



State of
New Hampshire

HOUSE RECORD

First Year of the 168th General Court

Calendar and Journal of the 2023 Session

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

Vol. 45

Concord, N.H.

Thursday, February 2, 2023

No. 4

HOUSE JOURNAL NO. 3 (Cont'd)

Thursday, January 5, 2023

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

HOUSE JOURNAL NO. 4

Thursday, February 2, 2023

The House assembled at 10:00 a.m., and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Reverend Father Paul M. Leary, OCB of the Dioceses of New England and Nova Scotia.

Let us be in the spirit of prayer. Almighty God, we ask Your blessing on all who have been chosen to chart the course of our great state. In whatever capacity each one serves, be the work great or seemingly unimportant, may each give their best, knowing that their place needs to meet the test of loyalty and faith, if the purpose of our government is to be fulfilled. When we read the history of our Granite State, we know that if our leaders through the years had not trusted Your divine direction, we would not have attained freedom and remained free. Hold us in Your hands that they may keep us safe. We ask Your blessing on all those who serve. Amen. A Gaelic blessing: May the road rise up to meet you. May the wind be always at your back. May the sun shine warm upon your face; the rain fall soft upon your fields and, until we meet again, may God hold you in the palm of his hand. Amen.

Representative Loren Foxx, member from Bedford, led the Pledge of Allegiance.

The National Anthem was sung by Kristin Grant and Christina Dyer, House Committee Researchers.

LEAVES OF ABSENCE

Reps. Chretien, Foote, Lewicke and McGhee, the day, illness.

Reps. Richard Brown, Conlin, Freitas, Muns, Phinney, Prout, Stringham, Trottier and Verville, the day, important business.

Rep. Bradley, the day, illness in the family.

INTRODUCTION OF GUESTS

Kathrine Harake and Desiree Potter, guests of Rep. O'Neil. Brian McDonnell, father of Rep. McDonnell.

COMMUNICATION

January 5, 2023

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:

Please be advised that the following representatives-elect were sworn into office by the Governor and Executive Council on this day:

Coos County District No. 6

William Hatch, d, Gorham (79 Promenade St.) 03581

Grafton County District No. 3

Jerry Stringham, d, Lincoln (P.O. Box 879) 03251

Grafton County District No. 12

Mary Hakken-Phillips, d, Hanover (79 Lebanon St.) 03755

Sincerely,

David M. Scanlan, Secretary of State

CONSENT CALENDAR

Rep. Osborne moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 140, Proclaiming January 24 as "Granny D" day, removed by Reps. Wheeler, Monteil, Horrigan, Gerhard, Yokela, Alicia Lekas, Heath Howard, Tony Lekas, Read and Alissandra Murray.

HB 148, to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding, removed by Reps. Schuett, Edgar, Lynn, Douglas Thomas, Mark Pearson, Potucek, Aron, Vose, Janigian and Steven Smith.

HB 422-FN, to create a public county registry of the monthly rent charged by landlords for each owned unit, removed by Reps. Read, Wheeler, Santonastaso, Yokela, Tom Mannion, Newell, Horrigan, Gallagher, Popovici-Muller and Heath Howard.

Consent Calendar was adopted.

HB 85, relative to antenuptial agreements. **OUGHT TO PASS.**

Rep. Debra DeSimone for Children and Family Law. This bill is merely a housekeeping bill. The legislature passed same-gender marriages, however, the written reference to one or the other party has not been updated in RSA 460:2-a. Vote 16-0.

HB 30-FN, allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill allows county commissioners to exempt chief administrative officers from compulsory membership in the New Hampshire Retirement System (NHRS) with an opt-out clause at the initial time of hiring or appointment. Although there is a means to exempt these specific county employees from the NHRS, it is complicated. This statute would streamline this option, allowing for a larger pool of interested prospects for these positions, and it brings parity to municipalities who have had a similar option since 1971. Vote 18-0.

HB 65, commemorating the first labor strike in the United States by women. **INEXPEDIENT TO LEGISLATE.**

Rep. Kimberly Abare for Executive Departments and Administration. This bill would add a mandatory statewide recognition of this 1828 strike. The committee was concerned since there was evidence that this was not actually the first women's labor strike in the United States; Dover does not currently commemorate this event; and it may be more appropriate for Dover to do so, instead of a state statute. Vote 19-0.

HB 327-FN, prohibiting the state from requiring the public use proprietary software when visiting state websites. **INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for Executive Departments and Administration. There are legitimate concerns when proprietary JavaScript software is executed in a person's web browser. Such software has access to most information on the user's system and the user cannot know what such software is doing. The New Hampshire Department of Information Technology (DOIT) is required to protect user privacy and makes an effort to ensure that proprietary JavaScript software that runs on the browser of a user accessing a state website does not put at risk the privacy or integrity of a user's information. The DOIT has plans to increase their efforts in this area. However, it would be better if users of state websites did not have to depend on such assurances. There are at least two problems with the solution mandated by this bill. First, the cost and effort to review all of the state's myriad websites and to update or replace those that do run such software on the user's browser is very large. Not only does the fiscal note have an estimate that could be as high as almost \$114 million for each of the next three years it would take a great deal of DOIT's staff time just to coordinate with outside contractors. This would likely delay the development of important IT work. Second, many of the standard tools used to develop websites and many of the vendors who work on websites make use of proprietary JavaScript software. The limitations this bill would put in place would likely increase the cost of developing all of the state's websites into the future. The potential benefit of this bill is not justified by the cost. Vote 18-0.

HB 355, establishing a committee to study the sharing of data between state and federal public housing agencies. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill asked for a committee to study sharing data between state and federal public housing agencies to eliminate the repetitive information requested for housing. The good intentions of this bill are outweighed by the fact that housing agencies are not state agencies and not all are public housing authorities. The committee did not consider the study committee feasible. Vote 18-0.

HB 366-FN, prohibiting certain noncompete clauses and nondisclosure agreements regarding free software projects and the sharing of open source software. INEXPEDIENT TO LEGISLATE.

Rep. Tony Lekas for Executive Departments and Administration. This bill would prevent New Hampshire from enforcing any terms of an employment contract that would prohibit an employee from contributing source code to free or open source software while employed by that employer. While the committee is not opposed to free or open source software, it is not willing to limit an employer in this way. There are two main reasons for that, in addition to generally not being willing to interfere in such contracts. First, the employer cannot easily be sure that the employee is not contributing proprietary code or information owned by the employer to the free or open software. Second, the employer may be concerned that the employee might not limit their efforts to contributing to free or open software to what is really their free time. It is common for employment agreements, especially in the technology industry, to require prior approval before an employee takes another job while still working for the employer. When the author of this report first ran for state representative, he was a full-time employee and had such a clause in his employment contract, and he had to get prior approval before running for office. Vote 17-0.

HR 12, designating November 2023 as “National Lung Cancer Awareness Month” and expressing support for the early detection and treatment of lung cancer. INEXPEDIENT TO LEGISLATE.

Rep. Matthew Santonastaso for Executive Departments and Administration. The committee is recommending an Inexpedient to Legislate motion to the House in keeping with its tradition of not adding more special days/ months to the great amount of already existing days. Even though this resolution is only a one time declaration, we still feel that it is unnecessary for several reasons including that National Lung Cancer Awareness Month is already recognized by the federal government and that an additional resolution of the House will do little to raise additional awareness. The committee continues to urge that issues such as these are better served at a grassroots level and by adding them to statute, or making resolutions such as this, actually diminishes the energy of the underlying movement. In not supporting this measure, it should not be inferred that any member of the committee believes Lung Cancer Awareness isn’t an important issue. Vote 18-1.

HB 36, relative to fees of sheriffs and deputy sheriffs. OUGHT TO PASS WITH AMENDMENT.

Rep. Latha Mangipudi for Municipal and County Government. This bill amends RSA 104:31, XIII to adopt the annual Consumer Price Index in setting increases in fees for sheriffs and deputy sheriffs, eliminating variations and introducing consistency to the process. An amendment that refined the language was offered which passed unanimously. Vote 20-0.

Amendment (0026h)

Amend the bill by replacing section 1 with the following:

1 Sheriffs and Constables; Fees of Sheriffs and Deputy Sheriffs. Amend RSA 104:31, XIII to read as follows: XIII.

The fees of sheriffs and deputy sheriffs specified in paragraphs I through IV and paragraphs VII through IX-b may be increased once annually by a vote of the county convention [and _____ the total]. ***The percentage of the increase shall not exceed the annual percentage increase in the Consumer Price Index of all items for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor [using the amount published for the month of June in the year prior to the start of the fiscal year on a percentage basis] for the calendar year preceding the vote.***

HB 41, relative to public noticing of meetings for county conventions. INEXPEDIENT TO LEGISLATE. Rep. Laurel Stavis for Municipal and County Government. This bill would have added language to RSA 24:14 requiring county conventions to publicly notice meetings that dealt with supplemental appropriations to the annual county budget. The amended language only required noticing in a daily newspaper which, the committee noted, is inconsistent with existing law on public notices as stated in RSA 675:1. An amendment was offered that added other types of notifications but it failed by a vote of 11-9. Vote 18-2.

HB 43, relative to county commissioners’ custody and care of all property. INEXPEDIENT TO LEGISLATE. Rep. Richard Brown for Municipal and County Government. This bill would amend RSA 28:6-a and RSA 28:8-d to remove oversight votes of county commissioners by the county convention and executive committees of the county convention. Direct testimony for this change was limited to one county and as such it was not deemed reasonable or necessary to change this RSA statewide. Vote 20-0.

HB 72, relative to the tenure of public librarians. OUGHT TO PASS WITH AMENDMENT.

Rep. Susan Treleaven for Municipal and County Government. This bill sought to amend RSA 202-A:15 by changing the wording in a way that would have allowed the tenures of employment of public librarians to be shortened and a successor appointed, despite the original term of employment. An amendment was offered which improved the bill, ensuring that public librarians’ terms of employment could not be summarily altered, while granting the municipality flexibility with respect to those appointments. Vote 19-0.

Amendment (0018h)

Amend the bill by replacing section 1 with the following:

1 Public Librarian; Qualification and Tenure. Amend RSA 202-A:15 to read as follows:

202-A:15 Public Librarian; Qualification and Tenure. The librarian shall have education of sufficient breadth and depth to give leadership in the use of books and related materials. The librarian shall be appointed by the board of library trustees for a term of office agreed to at the time of employment [and ----- until a successor ----- is appointed _and qualified].

AMENDED ANALYSIS

This bill authorizes a municipality's board of library trustees to appoint librarians for a set term.

HB 75, to increase the threshold of county owned personal property subject to competitive bidding. OUGHT TO PASS.

Rep. Richard Brown for Municipal and County Government. This bill increases the dollar threshold for competitive bidding from \$300 to \$3,000 dollars. The previous authority limit of \$300 was established on April 12, 1959. With inflation considered, it is certainly reasonable to establish the new authority limit at \$3,000. Vote 19-0.

HB 77-L, relative to compensation for county delegation meetings. INEXPEDIENT TO LEGISLATE. Rep. Allan Howland for Municipal and County Government. This bill would increase the compensation of each county delegate attending each county convention from \$25 to \$100 dollars per day. The prime sponsor was not present to introduce the bill, and the committee was unable to ask clarifying questions. As a result, the committee was unable to make an informed decision on the need for this legislation. Vote 19-0.

HB 80, relative to tax exempt status for county real property leased for agricultural uses. INEXPEDIENT TO LEGISLATE.

Rep. Laurel Stavis for Municipal and County Government. This bill would have amended RSA 72:2, which deals with tax-exempt status for certain county-owned property. The committee noted that the changes were requested by Sullivan County to address an assessing issue specific to them. An amendment seeking to clarify the bill was offered which passed by a vote of 12-7, but the committee ultimately voted to recommend Inexpedient to Legislate based on its focus on introducing changes to one county that could be detrimental to others. Vote 18-2.

HB 83, relative to county commissioners' authority on county buildings. OUGHT TO PASS WITH AMENDMENT.

Rep. Richard Lascelles for Municipal and County Government. As amended, the majority of the committee agreed the threshold for county commissioners to perform maintenance or repairs on county buildings be raised from \$5000 to \$25,000. In addition, this bill raises the limit from \$5000 to \$25,000 allowing commissioners, when authorized by the county convention, to build or sell/buy county real estate. Vote 18-1.

Amendment (0119h)

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

1 Counties; County Buildings. Amend RSA 28:5 to read as follows:

28:5 County Buildings. The county commissioners may repair, enlarge, or erect county buildings at an expense not exceeding [\$5,000] **\$25,000**.

2 Counties; Real Estate. Amend RSA 28:7 to read as follows:

28:7 Real Estate. When so authorized by the county convention they may purchase such real estate as may be required for county correctional facilities, including county farms, or other county uses, and may repair, enlarge or erect county buildings at a cost exceeding [\$5,000] **\$25,000**; and, with like authority, they may sell any of the county's real estate.

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

AMENDED ANALYSIS

This bill increases the expense thresholds for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings.

HB 87, relative to county responsibility for capital building projects. OUGHT TO PASS WITH AMENDMENT. Rep. Richard Brown for Municipal and County Government. As amended, this bill would amend RSA 24:13, to clarify powers vested in the county convention and to increase the authority limit from \$5,000 to \$25,000. This is a reasonable increase in authority. Vote 18-1.

Amendment (0118h)

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

1 County Conventions; Powers. Amend RSA 24:13, I to read as follows:

I. The [power] **following powers shall be vested in the county convention:**

(a) To raise county taxes[.];

(b) To make appropriations for the use of the county; [and]

(c) To authorize the purchase of real estate for its use, the sale and conveyance of its real estate[.];

(d) To authorize the erection, enlargement or repair of its buildings exceeding an expense of [\$5,000] \$25,000[,]; and [the issuing _ of]

(e) To issue bonds for its debts[, shall be vested in the county convention]. 2

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

HB 98-FN, relative to applications for the low and moderate income homeowners property tax relief program. **INEXPEDIENT TO LEGISLATE.**

Rep. Josh Yokela for Municipal and County Government. This bill would move the date back for the creation of the application to February, which is not possible since the Department of Revenue Administration does not produce the information needed for the form until late April. The proposed change to the RSA is therefore unworkable. Vote 19-0.

HB 184-FN, relative to public notice requirements for zoning board of adjustment hearings. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Brown for Municipal and County Government. This bill looked into changing both the length and means of publicizing for notices of zoning board adjustment hearings. While the intent of the bill may be admirable, the prime sponsor and the committee believe the execution of the language changes are inadequate for action at this time. Vote 18-1.

HB 197-L, relative to the proration of property tax exemptions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jim Maggiore for Municipal and County Government. As amended, the bill provides that individuals who are blind, disabled, deaf, severely hearing impaired, or elderly who have been granted a tax exemption for such and have a fractional ownership in a property, receive the exemption prorated to the fractional ownership rather than as a full owner as currently happens. Vote 19-0.

Amendment (0057h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 Applicability. Pursuant to RSA 72:27-a, IV:

I. RSA 72:37, as applied pursuant to the amendment of RSA 72:41 in section 1 of this act, shall not require local re-adoption by the municipality and shall apply beginning with the 2024 property tax year.

II. RSA 72:37-b, as applied pursuant to the amendment of RSA 72:41 in section 1 of this act, shall not require local re-adoption by the municipality and shall apply beginning with the 2024 property tax year.

III. RSA 72:38-b, as applied pursuant to the amendment of RSA 72:41 in section 1 of this act, shall not require local re-adoption by the municipality and shall apply beginning with the 2024 property tax year.

IV. RSA 72:39-b, as applied pursuant to the amendment of RSA 72:41 in section 1 of this act, shall not require local re-adoption by the municipality and shall apply beginning with the 2024 property tax year.

HB 416-FN, relative to membership on certain local land use boards. **INEXPEDIENT TO LEGISLATE.** Rep. Diane Pauer for Municipal and County Government. This bill prohibits persons who have engaged in certain prohibited activities while serving on a local land use board from subsequently serving on any zoning board of adjustment, planning board, or select board in their town of residence either by means of election, appointment, or continuation of service. Additionally, this bill disallows persons found to have violated any of the specified prohibitions from participation on said boards. Moreover, this bill allows for any New Hampshire citizen to bring a private right of action against a town board for violation of any of the provisions of the bill and holds the town liable for reasonable attorney's fees and costs incurred in a lawsuit. Lastly, the committee was unable to properly and fully evaluate the merits of the bill and subsequently make an informed decision due to the nonappearance of witnesses and the near absence of substantive testimony at the hearing. Vote 19-0.

HB 52, naming a bridge in Hinsdale as the General John Stark Memorial Bridge. **OUGHT TO PASS.**

Rep. Michael Abbott for Public Works and Highways. This bill would name the new bridge between Hinsdale, NH, and Brattleboro, VT, in honor of General John Stark, a New Hampshire native and veteran of the Revolutionary War. General Stark has important ties to both New Hampshire and Vermont. He was born in Londonderry and spent most of his life as a resident of what is now Manchester. As an officer in the New Hampshire militia, he took part in the Battle of Bunker Hill, and later served in the Continental Army under General Washington. He is known as the hero of the Battle of Bennington in Vermont, and is credited with the statement "Live Free or Die: Death is not the worst of evils." The Town of Hinsdale approves this request, and the committee feels that this is an appropriate name for this bridge. As with other naming bills, there would be no financial cost to the state for signs or markers; such signage would undergo design approval by the Department of Transportation. Vote 18-0.

HB 213, renaming Little Haystack Mountain to Mount Kosciuszko. **INEXPEDIENT TO LEGISLATE.** Rep. David Milz for Public Works and Highways. Testimony revealed that renaming Little Haystack Mountain to Mount Kosciuszko would take the involvement of the federal government due to its location in a national forest. Although the committee looked favorably on the intent of the bill, we felt that bringing back a house resolution in favor of renaming would make it easier for the sponsors to take the next necessary steps for federal approval. Vote 17-0.

HB 206, including the Space Force in various definitions of the armed forces. **OUGHT TO PASS.**

Rep. Linda Massimilla for State-Federal Relations and Veterans Affairs. This bill will include Space Force in the definition of “armed services” and will allow members who are currently serving as part of the Space Force to access benefits afforded to other armed force members. Vote 13-0.

REGULAR CALENDAR

HB 33, relative to polycystic ovary syndrome awareness. **INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for Executive Departments and Administration. This bill is similar to many others that have come before the Executive Departments and Administration Committee looking to have placed into statute an important event or cause. The committee considers these types of bills to be ineffective because there are many of these types of events already in statute that are overlooked or unknown once the bill becomes law. All such bills do is require the Governor’s staff to present him with a proclamation to sign on the specified date. Maybe a press release will be issued. However, such bills will do nothing more and are unlikely, on their own, to raise awareness. The committee believes that it would be more effective for citizens to organize events to raise awareness of this issue each year. They could also petition the Governor to issue a proclamation concerning the event. Vote 19-0.

Committee report was adopted.

HB 94, establishing October 2023 as eczema awareness month. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jeffrey Goley for the Majority of Executive Departments and Administration. Eczema is an inflammatory skin condition that causes itchiness, dry skin, rashes, scaly patches, blisters and skin infections, affecting one in 10 U.S. citizens. This bill would require the governor to proclaim October 2023 as eczema awareness month. This bill is similar to many others that come before the Executive Departments and Administration Committee and is looking to have the governor proclaim an important event or cause, many of which are already recognized nationally, including October as National eczema awareness month. The majority of the committee believes it is more effective for a group or organization to approach the governor’s office directly for a proclamation, which may create more press and awareness for their cause. Vote 17-2.

Rep. Dianne Schuett for the Minority of Executive Departments and Administration. The committee was impressed by the appearance of the entire Boyon family who all spoke in support of this bill, particularly their son who suffers from extreme eczema and has been bullied and ostracized by his peers because of the visible signs of his affliction. We in the minority have chosen to use the opportunity to make this statement of support for the sufferers of eczema who hope legislative attention to this issue may increase awareness and perhaps encourage more research for a cure.

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

HB 230-FN, directing the department of agriculture, markets, and food to employ an electronic data processing system for all registrations under its purview. **OUGHT TO PASS.**

Rep. Sherry Gould for Executive Departments and Administration. This bill will update procedures at the Department of Agriculture, moving from paper to online procedures, and will relieve employees who are spending time on administrative data entry. Freeing them for data collection and verification will allow the department to fulfill its required duties more effectively. The department will move ahead, with the support of the Department of Information Technology, and contract development of an electronic system that will replace some old and unsupported data collection systems, such as the important Weights and Measures data system, as well as adding elements to modernize the systems. As the department is funded by fees, the costs associated in the bill appear to be reasonable to remedy the tremendous need. Vote 18-0.

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

Committee report was adopted and the Speaker referred the bill to the Committee on Finance.

HB 445-FN, relative to the operational funds of OPLC. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill makes the existing Office of Professional Licensure and Certification (OPLC) dedicated fund non-lapsing, and restricts anything above OPLC direct costs and salaries to be used for capital expenditures and reducing license fees. The OPLC is funded entirely by licensing fees, and in recent years, has collected about \$3 million per year above its direct operating costs, which were lapsed to the general fund. Unfortunately, fees well beyond the cost of supporting the licensees is considered an unconstitutional tax so continuing lapses to the general fund are a problem. In addition, the practice of emptying the fund at the end of the fiscal year created cash flow problems for the agency since license fees are collected periodically rather than evenly throughout the year. The committee considered capping the fund, but was convinced that the second committee would be able to do that more appropriately. Vote 15-1.

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

Committee report was adopted and the Speaker referred the bill to the Committee on Ways and Means.

Rep. David Preece for the Minority of Municipal and County Government. With the vacancy rate below 1%, some landlords have been raising rents 100 to 150%, which has resulted in numerous evictions of tenants who have no housing options. The minority believes there is a need for some municipalities to consider adopting rental regulations to protect economically vulnerable people in their communities.

Rep. Stavis moved that **HB 95**, enabling municipalities to adopt rental practice regulations, be laid on the table. Rep. Hoell requested a roll call; sufficiently seconded.

Ebel, Karen
Hall, Muriel
MacKay, James
Richards, Beth
Schuett, Dianne

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Melvin, Charles
Read, Ellen
Vogt, Robin

DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Malloy, Dennis
Meuse, David
Simpson, Alexis
Ward, Gerald

Edgar, Michael
Hamblet, Joan
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Turer, Eric

Gilman, Julie
Haskins, Linda
Paige, Mark
McBeath, Rebecca
Raynolds, Ned
Vallone, Mark

STRAFFORD

Bay, Luz
Smith, Geoffrey
Kenney, Cam
Menear, Hoy
Southworth, Thomas

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Vincent, Kenneth

Cannon, Gerri
Horrigan, Timothy
Levesque, Cassandra
Pare, Gail
Wall, Janet

Fitzpatrick, Daniel
Howland, Allan
Smith, Marjorie
Selig, Loren

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 186**BELKNAP**

Bean, Harry
Comtois, Barbara
Nagel, David
St. Clair, Charlie

Bogert, Steven
Dumais, Russell
O'Hara, Travis
Terry, Paul

Bordes, Mike
Harvey-Bolia, Juliet
Ploszaj, Tom
Varney, Peter

Coker, Matthew
McCarter, Nikki
Smart, Lisa

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Costable, Michael
Peternel, Katy

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold

Ouellet, Mike

King, Seth

Tierney, James

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rochefort, David

Coulon, Matthew
Sellers, John

Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Calabro, Karen
Cushman, Leah
Griffin, Gerald
Infantine, William
Gould, Linda
McGough, Tim
Notter, Jeanine
Post, Lisa
Seidel, Sheila
Mannion, Tom

Abare, Kimberly
King, Bill
Colcombe, Riché
Kelley, Diane
Gagne, Larry
Kennedy, Stephen
Sanborn, Laurie
McLean, Mark
Panek, Sandra
Proulx, Mark
Sheehan, Vanessa
Tenczar, Jeffrey

Alexander, Joe
Berry, Ross
Cole, Brian
Erf, Keith
Gorski, Ted
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Pauer, Diane
Reid, Karen
Sirois, Shane
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Walsh, Thomas

Aures, Cyril
McGuire, Dan
Mason, James
Seaworth, Brian
Testerman, Dave

Aylward, Deborah
Gerhard, Jason
Moffett, Michael
See, Alvin
Wolf, Dan

McGuire, Carol
Hill, Gregory
Polozov, Yury
Soucy, Timothy
Wood, Clayton

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Janigian, John
Khan, Aboul

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Harley, Tina
Janvrin, Jason
Kuttub, Katelyn

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Hobson, Deborah
Perez, Kristine
Walsh, Lilli

Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Nelson, Jodi
Katsakiores, Phyllis
Layon, Erica

Love, David
McDonnell, Valerie
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
Weyler, Kenneth

Lundgren, David
McMahon, Charles
Phillips, Emily
Potucek, John
Roy, Terry
Summers, James
Dolan, Tom
Vose, Michael
Yokela, Josh

Lynn, Bob
Milz, David
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne

Pearson, Mark
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Connor, James
Kaczynski, Thomas
Potenza, Kelley

Bailey, Glenn
Granger, Michael
Turcotte, Len

Bickford, David
Harrington, Michael
Newton, Clifford

Burnham, Claudine
Horgan, James
Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

and the motion failed.

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

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

YEAS 301 - NAYS 63

YEAS - 301

BELKNAP

Bean, Harry
Comtois, Barbara
McCarter, Nikki
Beaudoin, Richard
Varney, Peter

Bogert, Steven
Dumais, Russell
Nagel, David
Smart, Lisa

Bordes, Mike
Huot, David
O'Hara, Travis
St. Clair, Charlie

Coker, Matthew
Harvey-Bolia, Juliet
Ploszaj, Tom
Terry, Paul

CARROLL

Avellani, Lino
Cordelli, Glenn
Smith, Jonathan

Belcher, Mike
Costable, Michael
McAleer, Chris

Buco, Thomas
Paige, David
McConkey, Mark

Burroughs, Anita
MacDonald, John
Peternel, Katy

CHESHIRE

Abbott, Michael
Hunt, John
Qualey, James
Thackston, Dick

Fox, Dru
Jones, Philip
Rhodes, Jennifer
Weber, Lucy

Eaton, Daniel
Monteil, Renee
Santonastaso, Matthew
Nutting, Zachary

Faulkner, Barry
Parshall, Lucius
Tatro, Bruce

COOS

Davis, Arnold
Ouellet, Mike

Kelley, Eamon
King, Seth

Hatch, William
Tierney, James

Noël, Henry

GRAFTON

Almy, Susan
Coulon, Matthew
Murphy, James
Morse, Corinne
Simon, Matthew

Baldwin, Heather
Fellows, Sallie
Sullivan, Jared
Muirhead, Russell
Stavis, Laurel

Berezhny, Lex
Greeson, Jeffrey
Ladd, Rick
Rochefort, David
Sykes, George

Brown, Carroll
Hakken-Phillips, Mary
Massimilla, Linda
Sellers, John

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Bouchard, Donald
Cornell, Patricia
Kelley, Diane
Fedolfi, Jim
Gorski, Ted
Hynes, Dan
Juris, Louis
Foxx, Loren
Lascelles, Richard
Mazur, Lisa
Mooney, Maureen
Notter, Jeanine

Abare, Kimberly
King, Bill
Calabro, Karen
Creighton, Jim
DiSilvestro, Linda
Griffin, Gerald
Grill, Jessica
Infantine, William
Kennedy, Stephen
Gould, Linda
Leishman, Peter
McGough, Tim
Morton, Jennifer
Nutter-Upham, Frances

Alexander, Joe
Berry, Ross
Colcombe, Riché
Cushman, Leah
Erf, Keith
Gagne, Larry
Harriott-Gathright, Linda
Jack, Martin
Kenny, Catherine
Sanborn, Laurie
Lloyd, Christal
McLean, Mark
Murphy, Nancy
O'Brien, Michael

Ammon, Keith
Boehm, Ralph
Cole, Brian
Ford, Damond
Davis, Fred
Goley, Jeffrey
Healey, Robert
Judy, Jean
Kofalt, Jim
Lanza, Judi
Howard, Molly
Ming, Ben
Noble, Kristin
Panek, Sandra

Pauer, Diane
Post, Lisa
Reid, Karen
Ryan, Linda
Sirois, Shane
Tellez, Trinidad
Veilleux, Daniel

Pedersen, Michael
Proulx, Mark
Renzullo, Andrew
Newman, Sue
Lekas, Tony
Tenczar, Jeffrey
Thomas, Wendy

Petrigno, Peter
Newman, Ray
Rombeau, Catherine
Seidel, Sheila
Mannion, Tom
Ulery, Jordan
Wherry, Robert

Plett, Fred
Raymond, Heather
Rung, Rosemarie
Sheehan, Vanessa
Telerski, Laura
Vail, Suzanne

MERRIMACK

Turcotte, Alan
McGuire, Carol
Ebel, Karen
Hicks, Matthew
Luneau, David
Myler, Mel
Roesener, James
Schuett, Dianne
Soucy, Timothy
Wolf, Dan

Andrus, Louise
Cambilis, Jose
Ellison, Arthur
Hill, Gregory
MacKay, James
Payeur, Stephanie
Boyd, Stephen
Seaworth, Brian
Walsh, Thomas
Wood, Clayton

Aures, Cyril
Carey, Lorrie
Gerhard, Jason
Hoell, J.R.
Mason, James
Polozov, Yury
Gould, Sherry
See, Alvin
Testerman, Dave

Aylward, Deborah
McGuire, Dan
Gibbs, Merry
Lane, Connie
Moffett, Michael
Richards, Beth
Schamberg, Thomas
Shurtleff, Steve
Wallner, Mary Jane

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Gilman, Julie
Harley, Tina
Janigian, John
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
Maggiore, Jim
McDonnell, Valerie
O'Neil, Candice
Piemonte, Tony
Pratt, Kevin
Roy, Terry
Spillane, James
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Donnelly, Tanya
Edgar, Michael
Grote, Jaci
Haskins, Linda
Janvrin, Jason
Khan, Aboul
Layon, Erica
Cahill, Michael
Malloy, Dennis
McMahon, Charles
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Pearson, Stephen
Summers, James
Dolan, Tom
Turer, Eric
Wallace, Scott

Mannion, Dennis
Doucette, Fred
Edwards, Jess
Guthrie, Joseph
Hobson, Deborah
Murray, Kate
Knab, Allison
Love, David
Paige, Mark
Manos, Zoe
Meuse, David
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Simpson, Alexis
Sweeney, Joe
Tripp, Richard
Vallone, Mark
Weyler, Kenneth

Thomas, Douglas
Drago, Mike
Emerick, Tracy
Harb, Robert
Nelson, Jodi
Perez, Kristine
Kuttab, Katelyn
Lundgren, David
Pearson, Mark
McBeath, Rebecca
Milz, David
Phillips, Emily
Potucek, John
Raynolds, Ned
Soti, Julius
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Cannon, Gerri
Granger, Michael
Kaczynski, Thomas
Newton, Clifford
Potenza, Kelley

Bailey, Glenn
Connor, James
Harrington, Michael
Turcotte, Len
Schmidt, Peter
Southworth, Thomas

Bickford, David
Fitzpatrick, Daniel
Horgan, James
LaMontagne, Jessica
Pare, Gail
Vincent, Kenneth

Burnham, Claudine
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Pitre, Joseph
Wall, Janet

Aron, Judy
Merchant, Gary
Stone, Jonathan

Sullivan, Brian
Rollins, Skip
Tanner, Linda

Cloutier, John
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Woodcock, Stephen

Ames, Richard
Newell, Jodi

Harvey, Cathryn
Schapiro, Joe

Filiault, Shaun
Toll, Amanda

Germana, Nicholas

Cascadden, Corinne

Adjutant, Joshua
Lovett, Peter

Bolton, Bill
Nordgren, Sharon

Cormen, Thomas

Hoyt, Tommy

Murray, Alissandra
Bouldin, Amanda

Nutting-Wong, Allison
Darby, Will

Beaulieu, Jane
Devine, Shelley

Booras, Efstathia
Dutzy, Sherry

HILLSBOROUGH

Elberger, Susan
Herbert, Christopher
Murray, Megan
Preece, David
Staub, Kathy

Gregg, Alicia
Leapley, Nicole
Perez, Maria
Seibert, Christine
Wheeler, Jonah

Hamer, Heidi
LeClerc, Daniel
MacKenzie, Mark
Sofikitis, Catherine

Heath, Mary
Long, Patrick
Mangipudi, Latha
Spier, Carry

MERRIMACK

Brennan, Angela
Schultz, Kristina

Gallager, Eric

Hall, Muriel

McWilliams, Rebecca

ROCKINGHAM

Balboni, Peggy
Melvin, Charles

DiLorenzo, Charlotte
Read, Ellen

Grossman, Gaby
Vogt, Robin

Hamblet, Joan
Ward, Gerald

STRAFFORD

Bay, Luz
Kenney, Cam

Bixby, Peter
Smith, Marjorie

Howard, Heath
Menear, Hoy

Horrigan, Timothy

SULLIVAN

Damon, Hope

Palmer, William

and the majority committee report was adopted.

Reps. Selig and Wilhelm declared a conflict of interest and did not participate.

HB 295-FN, relative to requiring all selectboard and school board meetings to be recorded and broadcast live online. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tim Cahill for the Majority of Municipal and County Government. This bill would require public sessions of the boards of selectmen and school boards to be video recorded and live streamed. The majority believe this requirement would violate Part 1, Article 28:a - Unfunded Mandate, of the New Hampshire Constitution by requiring towns to have the resources to be in compliance with the bill. Not all municipalities have the necessary infrastructure and this could produce an unfunded burden on the taxpayers, thus making this mandate repugnant to the New Hampshire Constitution. Vote 10-9.

Rep. Laurel Stavis for the Minority of Municipal and County Government. This bill amends RSA 31 by adding a section on requiring selectboards to video record and live stream all meetings. An amendment was offered that would have improved the bill by making the same requirement of all public municipal bodies. There was a motion to Retain, based on the fact that the basics of the bill were sound and of good intent, but more work was needed to ensure that the proposed requirement did not constitute an unfunded mandate. The committee heard testimony from several towns that did not have broadband access and, aside from the cost considerations, the bill's effective date of 60 days from passage would have been impossible to fulfill in such towns. The motion to retain failed 9-10, after which a motion of Inexpedient to Legislate passed 10-9. The minority of the committee hopes to continue working with the sponsor on this topic.

MOTION TO LAY ON THE TABLE

Rep. Stavis moved that **HB 295-FN**, relative to requiring all selectboard and school board meetings to be recorded and broadcast live online, be laid on the table.

On a division vote, with 322 members having voted in the affirmative, and 45 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 412, re-establishing a commission to study revenue alternatives to the road toll for the funding of improvements to the state's highways and bridges and their resulting improvements. **OUGHT TO PASS.**

Rep. John Cloutier for Public Works and Highways. This bill would re-establish a legislative study commission on revenue alternatives to the road toll, popularly known as the gas tax for the funding of improvements to the state's highways and bridges. A commission originally established by HB 1040 became law last year. Unfortunately, the commission did not have enough time to properly explore alternatives to the road toll for electric-powered, hybrid, and fuel-efficient vehicles, and may study other emerging vehicle fuels and technologies, for funding improvements to the state's highways and bridges, ensuring that all motor vehicles contribute proportionally to their impact on New Hampshire's highway infrastructure. This bill would take effect upon its passage. Vote 18-0.

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

HB 330-FN-A, relative to the national guard recruitment incentive program and its funding and rulemaking. **OUGHT TO PASS.**

Rep. Skip Rollins for State-Federal Relations and Veterans Affairs. This bill raises the enlistment incentive payment from \$500 to \$1000 to current and former members of the New Hampshire National Guard who refer enlistees. It improves rulemaking requirements and also makes provisions for fines collected through the military justice process to be credited to the enlistment incentive fund. Vote 13-0.

Committee report was adopted and the Speaker referred the bill to the Committee on Finance.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 140, proclaiming January 24 as “Granny D” day. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill commemorates January 24th as “Granny D” Day. As in previous years, the committee finds that proclamations by the Governor and local celebrations are a more appropriate means of commemorations for those whose memory we hold dear, such as Granny D. Vote 19-0.

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

Wheeler and Horrigan spoke against.

Rep. Grote spoke in favor.

Committee report was adopted.

HB 148, to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding. **INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for Municipal and County Government. This bill increases the minimum value of equipment or material purchases subject to competitive bidding made by the office of county sheriff, county attorney, county treasurer and county register of deeds. The bill raises the minimum value threshold from \$5,000 to \$10,000 for all counties. The committee was unable to properly and fully evaluate the merits of the bill and subsequently make an informed decision due to the nonappearance of witnesses and the near absence of substantive testimony at the hearing. Vote 18-2.

MOTION TO LAY ON THE TABLE

Rep. Sanborn moved that **HB 148**, to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding, be laid on the table.

Motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 422-FN, to create a public county registry of the monthly rent charged by landlords for each owned unit. **INEXPEDIENT TO LEGISLATE.**

Rep. Julie Gilman for Municipal and County Government. The committee believes this bill is an unfunded mandate, leaving the Registry of Deeds to develop a new database system and infrastructure to be enacted in 60 days. There were no database fields described for rental units such as: is it a short-term, seasonal, at will, number of bedrooms, and if services are included. The committee also was concerned about the invasion of the landlord’s privacy. No enforcement language was included. Vote 18-1.

MOTION TO LAY ON THE TABLE

Rep. Read moved that **HB 422-FN**, to create a public county registry of the monthly rent charged by landlords for each owned unit, be laid on the table.

On a division vote, with 163 members having voted in the affirmative, and 200 in the negative, the motion failed.

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

MOTON TO INDEFINITELY POSTPONE

Rep. Hoell moved that **HB 422-FN**, to create a public county registry of the monthly rent charged by landlords for each owned unit, be Indefinitely Postponed.

On a division vote, with 206 members having voted in the affirmative, and 158 in the negative, the motion was adopted.

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

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, Tuesday, February 14, 2023 at 10:00 a.m.

Motion was adopted.

LATE SESSION**Third Reading and Final Passage**

HB 85, relative to antenuptial agreements.

HB 30-FN, allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system.

HB 36, relative to fees of sheriffs and deputy sheriffs.

HB 72, relative to the tenure of public librarians.

HB 75, to increase the threshold of county owned personal property subject to competitive bidding.

HB 83, relative to county commissioners' authority on county buildings.

HB 87, relative to county responsibility for capital building projects.

HB 197-b, relative to the proration of property tax exemptions.

HB 52, naming a bridge in Hinsdale as the General John Stark Memorial Bridge.

HB 206, including the Space Force in various definitions of the armed forces.

HB 412, re-establishing a commission to study revenue alternatives to the road toll for the funding of improvements to the state's highways and bridges and their resulting improvements.

UNANIMOUS CONSENT

Rep. Wendy Thomas requested Unanimous Consent of the House regarding a thank you for support and addressed the House.

MOTION TO PRINT REMARKS

Rep. Bill Boyd moved that the remarks made by Rep. Wendy Thomas during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Rep. Wendy Thomas: Thank you, Mister Speaker. Colleagues, as my committee chair likes to call me, I am Representative Wendy Thomas, I come before you to share my thanks to some people in this room who helped me through a pretty rough last two years. I look a little different from the last time some of you have seen me. There are reasons for that. In November of 2020 I got a virus that left me with ongoing symptoms. I couldn't smell or taste food and for about 2 years I also had no appetite or sense of thirst. I lost a lot of weight. I wrote about my experiences and some friends, former and current legislators, senators, and even some staff who knew me when I had been a rep, reached out and followed along. Although the condition left me in precarious health, I was grateful that I wasn't as bad as some other people in the same position. As sick as I was, I was able to see the humorous side. I sure was a lot of fun at holiday parties when everyone played the game - Give Wendy the candle and let her tell us what it smells like. I couldn't identify one. I was sick, but I was coping. But then last year, in May, on May 19th, I was diagnosed with cancer. I started documenting my journey in a private group and let my trusted friends, some of whom are sitting in this hall, into that private circle. If you know me, you know that I didn't hold anything back, they heard the bad and the ugly, there is very little good to report about cancer. They heard my fears and my outrage at how unfair it all was. They heard me struggle to try to make sense of anything. Oh boy, at the beginning, I was so cocky. I was going to eat the right food and do the right exercises, I was going to beat this cancer. I was going to teach people how to do cancer right. But here's a little life secret, no one can do cancer alone. No one. It is simply too big. Some people would have left me, it's too painful to watch, it's too much, it's too scary, but these friends, these legislative friends who had met me years before here at the state house, continued being my friends. They stayed with me the entire time. I had one horrific operation, followed by horrific pain, followed by horrific complications, followed by another horrific surgery, followed by more horrific pain. All of this on top of the constant terror and threat of living and maybe even dying with cancer. I stumbled. I fell. I dissolved into a wet heap of tissue and bone. Again and again. And each time, from my friends, my legislative friends - and you know who you are, I heard, "We are here for you. Borrow our strength until you can find your own again. And you are loved." Each time I fell, I honestly didn't think I'd be able to get back up again. It was asking too much of me. I am just one little person. Yes, I am mighty, but some things are mightier. But like a mother's prayer, I kept hearing from my friends, "We are here for you. Borrow our strength until you can find your own again. And you are loved." I took grace from their presence. Just like they offered, I borrowed from their strength until I could stand on my own again. And I knew, deep, deep in my bones, that I was loved. Because of my friends, I was able to get back up. Again and again. I'm doing okay, not completely out of the woods yet, but I'm doing okay. It is not hyperbole to say that some members of this body lifted me and helped to save both me and my family. To those members, I am eternally grateful. So to wrap this up, to the new legislators, my wish for you is to find the kinds of friendships, bonds, and support that I was able to find. It's here within these walls, within this brotherhood and sisterhood, you just have to look. It is a gift and it will change your life. And to my friends - current legislators, former legislators, senators, and even some staff up here at the state house. You know who you are. But more importantly I know who you are. I am forever in debt to your kindness and support. This is my promise to you, that when the day comes that you stumble and fall, I will say to you, I am here for you. Borrow my strength until you can find your own again and I will tell you over and over and over that you are so very loved. Thank you.

UNANIMOUS CONSENT

Rep. Rung requested Unanimous Consent of the House regarding lung cancer early detection and addressed the House.

UNANIMOUS CONSENT

Rep. Mangipudi requested Unanimous Consent of the House regarding Harvest Festival and addressed the House.

UNANIMOUS CONSENT

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

RECESS MOTION

Rep. Osborne moved that the House stand in recess for the purposes of the introduction of bills and receiving messages.

Motion was adopted.

The House recessed at 11:25 a.m.

RECESS