association, or designee.
- (g) The executive director of New Hampshire Legal Assistance, or designee.
- (h) The president of the Homebuilders and Remodelers Association of New Hampshire, or designee.
- (i) Two members of the house committee with jurisdiction over energy matters, appointed by the speaker of the house of representatives.

(j) One member of the senate committee with jurisdiction over energy matters, appointed by the president of the senate.

(k) Three representatives from not-for-profit groups representing energy, environmental, consumer, or public health issues and knowledgeable in energy conservation policies and programs, appointed by the commissioner of the department of energy.

(l) The commissioner of the department of administrative services, or designee.

(m) The state fire marshal, or designee.

(n) The executive director of the New Hampshire housing finance authority, or designee.

8 Regional Greenhouse Gas Initiative; Carbon Dioxide Emissions Budget Trading Program. Amend the introductory paragraph of RSA 125-O:21, VI to read as follows:

VI. The department and the ~~[commission]~~ **department of energy** shall report on an annual basis to the air pollution advisory committee under RSA 125-J:11 and the legislative oversight committee to monitor the transformation of delivery of electric services under RSA 374-F:5, on the status of the implementation of RGGI in New Hampshire, with emphasis on the prices and availability of RGGI allowances to affected CO2 sources, consumer protection mechanisms, and the trends in electric rates for New Hampshire businesses and ratepayers. The report shall include but not be limited to:

9 Regional Greenhouse Gas Initiative; Carbon Dioxide Emissions Budget Trading Program. Amend the introductory paragraph of RSA 125-O:21, VIII to read as follows:

VIII. Any actions taken under this subdivision by the department, **the department of energy**, or the commission shall not constitute a waiver of sovereign immunity and shall not be deemed consent to suit outside of New Hampshire.

10 Regional Greenhouse Gas Initiative; Compliance. Amend RSA 125-O:22, IV to read as follows:

IV. No person shall operate an affected CO2 source without a temporary or operating permit issued by the department in accordance with this chapter and RSA 125-C. An affected CO2 source that is in operation upon the effective date of this subdivision, shall submit a complete application for a permit modification to the department no later than January 1, 2009. Applications for permits shall be upon such forms, and shall include such information as the commissioner **of the department of environmental services** requires under rules adopted pursuant to RSA 541-A. The commissioner **of the department of environmental services** shall act upon a permit application within a reasonable period of time.

11 Energy Efficiency Fund and Use of Proceeds. Amend the introductory paragraph of RSA 125-O:23, III to read as follows:

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

12 Energy Efficiency Fund and Use of Proceeds; Bidding Criteria. Amend the introductory paragraph of RSA 125-O:23, III(c) to read as follows:

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

13 Energy Efficiency Fund and Use of Proceeds; Annual Report. Amend RSA 125-O:23, V(e) to read as follows:

(e) Other data as required by the ~~[commission]~~ **department of energy** in order to determine program effectiveness.

14 Regional Greenhouse Gas Initiative; Review of the New Hampshire RGGI Program. Amend RSA 125-O:27 to read as follows:

125-O:27 Review of the New Hampshire RGGI Program. At the time of each comprehensive review by the participating states, the ~~[commission]~~ **department of energy** and the department shall concurrently review New Hampshire specific elements of the RGGI program, and include the results of such review and any recommendations for revisions to the New Hampshire regional greenhouse gas initiative program under RSA 125-O:19-29, resulting from this review in the agencies' annual report under RSA 125-O:21, VI.

15 Reference Change. Amend RSA 362-F:4, V to read as follows:

V. For good cause, and after notice and hearing, the ~~[commission]~~ **department of energy** may accelerate or delay by up to one year, any given year's incremental increase in class I or II renewable portfolio standards requirement under RSA 362-F:3.

16 Final Orders Issued by the Public Utilities Commission. Amend RSA 363:17-b to read as follows:

363:17-b Final Orders. The commission shall issue a final order on all matters presented to it. Matters resolved by final order of the commission shall be exempt from RSA 541-A:29 and RSA 541-A:29-a, but shall be subject to federal and state time limitations applicable to specific matters. The transcript or minutes of oral deliberations shall not constitute a final order. A final order shall include, but not be limited to:

I. The identity of all parties;

II. ~~[The positions of each party on each issue;~~

~~III.]~~ A decision on each issue including the reasoning behind the decision; and

~~[IV.]~~ **III.** The concurrence or dissent of each commissioner participating in the decision.

17 Expenses of the Public Utilities Commission Against Certain Utilities; Assessment. Amend RSA 362-A:2, II-III to read as follows:

II. To facilitate the revenue calculations required under this chapter, entities described in subparagraph I(d) or their registered telecommunications carrier affiliates shall file with the ~~[commission]~~ **department of energy** confidential annual reports of the retail telephone service revenue of such entities, and entities described in subparagraph I(e) shall file with the ~~[commission]~~ **department of energy** confidential annual reports of sales volume and revenues, by customer class, and separately identifying the total revenues received from the distribution customers of each electric or natural gas distribution utility or the members of each rural electric cooperative for which a certificate of deregulation is on file with the commission. All other utilities and other assessed entities shall file information in accordance with applicable ~~[commission]~~ **department of energy** rules.

III. Each entity described in subparagraph I(e) shall be assessed the sum of \$10,000 on an annual basis and shall pay such assessed sum to the department of energy. Each electric load aggregator, and each aggregator of natural gas customers shall be assessed the sum of \$2,000 on an annual basis and shall pay such assessed sum to the department of energy. Each telecommunications carrier voluntarily registered with the ~~[commission]~~ **department of energy** shall be assessed the sum of \$1,000 on an annual basis and shall pay such sum to the department of energy.

18 Expenses of the Public Utilities Commission Against Certain Utilities; Assessment. Amend RSA 362-A:2, VI to read as follows:

VI. A minimum amount shall be assessed to utilities and other assessed entities described in paragraph I having minimal revenues in such proportion as the ~~[public utilities commission]~~ **department of energy** shall determine to be fair and equitable, provided that the minimum amount assessed to any entity to which subparagraphs I(c) or (d) applies shall not be less than \$1,000.

19 Procedures for Termination of Certain Utility Services. Amend RSA 363-B:1, III to read as follows:

III. Notwithstanding the foregoing, a gas or electric public utility may terminate service to a residential customer without prior notice to the customer or the ~~[commission]~~ **department** when:

- (a) There exists unauthorized or fraudulent use or procurement of utility service;
- (b) A condition dangerous to the health, safety, or utility service of others exists;
- (c) There is a clear and present danger to life, health, or physical property; or
- (d) The customer has clearly abandoned the premises.

The utility shall notify the ~~[commission]~~ **department** after it has terminated service for any of these reasons.

20 Conference Provided. Amend RSA 363-B:2 to read as follows:

363-B:2 Conference Provided.

I. Any person who receives a notice of intent to terminate service pursuant to RSA 363-B:1 and believes such proposed termination to be unjustified may request, prior to the date specified in the termination notice, a conference with the utility company involved to review the basis for the proposed termination. The conference with the utility company shall be conducted in person, by writing or by telephone as the customer may elect. If the customer is dissatisfied with the outcome of the conference he may, within 3 days after the conference if the conference is conducted in person, or within 5 days after the conference if the conference is conducted by writing or by telephone, request a conference with a staff member of the ~~[commission]~~ **department of energy** to review the basis for the proposed termination. The conference with the ~~[commission]~~ **department** may be conducted by writing or by telephone if the customer so elects.

II. In the event of a request for a conference with the public utility, the public utility shall continue service to the customer for 3 days after the conference if the conference was conducted in person, or for 5 days after the conference if the conference was conducted by writing or by telephone, or to the date specified in the notice of termination, whichever comes later.

III. During the conference with the utility company, the utility company shall inform the customer of his right to request a conference with a staff member of the ~~[commission]~~ **department of energy**. If the conference with the utility company is conducted in person, the customer shall be furnished a form for requesting a conference with a staff member of the ~~[commission]~~ **department** during the conference. If the conference with the utility company is conducted by writing or by telephone, the utility company shall mail the form to the customer by regular mail on the same day as the conference. In the event of a request for a conference with a staff member of the ~~[commission]~~ **department**, the public utility shall continue service to the customer until such time as the staff member or the ~~[commission]~~ **department** determines that termination is justified.

21 Investigations by the Department of Energy. Amend RSA 365:4 to read as follows:

365:4 Investigation. If the charges are not satisfied as provided in RSA 365:3, and it shall appear to the department of energy that there are reasonable grounds therefor, it shall investigate the same in such manner

and by such means as it shall deem proper. After investigation, the department of energy may bring proceedings on its own motion before the public utilities commission, with respect to any complaint or violation of any provision of law, rule, terms and conditions of its franchises or charter, or any order of the commission. ***If the party bringing the complaint is unsatisfied with the disposition of the complaint by the department of energy, then they may petition the public utilities commission to resolve the matter through an adjudicative proceeding.***

22 Rights in Public Waters and Lands; Licenses for New Poles. Amend RSA 371:17 to read as follows:

371:17 Licenses for New Poles. Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a pipeline, cable, or conduit, or a line of poles or towers and wires and fixtures thereon, over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state, ***modify a previously licensed installation, or license a previously constructed installation,*** it shall [petition] ***apply to*** the department of energy for a license to construct and maintain the same. For the purposes of this section, “public waters” are defined to be all ponds of more than 10 acres, tidewater bodies, and such streams or portions thereof as the department of energy may prescribe. Every corporation and individual desiring to cross any public water or land for any purpose herein defined shall [petition] ***apply to*** the department of energy for a license in the same manner prescribed for a public utility. ***The department of energy may condition any license issued under this paragraph in any manner necessary to assure that the license may be exercised without substantially affecting the public rights in public waters or state-owned lands. Using a non-adjudicative process, the department of energy may reject incomplete or improperly filed applications, and shall, also using non-adjudicative process, issue or deny the license within 90 days of receiving a complete application and all information subsequently requested of an applicant.***

23 Rights in Public Waters and Lands; Notice of License Issuance and Right to Appeal. RSA 371:19 through RSA 371:23 are repealed and reenacted to read as follows:

371:19 Notice of License Issuance and of Right to Appeal. The department of energy shall publish notice of the license on its website and cause due notice of said issuance to be given to the attorney general as representative of the state, and to such owners of lands bordering the location of a state water crossing as the department of energy may designate. Said notice shall refer to the license and inform persons of the rights of appeal in RSA 371:20. The department of energy shall provide similar notice directly to applicants.

371:20 Rights of Appeal, Notice, and Order. Applicants and other persons directly affected by a decision of the department of energy to issue or deny a license may appeal a department decision to the public utilities commission within 30 days of the department’s decision, and not thereafter. Whenever an appeal is timely filed, the commission shall hear all parties directly affected, except with respect to applicable safety standards and the applicability and validity of any department of energy rule. The commission may rescind the license or remand to the department of energy with instructions to issue, modify, or condition a license in any manner found necessary by the commission to assure that the license may be exercised without substantially affecting the public rights in public waters or state-owned lands. There shall be no right to appeal licenses issued for the exclusive purpose of furnishing facilities or utility services to the state or with regard to licenses issued to relocate facilities when the relocation is at the request of the state and the department of energy has limited the duration of the license to two years or less. Notwithstanding the foregoing, the attorney general and owners of lands bordering the location of a public water crossing may appeal for the sole purpose of determining damages and compensation pursuant to RSA 371:21. The commission shall publish notice of the appeal and any related hearing on its website, provide notice of a contested case as required under RSA 541-A, and may require such additional notice as it deems proper.

371:21 Damages and Compensation. Whenever an appeal is timely filed, the commission shall, upon request of an affected property owner, determine the compensation, if any, to be paid to the owner of land bordering the site of a public water crossing for any damages caused by the continuation and maintenance of any structures, facilities or equipment installed in connection with the crossing, subject to appeal as provided in RSA 371:10. The commission shall also determine the amount of compensation to be paid to the state for rights on public waters or public lands as provided in section 371:20.

371:22 Rulemaking Authority. The department of energy is authorized to adopt rules to implement this chapter, and shall initiate a formal rulemaking process no later than December 31, 2023. Until the department adopts rules, applicants shall apply for a license by petitioning the department of energy in the same manner as under prior law. The time limits stated in this chapter shall apply notwithstanding RSA 541-A:29, and the department shall not be subject to RSA 541-A:29-a. The commission may utilize its rules governing adjudicative proceedings for hearings and is authorized to adopt rules regarding appeals and compensation to be paid under this chapter.

371:23 Compensation to State. Any compensation payable to the state on account of any such license shall be paid to the state treasurer and, if derived from licenses affecting state forests or forestry reservations, shall be added to the forest improvement fund; otherwise, it shall be a part of the general funds of the state

24 Investigation of Other Utilities. Amend RSA 374:7 to read as follows:

374:7 Investigation of Other Utilities; Orders. The commission and the department of energy shall have power to investigate and ascertain, from time to time, the quality of gas supplied by public utilities and the methods employed by public utilities in manufacturing, transmitting or supplying gas or electricity for light, heat or power, or in transmitting telephone and telegraph messages, or supplying water, and, after notice and hearing thereon, **the commission** shall have power to order all reasonable and just improvements and extensions in service or methods.

25 Reference Change; Service Territories Served by Certain Telephone Utilities. Amend RSA 374:22-g, II to read as follows:

II. In determining the public good, the ~~[commission]~~ **department of energy** shall consider the interests of competition with other factors including, but not limited to, fairness; economic efficiency; universal service; carrier of last resort obligations; the incumbent utility's opportunity to realize a reasonable return on its investment; and the recovery from competitive providers of expenses incurred by the incumbent utility to benefit competitive providers, taking into account the proportionate benefit or savings, if any, derived by the incumbent as a result of incurring such expenses.

26 Pole Attachments. Amend RSA 374:34-a, VIII to read as follows:

VIII. The department of energy and the **public utilities commission** shall retain ~~[its]~~ **their** authority to regulate the safety, vegetation management, emergency response, and storm restoration requirements for poles, conduits, ducts, pipes, pole attachments, wires, cables, and related plant and equipment of public utilities and other private entities located within public rights-of-way and on, over, or under state lands and water bodies.

27 Restructuring Policy Principals; Open Access. Amend RSA 374-F:3, IV to read as follows:

IV. Open Access to Transmission and Distribution Facilities. Non-discriminatory open access to the electric system for wholesale and retail transactions should be promoted. ~~[Comparability should be assured for generators competing with affiliates of groups supplying transmission and distribution services. Companies providing transmission services should file at the FERC or with the commission, or with the department of energy, as appropriate, comparable service tariffs that provide open access for all competitors.]~~ The commission and the department should monitor companies providing transmission or distribution services and take necessary measures to ensure that no supplier has an unfair advantage in offering and pricing such services.

28 Electric Utility Restructuring; Ratepayer Protection. Amend RSA 374-F:4-b, IV-V to read as follows:

IV. Unless the contract specifies a month-to-month variable rate, no competitive electric supplier shall charge a residential customer a variable rate, including during a contract term or following the expiration of a contract, without first providing written notification in a form approved by the ~~[commission]~~ **department of energy** of the nature of such variable rate 45 days prior to the commencement of the variable rate. The residential customer shall select the method of written notification at the time the contract is signed. Such customer shall have the option to change the method of notification at any time during the contract.

V. Competitive electric suppliers shall retain records of any of the notices required in this section for a period of not less than 2 years and shall make such records available to the ~~[commission]~~ **department of energy** upon its request.

29 Implementation of Retail Choice. Amend RSA 374-F:4, VIII(f) to read as follows:

(f) Beginning in 2000, ~~[the commission and]~~ the department shall submit a report to the legislative oversight committee to monitor the transformation of delivery of electric services by October 1 of each year. The report shall concern the results and effectiveness of the system benefits charge.

30 Electric Utility Restructuring; Participation in Regional Activities. Amend RSA 374-F:8 to read as follows:

374-F:8 Participation in Regional Activities. The department shall advocate for New Hampshire interests before the Federal Energy Regulatory Commission and other regional and federal bodies. The commission shall participate in the activities of the New England Conference of Public Utility Commissioners, and the National Association of Regulatory Utility Commissioners **as the New Hampshire member agency**, and the department shall participate in the activities of the New England States Committee on Electricity, or other similar organizations **as the New Hampshire member agency**, and work with the New England Independent System Operator and NEPOOL to advance the interests of New Hampshire with respect to wholesale electric issues, including policy goals relating to fuel diversity, renewable energy, and energy efficiency, and to assure nondiscriminatory open access to a safe, adequate, and reliable transmission system at just and reasonable prices. **Employees of the commission and the department are not otherwise prohibited from participating in the activities of the aforementioned organizations in which the other agency has the lead role.** The department shall advocate against proposed regional or federal rules or policies that are inconsistent with the policies, rules, or laws of New Hampshire. In its participation in regional activities, the commission and the department shall consider how other states' policies will impact New Hampshire rates and work to prevent or minimize any rate impact the commission or department determines to be unjust or unreasonable.

31 Reference Change; Investigations of Energy Storage. Amend RSA 374-H:3 to read as follows:

374-H:3 [Commission] **Department of Energy** Investigation of Energy Storage.

I. The [commission] **department of energy** shall investigate ways to enable energy storage projects to receive compensation for avoided transmission and distribution costs, including avoided regional and local network service charges, while also participating in wholesale energy markets. The [commission] **department** shall investigate how this might be done for both utility-owned and non-utility-owned energy storage projects, as well as for both behind-the-meter storage and front-of-the-meter storage.

II. The [commission's] **department's** investigative proceeding shall specifically consider the following:

(a) How public policy can best establish accurate and efficient price signals for energy storage projects that avoid actual transmission and distribution costs or reduce wholesale electricity market prices.

(b) How to compensate energy storage projects that participate in wholesale electricity markets for actual avoided transmission and distribution costs in a manner that provides net savings to consumers.

(c) How best to encourage both utility and non-utility investments in energy storage projects.

(d) The costs and benefits of a potential bring your own device program; how such a program might be implemented; any statutory or regulatory changes that might be needed to create, facilitate, and implement such a program; and whether such a program should include all distributed energy resources or be limited to distributed energy storage projects.

(e) Any statutory changes the general court should implement, including but not limited to changes to or exceptions from RSA 374-F or RSA 374-G, to enable energy storage projects to receive appropriate compensation for actual avoided transmission and distribution costs while also participating in wholesale energy markets.

(f) Any other topic the [commission] **department** reasonably believes it should consider in order to diligently conduct the proceeding.

III. The [commission] **department** shall report its findings and recommendations to the standing committees of the house of representatives and senate with jurisdiction over energy and utility matters no later than 2 years after initiating the proceeding. The report shall identify ways any recommended statutory changes can minimize any potential conflict with the restructuring policy principles of RSA 374-F.

32 Reference Change; State Operating Budget. The commissioner of the department of administrative services shall change the title of organization code 1892 from adjudicative commissioners to the public utilities commission.

33 Repeals. The following are repealed:

I. RSA 12-P:12, relative to prohibited service.

II. RSA 371:17-a, relative to new attachments on existing utility poles.

III. RSA 371:17-b, relative to temporary licenses for existing crossings on existing poles.

IV. RSA 371:18, relative to exceptions to hearing requirements.

V. RSA 374-F:3, V(b), relative to transition service.

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

Committee amendment adopted.

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

HB 1270, dissolving the legislative oversight committee to monitor the transformation of delivery of electric services. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. The original purpose of this committee was to oversee the divestiture of electric generation from the electric utilities. After some 20 years, this was accomplished a couple of years ago. The committee has served its intended use and has no other practical function. Attempts were made to repurpose the committee by renaming it and altering its original goal, but the repurposed mission is vague and offers no end in sight. Not surprising, the committee has not met for over two years. There may be other committees in the future needed to address or monitor the changing electrical market, but the bipartisan majority felt it was better to start fresh, if needed, instead of continuing to rehash an old committee with patchwork fixes. Therefore, dissolution is a way to accomplish this. Vote 15-7.

Rep. Jacqueline Cali-Pitts for the Minority of Science, Technology and Energy. Doing away with oversight committees in general is not a good idea. These committees, especially the one in question, enable deep probing into reports generated by agencies and enable deeper understanding of the information they contain which may not be possible in regular committee session. The electric oversight committee has an important role. The transition of our electric system, contrary to popular belief, is not completed. We have concrete examples of how our system must and should change. We see what happened in Texas and is happening on the world stage. An oversight committee is a way for the legislature to stay aware of what is or is not happening in our energy sector and perhaps recommend the appropriate steps that should be taken. An oversight committee also cannot be advised as to what it can discuss or not discuss. It must study topics enumerated but can go further. In depth probing is the most valuable duty of any commission. Legislative oversight is now more than ever necessary in this vital area.

Majority Amendment (0880H)

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

AN ACT repealing the legislative oversight committee to monitor the transformation of delivery of electric services.

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

1 Renewable Energy Fund; Reference to Legislative Oversight Committee Removed. Amend RSA 362-F:10, IV to read as follows:

IV. The department of energy shall make an annual report by October 1 of each year, beginning in 2009, to ~~[the legislative oversight committee to monitor the transformation of delivery of electric services established under RSA 374-F:5,]~~ the house science, technology and energy committee, and the senate energy and natural resources committee detailing how the renewable energy fund is being used and any recommended changes to such use. The report shall also include information on the total peak generating capacity that is net energy metered under RSA 362-A:9 within the franchise area of each electric distribution utility, and the percentage this represents of the amount that is allowed to be net metered within each franchise area. Information shall be provided on net metered group host registrations and the associated customer groups, including number and location of group host facilities, generation by renewable source and size of facility, and group load served by such facilities.

2 Multiple Pollutant Reduction Program; Reference to Legislative Oversight Committee Removed. Amend RSA 125-O:13, IX to read as follows:

IX. The owner shall report by June 30, 2007 and annually thereafter, to ~~[the legislative oversight committee to monitor the transformation of delivery of electric services, established under RSA 374-F:5, and]~~ the chairpersons of the house science, technology and energy committee and the senate energy and natural resources committee, on the progress and status of complying with the requirements of paragraphs I and III, relative to achieving early reductions in mercury emissions and also installing and operating the scrubber technology including any updated cost information. The last report required shall be after the department has made a determination, under paragraph V, on the maximum sustainable rate of mercury emissions reductions by the scrubber technology.

3 Carbon Dioxide Emissions Budget Trading Program; Reference to Legislative Oversight Committee Removed. Amend the introductory paragraph of RSA 125-O:21, VI to read as follows:

VI. The department ~~[and the commission]~~ **of environmental services and the department of energy** shall report on an annual basis to the air pollution advisory committee under RSA 125-J:11 ~~[and the legislative oversight committee to monitor the transformation of delivery of electric services under RSA 374-F:5,]~~ **the house science, technology, and energy committee, and the senate energy and natural resources committee** on the status of the implementation of RGGI in New Hampshire, with emphasis on the prices and availability of RGGI allowances to affected CO2 sources, consumer protection mechanisms, and the trends in electric rates for New Hampshire businesses and ratepayers. The report shall include but not be limited to:

4 Implementation; Electric Utility Restructuring. Amend RSA 374-F:4, VIII(f) to read as follows:

(f) ~~[Beginning in 2000, the commission and the department]~~ **The department of environmental services and the department of energy** shall submit a report to ~~[the legislative oversight committee to monitor the transformation of delivery of electric services]~~ **the house science, technology, and energy committee, and the senate energy and natural resources committee** by October 1 of each year. The report shall concern the results and effectiveness of the system benefits charge.

5 Repeal. The following are repealed:

I. RSA 374-F:5, relative to the legislative oversight committee to monitor the transformation of delivery of electric services.

II. RSA 374-F:6, relative to the duties of the legislative oversight committee to monitor the transmission of delivery of electric services.

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

MOTION TO LAY ON THE TABLE

Rep. Somssich moved that **HB 1270**, repealing the legislative oversight committee to monitor the transformation of delivery of electric services, be laid on the table.

Motion failed.

The question being adoption of the majority committee amendment (0880h).

Majority committee amendment adopted.

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

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

HB 1328-FN, authorizing a utility to petition to be relieved of their carrier of last resort obligations. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Michael Harrington for the Majority of Science, Technology and Energy. This bill removes one of the last vestiges of Ma Bell, the old monopoly telephone company. It allows a phone company – New Hampshire has several small, rural telephone exchanges – to petition to be relieved of their status as carrier of last resort (COLR). Such relief will reduce costs for these small companies without affecting service. It will also remove an obsolete public utilities commission assessment that ratepayers continue to pay. Thirty-eight states have similar laws including both Vermont and Maine, where these laws have been effect for several years without problems. The number of options for telephone service has and will continue to increase in New Hampshire in the future, reducing the need for a COLR designation. Vote 12-9.

Rep. Lee Oxenham for the Minority of Science, Technology and Energy. “Carrier of Last Resort” (COLR) policies have provided a critical communication and public safety guarantee to every New Hampshire household since the early days of telephone service. Increasing competition and the transition to broadband have reduced - but not eliminated - the need to designate a carrier that will be obligated to provide service in areas where competition and technology have yet to conquer the obstacles presented by New Hampshire’s geography and terrain. It would be irresponsible for the House to put the cart before the horse and precipitately remove this vital public safety requirement without first undertaking an in-depth study of the issue and involving stakeholders in the process. In a competitive marketplace in which the carrier of last resort requirement is eliminated or severely reformed through legislative or regulatory actions, how will we ensure that all residents have access to adequate telecommunications services from their primary place of residence – “adequate” meaning meeting established and measurable standards for reliability, quality of service and affordability? COLR policies give regulators a tool to ensure that no user is left behind when a carrier seeks to discontinue service. Yes, we should review our COLR policy to ensure that all citizens have access to affordable service that meets their needs, and we can work together to develop a new regulatory compact that maintains the best parts of both carrier of last resort duties and competitive offerings. But we must first perform the proper due diligence and not adopt measures that could compromise the safety and security of our citizenry at the behest of a single industry.

MOTION TO LAY ON THE TABLE

Rep. Somssich moved that **HB 1328-FN**, authorizing a utility to petition to be relieved of their carrier of last resort obligations, be laid on the table.

On a division vote, with 142 members having voted in the affirmative, and 168 in the negative, the motion failed.

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

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

HB 1459-FN, relative to recycling solar panels. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fred Plett for the Majority of Science, Technology and Energy. This bill, rather than kicking the can down the road, recognizes an incipient problem and steps out in front of it. It establishes a program and fund for the recycling of photovoltaic solar panels. It is modeled after a similar law in the State of Washington. California has a rule facilitating recycling that took effect in January 2021. Several other states, including Hawaii, Rhode Island, New Jersey and North Carolina are studying the issue. Without this law, the burden falls on municipal landfills and homeowners, and unlike small electronics, this would impose a severe end-of-life financial burden. Solar waste has the potential to leach hazardous materials such as cadmium, lead, silver, telluride, and selenium into soil and water, which could harm surrounding communities and ecosystems. Several recycling companies are springing up to handle solar panel recycling. Other power production (e.g. nuclear, natural gas, wind) in most cases go to the Site Evaluation Committee where that committee imposes end-of-life dismantling requirements as part of an approval. This bill differentiates small scale electronics, best handled through electronic recycling administered by local departments of public works with the potentially very expensive solar panel recycling costs, justifying the program this bill introduces using the Department of Environmental Services. Vote 11-7.

Rep. Roderick Pimentel for the Minority of Science, Technology and Energy. Although we agree with the majority that it is important to recycle and remove solar panels from the waste stream, we believe that this legislation unfairly targets one industry over all others. It is a draconian solution that will hobble the solar industry in its infancy, while not even addressing the question of how this recycling will be achieved. The minority believes that we should be examining our entire waste stream, and finding solutions both local and regional to ensure that all products are recycled in a productive and efficient manner. Since the lifespan of photo voltaic (PV) panels is 25+ years, and very few panels in New Hampshire are even approaching that timeline, we do have time to examine PV panel recycling as well as many other valuable or toxic materials

which have to be removed from our landfill waste stream. The minority recommends that this bill be found Inexpedient to Legislate, and further recommends establishing a commission to study recycling and extended producer responsibility.

Majority Amendment (0940h)

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

1 New Subdivision; Photovoltaic Recycling Program. Amend RSA 149-M by inserting after section 61 the following new subdivision:

Photovoltaic Recycling Program

149-M:62 Definitions. In this subdivision:

I. "Consumer electronic device" means any device containing an electronic circuit board that is intended for everyday use by individuals, such as a watch or calculator.

II. "Department" means the department of environmental services.

III. "Distributor" means a person who markets and sells photovoltaic modules to retailers in New Hampshire.

IV. "Installer" means a person who assembles, installs, and maintains photovoltaic module systems.

V. "Photovoltaic module" means the smallest nondivisible, environmentally protected assembly of photovoltaic cells or other photovoltaic collector technology and ancillary parts intended to generate electrical power under sunlight, except that "photovoltaic module" does not include a photovoltaic cell that is part of a consumer electronic device for which it provides electricity needed to make the consumer electronic device function. "Photovoltaic module" includes but is not limited to interconnections, terminals, and protective devices such as diodes that:

(a) Are installed on, connected to, or integral with buildings;

(b) Are used as components of freestanding, off-grid, power generation systems, such as for powering water pumping stations, electric vehicle charging stations, fencing, street and signage lights, and other commercial or agricultural purposes; or

(c) Are part of a system connected to the grid or utility service.

VI. "Rare earth element" means lanthanum, cerium, praseodymium, neodymium, promethium, samarium, europium, gadolinium, terbium, dysprosium, holmium, erbium, thulium, ytterbium, lutetium, yttrium, or scandium.

VII. "Reuse" means any operation by which a photovoltaic module or a component of a photovoltaic module changes ownership and is used for the same purpose for which it was originally purchased.

VIII. "Stewardship plan" means the plan developed by a installer or its designated stewardship organization for a self-directed stewardship program.

IX. "Stewardship program" means the activities conducted by a installer or a stewardship organization to fulfill the requirements of this subdivision and implement the activities described in its stewardship plan.

149-M:63 Photovoltaic Module Stewardship Plan.

I. The department shall develop guidance for a photovoltaic module stewardship and takeback program to guide installers in preparing and implementing a self-directed program to ensure the convenient, safe, and environmentally sound takeback and recycling of photovoltaic modules and their components and materials. By January 1, 2024, the department shall establish a process to develop guidance for photovoltaic module stewardship plans by working with installers, stewardship organizations, and other stakeholders on the content, review, and approval of stewardship plans. The department's process shall be fully implemented and stewardship plan guidance completed by July 1, 2025.

II. A stewardship organization may be designated to act as an agent on behalf of an installer or installers in operating and implementing the stewardship program required under this subdivision. Any stewardship organization that has obtained such designation shall provide to the department a list of the installers and brand names that the stewardship organization represents within 60 days of its designation by a installer as its agent, or within 60 days of removal of such designation.

III. Each installer shall prepare and submit a stewardship plan to the department by the later of July 1, 2030, or within 30 days of its first sale of a photovoltaic module in or into the state.

(a) A stewardship plan shall, at a minimum:

(1) Describe how installers will finance the takeback and recycling system, and include an adequate funding mechanism to finance the costs of collection, management, and recycling of photovoltaic modules and residuals sold in or into the state by the installer with a mechanism that ensures that photovoltaic modules can be delivered to takeback locations without cost to the last owner or holder;

(2) Accept all of their photovoltaic modules sold in or into the state after July 1, 2022;

(3) Describe how the program will minimize the release of hazardous substances into the environment and maximize the recovery of other components, including rare earth elements and commercially valuable materials;

(4) Provide for takeback of photovoltaic modules at locations that are within the region of the state in which their photovoltaic modules were used and are as convenient as reasonably practicable, and if no such location within the region of the state exists, include an explanation for the lack of such location;

(5) Identify how relevant stakeholders, including consumers, installers, building demolition firms, and recycling and treatment facilities, will receive information required in order for them to properly dismantle, transport, and treat the end-of-life photovoltaic modules in a manner consistent with the objectives described in subparagraph (a)(3);

(6) Establish performance goals, including a goal for the rate of combined reuse and recycling of collected photovoltaic modules as a percentage of the total weight of photovoltaic modules collected, which rate shall be no less than 85 percent.

(b) A installer shall implement the stewardship plan.

(c) A installer may periodically amend its stewardship plan. The department shall approve the amendment if it meets the requirements for plan approval outlined in the department's guidance. When submitting proposed amendments, the installer shall include an explanation of why such amendments are necessary.

IV. The department shall approve a stewardship plan if it determines the plan addresses each element outlined in the department's guidance.

V.(a) Beginning April 1, 2032, and by April 1st in each subsequent year, a installer, or its designated stewardship organization, shall provide to the department a report for the previous calendar year that documents implementation of the plan and assesses achievement of the performance goals established in this section.

(b) The report may include any recommendations to the department or the legislature on modifications to the program that would enhance the effectiveness of the program, including management of program costs and mitigation of environmental impacts of photovoltaic modules.

(c) The installer or stewardship organization shall post this report on a publicly accessible website.

VI. Beginning July 1, 2028, no distributor, installer, or installer may sell or offer for sale a photovoltaic module in or into the state unless the installer of the photovoltaic module has submitted to the department a stewardship plan and received plan approval.

(a) The department shall send a written warning to a installer that is not participating in a plan. The written warning shall inform the installer that it shall submit a plan or participate in a plan within 30 days of the notice. The department may assess a penalty of up to \$10,000 upon a installer for each sale that occurs in or into the state of a photovoltaic module for which a stewardship plan has not been submitted by the installer and approved by the department after the initial written warning. A installer may appeal a penalty issued under this section to the superior court within 180 of receipt of the notice.

(b) The department shall send a written warning to a distributor, installer, or installer that sells or installs a photovoltaic module made by a installer that is not participating in a plan. The written warning shall inform the distributor, installer, or installer that they may no longer sell or install a photovoltaic module if a stewardship plan for that brand has not been submitted by the installer and approved by the department within 30 days of the notice.

VII. The department may collect a flat fee from participating installers to recover costs associated with the plan guidance, review, and approval process described in paragraph I. Other administrative costs incurred by the department for program implementation activities, including stewardship plan review and approval, enforcement, and any rule making, may be recovered by charging every installer an annual fee calculated by dividing department administrative costs by the installer's pro rata share of the New Hampshire state photovoltaic module sales in the most recent preceding calendar year, based on best available information. The sole purpose of assessing the fees authorized in this subsection is to predictably and adequately fund the department's costs of administering the photovoltaic module recycling program.

VIII. In lieu of preparing a stewardship plan and as provided by paragraph III, a installer may participate in a national program for the convenient, safe, and environmentally sound takeback and recycling of photovoltaic modules and their components and materials, if substantially equivalent to the intent of the state program. The department may determine substantial equivalence if it determines that the national program adequately addresses and fulfills each of the elements of a stewardship plan outlined in subparagraph III(a) and includes an enforcement mechanism reasonably calculated to ensure a installer's compliance with the national program. Upon issuing a determination of substantial equivalence, the department shall notify affected stakeholders including the installer. If the national program is discontinued or the department determines the national program is no longer substantially equivalent to the state program in New Hampshire, the department shall notify the installer and the installer shall provide a stewardship plan as described in paragraph III to the department for approval within 30 days of notification.

149-M:64 Rulemaking; Photovoltaic Recycling Fund.

I. The department shall adopt rules under RSA 541-A for the administration of this subdivision.

II. There is hereby established the photovoltaic recycling fund. The fund shall be administered by the department. The fund shall be kept distinct and separate from all other funds and used for the administration of this subdivision. All fees collected from photovoltaic installers under this subdivision shall be deposited in this account. All moneys in the fund shall be nonlapsing and continually appropriated to the department for the purposes of this subdivision.

2 New Subparagraph; Photovoltaic Recycling Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (382) the following new subparagraph:

(383) Moneys deposited in the photovoltaic recycling fund established in RSA 149-M:64, II.

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

MOTION TO LAY ON THE TABLE

Rep. Somssich moved that **HB 1459-FN**, relative to recycling solar panels, be laid on the table.

On a division vote, with 141 members having voted in the affirmative, and 167 in the negative, the motion failed.

The question being adoption of the majority committee amendment.

Majority committee amendment adopted.

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

On a division vote, with 167 members having voted in the affirmative, and 145 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1596-FN, relative to net energy metering limits for individual and business customers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. JD Bernardy for the Majority of Science, Technology and Energy. This bill increases the electric generating capacity of customer generators who may participate in expanded net energy metering. The majority found that increasing net metering is likely socially regressive by cost shifting to customers that do not generate electricity through solar or wind technology. Additionally, there is an ongoing study of net metering being conducted by the Public Utilities Commission with results expected later this spring. It is premature to legislate before these results are known. Finally, net metering was recently expanded for municipalities with the passage of HB 315. It is appropriate to understand the consequences of this change before expanding it more broadly. Vote 13-9.

Rep. Rebecca McWilliams for the Minority of Science, Technology and Energy. This bill would increase the renewable energy net metering cap from 1 MW to 5 MW for all potential energy producers, including: individuals, businesses, and large campus consumers. This bill opens the door for 21st century energy jobs across New Hampshire, building on the similar net metering cap increase signed into law last year for municipalities. New Hampshire's economic security in the future hinges on energy independence. This winter we have been burning oil as a marginal fuel, and we are extremely dependent on natural gas. This means the current New Hampshire energy market is subjected to the whims of the volatile global gas market, exacerbated by the Ukraine conflict. This bill sets the table to create home-grown, renewable energy at home with minimal transmission costs. Municipalities across NH have committed to renewable energy production and consumption goals, and this bill is the next step to help achieve those goals. For example, Concord, Keene, Cornish, Hanover, and Plainfield have committed to use 100% renewable electricity by 2030. It is time to build a resilient local renewable energy future right here in the Granite State.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 1596-FN**, relative to net energy metering limits for individual and business customers, be laid on the table.

On a division vote, with 163 members having voted in the affirmative, and 137 in the negative, the motion was adopted.

HB 1599-FN, relative to customer generators who sell renewable energy certificates. **OUGHT TO PASS.**

Rep. Fred Plett for Science, Technology and Energy. This bill establishes deductions from the credit for exports to the electric grid for new customer-generators over 1 MW until the Public Utilities Commission (PUC) establishes alternative tariffs. It deducts from the credits established by the PUC in Order 26,029 on June 23, 2017 the cost of compliance with the Renewable Portfolio Standard (RPS), from the otherwise payable (as a credit). Default Service Rate (the retail cost of energy), on the theory, and reality, that the generator does not pay into the RPS, and does receive credits for selling renewable energy certificates and therefore, should not get credited again for the costs imposed on all other customers. Vote 13-9.

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

On a division vote, with 163 members having voted in the affirmative, and 137 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 1611, relative to rules of the site evaluation committee. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for Science, Technology and Energy. The committee determined that no compelling need currently exists for this bill. No energy projects are on the horizon for the site evaluation committee (SEC). The issues identified by the bill may be addressed by future legislation derived from a SEC study committee report filed in 2021. Vote 21-1.

Committee report adopted.

HB 1628-FN, directing the department of energy to generate a report on the microgrid project currently in progress at the university of New Hampshire in collaboration with the regional utilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Tom Ploszaj for Science, Technology and Energy. The Department of Energy reports that the of work on the University of New Hampshire microgrid project by UNH and Eversource has been terminated. Vote 19-3.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 1628-FN**, directing the department of energy to generate a report on the microgrid project currently in progress at the university of New Hampshire in collaboration with the regional utilities, be laid on the table.

On a division vote, with 208 members having voted in the affirmative, and 99 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1629-FN, relative to default service for net metering. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for the Majority of Science, Technology and Energy. This bill clarifies the definition of default generation supply service for the purposes of net metering. Default service is the rate that net metering generators receive as a credit for power supplied to their distribution utility. The rate currently includes credits for costs that these generators do not incur, including payments for renewable energy certificates, a utility's cost for developing and acquiring contracts for the delivery of wholesale electricity supply, cost of compliance in the ISO-NE forward capacity market, wholesale supplier profits, and several others. Receiving such credits forces utilities to shift the cost of recovering these expenses onto non-net metering customers. Expansions of net metering will require that these cost-shifts be eliminated and altering the definition of default service accomplishes that goal. Vote 12-10.

Rep. Kat McGhee for the Minority of Science, Technology and Energy. This bill is an attempt to insert the House into the process of rate-setting, when our authorized rate-setting agency, the Public Utilities Commission, has a pending rate-case due this spring, designed to determine the true value of net metered energy. The bill arbitrarily redefines the default service rate applied to those who are net-metering, as less than the default service rate that was agreed to by all as the rate that would stay in place until the current PUC value study was completed. If the value of distributed generation was easy to calculate, there would not be a long-term study at the PUC, nearing its conclusion. This bill will confound local energy producers and confuse the PUC who were party to the agreement to keep the rate steady until the Value of Distributed Energy Resources (VDER) study was completed. These actions are inconsistent with our own prior decisions and although we can derail those decisions, I would argue that economic disruption and erratic policy changes, should be avoided. This bill is unnecessarily disruptive to energy producers engaged in net metering, for no good reason.

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

On a division vote, with 163 members having voted in the affirmative, and 140 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1635-FN, relative to the purchase of output of limited electrical energy producers and including qualifying storage system. **REFER FOR INTERIM STUDY.**

Rep. Nick White for Science, Technology and Energy. This bill would enhance the act governing limited electrical energy producers (LEEPA). The 2021 LEEPA Study Commission report found that questions remain about exactly how avoided transmission charges might be monetized. The public utilities commission Value of Distributed Energy Resources Study due this spring may provide answers to those questions. As a result, the committee believes Interim Study will give this bill's premise its proper direction. Vote 18-4.

Committee report adopted.

HB 1645-FN, requiring notification to renewable energy customer-generators of issues related to renewable energy credits. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lex Berezhny for the Majority of Science, Technology and Energy. This bill would require the Department of Energy (DOE) to send notices to all electricity customer-generators whose unclaimed renewable energy production had been credited to electric providers to be swept and converted into renewable energy certificates. The DOE would further be empowered to delegate this task by requiring distribution companies to send these notices. It was not clear how much these notices would cost to generate and send. It was the prime sponsor's request that this bill be replaced with an amendment containing text substantively like HB 396 from 2021, which this committee recommended Inexpedient to Legislate. This provision has been in statute for over 10 years, and has never been challenged in court. The majority finds that sending notices for unclaimed, or unclaimable, renewable energy certificates is unnecessary and that allowing electricity providers to claim these certificates reduces the electric rates for ratepayers. Vote 12-10.

Rep. Lee Oxenham for the Minority of Science, Technology and Energy. RSA 362-F:6, II-a authorizes the state of New Hampshire to seize the property rights of New Hampshire citizens and businesses who generate renewable energy (RE) – without their knowledge and without providing any compensation – via a practice known as renewable energy credit (REC) sweeping. REC sweeping constitutes a taking and violates the New Hampshire Constitution’s guarantees of property right protection (Part 1, Articles 2 and 12). This statutory provision enables both the regulated utilities and competitive electricity suppliers to meet some or all their Renewable Portfolio Standard (RPS) compliance obligations by means of this seized property. It also prohibits those New Hampshire citizens and businesses whose property was seized from claiming to use RE — even if they are powering their home or business with the physical electricity generated by their own solar array. REC sweeping denies New Hampshire citizens and businesses who generate RE for their own use the right to use their property; denies them the right to exclude others from using their property; and places them in jeopardy of possible criminal prosecution and either misdemeanor or felony conviction for claiming to use RE in any situation relating to commerce. This pernicious practice also transfers millions of dollars from New Hampshire citizens and businesses to private corporations for those corporation’s direct financial benefit. The question being adoption of the majority committee report of Inexpedient to Legislate.

On a division vote, with 165 members having voted in the affirmative, and 139 in the negative, the majority committee report was adopted.

HB 1284, establishing a committee to study the effects of deportation of primary earners on family members who are United States citizens. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Al Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. The majority feels that this bill has good intentions, but the bill is not written properly and goes against the U.S. Constitution. The federal government is responsible for immigration matters. Much of the information this bill seeks is protected by federal law and the committee does not have subpoena power to request school data, individual medical records cost, health care information, or federal taxes paid. Vote 13-8.

Rep. Amanda Elizabeth Toll for the Minority of State-Federal Relations and Veterans Affairs. The minority recommends that this bill Ought to Pass with Amendment. This study committee will provide the much-needed current data on the economic impact on communities in New Hampshire of deportation of primary breadwinners. New Hampshire communities are experiencing a workforce shortage, and the vibrancy and vitality of communities are being reduced, while human potential is being underutilized due to deportation. This study would give basis to find appropriate solutions to sustain communities’ economic growth.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **HB 1284**, establishing a committee to study the effects of deportation of primary earners on family members who are United States citizens, be laid on the table.

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

On a division vote, with 172 members having voted in the affirmative, and 135 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HCR 7, reaffirming support for the nation of Israel and the location of the embassy of the United States therein. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Moffett for the Majority of State-Federal Relations and Veterans Affairs. The majority wanted to make a statement of solidarity and support for the only democracy in a volatile region, following a long tradition of house resolutions demonstrating awareness of contemporary issues. Specifically supporting Israel’s choice of location for its capital underscores the importance of acknowledging the sovereignty of an important ally. The Clinton, Bush, and Obama administrations all recognized Jerusalem as Israel’s capital, although the embassy did not move there until 2018. Vote 12-9.

Rep. Israel Piedra for the Minority of State-Federal Relations and Veterans Affairs. The minority believes that it is not the role of the House to weigh in on international affairs, and especially not to unilaterally pick sides in longstanding and complex geopolitical conflicts. The minority, however, wishes to reaffirm its vehement opposition to all forms of antisemitism.

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

Rep. Labranche offered floor amendment (1078h).

Floor Amendment (1078h)

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

A RESOLUTION reaffirming support for Israel and the Israeli-Palestinian peace process.

Amend the resolution by replacing all after the resolving clause with the following:

That the New Hampshire general court reaffirms its strong support for the Jewish people and our truest ally in the Middle East, the Nation of Israel; and

That the New Hampshire general court recognizes the right of the Palestinian people to exist; and

That the New Hampshire general court supports the Israeli-Palestinian peace process.

That the house clerk is hereby directed to transmit copies of this resolution to the New Hampshire congressional delegation, the governor of the state of New Hampshire, the United States Secretary of State, and the President of the United States.

AMENDED ANALYSIS

This concurrent resolution reaffirms the general court's support for the nation of Israel and the Israeli-Palestinian peace process.

Rep. Labranche spoke in favor.

Rep. Silber spoke against.

MOTION TO LAY ON THE TABLE

Rep. Wolf moved that **HCR 7**, reaffirming support for the nation of Israel and the location of the embassy of the United States therein, be laid on the table.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 150 - NAYS 155

YEAS - 150

CARROLL

Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

McAleer, Chris

CHESHIRE

Abbott, Michael
Faulkner, Barry
Parshall, Lucius
Von Plinsky, Sparky

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

Bordenet, John
Gomarlo, Jennie
Schapiro, Joe
Welkowitz, Lawrence

Eaton, Daniel
Maneval, Andrew
Toll, Amanda Elizabeth

COOS

Craig, Kevin
Tucker, Edith

Kelley, Eamon

Hatch, William

Laflamme, Larry

GRAFTON

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

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

Almy, Susan
Massimilla, Linda
Stavis, Laurel

Dontonville, Roger
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Graham, John
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
O'Brien, Michael
Query, Joshua
Rung, Rosemarie
Telerski, Laura
Wilhelm, Matthew

Beaulieu, Jane
Cornell, Patricia
Freitas, Mary
Griffith, Willis
Jack, Martin
Labranche, Tony
Mangipudi, Latha
Pedersen, Michael
Newman, Ray
Newman, Sue
Van Houten, Constance

Bergeron, Paul
DiSilvestro, Linda
Goley, Jeffrey
Hamer, Heidi
Judy, Jean
Langley, Diane
McGhee, Kat
Petrigno, Peter
Rombeau, Catherine
Snow, Kendall
Vann, Ivy

Bouchard, Donald
Dutzy, Sherry
Gorski, Ted
Harriott-Gathright, Linda
Klee, Patricia
King, Mark
Mullen, Sue
Piedra, Israel
Rouillard, Claire
Lekas, Tony
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Lane, Connie
Schamberg, Thomas
Soucy, Timothy

Allard, James
Ellison, Arthur
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Gallager, Eric
Pimentel, Roderick
Schultz, Kristina
Wolf, Dan

Caplan, Tony
Hall, Muriel
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

ROCKINGHAM

Abramson, Max
Cahill, Michael
Ford, Oliver
Hamblet, Joan
McBeath, Rebecca
Read, Ellen
Ward, Gerald

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

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

Bunker, Lisa
Edgar, Michael
Grote, Jaci
Malloy, Dennis
Pantelakos, Laura
MacDonald, Wayne

STRAFFORD

Bixby, Peter
 Fargo, Kristina
 Levesque, Cassandra
 Wall, Janet

Cannon, Gerri
 Grassie, Chuck
 Smith, Marjorie

Chase, Wendy
 Horrigan, Timothy
 Schmidt, Peter

Conley, Casey
 Kenney, Cam
 Rich, Cecilia

SULLIVAN

Callum, John
 Oxenham, Lee

Cloutier, John
 Spilsbury, Walter

Gottling, Suzanne
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

NAYS - 155**BELKNAP**

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

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

Bordes, Mike
 Howard, Raymond
 Mackie, Jonathan

Comtois, Barbara
 Johnson, Dawn
 Ploszaj, Tom

CARROLL

Avellani, Lino
 Smith, Jonathan

Cordelli, Glenn
 McConkey, Mark

Deshaies, Brodie
 Umberger, Karen

MacDonald, John

CHESHIRE

Mann, John

Qualey, James

Rhodes, Jennifer

COOS

Merner, Troy

GRAFTON

Alliegro, Mark
 Gordon, Edward
 Simon, Matthew

Berezhny, Lex
 Greeson, Jeffrey

Folsom, Beth
 Ham, Bonnie

Sanborn, Gail
 Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
 King, Bill
 Burt, John
 Smith, Denise
 Gagne, Larry
 Homola, Susan
 Sanborn, Laurie
 Long, Patrick
 Mooney, Maureen
 Plett, Fred
 Rice, Kimberly

Alexander, Joe
 Berry, Ross
 Creighton, Jim
 Erf, Keith
 Gould, Linda
 Infantine, William
 Lanzara, Tom
 Marston, Dick
 Notter, Jeanine
 Post, Lisa
 Sheehan, Vanessa

Ammon, Keith
 Blasek, Melissa
 Cushman, Leah
 Foster, William
 Greene, Bob
 Kelsey, Niki
 Lascelles, Richard
 Mayville, Mary
 Nunez, Hershel
 Prout, Andrew
 Somero, Paul

Griffin, Barbara
 Boehm, Ralph
 Kelley, Diane
 Griffin, Gerald
 Healey, Robert
 Kofalt, Jim
 Lewicke, John
 McLean, Mark
 Pauer, Diane
 Renzullo, Andrew

MERRIMACK

Andrus, Louise
 Moffett, Michael
 Walsh, Thomas
 Yakubovich, Michael

Cambrils, Jose
 Pitaro, Matthew
 Wazir, Safiya

Hill, Gregory
 Boyd, Stephen
 Wells, Natalie

McGuire, Carol
 Testerman, Dave
 White, Nick

ROCKINGHAM

Abbas, Daryl
 Baxter, Tim
 DeSimone, Debra
 Edwards, Jess
 Hobson, Deborah
 Khan, Aboul
 Love, David
 Osborne, Jason
 Prudhomme-O'Brien, Katherine
 Spillane, James
 Torosian, Peter
 Vose, Michael
 Yokela, Josh

Abrami, Patrick
 Belanger, Cody
 Dodge, Dustin
 Gay, Betty
 Nelson, Jodi
 Kimball, Mary Ann
 Lynn, Bob
 Piemonte, Tony
 Roy, Terry
 Sweeney, Joe
 Tripp, Richard
 Wallace, Scott

Ayer, Paul
 Bernardy, JD
 Dolan, Tom
 Guthrie, Joseph
 Janigian, John
 Layon, Erica
 Pearson, Mark
 Potucek, John
 Pearson, Stephen
 Sytek, John
 True, Chris
 Welch, David

Baldasaro, Al
 Bershtein, Alan
 Doucette, Fred
 Harb, Robert
 Katsakiores, Phyllis
 Litchfield, Melissa
 Melvin, Charles
 Pratt, Kevin
 Soti, Julius
 Thomas, Douglas
 Verville, Kevin
 Weyler, Kenneth

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	Rollins, Skip	Stapleton, Walter	Smith, Steven
------------	---------------	-------------------	---------------

and the motion failed.

The question now being adoption of floor amendment (1078h).
Rep. Labranche requested a roll call; sufficiently seconded.

YEAS 119 - NAYS 185**YEAS - 119****CARROLL**

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

CHESHIRE

Ames, Richard	Bordenet, John	Eaton, Daniel	Faulkner, Barry
Fenton, Donovan	Maneval, Andrew	Mann, John	Parshall, Lucius
Schapiro, Joe	Toll, Amanda Elizabeth	Von Plinsky, Sparky	Weber, Lucy
Welkowitz, Lawrence			

COOS

Kelley, Eamon	Hatch, William	Tucker, Edith
---------------	----------------	---------------

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Dontonville, Roger
Fellows, Sallie	Hakken-Phillips, Mary	Muirhead, Russell	Murphy, James
Nordgren, Sharon	Smith, Suzanne	Sykes, George	Weston, Joyce

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Bergeron, Paul	Bouchard, Donald
Chretien, Jacqueline	Cornell, Patricia	DiSilvestro, Linda	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Griffith, Willis	Hamer, Heidi
Harriott-Gathright, Linda	Schmidt, Janice	Jeady, Jean	Klee, Patricia
Klein-Knight, Nicole	Labranche, Tony	Langley, Diane	Long, Patrick
King, Mark	Murray, Megan	Mangipudi, Latha	McGhee, Kat
Mullen, Sue	Petrigno, Peter	Piedra, Israel	Query, Joshua
Newman, Ray	Rombeau, Catherine	Rung, Rosemarie	Newman, Sue
Snow, Kendall	Telerski, Laura	Van Houten, Constance	Vann, Ivy
Veilleux, Daniel			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Caplan, Tony	Ebel, Karen
Ellison, Arthur	Gallager, Eric	Hall, Muriel	Lane, Connie
Luneau, David	Pimentel, Roderick	Rogers, Katherine	Schamberg, Thomas
Schuett, Dianne	Schultz, Kristina	Wallner, Mary Jane	Wazir, Safiya
Woods, Gary			

ROCKINGHAM

Abramson, Max	Altschiller, Debra	Bunker, Lisa	DiLorenzo, Charlotte
Gilman, Julie	Grossman, Gaby	Grote, Jaci	Hamblet, Joan
Murray, Kate	Maggiore, Jim	McBeath, Rebecca	Meuse, David
Paige, Mark	Read, Ellen	Somssich, Peter	Ward, Gerald

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Fargo, Kristina
Grassie, Chuck	Horriggan, Timothy	Kenney, Cam	Levesque, Cassandra
Smith, Marjorie	Schmidt, Peter	Rich, Cecilia	Wall, Janet

SULLIVAN

Cloutier, John	Merchant, Gary	Oxenham, Lee	Sullivan, Brian
----------------	----------------	--------------	-----------------

NAYS - 185**BELKNAP**

Aldrich, Glen	Bean, Harry	Bordes, Mike	Comtois, Barbara
Harvey-Bolia, Juliet	Hough, Gregg	Howard, Raymond	Johnson, Dawn
Lang, Timothy	Littlefield, Richard	Mackie, Jonathan	Ploszaj, Tom
Silber, Norman	Terry, Paul		

CARROLL

Avellani, Lino	Cordelli, Glenn	Deshaies, Brodie	MacDonald, John
Smith, Jonathan	McConkey, Mark	Umberger, Karen	

CHESHIRE

Abbott, Michael

Gomarlo, Jennie

Qualey, James

Rhodes, Jennifer

COOS

Craig, Kevin

Laflamme, Larry

Merner, Troy

GRAFTONAlliegro, Mark
Gordon, Edward
Massimilla, LindaBerezhny, Lex
Greeson, Jeffrey
Simon, MatthewFolsom, Beth
Ham, Bonnie
Stavis, LaurelSanborn, Gail
Ladd, Rick**HILLSBOROUGH**Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Graham, John
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Pedersen, Michael
Renzullo, Andrew
Somero, PaulAlexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Goley, Jeffrey
Greene, Bob
Jack, Martin
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Plett, Fred
Rice, Kimberly
Lekas, TonyAmmon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
O'Brien, Michael
Post, Lisa
Rouillard, Claire
Wilhelm, MatthewGriffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Gould, Linda
Homola, Susan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa**MERRIMACK**Allard, James
McGuire, Carol
Shurtleff, Steve
Wells, NatalieAndrus, Louise
Moffett, Michael
Soucy, Timothy
White, NickCambriels, Jose
Pitaro, Matthew
Testerman, Dave
Wolf, DanHill, Gregory
Boyd, Stephen
Walsh, Thomas
Yakubovich, Michael**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dodge, Dustin
Edwards, Jess
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Malloy, Dennis
Piemonte, Tony
Roy, Terry
Spillane, James
Torosian, Peter
Vose, Michael
Weyler, KennethAbrami, Patrick
Baxter, Tim
Cahill, Michael
Dolan, Tom
Ford, Oliver
Hobson, Deborah
Khan, Aboul
Love, David
Melvin, Charles
Potucek, John
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne
Yokela, JoshActon, Dennis
Belanger, Cody
Cali-Pitts, Jacqueline
Doucette, Fred
Gay, Betty
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Osborne, Jason
Pratt, Kevin
Simpson, Alexis
Sytek, John
True, Chris
Wallace, ScottAyer, Paul
Bernardy, JD
DeSimone, Debra
Edgar, Michael
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Soti, Julius
Thomas, Douglas
Verville, Kevin
Welch, David**STRAFFORD**Ankarberg, Aidan
Groen, Fenton
Kaczynski, Thomas
Wuelper, KurtBailey, Glenn
Harrington, Michael
Kittredge, MacConley, Casey
Hayward, Peter
Pitre, JosephDeLemus, Susan
Horgan, James
Turcotte, Leonard**SULLIVAN**Aron, Judy
Spilsbury, WalterCallum, John
Stapleton, WalterGottling, Suzanne
Smith, StevenRollins, Skip
Tanner, Linda

and floor amendment (1078h) failed.

MOTON TO INDEFINITELY POSTPONE

Rep. Cali-Pitts moved that **HCR 7**, reaffirming support for the nation of Israel and the location of the embassy of the United States therein, be Indefinitely Postponed.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 144 - NAYS 160**YEAS - 144****CARROLL**Burroughs, Anita
Woodcock, Stephen

Knirk, Jerry

Marsh, William

McAleer, Chris

CHESHIRE

Abbott, Michael
Faulkner, Barry
Mann, John
Von Plinsky, Sparky

Ames, Richard
Fenton, Donovan
Parshall, Lucius
Weber, Lucy

Bordenet, John
Gomarlo, Jennie
Schapiro, Joe
Welkowitz, Lawrence

Eaton, Daniel
Maneval, Andrew
Toll, Amanda Elizabeth

COOS

Craig, Kevin
Tucker, Edith

Kelley, Eamon

Hatch, William

Laflamme, Larry

GRAFTON

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

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

Almy, Susan
Massimilla, Linda
Stavis, Laurel

Dontonville, Roger
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Griffith, Willis
Jack, Martin
Labranche, Tony
Mangipudi, Latha
Pedersen, Michael
Newman, Ray
Newman, Sue
Van Houten, Constance

Beaulieu, Jane
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Judy, Jean
Langley, Diane
McGhee, Kat
Petrigno, Peter
Rombeau, Catherine
Snow, Kendall
Vann, Ivy

Bergeron, Paul
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Klee, Patricia
King, Mark
Mullen, Sue
Piedra, Israel
Rouillard, Claire
Lekas, Tony
Veilleux, Daniel

Bouchard, Donald
Dutzy, Sherry
Gorski, Ted
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
O'Brien, Michael
Query, Joshua
Rung, Rosemarie
Telerski, Laura
Wilhelm, Matthew

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Gallager, Eric
Pimentel, Roderick
Schultz, Kristina
Wolf, Dan

Caplan, Tony
Hall, Muriel
Rogers, Katherine
Shurtleff, Steve
Woods, Gary

Ebel, Karen
Lane, Connie
Schamberg, Thomas
Soucy, Timothy

ROCKINGHAM

Abramson, Max
Cali-Pitts, Jacqueline
Grossman, Gaby
Maggiore, Jim
Paige, Mark
Ward, Gerald

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Read, Ellen

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

Cahill, Michael
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Levesque, Cassandra
Wall, Janet

Cannon, Gerri
Grassie, Chuck
Smith, Marjorie

Chase, Wendy
Horrigan, Timothy
Schmidt, Peter

Conley, Casey
Kenney, Cam
Rich, Cecilia

SULLIVAN

Callum, John
Oxenham, Lee

Cloutier, John
Spilsbury, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

NAYS - 160**BELKNAP**

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

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

Bordes, Mike
Howard, Raymond
Mackie, Jonathan

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom

CARROLL

Avellani, Lino
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Umberger, Karen

MacDonald, John

CHESHIRE

Qualey, James

Rhodes, Jennifer

COOS

Merner, Troy

GRAFTON

Alliegro, Mark
Gordon, Edward
Simon, Matthew

Berezhny, Lex
Greeson, Jeffrey

Folsom, Beth
Ham, Bonnie

Sanborn, Gail
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Healey, Robert
Kofalt, Jim
Lewicke, John
McLean, Mark
Pauer, Diane
Renzullo, Andrew

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gould, Linda
Homola, Susan
Sanborn, Laurie
Long, Patrick
Mooney, Maureen
Plett, Fred
Rice, Kimberly

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Graham, John
Infantine, William
Lanzara, Tom
Marston, Dick
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Greene, Bob
Kelsey, Niki
Lascelles, Richard
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Somero, Paul

MERRIMACK

Allard, James
McGuire, Carol
Testerman, Dave
White, Nick

Andrus, Louise
Moffett, Michael
Walsh, Thomas
Yakubovich, Michael

Cambrils, Jose
Pitaro, Matthew
Wazir, Safiya

Hill, Gregory
Boyd, Stephen
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

Abrami, Patrick
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Hobson, Deborah
Khan, Aboul
Love, David
Osborne, Jason
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Verville, Kevin
Welch, David

Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Spillane, James
Toriosian, Peter
Vose, Michael
Weyler, Kenneth

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
and the motion failed.

Rollins, Skip

Stapleton, Walter

Smith, Steven

The question now being adoption of the committee report of Ought to Pass.
Rep. Aron spoke in favor.
Rep. Labranche spoke against and requested a roll call; sufficiently seconded.

YEAS 175 - NAYS 107**YEAS - 175****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Littlefield, Richard
Terry, Paul

Bean, Harry
Hough, Gregg
Mackie, Jonathan

Bordes, Mike
Johnson, Dawn
Ploszaj, Tom

Comtois, Barbara
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
Smith, Jonathan

Cordelli, Glenn
McAleer, Chris

Deshaies, Brodie
McConkey, Mark

MacDonald, John
Umberger, Karen

CHESHIRE

Qualey, James

Rhodes, Jennifer

Welkowitz, Lawrence

COOS

Craig, Kevin

Merner, Troy

Tucker, Edith

GRAFTON

Alliegro, Mark
Gordon, Edward
Simon, Matthew

Berezhny, Lex
Greeson, Jeffrey

Folsom, Beth
Ham, Bonnie

Sanborn, Gail
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Erf, Keith
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Post, Lisa
Rung, Rosemarie

Alexander, Joe
Berry, Ross
Creighton, Jim
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Griffin, Gerald
Graham, John
Infantine, William
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Pedersen, Michael
Renzullo, Andrew
Somero, Paul

Griffin, Barbara
Boehm, Ralph
Smith, Denise
Gagne, Larry
Greene, Bob
Jack, Martin
Langley, Diane
Marston, Dick
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Veilleux, Daniel

MERRIMACK

Allard, James
McGuire, Carol
Schamberg, Thomas
White, Nick

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

Cambrils, Jose
Pitaro, Matthew
Walsh, Thomas

Hill, Gregory
Boyd, Stephen
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Gay, Betty
Nelson, Jodi
Kimball, Mary Ann
Lynn, Bob
Osborne, Jason
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Verville, Kevin
Ward, Gerald

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Guthrie, Joseph
Janigian, John
Layon, Erica
Pearson, Mark
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vose, Michael
Welch, David

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Harb, Robert
Katsakiores, Phyllis
Litchfield, Melissa
Malloy, Dennis
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Ford, Oliver
Hobson, Deborah
Khan, Aboul
Love, David
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Bailey, Glenn
Harrington, Michael
Kittredge, Mac
Wuelper, Kurt

Conley, Casey
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Horgan, James
Rich, Cecilia

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Cloutier, John
Sullivan, Brian

Rollins, Skip

NAYS - 107**CARROLL**

Burroughs, Anita

Knirk, Jerry

Marsh, William

Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Parshall, Lucius
Weber, Lucy

Ames, Richard
Fenton, Donovan
Schapiro, Joe

Bordenet, John
Gomarlo, Jennie
Toll, Amanda Elizabeth

Eaton, Daniel
Maneval, Andrew
Von Plinsky, Sparky

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

GRAFTON

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

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

Almy, Susan
Massimilla, Linda
Stavis, Laurel

Dontonville, Roger
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Barody, Benjamin
Chretien, Jacqueline
Espitia, Manny
Schmidt, Janice
Long, Patrick
O'Brien, Michael
Newman, Ray
Telerski, Laura

Beaulieu, Jane
Cornell, Patricia
Freitas, Mary
Judy, Jean
King, Mark
Petrigno, Peter
Rombeau, Catherine
Vann, Ivy

Bergeron, Paul
DiSilvestro, Linda
Griffith, Willis
Klee, Patricia
McGhee, Kat
Piedra, Israel
Newman, Sue
Wilhelm, Matthew

Bouchard, Donald
Dutzy, Sherry
Harriott-Gathright, Linda
Labranche, Tony
Mullen, Sue
Query, Joshua
Snow, Kendall

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Pimentel, Roderick
Soucy, Timothy

Bartlett, Christy
Gallager, Eric
Rogers, Katherine
Wallner, Mary Jane

Caplan, Tony
Hall, Muriel
Schuett, Dianne
Wazir, Safiya

Ebel, Karen
Luneau, David
Shurtleff, Steve
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Gilman, Julie
Meuse, David
Somssich, Peter

Bunker, Lisa
Grossman, Gaby
Paige, Mark

DiLorenzo, Charlotte
Grote, Jaci
Read, Ellen

Edgar, Michael
Maggiore, Jim
Simpson, Alexis

STRAFFORD

Cannon, Gerri
Horriggan, Timothy
Wall, Janet

Chase, Wendy
Kenney, Cam

Fargo, Kristina
Levesque, Cassandra

Grassie, Chuck
Schmidt, Peter

SULLIVAN

Gottling, Suzanne

Merchant, Gary

Oxenham, Lee

Spilsbury, Walter

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

Rep. Marjorie Smith declared a conflict of interest and did not participate in the vote.

MOTION TO SUSPEND HOUSE RULES

Reps. Osborne and Wallner moved that House Rules be so far suspended as to allow the remaining bills on today's calendar be special ordered to March 31, 2022.

Motion adopted by the necessary two-thirds vote.

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, Thursday, March 31, 2022 at 9:00 a.m.

Motion adopted.

LATE SESSION**Third Reading and Final Passage**

HB 1089, relative to the unenforceability of noncompete agreements upon termination of an employee for noncompliance with a medical intervention mandate.

HB 1165, repealing the Granite State paid family leave plan.

HB 1210, relative to exemptions from vaccine mandates.

HB 1337, relative to the duration of unemployment benefits.

HB 1102, relative to certain committees and commissions of the department of state.

HB 1170, limiting the authority of New Hampshire delegates to policymaking conventions.

HB 1046, relative to the election of the Sullivan county commissioners.

HB 1070, relative to the default budget in official ballot jurisdictions.

HB 1081, relative to the dissolution of a village district.

HB 1194, relative to the procedure for overriding a local tax cap.

HB 1268, limiting the authority for city council bylaws and ordinances.

HB 1307, modifying the authority and duties of the housing appeals board.

HB 1393, relative to the adoption of school district budget caps.

HB 1667, relative to the standard and optional veterans' tax credits and the all veterans' tax credit.

HB 1432, prohibiting the use of state funds for new passenger rail projects.

HB 2022, relative to the 10-year transportation plan.

HB 1097, relative to taxation of income of New Hampshire residents when working remotely for an out of state employer.

HB 1221-FN, relative to the rate of the business profits tax.

HB 1148, relative to prohibiting government entities subordinate to the state from restricting the types of fuel sources that may be used for energy.

HB 1258, relative to the implementation of the department of energy.

HB 1270, repealing the legislative oversight committee to monitor the transformation of delivery of electric services.

HB 1328-FN, authorizing a utility to petition to be relieved of their carrier of last resort obligations.

HB 1459-FN, relative to recycling solar panels.

HB 1599-FN, relative to customer generators who sell renewable energy certificates.

HB 1629-FN, relative to default service for net metering.

HCR 7, reaffirming support for the nation of Israel and the location of the embassy of the United States therein.

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 9:20 p.m.

RECESS

(Representative Abrami in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 50 and 55.

Rep. Osborne, Sen. Avard for the Committee

ENROLLED BILL AMENDMENTS

HB 440, prohibiting the suspension of civil liberties during a state of emergency.

Amendment 2022-1105EBA

Amend section 3 of the bill by replacing line 3 with the following:

III-a. Notwithstanding the foregoing enumerated powers, civil liberties shall on no account be
Motion adopted.

SENATE MESSAGES

CONCURRENCE

HB 52, apportioning congressional districts.

HB 116, relative to personal delivery devices and mobile carriers.

HB 207-FN, repealing the regulation of household goods carriers.

HB 418, relative to supreme court reporting.

HB 457, relative to the meetings of the legislative youth advisory council.

HB 589-FN, requiring workers' compensation to cover prophylactic treatment for critical exposure.

HB 1016-FN, relative to licensing of speech-language specialists.

HB 1062, relative to the duties of the electrology advisory committee.

HB 1427-FN, relative to membership on the speech-language pathology and hearing care provider governing board.

HB 1441, establishing a commission to organize the observance of the 250th anniversary of the declaration of independence.

HB 1575-FN, relative to waiver of tuition in the university system and community college system.

REFERRED FOR INTERIM STUDY

HB 228, relative to the calculation of child support in cases with equal or approximately equal parenting time.

RECESS

(Speaker Packard in the Chair)

RESOLUTION

Rep. Umberger offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 53, 121, 144, 160, 200, 201, 202, 204, 205, 206, 207, 208, 209, 212, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 229, 230, 233, 234, 236, 239, 240, 242, 245, 246, 249, 256, 258, 259, 260, 261, 265, 268, 269, 270, 272, 273, 274, 275, 276, 277, 278, 279, 281, 282, 283, 284, 285, 286, 289, 290, 291, 292, 293, 294, 296, 297, 299, 301, 302, 305, 306, 308, 309, 310, 312, 316, 317, 318, 319, 325, 326, 329,

336, 337, 339, 343, 345, 346, 350, 352, 353, 354, 355, 356, 357, 358, 360, 364, 366, 367, 371, 373, 375, 377, 378, 385, 386, 388, 389, 391, 392, 393, 395, 396, 397, 398, 399, 404, 406, 407, 409, 410, 412, 414, 419, 422, 423, 429, 435, 439, 440 and 457 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 53, relative to confidentiality of department of revenue administration records. (Executive Departments and Administration)

SB 121, relative to a state-based health exchange. (Commerce and Consumer Affairs)

SB 144-FN, relative to child care scholarships. (Children and Family Law)

SB 160-FN, relative to multiple employer welfare arrangements. (Commerce and Consumer Affairs)

SB 200, relative to the election of district commissioners in Haverhill. (Special Committee on Redistricting)

SB 201, relative to naming a bridge in the town of Rumney and a bridge in the town of Center Harbor. (Public Works and Highways)

SB 202-FN, prohibiting the sale of cosmetic products tested on animals. (Commerce and Consumer Affairs)

SB 204, relative to the definition of "covered claim" for purposes of the New Hampshire insurance guaranty association act. (Commerce and Consumer Affairs)

SB 205, relative to the insurance department administration fund. (Commerce and Consumer Affairs)

SB 206, relative to consumer guaranty contracts. (Commerce and Consumer Affairs)

SB 207, relative to administrative fee credit for insurance company external review. (Commerce and Consumer Affairs)

SB 208, relative to life insurance. (Commerce and Consumer Affairs)

SB 209, relative to electronic wage payments. (Labor, Industrial and Rehabilitative Services)

SB 212-FN, relative to liquor manufacturers. (Commerce and Consumer Affairs)

SB 216, establishing a commission to study the landlord and tenant mediation program in circuit courts. (Judiciary)

SB 217, relative to eviction notices. (Judiciary)

SB 218, declaring October 13 as Metastatic Breast Cancer Awareness Day. (Executive Departments and Administration)

SB 219, declaring the month of September as kinship care awareness month. (Executive Departments and Administration)

SB 220, relative to establishing a committee to study licensure of mental health professionals. (Executive Departments and Administration)

SB 221, relative to the internal organization of the department of corrections. (Executive Departments and Administration)

SB 222, permitting licensing boards to conduct remote meetings. (Judiciary)

SB 223, relative to requirements for recovery houses. (Executive Departments and Administration)

SB 224, recognizing the second Thursday in October as children's environmental health day. (Executive Departments and Administration)

SB 225, relative to the bond required of applicants for auctioneer licenses. (Executive Departments and Administration)

SB 229, relative to pharmacist administration of vaccines. (Health, Human Services and Elderly Affairs)

SB 230-FN, relative to the practice of body art. (Executive Departments and Administration)

SB 233-FN, relative to water bottle filling stations in schools. (Education)

SB 234, requiring student identification cards to include the National Suicide Prevention Lifeline. (Education)

SB 236, establishing a committee to study New Hampshire teacher shortages and recruitment incentives. (Education)

SB 239-FN, relative to noncompliance with municipal audit requirements. (Municipal and County Government)

SB 240, apportioning state senate districts. (Special Committee on Redistricting)

SB 242, relative to the disqualification of certain persons from performing the duties of an election official. (Election Law)

SB 245, establishing a committee to study agreements between developers and municipalities on municipal trash removal fees paid by condominium owners and renters. (Municipal and County Government)

SB 246, relative to qualified private communities. (Municipal and County Government)

SB 249, prohibiting planning and zoning ordinances that prohibit short-term rentals. (Municipal and County Government)

SB 256, establishing a committee to study the feasibility of replacing the site evaluation committee. (Science, Technology and Energy)

SB 258-FN-L, relative to the graves of African Americans alive during the period of American enslavement. (Resources, Recreation and Development)

SB 259, relative to the definition of “municipal host” for purposes of limited electrical energy producers. (Science, Technology and Energy)

SB 260, relative to search and rescue teams activated by fish and game. (Fish and Game and Marine Resources)

SB 261-FN, relative to net metering participation. (Science, Technology and Energy)

SB 265, relative to the aggregation of electric customers by counties. (Science, Technology and Energy)

SB 268-FN, relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine. (Science, Technology and Energy)

SB 269-FN, establishing a commission to study energy saving weatherization programs. (Science, Technology and Energy)

SB 270, establishing a low-moderate income community solar program. (Science, Technology and Energy)

SB 272, establishing a committee to study the oversight and operation of the public deposit investment pool. (Commerce and Consumer Affairs)

SB 273-A, relative to broadband infrastructure funding. (Municipal and County Government)

SB 274, relative to governmental construction contracts. (Executive Departments and Administration)

SB 275, relative to the opioid abatement trust fund. (Health, Human Services and Elderly Affairs)

SB 276, relative to the reporting requirements for the regenerative manufacturing workforce development program. (Labor, Industrial and Rehabilitative Services)

SB 277-FN, relative to emergency or temporary health care licenses. (Executive Departments and Administration)

SB 278-FN, relative to funding for the Piscataqua River turning basin project in the port authority project. (Public Works and Highways)

SB 279, establishing a study committee on harm reduction and overdose prevention programs. (Health, Human Services and Elderly Affairs)

SB 281, relative to nursing home policies regarding notice of vacancy. (Health, Human Services and Elderly Affairs)

SB 282, relative to the board of acupuncture licensing and relative to the qualifications for licensure as an acupuncturist. (Executive Departments and Administration)

SB 283, relative to membership of the council on autism spectrum disorders and the developmental services quality council. (Health, Human Services and Elderly Affairs)

SB 284, relative to the treatment of glaucoma. (Executive Departments and Administration)

SB 285, relative to discount medical plan organizations. (Commerce and Consumer Affairs)

SB 286-FN, establishing an association health plan pilot program. (Commerce and Consumer Affairs)

SB 289, relative to glucagon administration. (Health, Human Services and Elderly Affairs)

SB 290-FN, relative to the practice of auriculotherapy. (Health, Human Services and Elderly Affairs)

SB 291, establishing a committee to study the issue of unmarried cohabitants, domestic partnerships, and common law marriage. (Children and Family Law)

SB 292, requiring notice of arrest to a probation and parole officer. (Criminal Justice and Public Safety)

SB 293-FN, establishing a committee to clarify the intent of RSA 644:9 relative to violation of privacy. (Criminal Justice and Public Safety)

SB 294-FN, relative to the release of a defendant pending trial. (Criminal Justice and Public Safety)

SB 296, relative to complaint procedures in cases before the commission for human rights. (Judiciary)

SB 297, relative to obtaining out-of-state discovery and testimony. (Judiciary)

SB 299-FN, relative to the penalty for escape. (Criminal Justice and Public Safety)

SB 301-FN-L, relative to the procedure for violations under the right to know law. (Judiciary)

SB 302-FN, establishing the personal privacy protection act. (Judiciary)

SB 305, relative to the operation of personal water craft in marked channels from Hampton Falls to Hampton Harbor. (Resources, Recreation and Development)

SB 306-FN, relative to the penalties for various motor vehicle violations. (Criminal Justice and Public Safety)

SB 308, relative to driver’s licenses for certain visa holders. (Transportation)

SB 309, authorizing certain organizations to issue decal plates. (Transportation)

SB 310, relative to license plate scanning. (Transportation)

SB 312, relative to adjusted assessments of taxable property. (Municipal and County Government)

SB 316-FN, relative to lucky 7 licenses. (Ways and Means)

SB 317-L, reducing the interest rate for abatements of paid property taxes. (Municipal and County Government)

SB 318-FN, extending the hours in which games of chance may be conducted. (Ways and Means)

SB 319-FN, relative to vaccination status and wellness incentives. (Commerce and Consumer Affairs)

SB 325, relative to local organization for emergency management and first responders. (Executive Departments and Administration)

SB 326-FN, relative to developing a plan to create the office of early childhood. (Children and Family Law)

SB 329, establishing a commission to study barriers to housing development in New Hampshire, including workforce and middle-income housing. (Municipal and County Government)

SB 336, relative to family mediator interns. (Children and Family Law)

SB 337-FN, relative to emergency medical and trauma services data sharing to the purposes of analysis. (Health, Human Services and Elderly Affairs)

SB 339, relative to meetings of boards and commissions in the department of safety. (Judiciary)

SB 343, establishing a committee to study room occupancy tax revenues and fees and the formula for distribution to municipalities. (Ways and Means)

SB 345, relative to youth employment. (Labor, Industrial and Rehabilitative Services)

SB 346-FN-A, requiring the department of environmental services to conduct feasibility and impact studies for the construction of a pier on Hampton Beach. (Public Works and Highways)

SB 350, relative to rulemaking by the state board of education on educational personnel applicant checks and licensing standards. (Education)

SB 352, relative to substitute teacher criminal history records check. (Education)

SB 353, relative to the education professional standards board. (Education)

SB 354, relative to insurance adjuster licensing, insurance producer licensing fees, and the sale of credit life and credit accident and health insurance policies by banks. (Commerce and Consumer Affairs)

SB 355-FN, requiring online marketplaces to disclose certain information to consumers. (Commerce and Consumer Affairs)

SB 356-FN, relative to medical benefits payments by state retirees. (Executive Departments and Administration)

SB 357-FN, relative to mental health training for first responders. (Executive Departments and Administration)

SB 358, establishing October 2022 as eczema awareness month. (Executive Departments and Administration)

SB 360, relative to national guard educational benefits. (State-Federal Relations and Veterans Affairs)

SB 364, relative to the use of electronic poll books. (Election Law)

SB 366-FN, requiring an audit of ballots cast in the 2022 primary and general election. (Election Law)

SB 367, relative to the regulatory status of advanced recycling and manufacturing facilities. (Environment and Agriculture)

SB 371-FN-A, making an appropriation to the lead paint hazard remediation fund. (Finance)

SB 373, relative to coverage for certain mental illnesses. (Commerce and Consumer Affairs)

SB 375-FN, relative to requirements for charitable organizations. (Judiciary)

SB 377-FN, relative to the eligibility of certain injuries of state troopers for workers' compensation. (Labor, Industrial and Rehabilitative Services)

SB 378-FN, relative to the disposal of highway or turnpike funded real estate. (Public Works and Highways)

SB 385-FN, relative to financial exploitation of vulnerable adults. (Commerce and Consumer Affairs)

SB 386, relative to the determination of state adequate education grants and chartered public school tuition amounts. (Education)

SB 388, relative to availability of information or records relating to the enhanced 911 system. (Judiciary)

SB 389-FN, defining mobile service garages and relative to state vehicle inspections. (Transportation)

SB 391, relative to the operation of a state forensic psychiatric hospital. (Health, Human Services and Elderly Affairs)

SB 392, establishing a commission to study insanity and restoration of competency. (Judiciary)

SB 393-FN, relative to the use of restraints on pregnant women in the custody of a state or county correctional facility. (Criminal Justice and Public Safety)

SB 395, relative to the broadband matching grant initiative. (Science, Technology and Energy)

SB 396-FN, relative to solid waste management. (Environment and Agriculture)

SB 397, relative to the mental health counseling compact and the interstate compact for the placement of children. (Executive Departments and Administration)

SB 398, relative to building code and fire code enforcement. (Executive Departments and Administration)

SB 399-FN, relative to certain provisions of the fetal life protection act requiring an ultrasound examination. (Judiciary)

SB 404-FN, establishing a supplemental nutrition assistance program. (Health, Human Services and Elderly Affairs)

SB 406, relative to river's license reciprocity. (Transportation)

SB 407-FN, relative to expanding Medicaid to include certain postpartum health care services and making an appropriation therefor. (Health, Human Services and Elderly Affairs)

SB 409, relative to disaster relief loans. (Finance)

SB 410, relative to public comment periods at school district meetings and meetings of the state board of education. (Education)

SB 412-FN-A, making an appropriation to the department of health and human services for nursing home reimbursement rates. (Finance)

SB 414-FN-A, relative to the definition of Alzheimer's disease and related disorders. (Health, Human Services and Elderly Affairs)

SB 419-FN, establishing a commission to study the delivery of public health services in New Hampshire through regional public health networks. (Health, Human Services and Elderly Affairs)

SB 422-FN, establishing an adult dental benefit under the state Medicaid program. (Finance)

SB 423-FN, relative to a closed loop referral system in the department of health and human services. (Health, Human Services and Elderly Affairs)

SB 429-FN, relative to the site evaluation committee. (Science, Technology and Energy)

SB 435-FN, relative to the net operating loss carryover under the business profits tax. (Ways and Means)

SB 439-FN, relative to the brain and spinal cord injury advisory council and community-based support program. (Health, Human Services and Elderly Affairs)

SB 440-FN, relative to the office of offshore wind industry development. (Science, Technology and Energy)

SB 457, establishing a committee to study nonprofit organizations contracting with the department of health and human services for children's services. (Children and Family Law)

RECESS

(Speaker Packard in the Chair)

RESOLUTION

Rep. Steven Smith offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 210, 228, 251, 257, 263, 264, 311, 321, 324, 328, 330, 333, 334, 335, 383, 390, 400, 454 and 460 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 210, relative to the sale of manufactured housing parks. (Commerce and Consumer Affairs)

SB 228, relative to the regulation and practice of physician assistants. (Executive Departments and Administration)

SB 251, relative to the advisory board of a tax increment financing district. (Municipal and County Government)

SB 257, enabling municipalities to incorporate sewage disposal systems as part of their stormwater utility. (Resources, Recreation and Development)

SB 263, establishing the New Hampshire youth environmental education and conservation council. (Science, Technology and Energy)

SB 264, relative to certain references to the department of energy and transferring authority over the low-income electricity assistance program to the department of energy. (Science, Technology and Energy)

SB 311, relative to access to drivers' license information for healthcare and motor vehicle related business purposes. (Transportation)

SB 321, relative to the purchase of output of limited electrical energy producers in intrastate commerce and including qualifying storage systems. (Science, Technology and Energy)

SB 324-FN, relative to the resolution of disputes for condominium unit owners, homeowners' association unit owners, and tenant owned manufactured housing parks. (Commerce and Consumer Affairs)

SB 328, relative to the date of the state primary election. (Election Law)

SB 330-FN, establishing a committee to study and make recommendations relative to the office of professional licensure and certification and the licensure of professions under boards, councils, and commissions within the office; relative to the boxing and wrestling commission; and relative to the expiration of terms of the board of foresters members. (Executive Departments and Administration)

SB 333, relative to licensure of case management service providers. (Executive Departments and Administration)

SB 334-L, establishing a committee to study property blight in New Hampshire cities and towns. (Municipal and County Government)

SB 335, relative to collaborative pharmacy practice agreements. (Health, Human Services and Elderly Affairs)

SB 383-FN, relative to land surveying services. (Executive Departments and Administration)

SB 390, relative to telemedicine and telehealth. (Health, Human Services and Elderly Affairs)

SB 400-FN, relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development. (Municipal and County Government)

SB 454, establishing a committee to study the information collected by the division of vital records administration as part of the live birth worksheet. (Health, Human Services and Elderly Affairs)

SB 460-FN, relative to salaries for employee positions approved by the joint committee on employee classification. (Executive Departments and Administration)

RECESS

(Representative Ladd in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 440.
Rep. Osborne, Sen. Avard for the Committee

SENATE MESSAGES

CONCURRENCE

HB 398, making an appropriation to the department of environmental services for funding eligible wastewater projects.

HB 1029, relative to the Claremont police commission.

HB 1074, relative to notice to a chartered public school of a special education services meeting.

HB 1214-FN, eliminating fees for walking disability placards.

HB 1228-FN, relative to recommendations of the joint committee on dedicated funds.

HB 1323, relative to hike safe cards.

HB 1327, including diabetes in the conditions listed for eligibility for a service animal.

HB 1437-FN, relative to registration plates for antique farm tractors.

LAID ON THE TABLE

HB 412, making an appropriation to the department of environmental services for the purpose of funding public water system projects.

NONCONCURRENCE

HB 364, revising the definition of charitable organizations relative to games of chance.

RECESS

(Speaker Packard in the Chair)

RESOLUTION

Rep. Steven Smith offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 227, 238, 241, 243, 262, 271, 287, 313, 365, 368, 381, 394, 405, 408, 416, 420, 424, 427 and 449 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 227-FN, relative to death benefits for first responders who die from suicide. (Finance)

SB 238, relative to special education services in chartered public schools. (Education)

SB 241, apportioning executive council districts. (Special Committee on Redistricting)

SB 243, permitting transfer on death deeds for real property. (Judiciary)

SB 262, relative to customer generators of electric energy. (Science, Technology and Energy)

SB 271, relative to the Burgess BioPower facility. (Science, Technology and Energy)

SB 287, relative to balance billing for certain health care services. (Commerce and Consumer Affairs)

SB 313, relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification. (Executive Departments and Administration)

SB 365, relative to absentee ballot outer envelopes. (Election Law)

SB 368-FN, relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund. (Environment and Agriculture)

SB 381-FN-A, establishing an office of the advocate for special education. (Education)

SB 394-FN, relative to the definition of a child with a disability under special education laws. (Education)

SB 405-FN, relative to fines and penalties for election law violations. (Election Law)

SB 408-FN, directing the department of health and human services to make adjustments to the facility fee reimbursement schedule for freestanding birthing centers. (Health, Human Services and Elderly Affairs)

SB 416-FN, relative to behavioral health assessment and treatment for children in out-of-home placements. (Health, Human Services and Elderly Affairs)

SB 420-FN-A-L, establishing an extraordinary need grant for schools. (Education)

SB 424-FN, relative to renewable energy and natural gas. (Science, Technology and Energy)

SB 427-FN, modifying the absentee voter registration process, absentee ballot application, and absentee ballot voting process. (Election Law)

SB 449, relative to the retention of social security numbers by the division of motor vehicles. (Transportation)

RECESS

(Speaker Packard in the Chair)

ENROLLED BILL AMENDMENTS

HB 1016-FN, relative to licensing of speech-language specialists.

Amendment 2022-1228EBA

Amend section 1 of the bill by replacing lines 1-3 with the following:

1 New Paragraph; Speech-Language Pathology; Eligibility for Initial Licensure. Amend RSA 326-F:3 by inserting after paragraph III the following new paragraph:

IV.(a) As of July 1, 2022, to be eligible to practice speech-language pathology in a public
Motion adopted.

HB 1427-FN, relative to membership on the speech-language pathology and hearing care provider governing board.

Amendment 2022-1220EBA

Amend RSA 328-F:4, VIII(c) as inserted by section 4 of the bill by replacing line 2 with the following:

alternate, who have actively practiced in this state for at least 3 years.
Motion adopted.

HB 1441, establishing a commission to organize the observance of the 250th anniversary of the declaration of independence.

Amendment 2022-1224EBA

Amend RSA 17-S:2, I(b) as inserted by section 1 of the bill by replacing line 2 with the following:
of representatives, with at least one member from the minority caucus and one member from

Amend RSA 17-S:6, I as inserted by section 1 of the bill by replacing it with the following:

I. There is hereby established in the state treasury a nonlapsing fund to be known as the American Revolution sestercentennial trust fund which shall be kept separate and distinct from all other funds. All monetary gifts, grants, and donations accepted pursuant to this chapter shall be deposited in such fund. The fund is established to pay for the expenses of the commission's duties and activities as set forth in RSA 17-S:3.

Motion adopted.

RECESS