State of
New Hampshire

HOUSE RECORD

Second Year of the 167th General Court

Calendar and Journal of the 2022 Session

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Vol. 44 **Concord, N.H.** **Thursday, March 31, 2022** **No. 9**

HOUSE JOURNAL NO. 8 (Cont'd)

Thursday, March 17, 2022

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

HOUSE JOURNAL NO. 9

Thursday, March 31, 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 Guest Chaplain, Rabbi Levi Krinsky, Regional Director of the Chabad Community.
God of heaven and earth, Master of the universe, look favorably upon the House of Representatives and the government of the State of New Hampshire. Bless these distinguished individuals, chosen by the people of New Hampshire who have placed their faith and confidence in them to make laws and decisions for them and their families. Let us recognize that this is a God given position that is actually the performance of one of the seven universal laws given to us by God in the Torah, in order to ensure a peaceful and moral society governed by laws that are based on the recognition and acknowledgment of you God, as the sovereign ruler of all men and women and all nations. Grant us Almighty God that those assembled here be aware of Your presence and that by laboring for the enactment of just laws they are doing Your will. Bless them with good health, wisdom, compassion, good cheer, and good fellowship. We pray that God hasten the fulfillment of the vision of the Prophet Isaiah, and they shall beat their swords into plowshares, and their spears into pruning hooks: nation shall not lift up sword against nation, neither shall they learn war anymore. Oseh shalom bimromav, Hu ya'aseh shalom aleynu, Ve'al kol yisrael, Ve'imru Amen. He who makes peace on High, may he bring peace upon us and upon all of humanity, and let us say Amen.

Representative Terry Roy, member from Deerfield, led the Pledge of Allegiance.

The National Anthem was sung by Nicole Knox Murphy of Candia.

LEAVES OF ABSENCE

Reps. Cleaver, Ellis, Mary Griffin, Hopper, Laughton, Leavitt, Lundgren, Myler, O'Hearne, Timothy Smith, Sofikitis and Tudor, the day, illness.
Reps. Booras, Amanda Bouldin, Cote, Cross, DiSilvestro, Gourgue, Harrington, McBeath, Moran, O'Hara, Schuett, Vincent, Von Plinsky and Woodcock, the day, important business.
Reps. Elliott, Perez and Wazir, the day, illness in the family.

INTRODUCTION OF GUESTS

Conner Sengaloun, Student at Hinsdale High School, Page for the day.

Katy Peternel, guest of Rep. Cordelli. Doug Hanson, guest of Rep. Gottling. Brent Winebrenner, and Ryan Pfitzer, guests of Rep. Bartlett. Sue Lacroix, Catherine Pepler, Ken Cail, Carmen Benoit, Bryon Murphy, and Barbara Lyman, guests of Rep. Roy.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 102, establishing a commission to study worldwide combined reporting method for unitary businesses under the business profits tax, and relative to the treatment of water or sewerage disposal utilities under the business profits tax. (Amendment printed SJ 3/17/22)

Rep. Major moved that the House concur and spoke in favor.
Motion adopted.

HB 1063, relative to the technical changes to the administration of certain taxes by the department of revenue administration and relative to county redevelopment district bonds for an unincorporated place. (Amendment printed SJ 3/24/22)
Rep. Major moved that the House concur and spoke in favor.
Motion adopted.

Reps. Osborne and Wallner offered an Amendment to House Rule 66, as proposed by the Rules Committee.

AMENDMENT TO HOUSE RULES

Amend House Rule 66 by adding the following:

Tuesday September 6, 2022	First day for incumbents running for re-election to file LSRs with complete information
Friday, September 16, 2022	Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information
Friday, October 28, 2022	Last day to file 2022 Interim Study reports
Wednesday, November 9, 2022	First day for all Representatives to file LSRs with complete information
Tuesday, November 22, 2022 (12:00 p.m.)	Last day to file LSRs with complete information Ten-day sign-off begins
Wednesday, December 28, 2022 (12:00 p.m.)	Last day to sign-off on all LSRs
Friday, January 20, 2023	Last day to introduce House Bills Last day to amend House Rules by majority vote

Adopted by the necessary two-thirds vote.

Reps. Osborne and Wallner offered an Amendment to House Rule 58 (a), as proposed by the Rules Committee, by adding a new clause (3) and renumbering remaining clauses as follows:

AMENDMENT TO HOUSE RULES

Amend House Rule 58 (a) by adding a new clause (3) and renumbering remaining clauses as follows:
58. Early/late sessions; leaves of absence.
(a) The order of business in the early session shall be as follows:
1. Prayer by the Chaplain or a substitute designated by the Speaker, pledge of allegiance and leaves of absence if received before the start of the legislative day;
2. Introduction of guests;
3. Memorial remarks (for current or former deceased members);
~~3.~~ 4. Petitions of members;
~~4.~~ 5. Consideration of unfinished business;
~~5.~~ 6. Introduction, first and second reading and referral of bills;
~~6.~~ 7. Messages from the Senate, the Governor and the Secretary of State;
~~7.~~ 8. Consideration of Consent Calendar items;
~~8.~~ 9. Reports from standing and select committees;
~~9.~~ 10. Resolutions, motions and notices;
~~10.~~ 11. Adjournment from the early session.
Adopted by the necessary two-thirds vote.

REFERRAL DECLINED

Rep. Abbas, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 47 (f), declined the referral of **HB 1469-FN,** relative to prohibited acts for banks, credit unions, and businesses.

CONSENT CALENDAR

Rep. Osborne moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
HB 1540-FN, relative to recording custodial interrogations, removed by Rep. True.
Consent Calendar adopted.

HB 1496-FN, requiring political subdivisions to make voter checklists available in spreadsheet form to any resident. **OUGHT TO PASS.**
Rep. Maureen Mooney for Finance. This bill, as amended, came to Finance after adoption by a division vote of 183-169 on the regular calendar. The bill amends the sub-section of RSA 654:31 that governs the provision of local voter checklists by the supervisors of the checklist. It specifies that checklists may be furnished on

paper or in electronic spreadsheet form or using comma separated values (CSV). A person may only make one request per month and only to the town or city in which the requesting party resides. Electronic copies are limited to the requestor's town or city only once a month. The fee structure set forth in RSA 654:31, II is still in place. Thus, there is no budgetary impact on the revised fiscal note. Vote 21-0.

HB 1531-FN-A, modifies the oversight commission on children's services. **OUGHT TO PASS.**
Rep. Jess Edwards for Finance. This bill was amended after bill introduction. The amendment changed the initial fiscal note to there being no fiscal impact. Consequently, the Finance Committee recommends the House pass the bill on consent. Vote 21-0.

HB 1547-FN, setting maximum contaminant levels for perfluorochemicals in the soil. **OUGHT TO PASS.**
Rep. Karen Umberger for Finance. This bill was passed by the House on February 16 with a voice vote. The amendment replaced the entire bill and removed any financial obligations to state or local government. Vote 21-0.

HB 1608-FN, relative to withdrawal from the state immunization registry. **OUGHT TO PASS.**
Rep. Jess Edwards for Finance. The amendment changed the initial fiscal note to there being no fiscal impact. Consequently, the Finance Committee recommends the House pass the bill on consent. Vote 19-2.

HB 1622-FN, relative to mental health parity. **OUGHT TO PASS.**
Rep. Jess Edwards for Finance. The amendment changed the initial fiscal note to there being no fiscal impact. Consequently, the Finance Committee recommends the House pass the bill on consent. Vote 21-0.

HB 1665-FN-A-L, establishing a municipal road and bridge disaster relief fund. **REFER FOR INTERIM STUDY.**
Rep. Mary Heath for Finance. The bill, as amended, establishes a municipal road and bridge disaster relief fund to provide funding assistance to municipalities that experienced significant damage to roads and bridges due to a natural disaster. The fund would be non-lapsing and appropriated to the Department of Safety, Division of Homeland Security and Emergency Management. The bill as written needs further work but the intent of the bill merits study. Specifically, how such a fund would work within current Chapter 9 Budget and Appropriations: Revolving funds deficit control Section 9:13-d. The testimony provided demonstrated the hardships towns or municipalities experience during a natural disaster and the need for immediate financial support to reopen bridges and roads. The lapse in time between the urgency to reopen and emergency funding creates an insurmountable hardship for a municipality. The committee believes the idea has some merit but it requires additional study. Vote 20-0.

HB 1237-FN, relative to the definition of cigar bar. **OUGHT TO PASS.**
Rep. Timothy Lang for Ways and Means. This bill was amended in the first committee, Commerce and Consumer Affairs. That amendment fixed some serious issues in the original bill. Now this form of the bill relaxes some onerous laws on licensed cigar bars. This version of the bill loosens the law on these licensees, by adding both "cigarettes, loose tobacco" to the current list of allowed revenues items needed to reach the required 60% of sales of cigar related products. This relaxed law will only help these niche businesses. Vote 16-0.

HB 1288, relative to the terms for certain officers and the names, duties, and funds of certain divisions within the department of administrative services. **OUGHT TO PASS.**
Rep. Susan Almy for Ways and Means. This bill makes changes to the Department of Administrative Services which the first committee approved earlier. It came to Ways and Means only because it increases the annual amount retained in the nonlapsing personnel education and training fund for the division of personnel. This fund is used for training of state and substate staff in public management. Recently, the contribution to the fund from the general fund was eliminated, so there is a need to retain more fee money for continuing training. Vote 17-0.

HB 1339, relative to the Winnipesaukee River basin control replacement fund. **OUGHT TO PASS.**
Rep. Timothy Lang for Ways and Means. This bill allows for a fairer distribution of repair costs to the ten member communities of malfunctioning equipment within the Winnipesaukee River basin sewer system. The bill is the result of deliberations among the member towns and was passed by them on an 8-2 vote. It allows funding of the repair based on the formula 50% cost to the impacted communities, split based on usage, and the balance 50% split between all communities based on usage. This is a modernization bill, as this law and formula has not been updated since the 1980s. Vote 16-0.

REGULAR CALENDAR - PART I

HR 15, condemning the Communist Party of China and the People's Republic of China. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Michael Moffett for the Majority of State-Federal Relations and Veterans Affairs. Following the New Hampshire House's long tradition of making occasional resolutions on important matters, this committee voted to publicly rebuke the Chinese communist party for its egregious behavior and state policies, including illegally occupying sovereign territory, committing genocide against the Uyghurs, harvesting organs of political prisoners, snuffing out democratic practices in Hong Kong, illegally constructing artificial islands in international waters and threatening a violent take-over of Taiwan. Vote 11-10.

Rep. Linda Massimilla for the Minority of State-Federal Relations and Veterans Affairs. The minority feels that this resolution is beyond the scope of the New Hampshire legislature in general, and this committee specifically, to engage in foreign policies.

Majority Amendment (0131h)

Amend the bill by replacing the third paragraph after the resolving clause with the following:

That the house clerk forward copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the New Hampshire congressional delegation, the Ambassador of the People's Republic of China to the United States, and the Taipei Economic and Cultural Representative.

Majority committee amendment adopted.

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.

HR 17, opposing all federal and state efforts to establish a carbon tax on fuels for electricity and transportation. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. William Foster for the Majority of State-Federal Relations and Veterans Affairs. With the current high-energy costs, record inflation, increasing supply chain issues and costs, along with our state having one of the lowest CO2 emissions in the U.S., we do not support any carbon taxes that will increase costs to the taxpayers of our state. Vote 11-10.
Rep. Lawrence Welkowitz for the Minority of State-Federal Relations and Veterans Affairs. A carbon tax is an effective approach to moving away from our dependence on fossil fuels. Carbon dioxide levels must be reduced for the future of the planet, currently at 417 ppm. For the future of our children and grandchildren, and for putting earth first, we oppose this resolution.

The question being adoption of the majority committee report of Ought to Pass.
Reps. Horrigan and Welkowitz spoke against.
Rep. Bernardy spoke in favor.
Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 159

YEAS - 178

BELKNAP

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

CARROLL

Avellani, Lino	Nelson, Bill	Cordelli, Glenn	Crawford, Karel
MacDonald, John	Smith, Jonathan	McConkey, Mark	Umberger, Karen

CHESHIRE

Qualey, James	Rhodes, Jennifer	Santonastaso, Matthew

COOS

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

GRAFTON

Alliegro, Mark	Berezhny, Lex	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
Smith, Denise	Erf, Keith	Fedolfi, Jim	Foster, William
Griffin, Gerald	Gagne, Larry	Gorski, Ted	Gould, Linda
Graham, John	Greene, Bob	Healey, Robert	Homola, Susan
Kofalt, Jim	Sanborn, Laurie	Lanzara, Tom	Lascelles, Richard
Lewicke, John	Marston, Dick	Mayville, Mary	McLean, Mark
Mooney, Maureen	Notter, Jeanine	Nunez, Hershel	Pauer, Diane
Plett, Fred	Post, Lisa	Prout, Andrew	Renzullo, Andrew
Rice, Kimberly	Rouillard, Claire	Sheehan, Vanessa	Somero, Paul
Lekas, Tony	Ulery, Jordan		

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hill, Gregory
Kennedy, Margaret
Klose, John
Mason, James
McGuire, Carol
Moffett, Michael
Pearl, Howard
Pitaro, Matthew
Boyd, Stephen
Testerman, Dave
Walsh, Thomas
Wells, Natalie
White, Nick
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Abrami, Patrick
Acton, Dennis
Ayer, Paul
Baldasaro, Al
Baxter, Tim
Bernardy, JD
Bershtein, Alan
DeSimone, Debra
Dodge, Dustin
Dolan, Tom
Doucette, Fred
Edwards, Jess
Emerick, Tracy
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
McKinney, Betsy
McMahon, Charles
Melvin, Charles
Milz, David
Osborne, Jason
Piemonte, Tony
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Sweeney, Joe
Sytek, John
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
Hayward, Peter
Horgan, James
Kaczynski, Thomas
Kittredge, Mac
Newton, Clifford
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

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

NAYS - 159

CARROLL

Burroughs, Anita
Knirk, Jerry
Marsh, William
McAleer, Chris

CHESHIRE

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

COOS

Kelley, Eamon
Hatch, William
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, Andrew
Baroody, Benjamin
Beaulieu, Jane
Bergeron, Paul
Bouchard, Donald
Bradley, Amy
Chretien, Jacqueline
Cohen, Bruce
Connors, Erika
Cornell, Patricia
Dutzy, Sherry
Espitia, Manny
Freitas, Mary
Goley, Jeffrey
Hamer, Heidi
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Schmidt, Janice
Jack, Martin
Jeudy, Jean
Klee, Patricia
Labranche, Tony
Langley, Diane
Leishman, Peter
Long, Patrick
King, Mark
Murray, Megan
Mangipudi, Latha
McGhee, Kat
Mullen, Sue
Nutter-Upham, Frances
Nutting-Wong, Allison
O'Brien, Michael
Pedersen, Michael
Petrigno, Peter
Piedra, Israel
Porter, Marjorie
Query, Joshua
Newman, Ray
Rombeau, Catherine
Rung, Rosemarie
Newman, Sue
Snow, Kendall
Stevens, Deb
Telerski, Laura
Toomey, Dan
Vail, Suzanne
Van Houten, Constance
Vann, Ivy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Alicea, Caroletta
Allard, James
Bartlett, Christy
Caplan, Tony
Ebel, Karen
Ellison, Arthur
Gallager, Eric
Hall, Muriel
Lane, Connie
Luneau, David
McWilliams, Rebecca
Pimentel, Roderick
Richards, Beth
Rogers, Katherine
Schamberg, Thomas
Schultz, Kristina
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Walz, Mary Beth
Woods, Gary

ROCKINGHAM

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

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fargo, Kristina	Fontneau, Timothy	Frost, Sherry	Grassie, Chuck
Horrigan, Timothy	Levesque, Cassandra	Smith, Marjorie	Oxaal, Ariel
Schmidt, Peter	Rich, Cecilia	Salloway, Jeffrey	Sandler, Catt
Southworth, Thomas	Spang, Judith	Treleaven, Susan	Wall, Janet

SULLIVAN

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

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 **HR 17,** opposing all federal and state efforts to establish a carbon tax on fuels for electricity and transportation, be printed in the Permanent Journal.
Without objection, the Speaker ordered.

DEBATE ON HR 17

Representative Horrigan: Thank you, Mister Speaker. Our Congressional delegation cares a lot about what we do in Concord. Three of them are former state legislators and the fourth is a former lobbyist. But they know better than to pay any attention to House Resolutions. None of them will change their votes on carbon taxation, or any other issue, just because the Speaker of the House forwards them a copy of a House Resolution. HR 17 is especially irrelevant because it is ill-informed. I would like to specially highlight the last "Whereas," which goes, "The sole purpose of the tax code should be to fund necessary government functions rather than to manipulate consumer decisions." That's not true at all. Encouraging desirable decisions and discouraging undesirable ones is a legitimate function of the tax code. This is also inconsistent with just about every tax policy debate we have here in Concord about tax policy, where every proposed tax cut is always promoted as an incentive for getting more of something or other which we want more of. Similarly, although tax increases are almost unthinkable here in Concord, a tax increase can legitimately serve as an incentive for getting less of something we want less of. Reducing fossil fuel consumption is a desirable goal for many reasons. There is a finite amount of oil and gas on the earth. It is often located in inconvenient places, such as Putin's Russia. Fossil fuel consumption causes an immense amount of pollution, including but not limited to greenhouse gasses such as carbon dioxide. HR 17 is also ill timed. Yes, gas prices are almost double what they were two years ago, but back then demand was at an all-time low because no one was driving or flying anywhere. Demand is back to normal now but the fossil fuel supply has been disrupted and will continue to be disrupted for quite some time by the Russian-Ukrainian War. A moment ago I referred to "Putin's Russia." Russia's brutal dictator Vladimir Putin is the same Vladimir Putin who was a good friend of former President Donald Trump. Trump still is his friend. He is the only person outside of Russia who has praised Putin and as recently as the day before yesterday, Trump was urging his friend Putin to "release dirt" on President Biden. Be that as it may, yes, Putin may be a madman, but he is a madman who is motivated in part by his desire to take advantage of Ukraine's fossil fuel resources and Putin's Russia is paying for this disastrous war by selling oil and gas to the West. Reducing fossil fuel consumption was a desirable goal even in peacetime, but it is even more desirable now during a time of war. Please vote no on the Ought to Pass motion on HR 17 so an alternative motion can be considered. Thank you very much.
Speaker Packard: The Chair recognizes Rep. Welkowitz to speak against the committee report.
Representative Welkowitz: Thank you, Mister Speaker. Mister Speaker, I rise in opposition to this theoretical ban on all carbon pricing. HR 17 came to the State-Federal Committee because the resolution includes banning the federal government from imposing any tax on carbon. I would like you to oppose HR 17. It's a bad out of state polluter idea. It's bad for New Hampshire's citizens. It's bad for our businesses, economy and our future. The public opposed it 149 to 4 in the committee hearing. At first glance you might say any tax is bad so a carbon tax must be bad too. The Energy Innovation and Carbon Dividend Act, which is making its way through Congress is an example of legislation which would be theoretically banned. This is a federal, border adjusted, cash back carbon fee on fossil fuel production, including a tax on foreign producers. Economic analysis show that it will bring cash back to most New Hampshire citizens, except for big

corporations and people who fly around in private jets. Most economists, including Milton Friedman, agree that this type of carbon pricing is critical toward reducing our reliance on fossil fuels. Carbon assessments are made at critical choke points. For example, the points at which foreign producers of oil or gas create the fossil fuel when they put the gas, when they put the oil in a barrel, for example. The EU, Canada and other nations are adopting these types of levies, but if we can't reciprocate, it is Americans and American businesses that will be hurt. Explicit carbon pricing is the only climate policy that enables us to protect U.S. businesses while holding other countries accountable for their pollution. If this resolution is adopted, it will hurt not help most New Hampshire citizens. So the next question that we have to ask is do we need to reduce CO2 resulting from pollution? There is a report that just came out a few days ago by the United Nations reviewed line by line by over 200 of the top scientists from around the world. They pressed code red, as you should press the red button on this one. They pressed the code red button on CO2 emissions from fossil fuels. We are simply at a critical part in history, but HR 17 says otherwise. Don't worry, everything is okay. We are going to be fine. Yet not one scientific organization in the entire world, not one scientific organization in the entire world claims that CO2 does not present a clear and present danger. I was born at 347 parts per million CO2. We are now at 420 parts per million CO2 and rising. Global temperatures are rising, not going down. My neighbor, Charlie Daloz, who I just spoke to the other day has been a New Hampshire farmer and gardener his whole life. His father was a state rep. from Hancock, a Republican, back in the 60's. Charlie knows the climate is changing. He sees that the lilacs are blooming three weeks early. He sees that the sap is starting early and isn't running until April. He knows that tick borne illnesses are on the rise. There are cardinals flying around at a weird time of year. He also knows that humans are contributing to this problem. If we can all agree that pollution is bad, that humans are creating pollution and that pricing carbon is a way out, why wouldn't we agree that it is our responsibility as parents, grandparents, stewards of the state, to vote against this really bad resolution? HR 17 suggests a bad that is unreasonable. I urge you to vote no, red button. We can. We must do better.

Speaker Packard: The Chair recognizes Rep. Bernardy to speak for the committee report.

Representative Bernardy: Thank you, Mister Speaker. Renewable energy sources suffer from two significant problems. One, they are not cost effective for base load power. Two, they are not dispatchable, meaning the sun is not always shining. There is night. There's clouds. There's rain. There's snow. There's fog. The wind doesn't always blow or it blows too hard. Small scale hydro streams dry up for part of the year. You cannot always rely on them. Peak power demand in the coldest four months of the year in New England occur at night. Wind turbines need to be shut down during major storms or a Nor'easter. Base load net zero carbon is impossible unless it is nuclear. There is a climate change. Then there is climate change. Our climate is always changing. Twenty thousand years ago we would have been under one mile of ice. We've had global cooling, global warming and now it's climate change and the predictions from the IPCC climate models have been wrong for more than 30 years. There's been no increase in catastrophic weather or storms. The North Pole did not melt and the polar bears are still thriving. To be sure, that mile of ice that was above us, did not melt from excess carbon dioxide. I trust the ability of man to use technology, engineering and scientific knowledge to adapt to the very slow climate changes, warming or cooling that the planet experiences. Over the last 100 years, the planet did get one degree warmer. We survived. We adapted. We will adapt to any slow warming or cooling in the future. Climate change leadership appears to agree to this. Al Gore, Barrack Obama and John Kerry all have substantial ocean front properties. Watch what they do, not what they say. Yet, in order to push a more rapid uptake of green technology in the U.S., despite carbon limits not being considered for China or India, advocates propose an economy crushing carbon tax to make fossil fuels more expensive, thereby improving the relative economic viability of renewable sources of power. This concept is fiscally bankrupt. All you need to observe is the disastrous impact of the current administration's actions in throttling gas and oil exploration, production and transportation. It is the major contributor to tremendous fuel and electricity price hikes we now see. This policy is effectively a carbon tax and our citizens do not need an expansion of that pain. Advocates propose to mitigate the pain by rebating the tax to our citizens. I only ask you to consider what happened to the social security lockbox. When more revenue was needed to finance growing financial debt, the lockbox was broken. We are so lucky we don't have a significant national debt now. Vote yes and push the green button to send this resolution to our federal delegation. Thank you, Mister Speaker.

Speaker Packard: The House will be in order. Representative Al Baldasaro has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. The House will come to order. The Chair recognizes Rep. Welkowitz for a parliamentary inquiry.

Representative Welkowitz: Thank you, Mister Speaker. Mister Speaker, if I know that HR 17 would deprive working- and middle-class citizens of New Hampshire from cash back from these penalties on fossil fuel production. If I know that HR 17 would hurt most of our citizens, but help only the wealthiest. If I know that reducing pollution is a high priority. And if I know that the world's scientists are a better source of information than YouTube videos, would I then press the red button and oppose this resolution?

Speaker Packard: The Chair recognizes Rep. Vose for a parliamentary inquiry
Representative Vose: Thank you, Mister Speaker. Mister Speaker, if I know that a carbon tax would increase the cost of gasoline, kerosene, diesel fuel, natural gas, liquefied natural gas, propane, aviation fuel, even butane. And Mister Speaker if I further know that increasing the cost of these fuels would increase the cost of every product and every service that uses those fuels, would I now press the green button to protect the taxpayers and the ratepayers of New Hampshire? Thank you, Mister Speaker.
Speaker Packard: The question is on the majority motion of Ought to Pass on HR 17. 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. 178 voting Yea, 159 voting Nay, the committee report is adopted.

REGULAR CALENDAR - PART I CONT'D

HR 18, urging Congress to remove the exception from the 13th Amendment: "except as a punishment for crime whereof the party shall have been duly convicted." **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. David Lundgren for the Majority of State-Federal Relations and Veterans Affairs. The majority of the committee believes that HR 18 should go no further, and recommends ITL. Vote 12-9.
Rep. Tony Labranche for the Minority of State-Federal Relations and Veterans Affairs. This is a tri-partisan resolution to close the loophole in the current 13th amendment to the U.S. Constitution, which allows for state sponsored slavery. Since its passage, the United States has become number one in incarceration with big racial disparities. Many states passed the "black codes" in order to incriminate many freed slaves. These slaves were used for slave labor sold back to the plantations they were originally freed from. Let us do what is right and ask the Congress to finally close this loophole.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **HR 18,** urging Congress to remove the exception from the 13th Amendment: "except as a punishment for crime whereof the party shall have been duly convicted," be laid on the table.
On a division vote, with 195 members having voted in the affirmative, and 145 in the negative, the motion was adopted.

REGULAR CALENDAR - PART I CONT'D

HB 1093, relative to the licensure of nonresident aliens temporarily residing in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Thomas Walsh for the Majority of Transportation. Current law allows for aliens temporarily residing in New Hampshire to acquire a driver's license under RSA 263:39-a. This bill seeks to include anyone who merely applies for asylum status to get a temporary New Hampshire driver's license. The federal criteria for asylum status is specific and many applications are denied. The bill is silent and no solutions were offered on what happens to that license if the application is denied. The majority believes that existing law is sufficient. Vote 10-9.
Rep. George Sykes for the Minority of Transportation. Asylum petitioners have a waiting period before they may apply for permission to work. Asylum petition adjudications are complex and historically have taken extended periods before the government issues a decision. For this reason, petitioners are allowed to apply for permission to work after a waiting period. In 2020, the waiting period for when an asylum petitioner is eligible to apply for a work permit Employment Authorization Document (EAD) was expanded from 150 days to 365 days. Asylum petitioners and other non-citizens are generally not eligible to apply for a Social Security number (SSN) until after they have received an EAD. EAD adjudications are back logged with significant delays. Processing times for EADs have increased significantly over the past several years. Delays are due to a variety of factors including diversion of resources and the impact of the COVID-19 pandemic. This means that after waiting a year to apply for permission to work, it could take up to an additional year or more before an EAD is issued. Without work authorization, most asylum petitioners will be unable to obtain an SSN. The minority believes asylum petitioners should be allowed to obtain a driver's license during the extended waiting period. The New Hampshire Department of Motor Vehicles (DMV) generally limits issuance of driver's licenses to non-citizens who possess an EAD. They must also possess an SSN. The only current exceptions are codified in RSA 263-39-a which permits certain non-citizens, their spouses and/or their children to obtain drivers licenses without an SSN or EAD, RSA 263:39-a, II(b). This bill would add asylum petitioners to the class of persons who would be eligible to apply for a driver's license without an SSN or EAD.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Sykes spoke against.
Rep. Walsh spoke in favor.
Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 186 - NAYS 161

YEAS - 186

BELKNAP

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

CARROLL

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

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Santonastaso, Matthew

COOS

Davis, Arnold
Merner, Troy
Thompson, Dennis

GRAFTON

Alliegro, Mark
Berezhny, Lex
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
Kofalt, Jim
Sanborn, Laurie
Lanzara, Tom
Lascelles, Richard
Lewicke, John
Marston, Dick
Mayville, Mary
McLean, Mark
Mooney, Maureen
Notter, Jeanine
Nunez, Hershel
Pauer, Diane
Plett, Fred
Post, Lisa
Prout, Andrew
Renzullo, Andrew
Rice, Kimberly
Rouillard, Claire
Sheehan, Vanessa
Somero, Paul
Lekas, Tony
Ulery, Jordan
Warden, Mark

MERRIMACK

Allard, James
Andrus, Louise
Cambrils, Jose
Hill, Gregory
Kennedy, Margaret
Klose, John
McGuire, Carol
Moffett, Michael
Pearl, Howard
Pitaro, Matthew
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
Bernardy, JD
Bershtein, Alan
DeSimone, Debra
Dodge, Dustin
Dolan, Tom
Doucette, Fred
Edwards, Jess
Emerick, Tracy
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
McKinney, Betsy
McMahon, Charles
Melvin, Charles
Milz, David
Osborne, Jason
Piemonte, Tony
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Sweeney, Joe
Sytek, John
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
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

NAYS - 161

CARROLL

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

CHESHIRE

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

COOS

Craig, Kevin, Kelley, Eamon, Hatch, William, 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, Andrew, Baroody, Benjamin, Beaulieu, Jane, Bergeron, Paul, Bouchard, Donald, Bradley, Amy, Chretien, Jacqueline, Cohen, Bruce, Connors, Erika, Cornell, Patricia, Dutzy, Sherry, Espitia, Manny, Freitas, Mary, Goley, Jeffrey, Griffith, Willis, Hamer, Heidi, Harriott-Gathright, Linda, Heath, Mary, Herbert, Christopher, Schmidt, Janice, Jack, Martin, Jeudy, Jean, Klee, Patricia, Klein-Knight, Nicole, Labranche, Tony, Langley, Diane, Leishman, Peter, Long, Patrick, King, Mark, Murray, Megan, Mangipudi, Latha, McGhee, Kat, Mullen, Sue, Nutter-Upham, Frances, Nutting-Wong, Allison, O'Brien, Michael, Pedersen, Michael, Petrigno, Peter, Piedra, Israel, Porter, Marjorie, Query, Joshua, Newman, Ray, Rombeau, Catherine, Rung, Rosemarie, Newman, Sue, Snow, Kendall, Stevens, Deb, Telerski, Laura, Toomey, Dan, Vail, Suzanne, 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, Mason, James, McWilliams, Rebecca, Pimentel, Roderick, Richards, Beth, Rogers, Katherine, Schultz, Kristina, Shurtleff, Steve, Soucy, Timothy, Wallner, Mary Jane, Walz, Mary Beth, Woods, Gary

ROCKINGHAM

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

STRAFFORD

Bixby, Peter, Cannon, Gerri, Chase, Wendy, Conley, Casey, Fargo, Kristina, Fontneau, Timothy, Frost, Sherry, Grassie, Chuck, Horrigan, Timothy, Levesque, Cassandra, Smith, Marjorie, Oxaal, Ariel, Schmidt, Peter, Rich, Cecilia, Salloway, Jeffrey, Sandler, Catt, Southworth, Thomas, Spang, Judith, Treleaven, Susan, Wall, Janet

SULLIVAN

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

and the majority committee report was adopted.

HB 1302-FN, relative to the weighing of vehicles. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for the Majority of Transportation. This bill removes a requirement that drivers of private vehicles submit to an order to proceed to a weigh station to get weighed. If you have five 200-pound adults in a half ton truck, and put a bag of grass seed in the bed, you are overweight. This should not be a cause for search and detention. Unsafe and secured loads are still a reason to be stopped and cited under this bill. This bill also does not affect weighing requirements for commercial vehicles. Vote 10-9.

Rep. Catherine Rombeau for the Minority of Transportation. This bill raises potentially significant public safety concerns regarding weighing of non-commercial vehicles and does not rectify any discernible issue. The committee heard testimony from the State Police and the Department of Safety regarding the risks caused by excessive non-commercial vehicle weight, which may require police intervention: vehicle braking ability and steering effectiveness are subjected to greater failure under stress, and tires can blow out from the resulting heightened heat and pressure. Furthermore, probable cause is already required to justify stopping and weighing a non-commercial vehicle; the vehicle must already be more than 20 percent overweight to be considered in violation; and non-commercial vehicles are rarely cited for exceeding weight capacity, approximately six times in the last five years. For these reasons, the minority recommends Inexpedient to Legislate.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Rombeau spoke against.
Rep. Steven Smith spoke in favor.
On a division vote, with 199 members having voted in the affirmative, and 151 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1401, prohibiting the disclosure of the number of miles driven by a specific driver licensed by the state or vehicle registered in the state. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Thomas Walsh for the Majority of Transportation. This bill prohibits both the Department of Safety and vehicle inspection stations from sharing personally identifiable mileage information with certain taxing authorities outside New Hampshire without the vehicle owner's consent. In 2018, over 80% of New Hampshire's voters agreed to add an amendment to our State Constitution, enshrining our right to privacy. The new Article 2-b states, "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." It's up to the legislature to impart the values of this amendment into statute. This bill protects our citizen's individually identifiable vehicle mileage data from being sent to taxing authorities external to New Hampshire without their consent. The trillion-dollar Infrastructure Investment and Jobs Act recently passed by Congress contains a pilot program for a national per-mile usage tax for vehicles. The implication is that this program could soon become mandatory nationally. This bill will help shield New Hampshire's citizens from this new federal tax scheme. The bill is not intended to interfere with existing state programs or businesses that rely on vehicle mileage information. It would not preclude the state from adopting its own vehicle mileage tax. The committee amendment clarifies that this only applies to third party public authorities charged with enforcing motor vehicle tax law. Vote 10-9.
Rep. Laura Telerski for the Minority of Transportation. This bill, as amended, prohibits any inspection station or the Department of Safety from sharing any mileage information with a public authority without the consent of the vehicle owner to enforce any motor vehicle tax law. The intent of the bill is to stop any federal implementation of a mileage tax, but the minority believes this bill also prevents the state from possibly utilizing a mileage-based system in the future. With the advent of more efficient motor vehicles, as well as the growing popularity of fully electric vehicles, revenues from the road toll, the state tax on gasoline, which fund the maintenance of our roads, have dropped significantly in the past decade. Discussions continue on possible solutions, including some kind of road usage fee that is determined based on miles driven. This bill also removes a tool we potentially will need in the future. It is the opinion of the minority that passage of this bill closes a door on a mileage-based fee when it may prove to be an integral part of a multi-faceted solution to funding our roads in the future.

Majority Amendment (0905h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Motor Vehicle Records and Certification; Mileage Records. Amend RSA 260:14 by inserting after paragraph XVII the following new paragraph:

XVIII. Notwithstanding any provision of law to the contrary, no information relative to the mileage of a motor vehicle shall be shared by the department or an inspection station with any public authority authorized to enforce motor vehicle tax laws, without the consent of the vehicle's owner, lessee, or renter. For purposes of this paragraph, "public authority," shall not include any entity representing the state of New Hampshire.

AMENDED ANALYSIS

This bill prohibits both the department of safety, and inspection stations, from sharing vehicle mileage information with certain authorities without consent.
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Telerski spoke against.
Rep. Ammon spoke in favor.
Rep. Osborne requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 160

YEAS - 189

BELKNAP

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

CARROLL

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

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Santonastaso, Matthew

COOS

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

GRAFTON

Alliegro, Mark
Berezhny, Lex
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
Greene, Bob
Healey, Robert
Homola, Susan
Kofalt, Jim
Sanborn, Laurie
Lanzara, Tom
Lascelles, Richard
Lewicke, John
Marston, Dick
Mayville, Mary
McLean, Mark
Mooney, Maureen
Notter, Jeanine
Nunez, Hershel
Pauer, Diane
Plett, Fred
Post, Lisa
Prout, Andrew
Renzullo, Andrew
Rice, Kimberly
Rouillard, Claire
Sheehan, Vanessa
Somero, Paul
Lekas, Tony
Ulery, Jordan
Warden, Mark

MERRIMACK

Allard, James
Andrus, Louise
Cambrils, Jose
Hill, Gregory
Kennedy, Margaret
Klose, John
Mason, James
McGuire, Carol
Moffett, Michael
Pearl, Howard
Pitaro, Matthew
Boyd, Stephen
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
Bernardy, JD
Bershtein, Alan
Cali-Pitts, Jacqueline
DeSimone, Debra
Dodge, Dustin
Dolan, Tom
Doucette, Fred
Edwards, Jess
Emerick, Tracy
Ford, Oliver
Gay, Betty
Green, Dennis
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
McKinney, Betsy
McMahon, Charles
Melvin, Charles
Milz, David
Osborne, Jason
Piemonte, Tony
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Sweeney, Joe
Sytek, John
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
Conley, Casey
DeLemus, Susan
Groen, Fenton
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
Smith, Steven

NAYS - 160

CARROLL

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

CHESHIRE

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

COOS

Kelley, Eamon	Hatch, William	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, Andrew	Baroody, Benjamin	Beaulieu, Jane	Bergeron, Paul
Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline	Cohen, Bruce
Connors, Erika	Cornell, Patricia	Dutzy, Sherry	Espitia, Manny
Freitas, Mary	Goley, Jeffrey	Graham, John	Griffith, Willis
Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher
Schmidt, Janice	Jack, Martin	Jeudy, Jean	Klee, Patricia
Klein-Knight, Nicole	Langley, Diane	Leishman, Peter	Long, Patrick
King, Mark	Murray, Megan	Mangipudi, Latha	McGhee, Kat
Mullen, Sue	Nutter-Upham, Frances	Nutting-Wong, Allison	O'Brien, Michael
Pedersen, Michael	Petrigno, Peter	Piedra, Israel	Porter, Marjorie
Query, Joshua	Newman, Ray	Rombeau, Catherine	Rung, Rosemarie
Newman, Sue	Snow, Kendall	Stevens, Deb	Telerski, Laura
Toomey, Dan	Vail, Suzanne	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
Richards, Beth	Rogers, Katherine	Schamberg, Thomas	Schultz, Kristina
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Walz, Mary Beth
Woods, Gary			

ROCKINGHAM

Altschiller, Debra	Bunker, Lisa	Cahill, Michael	DiLorenzo, Charlotte
Edgar, Michael	Gilman, Julie	Grossman, Gaby	Grote, Jaci
Guthrie, Joseph	Hamblet, Joan	Murray, Kate	Maggiore, Jim
Malloy, Dennis	Meuse, David	Paige, Mark	Pantelakos, Laura
Read, Ellen	Simpson, Alexis	Somssich, Peter	Ward, Gerald

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Fargo, Kristina
Fontneau, Timothy	Frost, Sherry	Grassie, Chuck	Horrigan, Timothy
Levesque, Cassandra	Smith, Marjorie	Oxaal, Ariel	Schmidt, Peter
Rich, Cecilia	Salloway, Jeffrey	Sandler, Catt	Southworth, Thomas
Spang, Judith	Treleaven, Susan	Wall, Janet	

SULLIVAN

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

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

HB 1424, relative to the speed limit for watercraft on Lake Winnipesaukee. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Karel Crawford for the Majority of Transportation. This bill would repeal the daytime speed limit on Lake Winnipesaukee and allow any speed limit to occur that is deemed responsible. The majority of the committee felt this would be a safety issue for all who enjoy different types of activities on the lake such as fishing, canoeing, kayaking and sailing. Vote 15-3.

Rep. Aidan Ankarberg for the Minority of Transportation. The committee was not provided information indicating speed as a major contributing factor in regard to boater safety. The Marine Patrol representative did not take a position on the bill and relayed that his department's wish that the boating community self-regulate. Online sign-ins showed 601 in support of the bill compared to 206 against. This committee has repeatedly opposed water body specific regulations and the minority feels that an Ought to Pass motion would be in keeping with that tradition.

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

HB 1463, relative to drivers' licenses issued in accordance with the Real ID Act of 2005. **INEXPEDIENT TO LEGISLATE.**
Rep. Ted Gorski for Transportation. Providing driver's licenses and ID cards to illegal aliens or to asylum applicants, rather than asylum recipients, is bad public policy and undermines the purposes and objectives of federal immigration law. Federal law clearly states under what circumstances a person may legally reside in the United States. An illegal alien, by definition does not possess lawful immigration status or lawful presence and is subject to immediate removal. Granting a driver's license or ID card to illegal aliens treats them as if they are lawfully present in the U.S. and facilitates further illegal conduct. Asylum applicants may have entered the country legally or illegally, but then make an application to the federal government claiming a "well-founded fear of persecution" in their home country. Driver's licenses and ID cards are useful to create an appearance of lawful presence and serves as the virtual passport to the nation, opening many doors that would otherwise be unavailable. In addition to giving an individual the ability to travel freely throughout the country, it is also used for countless other purposes like registering to vote and applying for government benefits, as well as for establishing bank and credit card accounts. Giving illegal aliens and asylum applicants driver's licenses or ID cards provides them with the major form of identification used by U.S. citizens. The bottom line is that granting illegal aliens driver's licenses aids and abets their efforts to live and work illegally in the United States. Finally, granting a driver's license and ID cards to illegal aliens or asylum applicants accommodates and rewards those who violate our immigration laws and encourages others to follow the same path. States that grant driver's licenses and ID cards to illegal aliens give prospective immigrants little incentive to pursue legal paths to immigration when they can side step the process and gain the same benefits. Vote 10-9.

The question being adoption of the committee report of Inexpedient to Legislate.
On a division vote, with 177 members having voted in the affirmative, and 154 in the negative, the committee report was adopted.

HB 1666-FN, relative to the application process for driver's licenses and the privacy of motor vehicle records. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Ted Gorski for the Majority of Transportation. This bill, if passed, would provide driver's licenses to undocumented citizens. The majority felt that there are many issues with this bill. First, it would prohibit the sharing of information with the federal immigration enforcement. Second, a license is a legal identification document. It can be used to vote. The majority felt that there is no guarantee that undocumented citizens will not use these licenses to vote. Third, if undocumented citizens are provided licenses, it will make New Hampshire a sanctuary state. Lastly, possessing a driver's license is a privilege, not a right for legal citizens of New Hampshire. Vote 10-9.
Rep. George Sykes for the Minority of Transportation. The minority believes that this bill would allow people without social security numbers, including undocumented New Hampshire residents, to apply for and obtain drivers licenses. The bill has the support of many law enforcement leaders as well as members of immigrant communities and advocacy and faith groups and it is time for our state to join the growing number of jurisdictions that have concluded that licensing undocumented drivers would be beneficial to their state and to all of their residents.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Sykes spoke against.
Rep. Gorski spoke in favor.
Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 160

YEAS - 189

BELKNAP

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

CARROLL

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

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Santonastaso, Matthew

COOS

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

GRAFTON

Alliegro, Mark
Sanborn, Gail
Ladd, Rick
Berezhny, Lex
Gordon, Edward
Simon, Matthew
Depalma IV, Joseph
Greeson, Jeffrey
Folsom, Beth
Ham, Bonnie

HILLSBOROUGH

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

MERRIMACK

Allard, James
Kennedy, Margaret
Moffett, Michael
Seaworth, Brian
White, Nick
Andrus, Louise
Klose, John
Pearl, Howard
Testerman, Dave
Wolf, Dan
Cambrils, Jose
Mason, James
Pitaro, Matthew
Walsh, Thomas
Yakubovich, Michael
Hill, Gregory
McGuire, Carol
Boyd, Stephen
Wells, Natalie

ROCKINGHAM

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

STRAFFORD

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

SULLIVAN

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

NAYS - 160

CARROLL

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

CHESHIRE

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

COOS

Craig, Kevin	Kelley, Eamon	Hatch, William	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, Andrew	Baroody, Benjamin	Beaulieu, Jane	Bergeron, Paul
Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline	Cohen, Bruce
Connors, Erika	Cornell, Patricia	Dutzy, Sherry	Espitia, Manny
Goley, Jeffrey	Griffith, Willis	Hamer, Heidi	Harriott-Gathright, Linda
Heath, Mary	Herbert, Christopher	Schmidt, Janice	Jack, Martin
Jeudy, Jean	Klee, Patricia	Klein-Knight, Nicole	Labranche, Tony
Langley, Diane	Leishman, Peter	Long, Patrick	King, Mark
Murray, Megan	Mangipudi, Latha	McGhee, Kat	Mullen, Sue
Nutter-Upham, Frances	Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael
Petrigno, Peter	Piedra, Israel	Porter, Marjorie	Query, Joshua
Newman, Ray	Rombeau, Catherine	Rung, Rosemarie	Newman, Sue
Snow, Kendall	Stevens, Deb	Telerski, Laura	Toomey, Dan
Vail, Suzanne	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
Richards, Beth	Rogers, Katherine	Schamberg, Thomas	Schultz, Kristina
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Walz, Mary Beth
Woods, Gary			

ROCKINGHAM

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

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Fargo, Kristina
Fontneau, Timothy	Frost, Sherry	Grassie, Chuck	Horrigan, Timothy
Levesque, Cassandra	Smith, Marjorie	Oxaal, Ariel	Schmidt, Peter
Pitre, Joseph	Rich, Cecilia	Salloway, Jeffrey	Sandler, Catt
Southworth, Thomas	Spang, Judith	Treleaven, Susan	Wall, Janet

SULLIVAN

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

and the majority committee report was adopted.

HB 1478-FN-A, relative to the business profits tax applicable to certain large, low-wage employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Alan Bershtein for the Majority of Ways and Means. This bill would increase the Business Profits Tax rate from 7.6% to 8.0% for every business organization of at least 100 employees that employs any person at an hourly rate of less than $15 per hour. This well intentioned, yet deeply flawed bill focuses solely on the hourly wage rate to the exclusion of any and all other forms of compensation. It is poor public policy to determine a tax rate based on the hourly pay of a single employee. This bill would unduly harm low margin, labor intensive New Hampshire businesses such as grocery stores, retailers, and restaurants, among others. Most importantly, this bill is clearly unconstitutional, specifically when considering the clause included in Part 2, Article 5 of the NH Constitution regarding equal and proportional tax rates. Vote 18-1.

Rep. Jennie Gomarlo for the Minority of Ways and Means. The minority believes this is an important topic to explore and remedy, as a legislature, if we are able. We have a favorable business tax in NH and the state should not have to subsidize what are the responsibilities of businesses. This bill may not have been the correct mechanism, but there needs to be some relief for our citizens who work for big enterprises and still can't afford health care or food for their families.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Johnson requested a roll call; sufficiently seconded.

YEAS 304 - NAYS 40

YEAS - 304

BELKNAP

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

CARROLL

Avellani, Lino	Nelson, Bill	Buco, Thomas	Burroughs, Anita
Cordelli, Glenn	Crawford, Karel	Deshaies, Brodie	MacDonald, John
Smith, Jonathan	Knirk, Jerry	McAleer, Chris	McConkey, Mark
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Fenton, Donovan	Fox, Dru
Harvey, Cathryn	Hunt, John	Qualey, James	Rhodes, Jennifer
Santonastaso, Matthew	Schapiro, Joe	Weber, Lucy	

COOS

Craig, Kevin	Davis, Arnold	Kelley, Eamon	Hatch, William
Merner, Troy	Theberge, Robert	Tucker, Edith	

GRAFTON

Alliegro, Mark	Almy, Susan	Berezhny, Lex	Depalma IV, Joseph
Dontonville, Roger	Egan, Timothy	Fellows, Sallie	Folsom, Beth
Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey	Hakken-Phillips, Mary
Ham, Bonnie	Ladd, Rick	Massimilla, Linda	Muirhead, Russell
Murphy, James	Nordgren, Sharon	Simon, Matthew	Stavis, Laurel
Smith, Suzanne	Sykes, George	Weston, Joyce	

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Bouldin, Andrew
Boyd, Bill	Griffin, Barbara	King, Bill	Baroody, Benjamin
Beaulieu, Jane	Bergeron, Paul	Berry, Ross	Blasek, Melissa
Boehm, Ralph	Bouchard, Donald	Bradley, Amy	Burt, John
Chretien, Jacqueline	Cohen, Bruce	Connors, Erika	Cornell, Patricia
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
Dutzy, Sherry	Erf, Keith	Fedolfi, Jim	Foster, William
Freitas, Mary	Griffin, Gerald	Gagne, Larry	Gorski, Ted
Gould, Linda	Graham, John	Greene, Bob	Hamer, Heidi
Harriott-Gathright, Linda	Healey, Robert	Heath, Mary	Homola, Susan
Jack, Martin	Jeudy, Jean	Klee, Patricia	Kofalt, Jim
Sanborn, Laurie	Langley, Diane	Lanzara, Tom	Lascelles, Richard
Lewicke, John	Murray, Megan	Mangipudi, Latha	Marston, Dick
Mayville, Mary	McGhee, Kat	McLean, Mark	Mooney, Maureen
Mullen, Sue	Notter, Jeanine	Nunez, Hershel	Pauer, Diane
Pedersen, Michael	Petrigno, Peter	Piedra, Israel	Plett, Fred
Porter, Marjorie	Post, Lisa	Prout, Andrew	Query, Joshua
Newman, Ray	Renzullo, Andrew	Rice, Kimberly	Rombeau, Catherine
Rouillard, Claire	Rung, Rosemarie	Newman, Sue	Sheehan, Vanessa
Snow, Kendall	Somero, Paul	Stevens, Deb	Lekas, Tony
Ulery, Jordan	Vail, Suzanne	Van Houten, Constance	Vann, Ivy
Veilleux, Daniel	Warden, Mark	Wilhelm, Matthew	

MERRIMACK

Alicea, Caroletta	Allard, James	Andrus, Louise	Bartlett, Christy
Cambrils, Jose	Ebel, Karen	Hall, Muriel	Hill, Gregory
Kennedy, Margaret	Klose, John	Lane, Connie	Luneau, David
MacKay, James	Mason, James	McGuire, Carol	Moffett, Michael

Pearl, Howard
Pitaro, Matthew
Richards, Beth
Boyd, Stephen
Schamberg, Thomas
Seaworth, Brian
Shurtleff, Steve
Soucy, Timothy
Testerman, Dave
Wallner, Mary Jane
Walsh, Thomas
Walz, Mary Beth
Wells, Natalie
White, Nick
Wolf, Dan
Woods, Gary
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Abrami, Patrick
Abramson, Max
Acton, Dennis
Altschiller, Debra
Ayer, Paul
Baldasaro, Al
Baxter, Tim
Bernardy, JD
Bershtein, Alan
Bunker, Lisa
Cahill, Michael
Cali-Pitts, Jacqueline
DeSimone, Debra
Dodge, Dustin
Dolan, Tom
Doucette, Fred
Edgar, Michael
Edwards, Jess
Emerick, Tracy
Ford, Oliver
Gay, Betty
Gilman, Julie
Green, Dennis
Grossman, Gaby
Grote, Jaci
Guthrie, Joseph
Hamblet, Joan
Harb, Robert
Harley, Tina
Hobson, Deborah
Nelson, Jodi
Janigian, John
Murray, Kate
Katsakiores, Phyllis
Khan, Aboul
Kimball, Mary Ann
Layon, Erica
Litchfield, Melissa
Love, David
Lynn, Bob
Pearson, Mark
Maggiore, Jim
Major, Norman
Malloy, Dennis
McBride, Everett
McKinney, Betsy
McMahon, Charles
Melvin, Charles
Milz, David
Osborne, Jason
Paige, Mark
Pantelakos, Laura
Piemonte, Tony
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Simpson, Alexis
Soti, Julius
Spillane, James
Sweeney, Joe
Sytek, John
Thomas, Douglas
Torosian, Peter
Tripp, Richard
True, Chris
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Ward, Gerald
Welch, David
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
Cannon, Gerri
Chase, Wendy
DeLemus, Susan
Fontneau, Timothy
Frost, Sherry
Groen, Fenton
Hayward, Peter
Horgan, James
Kaczynski, Thomas
Kittredge, Mac
Levesque, Cassandra
Smith, Marjorie
Newton, Clifford
Schmidt, Peter
Pitre, Joseph
Rich, Cecilia
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Spang, Judith
Treleaven, Susan
Turcotte, Leonard
Wall, Janet
Wuelper, Kurt

SULLIVAN

Aron, Judy
Callum, John
Cloutier, John
Gottling, Suzanne
Merchant, Gary
Oxenham, Lee
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Smith, Steven
Sullivan, Brian
Tanner, Linda

NAYS - 40

CARROLL

Marsh, William

CHESHIRE

Bordenet, John
Eaton, Daniel
Faulkner, Barry
Gomarlo, Jennie
Maneval, Andrew
Mann, John
Parshall, Lucius
Toll, Amanda Elizabeth
Welkowitz, Lawrence

COOS

Laflamme, Larry
Thompson, Dennis

GRAFTON

Abel, Richard
Adjutant, Joshua

HILLSBOROUGH

Espitia, Manny
Griffith, Willis
Herbert, Christopher
Schmidt, Janice
Klein-Knight, Nicole
Labranche, Tony
Leishman, Peter
King, Mark
Nutter-Upham, Frances
Nutting-Wong, Allison
O'Brien, Michael
Toomey, Dan

MERRIMACK

Caplan, Tony
Ellison, Arthur
Gallager, Eric
McWilliams, Rebecca
Pimentel, Roderick
Rogers, Katherine
Schultz, Kristina

ROCKINGHAM

DiLorenzo, Charlotte
Meuse, David
Read, Ellen
Somssich, Peter

STRAFFORD

Grassie, Chuck
Horrigan, Timothy
Oxaal, Ariel

and the majority committee report was adopted.
Reps. DiLorenzo and Espitia voted Nay and intended to vote Yea.
Rep. Altschiller voted Yea and intended to vote Nay.

HB 1524-FN, establishing a national service alumni attraction and retention fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Walter Spilsbury for the Majority of Ways and Means. This bill would create a National Service Alumni Attraction and Retention Fund in the state treasury from which Volunteer New Hampshire would make grants "for the purpose of providing financial assistance, workforce development, and education" to benefit individuals who have completed one or more terms of service with either the Peace Corps or AmeriCorps. Specifically, it provides for matching grants, either to assist service alumni enrolled in post-secondary education in New Hampshire with scholarships or to provide alumni who become employed in New Hampshire with funds to pay down existing student loans. The apparent purpose is to attract and retain non-resident service-year alumni to stay and settle in New Hampshire. This bill is well intentioned and garnered ample sympathy and attention from the committee as a general proposition but was light on specific detailed implementation parameters and difficult to follow. A series of four draft amendments, though greatly improving the initial bill, still have fallen short in overcoming a host of questions and concerns regarding criteria and mechanics. For example, certain passages state that grants will be made to the individuals, where in other passages it provides for grants to either the school or employer. It provides for the schools in turn to make a grant to the individual, but doesn't clarify whether it must be credited to the tuition bill or can be paid out directly in cash. By contrast, grants to employers must be paid by them only to the student loan servicing agency. The bill doesn't establish what action by the school or employer triggers the match or how it would be demonstrated. While specifying that the grants may be in amounts ranging from $300 to $3,000 per satisfactorily completed "term of service," subject to a lifetime limit of $6,000, the bill does not indicate how those grants might flow per term of study or over what duration of study. Nor does it indicate whether there are any reciprocal commitments or performance outcomes required of the recipient. This leaves one to wonder how the State of New Hampshire would measure or assess whether it has fulfilled its intended purposes, let alone what it gains from the program. The program has been described as a three-year pilot requiring $250,000 per year, to be funded with available American Rescue Plan Act (ARPA) funds, but it includes no sunset provision and calls for transfer of $750,000 to the fund in FY 23, while suggesting in a separate sentence that the Governor should determine whether ARPA funds are available. If not, it seems to require a draw on unappropriated general funds in the coming year. It should be noted that up to 20% of the funds can be used for administrative expenses and another 10% for marketing expenses, as much as $225,000, leaving a net of 70% for grant support. One might also wonder whether such funds would better be reserved to meet the many needs of those who are already New Hampshire residents and what distinguishes these service alumni, fine as they may be, from the many other youth of New Hampshire who might appreciate similar support. The committee is left with too many questions to recommend going forward with this bill. Vote 12-11.
Rep. James Murphy for the Minority of Ways and Means. This bill is a win-win for the State of NH, colleges and universities of New Hampshire, as well as employers and employees in New Hampshire. It will bring quality individuals to our colleges and universities and to our labor force by offering matching grants to the employee and student. It will recruit some of the best and brightest who have demonstrated commitment and service to communities across the globe after they have successfully completed national service through either the Peace Corps or AmeriCorps. The recipient will first have to obtain a grant or scholarship from their school or have completed a year of employment with their employer. It is fully funded by the federal American Rescue Plan Act (ARPA) funds and will not use any monies from either the state general or education trust funds. Volunteer NH will disburse grants and scholarships and has extensive experience in managing millions of dollars in federal funding each year. This is a three-year trial. If successful in retaining the students and employees, Volunteer NH can explore options for future funding, whether public or private. Despite increasing availability of jobs in the state, the workforce has decreased substantially from pre-pandemic levels. Our population is growing older with increasing retirements contributing to this shrinking work force. This bill would help recruit and retain talented individuals to experience the New Hampshire way of life and we hope to stay here permanently.

The question being adoption of the majority committee report of Inexpedient to Legislate.
On a division vote, with 194 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted.

REGULAR CALENDAR - PART II

HB 1349-FN, decriminalizing the possession and use of psilocybin mushrooms. **INEXPEDIENT TO LEGISLATE.**
Rep. Casey Conley for Criminal Justice and Public Safety. This bill would decriminalize the use of psilocybin mushrooms, which are currently considered a schedule I drug punishable by fines and prison time depending

on the quantity. Although psilocybin shows promise as a treatment for post-traumatic stress disorder and other psychiatric disorders, it is not currently approved for these purposes by the Food and Drug Administration. More research is needed for the majority to support decriminalization, which will make psilocybin mushrooms much easier to acquire and consume, particularly among children. Vote 18-2.

MOTION TO LAY ON THE TABLE

Rep. Abbas moved that **HB 1349-FN,** decriminalizing the possession and use of psilocybin mushrooms, be laid on the table.

Rep. Yokela requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 132

YEAS - 210

BELKNAP

Bean, Harry	Hough, Gregg	Lang, Timothy	Littlefield, Richard
Ploszaj, Tom	Trottier, Douglas	Varney, Peter	

CARROLL

Nelson, Bill	Buco, Thomas	Burroughs, Anita	Cordelli, Glenn
Crawford, Karel	Deshaies, Brodie	MacDonald, John	Knirk, Jerry
Marsh, William	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Eaton, Daniel
Fenton, Donovan	Fox, Dru	Harvey, Cathryn	Hunt, John
Parshall, Lucius	Qualey, James	Rhodes, Jennifer	Weber, Lucy

COOS

Davis, Arnold	Hatch, William	Laflamme, Larry	Merner, Troy
Theberge, Robert	Thompson, Dennis	Tucker, Edith	

GRAFTON

Abel, Richard	Alliegro, Mark	Almy, Susan	Fellows, Sallie
Folsom, Beth	Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey
Hakken-Phillips, Mary	Ham, Bonnie	Ladd, Rick	Murphy, James
Nordgren, Sharon	Simon, Matthew	Sykes, George	Weston, Joyce

HILLSBOROUGH

Alexander, Joe	Boyd, Bill	Griffin, Barbara	King, Bill
Bergeron, Paul	Boehm, Ralph	Cohen, Bruce	Connors, Erika
Cornell, Patricia	Creighton, Jim	Erf, Keith	Espitia, Manny
Fedolfi, Jim	Freitas, Mary	Griffin, Gerald	Gagne, Larry
Goley, Jeffrey	Gould, Linda	Graham, John	Harriott-Gathright, Linda
Healey, Robert	Heath, Mary	Homola, Susan	Jack, Martin
Jeudy, Jean	Klee, Patricia	Langley, Diane	Lanzara, Tom
Lascelles, Richard	Leishman, Peter	Long, Patrick	Murray, Megan
Mangipudi, Latha	Marston, Dick	Mayville, Mary	McGhee, Kat
Mooney, Maureen	Mullen, Sue	Notter, Jeanine	Pauer, Diane
Pedersen, Michael	Petrigno, Peter	Piedra, Israel	Plett, Fred
Porter, Marjorie	Rice, Kimberly	Rombeau, Catherine	Rouillard, Claire
Rung, Rosemarie	Newman, Sue	Sheehan, Vanessa	Snow, Kendall
Somero, Paul	Stevens, Deb	Telerski, Laura	Ulery, Jordan
Van Houten, Constance	Wilhelm, Matthew		

MERRIMACK

Allard, James	Bartlett, Christy	Ebel, Karen	Ellison, Arthur
Hall, Muriel	Hill, Gregory	Klose, John	Lane, Connie
Luneau, David	MacKay, James	Mason, James	McGuire, Carol
Moffett, Michael	Pearl, Howard	Pitaro, Matthew	Richards, Beth
Rogers, Katherine	Boyd, Stephen	Shurtleff, Steve	Wallner, Mary Jane
Wells, Natalie	Wolf, Dan	Woods, Gary	

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Ayer, Paul	Baldasaro, Al
Baxter, Tim	Cahill, Michael	Cali-Pitts, Jacqueline	DeSimone, Debra
DiLorenzo, Charlotte	Dolan, Tom	Doucette, Fred	Edgar, Michael
Emerick, Tracy	Ford, Oliver	Gay, Betty	Gilman, Julie
Green, Dennis	Guthrie, Joseph	Hamblet, Joan	Harb, Robert
Harley, Tina	Hobson, Deborah	Nelson, Jodi	Janigian, John

Murray, Kate
Litchfield, Melissa
Maggiore, Jim
McKinney, Betsy
Milz, David
Roy, Terry
Sytek, John
MacDonald, Wayne
Katsakiores, Phyllis
Love, David
Major, Norman
McMahon, Charles
Pantelakos, Laura
Pearson, Stephen
Thomas, Douglas
Ward, Gerald
Khan, Aboul
Lynn, Bob
Malloy, Dennis
Melvin, Charles
Potucek, John
Simpson, Alexis
Torosian, Peter
Welch, David
Kimball, Mary Ann
Pearson, Mark
McBride, Everett
Meuse, David
Pratt, Kevin
Sweeney, Joe
Vose, Michael
Weyler, Kenneth

STRAFFORD

Cannon, Gerri
Hayward, Peter
Newton, Clifford
Southworth, Thomas
Chase, Wendy
Horgan, James
Pitre, Joseph
Turcotte, Leonard
Conley, Casey
Levesque, Cassandra
Salloway, Jeffrey
Wall, Janet
Groen, Fenton
Smith, Marjorie
Sandler, Catt

SULLIVAN

Cloutier, John
Stapleton, Walter
Gottling, Suzanne
Sullivan, Brian
Oxenham, Lee
Rollins, Skip

NAYS - 132

BELKNAP

Aldrich, Glen
Johnson, Dawn
Bordes, Mike
Silber, Norman
Comtois, Barbara
Sylvia, Michael
Harvey-Bolia, Juliet
Terry, Paul

CARROLL

Avellani, Lino
Smith, Jonathan
McAleer, Chris
McConkey, Mark

CHESHIRE

Faulkner, Barry
Santonastaso, Matthew
Gomarlo, Jennie
Schapiro, Joe
Maneval, Andrew
Toll, Amanda Elizabeth
Mann, John
Welkowitz, Lawrence

COOS

Craig, Kevin
Kelley, Eamon

GRAFTON

Adjutant, Joshua
Egan, Timothy
Smith, Suzanne
Berezhny, Lex
Massimilla, Linda
Depalma IV, Joseph
Muirhead, Russell
Dontonville, Roger
Stavis, Laurel

HILLSBOROUGH

Lekas, Alicia
Beaulieu, Jane
Bradley, Amy
Kelley, Diane
Gorski, Ted
Klein-Knight, Nicole
King, Mark
Nutting-Wong, Allison
Query, Joshua
Toomey, Dan
Warden, Mark
Ammon, Keith
Berry, Ross
Burt, John
Smith, Denise
Greene, Bob
Kofalt, Jim
McLean, Mark
O'Brien, Michael
Newman, Ray
Vail, Suzanne
Bouldin, Andrew
Blasek, Melissa
Chretien, Jacqueline
Dutzy, Sherry
Griffith, Willis
Labranche, Tony
Nunez, Hershel
Post, Lisa
Renzullo, Andrew
Vann, Ivy
Baroody, Benjamin
Bouchard, Donald
Cushman, Leah
Foster, William
Herbert, Christopher
Lewicke, John
Nutter-Upham, Frances
Prout, Andrew
Lekas, Tony
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Gallager, Eric
Schamberg, Thomas
Testerman, Dave
Andrus, Louise
Kennedy, Margaret
Schultz, Kristina
Walz, Mary Beth
Cambrils, Jose
McWilliams, Rebecca
Seaworth, Brian
White, Nick
Caplan, Tony
Pimentel, Roderick
Soucy, Timothy
Yakubovich, Michael

ROCKINGHAM

Abramson, Max
Bershtein, Alan
Grossman, Gaby
Paige, Mark
Soti, Julius
Verville, Kevin
Acton, Dennis
Bunker, Lisa
Grote, Jaci
Piemonte, Tony
Spillane, James
Wallace, Scott
Altschiller, Debra
Dodge, Dustin
Layon, Erica
Read, Ellen
Tripp, Richard
Yokela, Josh
Bernardy, JD
Edwards, Jess
Osborne, Jason
Somssich, Peter
True, Chris

STRAFFORD

Ankarberg, Aidan
Fontneau, Timothy
Kaczynski, Thomas
Rich, Cecilia
Bailey, Glenn
Frost, Sherry
Kittredge, Mac
Spang, Judith
Bixby, Peter
Grassie, Chuck
Oxaal, Ariel
Treleaven, Susan
DeLemus, Susan
Horrigan, Timothy
Schmidt, Peter
Wuelper, Kurt

SULLIVAN

Aron, Judy Callum, John Merchant, Gary Spilsbury, Walter
Tanner, Linda

and the motion was adopted.

REGULAR CALENDAR - PART II CONT'D

HB 1646, relative to representation on a cooperative school district board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Melissa Litchfield for Education. As amended, this bill requires cooperative school district boards to have at least one elected member from each pre-existing district, and all members of the cooperative school board shall be elected within their own district. This is a change in the current law that requires cooperative school members be elected at large. Vote 19-0.

Amendment (0808h)

Amend RSA 195:19-a as inserted by section 1 of the bill by replacing it with the following:

195:19-a Composition of Cooperative School Boards. The [~~number, composition,~~] method of selection[~~,~~] and terms of members of cooperative school boards shall be as provided in the bylaws or articles of agreement of the cooperative school district, as the case may be; provided, however, that such bylaws and articles of agreement shall be limited [~~to the alternatives contained herein where applicable; and provided further that no cooperative school district in existence on August 22, 1971 shall be required to conform hereto unless it is so voted pursuant to RSA 671:9.~~] ***by the following requirements:***

I. [~~All members of the cooperative school board shall be elected at large; or~~

~~II. The cooperative school district shall be divided into single board member districts according to population with as nearly equal population in each district as possible; or~~

~~III. The cooperative school district shall be divided into multiboard member districts or a combination of single member or multimember districts so that proportional representation will be most nearly achieved; or~~

~~IV.~~] The members of the cooperative school board shall each be domiciled in and represent a pre-existing district with each pre-existing district having at least one such resident representative [~~but~~] ***and*** all members of the cooperative school board shall be elected [~~at large; or~~] ***within their own district.***

[~~V. Such other method of selection of cooperative school board members compatible with proportional representation, one-man one-vote principle as may be approved by the state board of education.~~]

[~~VI.~~] ***II.*** The terms of the members of the cooperative school board shall be as provided in the bylaws or articles of agreement provided that in no case shall such terms exceed 3 years.

[~~VII.~~] ***III.*** Whenever the bylaws or articles of agreement provide for the election of cooperative school board members pursuant to this chapter, said election shall be with the use of the non-partisan ballot system under RSA 669.

MOTION TO LAY ON THE TABLE

Rep. Ladd moved that **HB 1646,** relative to representation on a cooperative school district board, be laid on the table.

On a division vote, with 297 members having voted in the affirmative, and 49 in the negative, the motion was adopted.

REGULAR CALENDAR - PART II CONT'D

HB 1064-FN, requiring the use of hand-marked, durable paper ballots in elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Wayne MacDonald for Election Law. While the concerns over ballot tabulations are respected and understood, this bill is not the proper solution. Further, there is no evidence of hacking as the result of these machines being used, even in Windham. In fact, Windham voted in their town elections on March 8, 2022 to continue using the voting machines. It should, indeed, be the local community which makes this decision and not the state. Voting machines are more precise and not subject to the human frailties of fatigue or distraction. The Secretary of State's interpretation of the New Hampshire Constitution requires that votes to be counted by the end of an election day. Hand counting all of the ballots would mean election day officials, their staff and election day volunteers, would be required to work many more hours after having generally started their day as early as 4:00am or 5:00am. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Barbara Griffin moved that **HB 1064-FN,** requiring the use of hand-marked, durable paper ballots in elections, be laid on the table.

Rep. Alliegro requested a roll call; sufficiently seconded.

YEAS 270 - NAYS 75

YEAS - 270

BELKNAP

Lang, Timothy
Varney, Peter

CARROLL

Nelson, Bill
Crawford, Karel
Knirk, Jerry
Umberger, Karen
Buco, Thomas
Deshaies, Brodie
Marsh, William
Burroughs, Anita
MacDonald, John
McAleer, Chris
Cordelli, Glenn
Smith, Jonathan
McConkey, Mark

CHESHIRE

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

COOS

Craig, Kevin
Laflamme, Larry
Tucker, Edith
Davis, Arnold
Merner, Troy
Kelley, Eamon
Theberge, Robert
Hatch, William
Thompson, Dennis

GRAFTON

Abel, Richard
Dontonville, Roger
Gordon, Edward
Massimilla, Linda
Stavis, Laurel
Adjutant, Joshua
Egan, Timothy
Hakken-Phillips, Mary
Muirhead, Russell
Smith, Suzanne
Almy, Susan
Fellows, Sallie
Ham, Bonnie
Murphy, James
Sykes, George
Depalma IV, Joseph
Folsom, Beth
Ladd, Rick
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
Griffin, Barbara
Berry, Ross
Bradley, Amy
Cornell, Patricia
Erf, Keith
Gagne, Larry
Greene, Bob
Healey, Robert
Jack, Martin
Langley, Diane
King, Mark
McGhee, Kat
Notter, Jeanine
Petrigno, Peter
Post, Lisa
Renzullo, Andrew
Rung, Rosemarie
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew
Ammon, Keith
Baroody, Benjamin
Blasek, Melissa
Chretien, Jacqueline
Creighton, Jim
Espitia, Manny
Goley, Jeffrey
Griffith, Willis
Heath, Mary
Jeudy, Jean
Leishman, Peter
Murray, Megan
McLean, Mark
Nutter-Upham, Frances
Piedra, Israel
Prout, Andrew
Rice, Kimberly
Newman, Sue
Telerski, Laura
Van Houten, Constance
Bouldin, Andrew
Beaulieu, Jane
Boehm, Ralph
Cohen, Bruce
Smith, Denise
Freitas, Mary
Gould, Linda
Hamer, Heidi
Herbert, Christopher
Klee, Patricia
Lewicke, John
Mangipudi, Latha
Mooney, Maureen
Nutting-Wong, Allison
Plett, Fred
Query, Joshua
Rombeau, Catherine
Snow, Kendall
Toomey, Dan
Vann, Ivy
Boyd, Bill
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Griffin, Gerald
Graham, John
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
Mayville, Mary
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Newman, Ray
Rouillard, Claire
Somero, Paul
Ulery, Jordan
Veilleux, Daniel

MERRIMACK

Alicea, Caroletta
Ellison, Arthur
Kennedy, Margaret
MacKay, James
Pearl, Howard
Rogers, Katherine
Shurtleff, Steve
Walz, Mary Beth
Allard, James
Gallager, Eric
Klose, John
Mason, James
Pimentel, Roderick
Boyd, Stephen
Soucy, Timothy
Wells, Natalie
Bartlett, Christy
Hall, Muriel
Lane, Connie
McGuire, Carol
Pitaro, Matthew
Schamberg, Thomas
Wallner, Mary Jane
Wolf, Dan
Caplan, Tony
Hill, Gregory
Luneau, David
McWilliams, Rebecca
Richards, Beth
Schultz, Kristina
Walsh, Thomas
Woods, Gary

ROCKINGHAM

Abbas, Daryl
Cahill, Michael
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Acton, Dennis
Cali-Pitts, Jacqueline
Doucette, Fred
Gilman, Julie
Hamblet, Joan
Ayer, Paul
DeSimone, Debra
Edgar, Michael
Grossman, Gaby
Harb, Robert
Bunker, Lisa
DiLorenzo, Charlotte
Edwards, Jess
Grote, Jaci
Harley, Tina

Nelson, Jodi
Khan, Aboul
Maggiore, Jim
McKinney, Betsy
Milz, David
Piemonte, Tony
Somssich, Peter
Thomas, Douglas
MacDonald, Wayne
Janigian, John
Layon, Erica
Major, Norman
McMahon, Charles
Osborne, Jason
Potucek, John
Spillane, James
Tripp, Richard
Ward, Gerald
Murray, Kate
Lynn, Bob
Malloy, Dennis
Melvin, Charles
Paige, Mark
Pearson, Stephen
Sweeney, Joe
True, Chris
Welch, David
Katsakiores, Phyllis
Pearson, Mark
McBride, Everett
Meuse, David
Pantelakos, Laura
Simpson, Alexis
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Bixby, Peter
DeLemus, Susan
Grassie, Chuck
Horrigan, Timothy
Oxaal, Ariel
Salloway, Jeffrey
Treleaven, Susan
Cannon, Gerri
Fargo, Kristina
Groen, Fenton
Levesque, Cassandra
Schmidt, Peter
Sandler, Catt
Turcotte, Leonard
Chase, Wendy
Fontneau, Timothy
Hayward, Peter
Smith, Marjorie
Pitre, Joseph
Southworth, Thomas
Wall, Janet
Conley, Casey
Frost, Sherry
Horgan, James
Newton, Clifford
Rich, Cecilia
Spang, Judith

SULLIVAN

Callum, John
Oxenham, Lee
Smith, Steven
Cloutier, John
Rollins, Skip
Sullivan, Brian
Gottling, Suzanne
Spilsbury, Walter
Tanner, Linda
Merchant, Gary
Stapleton, Walter

NAYS - 75

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Ploszaj, Tom
Trottier, Douglas
Bean, Harry
Hough, Gregg
Silber, Norman
Bordes, Mike
Johnson, Dawn
Sylvia, Michael
Comtois, Barbara
Littlefield, Richard
Terry, Paul

CARROLL

Avellani, Lino

CHESHIRE

Santonastaso, Matthew

GRAFTON

Alliegro, Mark
Simon, Matthew
Berezhny, Lex
Sanborn, Gail
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Kelley, Diane
Homola, Susan
Lascelles, Richard
Sheehan, Vanessa
King, Bill
Fedolfi, Jim
Kofalt, Jim
Marston, Dick
Lekas, Tony
Burt, John
Foster, William
Labranche, Tony
Nunez, Hershel
Warden, Mark
Cushman, Leah
Gorski, Ted
Lanzara, Tom
Pauer, Diane

MERRIMACK

Andrus, Louise
Testerman, Dave
Cambrils, Jose
White, Nick
Moffett, Michael
Yakubovich, Michael
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Baxter, Tim
Ford, Oliver
Kimball, Mary Ann
Read, Ellen
Verville, Kevin
Abramson, Max
Bernardy, JD
Gay, Betty
Litchfield, Melissa
Roy, Terry
Wallace, Scott
Altschiller, Debra
Bershtein, Alan
Green, Dennis
Love, David
Soti, Julius
Yokela, Josh
Baldasaro, Al
Dodge, Dustin
Hobson, Deborah
Pratt, Kevin
Torosian, Peter

STRAFFORD

Ankarberg, Aidan
Wuelper, Kurt
Bailey, Glenn
Kaczynski, Thomas
Kittredge, Mac

SULLIVAN

Aron, Judy

and the motion was adopted.

REGULAR CALENDAR - PART II CONT'D

HB 1473-FN, authorizing a forensic audit of the November 3, 2020 election results in Merrimack county for president, governor, and United States senate races. **REFER FOR INTERIM STUDY.**

Rep. Wayne MacDonald for Election Law. This bill provides for a feasible audit of selected races in one of the larger New Hampshire counties. There are many questions after the 2020 election and bipartisan support exists for election audits. This legislation needs to select, and better define, an area for the purposes of the towns and the races to be examined, however. The scope of this audit, as proposed, is unwieldy. The Committee on Election Law unanimously recommends this bill for Interim Study, so that these concerns can be addressed. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Barbara Griffin moved that **HB 1473-FN,** authorizing a forensic audit of the November 3, 2020 election results in Merrimack county for president, governor, and United States senate races, be laid on the table. Rep. Homola requested a roll call; sufficiently seconded.

YEAS 251 - NAYS 94

YEAS - 251

BELKNAP

Bordes, Mike	Hough, Gregg	Lang, Timothy	Varney, Peter

CARROLL

Buco, Thomas	Burroughs, Anita	Crawford, Karel	Deshaies, Brodie
MacDonald, John	Smith, Jonathan	Knirk, Jerry	Marsh, William
McAleer, Chris	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Eaton, Daniel
Faulkner, Barry	Fenton, Donovan	Fox, Dru	Gomarlo, Jennie
Harvey, Cathryn	Maneval, Andrew	Mann, John	Parshall, Lucius
Qualey, James	Rhodes, Jennifer	Schapiro, Joe	Toll, Amanda Elizabeth
Weber, Lucy			

COOS

Craig, Kevin	Davis, Arnold	Kelley, Eamon	Hatch, William
Laflamme, Larry	Merner, Troy	Theberge, Robert	Thompson, Dennis
Tucker, Edith			

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Depalma IV, Joseph
Dontonville, Roger	Egan, Timothy	Fellows, Sallie	Gordon, Edward
Hakken-Phillips, Mary	Ham, Bonnie	Ladd, Rick	Massimilla, Linda
Muirhead, Russell	Murphy, James	Nordgren, Sharon	Stavis, Laurel
Smith, Suzanne	Sykes, George	Weston, Joyce	

HILLSBOROUGH

Alexander, Joe	Bouldin, Andrew	Boyd, Bill	Griffin, Barbara
Baroody, Benjamin	Beaulieu, Jane	Bergeron, Paul	Berry, Ross
Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline	Cohen, Bruce
Connors, Erika	Cornell, Patricia	Creighton, Jim	Smith, Denise
Dutzy, Sherry	Erf, Keith	Espitia, Manny	Freitas, Mary
Gagne, Larry	Goley, Jeffrey	Graham, John	Greene, Bob
Griffith, Willis	Hamer, Heidi	Harriott-Gathright, Linda	Healey, Robert
Heath, Mary	Herbert, Christopher	Schmidt, Janice	Jack, Martin
Jeudy, Jean	Klee, Patricia	Klein-Knight, Nicole	Langley, Diane
Leishman, Peter	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	Petrigno, Peter	Piedra, Israel	Plett, Fred
Porter, Marjorie	Post, Lisa	Query, Joshua	Newman, Ray
Renzullo, Andrew	Rice, Kimberly	Rombeau, Catherine	Rouillard, Claire
Rung, Rosemarie	Newman, Sue	Snow, Kendall	Somero, Paul
Stevens, Deb	Lekas, Tony	Telerski, Laura	Toomey, Dan
Vail, Suzanne	Van Houten, Constance	Vann, Ivy	Veilleux, Daniel
Warden, Mark	Wilhelm, Matthew		

MERRIMACK

Alicea, Caroletta	Allard, James	Bartlett, Christy	Caplan, Tony
Ebel, Karen	Ellison, Arthur	Gallager, Eric	Hall, Muriel
Hill, Gregory	Klose, John	Lane, Connie	Luneau, David
MacKay, James	Mason, James	McWilliams, Rebecca	Moffett, Michael
Pimentel, Roderick	Richards, Beth	Rogers, Katherine	Boyd, Stephen

Schamberg, Thomas
Schultz, Kristina
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Walsh, Thomas
Walz, Mary Beth
Wells, Natalie
Wolf, Dan
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Ayer, Paul
Bunker, Lisa
Cahill, Michael
Cali-Pitts, Jacqueline
DeSimone, Debra
DiLorenzo, Charlotte
Dolan, Tom
Doucette, Fred
Edgar, Michael
Edwards, Jess
Emerick, Tracy
Ford, Oliver
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Guthrie, Joseph
Hamblet, Joan
Harb, Robert
Nelson, Jodi
Janigian, John
Murray, Kate
Katsakiores, Phyllis
Khan, Aboul
Litchfield, Melissa
Lynn, Bob
Pearson, Mark
Maggiore, Jim
Major, Norman
Malloy, Dennis
McBride, Everett
McKinney, Betsy
McMahon, Charles
Melvin, Charles
Meuse, David
Milz, David
Osborne, Jason
Paige, Mark
Pantelakos, Laura
Piemonte, Tony
Potucek, John
Pearson, Stephen
Simpson, Alexis
Somssich, Peter
Spillane, James
Sweeney, Joe
Sytek, John
Thomas, Douglas
Tripp, Richard
MacDonald, Wayne
Ward, Gerald
Welch, David
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Cannon, Gerri
Chase, Wendy
Conley, Casey
Fargo, Kristina
Fontneau, Timothy
Frost, Sherry
Grassie, Chuck
Groen, Fenton
Hayward, Peter
Horgan, James
Horrigan, Timothy
Levesque, Cassandra
Smith, Marjorie
Oxaal, Ariel
Schmidt, Peter
Pitre, Joseph
Rich, Cecilia
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Spang, Judith
Treleaven, Susan
Wall, Janet
Wuelper, Kurt

SULLIVAN

Callum, John
Cloutier, John
Gottling, Suzanne
Merchant, Gary
Oxenham, Lee
Spilsbury, Walter
Stapleton, Walter
Smith, Steven
Sullivan, Brian
Tanner, Linda

NAYS - 94

BELKNAP

Aldrich, Glen
Bean, Harry
Comtois, Barbara
Harvey-Bolia, Juliet
Howard, Raymond
Johnson, Dawn
Littlefield, Richard
Ploszaj, Tom
Silber, Norman
Terry, Paul
Trottier, Douglas

CARROLL

Avellani, Lino
Nelson, Bill
Cordelli, Glenn
McConkey, Mark

CHESHIRE

Hunt, John
Santonastaso, Matthew

GRAFTON

Alliegro, Mark
Berezhny, Lex
Folsom, Beth
Sanborn, Gail
Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Ammon, Keith
King, Bill
Blasek, Melissa
Boehm, Ralph
Burt, John
Cushman, Leah
Kelley, Diane
Fedolfi, Jim
Foster, William
Griffin, Gerald
Gorski, Ted
Gould, Linda
Homola, Susan
Kofalt, Jim
Labranche, Tony
Lanzara, Tom
Lascelles, Richard
Lewicke, John
Marston, Dick
McLean, Mark
Notter, Jeanine
Nunez, Hershel
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambrils, Jose
Kennedy, Margaret
McGuire, Carol
Pearl, Howard
Pitaro, Matthew
Seaworth, Brian
Testerman, Dave
White, Nick
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Abrami, Patrick
Abramson, Max
Acton, Dennis
Baldasaro, Al
Baxter, Tim
Bernardy, JD
Bershtein, Alan
Dodge, Dustin
Gay, Betty
Green, Dennis
Harley, Tina
Hobson, Deborah
Kimball, Mary Ann
Layon, Erica
Love, David
Pratt, Kevin
Read, Ellen
Roy, Terry
Soti, Julius
Torosian, Peter
True, Chris
Verville, Kevin
Wallace, Scott
Yokela, Josh

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	DeLemus, Susan	Kaczynski, Thomas
Kittredge, Mac	Newton, Clifford	Turcotte, Leonard	

SULLIVAN

Aron, Judy	Rollins, Skip

and the motion was adopted.

REGULAR CALENDAR - PART II CONT'D

CACR 24, the attorney general. Providing that the attorney general be elected by a majority vote of the members of the general court in a joint session. **INEXPEDIENT TO LEGISLATE.**
Rep. Janet Wall for Legislative Administration. In the past 41 years, there have been 20 proposals to change how Attorneys General are appointed and all have failed. New Hampshire has a fair and reasonable process by which an individual is nominated by the Governor before testimony is heard by the Executive Council, all of whom are elected officials and answerable to the general public. There has long been a concern that should the Attorney General be elected by the body politic or the General Court or another method, the office might become too politicized. That may well be true in some of the states that do elect their Attorney General. With our current method, the Attorney General should be able to focus on the job. Among examples given, if elected otherwise, there could be the potential that if a high-profile case came near the time of election, an Attorney General could possibly focus more in the decision being made, than the actual case. The current system works. It is not broken. There is no need to fix it. Vote 15-0.

The question being adoption of the committee report of Inexpedient to Legislate.
Rep. Silber spoke against.
On a division vote, with 253 members having voted in the affirmative, and 87 in the negative, the committee report was adopted.

CACR 25, legislative term limits. Providing that no person shall serve more than 15 terms in either the house of representatives or the senate. **INEXPEDIENT TO LEGISLATE.**
Rep. Claire Rouillard for Legislative Administration. This Constitutional Amendment Concurrent Resolution establishes a 15-term limit for the New Hampshire House of Representatives and New Hampshire Senate. Only one person, a sponsor, testified in favor of this CACR. The committee unanimously voted that this legislation would remove institutional knowledge of our long-standing representatives and would deprive the people of this state their choice of representation. Vote 15-0.

The question being adoption of the committee report of Inexpedient to Legislate.
Rep. Labranche spoke against.
Rep. Abramson requested a roll call; not sufficiently seconded.
On a division vote, with 301 members having voted in the affirmative, and 40 in the negative, the committee report was adopted.

CACR 26, relating to the house of representatives. Providing that 100 of the representatives are elected using party list proportional representation. **INEXPEDIENT TO LEGISLATE.**
Rep. Kristina Schultz for Legislative Administration. The unanimous committee opinion is to recommend Inexpedient to Legislate primarily because the legislation provides no process or framework for how 100 state representatives (or one-fourth of the House of Representatives) would be selected to establish a party-list proportional-representation election system. All we know from the legislation is that these 100 representatives are to be chosen by party leaders. The testimony suggests this would be a unique and creative idea for anywhere in America. The committee feels the scheme would be very confusing to both voters and the state representatives themselves. While it is true that this system is a norm for political parties choosing their candidates in other countries, where it may be implemented in a variety of closed- or open-list approaches, this system is simply too complicated to flesh out without a framework and without a compelling reason to change. Vote 15-0.

The question being adoption of the committee report of Inexpedient to Legislate.
Rep. Labranche spoke against.
On a division vote, with 324 members having voted in the affirmative, and 8 in the negative, the committee report was adopted.

CACR 27, elected and appointed officials. Providing that all state court judges shall be subject to recall and removal by petition and vote of registered voters pursuant to provisions established by the legislature. **INEXPEDIENT TO LEGISLATE.**
Rep. Claire Rouillard for Legislative Administration. This Constitutional Amendment Concurrent Resolution requests that all state court judges be subject to recall and removal by petition and vote of registered voters. The committee heard testimony primarily involving judges in family court cases. Sponsors indicated that

there was no practical way to remove a judge in New Hampshire other than through the long and arduous impeachment process. Although other states have recall of judges, most are in states where judges are elected, as opposed to being appointed, as New Hampshire does. New Hampshire has a Judicial Conduct Committee made up of various members including public members, non-attorney members, members of Senate and House which is completely separate from the New Hampshire court system and the other branches of government. This committee may impose disciplinary actions such as reprimand or censor and may also refer to the attorney general for criminal investigation. The members of the committee unanimously voted that recall of judges by petition and vote of registered voters would be too political and could politicize judicial decisions. Vote 15-0.

The question being adoption of the committee report of Inexpedient to Legislate.
Rep. Silber spoke against and requested a roll call; sufficiently seconded.

YEAS 254 - NAYS 85

YEAS - 254

BELKNAP

Hough, Gregg	Lang, Timothy	Trottier, Douglas

CARROLL

Nelson, Bill	Buco, Thomas	Burroughs, Anita	Cordelli, Glenn
Crawford, Karel	Deshaies, Brodie	MacDonald, John	Knirk, Jerry
Marsh, William	McAleer, Chris	McConkey, Mark	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Eaton, Daniel
Faulkner, Barry	Fenton, Donovan	Fox, Dru	Gomarlo, Jennie
Harvey, Cathryn	Hunt, John	Maneval, Andrew	Mann, John
Parshall, Lucius	Qualey, James	Rhodes, Jennifer	Schapiro, Joe
Weber, Lucy	Welkowitz, Lawrence		

COOS

Craig, Kevin	Davis, Arnold	Kelley, Eamon	Hatch, William
Laflamme, Larry	Merner, Troy	Theberge, Robert	Thompson, Dennis
Tucker, Edith			

GRAFTON

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

HILLSBOROUGH

Alexander, Joe	Ammon, Keith	Bouldin, Andrew	Boyd, Bill
Griffin, Barbara	Baroody, Benjamin	Bergeron, Paul	Boehm, Ralph
Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline	Cohen, Bruce
Connors, Erika	Cornell, Patricia	Creighton, Jim	Smith, Denise
Dutzy, Sherry	Erf, Keith	Espitia, Manny	Fedolfi, Jim
Freitas, Mary	Griffin, Gerald	Gagne, Larry	Goley, Jeffrey
Graham, John	Greene, Bob	Griffith, Willis	Hamer, Heidi
Harriott-Gathright, Linda	Healey, Robert	Herbert, Christopher	Homola, Susan
Schmidt, Janice	Jack, Martin	Jeudy, Jean	Klee, Patricia
Klein-Knight, Nicole	Labranche, Tony	Langley, Diane	Lanzara, Tom
Lascelles, Richard	Leishman, Peter	King, Mark	Murray, Megan
Mangipudi, Latha	Mayville, Mary	McGhee, Kat	McLean, Mark
Mooney, Maureen	Mullen, Sue	Nutter-Upham, Frances	Nutting-Wong, Allison
Pauer, Diane	Pedersen, Michael	Petrigno, Peter	Piedra, Israel
Plett, Fred	Porter, Marjorie	Query, Joshua	Newman, Ray
Renzullo, Andrew	Rombeau, Catherine	Rouillard, Claire	Rung, Rosemarie
Newman, Sue	Sheehan, Vanessa	Snow, Kendall	Somero, Paul
Stevens, Deb	Telerski, Laura	Toomey, Dan	Ulery, Jordan
Vail, Suzanne	Van Houten, Constance	Vann, Ivy	Veilleux, Daniel
Wilhelm, Matthew			

MERRIMACK

Alicea, Caroletta	Allard, James	Bartlett, Christy	Caplan, Tony
Ebel, Karen	Ellison, Arthur	Gallager, Eric	Hall, Muriel
Hill, Gregory	Klose, John	Lane, Connie	Luneau, David
MacKay, James	Mason, James	Moffett, Michael	Pearl, Howard
Pimentel, Roderick	Richards, Beth	Rogers, Katherine	Boyd, Stephen

Schamberg, Thomas
Soucy, Timothy
Wells, Natalie
Schultz, Kristina
Wallner, Mary Jane
Woods, Gary
Seaworth, Brian
Walsh, Thomas
Shurtleff, Steve
Walz, Mary Beth

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
DiLorenzo, Charlotte
Emerick, Tracy
Guthrie, Joseph
Hobson, Deborah
Katsakiores, Phyllis
Pearson, Mark
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Thomas, Douglas
Welch, David
Abrami, Patrick
Bunker, Lisa
Dolan, Tom
Gilman, Julie
Hamblet, Joan
Nelson, Jodi
Layon, Erica
Maggiore, Jim
McKinney, Betsy
Paige, Mark
Pratt, Kevin
Simpson, Alexis
Tripp, Richard
Weyler, Kenneth
Acton, Dennis
Cahill, Michael
Doucette, Fred
Grossman, Gaby
Harb, Robert
Janigian, John
Litchfield, Melissa
Major, Norman
McMahon, Charles
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Somssich, Peter
MacDonald, Wayne
Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Harley, Tina
Murray, Kate
Lynn, Bob
Malloy, Dennis
Meuse, David
Piemonte, Tony
Read, Ellen
Sytek, John
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horgan, James
Newton, Clifford
Salloway, Jeffrey
Wall, Janet
Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Oxaal, Ariel
Sandler, Catt
Chase, Wendy
Frost, Sherry
Levesque, Cassandra
Schmidt, Peter
Southworth, Thomas
Conley, Casey
Grassie, Chuck
Smith, Marjorie
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Rollins, Skip
Tanner, Linda
Gottling, Suzanne
Spilsbury, Walter
Merchant, Gary
Smith, Steven
Oxenham, Lee
Sullivan, Brian

NAYS - 85

BELKNAP

Aldrich, Glen
Howard, Raymond
Silber, Norman
Bean, Harry
Johnson, Dawn
Sylvia, Michael
Comtois, Barbara
Littlefield, Richard
Terry, Paul
Harvey-Bolia, Juliet
Ploszaj, Tom
Varney, Peter

CARROLL

Avellani, Lino
Smith, Jonathan

CHESHIRE

Santonastaso, Matthew
Toll, Amanda Elizabeth

GRAFTON

Alliegro, Mark
Berezhny, Lex
Folsom, Beth
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Burt, John
Gorski, Ted
Lewicke, John
Nunez, Hershel
Lekas, Tony
King, Bill
Cushman, Leah
Gould, Linda
Long, Patrick
Post, Lisa
Berry, Ross
Kelley, Diane
Kofalt, Jim
Marston, Dick
Prout, Andrew
Blasek, Melissa
Foster, William
Sanborn, Laurie
Notter, Jeanine
Rice, Kimberly

MERRIMACK

Andrus, Louise
Testerman, Dave
Cambrils, Jose
White, Nick
McGuire, Carol
Yakubovich, Michael
McWilliams, Rebecca

ROCKINGHAM

Abramson, Max
Bershtein, Alan
Ford, Oliver
Kimball, Mary Ann
Soti, Julius
Verville, Kevin
Baldasaro, Al
DeSimone, Debra
Gay, Betty
Love, David
Spillane, James
Vose, Michael
Baxter, Tim
Dodge, Dustin
Green, Dennis
Melvin, Charles
Torosian, Peter
Wallace, Scott
Bernardy, JD
Edwards, Jess
Khan, Aboul
Roy, Terry
True, Chris
Yokela, Josh

STRAFFORD

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

SULLIVAN

Aron, Judy Callum, John Stapleton, Walter

and the committee report was adopted.

HB 1155, relative to persons elected to a local board serving on another board. **REFER FOR INTERIM STUDY.**
Rep. Richard Tripp for Municipal and County Government. This bill provides that a person elected to a local board shall be a nonvoting ex officio member of other local boards the person is appointed to, serving on, or is a liaison to. During the executive session it was determined that the proposed solution made assumptions which were not universal as election or appointment to local boards varies by municipality. Rather than reject a bill with merit it was determined to further investigate it. Vote 17-1.

The question being adoption of the committee report of Refer for Interim Study.
Rep. Torosian spoke against.
Rep. Vann spoke in favor.
On a division vote, with 255 members having voted in the affirmative, and 83 in the negative, the committee report was adopted.

REGULAR CALENDAR - PART III

HB 1235-FN, relative to compensation paid to a crime victim. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Maureen Mooney for Finance. This bill, as amended, came to Finance after unanimous approval from the Judiciary Committee, and adoption on the Consent Calendar. The bill increases the cap of the Victims' Assistance Program administered by the Department of Justice from $40,000 to $50,000 per claimant per incident for reasonable expenses set forth in RSA 21-M:8-h(V). These include medical, funeral, counseling and rehabilitative expenses, as well as lost wages and costs of participating in court proceedings. The ending fund balance for FY 2021 is close to a million dollars, so the committee believes that the increase can be absorbed by these available funds. The Finance Committee amendment removed the sections of the bill related to the FRM (Financial Resources Mortgage) Victims' Contribution Recovery Fund. Vote 21-0.

Amendment (1170h)

Amend the bill by replacing all after section 1 with the following:
2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill increases the maximum recovery per claimant under the victims' assistance fund.
Committee amendment adopted.
Committee report adopted and the bill was ordered to third reading.
Rep. Bean declared a conflict of interest and did not participate in the vote.

HB 1417-FN-L, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Gerald Griffin for the Majority of Finance. This bill would have the state pay 7.5% of the retirement system contributions of its political subdivisions for Group I and II employees. The bill came out of its policy committee Executive Departments and Administrations with an Inexpedient to Legislate recommendation. The full House initially voted Inexpedient to Legislate. It was reconsidered, late in the day after many members had left, and passed by the slimmest of margins. The majority of the Finance Committee opposes the bill on multiple grounds. The bill would change the state's policy and the policy committee had rejected that change. The cost of the bill is a function of the number of employees of the state's political subdivisions and the state has no control of that number. The bill's current estimated cost is roughly $28 million in both FY 2024 and FY 2025. That is budget money the state may not have at that time, but most importantly with an effective date of July 31, 2023, passage of the bill would encumber a future legislature's budget which is never good policy. Vote 11-10.
Rep. Peter Leishman for the Minority of Finance. The minority believes the state has a demonstrated, long-standing obligation to provide financial support to communities that participate in the New Hampshire Retirement System (NHRS). As far back as 1967 the state provided a 40% contribution to municipalities that participate in the NHRS. Overtime the state's contribution rate has been reduced to 35% in 1977, to 30% in 2009 and completely eliminated in 2011. The minority believes, especially due to the state's large surplus and 'rainy day fund' balance, that providing 7.5% ($27.79 million FY 2024 and $28.47 million in FY 2025) is a reasonable request by the sponsors.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. O'Brien spoke against and yielded to questions.
Rep. Gerald Griffin spoke in favor.
Rep. Espitia requested a roll call; sufficiently seconded.

YEAS 163 - NAYS 182

YEAS - 163

BELKNAP

Aldrich, Glen
Bean, Harry
Comtois, Barbara
Harvey-Bolia, Juliet
Hough, Gregg
Johnson, Dawn
Lang, Timothy
Littlefield, Richard
Ploszaj, Tom
Silber, Norman
Sylvia, Michael
Terry, Paul
Varney, Peter

CARROLL

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

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Santonastaso, Matthew

COOS

Craig, Kevin
Thompson, Dennis

GRAFTON

Alliegro, Mark
Berezhny, Lex
Depalma IV, Joseph
Folsom, Beth
Sanborn, Gail
Gordon, Edward
Greeson, Jeffrey
Ladd, Rick
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Ammon, Keith
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
Kofalt, Jim
Sanborn, Laurie
Lascelles, Richard
Lewicke, John
Marston, Dick
Mayville, Mary
McLean, Mark
Mooney, Maureen
Notter, Jeanine
Nunez, Hershel
Pauer, Diane
Post, Lisa
Prout, Andrew
Renzullo, Andrew
Rice, Kimberly
Rouillard, Claire
Sheehan, Vanessa
Somero, Paul
Lekas, Tony
Ulery, Jordan
Warden, Mark

MERRIMACK

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

ROCKINGHAM

Abbas, Daryl
Abrami, Patrick
Abramson, Max
Ayer, Paul
Baldasaro, Al
Baxter, Tim
Bernardy, JD
Bershtein, Alan
DeSimone, Debra
Dodge, Dustin
Dolan, Tom
Edwards, Jess
Emerick, Tracy
Ford, Oliver
Gay, Betty
Green, Dennis
Harb, Robert
Harley, Tina
Hobson, Deborah
Nelson, Jodi
Janigian, John
Katsakiores, Phyllis
Kimball, Mary Ann
Layon, Erica
Litchfield, Melissa
Love, David
Lynn, Bob
Major, Norman
McBride, Everett
McKinney, Betsy
McMahon, Charles
Melvin, Charles
Osborne, Jason
Piemonte, Tony
Potucek, John
Prudhomme-O'Brien, Katherine
Roy, Terry
Soti, Julius
Spillane, James
Sytek, John
Thomas, Douglas
Torosian, Peter
Tripp, Richard
True, Chris
Verville, Kevin
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

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

SULLIVAN

Aron, Judy
Callum, John
Spilsbury, Walter
Smith, Steven

NAYS - 182

BELKNAP

Bordes, Mike
Howard, Raymond
Trottier, Douglas

CARROLL

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

CHESHIRE

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

COOS

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

GRAFTON

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

HILLSBOROUGH

Bouldin, Andrew	Boyd, Bill	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	Connors, Erika	Cornell, Patricia	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Goley, Jeffrey	Griffith, Willis
Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher
Schmidt, Janice	Jack, Martin	Jeudy, Jean	Klee, Patricia
Klein-Knight, Nicole	Langley, Diane	Lanzara, Tom	Leishman, Peter
Long, Patrick	King, Mark	Murray, Megan	Mangipudi, Latha
McGhee, Kat	Mullen, Sue	Nutter-Upham, Frances	Nutting-Wong, Allison
O'Brien, Michael	Pedersen, Michael	Petrigno, Peter	Piedra, Israel
Plett, Fred	Porter, Marjorie	Query, Joshua	Newman, Ray
Rombeau, Catherine	Rung, Rosemarie	Newman, Sue	Snow, Kendall
Stevens, Deb	Telerski, Laura	Toomey, Dan	Vail, Suzanne
Van Houten, Constance	Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew

MERRIMACK

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

ROCKINGHAM

Acton, Dennis	Altschiller, Debra	Bunker, Lisa	Cahill, Michael
Cali-Pitts, Jacqueline	DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Hamblet, Joan	Murray, Kate
Khan, Aboul	Pearson, Mark	Maggiore, Jim	Malloy, Dennis
Meuse, David	Milz, David	Paige, Mark	Pantelakos, Laura
Pratt, Kevin	Read, Ellen	Pearson, Stephen	Simpson, Alexis
Somssich, Peter	Vose, Michael	Ward, Gerald	

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fargo, Kristina	Fontneau, Timothy	Frost, Sherry	Grassie, Chuck
Horrigan, Timothy	Kenney, Cam	Levesque, Cassandra	Smith, Marjorie
Oxaal, Ariel	Schmidt, Peter	Rich, Cecilia	Salloway, Jeffrey
Sandler, Catt	Southworth, Thomas	Spang, Judith	Treleaven, Susan
Wall, Janet			

SULLIVAN

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

and the majority committee report failed.

Rep. Leishman moved the minority committee report of Ought to Pass.
Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 186 - NAYS 159

YEAS - 186

BELKNAP

Bordes, Mike
Howard, Raymond
Trottier, Douglas
Varney, Peter

CARROLL

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

CHESHIRE

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

COOS

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

GRAFTON

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

HILLSBOROUGH

Bouldin, Andrew
Boyd, Bill
Baroody, Benjamin
Beaulieu, Jane
Bergeron, Paul
Bouchard, Donald
Bradley, Amy
Chretien, Jacqueline
Cohen, Bruce
Connors, Erika
Cornell, Patricia
Dutzy, Sherry
Espitia, Manny
Freitas, Mary
Goley, Jeffrey
Griffith, Willis
Hamer, Heidi
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Schmidt, Janice
Jack, Martin
Jeudy, Jean
Klee, Patricia
Klein-Knight, Nicole
Langley, Diane
Lanzara, Tom
Leishman, Peter
Long, Patrick
King, Mark
Murray, Megan
Mangipudi, Latha
McGhee, Kat
Mullen, Sue
Nutter-Upham, Frances
Nutting-Wong, Allison
O'Brien, Michael
Pedersen, Michael
Petrigno, Peter
Piedra, Israel
Plett, Fred
Porter, Marjorie
Query, Joshua
Newman, Ray
Rombeau, Catherine
Rouillard, Claire
Rung, Rosemarie
Newman, Sue
Snow, Kendall
Stevens, Deb
Telerski, Laura
Toomey, Dan
Vail, Suzanne
Van Houten, Constance
Vann, Ivy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

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

ROCKINGHAM

Acton, Dennis
Altschiller, Debra
Bunker, Lisa
Cahill, Michael
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Edgar, Michael
Edwards, Jess
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Murray, Kate
Khan, Aboul
Pearson, Mark
Maggiore, Jim
Malloy, Dennis
Meuse, David
Milz, David
Paige, Mark
Pantelakos, Laura
Pratt, Kevin
Read, Ellen
Pearson, Stephen
Simpson, Alexis
Somssich, Peter
Thomas, Douglas
Vose, Michael
Ward, Gerald

STRAFFORD

Bixby, Peter
Cannon, Gerri
Chase, Wendy
Conley, Casey
Fargo, Kristina
Fontneau, Timothy
Frost, Sherry
Grassie, Chuck
Horrigan, Timothy
Kenney, Cam
Levesque, Cassandra
Smith, Marjorie
Oxaal, Ariel
Schmidt, Peter
Rich, Cecilia
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Spang, Judith
Treleaven, Susan
Wall, Janet

SULLIVAN

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

NAYS - 159

BELKNAP

Aldrich, Glen	Bean, Harry	Comtois, Barbara	Harvey-Bolia, Juliet
Hough, Gregg	Johnson, Dawn	Lang, Timothy	Littlefield, Richard
Ploszaj, Tom	Silber, Norman	Sylvia, Michael	Terry, Paul

CARROLL

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

CHESHIRE

Hunt, John	Qualey, James	Rhodes, Jennifer	Santonastaso, Matthew

COOS

Craig, Kevin	Thompson, Dennis

GRAFTON

Alliegro, Mark	Berezhny, Lex	Depalma IV, Joseph	Folsom, Beth
Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey	Ladd, Rick
Simon, Matthew			

HILLSBOROUGH

Lekas, Alicia	Ammon, Keith	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	Kofalt, Jim
Sanborn, Laurie	Lascelles, Richard	Lewicke, John	Marston, Dick
Mayville, Mary	McLean, Mark	Mooney, Maureen	Notter, Jeanine
Nunez, Hershel	Pauer, Diane	Post, Lisa	Prout, Andrew
Renzullo, Andrew	Rice, Kimberly	Sheehan, Vanessa	Somero, Paul
Lekas, Tony	Ulery, Jordan	Warden, Mark	

MERRIMACK

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

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Ayer, Paul
Baldasaro, Al	Baxter, Tim	Bernardy, JD	Bershtein, Alan
DeSimone, Debra	Dodge, Dustin	Dolan, Tom	Emerick, Tracy
Ford, Oliver	Gay, Betty	Green, Dennis	Harb, Robert
Harley, Tina	Hobson, Deborah	Nelson, Jodi	Janigian, John
Katsakiores, Phyllis	Kimball, Mary Ann	Layon, Erica	Litchfield, Melissa
Love, David	Lynn, Bob	Major, Norman	McBride, Everett
McKinney, Betsy	McMahon, Charles	Melvin, Charles	Osborne, Jason
Piemonte, Tony	Potucek, John	Prudhomme-O'Brien, Katherine	Roy, Terry
Soti, Julius	Spillane, James	Sytek, John	Torosian, Peter
Tripp, Richard	True, Chris	Verville, Kevin	MacDonald, Wayne
Wallace, Scott	Weyler, Kenneth	Yokela, Josh	

STRAFFORD

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

SULLIVAN

Aron, Judy	Callum, John	Spilsbury, Walter	Smith, Steven

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Espitia moved that the House reconsider its action whereby, on a roll call vote of 186-159, the House adopted the minority committee report of Ought to Pass on **HB 1417-FN-L,** relative to payment by the state of a portion of retirement system contributions of political subdivision employers.

Rep. Espitia spoke against.
On a division vote, with 164 members having voted in the affirmative, and 182 in the negative, the motion failed.

UNANIMOUS CONSENT

Rep. Abramson requested Unanimous Consent of the House regarding an apology and addressed the House. The House recessed at 12:20 p.m.

RECESS

The House reconvened at 1:35 p.m.

(Speaker Packard in the Chair)

REGULAR CALENDAR - PART III CONT'D

HB 1462-FN, relative to motorcycle learner's permits. **OUGHT TO PASS.**
Rep. Leonard Turcotte for Finance. This bill would allow for a one-time renewal of a motorcycle learner's permit. Under current law, an individual may only receive a learner's permit once. Testimony given by the administrator for motorcycle training at the Department of Motor Vehicles indicated there are circumstances that might be a valid reason for allowing an extension to a permit through renewal. One such reason given by the administrator was inclement weather during the 45-day period. The extension would require an additional fee from the applicant and there would be a one-time, minimal cost to the department for computer programming. The committee unanimously endorses this bill. Vote 21-0.
Committee report adopted and the bill was ordered to third reading.

HB 1526-FN, relative to income eligibility for in and out medical assistance. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jess Edwards for Finance. This bill repeals an HB 2 item that suspended an increase to the level authorized for the Medicaid in and out program. As a result, it costs more money. The policy committee requested a full year of appropriation from 1 July 2022 to 30 June 2023. The amendment changed it to six months running from 1 January 2023 to 30 June 2023. Vote 21-0.

Amendment (1181h)

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

2 Appropriation; In and Out Medical Assistance. The sum of $2,685,192 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to implement 2020; 39:1. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

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

HB 1535-FN, relative to cost of living adjustments for retirees in the state retirement system. **OUGHT TO PASS WITH AMENDMENT.**
Rep. William Hatch for Finance. This bill establishes a cost of living (COLA) adjustment for state retirees in the system as follows: members who have been retired at least 60 months prior to July 1, 2022, would have a COLA of 1.5% for the first $30,000 of benefits and those with a benefit greater than $30,000 would receive the same percentage on the first $30,000. The committee received a lot of testimony speaking to the need of the COLA, hardships with inflation, as well as recruiting and retaining personnel to name a few, but considering the cost of $79.2 million in a non-budget year the committee could not go forward with the full COLA at this time. The committee voted to give retirees with a benefit less than $30,000 a one-time $500.00 payment to help with current economic hardships. The cost of this is a manageable $11.75 million. Vote 18-3.

Amendment (1151h)

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

AN ACT relative to a one-time allowance for certain state retirees.

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

1 Retirement System; Additional Allowance; Appropriation.

I. An additional one-time allowance of $500 shall be paid during state fiscal year 2023 to retired members of the retirement system, or any beneficiary of such member receiving an allowance, who are eligible as follows:

(a) The member has been retired for at least 60 months prior to July 1, 2022; and

(b) The annual retirement allowance of the member or beneficiary on June 30, 2022 is not greater than $30,000.

II. The additional allowance shall not become a permanent addition to the member's base retirement allowance.

III. The sum of $11,750,000 is hereby appropriated for the fiscal year ending June 30, 2023 to the board of trustees of the retirement system to fund the additional allowances granted under this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IV. The payment of the one-time allowance shall be made by the retirement system as soon as administratively practicable after the effective date of this section, but not later than November 1, 2022.

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

AMENDED ANALYSIS

This bill grants a one-time additional allowance to certain retirees in the state retirement system. The bill makes a general fund appropriation for the retirement allowances.

Rep. Adjutant spoke against.

Rep. Hatch spoke in favor.

Committee amendment adopted.

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

On a division vote, with 218 members having voted in the affirmative, and 100 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 1552-FN, establishing a board for the certification of assessors. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peter Leishman for the Majority of Finance. The majority of the committee was not convinced that the creation of an Assessing Certification Board (ACB) within the Office of Professional Licensure and Certification (OPLC) is necessary. Presently, the Department of Revenue Administration (DRA) and the Assessing Standards Board (ASB) has been administrating assessor certification, complaints and the discipline of assessors. The majority is concerned with the proposed language in the bill that allows the executive director of the OPLC to set "all appropriate fees" charged to assessors licensed in the State of New Hampshire. Presently the DRA has no license fees for certified assessors. The PLC could also assess fines for alleged infractions by assessors. The majority believes a change in the way assessors are governed and the assessment of fees is not warranted at this time. Vote 12-9.

Rep. Maureen Mooney for the Minority of Finance. This bill, as amended, came to Finance after unanimous approval from the Executive Departments and Administration Committee, and adoption of the same on the Consent Calendar. The bill moves assessor certification and regulation from the Department of Revenue Administration (DRA) to its own board within the Office of Professional Licensure and Certification (OPLC). The concept stemmed from the DRA's interpretation of the non-disclosure statute that assessing certification and discipline decertification are confidential, preventing transparency consistent with other boards. Currently, there are no fees for assessor certification licenses before the DRA. Under the OPLC, the board for certification of assessors will be self-funding with fees similar to other boards. There is no impact on expenditures at the DRA. This bill has no monetary consideration. The minority of the committee found the transition understandable, transparent, and fiscally responsible for public monies.

MOTION TO LAY ON THE TABLE

Rep. Leishman moved that **HB 1552-FN,** establishing a board for the certification of assessors, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 124 - NAYS 221

YEAS - 124

CARROLL

Buco, Thomas	Deshaies, Brodie	Marsh, William	

CHESHIRE

Abbott, Michael	Bordenet, John	Eaton, Daniel	Faulkner, Barry
Fenton, Donovan	Fox, Dru	Gomarlo, Jennie	Maneval, Andrew
Mann, John	Parshall, Lucius	Schapiro, Joe	Toll, Amanda Elizabeth
Welkowitz, Lawrence			

COOS

Craig, Kevin	Kelley, Eamon	Hatch, William	Tucker, Edith

GRAFTON

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

HILLSBOROUGH

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Hamer, Heidi
Jeudy, Jean
Long, Patrick
McGhee, Kat
Petrigno, Peter
Rung, Rosemarie
Toomey, Dan
Veilleux, Daniel
King, Bill
Chretien, Jacqueline
Espitia, Manny
Harriott-Gathright, Linda
Klee, Patricia
King, Mark
Nutting-Wong, Allison
Query, Joshua
Snow, Kendall
Vail, Suzanne
Wilhelm, Matthew
Baroody, Benjamin
Cohen, Bruce
Griffin, Gerald
Heath, Mary
Langley, Diane
Murray, Megan
O'Brien, Michael
Newman, Ray
Stevens, Deb
Van Houten, Constance
Beaulieu, Jane
Connors, Erika
Griffith, Willis
Herbert, Christopher
Leishman, Peter
Mangipudi, Latha
Pedersen, Michael
Rouillard, Claire
Telerski, Laura
Vann, Ivy

MERRIMACK

Bartlett, Christy
Gallager, Eric
MacKay, James
Schamberg, Thomas
Caplan, Tony
Hall, Muriel
McWilliams, Rebecca
Shurtleff, Steve
Ebel, Karen
Lane, Connie
Richards, Beth
Wallner, Mary Jane
Ellison, Arthur
Luneau, David
Rogers, Katherine
Woods, Gary

ROCKINGHAM

Cali-Pitts, Jacqueline
Grossman, Gaby
Malloy, Dennis
Milz, David
DiLorenzo, Charlotte
Guthrie, Joseph
McBeath, Rebecca
Paige, Mark
Edgar, Michael
Hamblet, Joan
McBride, Everett
Pantelakos, Laura
Gilman, Julie
Murray, Kate
McKinney, Betsy
Somssich, Peter

STRAFFORD

Chase, Wendy
Horrigan, Timothy
Sandler, Catt
Wall, Janet
Conley, Casey
Smith, Marjorie
Southworth, Thomas
Fargo, Kristina
Oxaal, Ariel
Spang, Judith
Grassie, Chuck
Salloway, Jeffrey
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee
Tanner, Linda

NAYS - 221

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

CARROLL

Avellani, Lino
Crawford, Karel
McAleer, Chris
Nelson, Bill
MacDonald, John
McConkey, Mark
Burroughs, Anita
Smith, Jonathan
Umberger, Karen
Cordelli, Glenn
Knirk, Jerry

CHESHIRE

Ames, Richard
Rhodes, Jennifer
Harvey, Cathryn
Santonastaso, Matthew
Hunt, John
Weber, Lucy
Qualey, James

COOS

Davis, Arnold
Laflamme, Larry
Merner, Troy
Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie
Almy, Susan
Sanborn, Gail
Ladd, Rick
Berezhny, Lex
Gordon, Edward
Simon, Matthew
Fellows, Sallie
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Boehm, Ralph
Cushman, Leah
Erf, Keith
Gagne, Larry
Greene, Bob
Schmidt, Janice
Sanborn, Laurie
Marston, Dick
Mullen, Sue
Alexander, Joe
Bergeron, Paul
Bouchard, Donald
Kelley, Diane
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Jack, Martin
Lanzara, Tom
Mayville, Mary
Notter, Jeanine
Ammon, Keith
Berry, Ross
Burt, John
Smith, Denise
Foster, William
Gould, Linda
Homola, Susan
Klein-Knight, Nicole
Lascelles, Richard
McLean, Mark
Nunez, Hershel
Boyd, Bill
Blasek, Melissa
Creighton, Jim
Dutzy, Sherry
Freitas, Mary
Graham, John
Infantine, William
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Nutter-Upham, Frances

Pauer, Diane	Piedra, Israel	Plett, Fred	Porter, Marjorie
Post, Lisa	Prout, Andrew	Renzullo, Andrew	Rice, Kimberly
Rombeau, Catherine	Newman, Sue	Sheehan, Vanessa	Somero, Paul
Lekas, Tony	Ulery, Jordan	Warden, Mark	

MERRIMACK

Allard, James	Andrus, Louise	Cambrils, Jose	Hill, Gregory
Kennedy, Margaret	Klose, John	Mason, James	McGuire, Carol
Moffett, Michael	Pearl, Howard	Pimentel, Roderick	Pitaro, Matthew
Boyd, Stephen	Schultz, Kristina	Seaworth, Brian	Soucy, Timothy
Testerman, Dave	Walsh, Thomas	Walz, Mary Beth	Wells, Natalie
White, Nick	Wolf, Dan	Yakubovich, Michael	

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Acton, Dennis
Altschiller, Debra	Ayer, Paul	Baldasaro, Al	Baxter, Tim
Bernardy, JD	Bershtein, Alan	Bunker, Lisa	Cahill, Michael
DeSimone, Debra	Dodge, Dustin	Dolan, Tom	Doucette, Fred
Edwards, Jess	Emerick, Tracy	Ford, Oliver	Gay, Betty
Green, Dennis	Grote, Jaci	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	Maggiore, Jim
Major, Norman	McMahon, Charles	Melvin, Charles	Meuse, David
Osborne, Jason	Piemonte, Tony	Potucek, John	Pratt, Kevin
Prudhomme-O'Brien, Katherine	Read, Ellen	Roy, Terry	Pearson, Stephen
Simpson, Alexis	Soti, Julius	Spillane, James	Sytek, John
Thomas, Douglas	Torosian, Peter	Tripp, Richard	True, Chris
Verville, Kevin	Vose, Michael	MacDonald, Wayne	Wallace, Scott
Ward, Gerald	Welch, David	Weyler, Kenneth	Yokela, Josh

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	Bixby, Peter	Cannon, Gerri
DeLemus, Susan	Fontneau, Timothy	Groen, Fenton	Hayward, Peter
Horgan, James	Kaczynski, Thomas	Kittredge, Mac	Levesque, Cassandra
Newton, Clifford	Schmidt, Peter	Pitre, Joseph	Rich, Cecilia
Turcotte, Leonard	Wuelper, Kurt		

SULLIVAN

Aron, Judy	Callum, John	Gottling, Suzanne	Merchant, Gary
Rollins, Skip	Spilsbury, Walter	Stapleton, Walter	Smith, Steven
Sullivan, Brian			

and the motion failed.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Mooney spoke against.
Rep. Leishman spoke in favor.
On a division vote, with 88 members having voted in the affirmative, and 258 in the negative, the majority committee report failed.

Rep. Mooney moved the minority committee report of Ought to Pass.
Minority committee report adopted and the bill was ordered to third reading.

HB 1587-FN-A, relative to determination of average final compensation under the retirement system and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Gerald Griffin for Finance. This bill, as amended, provides all Group II members who were employed on or after July 1, 2011 and not vested prior to January 1, 2012 the same retirement calculation and inclusion of overtime for retirement calculations as employees who were vested by January 1, 2012. The committee believed because they were hired prior to the changes made in the retirement system by SB 3 they should receive the same retirement calculation as vested employees. When these employees entered the state workforce it was their expectation that the retirement system would not change. (The estimated cost of this change is $28-$30 million dollars.) Employees hired after January 1, 2012 knew what the retirement system offered them and were not included in the change. Vote 20-1.

Amendment (1169h)

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

1 Retirement System; Definition of Average Final Compensation. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean:

(a) For members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.

(b) For ***group I*** members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

(c)(1) For group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012.

(2) For group II members who commenced service on or after July 1, 2011 and who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

2 Funding Source; Average Final Compensation; Group II Change; Appropriation. The total actuarial cost of the amendment to the group II determination of average final compensation as amended by section 1 of this act, shall be determined by the actuary and certified by the board of trustees of the retirement system, and shall be terminally funded from surplus funds from the state from the current biennium. The amount required for terminally funding the total actuarial cost is hereby appropriated to the board of trustees of the retirement system. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

AMENDED ANALYSIS

This bill modifies the calculation of compensation paid in excess of the full base rate of compensation under the definition of average final compensation in the retirement system for group II persons hired before July 1, 2011 who did not vest before January 1, 2012. The bill makes an appropriation to the retirement system for funding the cost of the change.

Committee amendment adopted.

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

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

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

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

HB 1604-FN, including state medical facilities in the statute providing medical freedom in immunizations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. This bill requires state hospitals and medical facilities that institute a vaccination requirement to grant an exemption on medical or religious grounds or as a matter of conscience. The amendment eliminates the "matter of conscience" because there is no analogous exemption in the guidelines promulgated by the federal Centers for Medicare and Medicaid Services (CMS). The exemption was removed to avoid the potential of federal withholding of approximately $160 million a year. Similarly, to stay within the bright red lines of CMS, the medical exemption cites the need for the same medical documentation that CMS requires. The religious exemption recognizes the inherent right to freedom of religion which is also enshrined in the 1st Amendment. An individual can inform the employer that they have a sincerely held religious belief that precludes their taking the otherwise required vaccination. The majority believes that the federal government lacks the authority to delegate to secular or other employers the power to sit in judgment

of the individual's religious beliefs. Clearly, typical human resources departments are not set up to perform an inadequately described evaluation. They are allowed to deny a request if they have a compelling rationale or evidence that the employee is acting fraudulently. Vote 13-8.

Amendment (1160h)

Amend the bill by replacing section 1 with the following:

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

(e) Apply to a county nursing home, the New Hampshire state hospital, or any other medical facility or provider operated by the state of New Hampshire or any political subdivision identified in paragraph I, which is subject to a valid and enforceable Medicare or Medicaid condition of participation that imposes a vaccination requirement. Such facilities or providers shall, upon the request of an individual for whom vaccination is required under federal regulations promulgated by the Centers for Medicare and Medicaid Services, grant such exemption on medical or religious grounds, subject to the conditions established in subparagraphs (1) and (2).

(1) The written request for a religious exemption shall simply state: "I, (insert requestor's name), hereby attest that I sincerely hold religious beliefs and/or engage in religious practices or observances that dictate the refusal to accept the required vaccination(s). (Insert requestor's signature and date.)" The employer shall evaluate the request to ensure that the individual submitting the request is covered under the organization's vaccine policy, that the request is submitted on the appropriate form, and that the requestor has properly signed and dated the form. The employer shall record the date upon which the request was received in accordance with company policy. The employer shall maintain the request in organization records for a period of not less than one year. The employer may deny the request for a religious exemption in cases in which there is a compelling rationale or evidence to believe the employee is acting fraudulently.

(2) The written request for a medical exemption shall include documentation as required under federal regulations promulgated by the Centers for Medicare and Medicare Services. The employer shall evaluate the request to ensure that the individual submitting the request is covered under the organization's vaccine policy, that the request is submitted on the appropriate form, and that the requestor has properly signed and dated the form. The employer shall record the date upon which the request was received in accordance with company policy. The employer shall maintain the request in organization records for a period of not less than one year.

AMENDED ANALYSIS

This bill requires state hospitals and medical facilities to grant religious and medical exemptions from vaccination requirements, provided that any request for a medical exemption shall include the supporting documentation required by federal regulation.

Committee amendment adopted.

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

HB 1609-FN, relative to the scope of the fetal protection act. **OUGHT TO PASS WITH AMENDMENT.** Rep. Jess Edwards for Finance. The amendment changes sections I and II of the bill as introduced and replaces those two sections. Similar to other bills, the requirement for an ultrasound is clarified in section I as it is in the penalty section of the existing law, to restate, "This paragraph shall be construed to require the performance of an ultrasound only if the provider either knows that the fetus has a gestational age of at least 24 weeks or is conscious of a substantial risk that the fetus has a gestational age of at least 24 weeks." Section II allows for an exception to the 24-week abortion ban so that in the case of a fetal abnormalities incompatible with life, abortion would be an option. Medical input has suggested that the mother's safety would dictate an early delivery instead of an abortion at that point, however the majority recognizes the role of informed consent and the ability of a mother and physician to decide the best course of action in case of a fetal abnormalities incompatible with life. These provisions will go into effect immediately upon becoming law. Vote 20-1.

Amendment (1209h)

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

AN ACT relative to certain provisions of the fetal life protection act requiring an ultrasound examination.

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

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

I. Except in the case of a medical emergency as specifically defined in paragraph III, no abortion shall be performed, induced, or attempted by any health care provider unless a health care provider has first made a determination of the probable gestational age of the fetus. In making such a determination, the health care provider shall make such inquiries of the pregnant woman and perform or cause to be performed all such medical examinations, imaging studies, and tests as a reasonably prudent health care provider in the

community, knowledgeable about the medical facts and conditions of both the woman and the fetus involved, would consider necessary to perform and consider in making an accurate diagnosis with respect to gestational age, provided, however, that the health care provider shall conduct an obstetric ultrasound examination of the patient for the purpose of making the determination. ***This paragraph shall be construed to require the performance of an ultrasound only if the provider either knows that the fetus has a gestational age of at least 24 weeks or is conscious of a substantial risk that the fetus has a gestational age of at least 24 weeks.***

II. Except in ***the case of fetal abnormalities incompatible with life, or*** a medical emergency as specifically defined in paragraph III, no health care provider shall knowingly perform, induce, or attempt to perform an abortion upon a pregnant woman when the probable gestational age of her fetus has been determined to be at least 24 weeks or in the absence of a determination by a health care provider pursuant to paragraph I as to the fetus' probable gestational age.

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

AMENDED ANALYSIS

This bill provides an exception from the prohibition on abortion after 24 weeks in cases of fetal abnormalities incompatible with life and construes the ultrasound requirement for purposes of determining the gestational age of the fetus.

Rep. Wuelper spoke against.
Rep. Edwards spoke in favor.
Rep. Wuelper requested a roll call; not sufficiently seconded.
On a division vote, with 319 members having voted in the affirmative, and 25 in the negative, the committee amendment was adopted.

MOTION TO LAY ON THE TABLE

Rep. Love moved that **HB 1609-FN,** relative to the scope of the fetal protection act, be laid on the table.
On a division vote, with 101 members having voted in the affirmative, and 243 in the negative, the motion failed.

The question being adoption of the committee report of Ought to Pass with Amendment.
Rep. Simon spoke against.
Rep. Edwards spoke in favor.
Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 231 - NAYS 114

YEAS - 231

BELKNAP

Aldrich, Glen	Bordes, Mike	Lang, Timothy	Trottier, Douglas

CARROLL

Buco, Thomas	Burroughs, Anita	Crawford, Karel	Deshaies, Brodie
MacDonald, John	Knirk, Jerry	Marsh, William	McAleer, Chris
McConkey, Mark	Umberger, Karen		

CHESHIRE

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

COOS

Craig, Kevin	Kelley, Eamon	Hatch, William	Laflamme, Larry
Tucker, Edith			

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Berezhny, Lex
Depalma IV, Joseph	Dontonville, Roger	Egan, Timothy	Fellows, Sallie
Gordon, Edward	Hakken-Phillips, Mary	Ham, Bonnie	Massimilla, Linda
Muirhead, Russell	Murphy, James	Nordgren, Sharon	Stavis, Laurel
Smith, Suzanne	Sykes, George	Weston, Joyce	

HILLSBOROUGH

Alexander, Joe	Bouldin, Andrew	Griffin, Barbara	Baroody, Benjamin
Beaulieu, Jane	Bergeron, Paul	Bouchard, Donald	Bradley, Amy
Chretien, Jacqueline	Cohen, Bruce	Connors, Erika	Cornell, Patricia

Creighton, Jim
Dutzy, Sherry
Espitia, Manny
Freitas, Mary
Goley, Jeffrey
Graham, John
Griffith, Willis
Hamer, Heidi
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Homola, Susan
Infantine, William
Schmidt, Janice
Jack, Martin
Jeudy, Jean
Klee, Patricia
Klein-Knight, Nicole
Sanborn, Laurie
Langley, Diane
Leishman, Peter
Lewicke, John
Long, Patrick
King, Mark
Murray, Megan
Mangipudi, Latha
McGhee, Kat
Mullen, Sue
Nutter-Upham, Frances
Nutting-Wong, Allison
O'Brien, Michael
Pauer, Diane
Pedersen, Michael
Petrigno, Peter
Piedra, Israel
Porter, Marjorie
Prout, Andrew
Query, Joshua
Newman, Ray
Rombeau, Catherine
Rouillard, Claire
Rung, Rosemarie
Newman, Sue
Sheehan, Vanessa
Snow, Kendall
Stevens, Deb
Telerski, Laura
Toomey, Dan
Vail, Suzanne
Van Houten, Constance
Vann, Ivy
Veilleux, Daniel
Warden, Mark
Wilhelm, Matthew

MERRIMACK

Allard, James
Bartlett, Christy
Caplan, Tony
Ebel, Karen
Ellison, Arthur
Gallager, Eric
Hall, Muriel
Hill, Gregory
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Pearl, Howard
Pimentel, Roderick
Richards, Beth
Rogers, Katherine
Boyd, Stephen
Schamberg, Thomas
Schultz, Kristina
Seaworth, Brian
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Walz, Mary Beth
White, Nick
Wolf, Dan
Woods, Gary
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Abrami, Patrick
Acton, Dennis
Altschiller, Debra
Ayer, Paul
Bunker, Lisa
Cahill, Michael
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Dodge, Dustin
Doucette, Fred
Edgar, Michael
Edwards, Jess
Emerick, Tracy
Ford, Oliver
Gilman, Julie
Green, Dennis
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Harb, Robert
Hobson, Deborah
Janigian, John
Murray, Kate
Lynn, Bob
Maggiore, Jim
Major, Norman
Malloy, Dennis
McBeath, Rebecca
McBride, Everett
McKinney, Betsy
McMahon, Charles
Melvin, Charles
Meuse, David
Milz, David
Osborne, Jason
Paige, Mark
Pantelakos, Laura
Potucek, John
Read, Ellen
Simpson, Alexis
Somssich, Peter
Tripp, Richard
Vose, Michael
Ward, Gerald
Welch, David
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bixby, Peter
Cannon, Gerri
Chase, Wendy
Conley, Casey
Fargo, Kristina
Fontneau, Timothy
Grassie, Chuck
Horgan, James
Horrigan, Timothy
Levesque, Cassandra
Smith, Marjorie
Oxaal, Ariel
Schmidt, Peter
Pitre, Joseph
Rich, Cecilia
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Spang, Judith
Treleaven, Susan
Wall, Janet

SULLIVAN

Aron, Judy
Cloutier, John
Gottling, Suzanne
Merchant, Gary
Oxenham, Lee
Rollins, Skip
Spilsbury, Walter
Smith, Steven
Sullivan, Brian
Tanner, Linda

NAYS - 114

BELKNAP

Bean, Harry
Comtois, Barbara
Harvey-Bolia, Juliet
Hough, Gregg
Howard, Raymond
Johnson, Dawn
Littlefield, Richard
Ploszaj, Tom
Silber, Norman
Sylvia, Michael
Terry, Paul

CARROLL

Avellani, Lino
Nelson, Bill
Cordelli, Glenn
Smith, Jonathan

CHESHIRE

Qualey, James
Santonastaso, Matthew

COOS

Davis, Arnold
Merner, Troy
Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Sanborn, Gail
Greeson, Jeffrey
Ladd, Rick
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Ammon, Keith	Boyd, Bill	King, Bill
Blasek, Melissa	Boehm, Ralph	Burt, John	Cushman, Leah
Kelley, Diane	Smith, Denise	Erf, Keith	Fedolfi, Jim
Foster, William	Griffin, Gerald	Gagne, Larry	Gorski, Ted
Gould, Linda	Greene, Bob	Healey, Robert	Kofalt, Jim
Lanzara, Tom	Lascelles, Richard	Marston, Dick	Mayville, Mary
McLean, Mark	Mooney, Maureen	Notter, Jeanine	Nunez, Hershel
Plett, Fred	Post, Lisa	Renzullo, Andrew	Rice, Kimberly
Somero, Paul	Lekas, Tony	Ulery, Jordan	

MERRIMACK

Andrus, Louise	Cambrils, Jose	Kennedy, Margaret	Klose, John
McGuire, Carol	Moffett, Michael	Pitaro, Matthew	Testerman, Dave
Walsh, Thomas	Wells, Natalie		

ROCKINGHAM

Abramson, Max	Baldasaro, Al	Baxter, Tim	Bernardy, JD
Bershtein, Alan	DeSimone, Debra	Dolan, Tom	Gay, Betty
Guthrie, Joseph	Harley, Tina	Nelson, Jodi	Katsakiores, Phyllis
Khan, Aboul	Kimball, Mary Ann	Layon, Erica	Litchfield, Melissa
Love, David	Pearson, Mark	Piemonte, Tony	Pratt, Kevin
Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen	Soti, Julius
Spillane, James	Sytek, John	Thomas, Douglas	Torosian, Peter
True, Chris	Verville, Kevin	MacDonald, Wayne	Wallace, Scott

STRAFFORD

Bailey, Glenn	DeLemus, Susan	Groen, Fenton	Hayward, Peter
Kaczynski, Thomas	Kittredge, Mac	Newton, Clifford	Turcotte, Leonard
Wuelper, Kurt			

SULLIVAN

Callum, John	Stapleton, Walter

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

HB 1624-FN-A, relative to students with disabilities participating in co-curricular activities and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Lynn for Finance. This bill amends RSA 21-N:4 by adding a new paragraph XI that requires the Commissioner of Education to review and update on at least an every other year basis, a consolidated state plan to establish and encourage unified co-curricular activities in school districts. Unified co-curricular activities are activities such as sports, music, theatre, etc. that include combined participation by both students with disabilities or with special needs and students without such conditions. The bill appropriates the sum of $50,000 to the Department of Education (DOE) for the fiscal year ending June 30, 2023 for the purpose of funding grants to school districts for first year operational expenses for equipment and/or uniforms for such programs, and provides that any funds remaining shall not lapse but may be distributed as grants to school districts that already have established unified co-curricular activities. Per the amendment, no grant may exceed $4,000 per program. The bill also requires the commissioner to include in DOE's efficiency expenditure requests under RSA 9:4 sufficient funds for continued operation of its duties under the legislation. Vote 21-0.

Amendment (1166h)

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

1 New Paragraph; Department of Education; Duties of Commissioner. Amend RSA 21-N:4 by inserting after paragraph X the following new paragraph:

XI.(a) Reviewing, at least every 2 years, and updating as necessary, the consolidated state plan to ensure that sufficient funds are used to encourage and establish unified co-curricular activities in schools that currently have no unified program. Each first year of a biennium the department may expend up to $50,000 for distribution to school districts for the primary purpose of funding first-year operational expenses of equipment and/or uniforms only for unified co-curricular activities. The amount of any grant shall be no more than $4,000 per program. Any funds remaining shall be distributed in the next year to school districts with existing unified co-curricular programs to fund grants to replace existing equipment and/or uniforms for existing unified co-curricular programs.

(b) The department shall include in its efficiency expenditure request under RSA 9:4 sufficient funds for the continued operation of its duties under this paragraph.

(c) Beginning in fiscal year 2027 and every 5 years thereafter, the department shall conduct an efficiency review of the programs and expenditures under this paragraph and shall make recommendations to the legislature as needed.

(d) The commissioner may adopt rules under RSA 541-A for the administration and oversight of unified co-curricular activities in schools.

2 Appropriation; Department of Education; Unified Co-Curricular Program Support. For the fiscal year ending June 30, 2023, the sum of $50,000 is appropriated to the department of education for distribution to school districts for the primary purpose of funding the first-year operational expenses of equipment and/or uniforms only for unified co-curricular activities in accordance with RSA 21-N:4, XI. Any funds remaining shall be distributed to school districts with existing unified co-curricular programs to fund grants to replace existing equipment and/or uniforms for existing unified co-curricular programs, and shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

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

Committee amendment adopted.

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

HB 1627-FN-A, establishing an education freedom account program administrator in the department of education and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Heath for Finance. This bill provides the sum of $115,000 for fiscal year ending June 30, 2023 for the position of Education Freedom Account Administrator as established in RSA 21-N:6-b. Furthermore, as amended this bill directs the Department of Education (DOE) to seek participation in the Demonstration Projects to Evaluate Direct Certification with Medicaid administered by the United States Department of Agriculture (USDA). In addition, the Department of Health and Human Services shall assist the DOE as needed in pursuing and implementing direct certification methodology. Medicaid Direct Certification means that children already receiving Medicaid and whose family's income is below 130% of the federal poverty level (free meals) and 185% (reduced meals) would be directly certified through electronic matching for free and reduced meals at school, without their families needing to submit an application. Currently, 27 states are participating in the demonstration project. Research shows that children who eat breakfast and lunch improve academic performance, have reduced behavioral issues and have stronger school attendance. Schools will benefit from reduced administrative costs, reduce meal certification errors and reduce unpaid student meal debt. Vote 17-3.

Amendment (1163h)

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

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor, and relative to the school meals direct certification with Medicaid program.

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

2 Appropriation. The sum of $115,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of education, division of learner support, for the position of education freedom account administrator as established in RSA 21-N:6-b. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

3 New Section; Application for Medicaid Direct Certification Program. The department of education shall seek participation in the Demonstration Projects to Evaluate Direct Certification with Medicaid administered by the United States Department of Agriculture (USDA). The department of health and human services shall assist the department of education as needed in pursuing and implementing this new direct certification methodology.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 2022.

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

AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position. The bill also requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program.

Reps. Warden and Andrus spoke against.

Rep. Prout spoke against and yielded to questions.

Rep. Heath spoke in favor.

On a division vote, with 182 members having voted in the affirmative, and 148 in the negative, the committee amendment was adopted.

MOTION TO LAY ON THE TABLE

Rep. Plett moved that **HB 1627-FN-A,** establishing an education freedom account program administrator in the department of education and making an appropriation therefor, be laid on the table.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 161 - NAYS 177

YEAS - 161

BELKNAP

Aldrich, Glen
Bean, Harry
Comtois, Barbara
Hough, Gregg
Howard, Raymond
Johnson, Dawn
Littlefield, Richard
Ploszaj, Tom
Silber, Norman
Sylvia, Michael
Terry, Paul
Trottier, Douglas

CARROLL

Avellani, Lino
Nelson, Bill
MacDonald, John
Smith, Jonathan
McConkey, Mark

CHESHIRE

Hunt, John
Mann, John
Qualey, James
Santonastaso, Matthew

COOS

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

GRAFTON

Alliegro, Mark
Berezhny, Lex
Folsom, Beth
Sanborn, Gail
Gordon, Edward
Greeson, Jeffrey
Ham, Bonnie
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Alexander, Joe
Ammon, Keith
Boyd, Bill
King, Bill
Berry, Ross
Blasek, Melissa
Boehm, Ralph
Burt, John
Creighton, Jim
Cushman, Leah
Kelley, Diane
Smith, Denise
Erf, Keith
Fedolfi, Jim
Foster, William
Gagne, Larry
Gorski, Ted
Gould, Linda
Graham, John
Greene, Bob
Healey, Robert
Homola, Susan
Kofalt, Jim
Sanborn, Laurie
Lanzara, Tom
Lascelles, Richard
Lewicke, John
Marston, Dick
Mayville, Mary
McLean, Mark
Notter, Jeanine
Nunez, Hershel
Pauer, Diane
Plett, Fred
Post, Lisa
Prout, Andrew
Renzullo, Andrew
Rice, Kimberly
Sheehan, Vanessa
Somero, Paul
Lekas, Tony
Ulery, Jordan
Warden, Mark

MERRIMACK

Allard, James
Andrus, Louise
Cambrils, Jose
Hill, Gregory
Kennedy, Margaret
Klose, John
MacKay, James
McGuire, Carol
Moffett, Michael
Pearl, Howard
Pitaro, Matthew
Boyd, Stephen
Seaworth, Brian
Testerman, Dave
Walsh, Thomas
Wells, Natalie
White, Nick
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Abrami, Patrick
Abramson, Max
Acton, Dennis
Ayer, Paul
Baldasaro, Al
Baxter, Tim
Bernardy, JD
Bershtein, Alan
Cali-Pitts, Jacqueline
DeSimone, Debra
Dodge, Dustin
Dolan, Tom
Doucette, Fred
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
Pearson, Mark
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
Wallace, Scott
Welch, David
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
DeLemus, Susan
Groen, Fenton
Hayward, Peter
Horgan, James
Kaczynski, Thomas
Kittredge, Mac
Newton, Clifford
Salloway, Jeffrey
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

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

NAYS - 177

BELKNAP

Harvey-Bolia, Juliet
Lang, Timothy

CARROLL

Buco, Thomas	Burroughs, Anita	Cordelli, Glenn	Crawford, Karel
Deshaies, Brodie	Knirk, Jerry	Marsh, William	McAleer, Chris
Umberger, Karen			

CHESHIRE

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

COOS

Kelley, Eamon	Hatch, William	Laflamme, Larry	Tucker, Edith

GRAFTON

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

HILLSBOROUGH

Bouldin, Andrew	Griffin, Barbara	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	Connors, Erika	Cornell, Patricia	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Griffin, Gerald	Goley, Jeffrey
Griffith, Willis	Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary
Herbert, Christopher	Infantine, William	Schmidt, Janice	Jack, Martin
Jeudy, Jean	Klee, Patricia	Langley, Diane	Leishman, Peter
King, Mark	Murray, Megan	Mangipudi, Latha	McGhee, Kat
Mooney, Maureen	Mullen, Sue	Nutter-Upham, Frances	Nutting-Wong, Allison
Pedersen, Michael	Petrigno, Peter	Piedra, Israel	Porter, Marjorie
Query, Joshua	Newman, Ray	Rombeau, Catherine	Rouillard, Claire
Rung, Rosemarie	Newman, Sue	Snow, Kendall	Stevens, Deb
Telerski, Laura	Toomey, Dan	Vail, Suzanne	Van Houten, Constance
Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew	

MERRIMACK

Bartlett, Christy	Caplan, Tony	Ebel, Karen	Ellison, Arthur
Gallager, Eric	Hall, Muriel	Lane, Connie	Luneau, David
Mason, James	McWilliams, Rebecca	Pimentel, Roderick	Schamberg, Thomas
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Walz, Mary Beth
Wolf, Dan	Woods, Gary		

ROCKINGHAM

Altschiller, Debra	Bunker, Lisa	Cahill, Michael	DiLorenzo, Charlotte
Edgar, Michael	Edwards, Jess	Emerick, Tracy	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Hamblet, Joan	Murray, Kate
Lynn, Bob	Maggiore, Jim	Major, Norman	Malloy, Dennis
McBeath, Rebecca	McBride, Everett	McKinney, Betsy	McMahon, Charles
Meuse, David	Milz, David	Paige, Mark	Pantelakos, Laura
Read, Ellen	Simpson, Alexis	Somssich, Peter	Sytek, John
MacDonald, Wayne	Ward, Gerald		

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fargo, Kristina	Fontneau, Timothy	Grassie, Chuck	Horrigan, Timothy
Levesque, Cassandra	Smith, Marjorie	Oxaal, Ariel	Schmidt, Peter
Pitre, Joseph	Rich, Cecilia	Sandler, Catt	Southworth, Thomas
Spang, Judith	Treleaven, Susan	Wall, Janet	

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	Oxenham, Lee
Stapleton, Walter	Sullivan, Brian	Tanner, Linda	

and the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Sylvia offered floor amendment (1246h).

Floor Amendment (1246h)

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

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor, relative to the school meals direct certification with Medicaid program, and relative to the forfeiture of personal property.

Amend the bill by replacing section 4 with the following:

4 New Section; Forfeiture of Personal Property. Amend RSA 617 by inserting after section 12 the following new section:

617:13 Limiting Adoptions by the Federal Government of Property Seized Under State Law.

I. A state or local law enforcement agency shall not offer for transfer or adoption property, seized under state law, to a federal agency for the purpose of forfeiture under the federal Controlled Substances Act, Public Law 91-513.

II. Paragraph I shall only apply to a seizure by a state or local law enforcement agency pursuant to its own authority under state law and without involvement of the federal government in the seizure. Nothing in paragraph I shall be construed to limit state and local law enforcement agencies from participating in a joint task force with the federal government.

III. The state or local law enforcement agency shall not accept payment of any kind or distribution of forfeiture proceeds from the federal government if the state or local law enforcement agency violates paragraph I. All proceeds received shall be transferred and deposited to the state's general fund.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 2022.

II. Section 4 of this act shall take effect January 1, 2023.

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

AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position. The bill also requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program. This bill also limits the conditions under which seized property may be transferred to a federal agency.

Rep. Sylvia spoke in favor.

On a division vote, with 78 members having voted in the affirmative, and 247 in the negative, floor amendment (1246h) failed.

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

Rep. Blasek offered floor amendment (1248h).

Floor Amendment (1258h)

Amend the bill by replacing sections 2 and 3 with the following:

2 Appropriation. The sum of $115,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of education, division of learner support, for the position of education freedom account administrator as established in RSA 21-N:6-b. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

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

Rep. Blasek spoke in favor.

On a division vote, with 95 members having voted in the affirmative, and 235 in the negative, floor amendment (1248h) failed.

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

MOTION TO LAY ON THE TABLE

Rep. Spillane moved that **HB 1627-FN-A,** establishing an education freedom account program administrator in the department of education and making an appropriation therefor, be laid on the table.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 152 - NAYS 181

YEAS - 152

BELKNAP

Aldrich, Glen	Bean, Harry	Bordes, Mike	Comtois, Barbara
Harvey-Bolia, Juliet	Hough, Gregg	Howard, Raymond	Johnson, Dawn
Littlefield, Richard	Ploszaj, Tom	Silber, Norman	Sylvia, Michael
Terry, Paul	Trottier, Douglas		

CARROLL

Avellani, Lino	Nelson, Bill	Smith, Jonathan	McConkey, Mark

CHESHIRE

Qualey, James | Rhodes, Jennifer | Santonastaso, Matthew

COOS

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

GRAFTON

Alliegro, Mark | Berezhny, Lex | Folsom, Beth | Sanborn, Gail
Gordon, Edward | Greeson, Jeffrey | Ham, Bonnie | Simon, Matthew

HILLSBOROUGH

Lekas, Alicia | Ammon, Keith | Boyd, Bill | King, Bill
Berry, Ross | Blasek, Melissa | Boehm, Ralph | Burt, John
Creighton, Jim | Cushman, Leah | Kelley, Diane | Smith, Denise
Erf, Keith | Foster, William | Gagne, Larry | Gorski, Ted
Gould, Linda | Graham, John | Greene, Bob | Healey, Robert
Homola, Susan | Kofalt, Jim | Sanborn, Laurie | Lanzara, Tom
Lascelles, Richard | Mayville, Mary | McLean, Mark | Notter, Jeanine
Nunez, Hershel | Pauer, Diane | Plett, Fred | Post, Lisa
Prout, Andrew | Renzullo, Andrew | Sheehan, Vanessa | Somero, Paul
Lekas, Tony | Ulery, Jordan | Warden, Mark

MERRIMACK

Allard, James | Andrus, Louise | Cambrils, Jose | Hill, Gregory
Kennedy, Margaret | Klose, John | MacKay, James | McGuire, Carol
Moffett, Michael | Pearl, Howard | Boyd, Stephen | Seaworth, Brian
Testerman, Dave | Walsh, Thomas | Wells, Natalie | White, Nick
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl | Abramson, Max | Acton, Dennis | Ayer, Paul
Baldasaro, Al | Baxter, Tim | Bernardy, JD | Bershtein, Alan
DeSimone, Debra | Dodge, Dustin | Dolan, Tom | Doucette, Fred
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 | Pearson, Mark
Major, Norman | Melvin, Charles | Osborne, Jason | Piemonte, Tony
Potucek, John | Pratt, Kevin | 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 | Yokela, Josh

STRAFFORD

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

SULLIVAN

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

NAYS - 181

BELKNAP

Lang, Timothy

CARROLL

Buco, Thomas | Burroughs, Anita | Cordelli, Glenn | Crawford, Karel
Deshaies, Brodie | Knirk, Jerry | Marsh, William | McAleer, Chris
Umberger, Karen

CHESHIRE

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

COOS

Kelley, Eamon | Hatch, William | Laflamme, Larry | Tucker, Edith

GRAFTON

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

HILLSBOROUGH

Bouldin, Andrew	Griffin, Barbara	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	Connors, Erika	Cornell, Patricia	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Griffin, Gerald	Goley, Jeffrey
Griffith, Willis	Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary
Herbert, Christopher	Schmidt, Janice	Jack, Martin	Jeudy, Jean
Klee, Patricia	Langley, Diane	Leishman, Peter	Lewicke, John
Long, Patrick	King, Mark	Murray, Megan	Mangipudi, Latha
McGhee, Kat	Mooney, Maureen	Mullen, Sue	Nutter-Upham, Frances
Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael	Petrigno, Peter
Piedra, Israel	Porter, Marjorie	Query, Joshua	Newman, Ray
Rombeau, Catherine	Rouillard, Claire	Rung, Rosemarie	Newman, Sue
Snow, Kendall	Stevens, Deb	Telerski, Laura	Toomey, Dan
Vail, Suzanne	Van Houten, Constance	Vann, Ivy	Veilleux, Daniel
Wilhelm, Matthew			

MERRIMACK

Bartlett, Christy	Caplan, Tony	Ebel, Karen	Ellison, Arthur
Gallager, Eric	Hall, Muriel	Lane, Connie	Luneau, David
Mason, James	McWilliams, Rebecca	Pimentel, Roderick	Schamberg, Thomas
Schultz, Kristina	Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane
Walz, Mary Beth	Wolf, Dan	Woods, Gary	

ROCKINGHAM

Abrami, Patrick	Altschiller, Debra	Bunker, Lisa	Cahill, Michael
Cali-Pitts, Jacqueline	DiLorenzo, Charlotte	Edgar, Michael	Edwards, Jess
Emerick, Tracy	Gilman, Julie	Grossman, Gaby	Grote, Jaci
Hamblet, Joan	Murray, Kate	Lynn, Bob	Maggiore, Jim
Malloy, Dennis	McBeath, Rebecca	McBride, Everett	McMahon, Charles
Meuse, David	Milz, David	Paige, Mark	Pantelakos, Laura
Prudhomme-O'Brien, Katherine	Read, Ellen	Simpson, Alexis	Somssich, Peter
Sytek, John	Ward, Gerald	Weyler, Kenneth	

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fargo, Kristina	Fontneau, Timothy	Grassie, Chuck	Horrigan, Timothy
Kenney, Cam	Levesque, Cassandra	Smith, Marjorie	Oxaal, Ariel
Schmidt, Peter	Pitre, Joseph	Rich, Cecilia	Salloway, Jeffrey
Sandler, Catt	Southworth, Thomas	Treleaven, Susan	Wall, Janet

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	Oxenham, Lee
Stapleton, Walter	Sullivan, Brian	Tanner, Linda	

and the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Prout offered floor amendment (1252h).

Floor Amendment (1252h)

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

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor, relative to the school meals direct certification with Medicaid program, and relative to the declaration of a state of emergency.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Emergency Powers; Notice; Declaration and Termination of State of Emergency. Amend RSA 4:45, I and II to read as follows:

I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made disaster of major proportions is imminent or has occurred within this state, and that the safety and welfare of the inhabitants of this state require an invocation of the provisions of this section. As soon as practicable, the governor shall notify the speaker of the house of representatives and the senate president of the impending issuance of emergency

orders under this section and provide a description of such orders. The general court shall have the same power to declare a state of emergency by concurrent resolution of the house and senate. An executive order or concurrent resolution declaring a state of emergency shall specify the:

(a) Nature of the emergency;

(b) Political subdivisions or geographic areas subject to the declaration;

(c) Conditions that have brought about the emergency; and

(d) Duration of the state of emergency, if ***declared by the governor and*** less than 21 days***, or if declared by the general court and less than 90 days***.

II.(a) A state of emergency shall terminate automatically 21 days after its declaration ***if declared by the governor, or 90 days after its declaration if declared by the general court,*** unless it is renewed under the same procedures set forth in paragraph I of this section. The governor may, by executive order, renew a declaration of a state of emergency [~~as many times as~~] ***no more than 3 times if*** the governor finds ***it*** is necessary to protect the safety and welfare of the inhabitants of this state. ***The general court may, by concurrent resolution, renew a declaration of a state of emergency as many times as it finds is necessary to protect the safety and welfare of the inhabitants of this state.***

(b) If the governor finds that maintaining the state of emergency is no longer justified, the governor shall issue an executive order terminating the state of emergency.

(c) The legislature may terminate a state of emergency or any emergency order issued thereunder by a [~~majority vote of both the senate and the house of representatives~~] ***concurrent resolution adopted by a majority vote of each chamber***. A majority for this vote shall consist of a majority of members present and voting in each chamber acting separately. A state of emergency shall terminate upon a [~~majority vote of both chambers~~] ***concurrent resolution adopted by a majority vote of each chamber,*** under this subparagraph; provided, however, that such vote shall not preclude the governor from declaring a new emergency for different circumstances under paragraph I of this section.

[~~(d) Ninety days from the date of declaration of a state of emergency, and every 90 days thereafter, the governor shall call, pursuant to Part II, Article 50 of the New Hampshire constitution, and address a joint session of the general court, and shall provide a written copy of the address to all members of both chambers within 5 business days. At such joint session, the legislature shall vote on whether to terminate the state of emergency by concurrent resolution adopted by a simple majority of both chambers acting separately on the following question: "Shall the current state of emergency be terminated?" For purposes of this section, "simple majority" means a majority of members present and voting "yea" in both chambers.~~]

AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position. The bill requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program. The bill also revises the authority of the governor and general court to declare, renew, or terminate a state of emergency.

Rep. Prout spoke in favor.

On a division vote, with 89 members having voted in the affirmative, and 241 in the negative, floor amendment (1252h) failed.

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

Rep. Comtois offered floor amendment (1259h).

Floor Amendment (1259h)

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

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor, relative to the school meals direct certification with Medicaid program, and relative to the home cultivation of cannabis plants and the possession of certain cannabis-infused products.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 10:

4 Statement of Purpose. The general court finds that:

I. Since 2012, Canada, the District of Columbia and 9 states, including Maine, Vermont, and the commonwealth of Massachusetts, have legalized possession and limited cultivation of cannabis by adults 21 years of age and older.

II. Statewide polls have consistently found that most New Hampshire voters support making cannabis legal for adults 21 years of age and older.

III. Cannabis is less harmful than alcohol to the consumer and to society. It is less toxic, less harmful to the body, less addictive, and less likely to contribute to violent or reckless behavior. Adults should not be punished choosing to use cannabis instead of alcohol, if that is what they prefer.

IV. Home brewing of alcoholic beverages is legal in New Hampshire and every other state in the nation.

V. Allowing adults to cultivate their own limited supply of cannabis will provide them with an alternative to buying cannabis from illicit drug dealers.

5 Other Alcohol and Drug Offenses; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. This section shall not apply to the possession of cannabis or hashish as provided in RSA 318-B:2-c[~~, or a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b)~~].

6 Controlled Drug Act; Personal Possession of Cannabis. Amend RSA 318-B:2-c to read as follows:

318-B:2-c Personal Possession of [~~Marijuana~~] ***Cannabis***.

I. In this section:

(a) [~~"Marijuana"~~] ***"C**annabis"*** includes the leaves, stems, flowers, and seeds of all species of the plant genus cannabis, but shall not include the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin including hashish, and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination. Marijuana shall not include hemp grown, processed, marketed, or sold under RSA 439-A.

(b) [~~"Personal-use amount of a regulated marijuana-infused product"~~] ***"Cannabis-infused product"*** means one or more products that is comprised of [~~marijuana, marijuana~~] ***cannabis, cannabis*** extracts, or resins and other ingredients and is intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures[~~, which was obtained from a state where marijuana sales to adults are legal and regulated under state law, and which is in its original, child-resistant, labeled packaging when it is being stored, and which contains a total of no more than 300 milligrams of tetrahydrocannabinol~~].

(c) "Possession limit" means:

(1) Three-quarters of an ounce of cannabis, excluding hashish, cannabis-infused products, and growing cannabis plants;

(2) Five grams of hashish;

(3) Cannabis-infused products containing no more than 300 milligrams of tetrahydrocannabinol (THC);

(4) Six cannabis plants, with 3 or fewer being mature, flowering plants; and

(5) Any additional cannabis, hashish, or cannabis-infused products produced from the person's cannabis plants, provided that any amount of cannabis in excess of 3/4 of an ounce of cannabis, 5 grams of hashish, and cannabis-infused products containing no more than 300 milligrams of THC shall be possessed in the same location where the plants were cultivated.

I-a. Except as provided in paragraphs I-b and I-c, if undertaken by a person 21 years of age or older, the following acts shall not be illegal under New Hampshire law, shall not be a criminal or civil offense under New Hampshire law or the law of any political subdivision of New Hampshire, and shall not be a basis for seizure or forfeiture of assets under New Hampshire law:

(a) Possessing, consuming, growing, processing, or transporting an amount of cannabis that does not exceed the possession limit; or

(b) Transferring ¾ of an ounce of cannabis, 5 grams of hashish, cannabis-infused products containing no more than 300 milligrams of THC, or 3 immature, non-flowering cannabis plants to a person who is 21 years of age or older without remuneration. For purposes of this subparagraph, a transfer is for remuneration if cannabis is given away contemporaneously with another transaction between the same parties, if a gift of cannabis is offered or advertised in conjunction with an offer for sale of goods or services, or if the gift of cannabis is contingent upon a separate transaction for goods or services; and

(c) Manufacturing, possessing, or purchasing cannabis accessories, or distributing or selling cannabis accessories to a person who is 21 years of age or older.

I-b. No person who is 21 years of age or older shall cultivate cannabis plants except as provided in this section:

(a) Cannabis plants shall not be cultivated in a location where the plants are subject to public view, including to view from another private property, without the use of binoculars, aircraft, or other optical aids.

(b) A person who cultivates cannabis shall take reasonable precautions to ensure the plants are secure from unauthorized access. Cultivating cannabis in an enclosed, locked space to which unauthorized persons do not have access, or other similar security precautions, shall be prima facie evidence of reasonable precautions.

(c) Cannabis cultivation shall only occur at the cultivator's primary residence.

(d) A person who violates this section shall be guilty of a violation and may be fined not more than $750.

I-c. No person shall consume cannabis in a public place. A person 21 years of age or older who violates this paragraph shall be guilty of a violation and may be fined not more than $100.

II. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 3/4 of an ounce or less of [~~marijuana~~] ***cannabis***, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph [~~V~~] ***IV***.

III. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 5 grams or less of hashish, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph [~~V~~] ***IV***.

IV. [~~Except as provided in RSA 126-X, any person 21 years of age or older possessing a personal-use amount of a regulated marijuana-infused product shall be guilty of a violation, and subject to the penalties provided in paragraph V. Persons 18 years of age or older and under 21 years of age who knowingly possess marijuana-infused products shall be guilty of a misdemeanor.~~

~~V.~~](a) Except as provided in this paragraph, any person 18 years of age or older who is convicted of violating paragraph II or III[~~, or any person 21 years of age or older who is convicted of violating paragraph IV~~] shall be subject to a fine of $100 for a first or second offense under this paragraph, or a fine of up to $300 for any subsequent offense within any 3-year period; however, any person convicted based upon a complaint which alleged that the person had 3 or more prior convictions for violations of paragraph [~~II, III or IV~~] ***II or III***, or under reasonably equivalent offenses in an out-of-state jurisdiction since the effective date of this paragraph, within a 3-year period preceding the fourth offense shall be guilty of a class B misdemeanor. The offender shall forfeit the [~~marijuana, regulated marijuana-infused products,~~] ***cannabis*** or hashish to the state. A court shall waive the fine for a single conviction within a 3-year period upon proof that person has completed a substance abuse assessment by a licensed drug and alcohol counselor within 60 days of the conviction. A person who intends to seek an assessment in lieu of the fine shall notify the court, which shall schedule the matter for review after 180 days. Should proof of completion of an assessment be filed by or before that time, the court shall vacate the fine without a hearing unless requested by a party.

(b) Any person under 18 years of age who is convicted of violating paragraph II or III shall forfeit the [~~marijuana~~] ***cannabis*** or hashish and shall be subject to a delinquency petition under RSA 169-B:6.

[~~VI.~~] ***V.***(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph [~~II, III, or IV~~] ***II or III*** and shall be released provided the law enforcement officer does not have lawful grounds for arrest for a different offense.

(b) Nothing in this chapter shall be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(c) Nothing in this chapter shall be construed as forbidding any police officer from taking into custody any minor who is found violating paragraph [~~II, III, or IV~~] ***II or III***.

(d) Any person in possession of an identification card, license, or other form of identification issued by the state or any state, country, city, or town, or any college or university, who fails to produce the same upon request of a police officer or who refuses to truthfully provide his or her name, address, and date of birth to a police officer who has informed the person that he or she has been found to be in possession of what appears to the officer to be 3/4 of an ounce or less of [~~marijuana, a personal-use amount of a regulated marijuana-infused product,~~] ***cannabis*** or 5 grams or less of hashish, may be arrested for a violation of paragraph [~~II, III, or IV~~] ***II or III***.

[~~VII.~~] ***VI.*** All fines imposed pursuant to this section shall be deposited into the alcohol abuse prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed substance abuse prevention programs.

[~~VIII.~~] ***VII.***(a) No record that includes personally identifiable information resulting from a violation of this section shall be made accessible to the public, federal agencies, or agencies from other states or countries.

(b) Every state, county, or local law enforcement agency that collects and reports data for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the number of violations of paragraph [~~II, III, or IV~~] ***II or III***. The data collected pursuant to this paragraph shall be available to the public. A law enforcement agency may update the data annually and may make this data available on the agency's public Internet website.

VIII. Nothing in this section shall:

(a) Be construed to require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growing of cannabis in the workplace or to affect the ability of employers to have policies restricting the use of cannabis by employees.

(b) Be construed to permit driving or operating under the influence of drugs or liquor pursuant to RSA 265-A, nor prevent the state from enacting and imposing penalties for driving under the influence of or while impaired by cannabis.

(c) Be construed to permit the transfer of cannabis, with or without remuneration, to a person under 21 years of age, or to allow a person under 21 years of age to purchase, possess, use, transport, grow, or consume cannabis.

(d) Prohibit a state or county correctional facility from prohibiting the possession, consumption, use, display, transfer, distribution, sale, transportation, or growing of cannabis on or in the correctional facility's property.

(e) Prohibit a person or other entity that legally owns, leases, or controls any property from prohibiting or otherwise regulating the sale, use, or growing of cannabis on or in the property.

7 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(c) and (d) to read as follows:

(c) In the case of more than 3/4 ounce of [~~marijuana~~] ***cannabis, cannabis-infused products containing more than 300 milligrams of THC,*** or more than 5 grams of hashish, including any adulterants or dilutants, the person shall be guilty of a misdemeanor. In the case of [~~marijuana-infused~~] ***cannabis-infused*** products possessed by persons under the age of 21 [~~or marijuana-infused products as defined in RSA 318-B:2-e, other than a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), that are possessed by a person 21 years of age or older~~], the person shall be guilty of a misdemeanor.

(d) In the case of 3/4 ounce or less of [~~marijuana~~] ***cannabis*** or 5 grams or less of hashish, including any adulterants or dilutants, ***possessed by a person under 21 years of age,*** the person shall be guilty of a violation pursuant to RSA 318-B:2-c. [~~In the case of a person 21 years of age or older who possesses a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), the person shall be guilty of a violation pursuant to RSA 318-B:2-c.~~

8 New Paragraph; Controlled Drug Act; Penalties. Amend RSA 318-B:26 by inserting after paragraph VIII the following new paragraph:

VIII-a.(a) No person, other than an alternative treatment center approved pursuant to RSA 126-X, shall perform solvent-based extractions on cannabis using solvents other than water, glycerin, propylene glycol, vegetable oil, or food grade ethanol.

(b) No person shall extract compounds from cannabis using ethanol in the presence or vicinity of an open flame.

(c) Any person who violates this paragraph shall be guilty of a class A misdemeanor.

9 Model Drug Dealer Liability Act; Definitions. Amend RSA 318-C:4, I to read as follows:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B***, the possession, use, manufacture, sale, or transportation of which is not otherwise authorized by law***.

AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position. The bill requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program. The bill also permits adults to possess up to 3/4 of an ounce of cannabis, 5 grams of hashish, and certain cannabis-infused products; permits adults to cultivate up to 6 cannabis plants at home in a secure location that is not visible from other properties, and to possess and process the cannabis produced from their plants at the same location; permits adults to give cannabis to other adults, provided it is not more than 3/4 of an ounce of cannabis, 5 grams of hashish, or up to 300 mg of cannabis-infused products, or 3 immature plants; provides that smoking or vaporizing cannabis in public by an adult would be punishable by a $100 fine; provides that violations of the restrictions on cultivation would be a violation punishable by fine of up to $750; penalizes dangerous, volatile extraction; and permits adults to possess, make, and sell cannabis accessories to other adults.

Rep. Comtois requested a roll call; sufficiently seconded.

YEAS 76 - NAYS 258

YEAS - 76

BELKNAP

Aldrich, Glen	Comtois, Barbara	Harvey-Bolia, Juliet	Howard, Raymond
Johnson, Dawn	Littlefield, Richard	Ploszaj, Tom	Silber, Norman
Sylvia, Michael	Terry, Paul		

CARROLL

Avellani, Lino	Smith, Jonathan

CHESHIRE

Santonastaso, Matthew

COOS

Craig, Kevin

GRAFTON

Adjutant, Joshua
Alliegro, Mark
Berezhny, Lex
Egan, Timothy

HILLSBOROUGH

Lekas, Alicia
Ammon, Keith
Berry, Ross
Blasek, Melissa
Burt, John
Chretien, Jacqueline
Cushman, Leah
Kelley, Diane
Smith, Denise
Foster, William
Klein-Knight, Nicole
Kofalt, Jim
Lascelles, Richard
King, Mark
Marston, Dick
McLean, Mark
Notter, Jeanine
Nunez, Hershel
Plett, Fred
Post, Lisa
Prout, Andrew
Warden, Mark

MERRIMACK

Caplan, Tony
Kennedy, Margaret
Schultz, Kristina
Seaworth, Brian
Testerman, Dave
White, Nick
Yakubovich, Michael

ROCKINGHAM

Abramson, Max
Acton, Dennis
Baldasaro, Al
Baxter, Tim
Bershtein, Alan
Dodge, Dustin
Ford, Oliver
Hobson, Deborah
Kimball, Mary Ann
Layon, Erica
Love, David
Melvin, Charles
Osborne, Jason
Piemonte, Tony
Read, Ellen
Soti, Julius
Torosian, Peter
Tripp, Richard
Verville, Kevin
Wallace, Scott
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
DeLemus, Susan
Kaczynski, Thomas
Kittredge, Mac
Oxaal, Ariel
Turcotte, Leonard

SULLIVAN

Aron, Judy

NAYS - 258

BELKNAP

Bean, Harry
Bordes, Mike
Hough, Gregg
Lang, Timothy
Trottier, Douglas

CARROLL

Nelson, Bill
Buco, Thomas
Burroughs, Anita
Cordelli, Glenn
Crawford, Karel
Deshaies, Brodie
MacDonald, John
Knirk, Jerry
Marsh, William
McAleer, Chris
McConkey, Mark
Umberger, Karen

CHESHIRE

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

COOS

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

GRAFTON

Abel, Richard
Almy, Susan
Depalma IV, Joseph
Dontonville, Roger
Fellows, Sallie
Folsom, Beth
Sanborn, Gail
Gordon, Edward
Greeson, Jeffrey
Hakken-Phillips, Mary
Ham, Bonnie
Ladd, Rick
Massimilla, Linda
Muirhead, Russell
Murphy, James
Nordgren, Sharon
Simon, Matthew
Stavis, Laurel
Smith, Suzanne
Sykes, George
Weston, Joyce

HILLSBOROUGH

Bouldin, Andrew
Boyd, Bill
Griffin, Barbara
Baroody, Benjamin
Beaulieu, Jane
Bergeron, Paul
Boehm, Ralph
Bouchard, Donald
Bradley, Amy
Cohen, Bruce
Connors, Erika
Cornell, Patricia
Creighton, Jim
Dutzy, Sherry
Erf, Keith
Espitia, Manny
Freitas, Mary
Griffin, Gerald
Gagne, Larry
Goley, Jeffrey
Gorski, Ted
Gould, Linda
Graham, John
Greene, Bob
Griffith, Willis
Hamer, Heidi
Harriott-Gathright, Linda
Healey, Robert
Heath, Mary
Herbert, Christopher
Homola, Susan
Schmidt, Janice
Jack, Martin
Jeudy, Jean
Klee, Patricia
Sanborn, Laurie
Langley, Diane
Lanzara, Tom
Leishman, Peter
Lewicke, John

Long, Patrick	Murray, Megan	Mangipudi, Latha	Mayville, Mary
McGhee, Kat	Mooney, Maureen	Mullen, Sue	Nutter-Upham, Frances
Nutting-Wong, Allison	O'Brien, Michael	Pauer, Diane	Pedersen, Michael
Petrigno, Peter	Piedra, Israel	Porter, Marjorie	Query, Joshua
Newman, Ray	Renzullo, Andrew	Rombeau, Catherine	Rouillard, Claire
Rung, Rosemarie	Newman, Sue	Sheehan, Vanessa	Snow, Kendall
Somero, Paul	Stevens, Deb	Telerski, Laura	Toomey, Dan
Ulery, Jordan	Vail, Suzanne	Van Houten, Constance	Vann, Ivy
Veilleux, Daniel	Wilhelm, Matthew		

MERRIMACK

Allard, James	Andrus, Louise	Bartlett, Christy	Cambrils, Jose
Ebel, Karen	Ellison, Arthur	Gallager, Eric	Hall, Muriel
Hill, Gregory	Klose, John	Lane, Connie	Luneau, David
MacKay, James	Mason, James	McGuire, Carol	McWilliams, Rebecca
Moffett, Michael	Pearl, Howard	Pimentel, Roderick	Boyd, Stephen
Schamberg, Thomas	Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane
Walz, Mary Beth	Wells, Natalie	Wolf, Dan	Woods, Gary

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Altschiller, Debra	Ayer, Paul
Bernardy, JD	Bunker, Lisa	Cahill, Michael	Cali-Pitts, Jacqueline
DeSimone, Debra	DiLorenzo, Charlotte	Dolan, Tom	Doucette, Fred
Edgar, Michael	Edwards, Jess	Emerick, Tracy	Gay, Betty
Gilman, Julie	Green, Dennis	Grossman, Gaby	Grote, Jaci
Guthrie, Joseph	Hamblet, Joan	Harb, Robert	Harley, Tina
Nelson, Jodi	Janigian, John	Murray, Kate	Katsakiores, Phyllis
Khan, Aboul	Litchfield, Melissa	Lynn, Bob	Pearson, Mark
Maggiore, Jim	Major, Norman	Malloy, Dennis	McBeath, Rebecca
McBride, Everett	McMahon, Charles	Meuse, David	Milz, David
Paige, Mark	Pantelakos, Laura	Potucek, John	Pratt, Kevin
Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen	Simpson, Alexis
Somssich, Peter	Spillane, James	Sytek, John	Thomas, Douglas
True, Chris	Vose, Michael	MacDonald, Wayne	Ward, Gerald
Welch, David	Weyler, Kenneth		

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fargo, Kristina	Fontneau, Timothy	Grassie, Chuck	Groen, Fenton
Hayward, Peter	Horgan, James	Horrigan, Timothy	Kenney, Cam
Levesque, Cassandra	Smith, Marjorie	Newton, Clifford	Schmidt, Peter
Pitre, Joseph	Rich, Cecilia	Salloway, Jeffrey	Sandler, Catt
Southworth, Thomas	Treleaven, Susan	Wall, Janet	Wuelper, Kurt

SULLIVAN

Callum, John	Cloutier, John	Gottling, Suzanne	Merchant, Gary
Oxenham, Lee	Rollins, Skip	Spilsbury, Walter	Stapleton, Walter
Sullivan, Brian	Tanner, Linda		

and floor amendment (1259h) failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Johnson offered floor amendment (1282h).

Floor Amendment (1282h)

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

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor, relative to the school meals direct certification with Medicaid program, and apportioning congressional districts.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 6:

4 U.S. Representative Districts. RSA 662:1 is repealed and reenacted to read as follows:

662:1 U.S. Representative Districts. The state is divided into 2 districts for the choosing of representatives in the congress of the United States. Each district may elect one representative. The districts shall be constituted as follows:

I. The first district is constituted of:

(a) The county of Belknap;

(b) In the county of Carroll, the towns of:

(1) Moultonborough,

(2) Tuftonboro,

(3) Wolfeboro.

(c) In the county of Grafton, the town of*:*
(1) Bridgewater.
(d) In the county of Hillsborough the towns and city of:
(1) Bedford,
(2) Goffstown,
(3) Hudson,
(4) Litchfield,
(5) Manchester,
(6) Merrimack,
(7) New Boston,
(8) Pelham,
(9) Weare.
(e) In the county of Merrimack, the towns and city of:
(1) Allenstown,
(2) Canterbury,
(3) Chichester,
(4) Danbury,
(5) Dunbarton,
(6) Epsom,
(7) Franklin,
(8) Hill,
(9) Hooksett,
(10) Loudon,
(11) Northfield,
(12) Pembroke,
(13) Pittsfield.
(f) In the county of Rockingham, the towns and city of:
(1) Atkinson,
(2) Auburn,
(3) Brentwood,
(4) Candia,
(5) Chester,
(6) Danville,
(7) Derry,
(8) Deerfield,
(9) East Kingston,
(10) Epping,
(11) Exeter,
(12) Fremont,
(13) Greenland,
(14) Hampstead,
(15) Hampton,
(16) Hampton Falls,
(17) Kensington,
(18) Kingston,
(19) Londonderry,
(20) Newfields,
(21) Newmarket,
(22) Newton,
(23) North Hampton,
(24) Northwood,
(25) Nottingham,
(26) Plaistow,
(27) Raymond,
(28) Rye,
(29) Salem,
(30) Sandown,
(31) Seabrook,
(32) South Hampton,
(33) Stratham,
(34) Windham.

(g) In the county of Strafford, the towns of:
(1) New Durham,
(2) Strafford.

II. The second district is constituted of:
(a) The counties of:
(1) Cheshire,
(2) Coos,
(3) Sullivan.
(b) In the county of Carroll, the towns and unincorporated places of:
(1) Albany,
(2) Bartlett,
(3) Brookfield,
(4) Chatham,
(5) Conway,
(6) Eaton,
(7) Effingham,
(8) Freedom,
(9) Hale's Location,
(10) Hart's Location,
(11) Jackson,
(12) Ossipee,
(13) Madison,
(14) Sandwich,
(15) Tamworth,
(16) Wakefield.
(c) In the county of Grafton, the towns, city, and unincorporated place of:
(1) Alexandria,
(2) Ashland,
(3) Bath,
(4) Benton,
(5) Bethlehem,
(6) Bristol,
(7) Campton,
(8) Canaan,
(9) Dorchester,
(10) Easton,
(11) Ellsworth,
(12) Enfield,
(13) Franconia,
(14) Grafton,
(15) Groton,
(16) Hanover,
(17) Haverhill,
(18) Hebron,
(19) Holderness,
(20) Landaff,
(21) Lebanon,
(22) Lincoln,
(23) Lisbon,
(24) Littleton,
(25) Livermore,
(26) Lyman,
(27) Lyme,
(28) Monroe,
(29) Orange,
(30) Orford,
(31) Piermont,
(32) Plymouth,
(33) Rumney,
(34) Sugar Hill,
(35) Thornton,

(36) Warren,
(37) Waterville Valley,
(38) Wentworth,
(39) Woodstock.
(d) In the county of Hillsborough, the towns and city of:
(1) Amherst,
(2) Antrim,
(3) Bennington,
(4) Brookline,
(5) Deering,
(6) Francestown,
(7) Greenfield,
(8) Greenville,
(9) Hancock,
(10) Hillsborough,
(11) Hollis,
(12) Lyndeborough
(13 Mason,
(14) Milford,
(15) Mont Vernon,
(16) Nashua,
(17) New Ipswich,
(18) Peterborough,
(19) Sharon,
(20) Temple,
(21) Wilton,
(22) Windsor.
(e) In the county of Merrimack, the towns and city of:
(1) Andover,
(2) Boscawen,
(3) Bow,
(4) Bradford,
(5) Concord,
(6) Henniker,
(7) Hopkinton,
(8) Newbury,
(9) New London,
(10) Salisbury,
(11) Sutton,
(12) Warner,
(13) Webster,
(14) Wilmot.
(f) In the county of Rockingham, the towns and city of:
(1) New Castle,
(2) Newington,
(3) Portsmouth.
(g) In the county of Strafford, the towns of:
(1) Barrington,
(2) Dover,
(3) Durham,
(4) Farmington,
(5) Lee,
(6) Madbury,
(7) Middleton,
(8) Milton,
(9) Rochester,
(10) Rollinsford,
(11) Somersworth.

5 Application. This act shall in no way disqualify any person from any elective office to which he or she was elected prior to the effective date of this act.

AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position. The bill requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program. The bill also establishes new United States House of Representative districts in accordance with the latest federal decennial census.

Reps. Johnson and Prout spoke in favor and yielded to questions.

Rep. Barbara Griffin spoke against.

On a division vote, with 60 members having voted in the affirmative, and 270 in the negative, floor amendment (1282h) failed.

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

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 204 - NAYS 131

YEAS - 204

BELKNAP

Lang, Timothy

CARROLL

Buco, Thomas	Burroughs, Anita	Cordelli, Glenn	Crawford, Karel
Deshaies, Brodie	MacDonald, John	Knirk, Jerry	Marsh, William
McAleer, Chris	McConkey, Mark	Umberger, Karen	

CHESHIRE

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

COOS

Davis, Arnold	Kelley, Eamon	Hatch, William	Laflamme, Larry
Theberge, Robert	Tucker, Edith		

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Depalma IV, Joseph
Dontonville, Roger	Egan, Timothy	Fellows, Sallie	Gordon, Edward
Hakken-Phillips, Mary	Ham, Bonnie	Ladd, Rick	Massimilla, Linda
Muirhead, Russell	Murphy, James	Nordgren, Sharon	Stavis, Laurel
Smith, Suzanne	Sykes, George	Weston, Joyce	

HILLSBOROUGH

Bouldin, Andrew	Griffin, Barbara	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	Connors, Erika	Cornell, Patricia	Creighton, Jim
Dutzy, Sherry	Espitia, Manny	Freitas, Mary	Griffin, Gerald
Goley, Jeffrey	Graham, John	Griffith, Willis	Hamer, Heidi
Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher	Infantine, William
Schmidt, Janice	Jack, Martin	Jeudy, Jean	Klee, Patricia
Klein-Knight, Nicole	Langley, Diane	Lascelles, Richard	Leishman, Peter
Lewicke, John	Long, Patrick	King, Mark	Murray, Megan
Mangipudi, Latha	McGhee, Kat	Mooney, Maureen	Mullen, Sue
Nutter-Upham, Frances	Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael
Petrigno, Peter	Piedra, Israel	Porter, Marjorie	Query, Joshua
Newman, Ray	Rombeau, Catherine	Rouillard, Claire	Rung, Rosemarie
Newman, Sue	Snow, Kendall	Somero, Paul	Stevens, Deb
Telerski, Laura	Toomey, Dan	Vail, Suzanne	Van Houten, Constance
Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew	

MERRIMACK

Allard, James	Bartlett, Christy	Caplan, Tony	Ebel, Karen
Ellison, Arthur	Gallager, Eric	Hall, Muriel	Klose, John
Lane, Connie	Luneau, David	MacKay, James	Mason, James
McWilliams, Rebecca	Pimentel, Roderick	Schamberg, Thomas	Schultz, Kristina
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Walz, Mary Beth
Wolf, Dan	Woods, Gary		

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Acton, Dennis	Altschiller, Debra
Bunker, Lisa	Cahill, Michael	Cali-Pitts, Jacqueline	DiLorenzo, Charlotte
Edgar, Michael	Edwards, Jess	Emerick, Tracy	Grossman, Gaby

Grote, Jaci
Hamblet, Joan
Murray, Kate
Love, David
Lynn, Bob
Pearson, Mark
Maggiore, Jim
Major, Norman
Malloy, Dennis
McBeath, Rebecca
McBride, Everett
McMahon, Charles
Meuse, David
Milz, David
Paige, Mark
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Read, Ellen
Pearson, Stephen
Simpson, Alexis
Somssich, Peter
Sytek, John
Tripp, Richard
True, Chris
MacDonald, Wayne
Ward, Gerald
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Cannon, Gerri
Chase, Wendy
Conley, Casey
Fargo, Kristina
Fontneau, Timothy
Grassie, Chuck
Horrigan, Timothy
Kenney, Cam
Levesque, Cassandra
Smith, Marjorie
Oxaal, Ariel
Schmidt, Peter
Pitre, Joseph
Rich, Cecilia
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Spang, Judith
Wall, Janet

SULLIVAN

Cloutier, John
Gottling, Suzanne
Merchant, Gary
Oxenham, Lee
Stapleton, Walter
Sullivan, Brian
Tanner, Linda

NAYS - 131

BELKNAP

Aldrich, Glen
Bean, Harry
Bordes, Mike
Comtois, Barbara
Harvey-Bolia, Juliet
Hough, Gregg
Howard, Raymond
Johnson, Dawn
Ploszaj, Tom
Silber, Norman
Sylvia, Michael
Terry, Paul
Trottier, Douglas

CARROLL

Avellani, Lino
Nelson, Bill
Smith, Jonathan

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Santonastaso, Matthew

COOS

Craig, Kevin
Merner, Troy

GRAFTON

Alliegro, Mark
Berezhny, Lex
Folsom, Beth
Sanborn, Gail
Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Ammon, Keith
Boyd, Bill
King, Bill
Berry, Ross
Blasek, Melissa
Boehm, Ralph
Burt, John
Cushman, Leah
Kelley, Diane
Smith, Denise
Erf, Keith
Foster, William
Gagne, Larry
Gorski, Ted
Gould, Linda
Greene, Bob
Healey, Robert
Homola, Susan
Kofalt, Jim
Sanborn, Laurie
Lanzara, Tom
Marston, Dick
Mayville, Mary
McLean, Mark
Notter, Jeanine
Nunez, Hershel
Pauer, Diane
Plett, Fred
Post, Lisa
Prout, Andrew
Renzullo, Andrew
Sheehan, Vanessa
Lekas, Tony
Ulery, Jordan

MERRIMACK

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

ROCKINGHAM

Abramson, Max
Ayer, Paul
Baldasaro, Al
Baxter, Tim
Bernardy, JD
Bershtein, Alan
DeSimone, Debra
Dodge, Dustin
Dolan, Tom
Ford, Oliver
Gay, Betty
Gilman, Julie
Green, Dennis
Guthrie, Joseph
Harb, Robert
Hobson, Deborah
Nelson, Jodi
Janigian, John
Katsakiores, Phyllis
Khan, Aboul
Kimball, Mary Ann
Layon, Erica
Litchfield, Melissa
Melvin, Charles
Osborne, Jason
Piemonte, Tony
Potucek, John
Pratt, Kevin
Roy, Terry
Soti, Julius
Spillane, James
Thomas, Douglas
Torosian, Peter
Verville, Kevin
Vose, Michael
Wallace, Scott
Welch, David
Yokela, Josh

STRAFFORD

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

SULLIVAN

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

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

HB 1642-FN, relative to lead testing in children. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Finance. This bill represents a violation of Article 28a of the NH Constitution to the extent the public school system is expected to serve as an enforcement arm to NH's parental obligations to have children tested for lead poisoning before day care and before attendance in schools. The schools are not compensated in this bill for the work. The majority rejected the use of the school system and day care centers to enforce lead testing of children. The mission of the school and day care are to work with parents to ensure their child gets the best education or care that can be delivered. This goal is facilitated in the presence of a trusting relationship and partnership between parents and educators. HB 1642 raises the dark specter of having kids turned away or removed from day care and potentially removed from school for lack of parental compliance with institutional coercion. Having the parents subjected to enforcement, or potentially punitive action, undermines what needs to be maintained and built. DHHS was encouraged to instead develop a public education program. With compliance levels low (about 1/3 without) in the aftermath of COVID restrictions, the majority of the committee believes that parents will seek out the lead poisoning tests once they are informed of how relevant the test is to secure a good future for their child. If easy testing is available, compliance levels should increase. The majority wants much higher compliance levels with lead poisoning testing but believes that compliance will dramatically increase as more parents are better informed of the risks associated with lead poisoning in their precious, vulnerable child. Vote 11-10.

Committee report adopted.

HB 1647-FN, relative to the calculation of child support. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jess Edwards for the Majority of Finance. This bill attempted to do two major things. First, provides legislative guidance to family courts when shared parenting is ordered. Under a 2018 case, the courts established a practice of assigning all the child support payments to the more well-off parent and directed 100% of the child support to be paid by that parent to the other, regardless of the extent to which joint custody was to take place. The courts have repeatedly said that the legislature needs to provide guidance for assigning child support in co-parenting situations. HB 1647 does that and from the language, a worksheet has been prepared by the Department of Justice to make the calculation routine. The amendment addresses the second part of the bill which raised the percentage protected by the self-support reserve from 115% to 150%. The department could not provide any financial analysis of the impact of this change, but it is clear it would increase state expenses as a result of more income being protected from child support payments. In deference to the minority who said in committee that the lack of financial data kept them from determining if the policy was acceptable, the amendment freezes the self-support reserve at 115% awaiting the results of a quadrennial study of the program. It's hoped that the department will leverage that study so that they can answer basic questions of projected costs. Vote 12-9.

Rep. Mary Jane Wallner for the Minority of Finance. Finance Division III was not able to get enough financial information about this bill to make an informed financial decision. The Department of Health and Human Services is working on a report that will help us better understand the financial impact of the policy in this bill. The report will provide us with more information. For that reason the minority recommends Refer for Interim Study.

Majority Amendment (1171h)

Amend RSA 458-C:2, X as amended by section 1 of the bill by replacing it with the following:

X. "Self-support reserve" means 115 percent of the federal poverty guideline for a single person living alone, as determined annually by the United States Department of Health and Human Services.

AMENDED ANALYSIS

This bill revises the child support guideline percentages, defines a shared parenting plan, establishes a new formula for the calculation of child support in cases involving shared parenting plans, and permits the court to modify the presumptive child support amount as justice and the best interest of the child may require.

MOTION TO LAY ON THE TABLE

Rep. Altschiller moved that **HB 1647-FN,** relative to the calculation of child support, be laid on the table. Rep. Berry requested a roll call; sufficiently seconded.

YEAS 155 - NAYS 179

YEAS - 155

CARROLL

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

CHESHIRE

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

COOS

Kelley, Eamon
Hatch, William
Laflamme, Larry

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, Andrew
King, Bill
Baroody, Benjamin
Beaulieu, Jane
Bergeron, Paul
Bouchard, Donald
Bradley, Amy
Chretien, Jacqueline
Cohen, Bruce
Connors, Erika
Cornell, Patricia
Dutzy, Sherry
Espitia, Manny
Freitas, Mary
Goley, Jeffrey
Gould, Linda
Griffith, Willis
Hamer, Heidi
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Schmidt, Janice
Jack, Martin
Jeudy, Jean
Klee, Patricia
Klein-Knight, Nicole
Langley, Diane
Leishman, Peter
Long, Patrick
King, Mark
Murray, Megan
Mangipudi, Latha
Mullen, Sue
Nutter-Upham, Frances
Nutting-Wong, Allison
O'Brien, Michael
Pedersen, Michael
Petrigno, Peter
Piedra, Israel
Porter, Marjorie
Query, Joshua
Newman, Ray
Rombeau, Catherine
Rung, Rosemarie
Newman, Sue
Snow, Kendall
Stevens, Deb
Telerski, Laura
Van Houten, Constance
Vann, Ivy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Caplan, Tony
Ebel, Karen
Ellison, Arthur
Gallager, Eric
Hall, Muriel
Lane, Connie
Luneau, David
MacKay, James
McWilliams, Rebecca
Pimentel, Roderick
Schamberg, Thomas
Schultz, Kristina
Shurtleff, Steve
Wallner, Mary Jane
Walz, Mary Beth
Woods, Gary

ROCKINGHAM

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

STRAFFORD

Ankarberg, Aidan
Bixby, Peter
Cannon, Gerri
Chase, Wendy
Conley, Casey
Fargo, Kristina
Fontneau, Timothy
Grassie, Chuck
Horrigan, Timothy
Kenney, Cam
Levesque, Cassandra
Smith, Marjorie
Oxaal, Ariel
Schmidt, Peter
Rich, Cecilia
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Spang, Judith
Wall, Janet

SULLIVAN

Cloutier, John
Gottling, Suzanne
Merchant, Gary
Sullivan, Brian
Tanner, Linda

NAYS - 179

BELKNAP

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

CARROLL

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

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Santonastaso, Matthew

COOS

Craig, Kevin	Davis, Arnold	Merner, Troy	Theberge, Robert
Tucker, Edith			

GRAFTON

Alliegro, Mark	Berezhny, Lex	Depalma IV, Joseph	Folsom, Beth
Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey	Ham, Bonnie
Ladd, Rick	Simon, Matthew		

HILLSBOROUGH

Lekas, Alicia	Ammon, Keith	Boyd, Bill	Griffin, Barbara
Berry, Ross	Blasek, Melissa	Boehm, Ralph	Burt, John
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
Erf, Keith	Foster, William	Griffin, Gerald	Gagne, Larry
Gorski, Ted	Graham, John	Greene, Bob	Healey, Robert
Homola, Susan	Infantine, William	Kofalt, Jim	Sanborn, Laurie
Lanzara, Tom	Lascelles, Richard	Lewicke, John	Marston, Dick
Mayville, Mary	McGhee, Kat	McLean, Mark	Mooney, Maureen
Notter, Jeanine	Nunez, Hershel	Pauer, Diane	Plett, Fred
Post, Lisa	Prout, Andrew	Renzullo, Andrew	Rouillard, Claire
Sheehan, Vanessa	Somero, Paul	Lekas, Tony	Toomey, Dan
Ulery, Jordan			

MERRIMACK

Allard, James	Andrus, Louise	Cambrils, Jose	Hill, Gregory
Kennedy, Margaret	Klose, John	Mason, James	McGuire, Carol
Moffett, Michael	Pearl, Howard	Pitaro, Matthew	Boyd, Stephen
Seaworth, Brian	Soucy, Timothy	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	Bernardy, JD
Bershtein, Alan	DeSimone, Debra	Dodge, Dustin	Dolan, Tom
Edwards, Jess	Emerick, Tracy	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	Love, David	Lynn, Bob
Pearson, Mark	Major, Norman	McBride, Everett	McMahon, Charles
Melvin, Charles	Milz, David	Piemonte, Tony	Potucek, John
Pratt, Kevin	Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen
Soti, Julius	Spillane, James	Sytek, John	Thomas, Douglas
Torosian, Peter	Tripp, Richard	True, Chris	Verville, Kevin
Vose, Michael	MacDonald, Wayne	Wallace, Scott	Welch, David
Weyler, Kenneth	Yokela, Josh		

STRAFFORD

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

SULLIVAN

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

and the motion failed.

The question now being adoption of majority committee amendment (1171h).
Majority committee amendment adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Wallner spoke against.
Rep. Erf spoke in favor.
Majority committee report adopted and the bill was ordered to third reading.

(Speaker Packard in the Chair)

REGULAR CALENDAR - PART III CONT'D

HB 1661-FN-L, relative to regional career technical education agreements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kate Murray for Finance. This bill requires sending district schools and career and technical educational (CTE) centers to enter into an agreement to include scheduling, access, transportation and credits for CTE

students. Currently sending and receiving schools are often out of sync with each other's schedules resulting in loss of school days to students in career and technical programs. In some cases, the losses have been as much as 100 days out of a 180-day school year. The bill also provides for the recognition of earned academic credits for content area competencies, which are embedded within the CTE coursework by the respective school district. The committee feels that we need to do all we can to encourage students in these programs to complete their education. The bill also contains a non-germane amendment which makes an appropriation for a new legislative parking garage, razing the Department of Justice (DOJ) building to provide space for the new garage, moving the DOJ and razing the Storrs Street garage. The garage has become a hazard to the area with minor injuries being reported with growing frequency. This issue has been discussed for well over a decade, and the current condition of the Storrs Street garage, while still considered to be safe, is rapidly approaching its end of life. The majority feels that the parking situation has risen to the level of an emergency and action must be taken now and a new parking structure erected. Thirty-five million dollars has been allocated for the garage project. Vote 21-0.

Amendment (1173h)

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

AN ACT relative to regional career technical education agreements and relative to an appropriation for constructing a legislative parking garage.

Amend the bill by replacing all after section 5 with the following:

6 New Legislative Parking Garage; Razing of Department of Justice Building Located at 33 Capitol Street and Storrs Street Legislative Parking Garage; Appropriation. The sum of $35,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the legislative branch for the purpose of designing, planning, and constructing a new legislative parking garage and razing the existing Storrs Street legislative parking garage and the department of justice building located at 33 Capitol Street. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. The appropriation shall not lapse.

7 Effective Date.

I. Sections 1-5 of this act shall take effect July 1, 2022.

II. The remainder of this act shall take effect June 30, 2022.

AMENDED ANALYSIS

This bill requires sending district schools and career and technical education (CTE) centers to enter into an agreement to include scheduling, access, transportation, and credits for CTE students. The bill also makes an appropriation to the legislative branch for a new legislative parking garage and for razing the department of justice building and the Storrs Street garage.

Rep. Andrus spoke against.

Rep. Murray spoke in favor.

Rep. Theberge requested a roll call; sufficiently seconded.

YEAS 271 - NAYS 65

YEAS - 271

BELKNAP

Bean, Harry	Bordes, Mike	Harvey-Bolia, Juliet	Hough, Gregg
Lang, Timothy	Trottier, Douglas		

CARROLL

Nelson, Bill	Buco, Thomas	Burroughs, Anita	Cordelli, Glenn
Crawford, Karel	Deshaies, Brodie	MacDonald, John	Knirk, Jerry
Marsh, William	McAleer, Chris	McConkey, Mark	Umberger, Karen

CHESHIRE

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

COOS

Davis, Arnold	Hatch, William	Laflamme, Larry	Merner, Troy
Theberge, Robert	Tucker, Edith		

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Depalma IV, Joseph
Dontonville, Roger	Egan, Timothy	Fellows, Sallie	Folsom, Beth
Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey	Hakken-Phillips, Mary

Ladd, Rick
Muirhead, Russell
Murphy, James
Nordgren, Sharon
Simon, Matthew
Stavis, Laurel
Smith, Suzanne
Sykes, George
Weston, Joyce

HILLSBOROUGH

Bouldin, Andrew
Griffin, Barbara
King, Bill
Baroody, Benjamin
Beaulieu, Jane
Bergeron, Paul
Boehm, Ralph
Bouchard, Donald
Bradley, Amy
Chretien, Jacqueline
Cohen, Bruce
Connors, Erika
Cornell, Patricia
Creighton, Jim
Dutzy, Sherry
Erf, Keith
Espitia, Manny
Freitas, Mary
Griffin, Gerald
Gagne, Larry
Goley, Jeffrey
Gorski, Ted
Gould, Linda
Graham, John
Greene, Bob
Hamer, Heidi
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Infantine, William
Schmidt, Janice
Jack, Martin
Jeudy, Jean
Klee, Patricia
Klein-Knight, Nicole
Sanborn, Laurie
Langley, Diane
Lanzara, Tom
Lascelles, Richard
Long, Patrick
King, Mark
Murray, Megan
Mangipudi, Latha
Marston, Dick
Mayville, Mary
McGhee, Kat
McLean, Mark
Mooney, Maureen
Mullen, Sue
Notter, Jeanine
Nutter-Upham, Frances
Nutting-Wong, Allison
O'Brien, Michael
Pedersen, Michael
Petrigno, Peter
Piedra, Israel
Plett, Fred
Porter, Marjorie
Post, Lisa
Query, Joshua
Newman, Ray
Renzullo, Andrew
Rice, Kimberly
Rombeau, Catherine
Rouillard, Claire
Rung, Rosemarie
Newman, Sue
Snow, Kendall
Somero, Paul
Stevens, Deb
Telerski, Laura
Toomey, Dan
Ulery, Jordan
Vail, Suzanne
Van Houten, Constance
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Allard, James
Caplan, Tony
Ebel, Karen
Ellison, Arthur
Gallager, Eric
Hall, Muriel
Hill, Gregory
Klose, John
Lane, Connie
Luneau, David
MacKay, James
Mason, James
Moffett, Michael
Pearl, Howard
Pimentel, Roderick
Pitaro, Matthew
Boyd, Stephen
Schamberg, Thomas
Schultz, Kristina
Seaworth, Brian
Shurtleff, Steve
Soucy, Timothy
Testerman, Dave
Wallner, Mary Jane
Walsh, Thomas
Walz, Mary Beth
Wells, Natalie
Woods, Gary

ROCKINGHAM

Abbas, Daryl
Abrami, Patrick
Acton, Dennis
Altschiller, Debra
Ayer, Paul
Baldasaro, Al
Bernardy, JD
Bunker, Lisa
Cahill, Michael
Cali-Pitts, Jacqueline
DeSimone, Debra
DiLorenzo, Charlotte
Dolan, Tom
Doucette, Fred
Edgar, Michael
Edwards, Jess
Emerick, Tracy
Ford, Oliver
Gay, Betty
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Guthrie, Joseph
Hamblet, Joan
Harb, Robert
Hobson, Deborah
Nelson, Jodi
Janigian, John
Murray, Kate
Katsakiores, Phyllis
Khan, Aboul
Kimball, Mary Ann
Layon, Erica
Litchfield, Melissa
Love, David
Lynn, Bob
Pearson, Mark
Maggiore, Jim
Major, Norman
Malloy, Dennis
McBeath, Rebecca
McBride, Everett
McMahon, Charles
Melvin, Charles
Meuse, David
Milz, David
Osborne, Jason
Paige, Mark
Pantelakos, Laura
Piemonte, Tony
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Read, Ellen
Roy, Terry
Pearson, Stephen
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Spillane, James
Sytek, John
Thomas, Douglas
Tripp, Richard
Vose, Michael
MacDonald, Wayne
Ward, Gerald
Welch, David
Weyler, Kenneth
Yokela, Josh

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Bixby, Peter
Cannon, Gerri
Chase, Wendy
Conley, Casey
Fargo, Kristina
Fontneau, Timothy
Grassie, Chuck
Groen, Fenton
Hayward, Peter
Horgan, James
Horrigan, Timothy
Kenney, Cam
Kittredge, Mac
Levesque, Cassandra
Smith, Marjorie
Oxaal, Ariel
Schmidt, Peter
Pitre, Joseph
Rich, Cecilia
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Spang, Judith
Turcotte, Leonard
Wall, Janet

SULLIVAN

Aron, Judy
Callum, John
Cloutier, John
Gottling, Suzanne
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Howard, Raymond
Johnson, Dawn
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Silber, Norman
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Avellani, Lino	Smith, Jonathan

CHESHIRE

Qualey, James	Santonastaso, Matthew

COOS

Craig, Kevin	Kelley, Eamon

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Alliegro, Mark	Berezhny, Lex	Ham, Bonnie	Massimilla, Linda

HILLSBOROUGH

Lekas, Alicia	Ammon, Keith	Boyd, Bill	Berry, Ross
Blasek, Melissa	Burt, John	Cushman, Leah	Kelley, Diane
Smith, Denise	Foster, William	Healey, Robert	Homola, Susan
Kofalt, Jim	Lewicke, John	Nunez, Hershel	Pauer, Diane
Prout, Andrew	Sheehan, Vanessa	Lekas, Tony	Warden, Mark

MERRIMACK

Andrus, Louise	Cambrils, Jose	Kennedy, Margaret	McGuire, Carol
McWilliams, Rebecca	White, Nick	Wolf, Dan	Yakubovich, Michael

ROCKINGHAM

Abramson, Max	Baxter, Tim	Bershtein, Alan	Dodge, Dustin
Green, Dennis	Soti, Julius	Torosian, Peter	True, Chris
Verville, Kevin	Wallace, Scott		

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	DeLemus, Susan	Kaczynski, Thomas
Newton, Clifford	Wuelper, Kurt		

SULLIVAN

Spilsbury, Walter	Tanner, Linda

and the committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Committee report adopted and the bill was ordered to third reading.

HB 1662-FN, related to privacy obligations of the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. The amendment reflects the latest manpower survey conducted by the Department of Health and Human Services indicating that the wage grade of the two new job descriptions should be rated a Labor Grade 30, Step 5. This change reduced the amount needed for appropriations. Also, clarity was added to ensure understanding that a Risk Mitigation Assessment and Mitigation Plan is required for each IT systems processing personal data and on one plan for all IT systems. Vote 21-0.

Amendment (1134h)

Amend RSA 126-A:101, I as inserted by section 2 of the bill by replacing it with the following:

I. For each information technology system that contains personal information, the department shall conduct a written risk assessment and mitigation remediation plan in the form of a privacy impact assessment.

Amend the bill by replacing section 3 with the following:

3 Data Privacy and Information Technology Security Governance Board; Specialized Employees Authorized; Appropriation.

I. The department is hereby authorized to establish 2 full-time, permanent employees to support and conduct the required data privacy and information technology security assessments, as well as manage the implementation of mitigation efforts and other necessary updates.

II. The qualifications of the 2 employees shall include privacy certifications, information systems expertise, and project management and communications experience. Certifications may be deferred for up to 2 years post-hiring.

III. The 2 employees shall be classified, full time employees who shall work on assisting in implementing the objectives of the data privacy and information technology security governance board, conducting the privacy assessment and mitigation plan, and other, related data privacy and information technology security activities in the department of health and human services. The classification shall be business systems analyst II, labor grade 30, step 5. The sum of $137,480 in general funds for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding 2 business systems analyst II positions for the purpose of implementation of this act. The governor is authorized to draw

a warrant for said amounts out of any money in the treasury not otherwise appropriated. The department is authorized to accept and expend matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

IV. The department is authorized to use contract support available from funds prior to July 1, 2023.

Committee amendment adopted.

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

HB 1682-FN-A, establishing the law enforcement conduct review committee in the New Hampshire police standards and training council and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.** Rep. Bob Lynn for Finance. This bill establishes a law enforcement conduct review committee in the New Hampshire Police Standards and Training Council and, by amendment 2022-1099h, appropriates $175,000 to hire an attorney and two investigators for the committee. The bill establishes a comprehensive definition of what constitutes police misconduct and establishes procedures for filing complaints, review and investigation of the complaints, holding hearings before the council to adjudicate complaints, and sanctions that may be imposed for misconduct by officers. Vote 21-0.

Amendment (1099h)

Amend the bill by replacing section 11 with the following:

11 Appropriation. The sum of $175,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the police standards and training council. Such appropriation shall be used for the purpose of hiring one full-time staff attorney and 2 full-time investigators. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Committee amendment adopted.

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

HB 1584-FN, establishing a capital improvement grant program for the benefit of state fairs and agricultural fairs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Ways and Means. This bill and its amendment create a dedicated fund and a process to provide grants to New Hampshire agricultural fairs for infrastructure projects. The committee recognizes the positive economic and educational impact that the thirteen fairs bring to New Hampshire communities. We received testimony that the fairs have received financial support in the past from the state, but the program lost funding in the late 1970's. Many of the fairs have been struggling to keep up with maintenance on their aging buildings and infrastructure. The grant created in this bill would provide funds to repair buildings on the fairgrounds and will assist in bringing the buildings up to current code requirements. The state would appropriate $250,000 annually to this fund. The fund will be managed by the Commissioner of Agriculture and this bill has provisions for capping the fund as well as placing reporting and audit functions upon the fund. Vote 22-0.

Amendment (1156h)

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

1 Capital Improvement Program for State Fairs. The subdivision heading preceding RSA 425:19 and RSA 425:19 through RSA 425:19-f are repealed and reenacted to read as follows:

Capital Improvement Program for State Fairs

425:19 Declaration of Purpose. The general court finds that it is in the public interest to advance, encourage, and protect agricultural fairs including the exhibition of livestock and agricultural produce of all kinds, as well as related arts and businesses. Fair exhibitions are an integral and historical part of New Hampshire that provide an opportunity to educate and promote agriculture to the general public. The state further recognizes the need to support the activities of local youth organizations like 4-H and Future Farmers of America that encourage agricultural awareness and rural economic development.

425:19-a Definitions. In this subdivision:

I. "Commissioner" means the commissioner of the department of agriculture, markets, and food.

II. "Department" means the New Hampshire department of agriculture, markets, and food.

III. "Fair" means a member in good standing of the New Hampshire Association of Fairs and Expositions which is intended to promote agriculture and support rural economic development by including a balanced variety of exhibits of livestock and agricultural products as well as related arts and businesses, including products of farm home and educational contests, displays, and demonstrations designed to train youth and to promote agricultural awareness and rural economic development and living.

IV. "Fund" means the capital improvement program grant fund for fairs established in RSA 425:19-b.

425:19-b Capital Improvement Program Grant Fund. There is hereby established the capital improvement program grant fund to be used by the department to assist fairs in the manner provided by this chapter. Only the commissioner or the commissioner's designee may approve applications and authorize disbursements from the fund. The fund shall be nonlapsing and continually appropriated to the department for the purpose of administering this chapter. Each fiscal year, the state treasurer shall transfer into the capital improvement

program grant fund from the state general fund the sum of $250,000. No transfer of general funds shall be made to the capital improvement program grant fund in any fiscal year in which the fund balance is at least $1,000,000. Fund disbursements shall comply with RSA 425:19-g and no appropriation shall be required for disbursements.

425:19-c Capital Improvement Program; Grant Eligibility Conditions and Criteria. The following conditions and criteria shall be met by a fair to be eligible for a capital improvement program grant awarded by the commissioner. However, the commissioner may make exceptions to the above conditions and criteria. The fair applicant shall:

I. Be a non-profit association located in New Hampshire that is a full member in good standing with the New Hampshire Association of Fairs and Expositions.

II. Annually hold events that offer contests or exhibits of 4-H members and clubs, Future Farmers of America members and clubs, granges, farm crops, domestic livestock competitions, or home crafts.

III. Be managed by a board of directors who are responsible for the business affairs and operational activities and policies.

IV. Have a board of directors who are subject to and compliant with local, state, and federal laws and regulations.

V. Have a treasurer who has charge of the financial affairs of the corporation and ensures that grant funds received from a state grant are used in accordance with the applicant's proposal as approved by the department commissioner.

VI. Operate a minimum of 3 consecutive, 8-hour days per year.

VII. Submit a capital improvement project that has a minimum useful life of 20 years and shall be completed within 2 years of execution of a contract to perform work authorized by the grant.

VIII. Contribute matching funds or in-kind services in an amount equal to 15 percent or more of the value of the grant.

IX. Not have already completed the project for which the applicant seeks reimbursement.

425:19-d Capital Improvement Grant Disbursements.

I. The board of directors of a fair may apply to the department for grant award from the capital improvement program grant fund on forms provided by the department.

II. The commissioner may allocate 95 percent of the capital improvement program grant fund including fund interest to eligible applicant fairs, and distribute such funds according to merit as measured by a merit rating to be set by the commissioner. This merit rating shall take into account such factors as area and population served, youth participation, attendance, gate receipts, number and type of exhibits, community support, evidence of successful achievement of desired outcomes and purposes of the fair, extent of improvements made to grounds and facilities from year to year, rural and farming nature of the region served by the fair, and overall condition and appearance of grounds

III. Any disbursements made under this section shall be made only as a disbursement in whole or in part for capital improvement expenses incurred by the fair.

425:19-e Health or Safety Capital Improvements and Contract Requirements.

I. Subject to the availability of funds, the department may provide grant funds on a competitive basis, to support capital projects that make health and safety improvements to agricultural fairgrounds or fair facilities in order to benefit participants and the fair-going public. The rules of such competition shall be established by the department in accordance with RSA 541-A.

II. The department shall develop and manage appropriate contracts with the selected applicants, monitor project expenditures and grantee performance, report project and contract information, and exercise due diligence, and other managerial responsibilities.

III. The department shall include provisions in the contracts which require that capital improvements be held by the grantee for a specific period of time appropriate to the amount of the grant and that facilities shall be used for the express purpose of the grant.

IV. The department may use the remaining 5 percent of funds from the annual general court appropriation to the state fair capital improvements for expenses incurred in the administration of the capital improvement grant program.

V. All deadlines and times required for the capital improvement grant program administration and disbursement of funds to fairs shall occur at such times as the commissioner may prescribe.

VI. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of New Hampshire general obligation bonds issued most closely to the date of authorization of the grant.

425:19-f Rulemaking. The commissioner shall adopt rules under RSA 541-A relative to the administration of the capital improvement grant program under this subdivision.

425:19-g Report of Grants. The commissioner shall compile an annual report detailing the number of disbursements from the fund, the amount of each disbursement, what entity received the disbursement, and the purpose of the disbursement, and shall submit such report to the speaker of the house of representatives, the

president of the senate, the chairpersons of the house and senate ways and means committees, the house and senate finance committees, and the house and senate committees with jurisdiction over environmental and agricultural issues, by November 1 of each year.

425:19-h Repairs. In case of partial or total destruction of the building by fire or otherwise, the commissioner may make needed repairs or replacement, with the approval of the governor and council, and may use the proceeds of any insurance.

425:19-i Records for Purpose of Audit. The commissioner of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the accounting methods to be used by each fair which could qualify for a distribution, if a distribution is made under this subdivision. Each such fair shall use the calendar year as its fiscal year for keeping the books, records and reports of its fiscal officers. The commissioner of revenue administration is authorized to require the production of all such books, records, vouchers and other papers and documents as will enable him to make a full, accurate and complete audit. All such records shall be preserved for 3 years following the date of said audit.

425:19-j Audit of Accounts of Agricultural Fairs.

I. The commissioner of revenue administration shall annually, at the cost and expense of each agricultural fair receiving a distribution, audit all accounts of fairs receiving money under the provisions of this subdivision, and the report of each such audit, when completed, shall be submitted to the president, treasurer and clerk of each fair so audited. If, in any case, the commissioner cannot guarantee that such an audit will be completed within one year after the end of a fiscal year for which a fair received a distribution, he shall so advise the president or treasurer of the fair, whereupon the respective fair officials may hire a certified public accountant or a public accountant licensed under RSA 309-A, to conduct such an audit within one year after the close of the fair's fiscal year in accordance with generally accepted auditing standards and applicable state statutes.

II. Every audit made by the commissioner of revenue administration or an independent public accountant licensed under RSA 309-A shall include a summary of findings and recommendations regarding compliance with applicable statutory provisions of law, and the adequacy of accounting and business procedures pursued by the fair examined. Contracts executed between the agricultural fairs and the independent public accountants shall stipulate that all accounts and funds of the fair are to be audited and a report of the audit is to be prepared in accordance with this section. At the conclusion of the audit, the independent public accountant shall submit a copy of an audit report prepared pursuant to this section directly to the commissioner of agriculture, markets, and food and to the commissioner of revenue administration for review and approval as to format only.

425:19-k Failure to Keep Records. The failure to keep the books, records and papers required by this subdivision and follow such approved methods shall be considered sufficient cause for the commissioner of agriculture, markets, and food to withhold the distribution of funds provided for in this subdivision to the fair or fairs otherwise entitled to them until such books, records and papers are made available for audit and such audit made. Any funds remaining in the hands of the commissioner of agriculture, markets, and food which are not distributed because of continued failure to comply with the provisions of RSA 425:19-i shall be distributed after a period of one year, to the fairs which complied with the provisions of said section for the year in question.

2 New Subparagraph; Capital Improvement Grant Fund for Fairs. Amend RSA 6:12, I(b) by inserting after subparagraph (382) the following new subparagraph:

(383) Moneys deposited in the capital improvement program grant fund established in RSA 425:19-b.

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

Committee amendment adopted.

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

HB 1598-FN, legalizing the possession and use of cannabis. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Timothy Lang for the Majority of Ways and Means. The primary objective of this bill is the policy of legalization of cannabis for both possession and personal use and was passed by the House earlier this session. This bill accomplishes that primary objective, so New Hampshire will no longer arrest and prosecute New Hampshire citizens for possession of personal use quantities of cannabis. The Ways and Means Committee amended this bill to improve the net revenue raised by the state-operated sale and control of cannabis. It is conservatively estimated that the revenues to the state will be approximately $30 million once we reach full maturation of the program (about three years) with ten stores. This bill appropriates $4.75 million for start-up costs to get the program off the ground, which is prioritized for pay back to the general fund/New Hampshire citizens in the first five years of the program. After operational and start-up costs are paid, the balance of the monies will be disbursed as follows: 50% to offset statewide education property tax (SWEPT) for all New Hampshire citizens; 30% will be earmarked as additional payments to the New Hampshire retirement system debt load, to pay this debt off faster, thus saving New Hampshire taxpayers money; 10% or $25 million

(whichever is less) is earmarked for alcohol and drug cessation programs via the Department of Health and Human Services; 5% to first responder, police, fire, and medical training programs; and 5% to the Department of Health and Human Services for children's behavioral health programs. Vote 12-10.

Rep. Richard Ames for the Minority of Ways and Means. The minority agrees that the ongoing prohibition of a commercial system for recreational cannabis within New Hampshire has not and does not work and that this prohibition continues to foster an illegal and harmful black market. But the minority believes that there are too many unanswered revenue and spending uncertainties in this bill to warrant its approval at this time. The bill seeks to create a Liquor Commission-owned and operated monopoly for all cannabis sold at retail within New Hampshire. The Liquor Commission Chairman testified that the commission was neutral on the bill but could after a six-to-nine-month start-up period and whatever additional time required to develop marketable cannabis products, establish about ten retail stores at strategic locations around the state, and then additional stores if warranted. To avoid "branding" confusion, these cannabis stores would be separate from the commission's liquor stores. Because of federal law prohibiting interstate cannabis transactions, all cannabis sold would need to be grown and processed inside New Hampshire's borders. All New Hampshire cultivators, manufacturers, and transporters would be registered and licensed to sell their cannabis products to consumers only through the commission's retail stores. The amended bill prohibits Liquor Commission retail sale of so-called cannabis edibles except to therapeutic cannabis customers. Defined in the amended bill to include all "cannabis-infused food or drink products," this categorical exclusion from the commission's retail stores of this very popular component of the retail cannabis market is certain to substantially reduce intra-state and cross-border sales. This undermines the commission's ability to compete with established private market stores in each of New Hampshire's neighboring states, which have radically different production and commercialization models. Although informal revenue estimates provided by the bill's sponsors suggested that implementation of this model in New Hampshire could generate $200 million to $250 million annual net revenue for the state, Liquor Commission testimony and much more information received from states and people in the industry, convinced the committee that net annual revenue after full implementation would more likely be no more than $20 to $35 million. Unfortunately, no official fiscal analysis has been produced for the bill. Proposed revenue allocations contained in the amended bill, expressed as percentages after expenses, result in insignificant amounts divided among many beneficiaries, and fail to provide more than a pittance for drug misuse education, prevention and treatment. Alternative Treatment Center providers testified against the bill, expressing concern that competition from the Liquor Commission could undermine its vertically integrated therapeutic cannabis system and put them out of business. This bill needs further work.

Majority Amendment (1172h)

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

1 Purpose and Findings. The general court hereby finds that:

I. The people of the state of New Hampshire find and declare that the use of cannabis by a person 21 years of age or older should be legal and subject to reasonable regulations.

II. In the interest of the health and public safety of our citizenry, the people of the state of New Hampshire further find and declare that cannabis should be regulated in a manner similar to alcohol so that:

(a) Individuals will be required to show proof of age before purchasing cannabis, and that the state shall protect the privacy of an individual's personally identifiable information in cannabis transactions.

(b) Selling, distributing, or transferring cannabis to minors and other individuals under the age of 21 shall remain illegal.

(c) Driving under the influence of cannabis or using cannabis while driving shall be illegal.

(d) All retail cannabis stores shall be operated by the state of New Hampshire.

(e) Cannabis sold in this state shall be tested, labeled, and subject to additional regulations to ensure that consumers are informed and protected.

(f) The state of New Hampshire shall not collect any transfer tax from any cannabis cultivator or retail sales tax from any consumer.

2 New Subparagraph; Application of Receipts; Cannabis Control Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (382) the following new subparagraph:

(383) Moneys deposited in the cannabis control fund established in RSA 318-F:15.

3 Alcoholic Beverages; Statement From Purchaser as to Age. Amend RSA 179:8, I(d) to read as follows:

(d) A valid passport [~~from~~] ***issued by the United States or by*** a country with whom the United States maintains diplomatic relations.

4 Model Drug Dealer Liability Act; Definition of Illegal Drug. Amend RSA 318-C:4, I to read as follows:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B***, the possession, use, manufacture, sale, or transportation of which is not otherwise authorized by law***.

5 New Chapter; Regulation of Cannabis. Amend RSA by inserting after chapter 318-E the following new chapter:

CHAPTER 318-F
REGULATION OF CANNABIS

318-F:1 Definitions. In this chapter:

I. “Alternative treatment center” means an entity as defined in RSA 126-X:1, I.

II. “Cannabis” means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including cannabis concentrate. “Cannabis” shall not include hemp, fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

III. “Cannabis accessories” or “cannabis paraphernalia” means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.

IV. “Cannabis cultivation facility” or “cultivation facility” means an entity registered to cultivate, prepare, and package cannabis, and sell cannabis to retail cannabis stores, to cannabis product manufacturing facilities, and to other cannabis cultivation facilities, but not to consumers. A cannabis cultivation facility shall not produce cannabis concentrates, tinctures, extracts, or other cannabis products.

V. “Cannabis establishment” means a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, a retail cannabis store, a cannabis transporter, or any other type of cannabis business authorized and registered by the commission.

VI. “Cannabis product manufacturing facility” or “product manufacturing facility” means an entity registered to purchase cannabis, to manufacture, prepare, and package cannabis products, and sell cannabis and cannabis products to other cannabis product manufacturing facilities and to retail cannabis stores, but not to consumers.

VII. “Cannabis products” means concentrated cannabis products and cannabis products that are comprised of cannabis and other ingredients and are intended for personal use such as, but not limited to, creams, ointments, or tinctures. For the purpose of this paragraph, “cannabis products” shall not include cannabis-infused food or drink products including but not limited to, cannabis-infused edibles such as candies, gummies, brownies, or cookies, or cannabis-infused alcoholic or non-alcoholic drinks or beverages of any kind.

VIII. “Cannabis testing facility” or “testing facility” means an entity registered to test cannabis for potency and contaminants.

IX. “Cannabis transporter” means an entity registered to transport cannabis between cannabis establishments.

X. “Consumer” means a person 21 years of age or older who purchases cannabis or cannabis products for personal use by a person 21 years of age or older, but not for resale.

XI. “Commission” means the liquor commission, division of cannabis enforcement and licensing.

XII. “Department” means the department of health and human services.

XIII. “Disqualifying offense” means a violation of a state or federal controlled substances law that was classified as a felony in the jurisdiction in which the person was convicted, but not including:

(a) An offense for which the sentence, including any term of probation, incarceration, or supervised release was completed 5 or more years earlier; or

(b) An offense prior to the effective date of this chapter that consisted of cultivation or possession of an amount of cannabis not exceeding the possession limit.

XIV. “Immature cannabis plant” means a cannabis plant that has not flowered and that does not have buds that may be observed by unaided visual examination.

XV. “Municipality” means a city, town, or an unincorporated place.

XVI. “Possession limit” means:

(a) Four ounces of cannabis in plant form.

(b) Ten grams of concentrated cannabis, including hashish.

(c) Cannabis products containing THC purchased from a retail cannabis store which shall be limited to therapeutic use only, for which the purchaser presents documentation permitting use of cannabis for therapeutic purposes pursuant to RSA 126-X, and which shall not contain more than 2 grams of THC.

This paragraph shall not apply to the possession limits set forth in RSA 126-X:2.

XVII. “Public place” means any place to which the general public has access.

XVIII. “Retail cannabis store” or “retail store” means a state-operated facility that purchases cannabis from a cannabis cultivation facility, or purchases cannabis and cannabis products from a cannabis product manufacturing facility, and sells, transfers, and delivers cannabis and cannabis products to consumers.

XIX. “Resident” means a natural person who:

(a) Is domiciled in New Hampshire; and

(b) Has maintained a place of abode in New Hampshire for at least the past 2 years, unless the individual was homeless and residing in New Hampshire for at least 51 percent of the last 2 years.

318-F:2 Personal Use of Cannabis.

I. Except as otherwise provided in this chapter, the following acts, if undertaken by a person 21 years of age or older, shall not be illegal under New Hampshire law or the law of any political subdivision of the state or be a basis for seizure or forfeiture of assets under New Hampshire law:

(a) Possessing, consuming, using, displaying, obtaining, purchasing, processing, producing, or transporting an amount of cannabis that does not exceed the possession limit, except that no adult other than one who is acting in his or her capacity as a staffer of a cannabis product manufacturer may perform extractions using solvents other than water, glycerin, propylene glycol, vegetable oil, food-grade ethanol, or carbon dioxide.

(b) Transferring an amount of cannabis that does not exceed the possession limit to a person who is 21 years of age or older without remuneration. For purposes of this section, a transfer is for remuneration if cannabis is given away contemporaneously with another transaction between the same parties, if a gift of cannabis is offered or advertised in conjunction with an offer for sale of goods or services, or if the gift of cannabis is contingent upon a separate transaction for goods or services.

(c) Transferring cannabis, including cannabis products, to a cannabis testing facility.

(d) Controlling property where the acts described under this section occur.

(e) Assisting another person who is 21 years of age or older in any of the acts described under this section.

II. No law enforcement officer employed by an agency that receives state or local government funds shall expend any state or local resources, including the officer's time, to effect any arrest or seizure of cannabis, or conduct any investigation, on the sole basis of activity the officer believes to constitute a violation of federal law if the officer has reason to believe that such activity is in compliance with this chapter, nor shall any such officer expend any state or local resources, including the officer's time, to provide any information or logistical support related to such activity to any federal law enforcement authority or prosecuting entity.

318-F:3 Personal Cultivation Prohibited. No person shall cultivate cannabis plants unless authorized by law to do so.

318-F:4 Smoking or Vaporizing of Cannabis in Public Prohibited; Penalty. No person shall smoke or vaporize cannabis in an area accessible to the public. Any person who violates this section shall be guilty of a violation, may be fined not more than $500, and shall forfeit all cannabis and cannabis products.

318-F:5 Smoking or Vaporizing of Cannabis in a Moving Vehicle Prohibited; Penalty.

I. No person shall consume, smoke, or vaporize cannabis or knowingly permit a passenger in their motor vehicle to consume, smoke, or vaporize cannabis while operating or attempting to operate a motor vehicle on a way, or while operating or attempting to operate an off highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation on a way.

II. Any person who violates this section who is the operator of a motor vehicle on a way, or while operating or attempting to operate an off-highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation, shall be guilty of a violation, may be fined not more than $500, and shall have his or her driver's license suspended for up to 3 months for the first offense, and shall be guilty of a misdemeanor, and may be fined not more than $1,000 and have his or her driver's license suspended for up to 6 months, or both, for a second or subsequent offense.

III. The license suspension as described in this section shall only apply a person who violates this section and who is the operator of the motor vehicle, recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation.

IV. When determining whether a person violated an offense under the section, the issue of whether the operator of the motor vehicle is impaired shall not be an element of the offense. A person who consumes, smokes, or vaporizes or permits another to consume, smoke, or vaporize cannabis in a motor vehicle, recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation he or she is operating shall be liable under this section without regard to fault.

V. In this section, "way" shall have the same meaning as in RSA 265-A:44.

318-F:6 Cannabis Accessories Authorized.

I. Except as provided by this section, it shall not be illegal under New Hampshire law or be a basis for seizure or forfeiture of assets under New Hampshire law for a person 21 years of age or older to manufacture, possess, or purchase cannabis accessories, or to distribute or sell cannabis accessories to a person who is 21 years of age or older.

II. Except as provided by this section, a person who is 21 years of age or older, or a business entity, may manufacture, possess, obtain, and purchase cannabis paraphernalia, and may distribute, deliver, or sell cannabis paraphernalia to a person who is 21 years of age or older.

III. No person or entity shall manufacture, distribute, or sell cannabis accessories that violate reasonable regulations enacted by the commission. Any person or entity that violates this paragraph shall be guilty of

a violation for a first offense and subject to a fine of up to $1,000 and forfeiture of the cannabis accessories. A person shall be guilty of a class A misdemeanor for a second or subsequent offense and shall forfeit the cannabis accessories.

318-F:7 Regulation of Cannabis. Not later than 8 months after the effective date of this chapter, the commission shall adopt rules, pursuant to RSA 541-A relative to:

I. The registration, licensure, and regulation of all other cannabis establishments.

II. The manufacture and sale of cannabis accessories.

III. The requirements for the transportation of cannabis between cannabis establishments, including documentation that shall accompany any cannabis being transported by cannabis cultivation facilities.

IV. Procedures for the delivery of cannabis to consumers, including documentation that shall accompany any cannabis being transported to consumers.

V. Procedures for hearings on civil fines and suspensions and revocations of licenses.

VI. Reasonable security requirements for each type of cannabis establishment, which may be varied based on the size of the cannabis establishment.

VII. Health and safety rules, including regarding the packaging and preparing of cannabis products, presence of contaminants, and restricting the use of pesticides that may be dangerous to cannabis consumers.

VIII. Restrictions on the advertising, signage, marketing, and display of cannabis, including prohibiting the design of advertising, signage, and marketing that would target or appeal to minors.

IX. Labeling requirements for cannabis products, including:

(a) Mandating the disclosure of the THC content of each product.

(b) Requirements for packaging to ensure it is not designed to appeal to minors.

(c) Establishing the amount of THC that may be included in each serving of a cannabis product.

X. Requirements for the testing of all cannabis products for potency and contaminants.

318-F:8 Registration Procedures for Cannabis Establishments.

I. Each application for a registration to operate a cannabis establishment shall be submitted to the commission.

II. Each application shall include both the fee established by the commission and a $250 fee for the municipality to review the application.

III. The liquor commission shall:

(a) Accept and process applications beginning no later than May 1, 2023 for cannabis cultivation facilities, and beginning no later than August 1, 2023 for cannabis product manufacturing facilities, cannabis transporters, and cannabis testing facilities.

(b) Immediately forward a copy of each application and the municipal fee to the municipality in which the applicant desires to operate the cannabis establishment.

(c) Issue a registration to the applicant within 90 days after receipt of an application unless:

(1) The commission finds the applicant is not in compliance with the requirements of this chapter or rules adopted under this chapter;

(2) The commission is notified by the relevant municipality that the applicant is not in compliance with an ordinance adopted pursuant to this chapter and in effect at the time of application; or

(3) More qualified applicants have applied than the number of registrations available in the municipality, and the applicant was not selected.

IV. Each registration applies to a single parcel of real property. Any additional address requires a separate application and registration.

V. A renewal application may be submitted up to 90 days prior to the expiration of the cannabis establishment's registration. The renewal application shall be granted within 30 days of its submission unless the applicant has not paid the fee, the cannabis establishment's registration is suspended or revoked, or the cannabis establishment has a pattern of violations of this law, the rules issued pursuant to it, or municipal regulations.

VI. Notwithstanding RSA 126-X, an alternative treatment center registered to operate pursuant to RSA 126-X may file an application to obtain a separate registration to operate as a for profit cannabis cultivation facility, cannabis product manufacturing facility, or cannabis transporter, pursuant to this chapter. Such applicant shall comply with the same application procedures set forth in this section and shall be subject to the provisions of this chapter. If approved, the applicant may operate as an alternative treatment center pursuant to RSA 126-X, and as a cannabis cultivation facility, cannabis product manufacturing facility, or cannabis transporter, pursuant to this chapter, as a separate entity.

318-F:9 Enactment of Municipal Ordinances.

I. A municipality may enact an ordinance prohibiting or limiting the number and type of cannabis establishments that may be permitted within the municipality and regulating the time, place, and manner of operation of a cannabis establishment, which is permitted within the municipality.

II. A municipality may enact an ordinance specifying the entity within the municipality that shall be responsible for reviewing applications submitted for a registration to operate a cannabis establishment within the municipality. The entity designated by the municipality shall be responsible for indicating whether the application is in compliance with municipal ordinances.

318-F:10 Residency Required.

I. Except as provided in this section, any person applying for a cannabis establishment registration shall have been a resident, or shall have at least one director, officer, partner, member, or manager who has been a New Hampshire resident, for at least 3 years immediately preceding the date of application.

II. This section shall not apply to an applicant for a testing facility registration.

318-F:11 Background Checks Required.

I. A cannabis establishment shall conduct a state and federal background check prior to making a final offer of employment to a prospective manager or operator.

II. No cannabis establishment shall employ any person who has been convicted of a disqualifying offense as an officer, director, general partner, member, or manager. No person convicted of a disqualifying offense shall work as an officer, director, general partner, member, or manager of a cannabis establishment or serve on the board of a cannabis establishment.

318-F:12 Restrictions on Location. No cannabis establishment shall operate, nor shall a prospective cannabis establishment apply for a registration, if the establishment would be located within 1,000 feet of the property line of a pre-existing public or private elementary or secondary school.

318-F:13 Proof of Purchaser's Identity.

I. For the purposes of this chapter, any person or entity making the sale of cannabis or cannabis accessories to any purchaser whose age is in question may accept any official documentation listed in RSA 179:8 as proof that the purchaser is 21 years of age or older.

II. The establishment of all of the following facts by a retail cannabis store or an agent or employee of a retail cannabis store making a sale of cannabis or cannabis accessories to a person under the age of 21 shall constitute an affirmative defense to any prosecution for such sale:

(a) That the person presented what an ordinary and prudent person would believe to be valid documentation of a type listed in RSA 179:8.

(b) That the sale was made in good faith relying upon such documentation and appearance in the reasonable belief that the person was 21 years of age or older.

318-F:14 Professional License Holder Immunity.

I. A holder of a professional or occupational license shall not be subject to professional discipline for providing advice or services related to cannabis establishments or applications to operate cannabis establishments on the basis that cannabis is illegal under federal law.

II. An applicant for a professional or occupational license shall not be denied a license based on previous employment related to cannabis establishments operating in accordance with state law.

318-F:15 Cannabis Control Fund Established; Disbursement of Funds.

I.(a) There is established in the state treasury a nonlapsing fund to be known as the cannabis control fund. The fund shall be kept distinct and separate from all other funds in the state treasury, and the moneys credited to the fund shall be held distinct and separate from all other funds over which the state treasurer has control. Moneys in the fund shall be deposited with any financial institution as defined in RSA 383-A:2-201(a)(27-a), with a branch in the state.

(b) Notwithstanding any provision of law to the contrary, a financial institution with a branch within this state may provide financial services, including receiving deposits, extending credit, conducting fund transfers, or other financial services, to the state and the commission with respect to moneys credited to the cannabis control fund, any other cannabis related funds over which the state or a municipality has control regardless of the manner or fund in which such funds are held, and with respect to the funds of any private entity authorized to conduct a cannabis-related business activity pursuant to this chapter.

II. The commission shall credit all fees and civil penalties imposed under this chapter and all other related moneys received from public or private sources to the fund.

III. Beginning July 1, 2023, and each biennium thereafter, the commission shall include the cost of administration of this chapter in the commission's efficiency expenditure request pursuant to RSA 9:4. Appropriations for such costs shall be a charge against the fund.

IV. Not later than June 30, 2027, the commission shall reimburse the general fund from the cannabis control fund for any initial or start-up funds appropriated to the commission for the administration and operation of this chapter, Any remaining fund moneys shall be disbursed each fiscal year as follows:

(a) Fifty percent of remaining funds shall be disbursed annually to the department of revenue administration to be disbursed to cities and towns to offset the education tax imposed on all persons and property taxable pursuant to RSA 76:3 and RSA 76:8.

(b) Thirty percent of remaining funds shall be disbursed to the department of administrative services to be credited to the New Hampshire retirement system to offset the retirement system's unfunded accrued liability. Upon certification by the commissioner of the department of administrative services that the retirement system has no remaining unfunded accrued liability, this disbursement of funds shall be credited to the education trust fund established in RSA 198:39.

(c) Ten percent of remaining funds, or $25,000,000, whichever is less, shall be credited to the department of health and human services, bureau of drug and alcohol services, for use in evidence-based, voluntary programs for substance use-related education, prevention, treatment, and recovery that includes mental health treatment that is contributing to substance misuse, and for scientifically and medically accurate public education campaigns educating youth and adults about the health and safety risks of alcohol, tobacco, cannabis, and other substances, including education campaigns separately targeting youth and adults that provide medically and scientifically accurate information about the health and safety risks posed by cannabis use, including driving under the influence of cannabis.

(d) Five percent of remaining funds shall be disbursed to public safety agencies, including police, fire, and rescue agencies, for the hiring and training of additional drug recognition experts, for advanced roadside impaired driving enforcement training, and to assist in responding to drug overdose incidents.

(e) Five percent of remaining funds shall be disbursed to the department of health and human services, division for behavioral health, bureau of children's behavioral health, to be used for children's behavioral health services.

6 The Liquor Commission; Liquor Investigator Training. Amend RSA 176:9 to read as follows:

176:9 Liquor Investigator; Training.

I. The commission may, subject to rules adopted by the director of personnel, employ and dismiss liquor investigators. Liquor investigators shall, under the direction of the commission, investigate any or all matters arising under this title. ***The commission may select and retain market consultants through a competitive bidding process approved by the governor and the executive council. Any such contract with a third-party agent shall be for consulting services relating to marketing and regulation of cannabis for purposes of cultivation, manufacturing, testing, and retail sale.***

II. Any new liquor investigator employed by the commission under this section after August 13, 1985, shall, within 6 months of employment, satisfactorily complete a preparatory police training program as provided by RSA 106-L:6, unless he or she has already completed such a program.

III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter any place where liquor, beverages, tobacco products, e-cigarettes***, or cannabis*** are sold [~~or~~]***,*** manufactured, ***or cultivated*** at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.

7 New Paragraph; The Liquor Commission; Commission to Sell. Amend RSA 176:11 by inserting after paragraph II the following new paragraph:

III.(a) It shall be the duty of the commission to buy and have in its possession cannabis and cannabis products as defined in RSA 318-F:1 for sale in the manner provided in RSA 318-F, and to sell cannabis for therapeutic purposes as authorized under RSA 126-X. Such cannabis shall be free from adulteration and misbranding within the meaning of the provisions of RSA 146. All cannabis sold for therapeutic use shall conform to the standards and tests for such cannabis under New Hampshire law at the time of sale. All purchases of cannabis shall be made by the commission directly and not through the department of administrative services. The commission shall be subject to all the provisions of RSA 9.

(b) In the event that the commission determines New Hampshire cannabis revenues are being diverted by actions taken by persons holding any type of cannabis license, the commission may take such marketing or merchandising action, or both, as it deems necessary, including sanctions against the competing entities.

8 New Paragraph; The Liquor Commission; Rulemaking. Amend RSA 176:14 by inserting after paragraph IX the following new paragraph:

IX-a. Cannabis licenses, including:

(a) Separate licenses for cultivation, manufacturing, and testing of cannabis, and dual licenses as the commission may approve.

(b) Requirements and restrictions for each type of license.

(c) Procedures and forms to apply for or renew a license.

(d) Safekeeping of licenses.

(e) Authorized expansion of a licensed facility and procedures for authorization.

(f) Procedures to approve exceptions of license requirements, restrictions, and limitations.

(g) Training and continuing education required or recommended for licensees.

IX-b. Cannabis licensee operations, including:

(a) Procedures for on-premises and off-premises licensees to purchase cannabis.

(b) Credit and billing procedures, including fees for late payment.

(c) Bailment requirements, including fees.

(d) Restrictions on packaging, promotions, signage, and operating hours.

(e) Relations between types of licensees.

(f) Collection of additional fees required under RSA 178:6, VI, RSA 178:8, IV, and RSA 178:26.

9 Controlled Drug Act; Definitions. Amend the introductory paragraph in RSA 318-B:1, X-a(k) to read as follows:

(k) Objects used or intended for use or customarily intended for use in ingesting, inhaling, or otherwise introducing [~~marijuana,~~] cocaine[~~, hashish, or hashish oil~~] into the human body, such as:

10 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, I to read as follows:

I. Any person who manufactures, sells, prescribes, administers, or transports or possesses with intent to sell, dispense, or compound any controlled drug, controlled drug analog or any preparation containing a controlled drug, except as authorized in this chapter ***or as otherwise authorized by law***; or manufactures, sells, or transports or possesses with intent to sell, dispense, compound, package or repackage (1) any substance which he ***or she*** represents to be a controlled drug, or controlled drug analog, or (2) any preparation containing a substance which he ***or she*** represents to be a controlled drug, or controlled drug analog, shall be sentenced as follows, except as otherwise provided in this section:

11 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, II to read as follows:

II. Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter ***or as otherwise authorized by law***, shall be sentenced as follows, except as otherwise provided in this section:

12 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(c)-(e) to read as follows:

(c) In the case of more than 3/4 ounce of marijuana or more than 5 grams of hashish, including any adulterants or dilutants[~~,~~] ***is possessed by a person who is under 21 years of age, or, in the case of an amount exceeding the possession limit defined in RSA 318-F:1 possessed by a person who is 21 years of age or older, except if possessed by a person authorized pursuant to RSA 126-X,*** the person shall be guilty of a misdemeanor. [~~In the case of marijuana-infused products possessed by persons under the age of 21 or marijuana-infused products as defined in RSA 318-B:2-c, other than a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), that are possessed by a person 21 years of age or older, the person shall be guilty of a misdemeanor.~~]

(d) In the case of 3/4 ounce or less of marijuana or 5 grams or less of hashish, including any adulterants or dilutants, ***that is possessed by a person who is under 21 years of age,*** the person shall be guilty of a violation pursuant to RSA 318-B:2-c. [~~In the case of a person 21 years of age or older who possesses a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), the person shall be guilty of a violation pursuant to RSA 318-B:2-c.~~]

(e) In the case of a residual amount of a controlled [~~substance,~~] ***drug, other than marijuana*** [~~as defined in RSA 318-B:1, XXIX-a~~], a person shall be guilty of a misdemeanor if the person is not part of a service syringe program under RSA 318-B:43.

13 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) [~~Except as provided in RSA 318-B:2-c,~~] Controls any premises or vehicle where he or she knows a controlled drug or its analog***, other than marijuana,*** is illegally kept or deposited;

14 Personal Possession of Marijuana. Amend RSA 318-B:2-c to read as follows:

318-B:2-c [~~Personal~~] Possession of Marijuana ***by a Person Under 21 Years of Age***.

[~~I.~~] In this section:

[~~(a)~~] ***I.*** "Marijuana" includes the leaves, stems, flowers, and seeds of all species of the plant genus cannabis, but shall not include the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin including hashish, and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

[~~(b) "Personal-use amount of a regulated marijuana-infused product" means one or more products that is comprised of marijuana, marijuana extracts, or resins and other ingredients and is intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures, which was obtained from a state where marijuana sales to adults are legal and regulated under state law, and which is in its original, child-resistant, labeled packaging when it is being stored, and which contains a total of no more than 300 milligrams of tetrahydrocannabinol.~~]

II. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 3/4 of an ounce or less of marijuana, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

III. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 5 grams or less of hashish, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

IV. [~~Except as provided in RSA 126-X, any person 21 years of age or older possessing a personal-use amount of a regulated marijuana-infused product shall be guilty of a violation, and subject to the penalties provided in paragraph V. Persons 18 years of age or older and under 21 years of age who knowingly possess marijuana-infused products shall be guilty of a misdemeanor.~~

~~V.~~](a) Except as provided in this paragraph, any person 18 years of age or older who is convicted of violating paragraph II or III[~~, or any person 21 years of age or older who is convicted of violating paragraph IV~~] shall be subject to a fine of $100 for a first or second offense under this paragraph, or a fine of up to $300 for any subsequent offense within any 3-year period; however, any person convicted based upon a complaint which alleged that the person had 3 or more prior convictions for violations of paragraph II[~~,~~] ***or*** III[~~or IV~~], or under reasonably equivalent offenses in an out-of-state jurisdiction since the effective date of this paragraph, within a 3-year period preceding the fourth offense shall be guilty of a class B misdemeanor. The offender shall forfeit the marijuana[~~, regulated marijuana-infused products,~~] or hashish to the state. A court shall waive the fine for a single conviction within a 3-year period upon proof that person has completed a substance abuse assessment by a licensed drug and alcohol counselor within 60 days of the conviction. A person who intends to seek an assessment in lieu of the fine shall notify the court, which shall schedule the matter for review after 180 days. Should proof of completion of an assessment be filed by or before that time, the court shall vacate the fine without a hearing unless requested by a party.

(b) Any person under 18 years of age who is convicted of violating paragraph II or III shall forfeit the marijuana or hashish and shall be subject to a delinquency petition under RSA 169-B:6.

[~~VI.~~] ***V.***(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph II[~~,~~] ***or*** III[~~, or IV~~] and shall be released provided the law enforcement officer does not have lawful grounds for arrest for a different offense.

(b) Nothing in this chapter shall be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(c) Nothing in this chapter shall be construed as forbidding any police officer from taking into custody any minor who is found violating paragraph II[~~,~~] ***or*** III[~~, or IV~~].

(d) Any person ***under 21 years of age who is*** in possession of an identification card, license, or other form of identification issued by the state or any state, country, city, or town, or any college or university, who fails to produce the same upon request of a police officer or who refuses to truthfully provide his or her name, address, and date of birth to a police officer who has informed the person that he or she has been found to be in possession of what appears to the officer to be 3/4 of an ounce or less of marijuana[~~, a personal-use amount of a regulated marijuana-infused product,~~] or 5 grams or less of hashish, may be arrested for a violation of paragraph II[~~,~~] ***or*** III[~~, or IV~~].

[~~VII.~~] ***VI.*** All fines imposed pursuant to this section shall be deposited into the alcohol abuse prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed substance abuse prevention programs.

[~~VIII.~~] ***VII.***(a) No record that includes personally identifiable information resulting from a violation of this section shall be made accessible to the public, federal agencies, or agencies from other states or countries.

(b) Every state, county, or local law enforcement agency that collects and reports data for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the number of violations of paragraph II[~~,~~] ***or*** III[~~, or IV~~]. The data collected pursuant to this paragraph shall be available to the public. A law enforcement agency may update the data annually and may make this data available on the agency's public Internet website.

15 Alcohol or Drug Impairment; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. This section shall not apply to the possession of marijuana or hashish as provided in RSA 318-B:2-c[~~, or a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b)~~].

16 Appropriation; Liquor Commission. The sum of $4,600,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the liquor commission for the cost of administration of RSA 318-F. The governor is authorized to draw a warrant for said sum from any money in the treasury not otherwise appropriated.

17 Appropriation; Department of Health and Human Services. The sum of $150,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to create public media and social media campaigns which would be launched prior to the availability of cannabis for purchase from a cannabis retail store to address growing false perceptions of harmlessness and the impact of cannabis use for youth, safe storage of cannabis and use around children, increased motor vehicle accident risks, increased risk of psychosis, and potential risks of use during pregnancy.

18 Repeal. RSA 318-B:1, X-a(g), relative to separation gins and sifters used or intended for use with cannabis, is repealed

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

AMENDED ANALYSIS

This bill:

I. Legalizes the possession and use of cannabis for persons 21 years of age and older.

II. Authorizes the liquor commission to regulate and administer the cultivation, manufacture, testing, and retail sale of cannabis statewide, and makes an appropriation therefor.

III. Authorizes alternative treatment centers registered to dispense therapeutic cannabis to register, as a separate entity, to manufacture, cultivate, or transport cannabis to the state for retail sale.

IV. Authorizes a municipality to enact an ordinance prohibiting or limiting the number and type of cannabis establishments that may be permitted within the municipality and regulating the time, place, and manner of operation of a cannabis establishment permitted within the municipality.

V. Establishes the cannabis control fund and requires funds to be distributed to the department of health and human services, bureau of drug and alcohol services, for education tax relief, public safety agency training purposes, and children's behavioral health services.

VI. Makes an appropriation to the department of health and human services to create public media and social media campaigns to address some of the risks of cannabis use.

Committee amendment adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Rep. Major offered floor amendment (1198h).

Floor Amendment (1198h)

Amend RSA 318-F:15, IV(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Fifty percent of remaining funds shall be transferred to the education trust fund established in RSA 198:39. The comptroller shall notify the commissioner of the department of revenue administration of the amount of the transfer. For the purpose of setting the education tax rate under RSA 76:3, the amount of revenue required to be collected pursuant to RSA 76:3 shall be reduced by the amount transferred to the education trust fund as required in this subparagraph, and the commissioner shall set the rate at a level sufficient to generate the reduced amount. This rate shall be effective for the following fiscal year.

Amend the bill by inserting after section 17 the following and renumbering the original sections 18-19 to read as 19-20, respectively:

18 Taxation; Education Tax. Amend RSA 76:3 to read as follows:

76:3 Education Tax. Beginning July 1, 2005, and every fiscal year thereafter, the commissioner of the department of revenue administration shall set the education tax rate at a level sufficient to generate revenue of $363,000,000***, less any amount credited to the education trust fund pursuant to RSA 318-F:15, IV(a),*** when imposed on all persons and property taxable pursuant to RSA 76:8, except property subject to tax under RSA 82 and RSA 83-F. The education property tax rate shall be effective for the following fiscal year. The rate shall be set to the nearest 1/2 cent necessary to generate the revenue required in this section.

Rep. Major spoke in favor.
Floor amendment (1198h) adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Marsh offered floor amendment (1230h).

Floor Amendment (1230h)

Amend RSA 318-F:7 as inserted by section 5 of the bill by inserting after paragraph X the following new paragraph:

XI. Requirements for informational materials which shall be available at any retail cannabis store which shall include:

(a) Information about the risks of cannabis use during pregnancy and while breastfeeding. Such information shall include the posting of an informational poster regarding the risks of cannabis use during pregnancy and while breastfeeding in a conspicuous location. This may be identical to that required under RSA 126-X:8, XVI(c)(7).

(b) Information regarding safe storage and disposal of cannabis and paraphernalia to prevent accidental poisonings, including the contact information for the Northern New England Poison Control Center. This may be identical to that required under RSA 126-X:8, XVI(c)(8).

(c) Information about the risks of cannabis use in adolescence. Such information shall include the posting of an informational poster on the risks of cannabis use in adolescence in a conspicuous location. This may be identical to that required under RSA 126-X:8, XVI(c)(9).

Rep. Marsh spoke in favor.
On a division vote, with 212 members having voted in the affirmative, and 89 in the negative, floor amendment (1230h) failed.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Conley offered floor amendment (1283h).

Floor Amendment (1283h)

Amend RSA 318-F:1, XVI as inserted by section 5 of the bill by replacing it with the following:

XVI. "Possession limit" means:

(a) Four ounces of cannabis in plant form.

(b) Ten grams of concentrated cannabis, including hashish.

(c) Cannabis products containing THC purchased from a retail cannabis store which shall be limited to therapeutic use only, for which the purchaser presents documentation permitting use of cannabis for therapeutic purposes pursuant to RSA 126-X, and which shall not contain more than 2 grams of THC.

(d) For a person 21 years of age or older, cannabis-infused food or drink products, including but not limited to, cannabis-infused edibles such as candies, gummies, brownies, or cookies, or cannabis-infused alcoholic or non-alcoholic drinks or beverages of any kind, which contain a total of no more than 300 milligrams of tetrahydrocannabinol.

This paragraph shall not apply to the possession limits set forth in RSA 126-X:2.

Rep. Conley spoke in favor.
Floor amendment (1283h) adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Abramson offered floor amendment (1286h).

Floor Amendment (1286h)

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

1 Purpose and Findings. The general court hereby finds that:

I. The people of the state of New Hampshire find and declare that the use of cannabis by a person 21 years of age or older should be legal and subject to reasonable regulations.

II. In the interest of the health and public safety of our citizenry, the people of the state of New Hampshire further find and declare that cannabis should be regulated in a manner similar to alcohol so that:

(a) Individuals will be required to show proof of age before purchasing cannabis, and that the state shall protect the privacy of an individual's personally identifiable information in cannabis transactions.

(b) Selling, distributing, or transferring cannabis to minors and other individuals under the age of 21 shall remain illegal.

(c) Driving under the influence of cannabis or using cannabis while driving shall be illegal.

(d) Cannabis sold in this state shall be tested, labeled, and subject to additional regulations to ensure that consumers are informed and protected.

2 New Subparagraph; Application of Receipts; Cannabis Control Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (382) the following new subparagraph:

(383) Moneys deposited in the cannabis control fund established in RSA 318-F:15.

3 Alcoholic Beverages; Statement From Purchaser as to Age. Amend RSA 179:8, I(d) to read as follows:

(d) A valid passport [~~from~~] ***issued by the United States or by*** a country with whom the United States maintains diplomatic relations.

4 Model Drug Dealer Liability Act; Definition of Illegal Drug. Amend RSA 318-C:4, I to read as follows:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B***, the possession, use, manufacture, sale, or transportation of which is not otherwise authorized by law***.

5 New Chapter; Regulation of Cannabis. Amend RSA by inserting after chapter 318-E the following new chapter:

CHAPTER 318-F
REGULATION OF CANNABIS

318-F:1 Definitions. In this chapter:

I. "Alternative treatment center" means an entity as defined in RSA 126-X:1, I.

II. "Cannabis" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including cannabis concentrate. "Cannabis" shall not include hemp, fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

III. "Cannabis accessories" or "cannabis paraphernalia" means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.

IV. “Cannabis cultivation facility” or “cultivation facility” means an entity registered to cultivate, prepare, and package cannabis, and sell cannabis to retail cannabis stores, to cannabis product manufacturing facilities, and to other cannabis cultivation facilities, but not to consumers. A cannabis cultivation facility shall not produce cannabis concentrates, tinctures, extracts, or other cannabis products.

V. “Cannabis establishment” means a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, a retail cannabis store, a cannabis transporter, or any other type of cannabis business authorized and registered by the commission.

VI. “Cannabis product manufacturing facility” or “product manufacturing facility” means an entity registered to purchase cannabis, to manufacture, prepare, and package cannabis products, and sell cannabis and cannabis products to other cannabis product manufacturing facilities and to retail cannabis stores, but not to consumers.

VII. “Cannabis products” means concentrated cannabis products and cannabis products that are comprised of cannabis and other ingredients and are intended for personal use such as, but not limited to, creams, ointments, or tinctures. For the purpose of this paragraph, “cannabis products” shall not include cannabis-infused food or drink products including but not limited to, cannabis-infused edibles such as candies, gummies, brownies, or cookies, or cannabis-infused alcoholic or non-alcoholic drinks or beverages of any kind.

VIII. “Cannabis testing facility” or “testing facility” means an entity registered to test cannabis for potency and contaminants.

IX. “Cannabis transporter” means an entity registered to transport cannabis between cannabis establishments.

X. “Consumer” means a person 21 years of age or older who purchases cannabis or cannabis products for personal use by a person 21 years of age or older, but not for resale.

XI. “Commission” means the liquor commission, division of cannabis enforcement and licensing.

XII. “Department” means the department of health and human services.

XIII. “Disqualifying offense” means a violation of a state or federal controlled substances law that was classified as a felony in the jurisdiction in which the person was convicted, but not including:

(a) An offense for which the sentence, including any term of probation, incarceration, or supervised release was completed 5 or more years earlier; or

(b) An offense prior to the effective date of this chapter that consisted of cultivation or possession of an amount of cannabis not exceeding the possession limit.

XIV. “Immature cannabis plant” means a cannabis plant that has not flowered and that does not have buds that may be observed by unaided visual examination.

XV. “Municipality” means a city, town, or an unincorporated place.

XVI. “Possession limit” means:

(a) Four ounces of cannabis in plant form.

(b) Ten grams of concentrated cannabis, including hashish.

(c) Cannabis products containing THC purchased from a retail cannabis store which shall be limited to therapeutic use only, for which the purchaser presents documentation permitting use of cannabis for therapeutic purposes pursuant to RSA 126-X, and which shall not contain more than 2 grams of THC.

This paragraph shall not apply to the possession limits set forth in RSA 126-X:2.

XVII. “Public place” means any place to which the general public has access.

XVIII. “Retail cannabis store” or “retail store” means a facility that sells, transfers, and delivers cannabis and cannabis products to consumers.

XIX. “Resident” means a natural person who:

(a) Is domiciled in New Hampshire; and

(b) Has maintained a place of abode in New Hampshire for at least the past 2 years, unless the individual was homeless and residing in New Hampshire for at least 51 percent of the last 2 years.

318-F:2 Personal Use of Cannabis.

I. Except as otherwise provided in this chapter, the following acts, if undertaken by a person 21 years of age or older, shall not be illegal under New Hampshire law or the law of any political subdivision of the state or be a basis for seizure or forfeiture of assets under New Hampshire law:

(a) Possessing, consuming, using, displaying, obtaining, purchasing, processing, producing, or transporting an amount of cannabis that does not exceed the possession limit, except that no adult other than one who is acting in his or her capacity as a staffer of a cannabis product manufacturer may perform extractions using solvents other than water, glycerin, propylene glycol, vegetable oil, food-grade ethanol, or carbon dioxide.

(b) Transferring an amount of cannabis that does not exceed the possession limit to a person who is 21 years of age or older without remuneration. For purposes of this section, a transfer is for remuneration if cannabis is given away contemporaneously with another transaction between the same parties, if a gift of cannabis is offered or advertised in conjunction with an offer for sale of goods or services, or if the gift of cannabis is contingent upon a separate transaction for goods or services.

(c) Transferring cannabis, including cannabis products, to a cannabis testing facility.

(d) Controlling property where the acts described under this section occur.

(e) Assisting another person who is 21 years of age or older in any of the acts described under this section.

II. No law enforcement officer employed by an agency that receives state or local government funds shall expend any state or local resources, including the officer's time, to effect any arrest or seizure of cannabis, or conduct any investigation, on the sole basis of activity the officer believes to constitute a violation of federal law if the officer has reason to believe that such activity is in compliance with this chapter, nor shall any such officer expend any state or local resources, including the officer's time, to provide any information or logistical support related to such activity to any federal law enforcement authority or prosecuting entity.

318-F:3 Personal Cultivation Prohibited. No person shall cultivate cannabis plants unless authorized by law to do so.

318-F:4 Smoking or Vaporizing of Cannabis in Public Prohibited; Penalty. No person shall smoke or vaporize cannabis in an area accessible to the public. Any person who violates this section shall be guilty of a violation, may be fined not more than $500, and shall forfeit all cannabis and cannabis products.

318-F:5 Smoking or Vaporizing of Cannabis in a Moving Vehicle Prohibited; Penalty.

I. No person shall consume, smoke, or vaporize cannabis or knowingly permit a passenger in their motor vehicle to consume, smoke, or vaporize cannabis while operating or attempting to operate a motor vehicle on a way, or while operating or attempting to operate an off highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation on a way.

II. Any person who violates this section who is the operator of a motor vehicle on a way, or while operating or attempting to operate an off-highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation, shall be guilty of a violation, may be fined not more than $500, and shall have his or her driver's license suspended for up to 3 months for the first offense, and shall be guilty of a misdemeanor, and may be fined not more than $1,000 and have his or her driver's license suspended for up to 6 months, or both, for a second or subsequent offense.

III. The license suspension as described in this section shall only apply a person who violates this section and who is the operator of the motor vehicle, recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation.

IV. When determining whether a person violated an offense under the section, the issue of whether the operator of the motor vehicle is impaired shall not be an element of the offense. A person who consumes, smokes, or vaporizes or permits another to consume, smoke, or vaporize cannabis in a motor vehicle, recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation he or she is operating shall be liable under this section without regard to fault.

V. In this section, "way" shall have the same meaning as in RSA 265-A:44.

318-F:6 Cannabis Accessories Authorized.

I. Except as provided by this section, it shall not be illegal under New Hampshire law or be a basis for seizure or forfeiture of assets under New Hampshire law for a person 21 years of age or older to manufacture, possess, or purchase cannabis accessories, or to distribute or sell cannabis accessories to a person who is 21 years of age or older.

II. Except as provided by this section, a person who is 21 years of age or older, or a business entity, may manufacture, possess, obtain, and purchase cannabis paraphernalia, and may distribute, deliver, or sell cannabis paraphernalia to a person who is 21 years of age or older.

318-F:7 Regulation of Cannabis. Not later than 8 months after the effective date of this chapter, the commission shall adopt rules, pursuant to RSA 541-A relative to:

I. The registration, licensure, and regulation of all other cannabis establishments.

II. The manufacture and sale of cannabis accessories.

III. The requirements for the transportation of cannabis between cannabis establishments, including documentation that shall accompany any cannabis being transported by cannabis cultivation facilities.

IV. Procedures for the delivery of cannabis to consumers, including documentation that shall accompany any cannabis being transported to consumers.

V. Procedures for hearings on civil fines and suspensions and revocations of licenses.

VI. Reasonable security requirements for each type of cannabis establishment, which may be varied based on the size of the cannabis establishment.

VII. Health and safety rules, including regarding the packaging and preparing of cannabis products, presence of contaminants, and restricting the use of pesticides that may be dangerous to cannabis consumers.

VIII. Restrictions on the advertising, signage, marketing, and display of cannabis, including prohibiting the design of advertising, signage, and marketing that would target or appeal to minors.

IX. Labeling requirements for cannabis products, including:

(a) Mandating the disclosure of the THC content of each product.

(b) Requirements for packaging to ensure it is not designed to appeal to minors.

(c) Establishing the amount of THC that may be included in each serving of a cannabis product.

X. Requirements for the testing of all cannabis products for potency and contaminants.

318-F:8 Registration Procedures for Cannabis Establishments.

I. Each application for a registration to operate a cannabis establishment shall be submitted to the commission.

II. Each application shall include both the fee established by the commission and a $250 fee for the municipality to review the application.

III. The liquor commission shall:

(a) Accept and process applications beginning no later than May 1, 2023 for cannabis cultivation facilities, and beginning no later than August 1, 2023 for cannabis product manufacturing facilities, cannabis transporters, and cannabis testing facilities.

(b) Immediately forward a copy of each application and the municipal fee to the municipality in which the applicant desires to operate the cannabis establishment.

(c) Issue a registration to the applicant within 90 days after receipt of an application unless:

(1) The commission finds the applicant is not in compliance with the requirements of this chapter or rules adopted under this chapter;

(2) The commission is notified by the relevant municipality that the applicant is not in compliance with an ordinance adopted pursuant to this chapter and in effect at the time of application; or

(3) More qualified applicants have applied than the number of registrations available in the municipality, and the applicant was not selected.

IV. Each registration applies to a single parcel of real property. Any additional address requires a separate application and registration.

V. A renewal application may be submitted up to 90 days prior to the expiration of the cannabis establishment's registration. The renewal application shall be granted within 30 days of its submission unless the applicant has not paid the fee, the cannabis establishment's registration is suspended or revoked, or the cannabis establishment has a pattern of violations of this law, the rules issued pursuant to it, or municipal regulations.

VI. Notwithstanding RSA 126-X, an alternative treatment center registered to operate pursuant to RSA 126-X may file an application to obtain a separate registration to operate as a for profit cannabis cultivation facility, cannabis product manufacturing facility, or cannabis transporter, pursuant to this chapter. Such applicant shall comply with the same application procedures set forth in this section and shall be subject to the provisions of this chapter. If approved, the applicant may operate as an alternative treatment center pursuant to RSA 126-X, and as a cannabis cultivation facility, cannabis product manufacturing facility, or cannabis transporter, pursuant to this chapter, as a separate entity.

318-F:9 Enactment of Municipal Ordinances.

I. A municipality may enact an ordinance prohibiting or limiting the number and type of cannabis establishments that may be permitted within the municipality and regulating the time, place, and manner of operation of a cannabis establishment, which is permitted within the municipality.

II. A municipality may enact an ordinance specifying the entity within the municipality that shall be responsible for reviewing applications submitted for a registration to operate a cannabis establishment within the municipality. The entity designated by the municipality shall be responsible for indicating whether the application is in compliance with municipal ordinances.

318-F:10 Residency Required.

I. Except as provided in this section, any person applying for a cannabis establishment registration shall have been a resident, or shall have at least one director, officer, partner, member, or manager who has been a New Hampshire resident, for at least 3 years immediately preceding the date of application.

II. This section shall not apply to an applicant for a testing facility registration.

318-F:11 Background Checks Required.

I. A cannabis establishment shall conduct a state and federal background check prior to making a final offer of employment to a prospective manager or operator.

II. No cannabis establishment shall employ any person who has been convicted of a disqualifying offense as an officer, director, general partner, member, or manager. No person convicted of a disqualifying offense shall work as an officer, director, general partner, member, or manager of a cannabis establishment or serve on the board of a cannabis establishment.

318-F:12 Restrictions on Location. No cannabis establishment shall operate, nor shall a prospective cannabis establishment apply for a registration, if the establishment would be located within 1,000 feet of the property line of a pre-existing public or private elementary or secondary school.

318-F:13 Proof of Purchaser's Identity.

I. For the purposes of this chapter, any person or entity making the sale of cannabis or cannabis accessories to any purchaser whose age is in question may accept any official documentation listed in RSA 179:8 as proof that the purchaser is 21 years of age or older.

II. The establishment of all of the following facts by a retail cannabis store or an agent or employee of a retail cannabis store making a sale of cannabis or cannabis accessories to a person under the age of 21 shall constitute an affirmative defense to any prosecution for such sale:

(a) That the person presented what an ordinary and prudent person would believe to be valid documentation of a type listed in RSA 179:8.

(b) That the sale was made in good faith relying upon such documentation and appearance in the reasonable belief that the person was 21 years of age or older.

318-F:14 Professional License Holder Immunity.

I. A holder of a professional or occupational license shall not be subject to professional discipline for providing advice or services related to cannabis establishments or applications to operate cannabis establishments on the basis that cannabis is illegal under federal law.

II. An applicant for a professional or occupational license shall not be denied a license based on previous employment related to cannabis establishments operating in accordance with state law.

318-F:15 Cannabis Control Fund Established; Disbursement of Funds.

I.(a) There is established in the state treasury a nonlapsing fund to be known as the cannabis control fund. The fund shall be kept distinct and separate from all other funds in the state treasury, and the moneys credited to the fund shall be held distinct and separate from all other funds over which the state treasurer has control. Moneys in the fund shall be deposited with any financial institution as defined in RSA 383-A:2-201(a)(27-a), with a branch in the state.

(b) Notwithstanding any provision of law to the contrary, a financial institution with a branch within this state may provide financial services, including receiving deposits, extending credit, conducting fund transfers, or other financial services, to the state and the commission with respect to moneys credited to the cannabis control fund, any other cannabis related funds over which the state or a municipality has control regardless of the manner or fund in which such funds are held, and with respect to the funds of any private entity authorized to conduct a cannabis-related business activity pursuant to this chapter.

II. The commission shall credit all fees and civil penalties imposed under this chapter and all other related moneys received from public or private sources to the fund.

III. Beginning July 1, 2023, and each biennium thereafter, the commission shall include the cost of administration of this chapter in the commission's efficiency expenditure request pursuant to RSA 9:4. Appropriations for such costs shall be a charge against the fund.

IV. Not later than June 30, 2027, the commission shall reimburse the general fund from the cannabis control fund for any initial or start-up funds appropriated to the commission for the administration and operation of this chapter, Any remaining fund moneys shall be disbursed each fiscal year as follows:

(a) Fifty percent of remaining funds shall be disbursed annually to the department of revenue administration to be disbursed to cities and towns to offset the education tax imposed on all persons and property taxable pursuant to RSA 76:3 and RSA 76:8.

(b) Thirty percent of remaining funds shall be disbursed to the department of administrative services to be credited to the New Hampshire retirement system to offset the retirement system's unfunded accrued liability. Upon certification by the commissioner of the department of administrative services that the retirement system has no remaining unfunded accrued liability, this disbursement of funds shall be credited to the education trust fund established in RSA 198:39.

(c) Ten percent of remaining funds, or $25,000,000, whichever is less, shall be credited to the department of health and human services, bureau of drug and alcohol services, for use in evidence-based, voluntary programs for substance use-related education, prevention, treatment, and recovery that includes mental health treatment that is contributing to substance misuse, and for scientifically and medically accurate public education campaigns educating youth and adults about the health and safety risks of alcohol, tobacco, cannabis, and other substances, including education campaigns separately targeting youth and adults that provide medically and scientifically accurate information about the health and safety risks posed by cannabis use, including driving under the influence of cannabis.

(d) Five percent of remaining funds shall be disbursed to public safety agencies, including police, fire, and rescue agencies, for the hiring and training of additional drug recognition experts, for advanced roadside impaired driving enforcement training, and to assist in responding to drug overdose incidents.

(e) Five percent of remaining funds shall be disbursed to the department of health and human services, division for behavioral health, bureau of children's behavioral health, to be used for children's behavioral health services.

6 The Liquor Commission; Liquor Investigator Training. Amend RSA 176:9, I-II to read as follows:

176:9 Liquor Investigator; Training.

I. The commission may, subject to rules adopted by the director of personnel, employ and dismiss liquor investigators. Liquor investigators shall, under the direction of the commission, investigate any or all matters arising under this title. ***The commission may select and retain market consultants through a***

competitive bidding process approved by the governor and the executive council. Any such contract with a third-party agent shall be for consulting services relating to marketing and regulation of cannabis for purposes of cultivation, manufacturing, testing, and retail sale.

II. Any new liquor investigator employed by the commission under this section after August 13, 1985, shall, within 6 months of employment, satisfactorily complete a preparatory police training program as provided by RSA 106-L:6, unless he or she has already completed such a program.

7 New Paragraph; The Liquor Commission; Rulemaking. Amend RSA 176:14 by inserting after paragraph IX the following new paragraph:

IX-a. Cannabis licenses, including:

(a) Separate licenses for cultivation, manufacturing, and testing of cannabis, and dual licenses as the commission may approve.

(b) Requirements and restrictions for each type of license.

(c) Procedures and forms to apply for or renew a license.

(d) Safekeeping of licenses.

(e) Authorized expansion of a licensed facility and procedures for authorization.

(f) Procedures to approve exceptions of license requirements, restrictions, and limitations.

(g) Training and continuing education required or recommended for licensees.

IX-b. Cannabis licensee operations, including:

(a) Procedures for on-premises and off-premises licensees to purchase cannabis.

(b) Credit and billing procedures, including fees for late payment.

(c) Bailment requirements, including fees.

(d) Restrictions on packaging, promotions, signage, and operating hours.

(e) Relations between types of licensees.

(f) Collection of additional fees required under RSA 178:6, VI, RSA 178:8, IV, and RSA 178:26.

8 Controlled Drug Act; Definitions. Amend the introductory paragraph in RSA 318-B:1, X-a(k) to read as follows:

(k) Objects used or intended for use or customarily intended for use in ingesting, inhaling, or otherwise introducing [~~marijuana,~~] cocaine[~~, hashish, or hashish oil~~] into the human body, such as:

9 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, I to read as follows:

I. Any person who manufactures, sells, prescribes, administers, or transports or possesses with intent to sell, dispense, or compound any controlled drug, controlled drug analog or any preparation containing a controlled drug, except as authorized in this chapter ***or as otherwise authorized by law***; or manufactures, sells, or transports or possesses with intent to sell, dispense, compound, package or repackage (1) any substance which he ***or she*** represents to be a controlled drug, or controlled drug analog, or (2) any preparation containing a substance which he ***or she*** represents to be a controlled drug, or controlled drug analog, shall be sentenced as follows, except as otherwise provided in this section:

10 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, II to read as follows:

II. Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter ***or as otherwise authorized by law***, shall be sentenced as follows, except as otherwise provided in this section:

11 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(c)-(e) to read as follows:

(c) In the case of more than 3/4 ounce of marijuana or more than 5 grams of hashish, including any adulterants or dilutants[~~,~~] ***is possessed by a person who is under 21 years of age, or, in the case of an amount exceeding the possession limit defined in RSA 318-F:1 possessed by a person who is 21 years of age or older, except if possessed by a person authorized pursuant to RSA 126-X,*** the person shall be guilty of a misdemeanor. [~~In the case of marijuana-infused products possessed by persons under the age of 21 or marijuana-infused products as defined in RSA 318-B:2-c, other than a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), that are possessed by a person 21 years of age or older, the person shall be guilty of a misdemeanor.~~]

(d) In the case of 3/4 ounce or less of marijuana or 5 grams or less of hashish, including any adulterants or dilutants, ***that is possessed by a person who is under 21 years of age,*** the person shall be guilty of a violation pursuant to RSA 318-B:2-c. [~~In the case of a person 21 years of age or older who possesses a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), the person shall be guilty of a violation pursuant to RSA 318-B:2-c.~~]

(e) In the case of a residual amount of a controlled [~~substance,~~] ***drug, other than marijuana*** [~~as defined in RSA 318-B:1, XXIX-a~~], a person shall be guilty of a misdemeanor if the person is not part of a service syringe program under RSA 318-B:43.

12 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) [~~Except as provided in RSA 318-B:2-c,~~] Controls any premises or vehicle where he or she knows a controlled drug or its analog***, other than marijuana,*** is illegally kept or deposited;

13 Personal Possession of Marijuana. Amend RSA 318-B:2-c to read as follows:

318-B:2-c [~~Personal~~] Possession of Marijuana ***by a Person Under 21 Years of Age***.

[~~I.~~] In this section:

[~~(a)~~] ***I.*** "Marijuana" includes the leaves, stems, flowers, and seeds of all species of the plant genus cannabis, but shall not include the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin including hashish, and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

[~~(b) "Personal-use amount of a regulated marijuana-infused product" means one or more products that is comprised of marijuana, marijuana extracts, or resins and other ingredients and is intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures, which was obtained from a state where marijuana sales to adults are legal and regulated under state law, and which is in its original, child-resistant, labeled packaging when it is being stored, and which contains a total of no more than 300 milligrams of tetrahydrocannabinol.~~]

II. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 3/4 of an ounce or less of marijuana, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

III. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 5 grams or less of hashish, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

IV. [~~Except as provided in RSA 126-X, any person 21 years of age or older possessing a personal-use amount of a regulated marijuana-infused product shall be guilty of a violation, and subject to the penalties provided in paragraph V. Persons 18 years of age or older and under 21 years of age who knowingly possess marijuana-infused products shall be guilty of a misdemeanor.~~

~~V.~~](a) Except as provided in this paragraph, any person 18 years of age or older who is convicted of violating paragraph II or III[~~, or any person 21 years of age or older who is convicted of violating paragraph IV~~] shall be subject to a fine of $100 for a first or second offense under this paragraph, or a fine of up to $300 for any subsequent offense within any 3-year period; however, any person convicted based upon a complaint which alleged that the person had 3 or more prior convictions for violations of paragraph II[~~,~~] ***or*** III[~~ or IV~~], or under reasonably equivalent offenses in an out-of-state jurisdiction since the effective date of this paragraph, within a 3-year period preceding the fourth offense shall be guilty of a class B misdemeanor. The offender shall forfeit the marijuana[~~, regulated marijuana-infused products,~~] or hashish to the state. A court shall waive the fine for a single conviction within a 3-year period upon proof that person has completed a substance abuse assessment by a licensed drug and alcohol counselor within 60 days of the conviction. A person who intends to seek an assessment in lieu of the fine shall notify the court, which shall schedule the matter for review after 180 days. Should proof of completion of an assessment be filed by or before that time, the court shall vacate the fine without a hearing unless requested by a party.

(b) Any person under 18 years of age who is convicted of violating paragraph II or III shall forfeit the marijuana or hashish and shall be subject to a delinquency petition under RSA 169-B:6.

[~~VI.~~] ***V.***(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph II[~~,~~] ***or*** III[~~, or IV~~] and shall be released provided the law enforcement officer does not have lawful grounds for arrest for a different offense.

(b) Nothing in this chapter shall be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(c) Nothing in this chapter shall be construed as forbidding any police officer from taking into custody any minor who is found violating paragraph II[~~,~~] ***or*** III[~~, or IV~~].

(d) Any person ***under 21 years of age who is*** in possession of an identification card, license, or other form of identification issued by the state or any state, country, city, or town, or any college or university, who fails to produce the same upon request of a police officer or who refuses to truthfully provide his or her name, address, and date of birth to a police officer who has informed the person that he or she has been found to be in possession of what appears to the officer to be 3/4 of an ounce or less of marijuana[~~, a personal-use amount of a regulated marijuana-infused product,~~] or 5 grams or less of hashish, may be arrested for a violation of paragraph II[~~,~~] ***or*** III[~~, or IV~~].

[~~VII.~~] ***VI.*** All fines imposed pursuant to this section shall be deposited into the alcohol abuse prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed substance abuse prevention programs.

[~~VIII.~~] ***VII.***(a) No record that includes personally identifiable information resulting from a violation of this section shall be made accessible to the public, federal agencies, or agencies from other states or countries.

(b) Every state, county, or local law enforcement agency that collects and reports data for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the number of violations of

paragraph II[~~,~~] ***or*** III[~~, or IV~~]. The data collected pursuant to this paragraph shall be available to the public. A law enforcement agency may update the data annually and may make this data available on the agency's public Internet website.

14 Alcohol or Drug Impairment; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. This section shall not apply to the possession of marijuana or hashish as provided in RSA 318-B:2-c[~~, or a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b)~~].

15 New Paragraphs; Tax on Meals and Rooms; Definitions. Amend RSA 78-A by inserting after paragraph XXV the following new paragraphs:

XXVI. "Cannabis" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including cannabis concentrate. "Cannabis" shall not include hemp, fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

XXVII. "Cannabis accessories" or "cannabis paraphernalia" means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.

XXVIII. "Cannabis products" means concentrated cannabis products and cannabis products that are comprised of cannabis and other ingredients and are intended for personal use such as, but not limited to, creams, ointments, or tinctures. For the purpose of this paragraph, "cannabis products" shall not include cannabis-infused food or drink products including but not limited to, cannabis-infused edibles such as candies, gummies, brownies, or cookies, or cannabis-infused alcoholic or non-alcoholic drinks or beverages of any kind.

XXIX. "Retail cannabis store" or "retail store" means a facility that sells, transfers, and delivers cannabis and cannabis products to consumers.

16 Tax on Meals and Rooms; Meals and Rentals Licenses Required. Amend the section heading in RSA 78-A:4 and RSA 78-A:4, I to read as follows:

78-A:4 Meals [~~and~~]***,*** Rentals***, and Cannabis Sales;*** Licenses Required; Penalty.

I. Each operator shall register with the department the name and address of each place of business within the state where it operates a hotel, sells taxable meals, ***sells cannabis, cannabis, accessories, or cannabis products authorized pursuant to RSA 318-F*** or rents motor vehicles. The operator shall complete a registration, upon receipt of which the department shall issue a meals and rentals license for each place in such form as it determines, attesting that the registration has been made, provided that a license shall not be issued or renewed if the operator owes unpaid taxes, interest, or penalties from any tax administered by the department. A license may be denied if the commissioner has reason to believe that the registration is filed by a person as a subterfuge for the real person in interest whose license has been previously been revoked, suspended, or not renewed for cause. Licenses shall expire on June 30 in each odd-numbered year, unless the business ceases operation, a change in ownership occurs, or the license is revoked or suspended by the department prior to expiration of the license.

17 Tax on Meals and Rooms; Meals and Rentals Licenses Required. Amend RSA 78-A:4, III to read as follows:

III. No person shall engage in serving taxable meals, ***selling cannabis, cannabis accessories, or cannabis products pursuant to RSA 318-F,*** renting rooms, or renting motor vehicles without first obtaining the license required by this section. The license is nonassignable and cannot be transferred. Any person who fails to register or obtain a license as provided in this section shall be subject to the penalty provisions of RSA 21-J:39.

18 Tax on Meals and Rooms; Imposition of Tax. Amend RSA 78-A:6, II to read as follows:

II. A tax is imposed on taxable meals, ***and cannabis, cannabis accessories, and cannabis products authorized pursuant to RSA 318-F and sold at a retail cannabis store,*** based upon the charge therefor as follows:

(a) Four cents for a charge between $.36 and $.37 inclusive;
(b) Five cents for a charge between $.38 and $.50 inclusive;
(c) Six cents for a charge between $.51 and $.62 inclusive;
(d) Seven cents for a charge between $.63 and $.75 inclusive;
(e) Eight cents for a charge between $.76 and $.87 inclusive;
(f) Nine cents for a charge between $.88 and $1.00 inclusive;

(g) Eight and a half percent of the charge for taxable meals***, sales of cannabis, cannabis accessories, and cannabis products*** over $1.00, provided that fractions of cents shall be rounded up to the next whole cent.

19 Tax on Meals and Rooms; Collection of Tax. Amend RSA 78-A:7, I(a) to read as follows:

I.(a) The operator shall either state the amount of the tax to each occupant, purchaser of a meal, ***purchaser of cannabis, cannabis accessories, or cannabis products sold pursuant to RSA 318-F,*** or renter, or state that the tax is included in the price of the occupancy, meal, ***cannabis, cannabis accessories, or cannabis products sold pursuant to RSA 318-F***, or gross rental receipts received. If the amount of the tax is not separately stated, the purchaser's or occupant's contract or receipt shall include the following language: "The 9 percent tax on meals and rooms is included for the costs of meals***, the purchase of cannabis, cannabis accessories, and cannabis products sold pursuant to RSA 318-F,*** and lodging only."

20 Tax on Meals and Rooms; Records; Inspection. Amend RSA 78-A:19 to read as follows:

78-A:19 Records; Inspection. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the form in which each operator shall keep the separate books and records of his business. Each operator shall keep the books and records for 3 years in such a manner to insure permanency and accessibility for inspection by the commissioner and his authorized representatives. The records shall be open for inspection by the commissioner or his authorized representative at all reasonable times. The commissioner or his authorized representative may enter in or upon any premises where sleeping accommodations are rented***,*** or taxable meals***, cannabis, cannabis accessories, or cannabis products authorized pursuant to RSA 318-F*** are sold to determine whether the provisions of this chapter are being obeyed, and may examine the books, papers, records, and premises of any operator for the purpose of determining whether the taxes imposed by this chapter have been fully paid.

21 Repeal. RSA 318-B:1, X-a(g), relative to separation gins and sifters used or intended for use with cannabis, is repealed.

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

AMENDED ANALYSIS

This bill:

I. Legalizes the possession and use of cannabis for persons 21 years of age and older.

II. Authorizes alternative treatment centers registered to dispense therapeutic cannabis to register, as a separate entity, to manufacture, cultivate, or transport cannabis to the state for retail sale.

III. Authorizes a municipality to enact an ordinance prohibiting or limiting the number and type of cannabis establishments that may be permitted within the municipality and regulating the time, place, and manner of operation of a cannabis establishment permitted within the municipality.

IV. Establishes the cannabis control fund and requires funds to be distributed to the department of health and human services, bureau of drug and alcohol services, for education tax relief, public safety agency training purposes, and children's behavioral health services.

V. Subjects sales of cannabis, cannabis accessories, and cannabis products sold at a cannabis retail store to the meals and rooms tax.

Rep. Abramson spoke in favor.

Rep. Abbas spoke against.

On a division vote, with 77 members having voted in the affirmative, and 257 in the negative, floor amendment (1286h) failed.

MOTION TO LAY ON THE TABLE

Rep. Homola moved that **HB 1598-FN,** legalizing the possession and use of cannabis, be laid on the table.

Rep. Blasek requested a roll call; sufficiently seconded.

YEAS 118 - NAYS 216

YEAS - 118

BELKNAP

Bean, Harry	Bordes, Mike	Comtois, Barbara	Johnson, Dawn
Ploszaj, Tom			

CARROLL

Cordelli, Glenn	McAleer, Chris	McConkey, Mark

CHESHIRE

Ames, Richard	Bordenet, John	Eaton, Daniel	Gomarlo, Jennie
Parshall, Lucius	Qualey, James	Schapiro, Joe	

COOS

Craig, Kevin	Merner, Troy	Theberge, Robert

GRAFTON

Alliegro, Mark
Almy, Susan
Berezhny, Lex
Fellows, Sallie
Gordon, Edward
Greeson, Jeffrey
Ladd, Rick
Massimilla, Linda
Murphy, James
Nordgren, Sharon
Simon, Matthew

HILLSBOROUGH

Griffin, Barbara
King, Bill
Bergeron, Paul
Boehm, Ralph
Creighton, Jim
Smith, Denise
Erf, Keith
Gagne, Larry
Goley, Jeffrey
Gorski, Ted
Gould, Linda
Greene, Bob
Harriott-Gathright, Linda
Heath, Mary
Homola, Susan
Jack, Martin
Klee, Patricia
Kofalt, Jim
Sanborn, Laurie
Langley, Diane
Long, Patrick
Marston, Dick
Mayville, Mary
McGhee, Kat
McLean, Mark
Mooney, Maureen
Mullen, Sue
Pauer, Diane
Rombeau, Catherine
Rouillard, Claire
Sheehan, Vanessa
Snow, Kendall
Somero, Paul
Warden, Mark

MERRIMACK

Allard, James
Andrus, Louise
Cambrils, Jose
Ebel, Karen
Ellison, Arthur
Hill, Gregory
Lane, Connie
Mason, James
Moffett, Michael
Pimentel, Roderick
Schamberg, Thomas
Testerman, Dave
Wallner, Mary Jane
Wells, Natalie
Woods, Gary

ROCKINGHAM

Abrami, Patrick
Acton, Dennis
Bernardy, JD
Cahill, Michael
Cali-Pitts, Jacqueline
DeSimone, Debra
Edgar, Michael
Grote, Jaci
Harb, Robert
Litchfield, Melissa
Maggiore, Jim
Malloy, Dennis
Meuse, David
Pantelakos, Laura
Pratt, Kevin
Somssich, Peter
Thomas, Douglas
Torosian, Peter
Vose, Michael
MacDonald, Wayne
Ward, Gerald

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Hayward, Peter
Horgan, James
Kaczynski, Thomas
Kittredge, Mac
Levesque, Cassandra
Smith, Marjorie
Newton, Clifford
Salloway, Jeffrey
Sandler, Catt
Southworth, Thomas
Turcotte, Leonard
Wall, Janet
Wuelper, Kurt

SULLIVAN

Callum, John
Gottling, Suzanne
Merchant, Gary
Oxenham, Lee

NAYS - 216

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Hough, Gregg
Howard, Raymond
Lang, Timothy
Littlefield, Richard
Silber, Norman
Sylvia, Michael
Terry, Paul
Trottier, Douglas

CARROLL

Avellani, Lino
Nelson, Bill
Burroughs, Anita
Crawford, Karel
Deshaies, Brodie
MacDonald, John
Smith, Jonathan
Knirk, Jerry
Marsh, William
Umberger, Karen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Fenton, Donovan
Fox, Dru
Harvey, Cathryn
Hunt, John
Maneval, Andrew
Mann, John
Rhodes, Jennifer
Santonastaso, Matthew
Toll, Amanda Elizabeth
Weber, Lucy
Welkowitz, Lawrence

COOS

Davis, Arnold
Kelley, Eamon
Hatch, William
Laflamme, Larry
Tucker, Edith

GRAFTON

Abel, Richard
Adjutant, Joshua
Depalma IV, Joseph
Dontonville, Roger
Egan, Timothy
Folsom, Beth
Sanborn, Gail
Hakken-Phillips, Mary
Ham, Bonnie
Muirhead, Russell
Stavis, Laurel
Smith, Suzanne
Sykes, George
Weston, Joyce

HILLSBOROUGH

Lekas, Alicia
Ammon, Keith
Bouldin, Andrew
Boyd, Bill
Baroody, Benjamin
Beaulieu, Jane
Berry, Ross
Blasek, Melissa
Bouchard, Donald
Bradley, Amy
Burt, John
Chretien, Jacqueline
Cohen, Bruce
Connors, Erika
Cornell, Patricia
Cushman, Leah

Kelley, Diane	Dutzy, Sherry	Espitia, Manny	Foster, William
Freitas, Mary	Griffin, Gerald	Graham, John	Griffith, Willis
Hamer, Heidi	Healey, Robert	Herbert, Christopher	Infantine, William
Schmidt, Janice	Jeudy, Jean	Klein-Knight, Nicole	Lanzara, Tom
Lascelles, Richard	Lewicke, John	King, Mark	Murray, Megan
Mangipudi, Latha	Notter, Jeanine	Nunez, Hershel	Nutter-Upham, Frances
Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael	Petrigno, Peter
Piedra, Israel	Plett, Fred	Post, Lisa	Prout, Andrew
Query, Joshua	Newman, Ray	Renzullo, Andrew	Rice, Kimberly
Rung, Rosemarie	Newman, Sue	Stevens, Deb	Lekas, Tony
Telerski, Laura	Toomey, Dan	Ulery, Jordan	Vail, Suzanne
Van Houten, Constance	Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew

MERRIMACK

Bartlett, Christy	Caplan, Tony	Gallager, Eric	Hall, Muriel
Kennedy, Margaret	Klose, John	Luneau, David	MacKay, James
McGuire, Carol	McWilliams, Rebecca	Pearl, Howard	Pitaro, Matthew
Boyd, Stephen	Schultz, Kristina	Seaworth, Brian	Shurtleff, Steve
Soucy, Timothy	Walsh, Thomas	Walz, Mary Beth	White, Nick
Yakubovich, Michael			

ROCKINGHAM

Abbas, Daryl	Abramson, Max	Altschiller, Debra	Ayer, Paul
Baldasaro, Al	Baxter, Tim	Bershtein, Alan	Bunker, Lisa
DiLorenzo, Charlotte	Dodge, Dustin	Dolan, Tom	Doucette, Fred
Edwards, Jess	Ford, Oliver	Gay, Betty	Gilman, Julie
Grossman, Gaby	Guthrie, Joseph	Hamblet, Joan	Hobson, Deborah
Nelson, Jodi	Janigian, John	Murray, Kate	Katsakiores, Phyllis
Khan, Aboul	Kimball, Mary Ann	Layon, Erica	Love, David
Lynn, Bob	Pearson, Mark	Major, Norman	McBeath, Rebecca
McBride, Everett	McMahon, Charles	Melvin, Charles	Milz, David
Osborne, Jason	Paige, Mark	Piemonte, Tony	Potucek, John
Prudhomme-O'Brien, Katherine	Read, Ellen	Roy, Terry	Pearson, Stephen
Simpson, Alexis	Soti, Julius	Spillane, James	Sytek, John
Tripp, Richard	True, Chris	Verville, Kevin	Wallace, Scott
Welch, David	Weyler, Kenneth	Yokela, Josh	

STRAFFORD

Bailey, Glenn	Bixby, Peter	Cannon, Gerri	Chase, Wendy
Conley, Casey	DeLemus, Susan	Fargo, Kristina	Fontneau, Timothy
Grassie, Chuck	Horrigan, Timothy	Oxaal, Ariel	Schmidt, Peter
Pitre, Joseph	Rich, Cecilia	Spang, Judith	Treleaven, Susan

SULLIVAN

Aron, Judy	Cloutier, John	Rollins, Skip	Spilsbury, Walter
Stapleton, Walter	Smith, Steven	Sullivan, Brian	Tanner, Linda

and the motion failed.

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

(Rep. Steven Smith in the Chair)

Rep. Abramson spoke against.
Rep. Egan spoke in favor and yielded to questions.

(Speaker Packard in the Chair)

Reps. Baldasaro and Abbas spoke in favor.
Reps. Knirk and Ames spoke against.
Rep. Lang spoke in favor and yielded to questions.
Rep. Homola requested a roll call; sufficiently seconded.

YEAS 169 - NAYS 156

YEAS - 169

BELKNAP

Aldrich, Glen	Bean, Harry	Harvey-Bolia, Juliet	Hough, Gregg
Howard, Raymond	Lang, Timothy	Littlefield, Richard	Silber, Norman
Sylvia, Michael	Trottier, Douglas		

CARROLL

Avellani, Lino	Burroughs, Anita	Smith, Jonathan	Marsh, William
McAleer, Chris	Umberger, Karen		

CHESHIRE

Abbott, Michael
Eaton, Daniel
Faulkner, Barry
Fenton, Donovan
Harvey, Cathryn
Hunt, John
Maneval, Andrew
Parshall, Lucius
Rhodes, Jennifer
Santonastaso, Matthew
Toll, Amanda Elizabeth
Welkowitz, Lawrence

COOS

Davis, Arnold
Kelley, Eamon
Tucker, Edith

GRAFTON

Abel, Richard
Adjutant, Joshua
Depalma IV, Joseph
Dontonville, Roger
Egan, Timothy
Ham, Bonnie
Muirhead, Russell
Stavis, Laurel
Smith, Suzanne
Sykes, George
Weston, Joyce

HILLSBOROUGH

Lekas, Alicia
Ammon, Keith
Bouldin, Andrew
Baroody, Benjamin
Beaulieu, Jane
Berry, Ross
Blasek, Melissa
Bouchard, Donald
Burt, John
Chretien, Jacqueline
Cohen, Bruce
Cushman, Leah
Dutzy, Sherry
Espitia, Manny
Foster, William
Freitas, Mary
Griffin, Gerald
Griffith, Willis
Hamer, Heidi
Healey, Robert
Jeudy, Jean
Klein-Knight, Nicole
Lanzara, Tom
Lascelles, Richard
Lewicke, John
King, Mark
Murray, Megan
Notter, Jeanine
Nunez, Hershel
Nutter-Upham, Frances
Nutting-Wong, Allison
O'Brien, Michael
Piedra, Israel
Plett, Fred
Post, Lisa
Prout, Andrew
Query, Joshua
Renzullo, Andrew
Rice, Kimberly
Rung, Rosemarie
Stevens, Deb
Lekas, Tony
Telerski, Laura
Toomey, Dan
Ulery, Jordan
Vann, Ivy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Caplan, Tony
Gallager, Eric
Hall, Muriel
Kennedy, Margaret
MacKay, James
McGuire, Carol
McWilliams, Rebecca
Pearl, Howard
Pitaro, Matthew
Boyd, Stephen
Schultz, Kristina
Seaworth, Brian
Soucy, Timothy
Walsh, Thomas
Walz, Mary Beth
White, Nick
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Ayer, Paul
Baldasaro, Al
Baxter, Tim
Bershtein, Alan
DiLorenzo, Charlotte
Dodge, Dustin
Dolan, Tom
Doucette, Fred
Edgar, Michael
Edwards, Jess
Ford, Oliver
Gay, Betty
Guthrie, Joseph
Nelson, Jodi
Janigian, John
Katsakiores, Phyllis
Khan, Aboul
Layon, Erica
Love, David
Lynn, Bob
McBride, Everett
McMahon, Charles
Melvin, Charles
Milz, David
Osborne, Jason
Paige, Mark
Piemonte, Tony
Potucek, John
Prudhomme-O'Brien, Katherine
Read, Ellen
Roy, Terry
Pearson, Stephen
Simpson, Alexis
Soti, Julius
Spillane, James
Sytek, John
Tripp, Richard
Wallace, Scott
Welch, David
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bixby, Peter
Chase, Wendy
Conley, Casey
DeLemus, Susan
Fargo, Kristina
Fontneau, Timothy
Grassie, Chuck
Horrigan, Timothy
Newton, Clifford
Oxaal, Ariel
Pitre, Joseph
Spang, Judith
Treleaven, Susan

SULLIVAN

Cloutier, John
Merchant, Gary
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Sullivan, Brian

NAYS - 156

BELKNAP

Comtois, Barbara
Johnson, Dawn
Ploszaj, Tom
Terry, Paul

CARROLL

Nelson, Bill
Cordelli, Glenn
Crawford, Karel
Deshaies, Brodie
MacDonald, John
Knirk, Jerry
McConkey, Mark

CHESHIRE

Ames, Richard
Bordenet, John
Fox, Dru
Gomarlo, Jennie
Mann, John
Qualey, James
Schapiro, Joe
Weber, Lucy

COOS

Craig, Kevin
Hatch, William
Laflamme, Larry
Merner, Troy
Theberge, Robert

GRAFTON

Almy, Susan	Berezhny, Lex	Fellows, Sallie	Folsom, Beth
Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey	Hakken-Phillips, Mary
Ladd, Rick	Massimilla, Linda	Murphy, James	Nordgren, Sharon
Simon, Matthew			

HILLSBOROUGH

Boyd, Bill	Griffin, Barbara	King, Bill	Bergeron, Paul
Boehm, Ralph	Connors, Erika	Cornell, Patricia	Creighton, Jim
Kelley, Diane	Smith, Denise	Erf, Keith	Gagne, Larry
Gorski, Ted	Gould, Linda	Graham, John	Greene, Bob
Harriott-Gathright, Linda	Heath, Mary	Homola, Susan	Infantine, William
Jack, Martin	Klee, Patricia	Kofalt, Jim	Sanborn, Laurie
Langley, Diane	Long, Patrick	Mangipudi, Latha	Marston, Dick
Mayville, Mary	McGhee, Kat	McLean, Mark	Mooney, Maureen
Mullen, Sue	Pauer, Diane	Pedersen, Michael	Petrigno, Peter
Newman, Ray	Rombeau, Catherine	Rouillard, Claire	Newman, Sue
Sheehan, Vanessa	Snow, Kendall	Somero, Paul	Vail, Suzanne
Van Houten, Constance	Warden, Mark		

MERRIMACK

Allard, James	Andrus, Louise	Bartlett, Christy	Cambrils, Jose
Ebel, Karen	Ellison, Arthur	Hill, Gregory	Klose, John
Lane, Connie	Luneau, David	Mason, James	Moffett, Michael
Pimentel, Roderick	Schamberg, Thomas	Shurtleff, Steve	Wallner, Mary Jane
Wells, Natalie	Woods, Gary		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Acton, Dennis	Bernardy, JD
Bunker, Lisa	Cahill, Michael	Cali-Pitts, Jacqueline	DeSimone, Debra
Gilman, Julie	Grossman, Gaby	Grote, Jaci	Hamblet, Joan
Harb, Robert	Hobson, Deborah	Murray, Kate	Kimball, Mary Ann
Litchfield, Melissa	Pearson, Mark	Maggiore, Jim	Major, Norman
Malloy, Dennis	McBeath, Rebecca	Meuse, David	Pantelakos, Laura
Pratt, Kevin	Somssich, Peter	Thomas, Douglas	Torosian, Peter
True, Chris	Vose, Michael	MacDonald, Wayne	Ward, Gerald

STRAFFORD

Bailey, Glenn	Cannon, Gerri	Groen, Fenton	Hayward, Peter
Horgan, James	Kaczynski, Thomas	Kittredge, Mac	Levesque, Cassandra
Smith, Marjorie	Schmidt, Peter	Rich, Cecilia	Salloway, Jeffrey
Sandler, Catt	Southworth, Thomas	Turcotte, Leonard	Wall, Janet
Wuelper, Kurt			

SULLIVAN

Aron, Judy	Callum, John	Gottling, Suzanne	Oxenham, Lee
Smith, Steven	Tanner, Linda		

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

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 1540-FN, relative to recording custodial interrogations. **OUGHT TO PASS WITH AMENDMENT.** Rep. Gerald Griffin for Finance. As amended, this bill requires the recording of custodial interrogations and outlines certain exceptions. The Finance Committee found the bill as amended had little or no financial impact on the state or its political subdivisions and concurs with both the policy committee vote and full House's vote to pass. Vote 21-0.

Amendment (1095h)

Amend RSA 594-A:3, I as inserted by section 1 of the bill by replacing it with the following:

I. Except as otherwise provided in RSA 594-A:4, a custodial interrogation, including the giving of any required warning, advice regarding the rights of the individual being questioned, and the waiver of any rights by the individual, shall be recorded electronically in its entirety. A custodial interrogation at a jail, police or sheriff's station, holding cell, or correctional or detention facility shall be also recorded. A custodial interrogation at any other place of detention shall be recorded by audio means at minimum.

Amend RSA 594-A:5 as inserted by section 1 of the bill by replacing it with the following:

594-A:5 Presumption of Inadmissibility. Except as provided in RSA 594-A:4 and RSA 594-A:6, all statements made by a person during a custodial interrogation that are not electronically recorded, and all statements made thereafter by the person during the custodial interrogations, including but not limited to statements that are electronically recorded, shall be inadmissible as evidence against the person in any criminal or juvenile delinquency proceeding brought against the person.

Amend RSA 594-A:6, III as inserted by section 1 of the bill by replacing it with the following:

III. That law enforcement personnel provide a reasonable justification, including a summary of the surrounding facts and circumstances, explaining the lack of recording, which may include financial expense. For the purpose of this section, mere inconvenience shall not be considered a reasonable justification.

Committee amendment adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Rep. True spoke against.
Rep. Gerald Griffin spoke in favor.
Committee report adopted and the bill was ordered to third reading.
Rep. Trottier declared a conflict of interest and did not participate in the 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 at the call of the Chair.
Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 1469-FN, relative to prohibited acts for banks, credit unions, and businesses.
HB 1496-FN, requiring political subdivisions to make voter checklists available in spreadsheet form to any resident.
HB 1531-FN-A, modifies the oversight commission on children's services.
HB 1547-FN, setting maximum contaminant levels for perfluorochemicals in the soil.
HB 1608-FN, relative to withdrawal from the state immunization registry.
HB 1622-FN, relative to mental health parity.
HB 1237-FN, relative to the definition of cigar bar.
HB 1288, relative to the terms for certain officers and the names, duties, and funds of certain divisions within the department of administrative services.
HB 1339, relative to the Winnipesaukee River basin control replacement fund.
HR 15, condemning the Communist Party of China and the People's Republic of China.
HR 17, opposing all federal and state efforts to establish a carbon tax on fuels for electricity and transportation.
HB 1302-FN, relative to the weighing of vehicles.
HB 1401, prohibiting the disclosure of the number of miles driven by a specific driver licensed by the state or vehicle registered in the state.
HB 1235-FN, relative to compensation paid to a crime victim.
HB 1417-FN-LOCAL, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.
HB 1526-FN, relative to income eligibility for in and out medical assistance.
HB 1535-FN, relative to a one-time allowance for certain state retirees.
HB 1552-FN, establishing a board for the certification of assessors.
HB 1587-FN-A, relative to determination of average final compensation under the retirement system and making an appropriation therefor.
HB 1604-FN, including state medical facilities in the statute providing medical freedom in immunizations.
HB 1609-FN, relative to certain provisions of the fetal life protection act requiring an ultrasound examination.
HB 1624-FN-A, relative to students with disabilities participating in co-curricular activities and making an appropriation therefor.
HB 1627-FN-A, establishing an education freedom account program administrator in the department of education and making an appropriation therefor, and relative to the school meals direct certification with Medicaid program.
HB 1647-FN, relative to the calculation of child support.
HB 1661-FN-L, relative to regional career technical education agreements and relative to an appropriation for constructing a legislative parking garage.
HB 1662-FN, related to privacy obligations of the department of health and human services.
HB 1682-FN-A, establishing the law enforcement conduct review committee in the New Hampshire police standards and training council and making an appropriation therefor.
HB 1584-FN, establishing a capital improvement grant program for the benefit of state fairs and agricultural fairs.
HB 1598-FN, legalizing the possession and use of cannabis.
HB 1540-FN, relative to recording custodial interrogations.

UNANIMOUS CONSENT

Rep. DiLorenzo requested Unanimous Consent of the House regarding comments made during debate of HB 1609 and addressed the House.

UNANIMOUS CONSENT

Rep. Cannon requested Unanimous Consent of the House regarding Transgender Day of Visibility and addressed the House.

MOTION TO PRINT REMARKS

Rep. Query moved that the remarks made by Rep. Cannon during Unanimous Consent be printed in the Permanent Journal.
Without objection, the Speaker ordered.

REMARKS

Representative Cannon: Thank you, Mister Speaker. Today is the International Transgender Day of Visibility, an annual event occurring on March 31 dedicated to celebrating transgender people and raising awareness of discrimination faced by transgender people worldwide, as well as a celebration of their contributions to society. Many people like myself, Rep. Bunker and Rep. Laughton have hidden from the public for most of our lives. We chose to hide rather than cause societal problems for the people around us and ourselves. Now we celebrate ourselves and people like us who have faced our fears and become visible role models for other transgender people in the United States and in Countries around the world. Yesterday, President Biden proclaimed March 31, 2022, as the Transgender Day of Visibility. The following is a quote from his Proclamation, "On this Transgender Day of Visibility, we honor transgender people who are fighting for freedom, equality, dignity, and respect. We also celebrate the parents, teachers, coaches, doctors, and other allies who affirm the identities of their transgender children and help these young people reach their potential. Transgender people are some of the bravest Americans I know, and our Nation and the world are stronger, more vibrant, and more prosperous because of them. To transgender Americans of all ages, I want you to know that you are so brave. You belong. I have your back." I agree with the President. I have met many very brave transgender youth, young adults, parents and communities of people who are standing up to support their transgender family members, friends, businesses and community leaders. Today is the Transgender day of Visibility. We aren't hiding anymore. We are a very active and visible part of our communities and our State. Thank You

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 6:00 p.m.

RECESS

(Speaker Packard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 52, 102, 116, 207, 589, 1063, 1427 and 1441.

Rep. Osborne, Sen. Avard for the Committee

SENATE MESSAGES

CONCURRENCE

HB 571, repealing the prohibition against OHRV travel on Hoit Road Marsh.
HB 1030, relative to licensure by alternate experience for licensed nursing assistant.
HB 1059, clarifying limits on licensure by operation of law.
HB 1110, relative to windshield tint waivers.
HB 1218-FN, relative to the merger of Granite State college with the university of New Hampshire.
HB 1234, relative to criminal background checks for an applicant for a teaching credential.
HB 1316, directing the director of the state police to develop requirements for eFoil and electric hydrofoil surfboard watercraft.
HB 1354, relative to regulation by the New Hampshire real estate commission.
HB 1446-FN, relative to the governing board of recreational therapists and relative to the governing board of respiratory care practitioners.
HB 1456-FN, relative to the Hampton marine memorial.
HB 1558, relative to insurance holding companies.
HB 1559, relative to laws administered by the insurance department.

HB 1562, clarifying the prohibition on using an electronic or telecommunications device while driving.
HB 1581, relative to the use of open source software by state agencies.

LAID ON THE TABLE

HB 91-FN, relative to death benefits of first responders who die from suicide.
HB 1020, relative to additional lights on emergency vehicles.
HB 1319-FN, relative to granting certain corrections personnel death benefits if killed in the line of duty.

NONCONCURRENCE

HB 1026, relative to budget information provided to a budget committee.
HB 1553-FN, relative to roadside memorials.

RECESS

(Speaker Packard in the Chair)

RESOLUTION

Rep. Osborne offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 226, 267, 288, 303, 340, 344, 348, 361, 363, 376, 379, 380, 382, 401, 402, 403, 417, 418, 421, 425, 430, 431, 438, 442, 443, 444, 445, 446, 447, 448, 450, 452, 456, 458 and 459 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 226-FN, establishing a recruitment and retention program for state employment. (Executive Departments and Administration)
SB 267-FN-A, establishing the upland invasive species program, program fund, and program coordinator in the department of agriculture, markets, and food. (Environment and Agriculture)
SB 288, establishing a committee to study the listing of immunizations for children. (Health, Human Services and Elderly Affairs)
SB 303-FN, relative to the reimbursement of sheriffs offices for prisoner custody and control. (Criminal Justice and Public Safety)
SB 340-FN, relative to the direct to consumer shipment of alcohol to New Hampshire residents. (Commerce and Consumer Affairs)
SB 344, relative to the electronic participation requirements of meetings open to the public under the right to know law. (Judiciary)
SB 348, relative to political expenditures and contributions. (Election Law)
SB 361-FN, requiring that bail commissioners be reimbursed for mileage traveled in the performance of their duties. (Criminal Justice and Public Safety)
SB 363-FN, relative to service credit for certain group II retirement eligibility. (Executive Departments and Administration)
SB 376-FN, relative to creating a board to review police incidents involving citizens affected by mental health issues. (Criminal Justice and Public Safety)
SB 379-FN, establishing the solid waste management fund and grant program. (Environment and Agriculture)
SB 380-FN, relative to solid waste rules and landfill containment tests. (Environment and Agriculture)
SB 382, relative to licensure requirements for telehealth services and relative to licensure of physicians and physicians assistants through reciprocity agreements. (Executive Departments and Administration)
SB 401-FN, making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund and permitting the department of transportation to operate dash cameras in fleet vehicles. (Criminal Justice and Public Safety)
SB 402-FN, relative to financial assistance for municipalities affected by disasters. (Finance)
SB 403-FN-A, re-establishing the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Farmers Market Nutrition Program. (Health, Human Services and Elderly Affairs)
SB 417-FN, establishing an electric school bus pilot program. (Transportation)
SB 418-FN, relative to verification of voter affidavits. (Election Law)
SB 421, relative to dual and concurrent enrollment for career and technical education center students. (Education)
SB 425-FN, relative to the establishment of an election information portal. (Election Law)
SB 430-FN-A, relative to health and human services. (Health, Human Services and Elderly Affairs)
SB 431-FN, relative to child support in cases with equal or approximately equal parenting schedules. (Children and Family Law)

SB 438-FN-L, establishing state procurement policies intended to promote the use of American materials. (Executive Departments and Administration)
SB 442-FN, relative to the suspension of a vehicle registration as a result of evading toll collection systems. (Transportation)
SB 443-FN, relative to municipal authority regarding the state building code. (Executive Departments and Administration)
SB 444-FN, relative to childhood adverse experiences treatment and prevention. (Health, Human Services and Elderly Affairs)
SB 445-FN, relative to the broadband matching grant initiative. (Finance)
SB 446-FN-A, directing the department of health and human services to develop a plan relative to fostering sustainable childcare opportunities for working families and businesses. (Children and Family Law)
SB 447-FN, establishing the electric vehicle and infrastructure fund. (Transportation)
SB 448-FN, relative to energy reduction by state agencies. (Science, Technology and Energy)
SB 450, relative to the prescription drug affordability board. (Executive Departments and Administration)
SB 452-FN, relative to lead in drinking water in schools and licensed child care facilities. (Resources, Recreation and Development)
SB 456-FN-A, establishing a law enforcement conduct review committee in the police standards and training council and making an appropriation therefor. (Criminal Justice and Public Safety)
SB 458-FN, relative to the Sununu youth services center and operation of a replacement secure facility. (Finance)
SB 459-FN, relative to a health care facility workplace violence prevention program. (Health, Human Services and Elderly Affairs)

RECESS

(Speaker Packard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 398, 418, 457, 1016, 1029, 1062, 1074, 1228, 1327, 1437 and 1575.

Rep. Osborne, Sen. Avard for the Committee

SENATE MESSAGES
CONCURRENCE

HB 122-A, amending the capital appropriation for an aviation hangar bay in the department of military affairs and veterans services.
HB 576, relative to victims compensation fund eligibility.
HB 1005, relative to the creation of a New Hampshire low-grade timber and wood emerging market commission.
HB 1010-FN, requiring municipal voter history to be made accessible in the statewide centralized voter registration database.
HB 1037, relative to the governor's duties during a state of emergency.
HB 1045, relative to the composition of the ethics oversight advisory committee.
HB 1052, relative to the number of rounds of ammunition allowed for hunting regardless of firearm capacity.
HB 1102, relative to certain committees and commissions of the department of state.
HB 1157, relative to electronic ballot counting devices.
HB 1182, relative to the board of court reporters.
HB 1192, relative to the board of acupuncture licensing and relative to the qualifications for licensure as an acupuncturist.
HB 1206-FN, relative to the source of funding for appointment of counsel or other services for indigent persons.
HB 1239-FN, relative to habitual offender hearings.
HB 1341, relative to the definition of conviction in motor vehicle laws.
HB 1344, relative to the authority of real estate brokers.
HB 1457-FN, relative to chain of custody of ballot boxes after an election.
HB 1505-FN, establishing concurrent jurisdiction in juvenile matters with the U.S. Department of Defense for coordination with the military family advocacy program.
HB 1527-FN, relative to vote returns.
HB 1534, authorizing the use of side exhausts for antique vehicles.
HB 1577-FN, relative to exemptions from prosecution for victims of human trafficking.
HB 1673-FN, relative to certain provisions of the fetal life protection act requiring an ultrasound examination.

REFERRED FOR INTERIM STUDY

HB 87, relative to the definition of electioneering.
HB 597-FN, relative to the expectation of privacy.
HB 1046, relative to the election of the Sullivan county commissioners.
HB 1325, relative to release of confidential records of a person appointed a guardian.
HB 1346, establishing a commission to study the New Hampshire family court system.
HB 1461-FN, increasing penalties for littering.
HB 1520, relative to procedures for guardians ad litem.
HB 1521-FN, requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.
HB 1612-FN, relative to the confidentiality of reports made to the division for children, youth, and families.

NONCONCURRENCE

HB 579, requiring notice to the public before immigration checkpoints are conducted.
HB 1067-FN, relative to limitations on prosecution for first degree assault.
HB 1086-FN, relative to concealment of a cause of action.
HB 1122, authorizing municipalities to collect and resell construction and demolition debris.
HB 1265, relative to the waiver of rules in family court proceedings and requiring the establishment of a family division rule waiver database.
HB 1337, relative to the duration of unemployment benefits.
HB 1411-FN, relative to transparency of federal agency operations within New Hampshire.
HB 1515, relative to the guardian ad litem report requirements.
HB 1592-FN, allowing parties in family court cases to create their own recordings of the proceedings.

RECESS