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Thursday, May 2, 2024

No. 12

HOUSE JOURNAL NO. 11 (Cont'd)

Thursday, April 11, 2024

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

HOUSE JOURNAL NO. 12

Thursday, May 2, 2024

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

Prayer was offered by the Member from Exeter, Representative Alexis Simpson.

Let us be in a mindful spirit of goodwill as we gather today. Source of light, God of love, Creator of all, as Spring blooms around us, open our hearts and our minds to the possibilities of new life. Ground us in this solid earth beneath our feet as we lift our eyes to the fresh leaves and fill us with goodwill. To help us center, hear these words from the Sudan Nepeta, a discourse from the Buddha on goodwill.

May all being be filled with joy and peace.

May all being everywhere,
The strong and the weak,
The great and the small,
The mean and the powerful,
The short and the long,
The subtle and the gross:
May all beings everywhere,
Seen and unseen,

Dwelling far off or nearby,
Being or waiting to become:
May all be filled with lasting joy.

Let no one deceive another,
Let no one anywhere despise another,
Let no one out of anger or resentment
Wish suffering on anyone at all.
Just as mother with her own life
Protects her child, her only child, from harm,
So within yourself let grow
A boundless love for all creatures.
Let your love flow outward through the universe,
To its height, its depth, its broad extent,
A limitless love, without hatred or enmity.

Then, as you stand or walk,
Sit or lie down,

As long as you are awake,
Strive for this with one-pointed mind;
Your life will bring heaven to earth.

May it be so. Amen.

Representative Lisa Post, member from Lyndeborough, led the Pledge of Allegiance.
The National Anthem was sung by the Wilton-Lyndeborough High School Choir.

LEAVES OF ABSENCE

Reps. Connor, Leavitt, Sofikitis and Varney, the day, illness.
Reps. William Dolan, Foote, Infantine, Janigian, Leishman, O'Hara, Sellers, Smart, Tatro, Trottier, Len Turcotte and Vincent, the day, important business.
Reps. Freitas and Schamberg, the day, illness in the family.

INTRODUCTION OF GUESTS

Dale Girard, guest of Rep. Merchant. Peter Weaver, Taryn Anderson and Kathryn Gosselin, guests of Rep. Kofalt. The Honorable Sally Kelly, former member from Chichester, guest of Rep. Preece. Fourth grade students from Mast Way Elementary School, guests of Rep. Wall. Faith Renzullo, wife of Rep. Renzullo. Priscilla, Jessica, Jeff, Jess, and Elsbeth Clegg. Justin Golding, Kylee Smart, and Lorelai DeJackome. family of the Honorable Bob Clegg, guests of the Speaker.

COMMUNICATION

VIA EMAIL

May 1, 2024

Dear Mr. Speaker:

Due to an unexpected family situation, I am no longer able to reside in my district and must regretfully and with much respect resign my position as State Representative for Rockingham District 30, Seabrook, NH.

It has been an honor to have served my constituents and the great State of New Hampshire.

Respectfully,

Tina L. Harley

NH State Representative, Rockingham 30

The Speaker accepted the resignation with regret.

Rep. Renzullo offered memorial remarks for the Honorable Robert Clegg, former member from Hudson.

MEMORIAL REMARKS

Representative Renzullo: Thank you, Mister Speaker. I would ask the delegation from Hudson to please come join me, come join me at the well. On August 31st, 2023 we lost Bob Clegg. Bob leaves behind his loving wife Priscilla, his daughter Jessica, her husband Justin, his son Jeffrey and his wife Jessie and his grandchildren, Kylee, Lorelai and Elsbeth. I'd like to start at the end of this. My wife, Faith, and I have known Bob Clegg and Priscilla Clegg at least some 30 years, probably more and have been friends most of that time. On September 9, 2023, Faith and I attended a celebration of life for Bob at the Sheraton in Nashua. The celebration was supposed to start at 1:00 p.m. so Faith and I figured we could get there by 12:30 and beat the rush. This was held in a very big room with a bar adjacent and it was packed. People were lined up around the room waiting to talk to Priscilla and Bob's children. Later in conversations with Priscilla, I learned nearly all of the folks lined up had a story to tell about Bob, the Bob they knew and how many of them related how Bob had helped them in their lives and influenced their lives. We figured the line would lessen soon and we would be able to get in line to pay our respects. Never happened. People kept coming in. The line never shortened. The facility operator estimated that some 1,200 people showed up that day. Due to a health issue, we had to leave as it was approaching time for dinner. We never had time to pay our respects. We had dinner with Priscilla a month later and found out that she never took a break from greeting those who came and stood in line. She wanted to hear everything they had to say. She could do no less. I guess the old adage is true. Behind every strong man is a really strong woman. Bob E. Clegg Jr. was a simple man who lived by a simple code. Work harder than everybody else. Keep your word. Help those in need and stand your ground. Bob had the ability to befriend anyone and make them his friend. His sense of humor, his quick wit, his ability to connect with people made him approachable and respected. He also had the gift of gab and could get up and speak off the cuff. These were his natural gifts. He was also a very strategic thinker. No wonder he excelled in politics. Bob first made a living as a builder. He was an excellent builder. If you're from Nashua, you probably know the Lilac Blossom out on Amherst Street in the Greystone Plaza. That was Bob's handywork and he was proud of it. I recall some very nice dinners there, but that was moons ago. It's been a while since I've been there. Note to self. Eat there this weekend. Most of us in this building, since 1994, probably knew Bob in a role of politician. In his four terms in the House, he was Assistant Majority Leader, a Majority Caucus Whip and I just found out what that was while I was walking in, and the Speaker Pro Tempore. As Bob once said, the title means nothing. It's what you do with it that counts. Remember, Bob first and always was a builder. You don't survive in that business very long without a good reputation or by

not getting the job done. Someone once said, with 400 members, getting things done in the House is like herding cats to a car wash. I think I said that. He once told me he convinced the then Speaker to let him go in and monitor certain committees with a blank committee form in his pocket, which he used to sit in on committees that might be having problems. He made his reputation. I'd like to read you some words by someone who was with Bob at those times. These words were written in the condolence section of the funeral home website soon after Bob's passing. "This news is heartbreaking. Bob was not only a man of his word, he was an advocate for the best interests of his constituents and community. That doesn't mean we always agreed on solutions, but when we did, things got done. He was a man possessed of real empathy and so much belief in the institutions in New Hampshire government. I feel myself honored to have known Bob in the House and Senate. That was spoken by Peter Hoe Burling who was a House Democratic Leader when Bob served. Harken back to Bob's code that I just talked about. Work harder than anybody else and keep your word. In 2002, Bob moved on to the Senate. Actually, he ran over the Senate. When one term Senator became Senate President and a zero term Senator, Bob, becoming Majority Leader, which he had for three years. He got a taste for national politics and hooked up with Arkansas Governor, Mike Huckabee's presidential campaign. Again, these words were written in the funeral home website soon after Bob's passing. "Dear Bob. It was friends at first sight. During a hot day in Iowa at the State Fair when you deftly took on several young buff twenty-something year olds to protect some rather vulnerable volunteers on our side. You probably were outnumbered and outgunned, but that didn't matter to you, and you predictably won the day." Again, harken back to Bob's code. Help those in need and stand your ground. I'll tell you; Bob was not outnumbered. If you knew Bob, he was a big guy and he worked out a lot. He didn't sleep much and the time he didn't sleep, he was always working out, so I think they were outnumbered. Bob also made a run for Congress in 2008. He placed second place in the primary. I refrain from commenting on what to say about the Republican Party at that time other than to say we didn't have the quality of leadership that we have today. After that, Bob became a founding partner in Legislative Solutions, a lobbying organization. I've learned a lot more about Bob since his passing. Bob was like an iceberg. On an iceberg, mostly what you see is a big mass of ice floating on the sea. That's only 10%. All of the rest of Bob is what you didn't see. That was really 90%. The iceberg is underwater. I learned about the true extent of his generosity and empathy, and I learned it was infinite and unknowable. He really did care about others, and it was part of his code, but I didn't know much about it. He didn't hide it, but he didn't broadcast it either. He worked with many local groups throughout the years in support of those less fortunate. Several veteran organizations, the Hudson food pantry, needy families at Christmas, Family Promise of Southern New Hampshire, Presentation of Mary. There were many more, but I just don't know them all. Bob as a politician sought the spotlight, but as a generous man, he hid from the spotlight. He shunned it. He didn't want people to know. I suspect one of the reasons Bob liked to be involved in local boards and first responders is because it gave him access to real people with real needs. A couple of stories. When Bob found out that the town welfare office was being overwhelmed with requests for winter clothing, the next thing you know Bob and Priscilla show up with 40 brand new winter coats of all sizes. Another. When a mutual friend or ours had a homeless man living in the woods behind his house, Bob came over, talked to the guy living in the woods and gave him a job. Last one. Property renovation is a large part of any builder's business. Bob and Priscilla picked up some property in Haverhill. It was an old house. It needed major renovation, including a new roof and much needed to be brought up to code. At some time, Bob heard that the Mission for Children in the Upper Valley needed a place for foster kids. Bob and Priscilla offered it to the organization and then Bob tragically left us, and the project was in limbo. Determined to make Bob's wish a reality, Priscilla finished the project, and the house is now in the hands of the mission. With Bob I learned that it was never about the organizations. It was always about the people. From giving the fire department a rescue boat, from an anonymously giving some families Christmas dinner, to keeping 40 children warm in winter, to giving a homeless man a job. It was all the same to Bob. It was Bob's way. Now, for those here who knew Bob at least for a while, I'd like you to forget everything I said. Think of the one guy you knew. Bob was one funny SOB. He was fun to be around. He had the ability to keep a straight face when pulling a practical joke on you. When Senator Carson was presenting SB 68 honoring Bob to the Public Works and Highway Committee, Cliff Newton raises his hand and told a story about how Bob used to hide Cliff's nameplate when Cliff was Chair of Fish and Game and they all would have a laugh about it. That was Bob. Priscilla Clegg told me a story of how Bob carpeted the office of a fellow contractor who was on vacation with a hideous zebra striped carpet making his office look like Tarzan's rec room. He did replace the carpet. He put the old one back. And finally, Priscilla reminded me of the time at Caesars Palace when my wife and her came out of the ladies' room and saw Bob and I talking to some very pretty young ladies who were definitely part of the local girl scout troop. Well, my wife and her made a beeline toward us and the young ladies scurried away. Bob says with the straight face of a judge, "Honey they came over to Andy like they knew him. I figured they met up with him on a previous trip." They watched us very carefully from then on. He got me. I'll never know if it was quick thinking on his part or did he pay those ladies just to prank me, Priscilla, and my wife. Even when I was just walking in here today, knowing I was going to speak, Rep. McGough stopped to show me pictures of a meet and greet at Bob Clegg's famous garden. He had a garden built that he could

marry people. He was a Justice of the Peace. He also did a lot of politicking in there and he had a meet and greet for Mike Pence. He showed me the pictures of the garden gnomes all over the lawn. They were garden gnomes, but they weren't regular garden gnomes. They all had AK 47s in their hand. That was Bob. Now, when you are feeling down, think about Bob Clegg and smile. By the way, Bob's 70th birthday would have been this week. Happy Birthday Bob. Think about him when you want to feel better. Think about the guy you knew and for those who did know him, I'm sorry for you. Thank you very much.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Hudson, the Honorable Robert E. Clegg, Jr.

CONSENT CALENDAR

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

SB 591-FN-A, modifying definitions, claims procedures, and funding relating to the youth development center settlement fund and claims administration, pursuant to House Rule 52, ordered to the Regular Calendar by the Speaker.

SB 375, relative to biological sex in student athletics, removed by Reps. Alicia Lekas, Granger, Hoell, Tom Mannion, Sirois, Phillips, Yokela, Comtois, Prout, Kelley and McCarter.

Consent Calendar was adopted.

SB 407-FN, relative to direct pay for ambulance services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. As introduced in the Senate, SB 407 required insurers to directly reimburse ambulance service providers at the usual and customary rate for such services or at the rate negotiated by the insurer and ambulance service provider, which the House has already agreed to this session. The Senate amended SB 407 and sent a new version which set reimbursement rates at 325% of Medicare reimbursement which would mandate that the fully insured market would have an increase premium of over 4% per covered per person month. So, for a family of 4, their annual health insurance premium would increase by almost \$200. Since this mandate is for only the small group, and fully insured market this premium increase would be only for 10% of New Hampshire insured. The vast majority of New Hampshire citizens who are employees of large employers, Medicare, Medicaid or veterans would be exempt from this increase. The Commerce Committee could not agree with incredibly unfair legislation. So instead, the Commerce Committee unanimously approved an amendment that provides for a statewide ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state. The study shall include an illustrative ground ambulance rate schedule which is such that, if fully insured health carriers were to use this schedule in reimbursing nonparticipating ground ambulance providers, it would be sufficient to cover the reasonable cost of providing efficiently delivered care and a reasonable operating margin, assuming all payers in the state are paying at the same rate. Vote 17-0.

Amendment (1641h)

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

AN ACT establishing a ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state.

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

1 Managed Care Law; Establishing a Ground Ambulance Cost Reporting Program and Providing for a Study by an Independent Actuarial and Accounting Expert of Ground Ambulance Costs and Ground Ambulance Reimbursement Rates.

I. Beginning on the effective date of this section, the commissioner shall oversee the process provided for in this section of contracting with an independent actuarial and accounting expert to conduct a study of the costs incurred and revenue collected by ground ambulance providers related to the provision of ground ambulance services in the state, including the cost of sustaining a reasonable operating margin in support of the expectation that ground ambulance providers in the state maintain readiness to meet demand for services. The commissioner of the department of safety shall collaborate with the commissioner in collecting cost and revenue reports, as designed by the actuarial and accounting contractor, from all ground ambulance providers in the state. The actuarial and accounting contractor may make use of the Medicare ground ambulance cost reporting template if deemed appropriate by the contractor for the purposes set out in this section. The commissioner of the department of safety shall have authority to enforce this reporting requirement upon ground ambulance providers under the general supervision and specific enforcement authority conferred by RSA 153-A and shall work with the commissioner to set a deadline for ground ambulance providers to submit their cost reports that is sufficient to facilitate the completion of the study and report provided for in this section in a timely manner.

II. Based on the information provided through the cost and revenue reports, the actuarial and accounting contractor shall be directed to summarize the cost and revenue information collected and to derive an illustrative statewide cost-based default rate schedule appropriate for fully insured commercial payers for use in reimbursing nonparticipating ground ambulance providers. The schedule may be based on a percentage of Medicare rates, or it may be an independently developed schedule. The schedule may vary based on geographic region. Reimbursement under the illustrative schedule shall be designed to cover the costs attributable to the provision of covered services assuming that all public and commercial ground ambulance payers in the state are paying at the same rate and assuming that the rate of subsidization of ground ambulance services in the state through public funds remains constant. Costs shall include the cost of pre-hospital care and the cost of sustaining a reasonable operating margin as necessary to fulfill the expectation that ground ambulance providers in the state maintain readiness to meet future demand for services. Cost estimates shall be based on the assumption that services shall be provided in a reasonably cost-effective manner. The illustrative rate schedule shall be accompanied by an actuarial estimate of the impact on premiums for fully-insured coverage in the state. For this purpose, the commissioner shall provide the contractor with access to all payer claims data. The contractor shall produce a final report by December 31, 2024, detailing the information required to be produced under this section and such other supplemental information as shall be directed by the commissioner. The commissioner shall assist the contractor as necessary to complete the study and report in a timely manner. The report shall be submitted to the president of the senate, the speaker of the house of representatives, the house and senate policy committees with jurisdiction over commerce and health and human services issues, the governor, and the state library.

III. The cost of the ground ambulance cost and actuarial study and illustrative rate schedule development shall be financed by the New Hampshire health plan established under RSA 404-G. The New Hampshire health plan shall have authority to carry out a one-time special assessment of assessable entities as defined in RSA 404-G:2 to generate a funding level that is estimated to be sufficient to retain a qualified actuarial vendor to carry out the tasks provided for in this section. With the approval of the commissioner, the New Hampshire health plan shall select a qualified actuarial and accounting vendor through a competitive bidding process to work with the commissioner and the commissioner of the department of safety to carry out the relevant provisions of this section. The performance of this special assessment and the selection and compensation of a qualified actuarial vendor shall be deemed to be a "program" of the New Hampshire health plan as defined in RSA 404-G:2, IX. The commissioner shall have the authority to waive the formal plan of operation requirement under RSA 404-G:5 as necessary facilitate the timely process of retaining a qualified contractor under this section and meeting the December 31, 2024 deadline for obtaining an expert study and report.

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

AMENDED ANALYSIS

This bill provides for a statewide ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state. The study shall include an illustrative ground ambulance rate schedule which is such that, if fully insured health carriers were to use this schedule in reimbursing nonparticipating ground ambulance providers, it would be sufficient to cover the reasonable cost of providing efficiently delivered care and a reasonable operating margin, assuming all payers in the state are paying at the same rate.

The Speaker referred the bill to the Committee on Finance.

SB 362-FN, relative to body-worn cameras. OUGHT TO PASS.

Rep. Kevin Pratt for Criminal Justice and Public Safety. The committee heard testimony from two attorneys of the benefit and concern of the sharing of body worn camera footage. All testimony did state the importance and the citizen's right to footage they are in. There is a concern that as footage becomes readily available, it may get online for the public to view. This is not the intent. This report would be issued by New Hampshire Law Enforcement Accreditation Commission. The committee felt this report would be valuable to make future adjustments to body worn camera regulations. Vote 20-0.

The Speaker referred the bill to the Committee on Finance.

SB 420, relative to requiring an additional report from the legislative study committee concerning the long-term impact of the New Hampshire adult parole system. OUGHT TO PASS.

Rep. Jonah Wheeler for Criminal Justice and Public Safety. The legislative study committee around the long-term impact of the adult parole system was approved by the legislature last year in SB 251. The study committee met many times in fall of 2023, going over the complexities of our adult parole system, listening to people involved with and impacted by the system, law enforcement, parolees, the parole board, corrections and more. The complex nature of the system proved too much to be handled in one fell swoop, and the members of the committee would like to continue the work into the coming fall. Vote 20-0.

SB 424, relative to reductions of maximum sentences while on parole. OUGHT TO PASS.

Rep. David Meuse for Criminal Justice and Public Safety. This bill is a product of the SB 251 study committee, which was established in 2023 to examine the New Hampshire adult parole system. One of the commit-

tee's recommendations was to adopt clear and concise policy language in parole guidelines when weighing the factors associated with the decision to reduce the length of parole. Our current law is vague and doesn't provide a probation parole officer with legal directions on how to consistently consider parolees for a reduction of their maximum sentences. This bill addresses this issue by establishing a framework in statute for parole eligibility and reduction of their maximum sentences. Based on current Department of Corrections policies, the framework included in the bill requires the supervising probation and parole officer to conduct an annual review that assesses the parolee's risk of recidivism. The review would examine the parolee's criminal history, education, employment and financial status, substance use and abuse problems, mental health needs, and engagement with treatment, and more. Under the bill, the final decision around any reduction in parole length would continue to be made by the parole board. Worth noting is the bill would have no impact when it comes to reducing the sentence of a person currently serving time for a criminal conviction. Vote 20-0.

SB 460-FN, establishing the crime of and penalties for unlawful use of unmanned aircraft systems. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ray Newman for Criminal Justice and Public Safety. This bill ensures the safety of New Hampshire's citizens and protects critical infrastructure from potential threats posed by small drones. This bill, as amended, based on testimony heard, now provides a violation for a first offense, and a misdemeanor for a second or subsequent offenses. It also adds a new paragraph to RSA 422:28 to make the penalties compatible with RSA 644:23, which is the RSA changed by this bill. Vote 19-0.

Amendment (1400h)

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

1 New Section; Unlawful Operation or Use of Unmanned Aircraft Systems. Amend RSA 644 by inserting after section 644:22 the following new section:

644:23 Unlawful Operation or Use of Small Unmanned Aircraft.

I. A person is guilty of a violation for a first offense, and a misdemeanor for a second or subsequent offense, if such person operates a small UAS in violation of laws and regulations of the Federal Aviation Administration (FAA), including but not limited to 14 CFR Part 107.

II. A person is guilty of:

(a) A class A misdemeanor if such person negligently operates a small UAS in a manner so as to interfere with or disrupt the flight of a human-occupied aircraft, or otherwise impede the normal course of operations of any international, regional, municipal, or general aviation airport.

(b) A class B felony if such operation results in damage to a human-occupied aircraft in flight.

(c) A class A felony if such operation causes said aircraft to crash and such crash results in death or serious bodily injury.

III. A person is guilty of a misdemeanor if such a person operates a small UAS in FAA-restricted airspace over the property of a federal or state correctional, penal, or detention facility, and a class B felony if such operation is done with the purpose of delivering contraband into the facility or to aid in the escape of a prisoner.

IV. A person is guilty of a class B felony if such person is knowingly in possession of or operates a small UAS equipped with a device capable of causing serious bodily injury, death, or property damage or is otherwise capable of firing or releasing a projectile. Federal, state, and municipal public safety bomb squad personnel are exempted from this provision for the limited purpose of use of a small UAS for the disposal of explosives, bombs, and hazardous devices. Law enforcement's use of a small UAS to deploy distraction or disorientation devices is exempt from this provision.

V. This provision shall not apply to any law enforcement officer pursuant to their lawful authority.

2 New Paragraph; Prohibitions; Unlawful Operation or Use of Unmanned Aircraft Systems. Amend RSA 422:28 by inserting after paragraph XIV the following new paragraph:

XV. For any person to operate or use an unmanned aircraft system in violation of RSA 644:23.

3 New Paragraph; Penalties; Unlawful Operation or Use of Unmanned Aircraft Systems. Amend RSA 422:29 by inserting after paragraph IX the following new paragraph:

X. The penalties for a violation of RSA 422:28, XV are those provided in RSA 644:23.

4 Effective Date. This act shall take effect January 1, 2025.

SB 564-FN, relative to crimes involving child sexual abuse images. **OUGHT TO PASS.**

Rep. Linda Harriott-Gathright for Criminal Justice and Public Safety. This bill expands the definition of "child" under the child sexual abuse images statute to include those images that are portrayed to be a person under the age of 18 and are thus indistinguishable from a child. People creating computer-generated child sexual abuse material can avoid the legal system because the depicted children are not actual people as defined by the state's criminal code. Currently, the definitions in RSA 649-A:2 leaves New Hampshire citizens vulnerable. This bill seeks to close the loophole and keep the children of this state safe. Vote 19-0.

SB 578-FN, relative to criminal pre-trial services and monitoring. **REFER FOR INTERIM STUDY.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. The committee unanimously voted to interim study this proposed legislation because the content has been thoroughly addressed in the bail package that has been voted out of the House on the consent calendar twice after being heard by the Criminal Justice and Public Safety Committee and the House Finance Committee. It is our sincere hope that the bail package will be voted out of the other body with a positive motion and all of the public's requests will be addressed within that legislation. Vote 19-0.

SB 217-FN-A, establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Katy Peternel for Education. This bill, as amended, defines rural and underserved educator and rural school districts. It requires the Department of Education (DOE) to identify specific schools that are affected by critical educator shortages using specific criteria. This bill also creates an incentive grant program for educators employed by an identified school or district for up to four years, provided that the educator remains employed by the same school or district. The grant is awarded upon completion of each eligible year. Vote 20-0.

Amendment (1602h)

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

1 New Section; Department of Education; Rural and Underserved Area Educator Incentive Program. Amend RSA 21-N by inserting after section 8-d the following new section:

21-N:8-e Rural and Underserved Area Educator Incentive Program.

I. In this section:

- (a) "Department" means the department of education.
- (b) "Division" means the division of educator support and higher education.
- (c) "Commission" means the New Hampshire higher education commission.
- (d) "Rural and underserved area educator" means a full-time, credentialed individual employed as an instructional employee in an eligible public school district or at an eligible chartered public school.
- (e) "Rural school district" means:

(1) There are fewer than 20 enrolled students per square mile within the area encompassed by the school district's boundaries; or

(2) The regional public health network in which a plurality of the school district's market value for assessment purposes is located is deemed rural as defined by the department of health and human services, division of public health.

II. The department shall identify specific schools that are affected by critical educator shortages using the following criteria:

- (a) Rural isolation of the school; or
- (b) Economic disadvantage of the school based on eligibility for funds pursuant to title I, part A of the federal Elementary and Secondary Education Act, as amended.

III. Rural and underserved area educators who are employed at schools identified in paragraph II shall be eligible for payment of retention grants as outlined in this section.

IV. Grant payments may be provided on behalf of a rural and underserved area educator who:

- (a) Is employed in a school identified in paragraph II; and
- (b) Has a signed contract with such school.

V. To qualify for grant payments under this section, a rural and underserved area educator shall submit an application to the commission. For grant payment applications, the application shall include any documentation required by the department for verification of the applicant's eligibility.

VI. A rural and underserved area educator shall be eligible for grant payments for up to 4 years, provided that the educator remains employed at the same school or by the same school district. The department may remit payment of the grant on behalf of the rural and underserved area educator in accordance with the requirements of this section and rules adopted by the commission.

VII. The total incentive award shall be:

- (a) In the amount of \$1,500 upon completion of the first year;
- (b) In the amount of \$2,500 upon completion of the second year;
- (c) In the amount of \$3,500 upon completion of the third year; and
- (d) In the amount of \$4,500 upon completion of the fourth year.

VIII. The commission shall adopt rules pursuant to RSA 541-A to establish protocols for determining the number of incentive awards that will be made annually based on available appropriations for the program.

IX. Incentive awards under this section shall be offered to the extent of available funding.

2 Rural and Underserved Area Educator Incentive Program; Appropriation. There is hereby appropriated the sum of \$1 for the fiscal year ending June 30, 2025, to the department of education, division of educator support and higher education, for the purpose of funding the rural and underserved area educator incen-

tive program established in RSA 21-N:8-e. All funds appropriated for the program shall be nonlapsing. 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 60 days after its passage.

The Speaker referred the bill to the Committee on Finance.

SB 338, relative to the education professional standards board. **OUGHT TO PASS WITH AMENDMENT.** Rep. Rick Ladd for Education. The state Professional Standards Board advises the State Board of Education regarding professional growth, certification, and governance of the education profession in New Hampshire. As amended, this bill leaves the total board membership at 21, but requires that a career technical education teacher be one of the nine members representing classroom teachers, education specialists, or instructional specialists. The amended version also requires that the board include a career technical education principal as one of nine members representing education administration. In summary, it is important that the Professional Standards Board include career technical education personnel in support of teaching students technical skills that are directly related to business and industry. Vote 19-0.

Amendment (1410h)

Amend the bill by replacing section 1 with the following:

1 Professional Standards Board; Members. Amend RSA 186:60, I to read as follows:

I. There is hereby established a professional standards board to advise the state board of education regarding professional growth, certification, and governance of the education profession in this state. The board shall consist of the following 21 members:

(a) The commissioner of the department of education, or designee, who shall be the executive secretary of the board;

(b) 9 members representing classroom teachers, education specialists, or instructional specialists, *of which one shall be a career technical education teacher*;

(c) 9 members representing higher education and education administration with at least 3 employed by a community college system of New Hampshire member institution education department, or university system of New Hampshire member institution education department, *and with at least one employed as a career technical education principal*; and

(d) 2 members representing qualified lay persons.

SB 339, relative to repealing the graduation requirement regarding Free Application for Federal Student Aid (FAFSA) applications. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for Education. While the committee agrees with repealing the Free Application for Federal Student Aid (FAFSA) graduation requirement, the House has already passed a preferable version that also includes a school board policy to provide FAFSA information to students and families. Vote 20-0.

SB 374-FN, relative to the licensing of part-time teachers. **INEXPEDIENT TO LEGISLATE.**

Rep. Mike Belcher for Education. This bill would authorize the employment of part-time, non-credentialed teachers in public schools. Testimony and debate raised concerns over the provision allowing for 30 hours to be classified as part-time and eligible under this bill due to the schedule of teachers potentially shifting some current full-time status teachers to part-time. This committee finds the provisions of the House Bill sent to the Senate, which included 20 hours as the threshold, as preferable and workable, and generally supports the concept of the bill. Vote 19-0.

SB 377-FN, establishing the achieving a better life experience (ABLE) savings account program administrative fund. **OUGHT TO PASS.**

Rep. Margaret Drye for Education. The primary purpose of this bill is to create a non-lapsing, dedicated fund, to deposit a portion of assessments (fees) paid by and collected from the New Hampshire ABLE (Achieving a Better Life Experience) Plan participants. ABLE savings accounts allow individuals with disabilities and their families to save for many daily, disability-related expenses on a tax-deferred basis without limiting their ability to benefit from supplemental security income (SSI), Medicaid, and other federal programs. This bill is supported by the Governor's Commission on Disabilities and the State Treasurer. Vote 19-0.

SB 379-FN, relative to emergency action plans for sports related injuries. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, establishes requirements for the placement and maintenance of automated external defibrillators (AED) in schools. School-aged children are potential victims of experiencing a sudden cardiac arrest. Sudden cardiac arrest among student-athletes has prompted a drive to equip athletic facilities with AEDs; however, research has found that sudden cardiac arrest occurs more often with school-aged non-athletes. Because early defibrillation significantly increases the survival rate after sudden cardiac arrest, the American Heart Association (AHA) organization encourages making AEDs readily available in public spaces, such as school buildings. Virtually anyone can use an AED to save a life.

As amended, this bill recommends that AEDs be checked and maintained in accordance with the manufacturer's instructions and that AEDs be readily accessible in a well-marked and safe place, and not locked in an office or located in a location not easily reached. As written, this bill does not mandate, but recognizes the life-saving value of AEDs and encourages schools to establish emergency action plans for the placement and use of AEDs. Vote 20-0.

Amendment (1596h)

Amend RSA 200:40-c, I(f)-(h) as inserted by section 1 of the bill by replacing it with the following:

(f) Identify the location of any automated external defibrillators and personnel trained in the use of the automated external defibrillator (**AED**). ***If the school has AEDs:***

(1) The school will regularly check and maintain the AED according to the manufacturer's instructions; and

(2) At least one AED shall be readily accessible in a well-marked and safe place for use in responding to cardiac emergencies and shall not be locked in an office or be stored in a location that is not easily and quickly accessible.

(g) Document policies related to cooling for an exertional heat stroke victim consistent with guidelines established by the American College of Sports Medicine and the National Athletic Trainers' Association.

AMENDED ANALYSIS

This bill establishes requirements for the placement and maintenance of automated external defibrillators (AED).

SB 441, relative to establishing an advisory group to examine potential funding sources for career and technical education (CTE) construction and renovation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill creates an advisory group to study current and possible funding sources for career and technical education (CTE) construction and renovation. The advisory group, as initially introduced in the bill, would include nine members, and as amended, two representatives of business and industry are added. Under the current system for funding CTE construction and renovation, an average of two centers have been funded during each biennial budget. With 28 centers, it is about a 20-year cycle to complete all of the renovations. Given the speed at which technology and industry needs change, this is a long wait between capital improvements for each school. We are now close to completing the 20-year budget cycle for all the centers. It is time to actively begin discussions to identify an alternative capital funding system that better supports CTE programming, construction, and business and industry requirements/needs. Vote 19-0.

Amendment (1447h)

Amend subparagraph II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The commissioner of education, or designee.

Amend paragraph II as inserted by section 1 of the bill by inserting after subparagraph (f) the following new subparagraph:

(g) Two representatives of business and industry.

SB 442-FN, relative to student eligibility for education freedom accounts and the scholarship organization's costs of administering the program, extending phase-out grants for education freedom accounts, and revising the definitions of average daily membership in attendance and average daily membership in residence. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education. This bill would increase the annual income threshold for an Education Freedom Account (EFA) from 350% to 400% of the federal poverty guidelines, extend the period of phase-out grants from 2026 to 2029, reduce the amount the scholarship organization may retain for administrative purposes from a maximum of 10% to 8%, and provide that EFA students may enroll in public school academic courses in grades 7-12 with the public school receiving an additional 0.15 pupil cost for each course taken by the EFA student. Although this bill raises the EFA eligibility level to 400%; it does not achieve the preferable, more inclusive level of 500% as passed by the House earlier this session in HB 1665. The committee is also not supportive of extending the phase-out grant process for another three years and believes proposed language to reimburse public schools the 0.15 pupil cost in the same manner as is done for home schooling students has unanswered concerns and is not ready to become law. The Education Freedom Account program fosters the creation of educational options that meet the many challenges and needs of children, families, and communities throughout New Hampshire. The House has worked diligently this year to support student learning by recommending increased adequacy funding, weighted costing associated with differentiated special education aid, and by passing HB 1665, to increase the EFA eligibility level to 500%. For these reasons, committee members who recognize the educational value of the EFA program do not support this bill and remain committed to HB 1665. Vote 17-0.

SB 443-FN, relative to the definition of school transportation vehicle. **OUGHT TO PASS.**

Rep. Mel Myler for Education. This bill is enabling legislation that allows a school district to use alternative transportation to transport students. With the assistance of the Department of Safety, the bill provides the

appropriate criminal records checks as well as other necessary oversight as with any drivers or vehicles used to transport students. In a school district, it may need a smaller vehicle to move a single student rather than a normal school bus or van. This allows flexibility in the transportation of students. Vote 19-0.

SB 521-FN, relative to the educational credentials for master teacher. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Terry for Education. The committee majority finds that excellent public school teachers deserve recognition for the extraordinary learning opportunities provided to New Hampshire students. The bill, as amended, changes criteria and requirements for the granting of the education credential of master teacher. Currently, there is a fee for master teacher of \$800 for a three-year license. As amended, the bill reduces the cost of licensure, payable by the teacher, from \$800 for three years to \$100 for initial licensure and no more than \$25 for annual renewal thereafter. The purposes of the credential are to identify highly qualified, experienced teachers to serve as resources who contribute to improving student learning, establishing a positive school environment, and to recognize experienced teachers who have consistently demonstrated exceptional knowledge and skills in the classroom. This program will incentivize excellence within our state's teaching corps with consequent benefits for our state students. Vote 18-1.

Amendment (1442h)

Amend RSA 189:14-f, I as inserted by section 1 of the bill by replacing it with the following:

I. The state board of education shall grant the educational credential of master teacher to those persons who deserve recognition for the extraordinary learning opportunities they provide New Hampshire students and who have fulfilled at least the following requirements:

- (a) Teaching experience exhibiting excellence in the classroom, including at least 7 years during which a teaching certificate requiring knowledge and performance of the professional education standards was held;
- (b) Demonstrated quality teaching of the professional education standards with evidence of student growth and achievement; and
- (c) The creation of a portfolio documenting leadership activities that is highly rated in the following areas:
 - (1) Professional classroom practice.
 - (2) Leadership and supervision.
 - (3) High expectation for students, ensuring that each child develops and realizes their full academic and social potential.
 - (4) Collaboration and congeniality.
 - (5) Professional development.
 - (6) Student learning climate.
- (7) Evidence of working closely with parents and community.

SB 526, relative to a public school facility condition assessment and school building aid grants for temperature control. **INEXPEDIENT TO LEGISLATE.**

Rep. Mike Belcher for Education. Significant concerns have been raised about this bill including cost, the intensive studies mandated within, and particularly provisions that would require classrooms to be shuttered as soon as the ambient temperature exits a narrow range, thereby leaving students with nowhere to go rather than simply donning a sweater should the internal temperature fall to 59 degrees Fahrenheit. Further, air quality provisions in this law are duplicative. It was suggested that this bill is necessary to prepare New Hampshire schools for the extreme effects of anthropomorphic climate change. This portion of the committee disagrees that the future holds such elevated threats of extreme weather as to justify emergency legislative measures, and the mandates for classroom closure are unworkable as written. The other portion of the committee is friendly to the intent of the bill but also find it unsuitable in the specifics at this time. Vote 20-0.

SB 528, relative to trustees of the university system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, provides that the University System Board of Trustees shall include three student trustees, one from Keene State College, one from Plymouth State University, and one from the University of New Hampshire. The bill also removes the trustee member elected by the alumni of Granite State College, effective June 30, 2025, as the legislature merged Granite State College into the University of New Hampshire in 2022. The bill, as amended, is supported by the majority of the University System of New Hampshire trustees. Vote 18-1.

Amendment (1425h)

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

1 Trustees of University System. RSA 187-A:13, III is repealed and reenacted to read as follows:

- III. Three members shall be student trustees, one from each of the following educational institutions:
- (a) Keene state college.
 - (b) Plymouth state university.
 - (c) The university of New Hampshire.

2 Repeal. RSA 187-A:13, VII, relative to election of a member of the university system board of trustees by alumni of Granite state college, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect June 30, 2025.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill provides that the university system board of trustees shall include 3 student trustees, one from Keene state college, one from Plymouth state university and one from the university system of New Hampshire. The bill also removes the member elected by the alumni of Granite state college, effective June 30, 2025.

SB 530, relative to reports of receipts and expenditures filed by political committees of candidates and candidates. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This bill makes changes to the readability of the campaign finance reports. The committee incorporated these changes in HB 1091, which passed the House, and this bill is no longer necessary. Vote 20-0.

SB 329-FN, relative to background checks of certain persons associated with solid waste management. **OUGHT TO PASS.**

Rep. Jim Creighton for Environment and Agriculture. The Department of Environmental Services recommended the language in this bill in order to improve the safety and health of New Hampshire citizens by allowing background checks on “partners and individuals or entities having managerial, supervisory, or substantial decision-making authority and responsibility for the management of operations or activities” of waste management facilities. This bill further strengthens the safety of waste management operations in the Granite State which led to its unanimous support. Vote 14-0.

SB 385, relative to the cost of care fund. **OUGHT TO PASS.**

Rep. Jim Creighton for Environment and Agriculture. The Department of Agriculture supports the language in this bill in order to ensure that funds requested by towns for care of animals confiscated by authorities can be distributed to third-party caregivers. Under current law, the town may receive the money from the cost of care fund but cannot disperse it to the third-party animal care givers. This bill rectifies this problem by allowing funds from the cost of funds to be distributed directly to third-party caregivers. The bill also eliminates the state veterinarian from the duty of reviewing and responding to the applications for funds. This bill was also supported by the New Hampshire Farm Bureau and animal rescue organizations. Vote 14-0.

SB 545-FN, Establishing a committee to study the scope and role of veterinary technicians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. There is currently a statewide shortage of large animal veterinarians. One proposal which may provide a partial solution is to expand the role of veterinary technicians through further training and licensure. As amended, the bill would create a committee to study the current scope of practice for veterinary technicians, ways of expanding that scope that would expand the availability of large animal care, and whether licensure of some or all veterinary technicians could enhance large animal veterinary services. Vote 14-0.

Amendment (1492h)

Amend the bill by replacing section 2 with the following:

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, 2 of whom shall be members of the house environment and agriculture committee and one of whom shall be a member of the house executive departments and administration committee appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

SB 587, relative to animals brought into this state. **OUGHT TO PASS.**

Rep. Allison Knab for Environment and Agriculture. This bill was introduced at the request of the state’s animal rescue community in order to allow littermates entering the state to share a primary enclosure during the quarantine period, rather than being forced to separate. This serves to reduce the anxiety and trauma of animals during the required quarantine period as well as provide the benefit of continued socialization. Under the language of the bill, the Department of Agriculture, Markets and Food (DAMF) would be able to adopt rules about quarantine requirements for dogs, cats, and ferrets; these would have to follow existing rules around restrictions on age and the appropriate size of enclosures. The bill was worked on in coordination with dog owners’ groups, the DAMF commissioner, and the state veterinarian, and was unanimously supported by the committee. Vote 15-0.

SB 210-FN, relative to the licensing of software applications by state agencies. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill requires all software contracts entered into by a state agency to not limit the agency's ability to run and install software on the infrastructure of the agency's choosing. Contracts that limit the infrastructure software can be run on might prevent the agency from running the software in environments that are the most cost effective. They could also prevent the agency from moving software to platforms that might become more desirable. That could require the agency to maintain older platforms just so they could continue to use software they already depend on. This might increase the cost and complexity of maintaining existing applications. The committee heard testimony from the director of the Department of Information Technology who had no objection to this bill. Vote 16-0.

SB 306-FN, relative to manufactured housing rulemaking authority. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. As amended, this bill establishes a state process through the office of professional licensure and certification for dispute resolutions for the installation of manufactured housing. This gives rulemaking authority to the agency and allows for disputes to be resolved through a state process versus a federal one. Vote 20-0.

Amendment (1555h)

Amend the bill by replacing section 1 with the following:

1 Office of Professional Licensure and Certification; Rulemaking Authority. Amend RSA 310:6, II to read as follows:

II. Such organizational and procedural rules necessary to administer the boards in the office, including rules governing the administration of complaints and investigations, hearings, disciplinary and non-disciplinary proceedings, *manufactured housing dispute resolution*, inspections, payment processing procedures, and application procedures. *For purposes of this paragraph, "manufactured housing dispute resolution" means a program for the timely resolution of disputes between manufacturers, retailers, and installers of manufactured homes, including the issuance of appropriate orders, regarding responsibility for the correction or repair of defects in manufactured homes for defects that are reported during the one-year period beginning on the date of installation.*

SB 337-FN, relative to doula and lactation service provider certification. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tony Lekas for Executive Departments and Administration. This bill, as amended, would provide a voluntary doula certification process and a voluntary lactation service certification process for lactation service providers run by the office of professional licensure and certification (OPLC). This voluntary certification is being made available for the purposes of Medicaid reimbursement. This should make lactation services more widely available to new mothers, especially those with limited resources. The committee heard testimony that those services would be fully paid for by the federal Medicaid program. The bill the committee received named particular accreditation organizations for those seeking to be certified doula and lactation consultants. While the bill permitted OPLC to select other accreditation organizations, the committee heard testimony in support of or opposition to various such organizations. The amendment removes references to any specific organizations and requires the OPLC to adopt rules pursuant to RSA 541-A concerning this certification including specifying the acceptable accreditation organizations. Vote 10-1.

Amendment (1427h)

Amend RSA 310-A:222, I as inserted by section 1 of the bill by replacing it with the following:

I. For the purposes of Medicaid reimbursement, the office of professional licensure and certification shall establish, pursuant to RSA 310:6, a voluntary doula certification process and a voluntary lactation service certification process. Coverage levels of such services are separately subject to Medicaid rules and regulations and shall not supplant federal funds.

The Speaker referred the bill to the Committee on Finance.

SB 367, reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill reinstates the commission to study the incidence of post-traumatic stress disorder in first responders. The chair of the commission, who is also a state senator and is the prime sponsor, presented to the committee the importance of the work of this commission. The commission comprised of leaders in the mental health and first responder communities have met regularly and summarized their finding in annual reports. Vote 16-0.

SB 369-FN-A, directing the office of professional licensure and certification to provide notice of public meetings and an opportunity for comment, creating a new position, and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Matthew Simon for Executive Departments and Administration. This bill changes requirements for public meeting notices by boards supervised by the Office of Professional Licensure and Certification. Board meetings would need to be posted 14 days prior to a meeting, and records would need to be made available 7 days prior to a meeting to allow adequate time for the public to make arrangements to participate. The bill also requires the boards to provide opportunities for public and private comment. The bill allows for exceptions to these requirements in the cases of emergency hearings, disciplinary and non-disciplinary remedial proceedings, and unlicensed practice hearings. Lastly, the bill creates an attorney II position and makes an appropriation for the position. Vote 20-0.

Amendment (1575h)

Amend RSA 310:5, VII-VIII as inserted by section 1 of the bill by replacing it with the following:

VII. All boards, councils, and commissions within the office of professional licensure and certification shall provide an opportunity for spoken comment from the public, virtually or in person, at public meetings, in a manner established by the board, council, or commission chair. This paragraph shall not apply to emergency hearings conducted pursuant to RSA 541-A:30, III or RSA 310:12, IV; disciplinary and non-disciplinary remedial proceedings conducted pursuant to RSA 310:10; and unlicensed practice hearings conducted pursuant to RSA 310:13.

VIII. All boards, councils, and commissions within the office of professional licensure and certification shall provide an opportunity for the public to submit written comments on matters before the board, council, or commission, in a manner established by the board, council, or commission chair, within 10 days of the public meeting or in accordance with RSA 91-A, as appropriate under this section. This paragraph shall not apply to emergency hearings conducted pursuant to RSA 541-A:30, III or RSA 310:12, IV; disciplinary and non-disciplinary remedial proceedings conducted pursuant to RSA 310:10; and unlicensed practice hearings conducted pursuant to RSA 310:13.

The Speaker referred the bill to the Committee on Finance.

SB 372-FN, relative to plumbing apprenticeships. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherry Gould for Executive Departments and Administration. This bill establishes requirements for the employment of plumbing apprentices. It raises the maximum number of apprentices a plumber can hire to two. This will allow more plumbers to be out working in the state under the supervision of a licensed plumber. This will help address the shortage of plumbers New Hampshire is experiencing. Vote 20-0.

Amendment (1577h)

Amend RSA 153:27, XV as inserted by section 1 of the bill by replacing it with the following:

XV. "Plumbing apprentice" means any person who is engaged in learning and assisting in the installation of plumbing and drainage under an apprenticeship program that meets the requirements of ~~[the state apprenticeship advisory council established in RSA 278 or]~~ the rules of the board, ***except that the maximum number of apprentices that a plumbing licensee is permitted to employ shall be no more than 2 per licensee. The master plumber shall not be required to register the apprentice in an approved apprenticeship program pursuant to RSA 278. If the apprentice is so registered, the program shall comply with all requirements of the United States Department of Labor.***

SB 430, relative to establishing a council to study the impacts of electric vehicles, e-mobility devices, and the associated lithium-ion batteries on first responder response, the environment, building and fire codes, life safety, and property protection. **OUGHT TO PASS.**

Rep. Matthew Simon for Executive Departments and Administration. This bill creates a council in order to study seven things: the occurrences of electric vehicle and e-mobility device lithium-ion battery related issues to which fire departments have responded; the impacts of these situations to public safety, response and personal protective equipment; the impacts to the built environment; the impacts to the environment to include air, water, and ground pollution; the impacts to the state transportation system; the cost and administration of first responder training; and the impacts to the state building and fire codes. Lithium-ion batteries in e-mobility devices are known to burn much hotter, for longer periods of time, and are much more challenging to extinguish than traditional car fires. These new challenges facing fire departments need to be better understood in order to protect firefighters and the public when these fires occur. The council does not involve members of the General Court but will still make and submit recommendations for legislation to the President of the Senate, the Speaker of the House, the Senate Clerk, the House Clerk, the Governor, and the State Library. Vote 17-0.

SB 437, relative to local authority to amend the state building code. **OUGHT TO PASS.**

Rep. Matthew Simon for Executive Departments and Administration. In an effort to keep building codes consistent throughout the state, this bill requires all amendments to the state building code adopted by municipalities be submitted to the state building code review board for review and confirmation. These amendments must be adopted through a local ordinance and must not be inconsistent with or less stringent than, nor intended

to replace, the requirements of the most recent edition of the state building code adopted by the building code review board and approved by the legislature. Local amendments must be submitted for confirmation within 60 days, or the amendment will be considered unenforceable. This includes all local amendments and codes that were adopted prior to July 1, 2024. The intention is that the building code review board would be aware of all local amendments, would be able to make sure that all amendments have been legally adopted, and could post all of these amendments in one central location so that any interested party could easily find them. Vote 20-0.

SB 479, relative to recognizing the second Thursday in October as children's environmental health day. **IN-EXPEDIENT TO LEGISLATE.**

Rep. Glenn Bailey for Executive Departments and Administration. This bill commemorates the second Thursday in October as Children's Environmental Health Day. As in previous years, the committee finds that proclamations by the governor and local celebrations are a more appropriate means of commemorating than a statute. Vote 15-0.

SB 480-FN, relative to the administration of professional licensure and certification and the regulation of real estate practice. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. As presented, this bill mandated a representative of the office of licensure and certification be assigned to a board whose membership exceeds 7,000 to assist in board administration, customer support, and licensing. It also provided direction for inactive real estate licenses and codified a process for education approval by the real estate commission. As amended, the assignment of a dedicated staff member for a specific board and the education approval process was removed for being unnecessary, but the bill still addresses the post licensing period for new licensees and clarifies the requirements for inactive license holders. Vote 20-0.

Amendment (1568h)

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

AN ACT relative to the regulation of real estate practice.

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

1 New Hampshire Real Estate Practice Act; Definitions. Amend RSA 331-A:2, VII through VIII to read as follows:

VII. "Person" means an individual, sole proprietorship, corporation, partnership, association, limited liability company, other business association, or other legal entity.

VII-a. "Post licensing" refers to the period of time during which a natural person is licensed for the first time on or after February 1, 2024, commencing from the date the license is issued and terminating upon first renewal of that license.

[VH-a.] ***VII-b.*** "Principal" means the party or parties to a real estate transaction who contract the services of a real estate brokerage firm to act on their behalf in a fiduciary relationship.

VIII. "Principal broker" means the individual broker, including the broker designated by a corporation, partnership, or association, whom the New Hampshire real estate commission holds responsible for the actions of licensees who are assigned to such individual broker.

2 New Section; New Hampshire Real Estate Practice Act; Inactive Licensure Status. Amend RSA 331-A by inserting after section 12-a the following new section:

331-A:12-b Inactive Licensure Status.

I. Any licensee who does not want to perform as a broker or salesperson as defined in RSA 331-A:2, and who wants to preserve his or her license while not engaged in any brokerage activities, including making any referrals for commission or for other compensation, or for the promise of such commission or other compensation, may surrender that license to the commission for placement on inactive status; provided, however, that while on inactive status, the licensee may be compensated by his or her previous responsible broker for brokerage activities or referrals for which the licensee participated while the licensee's license was active, pursuant to RSA 331-A:26, XXIV. The commission shall place the licensee on inactive status only upon a written request by the licensee. While on inactive status, the licensee shall renew the license biennially by satisfying any renewal requirements and continuing education requirements adopted by the commission, but shall not be required to maintain a place of business, or in the case of a licensed principal or managing broker, to maintain a surety bond pursuant to RSA 331-A:14.

II. Any licensee on inactive license status may have his or her license reinstated to active status by demonstrating compliance in the previous biennium with the continuing education requirements adopted by the commission and by requesting to change status from inactive to active, and, in the case of a licensed principal or managing broker, by providing evidence of a surety bond as required by RSA 331-A:14.

III. Inactive status shall also apply to a licensee who, voluntarily or involuntarily, becomes disaffiliated from his or her broker of record. The license shall return to active status once the licensee is affiliated with a broker of record.

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

AMENDED ANALYSIS

This bill establishes a definition for “post licensing”. This bill further allows for inactive real estate licenses, provides requirements for those with an inactive license, and provides for a process for reinstatement of those licenses.

The Speaker referred the bill to the Committee on Finance.

SB 486-FN, adopting the physician assistant licensure compact. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. The committee was not in favor of this bill due to two merging thoughts. There is a strong portion of the committee that does not support licensure compacts and wanted to wait until the compact rules and fees have been set. Another portion of the committee felt that, until the recent changes underway in the physician assistance licensing criteria are settled, this compact should wait. Vote 11-0.

SB 599, relative to the state fire code. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. Testimony presented to the committee confirmed that thoughtful considerations were made for 2021 fire code revisions and clarifications. The New Hampshire General Court has adopted the fire code one cycle behind to stay up to date but not get ahead of technology. Testimony that the committee appreciated included removing the board of appeals and returning authority to local municipalities, harmonizing portable and stationary spacing to home generators, and maintaining the 2018 code for day care centers and small restaurants that are sensitive to increased costs. Vote 15-0.

SB 409-FN, relative to reimbursement for ambulance services under the state Medicaid plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill directs the Commissioner of the Department of Health and Human Services to submit an amendment to the state Medicaid plan that will allow Medicaid reimbursement for treatment of a patient by ambulance service personnel when the patient is not transported to a medical facility. Currently, such medical evaluation and treatment is reimbursed only when the patient is subsequently transported to a hospital. This bill would allow Medicaid reimbursement for documented medical evaluation and treatment procedures when an ambulance responds to an emergency call, and the patient consents to the evaluation and treatment if one of three outcomes occurs: first, if the patient and the licensed paramedic or emergency medical technician (EMT) agree that there is no longer any need for transportation; second, if the patient then does not request and actively refuses treatment; and third, when the patient is stable for referral to treatment by their primary care provider or other community resource, and the patient has the ability, including the mental capacity and transportation resources to obtain that follow-up care. There is also a provision that allows reimbursement when resuscitation efforts were terminated, and the patient is deceased. Members of the majority believe that such reimbursement will discourage unnecessary transport of patients, which will also keep hospital beds free. Other benefits are the prompt and appropriate treatment of the patient in their home and added reimbursement to help with the stability and continued service of our ambulance services. A final benefit is the lessening of the property tax burden in those communities which support their ambulance services with public funds. Vote 18-2.

Amendment (1563h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Commissioner of the Department of Health and Human Services; State Medicaid Plan Amendment Regarding Ambulance Services. Amend RSA 126-A:5 by inserting after paragraph XXXIV the following new paragraph:

XXXV. The commissioner shall submit to the Centers for Medicare and Medicaid Services (CMS) an amendment to the state Medicaid plan to provide reimbursement for ambulance services when care is provided in response to an emergency call to a member's home or on a scene, when an ambulance is dispatched, and treatment is provided to the patient without the patient being transported to another site.

(a) Providers shall be eligible for Medicaid reimbursement when the provider has documented that:

(1) The response originated through an emergency call; and

(2) The patient consents to evaluation and treatment, and one of the following outcomes has occurred:

(A) After the evaluation, and when indicated, treatment, the licensed paramedic or emergency medical technician (EMT) and the patient agree there is no need for transportation by ambulance;

(B) The patient does not request and actively refuses transport to an emergency department for evaluation; or

(C) The patient is stable for referral to the patient's physician, other community resource, and the patient has the ability, including mental capacity and transportation resources, to obtain assistance and medically indicated follow-up.

(b) Providers shall also be eligible for Medicaid reimbursement when the provider has documented that the response originated through an emergency call, resuscitation efforts were terminated, and the patient is deceased.

The Speaker referred the bill to the Committee on Finance.

SB 455-FN, relative to Medicaid reimbursement rates for prosthetic and orthotic devices. **OUGHT TO PASS.** Rep. David Nagel for Health, Human Services and Elderly Affairs. The majority of the committee finds that vendors of orthotic and prosthetic (O & P) services provide a valuable service for those who deal with various orthopedic and neuromuscular disorders. This allows their clients to maximize their level of function and participate in our society in both vocational and avocational ways, which benefits all of us. This bill will allow these vendors to survive and continue to provide this valuable service. Unlike the case for other health care providers, O & P providers rely heavily on Medicaid, more often traditional Medicaid, as a large percentage of its revenue source, where, too often, cost exceeds benefit. This makes financial viability challenging and limits the services they can provide to their clients. Two things were made clear during the testimony. First, we have a shortage of vendors in this state largely due to this financial challenge. Second, vendors, in the interest of financial survival, are considering no longer accepting Medicaid, which would put a substantial number of New Hampshire citizens at risk with the ripple effect on society of making those physically challenged less able. What was most meaningful was the lone vendor who testified is a small independent provider, an increasingly rare entity commodity in an increasingly corporate environment, one that deserves our support. Vote 17-3.

The Speaker referred the bill to the Committee on Finance.

SB 495-FN, relative to certification of alcohol and other drug use treatment facilities. **REFER FOR INTERIM STUDY.**

Rep. Mark McLean for Health, Human Services and Elderly Affairs. This bill directs the Commissioner of the Department of Health and Human Services to develop rules establishing a certification process for substance use treatment programs and facilities and requires that no programs or facilities be established or operated without the requisite certification. The bill also establishes an Office of the Ombudsman to investigate and resolve complaints within the jurisdiction of substance abuse treatment. Supporters of the bill felt that it would strengthen patient protection and ensure access to consistent, high-quality services. The primary concern expressed was that state regulators have no oversight or record of the majority of outpatient providers. The majority of the committee agreed that the problem is real, and that increased oversight is needed, but had concerns that the language was too broad and confusing and might lead to burdens and limitations being placed upon support services such as AA. While proposed amending language added clarity and greatly reduced the expanse of the bill, the majority still had concerns, and felt that it would be better to study the bill with affected stakeholders to minimize the risk of unintended consequences. Vote 19-1.

SB 314-FN, relative to pre-trial competency evaluations. **OUGHT TO PASS.**

Rep. Katelyn Kuttub for Judiciary. This bill was brought forward at the request of the Department of Corrections to amend the statute relative to pre-trial competency evaluations to allow them to occur at any suitable location or via electronic means, as long as there is no objection. They were previously only allowed by statute at a secure psychiatric unit or an outpatient clinic. It also incentivizes the evaluations to occur in a timely manner by requiring status conferences every 30 days, if an evaluation hasn't taken place within 90 days for non-incarcerated parties. It further provides for the court to order medical, mental health, and educational records from the last three years be provided to the forensic examiner and requires the examiner keep the records private from any parties without judicial order. Vote 19-1.

SB 327-FN, providing penalties for the assault or harassment of sports officials. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cam Kenney for Judiciary. This bill is designed to provide protection for sports officials, referees, umpires, etc. The bill does not create new criminal offenses, as such. However, the bill provides an additional sanction, beyond those applicable to the underlying offense, when the offense is committed against a sports official engaged in the discharge of his/her duties on the field of play or its vicinity. Specifically, as amended, it empowers judges to prohibit individuals who are convicted of such an offense from participating in or being a spectator at sports events for up to one year for a first offense and for any period up to a lifetime ban for subsequent offenses. The offenses covered by the bill are first and second-degree assault, simple assault, reckless conduct, criminal threatening, stalking, criminal mischief, or harassment. This legislative measure aims to ensure that sports officials can perform their duties without interference from disruptive individuals, thereby fostering an environment conducive to sporting events. Vote 20-0.

Amendment (1449h)

Amend RSA 631:4-b, II as inserted by section 1 of the bill by replacing it with the following:

II. Any person who commits first degree assault under RSA 631:1, second degree assault under RSA 631:2, simple assault under RSA 631:2-a, reckless conduct under RSA 631:3, criminal threatening under RSA 631:4, stalking under RSA 633:3-a, criminal mischief under RSA 634:2, or harassment under RSA 644:4, against a

sports official engaged in the discharge of the sports official's duties on the field of play or immediate vicinity shall be guilty of the offense of harming or threatening a sports official and subject to the punishment prescribed for the underlying offense.

SB 301, relative to establishing a committee to study the possibility of placing a desalination plant in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne Vail for Resources, Recreation and Development. This bill would name two senators and three representatives to study the prospect of having a desalination plant in New Hampshire in case of a natural or chemical disaster affecting New Hampshire drinking water. We learned from New Hampshire Department of Environmental Services that there is presently a commission established in 2019 - The Seacoast Commission on Long-Term Goals and Requirements for Drinking Water - that will complete its work. The committee learned that this commission is aware of this bill and that it will consider the topic of desalination in the course of its work before its conclusion, which is in 2029. Vote 19-1.

SB 345-FN, relative to state park fees for state residents. **REFER FOR INTERIM STUDY.**

Rep. Tanya Donnelly for Resources, Recreation and Development. This bill requires that state park fees charged to New Hampshire residents be no more than 50% of the entry fees charged to non-residents. In addition, the bill allows for different fee schedules for residents and non-residents for specific uses within state parks. The majority believes it is imperative that we conduct an interim study on the bill due to its potential adverse impact on New Hampshire's parks and recreation. The State Parks Director has expressed concerns that increased out-of-state day-use fees could drive visitors away and negatively affect revenue. Moreover, the Seacoast Science Center opposes the bill, citing similar concerns about the fee increases impact on visitors. The New Hampshire state parks system already has the ability to adjust fees and by allowing an interim study it would allow for the New Hampshire state parks to evaluate their needs for IT systems, fee percentage, the differentiation between resident and non-resident bookings and much more. In addition, the bill's potential effects on ski resorts remains unclear and necessitate further investigation. Given the potential economic and recreational ramifications, it is crucial that we gather more information and carefully consider the long-term consequences before moving forward with this bill. However, notice was taken of the fact that many surrounding states do have increased fees for non-residents which negatively affects New Hampshire residents when visiting parks out of state, so the equity issue should be part of the discussion. Vote 19-1.

SB 474, relative to prohibiting metal detecting in certain areas. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne Vail for Resources, Recreation and Development. This bill would prohibit using a metal detector on athletic fields and school grounds on state lands, to solve the problem of damage that is left behind by this activity that can cause injury. The committee learned that the state can and does restrict using a metal detector for treasure hunting from athletic fields at Plymouth State University, for instance, and that school grounds are typically municipal property and not state lands, and therefore are not covered by this bill. Vote 19-1.

SB 539-FN-A-L, establishing a procedure for the department of environmental services to transfer ownership of dams to municipalities or others, including making loans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill establishes a procedure for state notification to municipalities before any dam is removed by the state. It requires the state to give notice at least one year before any planned removal. Further, the bill provides a procedure to transfer ownership of dams to the municipalities in which the dam is located. The bill was amended whereby the section establishing the authority of the Department of Environmental Services to make loans for the Dam Maintenance Revolving Loan fund was removed. Vote 19-0.

Amendment (1638h)

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

AN ACT establishing a procedure for the department of environmental services to transfer ownership of dams to municipalities or other interested parties.

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

1 New Section; Department of Environmental Services; Dams; Transfer Procedures. Amend RSA 482 by inserting after section 51 the following new section:

482:51-a Dams; Transfer to Municipality or Association.

I. In this section "state-owned dam" means any dam owned exclusively by the department.

II. At least one year prior to removing any state-owned dam, the department shall offer to transfer ownership of the dam and associated property, including associated easements and water rights, to the municipality in which the dam and impoundment created by it are located. Upon notice by the department, the governing body shall cause the legislative body to answer the question of whether the legislative body wants to accept the transfer of ownership of the dam. At the same meeting, the legislative body shall consider the issuance of any long-term debt necessary to effectuate the transfer and address any deficiencies. If the legislative

body votes to accept the transfer, but denies issuance of the debt, the department shall consider that to be a rejection of the offer. Upon rejection of the offer by the municipality, the department shall offer to transfer ownership of the dam and impoundment created by it to any association of landowners or any interested parties, registered as a public entity in good standing and capable of assessing local property taxes or issuing debt which have an interest in perpetuating the dam and its impoundment. Those interested parties shall have 90 days to consider whether to accept the transfer of ownership. After those 90 days have elapsed with no accepted offers for a transfer of ownership, the department may proceed with removal of the dam.

III. The procedure in paragraph II shall not apply if, upon receipt of information reasonably believed to be valid, the commissioner of environmental services believes the dam to be in imminent danger of failure and a threat to the lives and property downstream, or unless there is a compelling environmental interest in removal.

IV. When offering a transfer of a dam under paragraph II, the department shall provide to the offerees any existing documentation regarding the dam's condition, a good faith estimate of costs of necessary repairs, a list of ongoing maintenance, inspection, or licensing needed, and all other relevant information regarding the costs of taking ownership of the dam with associated property, easements, and water rights.

2 Effective Date. This act shall take effect July 1, 2024.

AMENDED ANALYSIS

This bill establishes a procedure for the department of environmental services to transfer ownership of a dam and associated property, easements, and water rights to the town or towns in which the dam is located, or to other associations or parties.

The Speaker referred the bill to the Committee on Ways and Means.

SB 303-FN, relative to the use of renewable energy funds by the department of energy. **OUGHT TO PASS.** Rep. Jeanine Notter for Science, Technology and Energy. This bill, requested by the Department of Energy, adds battery storage projects to uses of the renewable energy fund, deletes a required renewable generation incentive program, and authorizes a political subdivision incentive, rebate, or grant program using the fund. The bill also changes the date by which the Department of Energy issues its annual report concerning the renewable energy fund. Vote 19-0.

SB 388-FN, relative to administration of utilities by the department of energy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Vose for Science, Technology and Energy. This bill, requested by the Department of Energy, makes various changes to the administration of public utilities and the duties of the Department of Energy, including replacing the word "homeowners" with "households." It changes the date on which the department releases information to the public for inclusion in the department's annual report. As amended by the committee, the bill adds clarity to RSA 362-F:2 to assert that the department will use rules or orders to verify the eligibility of certain thermal energy producers to qualify for thermal energy credits. Vote 19-0.

Amendment (1496h)

Amend the bill by replacing section 3 with the following:

3 Net Metering; Community Solar Projects. Amend RSA 362-A:9, XIV(e) to read as follows:

(e) The department of energy, by rule or order, shall develop a process by which community solar developers can apply for designation as a community solar project **for new solar arrays**. Such projects designate their production for the benefit of households on the list required in subparagraph (d). Such projects will qualify for the low-moderate income solar addition as established in subparagraph (c) and shall specify the amount of on-bill credit they can offer to low-moderate income ~~[homeowners]~~ **households**. Annually, the number of projects designated as low-moderate income community solar shall not exceed a total nameplate capacity rating of 6 megawatts in the aggregate. If more than 6 megawatts of projects apply for designation, the department of energy shall select the projects that offer the largest on-bill credit **and that demonstrates project readiness**. Amend the bill by inserting after section 7 the following and renumbering the original sections 8 and 9 to read as 10 and 11, respectively:

8 Public Utilities; Electric Renewable Portfolio Standard; Renewable Energy Source; Definition. Amend RSA 362-F:2, XV-a to read as follows:

XV-a. "Useful thermal energy" means renewable energy delivered from class I sources with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined, of greater than 1,000,000 btu per hour that can be metered and that is delivered in New Hampshire to an end user in the form of direct heat, steam, hot water, or other thermal form that is used for heating, cooling, humidity control, process use, or other valid thermal end use energy requirements and for which fuel or electricity would otherwise be consumed. For sources with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined of 1,000,000 btu per hour or less, energy delivered shall be verified by a method that is approved by the department of energy **by rule or order**.

9 Public Utilities Electric Renewable Portfolio Standard; Renewable Energy Certification; Approval. Amend RSA 362-F:6, V to read as follows:

V. A qualified producer of useful thermal energy with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined, of greater than 1,000,000 btu per hour shall provide for the metering of useful thermal energy produced in order to calculate the quantity of megawatt-hours for which renewable energy certificates are qualified, and to report to the department of energy under rules adopted pursuant to RSA 362-F:13. For sources with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined, of 1,000,000 btu per hour or less, energy delivered shall be verified by a method that is approved by the department of energy, **by rule or order**, in order to calculate the quantity of megawatt-hours for which renewable energy certificates are qualified, and to report to the department of energy under rules adopted pursuant to RSA 362-F:13. Monitoring, reporting, and calculating the useful thermal energy produced in each quarter shall be expressed in megawatt-hours, where each 3,412,000 BTUs of useful thermal energy is equivalent to one megawatt-hour.

SB 391, relative to electric grid interconnection for certain customer generators. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kat McGhee for Science, Technology and Energy. This bill addresses the issue of extremely long wait times for distributed energy projects to be approved for interconnection to the grid. As amended, the bill requires the Department of Energy (DOE) to initiate a draft rules process within 60 days of signing, and be engaging with stake holders, (ie: utilities, affected parties) to set cost effective and predictable interconnection processes. It requires DOE to provide updates to the House Science, Technology and Energy Committee and the Senate Energy and Natural Resources Committee every six months until the rules are adopted. The last step requires the Department of Energy to submit rules for approval to the Joint Legislative Committee on Administrative Rules within 15 months of the effective date of this bill's passage. Vote 18-1.

Amendment (1491h)

Amend the bill by replacing section 1 with the following:

1 Department of Energy; Draft Rules; Distributed Energy Resources. In order to set cost effective, timely, and predictable processes for customer generators wishing to interconnect to the state's electric grid, within 60 days of the effective date of this section, the department of energy shall open a proceeding to examine and assess draft rules to be adopted for the purposes of setting uniform procedures for distributed energy resources that are proposed for interconnection to the electrical infrastructure of New Hampshire's investor-owned utilities and are not subject to Federal Energy Regulatory Commission jurisdiction. The department shall provide the chairpersons of the house science, technology and energy committee and the senate energy and natural resources committee with status updates regarding the proceeding every 6 months after opening the proceeding until rules are adopted by the department. The draft rules shall include detailed applicability and eligibility requirements and provisions related to engineering standards, review processes, timelines, cost responsibilities, information sharing and transparency, and dispute resolution that are aligned with national best practices, including the Interstate Renewable Energy Council's 2023 model interconnection procedures. The draft rules shall utilize the comments the department of energy received as part of its investigatory proceeding in IP 2022-01 and shall be submitted to the joint legislative committee on administrative rules within 15 months of the effective date of this section. The Chapter Puc 900 shall remain in effect in its entirety until any rules adopted pursuant to this section become effective. Any new employee positions required to implement this chapter shall be approved by the fiscal committee of the general court.

SB 404-FN, directing the department of health and human services to submit a report regarding the establishment of a child care workforce child care assistance pilot program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra DeSimone for Special Committee on Childcare. This bill, as amended, expands the childcare scholarship to all childcare workers. The bill first seeks to use federal funds to mitigate concerns over cost. It was noted that the vast majority of childcare workers already qualify for the program, and this will be used as a recruitment tool for the industry that is experiencing an extreme worker shortage. Vote 10-0.

Amendment (1471h)

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

AN ACT relative to expanding child care professionals' eligibility for the child care scholarship program.

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

1 New Subdivision; Department of Health and Human Services; Child Care Assistance Program for Child Care Workforce. Amend RSA 167 by inserting after section 97 the following new subdivision:

Child Care Assistance Program for Child Care Workforce

167:98 Child Care Assistance Program for Child Care Workforce.

I. The department of health and human services, division of economic stability, shall develop and implement a child care assistance program for the child care workforce. The department shall adopt rules under RSA 541-A relative to implementation and administration of the program.

II. For purposes of the assistance program, child care centers that have participating, eligible staff shall, with the consent of the individual staff person, provide information to the department as requested regarding recruitment and retention impacts of the program.

III. The department shall use the information provided in accordance with paragraph II to make the determination as to whether the child care assistance program delivers the intended value as a recruitment and retention strategy for child care providers. This requirement shall not be construed as authorization to report personally identifiable information of the program participants.

IV. Households with at least one verified New Hampshire child care professional employed at a qualified child care center, may automatically be eligible for the child care assistance program, provided the following provisions are met:

(a) Each child in the household meets the same eligibility requirements of the current federal Child Care Scholarship program, specifically that each child shall be:

- (1) A resident of New Hampshire;
- (2) A U.S. citizen or qualified immigrant; and
- (3) Thirteen years of age or under at the time of application or recertification; or through 17 years of age for children with disabilities who are enrolled before the age of 13.

(4) Any other federal eligibility criteria.

(b) Each eligible child resides with a verified New Hampshire child care professional. A verified New Hampshire child care professional means an individual who:

- (1) Is a resident of New Hampshire;
- (2) Is employed by a certified child care center and works a minimum of 25 hours per week; and
- (3) Whose employment and eligibility are verified by the certified child care center at which the child care professional is employed.

(c) A certified child care center is a New Hampshire based, licensed child care center, licensed home child care center, or licensed-exempt center, that is registered and enrolled to accept child care scholarships with the state of New Hampshire.

(1) A family shall not be eligible if care is provided by a provider not licensed according to child-care center licensure rules; or registered and enrolled according to requirements for registered child care providers in the child care assistance program.

(2) A family shall not be eligible if care is provided in a home child care by: a parent or stepparent; a legal guardian; or a person living in the same residence as the child in need of care.

(d) A household that meets the requirements outlined in paragraph IV shall have eligibility determined for the federally-funded child care scholarship program under existing eligibility rules and be denied for being over income as a pre-requisite to consideration for the child care assistance program. If the household does not meet the eligibility income level requirements, it shall be deemed eligible for the assistance program and shall have all earned and unearned income excluded from the eligibility determination.

(e) Households eligible for the assistance program qualify for the child care scholarship benefit available according to the most current market rate survey for family size, child age, type of program and service level subject to the same cost share as families eligible for the child care scholarship program.

(f) Upon implementation, the department of health and human services shall develop and engage child care providers and/or staff on verification process for program eligibility and develop a public awareness campaign to support broad access.

V. On or before March 1, 2025, the department shall provide a detailed report of the assistance program to the house health and human services oversight committee and senate health and human services committee of the general court. The report shall include data on utilization, including the number of individuals seeking services of paragraph I, the number of individuals provided services as part of the program, the total cost of the services provided, and other relevant information necessary to assess the effectiveness and cost of the program.

2 Department of Health and Human Services; Waiver Request. The department of health and human services shall submit any waiver or request required by the United States Department of Health and Human Services, Office of Child Care to use New Hampshire's Child Care and Development Fund (CCDF) funds for the purpose of administering the child care assistance program established in section 1 of this act.

3 Appropriation. The sum of \$250,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of information system enhancements to implement this assistance program. The sum of \$2,300,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of health and human services for the administration, management, and benefit issuance of the child care assistance program for the child care workforce. Funds appropriated shall be nonlapsing and the department shall have the authority to transfer any remainder amounts in the child care workforce fund.

4 Effective Date. This act shall take effect July 1, 2024.

AMENDED ANALYSIS

This bill establishes a child care assistance program for the child care workforce and makes an appropriation to the department of health and human services for this purpose.

The Speaker referred the bill to the Committee on Finance.

SB 478-FN, relative to child day care, residential care, and child-placing agency licensing. **OUGHT TO PASS.** Rep. Ross Berry for Special Committee on Childcare. This bill makes changes to the requirement that the Department of Health and Human Services (DHHS) notify the health and fire officers of the municipality when a license is issued. All those departments are already notified during the process of application as their signoff is needed to issue the license. The bill also removes the requirement for a physical background check card. DHHS has moved this process entirely online and a physical card, which costs \$25.00 to the applicant, and is thus no longer necessary. Finally, the bill allows DHHS to implement up to a \$2,000.00 fine to residential care license types for non-compliance to make it uniform with the other license types. Vote 7-0.

SB 472-FN, relative to historic horse racing licensing, establishing operations of games of chance for the benefit of the host community, and relative to charitable gaming dates for municipalities and charitable organizations. **OUGHT TO PASS.**

Rep. Fred Doucette for Ways and Means. This bill updates laws related to the sale of pari-mutuel pools, changes licensing requirements, prohibits the sale or transfer of licenses, and extends the moratorium on the issuance of new licenses, allowing time for the ongoing gaming commission to evaluate the effect of historic horse racing (HHR) on charitable gaming. In addition to operators licensed as of May 1, 2020 and still licensed upon the effective date of this act, the bill opens eligibility for an HHR license to include entities that applied for a game operator employer license between January 1 and October 15, 2023, addressing concerns voiced by the Governor in his veto of SB 51 last year. A total of five entities applied for a game operator employer license during this period. The Lottery Commission cannot be certain how many of these entities will be found suitable for charitable gaming and ultimately pursue and receive an HHR license. The bill establishes provisions for the operation of games of chance for the benefit of the host community limited to a maximum of ten game dates per year while preserving the practice that charities get first priority by requiring that licensed gaming facilities give any game dates available to any charitable organizations before giving game dates to municipalities. The bill also allows a licensee to refuse admission to any individual whose presence or conduct is detrimental to the sport of racing. Vote 19-0.

SB 473-FN, governing unclaimed horse racing ticket and voucher money. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Fred Plett for Ways and Means. This bill specifies that unclaimed revenue from the previous year's horse racing pari-mutuel pool tickets and vouchers, complete with the operator's written report for the unclaimed revenue, shall be turned over to the State Treasurer each year. This revenue shall be put in the special fund established in RSA 284:21-j which specifies that all money after lottery commission expenses shall be placed in the Education Trust Fund. For the first biennial year after the effective date, the report shall cover both years of the previous biennium. The amendment fixed confusing dates and changed the use of the money away from the Governor's Scholarship Fund and into the Education Trust Fund. Vote 18-1.

Amendment (1332h)

Amend the bill by replacing section 1 with the following:

1 Unclaimed Ticket Money. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money.

I. ~~[On or before January 31 of each year every]~~ Every person, association, or corporation conducting a race or race meet, whether live racing, simulcast racing, or historic horse racing hereunder shall pay to the state treasurer all moneys collected during the previous year of pari-mutuel pool tickets and vouchers which have not been redeemed. ~~[The books or records of said person, association, or corporation, which clearly show the tickets entitled to reimbursement in any given race, live, simulcast, or historic, shall be forwarded to the lottery commission.]~~ Such moneys shall become a part of the special fund established in RSA 284:21-j. The state treasurer shall pay the amount due on any ticket or voucher to the holder thereof from funds not otherwise appropriated upon an order from the lottery commission. Pari-mutuel tickets and vouchers which remain unclaimed after ~~[11]~~ 12 months shall not be paid. ~~[Vouchers shall be remitted to the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed voucher.]~~ ***On or before July 1 of every year, said person, association or corporation shall submit to the treasurer a check for any unclaimed money during the previous fiscal year, along with a gaming operator's written report for the previous fiscal year's unclaimed money, which shall itemize both the unclaimed tickets and vouchers and the unclaimed amounts therefrom. A copy of the report shall be forwarded to the lottery commission. For the first biennial year after the effective date of this section, the report shall cover both years of the previous biennium.***

SB 513, relative to permitting charity auctions by non-profit corporations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Walter Spilsbury for Ways and Means. This bill amends the statute that governs licensing of auctioneers so as to add an exception allowing a “charitable, educational, religious, or other non-profit organization” to hire a non-member individual to conduct “charity auctions” without a license. A similar exception already exists in RSA 311-B:13, II for a “resident member” of the same range of organizations, so the purpose of this bill is to mimic the existing exception as to a non-member. As the primary purpose of licensing auctioneers is to protect sellers from fraud or misappropriation of their consigned goods or the proceeds derived from their sale, this bill includes several sentences designed to limit the role of the hired auctioneer, for example prohibiting handling of the funds, and further provides that: “The auctioneer shall not receive any commission from sales or a percentage of the revenues as compensation.” The committee embraces the intent to foster this form of fundraising by eliminating a cumbersome regulatory burden in a context in which a licensing requirement would not be necessary to protect the organization’s interests. The committee thus intends that the captioned term “charity auctions” be understood to describe broadly the concept of this sort of fundraiser regardless whether the organization is deemed a “charitable organization” as defined elsewhere in statute, or more broadly an educational or a religious or other non-profit organization. So, it is not limited to so-called 501(c)(3) organizations. With this intent, the committee amendment deletes a statutory cross-reference that had been added by Senate amendment and reverts the bill to the same version as originally introduced. Vote 17-0.

Amendment (1453h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Charity Auctions By Non-Profit Corporations. Amend RSA 311-B:13 by inserting after paragraph II the following new paragraph:

II-a. Non-member individuals hired by a charitable, educational, religious, or other nonprofit organization within the state may engage in auctioneering services for charity auctions without a license for that organization. A contract for auctioneering services shall be in writing. No individual’s contract shall involve the care, custody, or control of any of the auction’s revenues. The repository for the auction’s revenues shall be identified in the contract. The contract shall state the auctioneer’s duties and compensation, if any, whether monetary or otherwise. The auctioneer shall not receive any commission from sales or a percentage of the revenues as compensation.

SB 546, removing the requirement that an executory interest be conveyed to the state of New Hampshire in all easements acquired through the use of LCHIP program funds. **OUGHT TO PASS.**

Rep. Walter Spilsbury for Ways and Means. This housekeeping bill amends the statute establishing the Land and Community Heritage Investment Program (LCHIP) in several minor ways to reflect current land conservation practices. Since its inception in 2001, LCHIP has invested \$58 million through 564 grants in 198 New Hampshire communities. These have gone roughly 50/50 towards rehabilitation of 170 historic structures and conservation of 237,312 acres. Over the past 23 years, LCHIP has been highly effective and enjoys broad public support. The original framework of the program stands largely as adopted, but experience has taught that some legal arrangements work better than others, which has led to this bill. Rather than directly acquire and transfer title, LCHIP has served as a grant provider so that the funds may be used by an appropriate steward to acquire a land conservation easement. Current statute includes three requirements, that any easement must be held by a qualified entity, must be held in public trust for the state, and must grant an executory interest to the state. LCHIP’s program guidelines further provide any easement must be subject to legal enforcement rights. The bill substitutes references to providing funding for acquisition instead of direct acquisition, removes the requirement that the state be granted an executory interest in each LCHIP funded easement, and incorporates new language clarifying LCHIP’s authority to impose and enforce contract rights. The LCHIP Board, after consulting with the Attorney General’s office, concluded this will reduce the administrative burden placed on LCHIP, the state, the grant recipients, and the landowners while retaining the ability to protect the state’s public trust investment and the committee concurs. Vote 19-0.

SB 597, relative to lucky 7 ticket dispenser devices. **OUGHT TO PASS.**

Rep. Susan Elberger for Ways and Means. This bill removes the requirement that Lucky 7 ticket dispenser devices include the capability of printing a paper ticket. The committee is in favor of the bill for four reasons: in 2021, SB 22 made paper tickets optional; currently you have to push a button on the machine to get a paper copy, and few people bother to do this; there is only one supplier of the paper required in the machines, and the availability of the paper is not consistent; and we heard no testimony from the public asking for paper tickets to be mandatory. Vote 18-1.

MOTION TO SPECIAL ORDER

Rep. Renzullo moved that **SB 468**, relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway, be made a Special Order as the first order of business. Adopted by the necessary three-fifths vote.

SPECIAL ORDER

SB 468, relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway. **OUGHT TO PASS.**

Rep. Bill Boyd for Public Works and Highways. The Public Works and Highways Committee unanimously approved as Ought to Pass, SB 468, which designates a portion of Route 111 as the Senator Robert E. Clegg Memorial Highway. The General Court of New Hampshire mourns the loss of our colleague, friend and mentor; known to many here in Concord, in his hometown of Hudson, and around the Granite State simply as "Bob." Sen. Clegg was surrounded by family when he passed away on August 31, 2023, after a sudden, but courageous battle with cancer. In business, Bob carved out professional success as a construction industry executive, building homes and being engaged in property management. Yet, many remember Bob for his years in local and state government. His roles were vast: Town Councilor, Board of Selectman, and Budget Committee Member - amongst many - followed by eight years in the New Hampshire House and six years in the New Hampshire Senate. His leadership roles in the General Court were equally impressive: Speaker Pro Tempore, Assistant Majority Leader, and Majority Caucus Whip in the House, and Majority Leader in Senate. When he left public office, he remained in the public eye, forming Legislative Solutions LLC, and leveraged his state and municipal government experience as a lobbyist. Consequently, most people think of Bob as the politician, but there was another side to Bob where he quietly and effectively served others. Bob truly believed in helping people during difficult times. He actively worked with a myriad of local groups through the years in support of those less fortunate: veteran organizations, the local food pantry, needy families at Christmas, and helping foster children learn how to drive. Bob was equally dedicated in his support of the community outreach efforts by Family Promise of Southern New Hampshire and the Presentation of Mary Academy. Bob was also a Justice of the Peace and performed many wedding ceremonies. He relished uniting two people on their special day. Most importantly, having worked in construction for most of his life, he actively advocated the trades to young people. Bob truly believed that teaching a trade to a young person combined with a classroom education and real-life world experiences would lay a successful foundation for that young person and their future. Bob's commitment to serving others and getting the best outcomes possible for his community and state personifies the man who wanted to leave Hudson and New Hampshire a little bit better. Behind all of his civic and public service is a family that was Bob's source of inspiration, love and pride: a loving and faithful husband to his wife of over 49 years, Priscilla, a devoted father to his daughter, Jessica, and her husband, Justin Goulding, and his son, Jeffrey and his wife Jessie, and a beloved grandfather to Elsbeth Clegg, Lorelai DeJackome, and Kylee Smart. The naming of a portion of Route 111 as the Senator Robert E. Clegg Memorial Highway will serve as a befitting reminder that, in service to others, Bob kept his word, always followed through on his commitments and did everything in his life with honor and integrity. Thank you and Godspeed, Bob. Vote 16-0.

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

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

REGULAR CALENDAR**SPECIAL ORDER**

SB 359, raising the age of marriage to 18 years of age. **OUGHT TO PASS.**

Rep. Cassandra Levesque for Children and Family Law. The majority of the committee found that this bill is important to be in law because we know that age of majority does not amount to maturity, and that there is a greater risk of human trafficking and domestic violence without these protections. Vote 14-1.

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

Rep. Yokela offered floor amendment (1455h).

Floor Amendment (1455h)

Amend the bill by replacing section 1 with the following:

1 Marriageable. Amend RSA 457:4 to read as follows:

457:4 Marriageable. No person below the age of [16] **18 years, *unless emancipated pursuant to RSA 461-B***, shall be capable of contracting a valid marriage[, and all marriages contracted by such persons shall be null and void].

AMENDED ANALYSIS

This bill changes the minimum age for marriage from 16 to 18 years of age unless a minor has been legally emancipated.

The question being adoption of floor amendment (1455h).

Rep. Yokela spoke in favor.

Rep. Petrigno spoke against.

On a division vote, with 169 members having voted in the affirmative, and 195 in the negative, floor amendment (1455h) failed.

The question being adoption of the committee report of Ought to Pass.
Rep. Yokela offered floor amendment (1700h).

Floor Amendment (1700h)

Amend the bill by inserting after section 4 the following and renumbering the original sections 5-6 to read as 6-7, respectively:

5 New Subparagraph; Emancipation; Disposition; Marriage. Amend RSA 461-B:8, III by inserting after subparagraph (g) the following new subparagraph:

(h) The right to marry.

AMENDED ANALYSIS

This bill changes the minimum age for marriage from 16 to 18 years of age unless a minor has been legally emancipated.

The question being adoption of floor amendment (1700h).

Rep. Yokela spoke in favor.

Rep. Drye spoke in favor and yielded to questions.

Rep. Petrigno spoke against.

On a division vote, with 180 members having voted in the affirmative, and 185 in the negative, floor amendment (1700h) failed.

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

Rep. Drye spoke against and yielded to questions.

Rep. Levesque spoke in favor.

On a division vote, with 192 members having voted in the affirmative, and 174 in the negative, the committee report was adopted, and the bill was ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Grossman moved that the debate on **SB 359**, raising the age of marriage to 18 years of age, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 359

Speaker Packard: The bill is on second reading and open to further amendment. Rep. Yokela offers floor amendment (1455h) and is recognized to speak to his amendment.

Representative Yokela: Thank you, Mister Speaker. Mister Speaker, we have voted on this topic many times about whether a person should be able to marry at 16 with their parents' permission and the courts permission or if it should be barred entirely up to 18. I think there is another category that this body should consider. A lot of the discussion inside the committee report had to do with whether or not someone is mature enough to handle essentially this decision. I believe that we have the standard of 18 being able to understand and be held responsible for their decisions as a general order of course. And then we have other court proceedings that decide, that make judgements on a case-by-case basis. Sometimes, if someone is incompetent, even at 18, the judge may rule that they are not able to do certain things. If in cases where a judge considers a minor and has the opportunity to decide whether they are capable of making this decision for themselves, that is considered granting them emancipation. In a lot of the negative remarks, I hear from the opposition is that when some other state or some other country or someone did something that hoodwinked the judge into granting emancipation, but I say that they are not subject to our statute. Our statute requires that it is in the best interest of that minor, that they live apart from their parents for 3 months or longer, that they are able to be self sufficient financially and in their personal affairs. These are not very low bars in New Hampshire. I submit to you if they are able to meet these bars, that they are able to understand the consequences of their actions. I implore you to vote for this amendment to allow for those people that have been judged by the court for it to be in their best interest and that they are able to understand the ramifications of their actions, that they be able to take that action. It is not an inherently immoral action that they are doing. It's just whether or not they are capable of understanding that action and accepting the consequences of that action. So, I hope you vote for this amendment. Thank you, Mister Speaker.

Speaker Packard: The Chair recognizes Rep. Petrigno.

Representative Petrigno: Thank you, Mister Speaker. Mister Speaker, with all due respect this amendment defeats the purpose of the underlining bill which is to raise the minimum age of marriage to 18. The bill came to us unanimously from the other Chamber and likewise, the Children and Family Law Committee submitted it to our Consent Calendar, and we would not be here discussing this if it wasn't for an amendment brought forth by a member, not from our committee. The fact of the matter is that emancipated minors cannot vote, they cannot purchase or consume tobacco or alcohol. They cannot purchase firearms. Why then would we allow for an age exception for marriage and nothing else? Moreso, emancipated minors are among the most

vulnerable of children. Why then would we want to put them in a position to be taken advantage of by manipulative, unsavory adults? The bottom line is this, plain and simple, children should not be getting married and there should be no exception. I ask that you vote ITL on the amendment. Thank you, Mister Speaker.

Speaker Packard: The motion before us is Yokela floor amendment (1455h). A division has been requested. Members take your seats. The motion before us is Yokela floor amendment (1455h). This is a division vote. The Chair recognizes Rep. DeSimone for a parliamentary inquiry.

Representative DeSimone: Thank you, Mister Speaker. Mister Speaker, if I know this amendment fixes only one of the many problems with the underlying bill. And Mister Speaker, if I know that Title 43 -Domestic Relations, 461-B:8 III emancipation of a 16-year-old minor may be granted by the court if it is found to be in the best interest of said minor and the minor has demonstrated the ability and maturity to be self sufficient, financially, and personally. Further Mister Speaker, if I know that once granted emancipation, the minor will be given the right to live independently in housing of the minor's choice, enter into contractual agreements, consent to medical care, obtain legal counsel, enlist in the military and many other rights afforded to independently living people, then Mister Speaker, I would respect that a minor would be mature enough to decide their marital status by voting yes and pressing the green button. Thank you, Mister Speaker.

Speaker Packard: The Chair recognizes Rep. Levesque for a parliamentary inquiry.

Representative Levesque: Thank you, Mister Speaker. If I know that in the last five years, 11 states, Connecticut, Delaware, Massachusetts, Michigan, Minnesota, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and Washington, all of which have emancipation laws have passed legislation to end child marriage. If I also know that New Hampshire 461-B states that emancipated minors are not exempt from age restrictive laws. And if I know that the U.S. State Department had declared child marriage a human rights violation and we as legislators should not be taking the stance that it is in some instances okay to violate a child's human rights, would I now press the red button so that we can dismiss this dangerous loophole and move on to vote for the underlying bill that passed out of committee on a 14 to 1 bipartisan vote?

Speaker Packard: The motion before us is the Yokela floor amendment (1455h). This is a division 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 the opportunity to vote? The House will attend to the state of the vote. 169 voting Yea, 195 voting Nay, the motion fails. The bill is on second reading and open to further amendment. Rep. Yokela offers floor amendment (1700h). It's in your seat pockets. Rep. Yokela is recognized to speak to the motion.

Representative Yokela: I understand that some people had qualms with the first amendment having the 16 to 18 being struck in and that this amendment is just specifically, only dealing with emancipation. So, hopefully that will alleviate some of those qualms that members have. Thank you very much.

Speaker Packard: The Chair recognizes Rep. Drye.

Representative Drye: Thank you, Mister Speaker. Setting a standard for a marriageable age is setting a rule and like most rules there are exceptions. I want to talk to you about the exception of pregnancy. In my family and my friends have two examples of minors that got married because of pregnancy. One daughter of a friend and her boyfriend celebrated getting engaged. They were high school sweethearts with getting pregnant. Suddenly the love, marriage, babies timeline is reversed. They elected to get married because that offered to the young woman things that she didn't have before, stability, provision, protection and a chance for a young family to be a family before a baby arrived. The goal was still the same, marriage and raising a family together. They just got there in a little different timeline. And my own relatives, a 17-year-old was pregnant by a man who was older than 18 and that was a difficult issue for our family, but in the end with consultation between both parties and both families, there was a marriage which has lasted because we just enveloped the man and his family into our family, and it's been that way ever since. I just want to say that I'm supporting this amendment because it offers an exception, and it is not a rule that a minor would be allowed to marry a person who is going for emancipation has to make a strong case for emancipation. I believe that gives enough safeguard to protect marriage, but also to allow that option in cases where that would be a good solution. I urge you to support this amendment.

Speaker Packard: Does the member yield to question?

Representative Drye: I yield.

Speaker Packard: Rep. Lekas, you may inquire.

CLERK'S NOTE

The Speaker recognized Rep. Lekas for a question, and it was Rep. Bean.

Representative Bean: Thank you, Mister Speaker. Thank you for taking my question. Would you believe that I was 16 and Priscilla was just barely 17 when we got married? That was almost 53 years ago, and we didn't need any outside input from anyone. We've been married almost 53 years. Do you believe that?

Representative Drye: Yes, Representative, I would believe that, and I would probably attribute that to the good character and worth of the woman you married.

Speaker Packard: Does the member yield to further questions?

Representative Drye: Yes, I would.

Speaker Packard: Rep. Edwards, you may inquire.

Representative Edwards: Thank you, Mister Speaker and thank you for taking my question. Do you agree with the point of view that if we continually restrict the freedom of marriage as a legitimate social option, when we do this to people who are of fertile, ripe fertile age and may have a pregnancy and a baby involved. Are we not in fact making abortion a much more desirable alternative when marriage might be the right solution for some freedom loving couple?

Representative Drye: Thank you, Representative. I would just go back to my original illustration. In that in some cases, this offers protection, help and support for what is going to be a young family anyways at a time when they need it the most and that's why I'm urging your support of this amendment.

Speaker Packard: Does the member yield to further questions?

Representative Drye: No.

Speaker Packard: Member does not yield. The motion before us is the Yokela floor amendment (1700h). Are you ready for the question? My mistake. The Chair recognizes Rep. Petrigno.

Representative Petrigno: Thank you, Mister Speaker. I think we all can agree that marriage is an emotional, lifetime commitment based on love, not a solution to an unintended pregnancy. We should not be putting children in a position to be taken advantage of by unsavory adults. I'll stand by my remarks earlier. The bottom is this. Children should not be getting married, period. They should be no exceptions. Thank you, Mister Speaker.

Speaker Packard: Rep. Drye has requested a division vote. Members take your seats. The motion before us is the Yokela floor amendment (1700h). This is a division vote. The Chair recognizes Rep. Drye for a parliamentary inquiry.

Representative Drye: Thank you, Mister Speaker. Mister Speaker, if I know that sometimes people who are not yet legally adults are thrown into adult situations. And if I know that sometimes the solution for this is maybe something that other people would not choose. And Mister Speaker, if I wanted to offer the option of marriage to those who need it and use it as a respectable and profitable and stability giving solution to a situation that might be beyond their control, would I then please vote green on this amendment?

Speaker Packard: The Chair recognizes Rep. Levesque for a parliamentary inquiry.

Representative Levesque: Thank you, Mister Speaker. If I know that the U.S. State Department has declared child marriage as a human rights violation and we as legislators should not be taking the stance that is, in some instances it's okay to violate children's human rights, would I now press the red button so that we can dismiss this dangerous loophole and move on to vote for the underlying bill? Thank you.

Speaker Packard: The motion before us is the Yokela floor amendment (1700h). This is a division 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 the opportunity to vote? The House will attend to the state of the vote. 180 voting Yea, 185 voting Nay, motion fails. We are now back to the original motion of Ought to Pass on SB 359. The Chair recognizes Rep. Drye.

Representative Drye: Thank you, Mister Speaker. So, I have a problem with a rule with no exceptions and I believe that I have had enough personal experience to know that sometimes exceptions can be life changing in a good way and I'm afraid that passing this bill without exceptions, allowing for minors under the age of 18 to marry, this bill is not, I would vote against this bill. I do not support it. I believe that I have the personal experience to justify that, but I also realize that young people need some support. Sometimes it's given by their family. Sometimes it's given by marriage. Sometimes it's given by both. I think that they need to have those options open when they make a life changing decision so I ask you to please defeat this bill so we can work on this another time. Thank you.

Speaker Packard: Does the member yield to questions?

Representative Drye: Yes, I yield.

Speaker Packard: Rep. Roy, you may inquire.

Representative Roy: Thank you, Mister Speaker and thank you for taking my question. Under this bill, does it allow for any exception at all for, and this is what I'm concerned about. We do have teen pregnancy and we do have people that are together in relationships. For a person who may be in the military, to marry a pregnant teenager who may be a year younger, and he's getting shipped overseas or she's getting shipped overseas to be able to access the benefits from the military, the health benefits and God forbid something happens to him, that she's taken care of for the rest of her life by those benefits so she is not alone forever without them?

Representative Drye: Thank you for the question and I understand what you are asking. I do believe that there is some provision in the military to do that, but what happens is you rob someone of a life changing experience of marriage and definition if you do not let people marry before the military. Yeah, so there is no exception for that, and I believe that if you are old enough to go and fight for your country, you are old enough to understand what the ramifications of that are and you also know that you need to get married. If you want to do that, I believe that they should be able to do that. Thank you very much.

Speaker Packard: The Chair recognizes Rep. Levesque.

Representative Levesque: Thank you, Mister Speaker. For the past ten years, I've researched child marriage. I've talked with advocates, participants, victims, researchers, doctors, lawyers, teachers, politicians and many, many children. Through my research I have learned about the devastating affects of child marriage. In the United States children are forced to marry through familial deception, cultural tradition, emotional blackmail, threats of abuse or even death and human trafficking. Child marriage robs girls and boys of their childhood and their wellbeing. Girls who marry before 18 are more likely to experience domestic violence and they have worse economic health outcomes than their unmarried peers which eventually pass down to their children. Girls and women in the U.S. who marry before 19 are 50% more likely than their unmarried peers to drop out of high school and four times less likely to graduate from college. Child grooms are abused, manipulated, and forced to take on adult responsibilities for which they may not be ready. To quote Article 3. Convention of the rights of children, in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. Child marriage under any circumstance is not in the best interests of the child. Just because something has been done for centuries, does not mean we are the same society. We grow, we adapt, we change, we evolve as a society and so do our laws. Please remember we are not looking to deny children the right to marry, we are delaying their right to marry until they become adults and can give full informed legal consent and have the full capacity to understand what they are getting into before entering the contract of marriage. I urge you to vote with the majority of the committee who voted 14-1 and the body on the other side of the wall who voted unanimously to pass this legislation. Thank you.

Speaker Packard: Rep. Drye has requested a division vote. Members take your seats. The motion before us is the committee report of Ought to Pass on SB 359. This is a division vote. The Chair recognizes Rep. Drye for a parliamentary inquiry.

Representative Drye: Thank you, Mister Speaker. Mister Speaker, if I know that no exceptions means no exceptions. And if I know that there are exceptions in real life. And if I know that we need to offer a choice, would I vote no and press the red button on this bill?

Speaker Packard: The Chair recognizes Rep. Petrigno for a parliamentary inquiry.

Representative Petrigno: Thank you, Mister Speaker. Mister Speaker, if I believe that ideally a marriage is a lifetime commitment and that children are incapable of making such a mature and profound decision.

Speaker Packard: The House will be in order.

Representative Petrigno: And if I believe that children who are not yet old enough to vote, purchase firearms, purchase and consume alcohol and tobacco are also not old enough to get married. And, lastly Mister Speaker, if I believe that adults, not children, should be getting married, would I now press the green button to vote Ought to Pass? Thank you, Mister Speaker.

Speaker Packard: The motion before us is Ought to Pass on SB 359. This is a division 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 the opportunity to vote? The House will attend to the state of the vote. 192 voting Yea, 174 voting Nay, the committee report is adopted.

REGULAR CALENDAR CONT'D

SB 417-FN, relative to out-of-home placements for children. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Children and Family Law. In light of troubles with an out-of-state placement of a child in need, legislators of both parties went to work on improvement of policy and procedure. The bill delineates various policies and procedures to protect at risk children and provides the best possible care for them. The amendment, in part, puts into statute a definition of "fictive kin," crafted by a multi-state, bipartisan committee. Vote 11-0.

Amendment (1587h)

Amend the bill by replacing section 3 with the following:

3 Child Protection Act; Custody Hearing for Parent Not Charged with Abuse or Neglect. Amend RSA 169-C:19-e, I to read as follows:

I. A parent who has not been charged with abuse or neglect shall be afforded, upon request, a full hearing in the ~~[district or family]~~ **circuit** court regarding his or her ability to obtain custody. At the hearing, the parent shall be provided the opportunity to present evidence pertaining to his or her ability to provide care for the child and shall be awarded custody unless the state demonstrates, by a preponderance of the evidence, that he or she ~~[has abused or neglected the child or is otherwise]~~ **is** unfit to perform his or her parental duties. The court shall make written findings of fact supporting its decision.

I-a. The welfare of the child is the primary factor to be weighed when determining if a parent is fit to parent that child. In determining whether a parent is fit to perform his or her parental duties, the court may consider the following factors, in addition to any other relevant evidence presented:

(a) The parent's existing and historical relationship with that child;

(b) The parent's untreated mental health or substance use issues;

(c) The parent's provision of care to other children in their household, including addressing education needs, medical care, and mental and behavioral health care;

(d) The condition of the parent's home;

(e) Any prior allegations of child abuse or neglect; and

(f) The results of the department's safety assessment of that parent, their home, and any other adults in the home.

Amend the introductory paragraph of RSA 169-C:19-h, I and subparagraph I(a) as inserted by section 4 of the bill by replacing it with the following:

I. If remaining in the family home is determined to be contrary to the welfare of the child, pursuant to RSA 169-C:6-b, I, to secure placement:

(a) With kin, fictive kin, or in a kinship care home; or

Amend RSA 169-F:6 as inserted by section 6 of the bill by inserting after paragraph II the following new paragraph:

III. In this chapter, "fictive kin" means a person who is not related by birth, adoption, or marriage but who has an emotionally significant relationship with the child that is both substantial and positive, and who is willing and able to provide a suitable home for the child prior to or in lieu of placement in foster care.

The question being adoption of committee amendment (1587h).

On a division vote, with 175 members having voted in the affirmative, and 188 in the negative, the committee amendment failed.

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

MOTION TO LAY ON THE TABLE

Rep. Hoell moved that **SB 417-FN**, relative to out-of-home placements for children, be laid on the table.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 180 - NAYS 184

YEAS - 180

BELKNAP

Bean, Harry
Dumais, Russell
Beaudoin, Richard

Bogert, Steven
Harvey-Bolia, Juliet
Terry, Paul

Bordes, Mike
McCarter, Nikki

Comtois, Barbara
Ploszaj, Tom

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Faulkner, Barry
Santonastaso, Matthew

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

COOS

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

King, Seth

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rochefort, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Seidel, Sheila
Mannion, Tom

Abare, Kimberly
King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Proulx, Mark
Sheehan, Vanessa
Tenczar, Jeffrey

Alexander, Joe
Berry, Ross
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sirois, Shane
Ulery, Jordan

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

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aures, Cyril
McGuire, Dan
Mason, James
Seaworth, Brian
Wolf, Dan

Aylward, Deborah
Gerhard, Jason
Moffett, Michael
See, Alvin
Wood, Clayton

McGuire, Carol
Hill, Gregory
Polozov, Yuri
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Milz, David
Piemonte, Tony
Pratt, Kevin
Spillane, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Quaratiello, Arlene
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Nelson, Jodi
Khan, Aboul
Love, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Roy, Terry
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
Melvin, Charles
Phillips, Emily
Potucek, John
Soti, Julius
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Phinney, Brandon

Bickford, David
Horgan, James
Pitre, Joseph

Burnham, Claudine
Kaczynski, Thomas
Potenza, Kelley

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

NAYS - 184**BELKNAP**

Coker, Matthew

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Parshall, Lucius

Ames, Richard
Germana, Nicholas
Schapiro, Joe

Harvey, Cathryn
Jones, Philip
Toll, Amanda

Fox, Dru
Newell, Jodi
Weber, Lucy

COOS

Davis, Arnold

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
Fracht, David
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Cormen, Thomas
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Beaulieu, Jane
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
LeClerc, Daniel
Murray, Megan
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Nutting-Wong, Allison
Booras, Efstathia
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
Lloyd, Christal
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Tellerski, Laura
Thomas, Wendy

Baroody, Benjamin
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Lanza, Judi
Long, Patrick
Mangipudi, Latha
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wheeler, Jonah

Beauchemin, Paige
Bouldin, Amanda
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Leapley, Nicole
Howard, Molly
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Ebel, Karen
Hicks, Matthew

Brennan, Angela
Gallager, Eric
Lane, Connie

Caplan, Tony
Gibbs, Merryl
Luneau, David

Carey, Lorrie
Hall, Muriel
MacKay, James

McWilliams, Rebecca
Roesener, James
Soucy, Timothy

Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Payeur, Stephanie
Schultz, Kristina

Richards, Beth
Shurtleff, Steve

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Pearson, Mark
Manos, Zoe
O'Neil, Candice
Read, Ellen
Vallone, Mark

DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Maggiore, Jim
McBeath, Rebecca
Prudhomme-O'Brien, Katherine
Pearson, Stephen
Ward, Gerald

Edgar, Michael
Hamblet, Joan
Cahill, Michael
Malloy, Dennis
Meuse, David
Rafter, Hal
Simpson, Alexis

Gilman, Julie
Haskins, Linda
Paige, Mark
Mandelbaum, Jennifer
Muns, Chris
Raynolds, Ned
Turer, Eric

STRAFFORD

Bay, Luz
Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

and the motion failed

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

YEAS 191 - NAYS 174

YEAS - 191 BELKNAP

Coker, Matthew

St. Clair, Charlie

CARROLL

Buco, Thomas
Brown, Richard

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Newell, Jodi
Weber, Lucy

Ames, Richard
Faulkner, Barry
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Schapiro, Joe

Fox, Dru
Jones, Philip
Toll, Amanda

COOS

Davis, Arnold

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
Fracht, David
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Cormen, Thomas
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
Beauchemin, Paige
Bouldin, Amanda
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Leapley, Nicole
Howard, Molly
McGhee, Kat
Nutter-Upham, Frances
Plamondon, Marc
Rombeau, Catherine

Nutting-Wong, Allison
Beaulieu, Jane
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
LeClerc, Daniel
Murray, Megan
Ming, Ben
Panek, Sandra
Preece, David
Rung, Rosemarie

Boyd, Bill
Booras, Efstathia
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
Lloyd, Christal
MacKenzie, Mark
Morton, Jennifer
Pedersen, Michael
Newman, Ray
Ryan, Linda

Baroody, Benjamin
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Lanza, Judi
Long, Patrick
Mangipudi, Latha
Murphy, Nancy
Petrigno, Peter
Raymond, Heather
Newman, Sue

Seibert, Christine
Tellez, Trinidad
Wheeler, Jonah

Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Staub, Kathy
Veilleux, Daniel

Telerski, Laura
Thomas, Wendy

MERRIMACK

Turcotte, Alisson
Ebel, Karen
Hicks, Matthew
Mason, James
Richards, Beth
Schultz, Kristina
Wolf, Dan

Brennan, Angela
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Caplan, Tony
Gibbs, Merryl
Luneau, David
Myler, Mel
Gould, Sherry
Soucy, Timothy

Carey, Lorrie
Hall, Muriel
MacKay, James
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Pearson, Mark
Manos, Zoe
O'Neil, Candice
Read, Ellen
Vallone, Mark

DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Maggiore, Jim
McBeath, Rebecca
Prudhomme-O'Brien, Katherine
Pearson, Stephen
Ward, Gerald

Edgar, Michael
Hamblet, Joan
Cahill, Michael
Malloy, Dennis
Meuse, David
Rafter, Hal
Simpson, Alexis

Gilman, Julie
Haskins, Linda
Paige, Mark
Mandelbaum, Jennifer
Muns, Chris
Raynolds, Ned
Turer, Eric

STRAFFORD

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Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 174

BELKNAP

Bean, Harry
Dumais, Russell
Beaudoin, Richard

Bogert, Steven
Harvey-Bolia, Juliet
Terry, Paul

Bordes, Mike
McCarter, Nikki

Comtois, Barbara
Ploszaj, Tom

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

King, Seth

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rochefort, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Sirois, Shane
Ulery, Jordan

Abare, Kimberly
Berry, Ross
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

Alexander, Joe
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Post, Lisa
Seidel, Sheila
Mannion, Tom

Ammon, Keith
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Proulx, Mark
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Seaworth, Brian
Wood, Clayton

Aures, Cyril
McGuire, Dan
Moffett, Michael
See, Alvin

Aylward, Deborah
Gerhard, Jason
Polozov, Yuri
Walsh, Thomas

McGuire, Carol
Hill, Gregory
Boyd, Stephen
Testerman, Dave

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Milz, David
Piemonte, Tony
Pratt, Kevin
Spillane, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Quaratiello, Arlene
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Nelson, Jodi
Khan, Aboul
Love, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Roy, Terry
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
Melvin, Charles
Phillips, Emily
Potucek, John
Soti, Julius
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Phinney, Brandon

Bickford, David
Horgan, James
Pitre, Joseph

Burnham, Claudine
Kaczynski, Thomas
Potenza, Kelley

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

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

SB 463-FN, expanding access to court-appointed counsel for children in dependency proceedings. **OUGHT TO PASS.**

Rep. Debra DeSimone for Children and Family Law. This bill amends the New Hampshire Child Protection Act (the "Act") to give the family division judges the discretion to appoint counsel for children at any time in abuse and neglect cases. It adds a new provision to the Act requiring mandatory appointment of counsel for children placed in or, who are at risk of being placed in, any group home or residential childcare institution as defined by RSA 170-E:25 or certified by the Department of Health and Human Services (DHHS) for the care of the children placed pursuant to RSA 169-C or in any state operated residential treatment program. It adds a provision to the Act granting appointed counsel the right to view and have copies of the child's medical, psychological, and educational records and it adds a new provision to the Foster Care Bill of Rights requiring notice to the child of their right to appointed counsel. Passing this bill will stop New Hampshire from being an outlier and from failing to protect children's rights by protecting them in the same way as most other states. Vote 11-0.

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.

SPECIAL ORDER

SB 498-FN, relative to the department of health and human services, division for children, youth and families. **OUGHT TO PASS.**

Rep. Heather Raymond for Children and Family Law. This bill expands placement options for children involved in delinquency and CHINS (Child in Need of Services) to include fictive kin and certified placements including psychiatric residential treatment or child care institutions. Vote 13-0.

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

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

SB 573-FN, establishing a committee to study consent and confidentiality laws applicable to adolescent and young adult health care in New Hampshire. **OUGHT TO PASS.**

Rep. Patrick Long for Children and Family Law. This bill establishes a committee that will look at positive and negative effects of New Hampshire's laws on consent and confidentiality, as it pertains to youth. Vote 14-0.

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

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

SB 248-FN, relative to bail for a defendant. **REFER FOR INTERIM STUDY.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. The committee unanimously voted to interim study this proposed legislation because the content has been thoroughly addressed in the bail package that has been voted out of the House on the consent calendar twice after being heard by the Criminal Justice and Public Safety committee and the House Finance committee. It is our sincere hope that the bail package will be voted out of the other body with a positive motion and all of the public's requests will be afresh within that legislation. Vote 20-0.

The question being adoption of the committee report of Refer for Interim Study.
Committee report was adopted.

SB 316-FN, establishing a penalty for a person who transports fentanyl class drugs into New Hampshire with the intent to distribute. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill would add a penalty for any person transporting fentanyl across the border into New Hampshire with the intent to distribute. The members of the committee voting ought to pass on the bill believe that current law does not adequately deter someone from importing the often-deadly substance. This enhanced penalty is a small step in holding those who break the law accountable for their actions. The criminal justice system serves two purposes: punishment and rehabilitation for crimes committed. Those who act in defiance of drug laws are not victims but perpetrators and due to the harm they inflict on others we believe that the former is appropriate to deter them from reoffending. It is time to hold those responsible for reigning death upon our citizens by importing this deadly drug accountable.

Rep. Jason Janvrin

Statement in support of Inexpedient to Legislate: This bill adds a mandatory minimum sentence of 5 years for individuals transporting fentanyl into New Hampshire with an intent to distribute and adds a new clause allowing for asset forfeiture of vehicles that were involved. Mandatory minimums are a vestige of the failed war on drugs through which our country tried to criminalize and incarcerate our way out of the drug problems plaguing our communities. We now know, through multiple studies over the past four decades, that mandatory minimum penalties do nothing to reduce crime, drug sales, drug arrests, or overdose rates. In fact, mandatory minimums may actually increase crime because harsh mandatory minimum penalties increase the length of time a person stays in prison, and we know there is relationship between longer stays and recidivism. Moreover, mandatory minimum sentences defeat the purpose of sentencing by taking discretion away from judges and giving it to prosecutors who use the threat of these lengthy punishments to frustrate defendants asserting their constitutional rights. This is why New Hampshire currently has few mandatory minimums, and why the legislature has consistently worked to remove mandatory minimums from our statutes over the last decade. This is also why advocates from across the spectrum, from the New Hampshire Liberty Alliance to the ACLU of New Hampshire have opposed this bill. Finally, this bill adds a new clause expanding asset forfeiture authority of the police. The House has been working for years to reform and narrow the asset forfeiture authority of law enforcement due to fear of lack of due process and unfair deprivation of property. Now is not the time to expand the government's asset forfeiture authority.

Rep. Linda Harriott-Gathright

MOTION TO RECOMMIT

Rep. Hoell moved that **SB 316-FN**, establishing a penalty for a person who transports fentanyl class drugs into New Hampshire with the intent to distribute. be recommitted to the Committee on Criminal Justice and Public Safety.

On a division vote, with 172 members having voted in the affirmative, and 180 in the negative, the motion failed.

Rep. Janvrin moved Ought to Pass.

Rep. Harriott-Gathright spoke against.

Rep. Roy spoke in favor.

On a division vote, with 137 members having voted in the affirmative, and 229 in the negative, the motion failed.

Rep. Harriott-Gathright moved Inexpedient to Legislate.

Motion was adopted.

SB 376, relative to establishing a corrections education and vocational planning group. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill seeks to establish a planning group in order to design programs for education in our state corrections facilities, utilizing federal funding specifically for this purpose, in conjunction with New Hampshire's community colleges. The committee heard testimony about the many benefits of such education, most notably a reduction in recidivism due to the personal improvement of those incarcerated individuals who avail themselves of such opportunities leading to increased chances for suc-

cessful reintegration into their communities upon release. Those in support of ought to pass applaud these efforts toward a rehabilitative focus and believe this planning group is an ideal way to ensure their effective and appropriate implementation.

Rep. Jodi Newell

Statement in support of Inexpedient to Legislate: This bill would establish a committee to study college and vocational pathways for the incarcerated populations in New Hampshire using Pell grants and grants provided by the Alliance group. Incarcerated persons currently have access to college courses which they pay for and can apply for Pell grants. They have access to career counseling and vocational training. This committee on first look appears to be a positive consideration but upon a deeper dive it could form a partnership between the Department of Corrections and the University systems of New Hampshire ultimately being funded at least in part by taxpayers. This would potentially provide a pathway to higher education, vocational training, and employment opportunities not provided to hard working Granite Staters who in part would be responsible for funding.

Rep. Karen Reid

Rep. Newell moved Ought to Pass and spoke in favor.

Rep. Rhodes spoke against.

On a division vote, with 192 members having voted in the affirmative, and 170 in the negative, the motion was adopted, and the bill was ordered to third reading.

SB 414-FN, relative to establishing a mandatory minimum sentence for the crime of distribution of a controlled drug with death resulting. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: After hearing witness testimony, it is the opinion of members of the committee who support the Ought to Pass motion that this is a step in the right direction for adding a mandatory sentence for drug related deaths. This would include being strictly liable for a death which results from the injection, inhalation, or ingestion of that substance, and shall be sentenced to not less than 10 years of imprisonment up to life imprisonment. Mandatory minimum sentencing laws deter offenders and reduce crime, and possible drug use, control judicial discretion, increase prison sentences for certain crimes, and to send a message that the state legislature is taking serious action against crime involving drug related deaths. Mandatory minimum sentences are in place in nearly every state in the united states. Depending on the crime committed, if a person is found guilty there are minimum sentencing requirements that dictate to a judge how long they must sentence a person to prison. As we have seen with the fentanyl crisis, we need to take steps to ensure we hold those accountable who cause the death of others by profiting off their illegal drug trafficking. We did hear testimony from a convicted drug dealer, over the summer, who stated we need tougher laws to discourage drug dealers from targeting our state. The argument of using "Harm Reduction Measures" to address all issues involving substance use is not going to solve the problem of criminal conduct. The victim of a death resulting overdose never gets the chance to recover, their life is over.

Rep. Jonathan Stone

Statement in support of Inexpedient to Legislate: RSA 318-B:26 is the statute in the criminal code which outlines the penalty for manufacturing, selling, or dispensing substances listed as schedule I or II; that results in a death. The current penalty for the manufacturing, selling, or dispensing of substances on this list is currently in this statute is "to imprisonment for life or for such term as the court may order." This bill would amend that language to read; "and shall be sentenced to not less than 10 years of imprisonment up to life imprisonment." This legislation was brought forth to address the horror of the fentanyl crisis. Half of the committee agrees that we must prosecute the distributors of this horror. They have murdered our family members, our friends, and our children. They have destroyed the fabric of many communities. What the state must not do in the process of bringing justice to the people affected by this crisis is incarcerate the people affected by those distributors, those family members, friends, and children who have simply gone down a wrong path. This legislation deprives the judges making that determination of the discretion to distinguish between the true distributors, and those who were at the wrong place at the wrong time. As a result, people who are not the 'big-time dealers', we are trying to go after, but instead friends, family, and co-users of the deceased, will end up with at least 10 years in the state prison if not more. In fact, a nationwide study demonstrated that the majority of prosecutions under these types of death resulting laws are not dealers but co-users, family members, and others who are suffering from drug use disorder. The half of the committee in support of inexpedient to legislate feels that is a blanket sweep that goes too far and would incarcerate people for far longer than they deserve. The judiciary should have the discretion to make these determinations. Moreover, the committee heard testimony from drug use disorder treatment providers that this bill would likely discourage co-users from seeking help for friends experiencing an overdose, reducing the effectiveness of the 911 immunity bill we enacted in 2015, and putting lives in danger. We are finally beginning to see a reduction in overdoses deaths in the Granite State. This bill would put this progress at risk.

Rep. Jonah Wheeler

Rep. Stone moved Ought to Pass.

MOTION TO LAY ON THE TABLE

Rep. Roy moved that **SB 414-FN**, relative to establishing a mandatory minimum sentence for the crime of distribution of a controlled drug with death resulting, be laid on the table.

On a division vote, with 340 members having voted in the affirmative, and 24 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 415-FN, relative to the penalty for certain fentanyl-related offenses. **REFER FOR INTERIM STUDY.** Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill, if enacted, would create a mandatory minimum sentence for certain fentanyl possessions. There are several bills being considered regarding this subject that are specific to distributing and on death resulting. It is the opinion of majority if enacted this would create confusion within the law due to legislation being considered that would allow an individual to possess 10 mg of an unknown substance for harm reduction measures. Having this committee interim study this will allow us to be more specific if necessary. Vote 12-8.

The question being adoption of the committee report of Refer for Interim Study.
Committee report was adopted.

SB 563-FN, relative to federal immigration enforcement. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the Majority of Criminal Justice and Public Safety. This bill, as amended, would prohibit local governments or other entities from adopting “sanctuary” policies that would shield wanted immigrants from the Immigration and Customs Enforcement (ICE). Several municipalities have in recent years, taken it upon themselves an authority not granted to them in the New Hampshire or US Constitutions. New Hampshire is a Dillon’s Rule state. The Dillon Rule is named after Iowa Supreme Court Justice John F. Dillon and is based on a municipal philosophy he expressed in an 1868 case. In the court opinion, Justice Dillon emphasized that local governments are considered an extension of the state and power is distributed to those local governments according to the state constitution. This philosophy was later reiterated by the United States Supreme Court in 1907 and became the guiding principles of local governments across the country. The opposite of a Dillon’s rule state would be a “home rule” state, where a state delegates some of its authority to municipalities unless otherwise prohibited by the constitution. Three times in the past 40+ years, New Hampshire voters have been asked to vote on a proposed amendment to the New Hampshire Constitution to grant expanded home rule authority to municipalities. The most recent proposal, in 2000, would have permitted towns and cities to exercise any power and perform any function regarding its affairs that was not prohibited by the New Hampshire Constitution, state law, or common law; the state would have retained its right of preemption over municipal powers and functions. However, this proposal failed to get the required two-thirds vote and did not pass. As New Hampshire clearly remains a Dillon’s rule state, as expressed by the repeated vote of the citizens, any local ordinance or policy related to the enforcement of law, is reserved to the state. This bill as amended, simply reiterates that and clearly defined what role our law enforcement plays in national immigration enforcement. As it came to the committee, we felt that the sweeping obligation put on our local law enforcement was too broad and too vague. It was these specific provisions that led to several chiefs of police to write a letter opposing the bill. They felt that putting a broad “shall” use best efforts to assist federal authorities in the enforcement of immigration law, would damage hard earned trust they have developed within their communities, as well as cause the expenditure of resources they just didn’t have. Similarly, many liberty minded members found the blurring of the lines between federal and state law enforcement was too vague and left too many opportunities for abuse by a federal justice system, that has in recent years, shown itself to be less than a trustworthy, impartial, nonpartisan law enforcement partner to the states. The committee heard and agreed with their concerns. The bill was successfully amended by an almost unanimous bipartisan vote. The amendment limits the involvement of our law enforcement in the immigration arena, to honoring ICE detainers that they become aware of during the investigation of a violation of New Hampshire law. Specifically, the bill now says, “ Unless otherwise authorized by law, no New Hampshire law enforcement agency shall investigate or take part in investigations related to a person’s citizenship status, unless it is subsequent to an alleged violation of New Hampshire law.” The majority heard from opponents of the bill that they felt it would cause fear among the immigrant communities throughout the state, and thus make them hesitant to assist law enforcement as victims or witnesses to crime. The majority felt that fear was unsubstantiated, especially in light of the modification in the amendment limiting immigration cooperation to people already being investigated for a violation of New Hampshire law and a preexisting ICE detainer, which is key. No New Hampshire law enforcement officer may take any immigration action if ICE has not already determined that the person in question is a “removable alien” and entered a detainer on them into the system. If our municipalities were kingdoms unto themselves and their actions only effected their citizens, such experimentation with the lives and safety of their citizens, while ill advised, would be possible. This is

however not the case. As recent media reports have shown us, even mass murderers are walking among us and allowing cities and towns to release them back into society with no regard for the safety of people who do not embrace such a policy, will only end in tragedy. Vote 11-9.

Rep. David Meuse for the Minority of Criminal Justice and Public Safety. This bill is similar to bills that have been rejected in previous sessions that would essentially create a de facto unfunded mandate for state and local police to enforce federal immigration laws. While the minority agrees that our country is in desperate need of policies that productively address the crisis on the southern border, no creditable evidence was presented before the committee of anything even close to an immigration crisis in our state and constitutionally and pragmatically, immigration enforcement is the responsibility of officials at the federal level and not the state or local level. Currently, only three New Hampshire municipalities have so called sanctuary policies, and none are so-called sanctuary cities. What these policies do is prohibit local law enforcement from helping in the investigation into US citizenship or immigration status as well as from disclosing information about US citizenship or immigration status without permission from the individual. What they don't do is prohibit a law enforcement officer from contacting ICE should they arrest an individual for whom ICE has issued a detainer if they commit a crime in our state. To be clear, anyone in the US without lawful status is subject to removal through the federal civil immigration law system. But simply being undocumented is not a federal crime nor a state crime. The fact that ICE has issued a detainer for a person does not mean they have committed a crime. Immigration detainees are issued by immigration agents, not judges, based on probable cause that an individual is in the country illegally. Worth noting is that representatives of law enforcement, including the Manchester chief of police, were opposed to the bill because of its potential to weaken hard won positive relationships with minority populations and communities of color that they have worked very hard to strengthen. They also expressed concern that this legislation would lead to local and state law enforcement being placed in the precarious position of enforcing federal civil immigration laws. Additional concerns included potential liability issues as well as the very real fear that this legislation would divert attention and resources away from more critical policing services that actually strengthen community safety. It was also pointed out to us that the bill conflicts with New Hampshire's Fair and Impartial Policing Standards, which specifically address the issue of immigration detainees and don't permit New Hampshire State Police (NHSP) officers to hold someone based on an immigration detainer. The State Police, the Police Standards and Training Council (PTSC), the New Hampshire Department of Justice as well as other New Hampshire law enforcement agencies are aware of the unconstitutionality of seizing a person based on immigration detainees, which are issued by immigration officers, not judges. In addition to law enforcement, also opposing the bill was a broad coalition including the Catholic Archdiocese, The New Hampshire Immigrants Rights Network, the American Friends Services Committee, and ACLU-NH. The bottom line is that the minority believes while a state law dictating the nature of such interactions might be helpful, this particular bill is ill-advised, harmful, and sets a precedent for putting rights at risk that are important to all of our residents.

MOTION TO LAY ON THE TABLE

Rep. Wheeler moved that **SB 563-FN**, relative to federal immigration enforcement, be laid on the table.
Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 177

YEAS - 188 BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Newell, Jodi
Thackston, Dick

Ames, Richard
Faulkner, Barry
Parshall, Lucius
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
Santonastaso, Matthew
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
Fracht, David
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Cormen, Thomas
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
 Beaulieu, Jane
 Calabro, Karen
 Darby, Will
 Elberger, Susan
 Gregg, Alicia
 Heath, Mary
 Smith, Juliet
 Leapley, Nicole
 Howard, Molly
 McGhee, Kat
 Nutter-Upham, Frances
 Newman, Ray
 Ryan, Linda
 Staub, Kathy
 Veilleux, Daniel

Nutting-Wong, Allison
 Booras, Efsthia
 Chretien, Jacqueline
 Devine, Shelley
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Juris, Louis
 LeClerc, Daniel
 Murray, Megan
 Ming, Ben
 Pedersen, Michael
 Raymond, Heather
 Newman, Sue
 Telerski, Laura
 Thomas, Wendy

Baroody, Benjamin
 Bouchard, Donald
 Cornell, Patricia
 DiSilvestro, Linda
 Gibbons, Candace
 Hamer, Heidi
 Jack, Martin
 Foxx, Loren
 Lloyd, Christal
 MacKenzie, Mark
 Morton, Jennifer
 Petrigno, Peter
 Rombeau, Catherine
 Seibert, Christine
 Tellez, Trinidad
 Wheeler, Jonah

Beauchemin, Paige
 Bouldin, Amanda
 Ford, Damond
 Dutzy, Sherry
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Jeudy, Jean
 Lanza, Judi
 Long, Patrick
 Mangipudi, Latha
 Murphy, Nancy
 Plamondon, Marc
 Rung, Rosemarie
 Spier, Carry
 Vail, Suzanne
 Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
 Ebel, Karen
 Hall, Muriel
 Luneau, David
 Payeur, Stephanie
 Schuett, Dianne
 Testerman, Dave

Brennan, Angela
 Gallager, Eric
 Hicks, Matthew
 MacKay, James
 Richards, Beth
 Schultz, Kristina
 Wallner, Mary Jane

Caplan, Tony
 Gerhard, Jason
 Hoell, J.R.
 McWilliams, Rebecca
 Roesener, James
 Shurtleff, Steve
 Wolf, Dan

Carey, Lorrie
 Gibbs, Merryll
 Lane, Connie
 Myler, Mel
 Gould, Sherry
 Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
 Grossman, Gaby
 Murray, Kate
 Maggiore, Jim
 McBeath, Rebecca
 Phillips, Emily
 Simpson, Alexis

DiLorenzo, Charlotte
 Grote, Jaci
 Knab, Allison
 Malloy, Dennis
 Meuse, David
 Rafter, Hal
 Turer, Eric

Edgar, Michael
 Hamblet, Joan
 Cahill, Michael
 Mandelbaum, Jennifer
 Muns, Chris
 Reynolds, Ned
 Ward, Gerald

Gilman, Julie
 Haskins, Linda
 Paige, Mark
 Manos, Zoe
 O'Neil, Candice
 Read, Ellen

STRAFFORD

Bay, Luz
 Cannon, Gerri
 Grassie, Chuck
 Rich, Jeffrey
 Levesque, Cassandra
 Selig, Loren

Bickford, David
 Conlin, Bill
 Howard, Heath
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas

Bixby, Peter
 Fitzpatrick, Daniel
 Horrigan, Timothy
 Kenney, Cam
 Schmidt, Peter
 Wall, Janet

Rich, Cecilia
 Smith, Geoffrey
 Howland, Allan
 LaMontagne, Jessica
 Pare, Gail

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John
 Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 177**BELKNAP**

Bean, Harry
 Comtois, Barbara
 Ploszaj, Tom

Bogert, Steven
 Dumais, Russell
 Beaudoin, Richard

Bordes, Mike
 Harvey-Bolia, Juliet
 Terry, Paul

Coker, Matthew
 McCarter, Nikki

CARROLL

Avellani, Lino
 Crawford, Karel
 Petermel, Katy

Belcher, Mike
 MacDonald, John
 Brown, Richard

Cordelli, Glenn
 Smith, Jonathan

Costable, Michael
 McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Rhodes, Jennifer

Nutting, Zachary

COOS

Davis, Arnold
 King, Seth

Durkin, Sean
 Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
 Ladd, Rick

Brown, Carroll
 Rochefort, David

Coulon, Matthew
 Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
 Boyd, Bill
 Colcombe, Riché
 Cushman, Leah
 Griffin, Gerald
 Kennedy, Stephen
 Lascelles, Richard
 McLean, Mark
 Panek, Sandra
 Preece, David
 Renzullo, Andrew
 Lekas, Tony
 Wherry, Robert

Abare, Kimberly
 King, Bill
 Cole, Brian
 Kelley, Diane
 Gagne, Larry
 Kenny, Catherine
 Lewicke, John
 Mooney, Maureen
 Pauer, Diane
 Proulx, Mark
 Seidel, Sheila
 Mannion, Tom

Alexander, Joe
 Berry, Ross
 Corcoran, Travis
 Erf, Keith
 Gorski, Ted
 Kofalt, Jim
 Mazur, Lisa
 Noble, Kristin
 Plett, Fred
 Prout, Andrew
 Sheehan, Vanessa
 Tenczar, Jeffrey

Ammon, Keith
 Boehm, Ralph
 Creighton, Jim
 Fedolfi, Jim
 Healey, Robert
 Gould, Linda
 McGough, Tim
 Notter, Jeanine
 Post, Lisa
 Reid, Karen
 Sirois, Shane
 Ulery, Jordan

MERRIMACK

Andrus, Louise
 Cambrils, Jose
 Moffett, Michael
 See, Alvin

Aures, Cyril
 McGuire, Dan
 Polozov, Yury
 Walsh, Thomas

Aylward, Deborah
 Hill, Gregory
 Boyd, Stephen
 Wood, Clayton

McGuire, Carol
 Mason, James
 Seaworth, Brian

ROCKINGHAM

Ball, Lorie
 DeSimone, Debra
 Dunn, Ron
 Harb, Robert
 Perez, Kristine
 Walsh, Lilli
 Lynn, Bob
 Melvin, Charles
 Piemonte, Tony
 Pratt, Kevin
 Pearson, Stephen
 Sytek, John
 True, Chris
 Vose, Michael
 Yokela, Josh

Bernardy, JD
 Donnelly, Tanya
 Edwards, Jess
 Hobson, Deb
 Katsakiores, Phyllis
 Layon, Erica
 Pearson, Mark
 Milz, David
 Popovici-Muller, Daniel
 Prudhomme-O'Brien, Katherine
 Soti, Julius
 Cahill, Tim
 Tudor, Paul
 MacDonald, Wayne

Mannion, Dennis
 Doucette, Fred
 Emerick, Tracy
 Nelson, Jodi
 Khan, Aboul
 Love, David
 McDonnell, Valerie
 Ford, Oliver
 Porcelli, Susan
 Quaratiello, Arlene
 Spillane, James
 Dolan, Tom
 Vandecasteele, Susan
 Wallace, Scott

Thomas, Douglas
 Drago, Mike
 Guthrie, Joseph
 Janvrin, Jason
 Kuttub, Katelyn
 Lundgren, David
 McMahon, Charles
 Osborne, Jason
 Potucek, John
 Roy, Terry
 Sweeney, Joe
 Tripp, Richard
 Verville, Kevin
 Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
 Harrington, Michael
 Phinney, Brandon

Bailey, Glenn
 Horgan, James
 Pitre, Joseph

Burnham, Claudine
 Kaczynski, Thomas
 Potenza, Kelley

Granger, Michael
 Newton, Clifford

SULLIVAN

Aron, Judy
 Spillsbury, Walter

Drye, Margaret
 Stapleton, Walter

Rollins, Skip
 Stone, Jonathan

Smith, Steven

and the motion was adopted.

Rep. Preece voted Nay and intended to vote Yea.

REGULAR CALENDAR CONT'D**SB 219-FN-L**, requiring mandatory reporting by school districts of school expenses. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill requires school districts to post mandatory reports of school expenses, including average cost per pupil, average teacher salaries, total administrator salaries, and top administrator salaries. It also creates a civil remedy for the enforcement of this requirement. In order for voters to make the best decisions, they need to be well informed. Opponents of this bill say that this information is already available. However, we have found that while some school districts are very transparent, that is not true across the state. This information, or the necessary precursors of this information, may be posted somewhere, but for some towns it is extremely difficult to find. A member of one district asked for help finding this particular information before her school district meeting. After a full afternoon of searching, we could only find a small part of it pertaining to her district, though we could find much of it for some districts. In the interest of transparency, assisting all voters in making the best decisions for their districts, all of this information should be readily available and easily found. This bill provides for that.

Rep. Alicia Lekas

Statement in support of Inexpedient to Legislate: This bill is redundant of what already exists in statute. School budgets are developed following Municipal Budget Law RSA 32:5, VII(a) which reads in part: "The governing body shall post certified copies of the budget with the warrant for the meeting. The operating

budget warrant article shall contain the amount as recommended by the budget committee if there is one. In the case of towns, the budget shall also be printed in the town report made available to the legislative body at least one week before the date of the annual meeting. A school district or village district may vote, under an article inserted in the warrant, to require the district to print its budget in an annual report made available to the district's voters at least one week before the date of the annual meeting." School districts are also governed under RSA 198:4-d Reports Required: Cities and School Districts. The language in the bill does not match the title, nor is the information stated in the bill accurate and relevant. If one wants the school budget information, it is available to the public.

Rep. Corinne Cascadden

Rep. Alicia Lekas moved Ought to Pass.

Rep. Cascadden spoke against.

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

YEAS 180 - NAYS 179

YEAS - 180

BELKNAP

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Terry, Paul

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
McCarter, Nikki

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rochefort, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lewicke, John
Mooney, Maureen
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Abare, Kimberly
King, Bill
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

Alexander, Joe
Berry, Ross
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Gould, Linda
McGough, Tim
Notter, Jeanine
Proulx, Mark
Seidel, Sheila
Mannion, Tom

Ammon, Keith
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kennedy, Stephen
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Andrus, Louise
Cambriis, Jose
Hill, Gregory
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Caplan, Tony
Hoell, J.R.
Boyd, Stephen
Wolf, Dan

Aylward, Deborah
McGuire, Dan
Mason, James
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Gerhard, Jason
Moffett, Michael
See, Alvin

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Hobson, Deb
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Nelson, Jodi
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Packard, Sherman

Thomas, Douglas
Drago, Mike
Harb, Robert
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Phillips, Emily

Piemonte, Tony
Pratt, Kevin
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Porcelli, Susan
Quaratiello, Arlene
Soti, Julius
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

Potucek, John
Read, Ellen
Spillane, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Phinney, Brandon

Bickford, David
Horgan, James
Pitre, Joseph

Burnham, Claudine
Kaczynski, Thomas
Potenza, Kelley

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

NAYS - 179 BELKNAP

Beaudoin, Richard

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Parshall, Lucius

Ames, Richard
Faulkner, Barry
Schapiro, Joe

Harvey, Cathryn
Germana, Nicholas
Toll, Amanda

Fox, Dru
Jones, Philip
Weber, Lucy

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
Fracht, David
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Cormen, Thomas
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
Beaulieu, Jane
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Murray, Megan
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Nutting-Wong, Allison
Booras, Efstathia
Cornell, Patricia
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Telerski, Laura
Thomas, Wendy

Baroody, Benjamin
Bouchard, Donald
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Long, Patrick
Mangipudi, Latha
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wheeler, Jonah

Beauchemin, Paige
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Howard, Molly
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Gallager, Eric
Lane, Connie
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Brennan, Angela
Gibbs, Merry
Luneau, David
Payeur, Stephanie
Schultz, Kristina

Carey, Lorrie
Hall, Muriel
MacKay, James
Richards, Beth
Shurtleff, Steve

Ebel, Karen
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Haskins, Linda
Paige, Mark

DiLorenzo, Charlotte
Grote, Jaci
Murray, Kate
Maggiore, Jim

Edgar, Michael
Guthrie, Joseph
Knab, Allison
Malloy, Dennis

Gilman, Julie
Hamblet, Joan
Cahill, Michael
Mandelbaum, Jennifer

Manos, Zoe
O'Neil, Candice
Turer, Eric

McBeath, Rebecca
Rafter, Hal
Vallone, Mark

Meuse, David
Raynolds, Ned
Ward, Gerald

Muns, Chris
Simpson, Alexis

STRAFFORD

Bay, Luz
Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

and the motion was adopted, and the bill was ordered to third reading.

CLERK'S NOTE

The Speaker voted to break the tie, pursuant to House Rule 23, the motion passed

REGULAR CALENDAR CONT'D

SB 341, relative to mandatory disclosure by school district employees to parents. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This bill, as amended, creates a lawful requirement that educators and schools respond in a complete and honest fashion to inquiries from parents and guardians about their children. This bill establishes a mandatory reporting requirement for any information withheld due to fear of imminent harm to the student by parents and establishes a reasonable person standard for adjudicating such reports made due to withholding information from parents. This bill is necessary due to the proliferation of policies among school boards, such as policy "JBAB," explicitly mandating dishonesty from educators to parents under certain circumstances, and a social movement against the United States and New Hampshire constitutionally enumerated rights that sees parents as merely leasing their children from the state, answerable to the state, and presumed guilty of ideological wrong think until proven innocent. The right of parents to bring up their children must be further protected in law.

Rep. Mike Belcher

Statement in support of Inexpedient to Legislate: On the surface, this bill proposes what we all would like – for school districts and parents to collaborate and share on behalf of students' well-being. Schools want to and regularly do engage with parents while respecting students' constitutional right to privacy and maintaining their safety. If we lived in a world where all people were safe and respected for being their authentic selves, there would be no concerns with this bill. We don't live in that world! Instead, we believe the reality is that this harmful bill would endanger all vulnerable youth, especially LGBTQ. It will cause forced outing of students who are not yet ready to share with parents while putting teachers in the untenable position of risking harm to students and losing their license for a perceived infraction of an unclear law. Schools need to be safe places for all children to learn and develop healthy autonomy. Teens explore their identity in many ways, whether it be their religious beliefs and practices, political views, sexuality, education or career choices. Concerns of abuse, including emotional abuse, and neglect relate to a wide variety of scenarios. Students learn best when they feel safe and comfortable. When students have the opportunity to talk with a trusted adult, and to sort out how to approach parents, there is less risk of emotional harm, less bullying, less substance abuse, less depression, less dropouts, less suicides. Why would we compromise all that benefit? Making schools a space where teens and young adults are forced to look over their shoulders will create seriously adverse outcomes for students. The committee heard extensive testimony opposing this bill. The New Hampshire Department of Education said the "complete and honest" standard is unclear, subjective, and would be difficult to enforce. How does a teacher determine there is risk of imminent harm? The language of the bill does not mandate that a teacher be told something directly from the student – so they would be responsible for reporting hearsay or drawing conclusions from casual observations. How does a teacher keep track of all the conversations and still find the opportunity to actually teach? Teachers are already mandatory reporters. The bill says a teacher can report to the Department of Health and Human Services (DHHS) instead of telling parents if there is fear of harm – but DHHS cannot and will not act in response to potential abuse. The Office of the Child Advocate stated that the bill "threatens the health, safety and intrinsic rights of Granite State LGBTQ+ residents, their families and our communities at large." A letter from New Hampshire Businesses for Social Responsibility signed by 175 New Hampshire businesses opposes this bill because it creates an unwelcome environment for businesses to work in New Hampshire, makes employee recruitment harder and tarnishes our state's reputation for treating each other with respect. New Futures, the American Civil Liberties Union (ACLU), Seacoast Outright, many mental health

clinicians, American Federation of Teachers (AFT), National Education Association (NEA), and GLBTQ Legal Advocates & Defenders (GLAD) all oppose this unnecessary legislation. We must prioritize fairness and freedom for all Granite Staters and find this bill Inexpedient to Legislate.

Rep. Hope Damon

Rep. Belcher moved Ought to Pass and offered amendment (1589h).

Amendment (1589h)

Amend RSA 189:13-d, II as inserted by section 2 of the bill by replacing it with the following:

II. If, in the judgment of a reasonable person, such complete and honest response to a request would put the student at imminent risk of physical harm, abuse, or neglect, such credential holder shall file a report with the department of health and human services within 48 hours of such determination in accordance with RSA 169-C:30, and may withhold only the information that creates the risk.

The question being adoption of amendment (1589h).

On a division vote, with 179 members having voted in the affirmative, and 182 in the negative, the amendment failed.

MOTION TO INDEFINITELY POSTPONE

Rep. Wilhelm moved that **SB 341**, relative to mandatory disclosure by school district employees to parents, be Indefinitely Postponed.

Rep. Wilhelm requested a roll call; sufficiently seconded.

YEAS 185 - NAYS 176

YEAS - 185

BELKNAP

Beaudoin, Richard St. Clair, Charlie

CARROLL

Buco, Thomas Burroughs, Anita Paige, David McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael Ames, Richard Harvey, Cathryn Fox, Dru
Eaton, Daniel Faulkner, Barry Germana, Nicholas Jones, Philip
Newell, Jodi Parshall, Lucius Schapiro, Joe Toll, Amanda
Weber, Lucy

COOS

Cascadden, Corinne Kelley, Eamon Noël, Henry

GRAFTON

Almy, Susan Baldwin, Heather Bolton, Bill Corman, Thomas
Fellows, Sallie Fracht, David Hakken-Phillips, Mary Hoyt, Tommy
Murphy, James Sullivan, Jared Lovett, Peter Massimilla, Linda
Morse, Corinne Muirhead, Russell Stavis, Laurel Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra Nutting-Wong, Allison Baroody, Benjamin Beauchemin, Paige
Beaulieu, Jane Bouchard, Donald Bouldin, Amanda Calabro, Karen
Chretien, Jacqueline Cornell, Patricia Ford, Damond Darby, Will
Devine, Shelley DiSilvestro, Linda Dutzy, Sherry Elberger, Susan
Davis, Fred Gibbons, Candace Goley, Jeffrey Gregg, Alicia
Grill, Jessica Hamer, Heidi Harriott-Gathright, Linda Heath, Mary
Herbert, Christopher Jack, Martin Jeudy, Jean Smith, Juliet
Juris, Louis Foxx, Loren Lanza, Judi Leapley, Nicole
LeClerc, Daniel Lloyd, Christal Long, Patrick Howard, Molly
Murray, Megan MacKenzie, Mark Mangipudi, Latha McGhee, Kat
Ming, Ben Morton, Jennifer Murphy, Nancy Nutter-Upham, Frances
Pedersen, Michael Petrigno, Peter Plamondon, Marc Preece, David
Newman, Ray Raymond, Heather Rombeau, Catherine Rung, Rosemarie
Ryan, Linda Newman, Sue Seibert, Christine Spier, Carry
Staub, Kathy Telerski, Laura Tellez, Trinidad Vail, Suzanne
Veilleux, Daniel Thomas, Wendy Wheeler, Jonah Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson Brennan, Angela Caplan, Tony Carey, Lorrie
Ebel, Karen Gallagher, Eric Gibbs, Merry Hall, Muriel

Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Soucy, Timothy

Lane, Connie
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Luneau, David
Payeur, Stephanie
Schultz, Kristina
Wolf, Dan

MacKay, James
Richards, Beth
Shurtleff, Steve

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Haskins, Linda
Paige, Mark
Manos, Zoe
O'Neil, Candice
Simpson, Alexis
Ward, Gerald

DiLorenzo, Charlotte
Grote, Jaci
Murray, Kate
Maggiore, Jim
McBeath, Rebecca
Rafter, Hal
Turer, Eric

Edgar, Michael
Guthrie, Joseph
Knab, Allison
Malloy, Dennis
Meuse, David
Raynolds, Ned
Vallone, Mark

Gilman, Julie
Hamblet, Joan
Cahill, Michael
Mandelbaum, Jennifer
Muns, Chris
Read, Ellen
Vandecasteele, Susan

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

Bickford, David
Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
LaMontagne, Jessica
Pare, Gail

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 176

BELKNAP

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Terry, Paul

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
McCarter, Nikki

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rocheport, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kennedy, Stephen
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Abare, Kimberly
King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lewicke, John
Mooney, Maureen
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Alexander, Joe
Berry, Ross
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

Ammon, Keith
Booras, Efstathia
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Gould, Linda
McGough, Tim
Notter, Jeanine
Proulx, Mark
Seidel, Sheila
Mannion, Tom

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Wood, Clayton

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

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

McGuire, Carol
Hill, Gregory
Polozov, Yury
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Hobson, Deb
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Cahill, Tim
Tudor, Paul
Wallace, Scott

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Nelson, Jodi
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Dolan, Tom
Verville, Kevin
Weyler, Kenneth

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily
Potucek, John
Roy, Terry
Sweeney, Joe
Tripp, Richard
Vose, Michael
Yokela, Josh

Thomas, Douglas
Drago, Mike
Harb, Robert
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sytek, John
True, Chris
MacDonald, Wayne

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Phinney, Brandon

Bailey, Glenn
Horgan, James
Pitre, Joseph

Burnham, Claudine
Kaczynski, Thomas
Potenza, Kelley

Granger, Michael
Newton, Clifford

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

and the motion was adopted.

MOTION TO SPECIAL ORDER

Rep. McConkey moved that **SB 592-FN**, renaming Route 127 from Central Street in Franklin to the town line of Sanbornton as Officer Bradley Haas Memorial Highway, be made a Special Order for the next Session. Rep. McConkey spoke in favor.

Motion was adopted.

The House recessed at 12:20 p.m.

RECESS

The House reconvened at 1:30 p.m.

(Speaker Steven Smith in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 261, 558, 1004, 1088 and 1154 and Senate Bills numbered 313, 322, 363, 470, 514 and 566.

Rep. Osborne, Sen. Avard for the Committee

REGULAR CALENDAR CONT'D

SB 596-FN, relative to the definition of disability or special needs under the child care scholarship program. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Hope Damon for the Majority of Education. This bipartisan bill addresses the problem of high-need children who do not yet have a formal disability diagnosis but require more staffing to meet their needs. Child-care providers in all licensed settings are faced with the difficult decision of either excluding these children, reducing enrollments, or charging families more. Families have difficulty finding childcare and some have been asked to leave their childcare provider because of their child's higher needs. The bill asks the Department of Health and Human Services (DHHS) to adopt rules that make differential payment under the existing New Hampshire Childcare Scholarship program available for children who are at risk of delayed social or emotional development. Presently, differential payments of \$100 per week are only available to children with formally diagnosed disabilities or who have identified special education services for families at or below 85% of state median income. Standard best practice in childcare already includes regular developmental and behavioral screenings on infants and toddlers. Early identification and intervention of developmental delays in young children improves outcomes. It allows many children to catch up to their peers developmentally by the time they reach school age. This results in cost savings in public schools. The bill appropriates \$375,000 for FY 2025 to come from any remaining American Rescue Plan Act (ARPA) funds or other federal funds and allows for suspending implementation if sufficient appropriation is not available. It is well known that New Hampshire faces a critical shortage of childcare. This has extensive effects on our businesses who need parents as employees and on the economics of families who need affordable, reliable childcare that is appropriate to their children's needs. This bill offers an equitable, cost-effective, straight-forward solution to an urgent problem in our childcare system. Vote 11-9.

Rep. Mike Belcher for the Minority of Education. There is considerable question around what this bill is specifically seeking to achieve, and whether or not it is necessary. There has been testimony that some young children may not be able to receive day care services due to disability needs. The exact nature of responsibility of the state for this, and in particular the education-related political subdivisions, is not perfectly clear. However, this bill is written in a broad manner that could be interpreted to consider any child whatsoever as “disabled,” potentially placing children on a route to medicalization absent any diagnosis and introducing possibly substantial iatrogenic risk to children with no need for special care or services. This bill should be studied to first determine state responsibility, second to determine need, and then, if a need and responsibility is found, it should be far more narrowly tailored as to mitigate potential iatrogenic risks.

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

Rep. Belcher spoke against.

Rep. Damon spoke in favor.

On a division vote, with 190 members having voted in the affirmative, and 170 in the negative, the majority committee report was adopted, and the Speaker referred the bill to the Committee on Finance.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the memorial remarks made by Rep. Renzullo be printed in the Permanent Journal. Without objection, the Speaker ordered.

CLERK'S NOTE

The memorial remarks made by Rep. Renzullo are printed at the beginning of this Journal.

MOTION TO PRINT DEBATE

Rep. Wilhelm moved that the debate on **SB 316-FN**, establishing a penalty for a person who transports fentanyl class drugs into New Hampshire with the intent to distribute, be printed in the Permanent Journal. Without objection, the Speaker ordered.

DEBATE ON SB 316-FN

Speaker Packard: For what reason does the member rise?

Representative Hoell: Thank you, Mister Speaker. To make a motion.

Speaker Packard: State your motion.

Representative Hoell: I move to recommit SB 316 back to the House Criminal Justice Committee. I'd like to speak to my motion.

Speaker Packard: The motion is to recommit SB 316 back to the committee. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. A division has been requested. Only those in the room can vote. This is to clarify the vote. This is a clarification vote. The motion is to recommit SB 316. This is a division vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Stations are open for 30 seconds. Have all members present had the opportunity to vote? The House will attend to the state of the vote. 172 voting Yea, 180 voting Nay, the motion fails. We are back to the original motion. Rep. Janvrin moves Ought to Pass. The Chair recognizes Rep. Harriott-Gathright.

Representative Harriott-Gathright: Good morning, Mister Speaker. Good morning, fellow Representatives. I want to be clear; SB 316 is not whether there is an opioid problem in this state. We all know that this problem exists. It is also not about whether we think possessing fentanyl and bringing it into the state should be illegal. It already is illegal and those who possess and sell fentanyl face severe penalties available today under existing law. The question before us today is whether we think that adopting mandatory minimums and outdated one size fit all solution is going to be an effective use of taxpayer dollars in addressing the opioid problem in our state. The bottom line is that our country has already tried this approach for decades through the war on drugs, mandatory minimums used by federal government and states to try to incarcerate our way out of the drug problem plaguing our communities. That approach failed our country. It was overly simplistic and extremely costly to the taxpayer and our communities, and it has done nothing to reduce drug use, sales, overdoses or deaths. Multiple studies over the past four decades have demonstrated that mandatory minimum has not worked. They do not reduce drug use. They do nothing to impact drug sales or crime and they increase crime rates. As they saw in Florida, with 50% rise in crimes after instituting mandatory minimums and it was the taxpayers left holding the bill for excessive incarceration with rising prison and jail populations with no reduction in drug use, sales or crimes to show for it. Beyond the practical implication, there are basic constitutional principles at stake here. Mandatory minimum sentences defeat the purpose of sentencing by taking discretion away from the judges and giving it to prosecutors who use the threat of these lengthy punishments to frustrate defendants asserting their constitutional rights. This shift in power from judges to prosecutors creates real separation of powers issues. David King, a prominent gun rights advocate and advisor to the George H. W. Bush administration has stated the following, “My opposition to mandatory minimums is rooted in a conservative principle, namely, reverence for the constitution and contempt for

government action that ignores the difference amongst individuals. James Madison, for one, believed that a clear separation of powers was more vital to protecting freedom than the Bill of Rights, yet mandatory minimum undermine the important protector of liberty. The attempt by legislators and the Congress to address perceived problems in the justice system by transferring power from judges to prosecutors and the executive branch violate their principles and have in the process giving prosecutors unreviewable authority to influence sentences through their charging decisions and plea bargain power.” And that is what he said. As a result, in this problematic shift in power so well described by David King, mandatory minimum sentencing robs judges of their ability to fully consider all relevant facts and circumstances for sentencing such as the nature and context of a particular crime or the individuals crime record. This is why New Hampshire currently has few mandatory minimums and why the New Hampshire legislature has consistently worked to remove mandatory minimums from our statutes over the last decade. This is also why advocates from across the spectrum have opposed SB 316. Finally, adding insult to injury, SB 316 adds a new clause expanding asset forfeiture authority of the police. The House has been working for years to reform and narrow the asset forfeiture policy authority of law enforcement due to fear of lack of due process and unfair deprivation of property. Now is not the time to expand the government’s asset forfeiture authority. Given what we know today about the impact of mandatory minimum sentences, the question of what to do with SB 316 should not be a difficult one. I am asking the body to reject the return to an outdated policy that’s proven expensive and ineffective at combating drug use, sales, deaths, and that undermines basic principles of justice. I urge you to vote red on the Ought to Pass motion so another appropriate motion can be made. Thank you, Mister Speaker and I request a division vote.

Speaker Packard: The Chair recognizes Rep. Roy.

Representative Roy: Thank you, Mister Speaker. That’s a lot to unpack. So, mandatory minimums, first of all they are not unconstitutional. They have been around for a while. We have some here. Generally speaking, as a process for criminal justice I am not in favor of broad mandatory minimums either. They were used broadly during the 80’s and early 90’s during the crack epidemic. Same thing with the three strikes rules. It’s not that they weren’t effective, it’s that broadly implemented, they sent a lot of people to prison who probably didn’t need to go. That being said, when used strategically, they can have a very good deterrent affect. We had a gentleman here from Manchester, a former convicted drug dealer who did federal time, during our bail hearings and he was part of the input we took from everyone. We asked what do you think would better deter this? We were talking about, you know, people getting out on bail and being arrested. He said, “If you want to stop this fentanyl problem, you need to bring back mandatory minimums.” He said, “I’m from New York and back when there was mandatory minimum, people refused to come to New Hampshire because they knew we would have to go to jail so we would go to Massachusetts. Once you got rid of those, now we moved up.” The drugs are coming from Lowell and Lawrence, we know that. There is no deterrent. The deterrent would be if you want to bring these drugs to New Hampshire so they can poison our children and you’re caught, you are going to jail for five years. So that’s a decision you can weigh for yourself when you get in your car. Speaking of car, the part about the asset forfeiture, that what was we were going to recommit for, but the question was whether it was after conviction or before conviction. It’s my reading of the bill that it would be after because you have to be convicted of actually transporting to lose the vehicle. Interesting thing about the vehicles they use to transport these. They spend sometimes tens of thousands of dollars to have these vehicles fitted. So, you have turn on your windshield wiper, put on your right blinker and tune the radio to 92.4 FM so a hide opens up where all the drugs are hidden. It’s not just the family vehicle they are using. That being said, with regard to the expense, I’ve heard numbers around \$56,000 a year to incarcerate somebody. It costs well over \$100,000 a year to have someone in and out of rehab a couple times and the associated medical bills, much more than the cost of incarceration. With that being said, we are targeting here not the user who we spend millions every year to help people who are addicted to these drugs, but at the same time, we can’t just keep treating the symptom, we have to treat the underlying cause. So, we continue, and we should continue helping people who are addicted to drugs, but at some point, we have to take steps to stop the poison from coming in in the first place, otherwise we will just keep pouring more money, more money and digging more graves and more graves. Now, it is true that deaths have gone down, but that’s only because we have sent more Narcan out into the society so people are being brought back so they can overdose again. The drug epidemic has not gone away. People are still being addicted. They’re still overdosing in record numbers. They’re just more of them surviving the overdose. So, it’s true these were tried before and, in my opinion, and studies and the numbers show they did stop the crack epidemic. Unfortunately, they caught a lot of people they shouldn’t have because those minimum mandatories were much, much broader. If you got caught with any amount of a drug, you could be sentenced for years. This is simply anyone caught coming over our boarder with the intent to poison our children would have to make a choice when they decided to take that ride is it worth five years of your life to come up here and poison our children. If you decide to take that risk, that’s on you. No one made you do it. So, I would encourage you to think about that. How much money we spend on everything, risk, reward. Do we want to put some type of penalty to deter these people from doing these acts? Thank you.

Speaker Packard: Does the member yield to questions? Member does not yield. Rep. Gathright has requested a division vote. Members take your seats. The motion before us is Ought to Pass on SB 316. This is a division vote. The Chair recognizes Rep. Meuse for a parliamentary inquiry.

Representative Meuse: Thank you, Mister Speaker. Thank you, colleagues. Mister Speaker, if I know that multiple studies over the last four decades of our failed war on drugs show that mandatory minimum penalties do nothing to reduce crime, drug sales, drug arrests or overdose rates. And, if I know that long mandatory prison sentences increase both the cost of incarceration and the chances of recidivism once the offender has been released. And, if I know our current statute gives judges discretion to sentence offenders for this crime for up to 30 years in prison for transporting drugs with intent to distribute and they often do. And, finally, if I know that our state does not have a judicial discretion problem, but that it does have a Fentanyl problem that requires thoughtful, evidence-based policy solutions for the 2020s rather than failed policy solutions from the 1980s, then would I press the red button so another motion may be made? Thank you.

Speaker Packard: The Chair recognizes Rep. Rhodes for a parliamentary inquiry.

Representative Rhodes: Thank you, Mister Speaker. Mister Speaker, if I know that New Hampshire needs to address the cause of a person's addiction and not just the effect and by passing this bill we will be addressing this issue from all angles. And, if I know there is no better example of unfair deprivation than a loved one grieving a family member that is dead. And, Mister Speaker, if I know the excuse of the price of incarceration is irrelevant considering you can't put a price on a person's life, would I now press green with the committee?

Speaker Packard: The motion before us is Ought to Pass on SB 316. This is a division 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 the opportunity to vote? The House will attend to the state of the vote. 137 voting Yea, 229 voting Nay, the motion fails. Rep. Harriott-Gathright moves Inexpedient to Legislate. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Ayes have it and Inexpedient to Legislate is adopted.

REGULAR CALENDAR CONT'D

SB 380, relative to moving the state primary date. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: Shifting the state primary to June presents a logical solution to address various challenges stemming from the consistently tardy primary schedule in our state. Despite concerns suggesting an extended campaign period, such a move would not significantly lengthen the election cycle. In truth, the primary campaign effectively commences well before the formal filing period, often spanning months or even a full year. By advancing the primary date, the number of candidates vying for office would be reduced, leading to a decrease in campaign intensity over the summer months as each party solidifies its nominees. If you want less campaign activity, move the primary backward. Critiques regarding outside financial influences in elections are frequently voiced by parties who stand to benefit from such contributions. Transitioning the primary to June would empower general election voters to wield greater influence over the electoral outcome, rather than solely relying on the primary electorate. Presently, primary voters are courted for an extended period, while general election voters receive limited attention, typically around 45 days. Factoring in absentee ballots, challengers to incumbents are left with scant time to engage with general election constituents. Opposition to a June primary largely emanates from proponents of the status quo. However, the reality is that such a change would position New Hampshire squarely within the middle of the primary calendar nationally. It is upon us to depart from the existing system that inadvertently favors incumbents and instead ensure each candidate is afforded an opportunity to achieve victory in November.

Rep. Ross Berry

Statement in support of Inexpedient to Legislate: This bill moves the state primary from September to June thus creating problematic real-world impacts on our constituents, communities, and candidates. This bill will generate yearlong campaigns for every single race, including state representatives who will have to file and campaign during the legislative session, while still in the thick of committee work, making serving in our citizen legislature even more challenging for working folks. For most municipalities with a town meeting form of government, candidates for town office, like select board, file in January, campaign in February and March, and anticipate town meeting ballot elections in March (though sometimes April or May). A June state primary would lead to a March filing period for state offices, meaning candidates and communities would jump immediately from town meeting elections right into state primary campaigns. Primary winners would then campaign with even more non-stop political advertisements, mail, phone calls, and yard signs everywhere. If this passes, the reality is that our constituents and communities would be dealing with campaigns from January through November. Additionally, this bill would lead to a further influx of money in our elections, much from out of state sources, potentially garnering more out of state influence on candidates and policies. Those in support of Inexpedient to Legislate believe these are political power plays without consideration for the real-world impact.

Rep. Angela Brennan

Rep. Berry moved Ought to Pass and spoke in favor.

Rep. Boehm spoke against.

On a division vote, with 170 members having voted in the affirmative, and 196 in the negative, the motion failed.

Rep. Boehm moved Inexpedient to Legislate.

Rep. Verville requested a roll call; sufficiently seconded.

YEAS 190 - NAYS 176

YEAS - 190

BELKNAP

St. Clair, Charlie

CARROLL

Belcher, Mike
McAleer, Chris

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

CHESHIRE

Abbott, Michael
Eaton, Daniel
Newell, Jodi
Toll, Amanda

Ames, Richard
Faulkner, Barry
Parshall, Lucius
Weber, Lucy

Harvey, Cathryn
Jones, Philip
Schapiro, Joe

Fox, Dru
Monteil, Renee
Tatro, Bruce

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Almy, Susan
Fellows, Sallie
Murphy, James
Muirhead, Russell

Baldwin, Heather
Fracht, David
Lovett, Peter
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Massimilla, Linda
Stringham, Jerry

Cormen, Thomas
Hoyt, Tommy
Morse, Corinne
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Beaulieu, Jane
Bouldin, Amanda
Cushman, Leah
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Foxx, Loren
LeClerc, Daniel
Murray, Megan
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Nutting-Wong, Allison
Boehm, Ralph
Calabro, Karen
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Lloyd, Christal
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Tellerski, Laura
Thomas, Wendy

Baroody, Benjamin
Booras, Efstathia
Chretien, Jacqueline
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Lascelles, Richard
Long, Patrick
Mangipudi, Latha
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wilhelm, Matthew

Beauchemin, Paige
Bouchard, Donald
Cornell, Patricia
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
Leapley, Nicole
Howard, Molly
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne

MERRIMACK

Turcotte, Alisson
Carey, Lorrie
Hall, Muriel
MacKay, James
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

Andrus, Louise
Ebel, Karen
Hicks, Matthew
Mason, James
Richards, Beth
Shurtleff, Steve

Brennan, Angela
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Roesener, James
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Luneau, David
Myler, Mel
Gould, Sherry
Testerman, Dave

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Maggiore, Jim
McBeath, Rebecca
Rafter, Hal
Sytek, John
Ward, Gerald

DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Malloy, Dennis
Meuse, David
Raynolds, Ned
Turer, Eric

Edgar, Michael
Hamblet, Joan
Cahill, Michael
Mandelbaum, Jennifer
Muns, Chris
Read, Ellen
Vallone, Mark

Gilman, Julie
Haskins, Linda
Paige, Mark
Manos, Zoe
O'Neil, Candice
Simpson, Alexis
MacDonald, Wayne

STRAFFORD

Bay, Luz
Cannon, Gerri

Bickford, David
Conlin, Bill

Bixby, Peter
Fitzpatrick, Daniel

Rich, Cecilia
Smith, Geoffrey

Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Howland, Allan
LaMontagne, Jessica
Pare, Gail

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 176

BELKNAP

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Beaudoin, Richard

Bordes, Mike
Harvey-Bolia, Juliet
Terry, Paul

Coker, Matthew
McCarter, Nikki

CARROLL

Avellani, Lino
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

Crawford, Karel
Peternel, Katy

CHESHIRE

Germana, Nicholas
Santonastaso, Matthew

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Sullivan, Jared

Brown, Carroll
Ladd, Rick

Coulon, Matthew
Rochefort, David

Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Cole, Brian
Erf, Keith
Gorski, Ted
Kofalt, Jim
Perez, Maria
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Abare, Kimberly
King, Bill
Corcoran, Travis
Fedolfi, Jim
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wheeler, Jonah

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lewicke, John
McLean, Mark
Panek, Sandra
Proulx, Mark
Seidel, Sheila
Mannion, Tom
Wherry, Robert

MERRIMACK

Aures, Cyril
McGuire, Dan
Moffett, Michael
Seaworth, Brian

Aylward, Deborah
Gerhard, Jason
Polozov, Yury
See, Alvin

McGuire, Carol
Hill, Gregory
Boyd, Stephen
Walsh, Thomas

Cambrils, Jose
Hoell, J.R.
Schultz, Kristina
Wood, Clayton

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Piemonte, Tony
Pratt, Kevin
Soti, Julius
Cahill, Tim
Tudor, Paul
Wallace, Scott

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Hobson, Deb
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Spillane, James
Dolan, Tom
Vandecasteele, Susan
Weyler, Kenneth

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Nelson, Jodi
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Summers, James
Tripp, Richard
Verville, Kevin
Yokela, Josh

Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily
Potucek, John
Pearson, Stephen
Sweeney, Joe
True, Chris
Vose, Michael

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Pitre, Joseph

Bailey, Glenn
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

Granger, Michael
Newton, Clifford

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

and the motion was adopted.

MOTION TO INDEFINITELY POSTPONE

Rep. Lane moved that **SB 380**, relative to moving the state primary date, be Indefinitely Postponed. The Speaker ruled the motion out of order, as we had taken up intervening business.

REGULAR CALENDAR CONT'D

SB 489-FN, relative to election audits. **OUGHT TO PASS.**

Rep. Ross Berry for Election Law. This bill reinstates post-election audits that had a sunset date from last year. The committee recognizes the importance of audits to instill faith in our electoral process. Vote 20-0.

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

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

SB 134-FN, relative to disability pensions for public safety employees who are victims of violence. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill proposes to address a glaring deficiency and inequity in current New Hampshire law involving instances where someone intentionally and criminally attacks public safety personnel with a deadly weapon. If an officer is killed in such an instance, the state presently provides a death benefit of \$100,000 to the family. Conversely, if the officer miraculously survives, but is left with a permanent total disability, the result can be a financial disaster for the officer, as well as the family, on top of the emotional and physical trauma inflicted by the criminal attack. This manifest injustice is presently disregarded by our system in New Hampshire, unlike military service members who have gone into harm's way and have been disabled. This bill provides an equitable ongoing compensation, plus insurance coverage under the New Hampshire retirement system, with a view to make our public safety personnel who have suffered grievous bodily harm, intentionally inflicted, in public service whole. Vote 16-0.

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.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Boehm moved that the House reconsider its action whereby, on a roll call vote of 190-176, the House adopted the motion of Inexpedient to Legislate on **SB 380**, relative to moving the state primary date.

Rep. Boehm spoke against.

On a division vote, with 191 members having voted in the affirmative, and 175 in the negative, the motion was adopted.

MOTION TO LAY ON THE TABLE

Rep. Sweeney moved that **SB 380**, relative to moving the state primary date, be laid on the table.

On a division vote, with 175 members having voted in the affirmative, and 192 in the negative, the motion failed.

MOTION TO INDEFINITELY POSTPONE

Rep. Weber moved that **SB 380**, relative to moving the state primary date, be Indefinitely Postponed.

Rep. Weber spoke in favor.

Rep. Sweeney spoke against.

Rep. Berry requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 178

YEAS - 189

BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Almy, Susan
 Fellows, Sallie
 Murphy, James
 Muirhead, Russell

Baldwin, Heather
 Fracht, David
 Lovett, Peter
 Stavits, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Massimilla, Linda
 Stringham, Jerry

Cormen, Thomas
 Hoyt, Tommy
 Morse, Corinne
 Sykes, George

HILLSBOROUGH

Murray, Alistandra
 Beaulieu, Jane
 Bouldin, Amanda
 Cushman, Leah
 DiSilvestro, Linda
 Gibbons, Candace
 Hamer, Heidi
 Jack, Martin
 Foxx, Loren
 LeClerc, Daniel
 Murray, Megan
 Ming, Ben
 Pedersen, Michael
 Newman, Ray
 Ryan, Linda
 Staub, Kathy
 Veilleux, Daniel

Nutting-Wong, Allison
 Boehm, Ralph
 Calabro, Karen
 Ford, Damond
 Dutzy, Sherry
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Jeudy, Jean
 Lanza, Judi
 Lloyd, Christal
 MacKenzie, Mark
 Morton, Jennifer
 Petrigno, Peter
 Raymond, Heather
 Newman, Sue
 Telerski, Laura
 Thomas, Wendy

Baroody, Benjamin
 Booras, Efstathia
 Chretien, Jacqueline
 Darby, Will
 Elberger, Susan
 Gregg, Alicia
 Heath, Mary
 Smith, Juliet
 Lascelles, Richard
 Long, Patrick
 Mangipudi, Latha
 Murphy, Nancy
 Plamondon, Marc
 Rombeau, Catherine
 Seibert, Christine
 Tellez, Trinidad
 Wilhelm, Matthew

Beauchemin, Paige
 Bouchard, Donald
 Cornell, Patricia
 Devine, Shelley
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Juris, Louis
 Leapley, Nicole
 Howard, Molly
 McGhee, Kat
 Nutter-Upham, Frances
 Preece, David
 Rung, Rosemarie
 Spier, Carry
 Vail, Suzanne

MERRIMACK

Turcotte, Alisson
 Carey, Lorrie
 Hall, Muriel
 MacKay, James
 Payeur, Stephanie
 Schuett, Dianne

Andrus, Louise
 Ebel, Karen
 Hicks, Matthew
 Mason, James
 Richards, Beth
 Shurtleff, Steve

Brennan, Angela
 Gallager, Eric
 Lane, Connie
 McWilliams, Rebecca
 Roesener, James
 Soucy, Timothy

Caplan, Tony
 Gibbs, Merryll
 Luneau, David
 Myler, Mel
 Gould, Sherry
 Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
 Grossman, Gaby
 Murray, Kate
 Pearson, Mark
 Manos, Zoe
 O'Neil, Candice
 Simpson, Alexis
 Ward, Gerald

DiLorenzo, Charlotte
 Grote, Jaci
 Knab, Allison
 Maggiore, Jim
 McBeath, Rebecca
 Rafter, Hal
 Turer, Eric

Edgar, Michael
 Hamblet, Joan
 Cahill, Michael
 Malloy, Dennis
 Meuse, David
 Reynolds, Ned
 Vallone, Mark

Gilman, Julie
 Haskins, Linda
 Paige, Mark
 Mandelbaum, Jennifer
 Muns, Chris
 Read, Ellen
 MacDonald, Wayne

STRAFFORD

Bay, Luz
 Cannon, Gerri
 Grassie, Chuck
 Rich, Jeffrey
 Levesque, Cassandra
 Selig, Loren

Bickford, David
 Conlin, Bill
 Howard, Heath
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas

Bixby, Peter
 Fitzpatrick, Daniel
 Horrigan, Timothy
 Kenney, Cam
 Schmidt, Peter
 Wall, Janet

Rich, Cecilia
 Smith, Geoffrey
 Howland, Allan
 LaMontagne, Jessica
 Pare, Gail

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John
 Tanner, Linda

Damon, Hope

Merchant, Gary

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Bean, Harry
 Comtois, Barbara
 Ploszaj, Tom

Bogert, Steven
 Dumais, Russell
 Beaudoin, Richard

Bordes, Mike
 Harvey-Bolia, Juliet
 Terry, Paul

Coker, Matthew
 McCarter, Nikki

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Avellani, Lino
 Crawford, Karel
 Peternel, Katy

Belcher, Mike
 MacDonald, John
 Brown, Richard

Cordelli, Glenn
 Smith, Jonathan

Costable, Michael
 McConkey, Mark

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Hunt, John
 Thackston, Dick

Qualey, James
 Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Sullivan, Jared

Brown, Carroll
Ladd, Rick

Coulon, Matthew
Rochefort, David

Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Cole, Brian
Erf, Keith
Gorski, Ted
Kofalt, Jim
Perez, Maria
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Abare, Kimberly
King, Bill
Corcoran, Travis
Fedolfi, Jim
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wheeler, Jonah

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lewicke, John
McLean, Mark
Pank, Sandra
Proulx, Mark
Seidel, Sheila
Mannion, Tom
Wherry, Robert

MERRIMACK

Aures, Cyril
McGuire, Dan
Moffett, Michael
Seaworth, Brian
Wood, Clayton

Aylward, Deborah
Gerhard, Jason
Polozov, Yury
See, Alvin

McGuire, Carol
Hill, Gregory
Boyd, Stephen
Walsh, Thomas

Cambrils, Jose
Hoell, J.R.
Schultz, Kristina
Testerman, Dave

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Milz, David
Piemonte, Tony
Pratt, Kevin
Soti, Julius
Sytek, John
True, Chris
Vose, Michael

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Spillane, James
Cahill, Tim
Tudor, Paul
Wallace, Scott

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Nelson, Jodi
Khan, Aboul
Love, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Summers, James
Dolan, Tom
Vandecasteele, Susan
Weyler, Kenneth

Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
Melvin, Charles
Phillips, Emily
Potucek, John
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Pitre, Joseph

Bailey, Glenn
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

Granger, Michael
Newton, Clifford

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

and the motion was adopted.

REGULAR CALENDAR CONT'D

SB 439-FN, to prohibiting discriminatory boycotts of Israel in state procurement and investments. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Carol McGuire for the Majority of Executive Departments and Administration. This bill would prohibit state executive agencies from purchasing from, contracting with, or investing in organizations that boycott Israel. It does not affect the retirement system nor the State Treasurer, as neither is an executive agency; it doesn't actually affect executive agencies either because it duplicates an existing executive order. Regardless of their positions on Israel or Palestine, the majority of the committee does not support restricting the state's procurement or contracting choices for political positions. An organization that indulges in actual discrimination is a criminal and not appropriate for the state to deal with; one that chooses who to contract with must meet the usual requirements of cost and quality. Political positions and statements are any organization's free speech choices. If we were to add this restriction it could open the state procurement system to be controlled by the political winds of the day. State procurement and contracting choices should only be used to get the best deals possible for the New Hampshire taxpayers. Vote 14-6.

Rep. Carroll Brown for the Minority of Executive Departments and Administration. The minority feels that it is important to support the United States government position in its support of Israel as an ally. Additionally, the minority wishes to assure that there is no misrepresentation of support of antisemitism by virtue of supporting an Inexpedient to Legislate position.

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

SB 487-FN, relative to the division of personnel in the department of administrative services. **OUGHT TO PASS.**
Rep. Jaci Grote for Executive Departments and Administration. Currently, the personnel appeals board for state employees is part of the administrative board of the department of administrative services causing conflict between employees and the state agency. At the request of the department, this bill establishes a separate personnel appeals board similar to the public employee employment board that reports to the governor's office directly. The bill represents a collaborative effort between the union, employees, and management. The fiscal notes represents the costs of this separate board. Vote 15-0.

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.

(Speaker Packard in the Chair)
REGULAR CALENDAR CONT'D

SB 352-FN-A, establishing an early detection cancer screening pilot program for active and retired firefighters. **OUGHT TO PASS.**

Rep. Erica Layon for Health, Human Services and Elderly Affairs. Firefighters run into burning buildings to save us, which comes with an elevated risk of death in the short-term, but also in the long run, given the higher incidence of cancer in firefighters. The Manchester Fire Department previously conducted a pilot program which included screening through lung CTs and skin cancer screens through a partnership with Dartmouth Hitchcock Medical Center, which found cancers that were otherwise undetected through other tests. This bill is an important first step to expand cancer screening for firefighters across the state and goes further by including multi-cancer blood screening and ultrasound screening. The committee had questions regarding the specific tests included, but due to limited time available, the committee came to no consensus on the specific test categories which should be included and whether removing the per-person cap of \$1,300 was appropriate. The need to screen our firefighters for cancers developed while protecting us was clear to the committee, and therefore the committee unanimously supported an Ought to Pass motion to continue the process. Vote 20-0.

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.

SB 355-FN, relative to newborn screening for cytomegalovirus. **WITHOUT RECOMMENDATION**
Statement in support of Ought to Pass: Cytomegalovirus (CMV) is associated with deafness in newborns. Some hospitals already do voluntary screening in cases where deafness is detected in a newborn. The bill does not mandate screening for CMV; instead, it directs the Department of Health and Human Services to provide education on the importance of early detection of CMV in connection with the New Hampshire newborn treatment program and requires an update on targeted newborn screening to the Health and Human Services Oversight Committee. Those who support the Ought to Pass motion believe this educational and targeted approach is the best way to get early care to those newborns for whom early treatment is critical.

Rep. Lucy Weber

Statement in support of Inexpedient to Legislate: The most common long-term impact of cytomegalovirus (CMV) in infants is hearing loss, which is significant and should not be ignored. The first significant step that can be taken is to make testing routine infants who fail the hearing screen for CMV. In exploring the need to test infants for CMV after failing two hearing tests, it became apparent that infant hearing screenings are not part of the legally required newborn blood or pulse oximetry tests, but rather a screening that is conducted in a process outlined in administrative rules. As such, an education program undertaken outside of the Newborn Screening Advisory Committee did not seem to be an effective way to address the clear need for CMV testing after failed hearing screenings and raised the potential that a less targeted strategy may be adopted over a more targeted approach to the most common immediate post-birth risk of CMV.

Rep. Erica Layon

Rep. Weber moved Ought to Pass.
Rep. Layon offered floor amendment (1720h).

Floor Amendment (1720h)

Amend the bill by replacing section 1 with the following:

1 Department of Health and Human Services; Early Detection of Cytomegalovirus. The commissioner of the department of health and human services shall amend current rule He-P 3008.15 to require individuals conducting newborn hearing screening and diagnostic hearing evaluation reports to include the result of cytomegalovirus (CMV) screening for any infant who does not pass the final newborn hearing screening.

AMENDED ANALYSIS

This bill directs the department of health and human services to require individuals conducting newborn hearing screening and diagnostic hearing evaluation reports to include the result of cytomegalovirus (CMV) screening for any infant who does not pass the final newborn hearing screening.

The question being adoption of floor amendment (1720h).

Rep. Layon spoke in favor.

Floor amendment (1720h) was adopted.

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

The motion was adopted, and the Speaker referred the bill to the Committee on Finance.

SB 403-FN, relative to the health care workforce. WITHOUT RECOMMENDATION

Statement in support of Ought to Pass with Amendment: This bill has four parts. First, it extends the deadlines for the legislative commission on the interdisciplinary primary care workforce issues. Second, it allows licensed nursing assistants to obtain their medication administration certification after they have been employed for one full year, instead of the two years now required in rules. Third, it establishes and regulates the position of community health care workers. A community health worker provides a link between primary care providers and a person in the community by helping the person to interact with the health care system, by providing education about services, social supports, and community health integration services, and by helping to coordinate access to health care and social services. Everyone on the committee was concerned about vulnerable adults and the problem of those who prey on them. Those who favor this bill believe a certification program will reduce the likelihood of such exploitation with a system of voluntary certification for workers who are already providing this kind of assistance, currently usually funded by temporary grant programs. The program will provide greater stability and security both for the caregivers and for those served. Finally, the bill allows the Department of Health Human Services to expend federal funds for this program and directs DHHS to create a plan for when such funding is no longer available and directs the commissioner to submit an amendment to the state Medicaid plan to include community health workers. The bill amendment clarifies the duties of the Office of Professional Licensure and Certification (OPLC) with respect to the community health workers, and the division of responsibilities between OPLC and the Board of Nursing. OPLC actually issues the license; the Board of Nursing sets the standards for the license.

Rep. Lucy Weber

Statement in support of Inexpedient to Legislate: This bill creates a formal certification for “Community Health Workers” and expands Medicaid coverage so that tax dollars will be used to pay for their services. The bill defines the responsibilities of Community Health Workers to include “informal and motivational counseling” and “other services that the commissioner defines by rules.” This extraordinarily vague definition puts taxpayers on the hook to fund a broad range of activities that are not specified in the bill, but which could be introduced later without adequate vetting by the legislature.

Rep. Jim Kofalt

Rep. Weber moved Ought to Pass and offered amendment (1533h).

Amendment (1533h)

Amend the bill by replacing section 4 with the following:

4 Nurse Practice Act; Certificate of Medication Administration for Licensed Nursing Assistants. Amend RSA 326-B:27, I to read as follows:

I. The [board] **office of professional licensure and certification** may issue a certificate of medication administration to a current LNA who:

(a) Has participated in and completed a board-approved medication administration education program;

(b) Has been employed as a licensed nursing assistant for one full year;

~~(b)~~ (c) Has passed an examination approved by the board; and

~~(c)~~ (d) Has paid the certification fee.

Amend RSA 326-N:2 as inserted by section 6 of the bill by replacing it with the following:

326-N:2 Powers and Duties of the Executive Director. The powers and duties of the executive director under this chapter include:

I. Accepting applications for certification under this chapter, and approving or denying such applications.

II. Conducting disciplinary and non-disciplinary adjudicative proceedings in accordance with RSA 310:10.

III. Accepting written complaints against certified community health workers and conducting investigations upon such written complaints in accordance with RSA 310:9.

Amend RSA 326-N:3 as inserted by section 6 of the bill by replacing it with the following:

326-N:3 Rulemaking. The executive director shall, in consultation with the New Hampshire area health education centers, adopt rules pursuant to RSA 541-A, relating to the following:

I. Establishment and administration of a voluntary certification of community health workers, including criteria for:

(a) Minimum and continuing education;

(b) Training;

(c) Experience; and

(d) Other qualifications that the executive director deems appropriate in accordance with the provisions of this chapter; and

II. Other matters that the executive director deems appropriate to carry out the provisions of this chapter. Amend RSA 326-N:4 as inserted by section 6 of the bill by replacing it with the following:

326-N:4 Application; Certification Fees; Issuance of Certification; Applicants from Other States.

I. Every application for community health worker certification shall be accompanied by a non-refundable registration fee.

II. Certification shall be renewed in accordance with RSA 310:8.

III. A certified community health worker shall conspicuously display such certification in the principal place of business.

Amend RSA 326-N:5 as inserted by section 6 of the bill by replacing it with the following:

326-N:5 Suspension; Revocation or Refusal to Issue Certification. The executive director may deny the application for a certified community health worker and may suspend or revoke the certification issued pursuant to this chapter or refuse to issue a renewal thereof if it is determined after a hearing that such applicant or certified mental health worker:

I. Has made a material false statement or concealed a material fact in connection with his or her application for certification;

II. Has had a certificate issued under this chapter revoked or suspended previously;

III. Has a criminal conviction for crimes involving fraud or fraudulent practices;

IV. Has failed to comply with any other provision of this chapter or any rules promulgated by the executive director.

Amend RSA 326-N:6, I as inserted by section 6 of the bill by replacing it with the following:

I. In order to use the title "certified community health worker", the initials "CCHW", or other designation indicating that the individual is a certified community health worker, an individual shall be certified pursuant to the provisions of this chapter.

Amend RSA 326-N:8 as inserted by section 6 of the bill by replacing it with the following:

326-N:8 Procedure for Complaints; Hearings.

All licensing, disciplinary, and non-disciplinary proceeds shall be conducted in accordance with RSA 310, and administrative rules adopted by the executive director.

The question being adoption of amendment (1533h).

Amendment was adopted.

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

Rep. Kofalt spoke against.

Rep. Weber spoke in favor.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 178

YEAS - 188

BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
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 Vail, Suzanne
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 Long, Patrick
 MacKenzie, Mark
 Morton, Jennifer
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 Malloy, Dennis
 Meuse, David
 Reynolds, Ned
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 Cahill, Michael
 Mandelbaum, Jennifer
 Muns, Chris
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 Levesque, Cassandra
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 Fitzpatrick, Daniel
 Horrigan, Timothy
 Kenney, Cam
 Schmidt, Peter
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 Smith, Geoffrey
 Howland, Allan
 LaMontagne, Jessica
 Pare, Gail

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 Palmer, William

Cloutier, John
 Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 178**BELKNAP**

Bean, Harry
 Comtois, Barbara
 Ploszaj, Tom

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 Dumais, Russell
 Beaudoin, Richard

Bordes, Mike
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Santonastaso, Matthew

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Ouellet, Mike

GRAFTONBerezhny, Lex
Ladd, RickBrown, Carroll
Rochefort, DavidCoulon, Matthew
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HILLSBOROUGHLekas, Alicia
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Panek, Sandra
Proulx, Mark
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Mooney, Maureen
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Prout, Andrew
Sheehan, Vanessa
Tenczar, JeffreyAlexander, Joe
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, JordanAmmon, Keith
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert**MERRIMACK**Andrus, Louise
Cambriis, Jose
Hoell, J.R.
Seaworth, Brian
Wood, ClaytonAures, Cyril
McGuire, Dan
Moffett, Michael
See, AlvinAylward, Deborah
Gerhard, Jason
Polozov, Yury
Walsh, ThomasMcGuire, Carol
Hill, Gregory
Boyd, Stephen
Testerman, Dave**ROCKINGHAM**Ball, Lorie
DeSimone, Debra
Dunn, Ron
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Piemonte, Tony
Pratt, Kevin
Soti, Julius
Sytek, John
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Vose, Michael
Yokela, JoshBernardy, JD
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McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
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Dolan, Tom
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Wallace, ScottThomas, Douglas
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Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily
Potucek, John
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth**STRAFFORD**Ankarberg, Aidan
Harrington, Michael
Pitre, JosephBailey, Glenn
Horgan, James
Potenza, KelleyBurnham, Claudine
Kaczynski, ThomasGranger, Michael
Newton, Clifford**SULLIVAN**Aron, Judy
Stapleton, WalterDrye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

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

SENATE MESSAGE**REQUESTS CONCURRENCE WITH AMENDMENT****HB 1003-FN**, relative to name changes for inmates, parolees, and convicted violent felons. (Amendment printed SJ 5/2/24)

Rep. Lynn moved that the House concur and spoke in favor.

Motion was adopted.

REGULAR CALENDAR CONT'D**SB 456-FN**, relative to the state loan repayment program for qualified nursing professionals, and making an appropriation therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Joe Schapiro for the Majority of Health, Human Services and Elderly Affairs. In a very modest expansion of the Student Loan Repayment Program (SLRP) within the Department of Health and Human Services (DHHS) Office of Rural Health (ORH), this bill makes an appropriation of \$300,000 to be directed specifically toward nursing professionals. While we know that there is a workforce shortage generally in the health care

field, the shortage of nurses is particularly acute, forcing many provider organizations to hire high numbers of costly traveling nurses and not infrequently forcing limits on bed capacity at hospitals and long-term care facilities. Those in the majority understand that the health care workforce shortage is a complex puzzle with multiple causes. High student loan burdens are just one stressor for those in the field. Nevertheless, student loan repayment is an effective, proven method of recruiting and retaining workers. The majority believes that increased assistance that this appropriation will provide will be extremely meaningful to both individual nurses and to the organizations that employ them. Vote 11-9.

Rep. Bill King for the Minority of Health, Human Services and Elderly Affairs. New Hampshire is in need of more nursing providers and this bill is well-intended by offering student loan forgiveness to nursing professionals to offset the schooling needed to become licensed. The hope is to keep those nursing professionals in the State of New Hampshire after they properly qualify. The problem with this bill is that it does not address the root cause and there is no guarantee that those nursing students will stay in New Hampshire. In addition, there is already a state loan repayment program. In committee, there was some discussion as to why we lost so many nurses during the COVID-19 pandemic and why there has been a drop off of people interested in studying nursing.

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

Rep. Bill King spoke against.

Rep. Schapiro spoke in favor.

On a division vote, with 187 members having voted in the affirmative, and 177 in the negative, the majority committee report was adopted, and the Speaker referred the bill to the Committee on Finance.

SB 496-FN, directing the department of health and human services to establish a climate and health protection program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bill King for the Majority of Health, Human Services and Elderly Affairs. This bill is not about whether climate change is real or not, but whether the solution proposed is proper for the Department of Health and Human Services (DHHS), or government in general, to implement and manage. DHHS already has a lot on its plate and when you consider adding a program that will require a lot of education material to be distributed around the state without proper funding, this bill does not appear to be a good idea. One solution that appears more adequate is to empower a non-profit to take on these tasks. Vote 12-8.

Rep. Joe Schapiro for the Minority of Health, Human Services and Elderly Affairs. This bill requires the Department of Health and Human Services (DHHS) to establish a climate and health protection program related to health threats associated with climate change. The minority felt that the increasing rate of global warming has, and will continue, to amplify and accelerate changes in our environment causing more dramatic health challenges such as tick-borne illnesses, injury related to heat, and wildfire related dangers. One new concern is the northern progression of mosquito borne malaria, which is newly effecting areas south of us. While the structure for such a program will be at the discretion of the Commissioner of DHHS, it should be noted that previously a grant funded position did exist within DHHS. Since there is no appropriation included, it is clear that any additional funding to support additional staff positions or other expenses would have to be raised through new grants.

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

Rep. Schapiro spoke against and yielded to questions.

Rep. Bill King requested a roll call; sufficiently seconded.

YEAS 186 - NAYS 182

YEAS - 186

BELKNAP

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Beaudoin, Richard

Bordes, Mike
Harvey-Bolia, Juliet
Terry, Paul

Coker, Matthew
McCarter, Nikki

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rocheport, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Cushman, Leah
Fedolfi, Jim
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Abare, Kimberly
King, Bill
Cole, Brian
Kelley, Diane
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

Alexander, Joe
Berry, Ross
Corcoran, Travis
Elberger, Susan
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Proulx, Mark
Seidel, Sheila
Mannion, Tom

Ammon, Keith
Boehm, Ralph
Creighton, Jim
Erf, Keith
Gorski, Ted
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Aures, Cyril
McGuire, Dan
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aylward, Deborah
Gerhard, Jason
Mason, James
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Hicks, Matthew
Moffett, Michael
See, Alvin

Cambrils, Jose
Hill, Gregory
Polozov, Yury
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
McDonnell, Valerie
Ford, Oliver
Porcelli, Susan
Quaratiello, Arlene
Summers, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Potucek, John
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Melvin, Charles
Phillips, Emily
Pratt, Kevin
Soti, Julius
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Thomas, Douglas
Drago, Mike
Gilman, Julie
Nelson, Jodi
Khan, Aboul
Love, David
Maggiore, Jim
Milz, David
Piemonte, Tony
Prudhomme-O'Brien, Katherine
Spillane, James
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

SULLIVAN

Aron, Judy
Smith, Steven

Drye, Margaret
Spilsbury, Walter

Merchant, Gary
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

NAYS - 182**BELKNAP**

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Almy, Susan
Fellows, Sallie

Baldwin, Heather
Fracht, David

Bolton, Bill
Hakken-Phillips, Mary

Cormen, Thomas
Hoyt, Tommy

Murphy, James
Morse, Corinne
Sykes, George

Sullivan, Jared
Muirhead, Russell

Lovett, Peter
Stavis, Laurel

Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
Beaulieu, Jane
Calabro, Karen
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Murray, Megan
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Nutting-Wong, Allison
Booras, Efsthathia
Chretien, Jacqueline
Devine, Shelley
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Foxy, Loren
Lloyd, Christal
Perez, Maria
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Baroody, Benjamin
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Telerski, Laura
Thomas, Wendy

Beauchemin, Paige
Bouldin, Amanda
Ford, Damond
Dutzy, Sherry
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Howard, Molly
Mangipudi, Latha
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wheeler, Jonah

MERRIMACK

Turcotte, Alisson
Carey, Lorrie
Hall, Muriel
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Andrus, Louise
Ebel, Karen
Lane, Connie
Myler, Mel
Gould, Sherry
Soucy, Timothy

Brennan, Angela
Gallager, Eric
Luneau, David
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
MacKay, James
Richards, Beth
Schultz, Kristina

ROCKINGHAM

Balboni, Peggy
Grote, Jaci
Knab, Allison
Mandelbaum, Jennifer
Muns, Chris
Raynolds, Ned
Vallone, Mark

DiLorenzo, Charlotte
Hamblet, Joan
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Read, Ellen
Ward, Gerald

Edgar, Michael
Haskins, Linda
Paige, Mark
McBeath, Rebecca
Popovici-Muller, Daniel
Simpson, Alexis

Grossman, Gaby
Murray, Kate
Malloy, Dennis
Meuse, David
Rafter, Hal
Turer, Eric

STRAFFORD

Bay, Luz
Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

SULLIVAN

Sullivan, Brian
Tanner, Linda

Cloutier, John

Damon, Hope

Palmer, William

and the majority committee report was adopted.

Rep. Popovici-Muller voted Nay and intended to vote Yea.

SB 567-FN, directing the commissioner of the department of health and human services to compile a report on the availability of mifepristone and misoprostol. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lisa Mazur for the Majority of Health, Human Services and Elderly Affairs. There was concern over why these two drugs were singled out for a report, and this bill was deemed unnecessary by the majority. Why not compile a report on the availability of other drugs then? We have no data to show that the unavailability of this drug is a problem and directing the Department of Health and Human Services to do this would add an unneeded task to their already full workload. Vote 10-6.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. Abortions are an important and legal component of reproductive health care in New Hampshire. Mifepristone and misoprostol are prescribed by health care providers in early, safe medical abortions. Access to appropriate health care, and in particular, to reproductive health care, varies throughout the state. While members of the minority recognize that the Department of Health and Human Services (DHHS) could compile this report without legislation, we believe that this is an important policy area in which the legislature should give specific direction to DHHS about an initiative that could inform both DHHS and the legislature about any changes needed to ensure access to this important reproductive health care throughout the state.

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

Rep. Simpson spoke against.

Rep. Mazur spoke in favor.

On a division vote, with 181 members having voted in the affirmative, and 183 in the negative, the majority committee report failed.

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

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 184 - NAYS 182

YEAS - 184 BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

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Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
Fracht, David
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Cormen, Thomas
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Beaulieu, Jane
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Howard, Molly
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Veilleux, Daniel

Nutting-Wong, Allison
Booras, Efstathia
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Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Murray, Megan
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Thomas, Wendy

Baroody, Benjamin
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Foxx, Loren
Lloyd, Christal
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Telerski, Laura
Wheeler, Jonah

Beauchemin, Paige
Bouldin, Amanda
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Long, Patrick
Mangipudi, Latha
Murphy, Nancy
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Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wilhelm, Matthew

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Richards, Beth
Schultz, Kristina

Brennan, Angela
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Caplan, Tony
Gibbs, Merryl
Luneau, David
Myler, Mel
Gould, Sherry
Soucy, Timothy

Carey, Lorrie
Hall, Muriel
MacKay, James
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

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Gilman, Julie
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Rafter, Hal
Turer, Eric

DiLorenzo, Charlotte
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Meuse, David
Raynolds, Ned
Vallone, Mark

Donnelly, Tanya
Grote, Jaci
Knab, Allison
Malloy, Dennis
Muns, Chris
Read, Ellen
Vandecasteele, Susan

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Hamblet, Joan
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Simpson, Alexis
Ward, Gerald

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Bay, Luz
Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

SULLIVAN

Sullivan, Brian
Tanner, Linda

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 182**BELKNAP**

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Beaudoin, Richard

Bordes, Mike
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Terry, Paul

Coker, Matthew
McCarter, Nikki

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

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Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

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Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rochefort, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McGough, Tim
Notter, Jeanine
Proulx, Mark
Seidel, Sheila
Mannion, Tom
Wherry, Robert

Abare, Kimberly
King, Bill
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kofalt, Jim
Lewicke, John
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Alexander, Joe
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Gould, Linda
Perez, Maria
Mooney, Maureen
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Ammon, Keith
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
Mazur, Lisa
Noble, Kristin
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Vail, Suzanne

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Seaworth, Brian
Wood, Clayton

Aures, Cyril
McGuire, Dan
Moffett, Michael
See, Alvin

Aylward, Deborah
Gerhard, Jason
Polozov, Yury
Walsh, Thomas

McGuire, Carol
Hill, Gregory
Boyd, Stephen
Testerman, Dave

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Edwards, Jess
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Melvin, Charles
Phillips, Emily
Potucek, John
Pearson, Stephen
Sweeney, Joe

Bernardy, JD
Doucette, Fred
Emerick, Tracy
Nelson, Jodi
Khan, Aboul
Love, David
Mandelbaum, Jennifer
Milz, David
Piemonte, Tony
Pratt, Kevin
Soti, Julius
Sytek, John

Mannion, Dennis
Drago, Mike
Guthrie, Joseph
Janvrin, Jason
Kuttub, Katelyn
Lundgren, David
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Spillane, James
Cahill, Tim

Thomas, Douglas
Dunn, Ron
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Summers, James
Dolan, Tom

Tripp, Richard
Vose, Michael
Yokela, Josh

True, Chris
MacDonald, Wayne

Tudor, Paul
Wallace, Scott

Verville, Kevin
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

SULLIVAN

Aron, Judy
Smith, Steven

Drye, Margaret
Spillsbury, Walter

Merchant, Gary
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

and the minority committee report was adopted, and the Speaker referred the bill to the Committee on Finance. Rep. Maria Perez voted Nay and intended to vote Yea.

SB 435, relative to the New Hampshire unitrust statute. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Lynn for Judiciary. As amended, this bill makes technical changes to the wording of various sections of New Hampshire's Uniform Trust Code and unitrust statutes to consolidate the latter into one title of the RSAs and to eliminate duplicate statutes. The Judiciary Committee heard testimony and received assistance from knowledgeable experts in the trust law field in crafting the amendment, which was reviewed and is supported by these experts. Vote 15-5.

Amendment (1454h)

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

1 New Hampshire Uniform Principal and Income Act. Amend RSA 564-C:1-102(8) to read as follows:

(8) "Net income" means the total receipts allocated to income during an accounting period minus the disbursements made from income during the period, plus or minus transfers under this chapter to or from income during the period. ~~[During any period in which the trust is being administered as a unitrust, either pursuant to the powers conferred by RSA 564-C:1-106 or pursuant to the terms of the will or the trust, "net income" means the unitrust amount, if the unitrust amount is no less than 2 percent and no more than 8 percent of the fair market value of the trust assets whether determined annually or averaged on a multiple year basis.]~~

2 New Hampshire Uniform Principal and Income Act; Trustee's Power to Convert to Unitrust. Amend RSA 564-C:1-106(d) to read as follows:

(d) After a trust is converted to a unitrust, ~~[all of the following apply]~~ ***the provisions of RSA 564-C:1-107 shall apply.***

~~[(1) The trustee shall follow an investment policy seeking a total return for the investments held by the trust, whether the return is to be derived:~~

~~(A) from appreciation of capital;~~

~~(B) from earnings and distributions from capital; or~~

~~(C) from both.~~

~~(2) The trustee shall make regular distributions in accordance with the governing instrument construed in accordance with the provisions of this section.~~

~~(3) Under the terms of the trust, the term "income" shall mean an annual distribution (the unitrust distribution) equal to not less than 3 percent nor more than 5 percent (the payout percentage) of the net fair market value of the trust's assets as determined at the end of the calendar year, whether such assets would be considered income or principal under other provisions of this chapter, averaged over the lesser of:~~

~~(A) The 3 preceding years; or~~

~~(B) The period during which the trust has been in existence].~~

3 New Hampshire Uniform Principal and Income Act; Trustee's Power to Convert to Unitrust. Amend RSA 564-C:1-106(f) to read as follows:

(f)(1) Expenses which would be deducted from income if the trust were not a unitrust may not be deducted from the unitrust distribution.

(2) ~~[Unless otherwise provided by the governing instrument, the unitrust distribution shall be paid from net income, as such term would be determined if the trust were not a unitrust. To the extent net income is insufficient, the unitrust distribution shall be paid from net realized short-term capital gains. To the extent income and net realized short-term capital gains are insufficient, the unitrust distribution shall be paid from net realized long-term capital gains. To the extent income and net realized short-term and long-term capital gains are insufficient, the unitrust distribution shall be paid from the principal of the trust]~~ ***Unitrust distributions shall be determined as set forth in RSA 564-C:1-107.***

4 New Hampshire Uniform Principal and Income Act; Trustee's Power to Convert to Unitrust. Amend RSA 564-C:1-106(g)(3)-(4) to read as follows:

(3) average the valuation of the trust's net assets over a period other than ~~[3 years]~~ ***the period described in the trust;*** or

(4) [~~Reconvert~~] **reconvert** from a unitrust.

5 New Section; New Hampshire Uniform Principal and Income Act. Amend RSA 564-C:1 by inserting after section 1-106 the following new section:

564-C:1-107 Creation of Total Return Unitrust.

(a) The following provisions shall apply to a trust that, by its governing instrument, or by conversion pursuant to RSA 564-C:1-106, requires or permits the distribution, at least annually, of a unitrust amount equal to a fixed percentage of not less than 3 nor more than 5 percent per year of the fair market value of the trust's assets, valued at least annually, such trust to be referred to in this section as a "total return unitrust."

(b) The unitrust amount for a total return unitrust may be determined by reference to the fair market value of the trust's assets in 1 year or more than 1 year.

(c) Distribution of such a fixed percentage unitrust amount is considered a distribution of all the income of the total return unitrust.

(d) A total return unitrust may or may not provide a mechanism for changing the unitrust percentage similar to the mechanism provided under RSA 564-C:1-106, based upon the factors noted therein, and may or may not provide for a conversion from a unitrust to an income trust and/or a reconversion of an income trust to a unitrust similar to the mechanism under RSA 564-C:1-106.

(e) If a total return unitrust does not specifically or by reference to RSA 564-C:1-106 deny a power to change the unitrust percentage or to convert to an income trust, then the trustee shall have such power and the total return unitrust shall be deemed to be a "unitrust" within the meaning of RSA 564-C:1-106 for purposes of applying RSA 564-C:1-106 to the trust.

(f) The distribution of a fixed percentage of not less than 3 percent nor more than 5 percent reasonably apportions the total return of a total return unitrust.

(g) The trust instrument may grant discretion to the trustee to adopt a consistent practice of treating capital gains as part of the unitrust distribution, to the extent that the unitrust distribution exceeds the net accounting income, or it may specify the ordering of such classes of income.

(h) Unless the terms of the trust specifically provide otherwise, the trustee:

(1) Shall consider the unitrust amount as paid from net income determined as if the trust were not a unitrust; and

(2) To the extent net income is insufficient, then after calculating the trust's capital gain net income as described in Internal Revenue Code ("I.R.C.") section 1222(9) (26 U.S.C. section 1222(9)), shall consider the unitrust amount as paid from net realized short-term capital gain as described in I.R.C. section 1222(5) (26 U.S.C. section 1222(5)) and then from net realized long-term capital gain described in I.R.C. section 1222(7) (26 U.S.C. section 1222(7)); and

(3) Shall then consider the unitrust amount as paid from the principal of the trust.

(i) The trust instrument may provide that:

(1) Assets for which a fair market value cannot be readily ascertained shall be valued using such valuation methods as are deemed reasonable and appropriate;

(2) Assets used by a trust beneficiary, such as a residence property or tangible personal property, may be excluded from the net fair market value for computing the unitrust amount; and

(3) A trustee has discretion under RSA 564-C:1-106(e) after the conversion of a trust to a unitrust.

6 New Hampshire Trust Code; Collecting Trust Property. Amend RSA 564-B:8-812(b) and (c) to read as follows:

(b) Except as otherwise provided under the terms of the trust, the trustee shall take reasonable steps to redress a breach of trust known to the trustee to have been committed by a cotrustee or a former trustee **prior to the trustee's acceptance of trusteeship.**

(c) Except as otherwise provided under the terms of the trust, the trustee shall take reasonable steps to redress a breach of trust actually known to the trustee to have been committed by ~~a trust advisor,~~ a former trust advisor~~;~~ ~~a trust protector,~~ or a former trust protector. This subsection does not impose upon a trustee who is an excluded fiduciary any duty to monitor, duty to advise, or duty to warn as described under RSA 564-B:12-1204.

7 New Hampshire Trust Code; No Duty to Review Actions of Trustee, Trust Advisor, or Trust Protector. Amend RSA 564-B:12-1204 to read as follows:

564-B:12-1204 No Duty to Review Actions of Trustee, Trust Advisor, or Trust Protector.

(a) Whenever, pursuant to the terms of a trust, an agreement of the qualified beneficiaries, or a court order, an excluded fiduciary is to follow the direction of a trustee, trust advisor, or trust protector with respect to investment decisions, distribution decisions, or other decisions of the non-excluded fiduciary, then, except to the extent that the terms of the trust, the agreement of the qualified beneficiaries, or the court order provide otherwise, the excluded fiduciary shall have no duty to:

(1) monitor the conduct of the trustee, trust advisor, or trust protector;

(2) provide advice to the trustee, trust advisor, or trust protector or consult with the trustee, trust advisor, or trust protector; or

(3) communicate with or warn or apprise any beneficiary or third party concerning instances in which the excluded fiduciary would or might have exercised the excluded fiduciary's own discretion in a manner different from the manner directed by the trustee, trust advisor, or trust protector; **or**

(4) redress a breach of trust actually known to the excluded fiduciary to have been committed by a trustee, trust advisor, or trust protector.

(b) Absent clear and convincing evidence to the contrary, the actions of the excluded fiduciary pertaining to matters within the scope of the trustee, trust advisor, or trust protector's authority (such as confirming that the trustee, trust advisor, or trust protector's directions have been carried out and recording and reporting actions taken at the trustee, trust advisor, or trust protector's direction or other information pursuant to RSA 564-B:8-813), shall be presumed to be administrative actions taken by the excluded fiduciary solely to allow the excluded fiduciary to perform those duties assigned to the excluded fiduciary under the terms of the trust, the agreement of the qualified beneficiaries, or the court order, and such administrative actions shall not be deemed to constitute an undertaking by the excluded fiduciary to monitor the trustee, trust advisor, or trust protector or otherwise participate in actions within the scope of the trustee, trust advisor, or trust protector's authority.

(c) Notwithstanding (a) and (b), if an excluded fiduciary actually knows of a serious breach of trust having been committed by a trustee, trust advisor, or trust protector, then such trustee shall take reasonable steps to redress such serious breach of trust.

8 New Hampshire Trust Code; Cotrustees. Amend RSA 564-B:7-703(g)(2) to read as follows:

(2) compel a cotrustee to redress a serious breach of trust **if the serious breach is actually known to the cotrustee.**

9 New Hampshire Trust Code; Scope. Amend RSA 564-B:1-102 to read as follows:

564-B:1-102 Scope.

(a) This chapter applies to express trusts, charitable or noncharitable, and trusts created pursuant to a statute, judgment, or decree that requires the trust to be administered in the manner of an express trust, **including, but not limited to, a special needs trust authorized by 42 U.S.C. section 1396p(d)(4)(A) and (C) that requires the trust to be administered in the manner of an express trust.**

(b) This chapter shall not apply to a resulting or constructive trust, a business trust which provides for certificates to be issued to the beneficiary, an investment trust, a voting trust, a security instrument, a trust created by the judgment or decree by any other court, a liquidation trust, or a trust for the primary purpose of paying dividends, interest, interest coupons, salaries, wages, pensions or profits, or employee benefits of any kind, an instrument wherein a person is nominee or escrowee for another, a trust created in deposits in any financial institution, or other trust the nature of which does not admit of general trust administration;

(c) Without precluding other means for establishing that this chapter applies to a specific trust, this chapter applies to a trust to the extent that the terms of the trust provide that this state's laws govern the trust's validity, interpretation, or administration.

~~[(e)]~~ (d) Unless otherwise provided under the terms of the trust, New Hampshire law shall apply to the administrative matters of a trust that has its principal place of administration within this state.

~~[(d)]~~ (e) This chapter shall not limit the authority of the director of charitable trusts or the department of health and human services as otherwise provided by statute or common law.

10 New Section; New Hampshire Trust Code; Limitations on Certain Trustees who are Beneficiaries. Amend RSA 564-B by inserting after section 8-817 the following new section:

564-B:8-818 Limitations on Certain Trustees who are Beneficiaries.

(a)(1) Due to the inherent conflict of interest that exists between a trustee who is a beneficiary and other beneficiaries of the trust, unless the terms of a trust refer specifically to this paragraph and provide expressly to the contrary, any power conferred upon a trustee (other than the settlor of a revocable or amendable trust or a decedent's or settlor's spouse who is a trustee of a testamentary or inter vivos trust for which a marital deduction has been allowed) shall not include the following:

(A) To make discretionary distributions of either principal or income to or for the benefit of such trustee, except to provide for that trustee's health, education, maintenance, or support as described under Internal Revenue Code sections 2041 and 2514.

(B) To make discretionary allocations of receipts or expenses as between principal and income, unless such trustee acts in a fiduciary capacity whereby such trustee has no power to enlarge or shift any beneficial interest except as an incidental consequence of the discharge of such trustee's fiduciary duties.

(C) To make discretionary distributions of either principal or income to satisfy any legal support obligations of such trustee.

(2) Any of the powers described in subparagraph (1) that are conferred upon 2 or more trustees may be exercised by the trustees who are not so disqualified. If there is no trustee qualified to exercise such power, the interested parties may unanimously appoint a trustee who is not so disqualified to exercise such power(s), or an interested party may apply to a court of competent jurisdiction to appoint such a trustee and such power may be exercised by such trustee appointed by the court.

11 New Section; New Hampshire Trust Code; Specific Powers of Trustee; Powers of Fiduciaries in Environmental Matters. Amend RSA 564-B by inserting after section 8-816 the following new section:

564-B:8-816-a Specific Powers of Trustee; Powers of Fiduciaries in Environmental Matters.

(1) The general court has determined that it will benefit the public health, safety, and welfare to empower fiduciaries to assess fiduciary property to determine environmental condition, to prevent and remediate contamination, and to otherwise bring fiduciary property into compliance with environmental laws.

(2) In this section:

(A) "Environmental laws" means any federal, state or local law, rule, regulation, or ordinance relating to protection of the environment or human health.

(B) "Fiduciary" means any individual, partnership, corporation, firm, or any other entity and any officer, employee, or agent of such fiduciary, who is acting in any of the following capacities:

(i) Executor, administrator, guardian, or conservator.

(ii) Trustee under a will or inter vivos instrument creating a trust under which the trustee takes title to, or otherwise controls or manages, property for the purpose of protecting or conserving such property under the ordinary rules applied in the probate courts of this state.

(iii) Court-appointed receiver.

(iv) Trustee appointed in proceedings under federal bankruptcy laws.

(v) Assignee or trustee acting under an assignment made for the benefit of creditors under the laws of this state.

(vi) Trustee pursuant to an indenture agreement or similar financing agreement for debt securities, certificates of interest of participation in any such debt securities, or any successor to any of the foregoing.

(C) "Hazardous substances" mean oil as defined in RSA 146-A:2, III or any substance defined as hazardous or toxic under RSA 147-A:2, VII or otherwise regulated by any environmental laws.

(3) Unless expressly limited by the instrument, judgment, decree, or order establishing the fiduciary relationship, a fiduciary shall have, in its discretion, the following powers, provided that the fiduciary shall disclose in writing to the person or persons to whom the fiduciary sends communications or statements relating to the property held in a fiduciary capacity, the fiduciary's intent to exercise any or all of the authority granted in this section prior to the first exercise of such authority:

(A) To inspect and monitor real and personal property to which the fiduciary takes legal title (including, without limitation, interests in sole proprietorships, partnerships, or corporations and any assets owned by such business enterprises) or over which a fiduciary may exercise control, for the purposes of determining compliance with environmental laws affecting such property, and to respond to actual or threatened violations of any environmental laws affecting such property held or controlled by the fiduciary.

(B) To take, on behalf of an estate, person or business, any action necessary to prevent, abate, or otherwise remedy any actual or threatened release of hazardous substances or violation of any environmental laws affecting real or personal property held or controlled by the fiduciary, either before or after the initiation of an enforcement action by any government body.

(C) To refuse to accept real or personal property in trust if:

(i) Such property either is or may be contaminated by any hazardous substances, or such property is being used or has been used for any activities directly or indirectly involving hazardous substances, which could impair the value of the assets therein held or controlled; or

(ii) Such property may be in violation of any environmental laws.

(D) To settle or compromise, at any time, any and all claims against the estate, trust, person or business which may be asserted by any governmental body or private body, involving the alleged release or threatened release of hazardous substances and the alleged violation of any environmental laws affecting real or personal property held by the estate or trust or owned by the person or business.

(E) To release or disclaim at any time or times any power granted by any document or any statute or rule of law which, in the sole discretion of the fiduciary, may expose the fiduciary to liability in the fiduciary's individual capacity under the environmental laws or impair the value of the assets retained or controlled by the fiduciary.

(4) A fiduciary may charge the reasonable cost of any abatement, cleanup, inspection, assessment, insurance, database review, monitoring, or any other response or remedial action, as authorized under this chapter, against the income or principal for the estate, trust, personal estate, or business assets, and shall not be personally responsible therefor.

(5)(A) Nothing in this section shall be construed to alter or affect a fiduciary's liability or obligations as otherwise established by environmental laws. The fiduciary's failure to exercise powers granted under this section in and of itself shall not create a cause of action against the fiduciary. A fiduciary shall not be liable in its individual capacity to any beneficiary or any other party for any action taken with the approval of a governmental agency with responsibility for environmental compliance. A fiduciary shall not be liable in its individual capacity to a beneficiary or any other party for any other action taken to:

(i) Assess potential environmental contamination of fiduciary property; or
 (ii) Bring fiduciary property into compliance with environmental laws where the fiduciary acts reasonably and prudently.

(B) In particular, a fiduciary shall not be liable for any decrease in value or exhaustion of assets by reason of actions taken in accordance with this section.

12 New Subparagraph; New Hampshire Trust Code; Certification of Trust. Amend RSA 564-B:10-1013 by inserting after subparagraph (j) the following new subparagraph:

(k) The filing by a trustee of a written certificate signed by the trustee, filed and recorded as hereinafter set forth and in substantially the following form shall be conclusive evidence and notice to all third parties that the trustee named therein and the trustee's successors have full and absolute power to convey any interest in real estate and improvements thereon held by the trustee and no third person or purchaser, without actual knowledge to the contrary, shall be obligated to further inquire as to the power or authority of the trustee to convey or to see to the application of any trust assets paid or delivered to the trustee. The undersigned trustee(s) as Trustee(s) under the Trust created by _____ as grantor under trust agreement dated _____, and thereto have full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said trust and no purchaser or third party shall be bound to inquire whether the trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the trustee for a conveyance thereof. _____, Trustee

(1) A similar certificate filed by any successor to the trustee named in an original or any subsequent certificate shall have the same effect as the original certificate. Such a certificate, in writing, executed with the formalities required for a deed of real property by the trustee or trustees of the trust and recorded in the registry of deeds in the county in which the real estate and improvements lie shall conclusively establish the power of the trustee to convey said real estate and improvements as set forth above.

(2) A written certificate signed by a trustee with signature sworn to before a notary public, delivered to the transferee or a transfer agent in substantially the following form, shall be conclusive evidence and notice to all third parties that the trustee named therein and the trustee's successors have full and absolute power to convey any interest in personal property, tangible or intangible, held by the trustee and no third person or purchaser, without actual knowledge to the contrary, shall be obligated to further inquire as to the power or authority of the trustee to convey or to see to the application of any trust assets paid or delivered to the trustee.

The undersigned trustee(s) as Trustee(s) under the _____ Trust created by _____ as grantor under trust agreement dated _____, and thereto have full and absolute power in said trust agreement to convey any interest in personal property held in said trust and no purchaser or third party shall be bound to inquire whether the trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the trustee for a conveyance thereof. _____, Trustee

(3) A similar certificate signed by any successor to the trustee named in an original or any subsequent certificate shall have the same effect as the original certificate. Such a certificate, in writing, sworn to, and delivered in the same manner as the prior trustee's certificate, shall conclusively establish the power of the successor trustee to convey said personal property.

13 New Hampshire Trust Code; Subject Matter Jurisdiction. Amend RSA 564-B:2-203 to read as follows:
 564-B:2-203 Subject-Matter Jurisdiction.

(a) Except as provided in subsection (b), the probate division of the circuit court shall have exclusive jurisdiction of the creation by judgment or decree, interpretation, construction, modification, termination, and administration of those trusts described in ~~[RSA 564-A:1, I]~~ **RSA 564-B**, and over the appointment, removal, and surcharge of trustees, trust advisors, and trust protectors of such trusts.

(b) The probate division of the circuit court has concurrent jurisdiction with the superior court of proceedings involving charitable uses and trusts other than those trusts described in ~~[RSA 564-A:1, I]~~ **RSA 564-B:1-102(b)**.

14 New Hampshire Trust Code; General Powers of Trustees. Amend RSA 564-B:8-815(c) to read as follows:

(c) The powers of a trustee are subject to the provisions of ~~[RSA 564-A:3, IV]~~ **RSA 564-B:8-818**.

15 New Hampshire Trust Code; Certification of Trust. Amend RSA 564-B:10-1013(j) to read as follows:

(j) Instead of the certification of trust described in subsection (a), a certificate described in ~~[RSA 564-A:7]~~ **subsection (k)** shall protect persons dealing with a trustee in connection with the conveyance of real or personal property as provided in ~~[RSA 564-A:7]~~ **subsection (k)**. Nothing in this section is intended to expand, limit, or otherwise affect the provisions of ~~[RSA 564-A:7]~~ **subsection (k)**.

16 New Hampshire Trust Code; General Powers of Trustee. Amend RSA 564-B:8-816(a)(13)(F) to read as follows:

(F) Comply with the environmental provisions of ~~[RSA 564-A:3-a]~~ **RSA 564-B:8-816-a**;

17 Trustees of Estates; Removal or Replacement. Amend RSA 564:9, III to read as follows:

III. This section shall apply to a trust or trustee of a trust, as defined in ~~[RSA 564-A:1]~~ **RSA 564-B**.

18 Uniform Disclaimer of Property Interests Act; Definitions. Amend RSA 563-B:3(h) to read as follows:

(h) "Trust" [means] ***shall have the same meaning as described in RSA 564-B:***

(1) ~~An express trust, charitable or noncharitable, with additions thereto, whenever and however created as defined in RSA 564-A:1; and~~

(2) ~~A trust created pursuant to a statute, judgment, or decree which requires the trust to be administered in the manner of an express trust].~~

19 Judges of Probate and Their Jurisdiction; Jurisdiction. Amend RSA 547:3, I(c) and (d) to read as follows:

(c) The interpretation and construction of wills and the creation by judgment or decree, interpretation, construction, modification, and termination of those trusts described in ~~[RSA 564-A:1, I]~~ ***RSA 564-B***.

(d) The administration of those trusts described in ~~[RSA 564-A:1, I]~~ ***RSA 564-B***, and the appointment, removal and surcharge of trustees of such trusts.

20 Judges of Probate and Their Jurisdiction; Jurisdiction. Amend RSA 547:3, II(a) to read as follows:

(a) Subject to RSA 498:4-a, cases involving charitable uses and trusts other than those trusts described in ~~[RSA 564-A:1, I]~~ ***RSA 564-B***, over which the probate court has exclusive jurisdiction as provided in RSA 547:3, I(c) and (d).

21 Equity Powers and Proceedings; Jurisdiction. Amend RSA 498:1 to read as follows:
498:1 Jurisdiction.

The superior court shall have the powers of a court of equity in the following cases: charitable uses; trusts other than those trusts described in ~~[RSA 564-A:1]~~ ***RSA 564-B***, over which the probate court has exclusive jurisdiction as provided in RSA 547:3, I(c) and (d); fraud, accident and mistake; the affairs of partners, joint tenants or owners and tenants in common; the redemption and foreclosure of mortgages; contribution; waste and nuisance; the specific performance of contracts; discovery; cases in which there is not a plain, adequate and complete remedy at law; and in all other cases cognizable in a court of equity, except that the court of probate shall have exclusive jurisdiction over equitable matters arising under its subject matter jurisdiction authority in RSA 547, RSA 547-C and RSA 552:7.

22 Repeal. RSA 564-A, relative to certain provisions regarding trusts, is repealed.

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

The question being adoption of amendment (1454h).

Committee amendment was adopted.

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

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

SB 63, relative to the adoption of public health ordinances by municipalities. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tim Cahill for the Majority of Municipal and County Government. This bill seeks to clarify, in statute, the subject matter of which health officers may utilize their authority to draft health ordinances. Vote 10-8. Rep. Laurel Stavis for the Minority of Municipal and County Government. This bill has come before the legislature many times and in many forms, but the basic intent is to curtail the authority of municipal public health officers and to limit the ability of towns and cities to enact ordinances in response to public health threats. The sponsor(s) of this bill express concern that public health officers, acting on behalf of the citizens they serve, could "exceed their authority" and pass measures with which the sponsors would disagree. But the statute that outlines the responsibilities of public health officers is intentionally broad, giving them wide latitude to act in the event of any numbers of threats to the public welfare, such as communicable disease, tainted food, unsafe procedures and the like. Pathogens and contaminants do not discriminate based on politics. Public health officers, and the municipalities they serve, need to be able to respond to these threats in timely and effective ways.

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

Rep. Howland spoke against.

Rep. Harvey-Bolia spoke in favor.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 182

YEAS - 181

BELKNAP

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Beaudoin, Richard

Bordes, Mike
Harvey-Bolia, Juliet
Terry, Paul

Coker, Matthew
McCarter, Nikki

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rocheport, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Proulx, Mark
Seidel, Sheila
Mannion, Tom

Abare, Kimberly
Berry, Ross
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Alexander, Joe
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Ammon, Keith
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Wood, Clayton

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

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

McGuire, Carol
Hill, Gregory
Polozov, Yury
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily
Potucek, John
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Piemonte, Tony
Pratt, Kevin
Soti, Julius
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Nelson, Jodi
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Spillane, James
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Summers, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

**NAYS - 182
BELKNAP**

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Weber, Lucy

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius

Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
 Fracht, David
 Sullivan, Jared
 Muirhead, Russell

Bolton, Bill
 Hакken-Phillips, Mary
 Lovett, Peter
 Stavis, Laurel

Cormen, Thomas
 Hoyt, Tommy
 Massimilla, Linda
 Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
 Beauchemin, Paige
 Calabro, Karen
 Darby, Will
 Elberger, Susan
 Gregg, Alicia
 Heath, Mary
 Smith, Juliet
 Leapley, Nicole
 Howard, Molly
 Mangipudi, Latha
 Murphy, Nancy
 Plamondon, Marc
 Rombeau, Catherine
 Seibert, Christine
 Tellez, Trinidad
 Wilhelm, Matthew

Nutting-Wong, Allison
 Beaulieu, Jane
 Chretien, Jacqueline
 Devine, Shelley
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Juris, Louis
 LeClerc, Daniel
 Murray, Megan
 McGhee, Kat
 Nutter-Upham, Frances
 Preece, David
 Rung, Rosemarie
 Spier, Carry
 Vail, Suzanne

Boyd, Bill
 Booras, Efstathia
 Cornell, Patricia
 DiSilvestro, Linda
 Gibbons, Candace
 Hamer, Heidi
 Jack, Martin
 Foxx, Loren
 Lloyd, Christal
 Perez, Maria
 Ming, Ben
 Pedersen, Michael
 Newman, Ray
 Ryan, Linda
 Staub, Kathy
 Veilleux, Daniel

Baroody, Benjamin
 Bouchard, Donald
 Ford, Damond
 Dutzy, Sherry
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Jeudy, Jean
 Lanza, Judi
 Long, Patrick
 MacKenzie, Mark
 Morton, Jennifer
 Petrigno, Peter
 Raymond, Heather
 Newman, Sue
 Telerski, Laura
 Thomas, Wendy

MERRIMACK

Turcotte, Alisson
 Ebel, Karen
 Hicks, Matthew
 McWilliams, Rebecca
 Roesener, James
 Shurtleff, Steve

Brennan, Angela
 Gallager, Eric
 Lane, Connie
 Myler, Mel
 Gould, Sherry
 Soucy, Timothy

Caplan, Tony
 Gibbs, Merryl
 Luneau, David
 Payeur, Stephanie
 Schuett, Dianne
 Wallner, Mary Jane

Carey, Lorrie
 Hall, Muriel
 MacKay, James
 Richards, Beth
 Schultz, Kristina

ROCKINGHAM

Balboni, Peggy
 Grossman, Gaby
 Murray, Kate
 Maggiore, Jim
 McBeath, Rebecca
 Rafter, Hal
 Turer, Eric

DiLorenzo, Charlotte
 Grote, Jaci
 Knab, Allison
 Malloy, Dennis
 Meuse, David
 Reynolds, Ned
 Vallone, Mark

Edgar, Michael
 Hamblet, Joan
 Cahill, Michael
 Mandelbaum, Jennifer
 Muns, Chris
 Read, Ellen
 Ward, Gerald

Gilman, Julie
 Haskins, Linda
 Paige, Mark
 Manos, Zoe
 O'Neil, Candice
 Simpson, Alexis

STRAFFORD

Bay, Luz
 Conlin, Bill
 Horrigan, Timothy
 Kenney, Cam
 Schmidt, Peter
 Wall, Janet

Bixby, Peter
 Fitzpatrick, Daniel
 Howland, Allan
 LaMontagne, Jessica
 Pare, Gail

Rich, Cecilia
 Grassie, Chuck
 Rich, Jeffrey
 Levesque, Cassandra
 Selig, Loren

Cannon, Gerri
 Howard, Heath
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John
 Tanner, Linda

Damon, Hope

Merchant, Gary

and the majority committee report failed.

Rep. Stavis moved the minority committee report of Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Sweeney moved that **SB 63**, relative to the adoption of public health ordinances by municipalities, be laid on the table.

Motion was adopted.

(Rep. Steven Smith in the Chair)

REGULAR CALENDAR CONT'D

SB 538-L, relative to zoning procedures concerning residential housing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Len Turcotte for the Majority of Municipal and County Government. This legislation is riddled with both practical problems and technical errors. First, the bill looks to permit the governing bodies of municipalities to grant tax relief to developers. In doing so, the tax relief granted to developers is necessarily distributed to all other municipal taxpayers. While there may be an argument that rents for lessees in the development might be lessened, those lesser and subsidized rents are ultimately distributed to and paid for by the rest of the municipality's property taxpayers. The legislature should not create RSAs that facilitate the redistribution of property taxes, while potentially creating the opportunity for select individuals or corporations to gain political and monetary favors. Next, the legislation proposes giving the ability to change zoning to the local governing body rather than by warrant article which requires the vote of the town's citizens. Allowing and delegating to a small group of individuals, the ability to change the municipality's zoning on very short notice without time for the citizenry to consider and vote on the proposed changes, is anathema to good governance. The legislation goes on to further propose "alternate parking solutions." Three out of the four "solutions," per the language, would actually require zero parking to be part of any development proposal, meaning occupants of the development would have no access to designated parking creating further parking congestion especially in cities. Furthermore, this new "alternate parking solutions" would first require the planning board to "consider" the proposal, then they would be required to "approve" the proposal of the applicant, period. Failing the planning board's accession to the applicant's proposal, it would be the planning board's responsibility to request a third-party review. This is 180 degrees out of any normal procedures where the applicant is the party that must apply for third party intervention. Like many other bills the House has heard this session, the zoning changes proposed in this bill, to be mandated onto municipalities, can already be attained by utilizing the warrant article process by the municipalities themselves. The House should not be passing legislation that is technically deficient and will create more problems for municipalities than it contends to solve. Vote 9-8.

Rep. David Preece for the Minority of Municipal and County Government. This bill, as amended by the Senate, would provide another tool for towns and cities to address New Hampshire's housing crisis. The bill is comprised of three parts. The first part, Section 3 of the bill, will enable a local tax credit option for owners of property that is converted from office, industrial, and commercial space to residential units. The term of the local tax credit option is at the local government's legislative body's discretion and may not be used more than once during twenty years. Usually, the local tax credit option term is three to five years. The project must conform to local zoning ordinances for downtown building conversion. The second part, Section 5 of the bill, will enable the local legislative body to enact zoning amendments. Currently, SB 2 towns only have a chance, once a year, to consider zoning amendments. After at least one full public hearing, the approval of the zoning amendments will be in consultation with the local planning board and the compliance with their master plan. This change will allow the public to investigate proposed amendments and provide input to the select board. It will also result in municipalities being able to approve and add housing units more efficiently. The third part, Section 6 of the bill, enables the planning board and the local governing body to consider an alternative parking solution that the applicant will propose to meet the parking demand created by proposed residential use. The alternative parking solution will substitute for meeting the on-site parking requirements prescribed by a zoning ordinance, site plan review regulation, subdivision regulation, or innovative land use control. Alternative parking solutions shall include, but not be limited to: 1. An agreement for providing off-site parking spaces with another real property owner during hours when the off-site parking spaces are not in use within a quarter of a mile of the proposed residential use; 2. An agreement with a rideshare company to provide transportation to the occupants of the proposed residential use; 3. Public transportation, including fixed-route bus service, should be available within a quarter of a mile of the proposed residential use; 4. A location in a district officially designated in a municipality's master plan or by zoning ordinance as a downtown, town center, central business district, or village center in which there is adequate walkability infrastructure. The Municipal and County Government Committee heard much testimony that New Hampshire has a severe housing crisis. It is affecting businesses, the economy, and our labor market because of the lack of housing and affordability. This bill enables local governing boards to use another tool to address the housing shortage in their communities.

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

Reps. Alexander and Preece spoke against.

Rep. Pauer spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 173

YEAS - 188

BELKNAP

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Beaudoin, Richard

Bordes, Mike
Harvey-Bolia, Juliet
St. Clair, Charlie

Coker, Matthew
McCarter, Nikki
Terry, Paul

CARROLL

Avellani, Lino
Crawford, Karel
Pernel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Harvey, Cathryn
Santonastaso, Matthew

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Greeson, Jeffrey

Brown, Carroll
Ladd, Rick

Coulon, Matthew
Rocheport, David

Fellows, Sallie
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Corcoran, Travis
Erf, Keith
Healey, Robert
Sanborn, Laurie
McGhee, Kat
Murphy, Nancy
Pauer, Diane
Reid, Karen
Sheehan, Vanessa
Tenczar, Jeffrey

Abare, Kimberly
Calabro, Karen
Creighton, Jim
Griffin, Gerald
Kennedy, Stephen
Lascelles, Richard
McGough, Tim
Noble, Kristin
Post, Lisa
Rombeau, Catherine
Sirois, Shane
Ulery, Jordan

Boyd, Bill
Colcombe, Riché
Cushman, Leah
Gagne, Larry
Kenny, Catherine
Lewicke, John
McLean, Mark
Notter, Jeanine
Proulx, Mark
Rung, Rosemarie
Spier, Carry
Wheeler, Jonah

King, Bill
Cole, Brian
Kelley, Diane
Goley, Jeffrey
Gould, Linda
Mazur, Lisa
Mooney, Maureen
Panek, Sandra
Prout, Andrew
Seidel, Sheila
Lekas, Tony
Wherry, Robert

MERRIMACK

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

Aures, Cyril
McGuire, Dan
Mason, James
Schuett, Dianne
Testerman, Dave

Aylward, Deborah
Gerhard, Jason
Moffett, Michael
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Hill, Gregory
Polozov, Yury
See, Alvin

ROCKINGHAM

Balboni, Peggy
Thomas, Douglas
Drago, Mike
Emerick, Tracy
Harb, Robert
Perez, Kristine
Layon, Erica
Pearson, Mark
Melvin, Charles
Packard, Sherman
Porcelli, Susan
Quaratiello, Arlene
Summers, James
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Gilman, Julie
Hobson, Deb
Khan, Aboul
Love, David
Maggiore, Jim
Milz, David
Phillips, Emily
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Bernardy, JD
Donnelly, Tanya
Edgar, Michael
Grote, Jaci
Nelson, Jodi
Kuttab, Katelyn
Lundgren, David
McDonnell, Valerie
Ford, Oliver
Piemonte, Tony
Pratt, Kevin
Soti, Julius
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

Mannion, Dennis
Doucette, Fred
Edwards, Jess
Guthrie, Joseph
Janvrin, Jason
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Spillane, James
Dolan, Tom
Vallone, Mark
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Pitre, Joseph

Bailey, Glenn
Horgan, James
Potenza, Kelley

Bickford, David
Kaczynski, Thomas

Burnham, Claudine
Newton, Clifford

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spillsbury, Walter

NAYS - 173**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Ames, Richard
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

Eaton, Daniel
Monteil, Renee
Tatro, Bruce

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Almy, Susan
Fracht, David
Sullivan, Jared
Muirhead, Russell

Baldwin, Heather
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Bolton, Bill
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

Cormen, Thomas
Murphy, James
Morse, Corinne
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Baroody, Benjamin
Booras, Efstathia
Cornell, Patricia
DiSilvestro, Linda
Gibbons, Candace
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Perez, Maria
Morton, Jennifer
Plamondon, Marc
Raymond, Heather
Staub, Kathy
Vail, Suzanne

Nutting-Wong, Allison
Beauchemin, Paige
Bouchard, Donald
Ford, Damond
Dutzy, Sherry
Gregg, Alicia
Heath, Mary
Smith, Juliet
Lanza, Judi
Long, Patrick
MacKenzie, Mark
Nutter-Upham, Frances
Plett, Fred
Ryan, Linda
Mannion, Tom
Veilleux, Daniel

Alexander, Joe
Beaulieu, Jane
Bouldin, Amanda
Darby, Will
Elberger, Susan
Grill, Jessica
Herbert, Christopher
Juris, Louis
Leapley, Nicole
Howard, Molly
Mangipudi, Latha
Pedersen, Michael
Preece, David
Newman, Sue
Telerski, Laura
Thomas, Wendy

Ammon, Keith
Berry, Ross
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Hamer, Heidi
Jack, Martin
Kofalt, Jim
LeClerc, Daniel
Murray, Megan
Ming, Ben
Petrigno, Peter
Newman, Ray
Seibert, Christine
Tellez, Trinidad
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Ebel, Karen
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Soucy, Timothy

Brennan, Angela
Gallager, Eric
Lane, Connie
Myler, Mel
Gould, Sherry
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merry
Luneau, David
Payeur, Stephanie
Schultz, Kristina

Carey, Lorrie
Hall, Muriel
MacKay, James
Richards, Beth
Shurtleff, Steve

ROCKINGHAM

DiLorenzo, Charlotte
Murray, Kate
Malloy, Dennis
Meuse, David
Raynolds, Ned
Turer, Eric

Grossman, Gaby
Knab, Allison
Mandelbaum, Jennifer
Muns, Chris
Read, Ellen
Ward, Gerald

Hamblet, Joan
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Simpson, Alexis

Haskins, Linda
Paige, Mark
McBeath, Rebecca
Rafter, Hal
Sweeney, Joe

STRAFFORD

Bay, Luz
Conlin, Bill
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Bixby, Peter
Fitzpatrick, Daniel
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Rich, Cecilia
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

Cannon, Gerri
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

and the majority committee report was adopted.

SB 476-FN, making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men. **OUGHT TO PASS.**

Rep. Bill Boyd for Public Works and Highways. The New Hampshire State Prison for Men was built in 1878 with additions and renovations made in the 1980's. The current population is a little over 1000 prisoners with its max capacity roughly around 1400 prisoners. There are a variety of capital projects and infrastructure improvements needed over the next five to ten years to maintain the viability of the facility; most specifically, the roof, the HVAC, the kitchen, the medical wing, and the main sewer lines are just a few of the major updates needed to maintain and preserve the functionality of the facility. Prison cells may not meet the industry

standard and pose safety concerns for the inmates and corrections officers. The facility is also having a hiring impact with potential corrections officers seeking to work there. The estimated costs for these improvements exceed \$400 million over the next ten years, more than half the cost of building a new, more-modernized utilitarian facility which is estimated to cost, at this writing, \$584 million. Last year, based upon testimony provided by the New Hampshire Department of Corrections Commissioner and her team during capital budget hearings, the committee had recommended an investment of \$50 million in the state budget to begin moving this project forward with the plans to construct a new facility. Regretfully, during budget negotiations, it was reduced to \$10 million, so, the bill seeks to correct this change by bonding an additional \$40 million to keep the project on track. The committee heard testimony over two different days from state corrections officials who reiterated testimony from last year's hearing, and the State Treasurer who provided a positive outlook on the state's bonding capacity and its affordability to Granite Staters. Committee members were invited to tour the facility as well. The committee concurred overall that this project has been punted down field for years as other capital project priorities had presented themselves as an immediate concern. There was further consensus that the project needs to stay on track due to current facility limitations impacting deferred maintenance concerns and infrastructure improvements. Yet, there was a general concern amongst some of the members supporting a capital appropriation mid-budget cycle considering the committee had last year made the \$50 million budget appropriation request as a matter of policy. Ultimately, the committee was mindful of the testimony reiterating the fact that the state has been discussing a new correctional facility for over 10 years now. Consequently, the committee remained committed to supporting the policy decided upon last year to move a new correctional facility to the forefront of capital priorities. This policy support was further buoyed by the testimony of the State Treasurer that the state could handle this request with sound financial planning combined with the state correction officials' ability to focus and drive on developing a new correctional facility that is safe, secure and utilitarian for the inmates, staff and correctional officers. Vote 15-4.

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

Rep. Kaczynski spoke against.

Rep. McConkey spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 217 - NAYS 144

YEAS - 217

BELKNAP

Bogert, Steven	Coker, Matthew	Beaudoin, Richard
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CARROLL

Buco, Thomas	Burroughs, Anita	Crawford, Karel	Paige, David
McAleer, Chris	McConkey, Mark	Brown, Richard	Woodcock, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Harvey, Cathryn	Fox, Dru
Eaton, Daniel	Faulkner, Barry	Germana, Nicholas	Hunt, John
Jones, Philip	Monteil, Renee	Newell, Jodi	Parshall, Lucius
Schapiro, Joe	Tatro, Bruce	Thackston, Dick	Toll, Amanda
Weber, Lucy			

COOS

Davis, Arnold	Cascadden, Corinne	Kelley, Eamon	Noël, Henry
Ouellet, Mike			

GRAFTON

Almy, Susan	Baldwin, Heather	Bolton, Bill	Brown, Carroll
Cormen, Thomas	Coulon, Matthew	Fellows, Sallie	Fracht, David
Hakken-Phillips, Mary	Hoyt, Tommy	Murphy, James	Sullivan, Jared
Lovett, Peter	Massimilla, Linda	Morse, Corinne	Muirhead, Russell
Stavis, Laurel	Stringham, Jerry	Sykes, George	

HILLSBOROUGH

Murray, Aissandra	Nutting-Wong, Allison	Abare, Kimberly	Boyd, Bill
King, Bill	Baroody, Benjamin	Beauchemin, Paige	Beaulieu, Jane
Booras, Efstathia	Bouchard, Donald	Bouldin, Amanda	Calabro, Karen
Chretien, Jacqueline	Cornell, Patricia	Darby, Will	Devine, Shelley
DiSilvestro, Linda	Dutzy, Sherry	Elberger, Susan	Davis, Fred
Gibbons, Candace	Goley, Jeffrey	Gregg, Alicia	Grill, Jessica
Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	Smith, Juliet	Juris, Louis
Lanza, Judi	Lascelles, Richard	Leapley, Nicole	LeClerc, Daniel

Lloyd, Christal
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Newman, Ray
Rung, Rosemarie
Sheehan, Vanessa
Tellez, Trinidad
Wheeler, Jonah

Howard, Molly
Mangipudi, Latha
Murphy, Nancy
Plamondon, Marc
Raymond, Heather
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Murray, Megan
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Renzullo, Andrew
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Perez, Maria
Ming, Ben
Pedersen, Michael
Proulx, Mark
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy

MERRIMACK

Turcotte, Alisson
Ebel, Karen
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Soucy, Timothy

Brennan, Angela
Gallager, Eric
Lane, Connie
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
Luneau, David
Payeur, Stephanie
Schultz, Kristina

Carey, Lorrie
Hall, Muriel
MacKay, James
Richards, Beth
Shurtleff, Steve

ROCKINGHAM

Balboni, Peggy
Emerick, Tracy
Hamblet, Joan
Murray, Kate
Cahill, Michael
Malloy, Dennis
McMahon, Charles
O'Neil, Candice
Rafter, Hal
Simpson, Alexis
Turer, Eric
Ward, Gerald

DiLorenzo, Charlotte
Gilman, Julie
Harb, Robert
Khan, Aboul
Paige, Mark
Mandelbaum, Jennifer
Meuse, David
Packard, Sherman
Raynolds, Ned
Sytek, John
Vallone, Mark
Weyler, Kenneth

Edgar, Michael
Grossman, Gaby
Haskins, Linda
Knab, Allison
Pearson, Mark
Manos, Zoe
Milz, David
Potucek, John
Read, Ellen
Dolan, Tom
Vose, Michael

Edwards, Jess
Grote, Jaci
Janvrin, Jason
Lundgren, David
Maggiore, Jim
McBeath, Rebecca
Muns, Chris
Prudhomme-O'Brien, Katherine
Pearson, Stephen
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Bay, Luz
Conlin, Bill
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Bixby, Peter
Fitzpatrick, Daniel
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Rich, Cecilia
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

Cannon, Gerri
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 144

BELKNAP

Bean, Harry
Harvey-Bolia, Juliet
Terry, Paul

Bordes, Mike
McCarter, Nikki

Comtois, Barbara
Ploszaj, Tom

Dumais, Russell
St. Clair, Charlie

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Cordelli, Glenn
Peternel, Katy

Costable, Michael

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

Nutting, Zachary

COOS

Durkin, Sean

Murphy, Michael

King, Seth

Tierney, James

GRAFTON

Berezhny, Lex
Simon, Matthew

Greeson, Jeffrey

Ladd, Rick

Rocheport, David

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Cushman, Leah
Fedolfi, Jim
Kennedy, Stephen
Gould, Linda

Alexander, Joe
Colcombe, Riché
Ford, Damond
Griffin, Gerald
Kenny, Catherine
Sanborn, Laurie

Ammon, Keith
Cole, Brian
Kelley, Diane
Gagne, Larry
Kofalt, Jim
Lewicke, John

Berry, Ross
Creighton, Jim
Erf, Keith
Healey, Robert
Foxy, Loren
Mazur, Lisa

McGough, Tim
Notter, Jeanine
Post, Lisa
Lekas, Tony
Wherry, Robert

McLean, Mark
Panek, Sandra
Prout, Andrew
Mannion, Tom

Mooney, Maureen
Pauer, Diane
Seidel, Sheila
Tenczar, Jeffrey

Noble, Kristin
Plett, Fred
Sirois, Shane
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambriis, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aures, Cyril
McGuire, Dan
Mason, James
Seaworth, Brian
Wood, Clayton

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

McGuire, Carol
Hill, Gregory
Polozov, Yury
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Katsakiores, Phyllis
Love, David
Ford, Oliver
Popovici-Muller, Daniel
Soti, Julius
Cahill, Tim
Verville, Kevin

Bernardy, JD
Donnelly, Tanya
Hobson, Deb
Kuttab, Katelyn
Lynn, Bob
Osborne, Jason
Porcelli, Susan
Spillane, James
True, Chris
Wallace, Scott

Mannion, Dennis
Doucette, Fred
Nelson, Jodi
Walsh, Lilli
McDonnell, Valerie
Phillips, Emily
Pratt, Kevin
Summers, James
Tudor, Paul
Yokela, Josh

Thomas, Douglas
Drago, Mike
Perez, Kristine
Layon, Erica
Melvin, Charles
Piemonte, Tony
Quaratiello, Arlene
Sweeney, Joe
Vandecasteele, Susan

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Read moved that the House reconsider its action whereby, on a roll call vote of 180-179, the House adopted the motion of Ought to Pass on **SB 219-FN-L**, requiring mandatory reporting by school districts of school expenses.

Rep. Read spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 185 - NAYS 181

YEAS - 185 BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
Fracht, David
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Cormen, Thomas
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Beaulieu, Jane

Nutting-Wong, Allison
Booras, Efsthathia

Baroody, Benjamin
Bouchard, Donald

Beauchemin, Paige
Bouldin, Amanda

Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Howard, Molly
Mangipudi, Latha
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wheeler, Jonah

Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Murray, Megan
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Cornell, Patricia
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Foxy, Loren
Lloyd, Christal
Perez, Maria
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Telerski, Laura
Thomas, Wendy

Turcotte, Alisson
Ebel, Karen
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Brennan, Angela
Gallager, Eric
Lane, Connie
Myler, Mel
Gould, Sherry
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Luneau, David
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

Carey, Lorrie
Hall, Muriel
MacKay, James
Richards, Beth
Schultz, Kristina

MERRIMACK

Balboni, Peggy
Grossman, Gaby
Haskins, Linda
Paige, Mark
Manos, Zoe
O'Neil, Candice
Simpson, Alexis

DiLorenzo, Charlotte
Grote, Jaci
Murray, Kate
Maggiore, Jim
McBeath, Rebecca
Rafter, Hal
Turer, Eric

Edgar, Michael
Guthrie, Joseph
Knab, Allison
Malloy, Dennis
Meuse, David
Raynolds, Ned
Vallone, Mark

Gilman, Julie
Hamblet, Joan
Cahill, Michael
Mandelbaum, Jennifer
Muns, Chris
Read, Ellen
Ward, Gerald

ROCKINGHAM

Bay, Luz
Conlin, Bill
Horriggan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Bixby, Peter
Fitzpatrick, Daniel
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Rich, Cecilia
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

Cannon, Gerri
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

STRAFFORD

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

SULLIVAN

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Beaudoin, Richard

Bordes, Mike
Harvey-Bolia, Juliet
Terry, Paul

Coker, Matthew
McCarter, Nikki

NAYS - 181 BELKNAP

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CARROLL

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

CHESHIRE

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

COOS

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rochefort, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

GRAFTON

Lekas, Alicia
Boyd, Bill

Abare, Kimberly
King, Bill

Alexander, Joe
Berry, Ross

Ammon, Keith
Boehm, Ralph

HILLSBOROUGH

Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Proulx, Mark
Seidel, Sheila
Mannion, Tom

Cole, Brian
Kelley, Diane
Gagne, Larry
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Corcoran, Travis
Erf, Keith
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Creighton, Jim
Fedolfi, Jim
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aures, Cyril
McGuire, Dan
Mason, James
Seaworth, Brian
Wood, Clayton

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

McGuire, Carol
Hill, Gregory
Polozov, Yuri
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Phillips, Emily
Potucek, John
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Nelson, Jodi
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Piemonte, Tony
Pratt, Kevin
Soti, Julius
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Spillane, James
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

Thomas, Douglas
Drago, Mike
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Packard, Sherman
Porcelli, Susan
Quaratiello, Arlene
Summers, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

and the motion was adopted.

The question now being adoption of the motion of Ought to Pass.
Rep. Verville requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 184

YEAS - 182

BELKNAP

Bean, Harry
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Dumais, Russell
Beaudoin, Richard

Bordes, Mike
Harvey-Bolia, Juliet
Terry, Paul

Coker, Matthew
McCarter, Nikki

CARROLL

Avellani, Lino
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Brown, Richard

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McConkey, Mark

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Tierney, James

Murphy, Michael

Ouellet, Mike

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Rocheport, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Proulx, Mark
Seidel, Sheila
Mannion, Tom

Abare, Kimberly
King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Alexander, Joe
Berry, Ross
Corcoran, Travis
Erf, Keith
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambriis, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aures, Cyril
McGuire, Dan
Mason, James
Seaworth, Brian
Wood, Clayton

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

McGuire, Carol
Hill, Gregory
Polozov, Yury
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
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Dunn, Ron
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Phillips, Emily
Potucek, John
Rafter, Hal
Summers, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Nelson, Jodi
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Janvrin, Jason
Kuttub, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Thomas, Douglas
Drago, Mike
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Packard, Sherman
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Ankarberg, Aidan
Granger, Michael
Newton, Clifford

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

SULLIVAN

Aron, Judy
Stapleton, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Spilsbury, Walter

NAYS - 184**BELKNAP**

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

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

Baldwin, Heather
Fracht, David
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Stavis, Laurel

Cormen, Thomas
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
 Beaulieu, Jane
 Calabro, Karen
 Darby, Will
 Elberger, Susan
 Gregg, Alicia
 Heath, Mary
 Smith, Juliet
 Leapley, Nicole
 Howard, Molly
 Mangipudi, Latha
 Murphy, Nancy
 Plamondon, Marc
 Rombeau, Catherine
 Seibert, Christine
 Tellez, Trinidad
 Wheeler, Jonah

Nutting-Wong, Allison
 Booras, Efsthia
 Chretien, Jacqueline
 Devine, Shelley
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Juris, Louis
 LeClerc, Daniel
 Murray, Megan
 McGhee, Kat
 Nutter-Upham, Frances
 Preece, David
 Rung, Rosemarie
 Spier, Carry
 Vail, Suzanne
 Wilhelm, Matthew

Baroody, Benjamin
 Bouchard, Donald
 Cornell, Patricia
 DiSilvestro, Linda
 Gibbons, Candace
 Hamer, Heidi
 Jack, Martin
 Foxx, Loren
 Lloyd, Christal
 Perez, Maria
 Ming, Ben
 Pedersen, Michael
 Newman, Ray
 Ryan, Linda
 Staub, Kathy
 Veilleux, Daniel

Beauchemin, Paige
 Bouldin, Amanda
 Ford, Damond
 Dutzy, Sherry
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Jeudy, Jean
 Lanza, Judi
 Long, Patrick
 MacKenzie, Mark
 Morton, Jennifer
 Petrigno, Peter
 Raymond, Heather
 Newman, Sue
 Telerski, Laura
 Thomas, Wendy

MERRIMACK

Turcotte, Alisson
 Ebel, Karen
 Hicks, Matthew
 McWilliams, Rebecca
 Roesener, James
 Shurtleff, Steve

Brennan, Angela
 Gallager, Eric
 Lane, Connie
 Myler, Mel
 Gould, Sherry
 Soucy, Timothy

Caplan, Tony
 Gibbs, Merryl
 Luneau, David
 Payeur, Stephanie
 Schuett, Dianne
 Wallner, Mary Jane

Carey, Lorrie
 Hall, Muriel
 MacKay, James
 Richards, Beth
 Schultz, Kristina

ROCKINGHAM

Balboni, Peggy
 Grossman, Gaby
 Haskins, Linda
 Paige, Mark
 Manos, Zoe
 O'Neil, Candice
 Turer, Eric

DiLorenzo, Charlotte
 Grote, Jaci
 Murray, Kate
 Maggiore, Jim
 McBeath, Rebecca
 Reynolds, Ned
 Vallone, Mark

Edgar, Michael
 Guthrie, Joseph
 Knab, Allison
 Malloy, Dennis
 Meuse, David
 Read, Ellen
 Ward, Gerald

Gilman, Julie
 Hamblet, Joan
 Cahill, Michael
 Mandelbaum, Jennifer
 Muns, Chris
 Simpson, Alexis

STRAFFORD

Bay, Luz
 Conlin, Bill
 Horrigan, Timothy
 Kenney, Cam
 Schmidt, Peter
 Wall, Janet

Bixby, Peter
 Fitzpatrick, Daniel
 Howland, Allan
 LaMontagne, Jessica
 Pare, Gail

Rich, Cecilia
 Grassie, Chuck
 Rich, Jeffrey
 Levesque, Cassandra
 Selig, Loren

Cannon, Gerri
 Howard, Heath
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John
 Tanner, Linda

Damon, Hope

Merchant, Gary

and the motion failed.

Rep. Cascadden moved Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Sweeney moved that **SB 219-FN-L**, requiring mandatory reporting by school districts of school expenses, be laid on the table.

On a division vote, with 184 members having voted in the affirmative, and 183 in the negative, the motion was adopted.

CLERK'S NOTE

The Speaker voted to break the tie, pursuant to House Rule 23, the motion passed

REGULAR CALENDAR CONT'D

SB 492, relative to wastewater engineering. **OUGHT TO PASS.**

Rep. Rosemarie Rung for Resources, Recreation and Development. This bill makes three changes to statute related to wastewater treatment and sewer infrastructure projects. First, it removes from statute the sewer descriptor "intercepting" in order to align with terminology currently used in state aid grant programs, to make it less confusing and more straightforward for communities to apply for sewer infrastructure grants. Second, the bill raises the fee for wastewater operator certificates, required by New Hampshire Department of Environmental Services (NHDES), from \$50 to \$100 to cover department administrative and operational expenses of the Wastewater Plant Operator Training Center. The \$50 fee has been in place since 1996. Third,

the pre-qualification of licensed engineering firms is performed by NHDES but currently the statute refers to “consulting engineers” who are licensed by the New Hampshire Office of Professional Licensure and Certification. Changing the term to “consulting engineering firms” will clarify the statute and associated rules. Vote 18-2.

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.

SB 386, relative to establishing a committee to study power generation, transmission, distribution, and storage. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Michael Vose for the Majority of Science, Technology and Energy. The original version of this bill duplicated a study done by the General Court in 2016. The amended version envisions a somewhat different study that can help the public and lawmakers better understand the state’s energy landscape by producing a published or online primer that explains where energy comes from, the basics of utility regulation, how to understand your energy bill, consumer options for energy procurement, the regional grid including transmission and distribution, community aggregation, and any other concepts crucial to understanding the New Hampshire energy sphere. Vote 10-9.

Rep. Tony Caplan for the Minority of Science, Technology and Energy. Although well-intentioned, a study committee in the second year of the legislative session is not generally recommended and ought not to proceed unless there is an outstanding and pressing need for legislation. In this case, to study the creation of a pamphlet/website for incoming legislators and the public on the basics of the New Hampshire energy system and its regulation is duplicative and unnecessary. For the purposes of educating incoming legislators, the minority believes the respective committees in the House and Senate could easily undertake the effort regardless of a study committee, and in the case of the public, the minority believes that the duty ought to fall to the Department of Energy’s public outreach, again regardless of any study committee.

Amendment (1558h)

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

AN ACT establishing a committee to study how to provide information about New Hampshire energy.

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

1 Committee Established. There is established a committee to study the creation of a pamphlet/website for incoming legislators and the public on the basics of NH energy law regarding energy regulation, alternative energy supply, renewable energy, net metering, and energy efficiency.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the creation of a pamphlet/online site for incoming legislators and the public to learn the basics of NH energy law, and shall:

(a) Include a brief history of the NH energy arena.

(b) Describe where energy comes from and the basics of utility regulation, and how to understand energy bills.

(c) Describe and define the state’s mix of energy.

(d) Describe consumer options for energy procurement.

(e) Describe the regional grid including transmission and distribution and define front/behind the meter.

(f) Describe the differences between traditional and renewable energy resources, and how the state supports clean energy sources.

(g) Describe net metering and other consumer alternatives.

(h) Describe energy efficiency and conservation.

(i) Describe community aggregation.

(j) Discuss the role of battery storage of renewable energy.

(k) Discuss the costs of energy and the tradeoffs associated with all types of energy production.

(l) Include any other concepts crucial to understanding the NH energy landscape.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 30 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2024.

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

AMENDED ANALYSIS

This bill establishes a committee to study how to provide information about New Hampshire energy for incoming legislators and the public.

MOTION TO LAY ON THE TABLE

Rep. Caplan moved that **SB 386**, relative to establishing a committee to study power generation, transmission, distribution, and storage, be laid on the table.

On a division vote, with 348 members having voted in the affirmative, and 11 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 449, relative to the permit issuance timeline for state air permits. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. Delays in the processing of air pollution control permits costs time and money for permit applicants and the businesses they represent. This bill originally sought to require a decision on these permits within 180 days, a change from the previous "within a reasonable period of time" or 60 days standard. As amended, the bill settled on a compromise of 120 days. The amendment also requires the New Hampshire Department of Environmental Services to report regularly on the yearly number of air permit applications and their status. Vote 16-2.

Rep. Chris Muns for the Minority of Science, Technology and Energy. This bill is a request from the New Hampshire Department of Environmental Services (NH DES) to enable it to better comply with the requirements of RSA 125-C:12 (New Hampshire's Air Pollution Control Act) and RSA 541-A:29 (the Administrative Procedure Act) which require state agencies to act upon an application for an air permit within 60 days of receipt of that application. The minority appreciates the hard work and dedication of NH DES staff and knows they are committed to processing all applications as expeditiously as humanly possible. But the minority also knows that NH DES is just one state agency that is challenged by a lack of resources necessary to administer the statutes and rules this and previous legislatures have enacted. The solution to this challenge is not to double the acceptable turnaround time to 120 days. This is a dramatic change that will impact small businesses whose successful operations hinge on the timely approval of the permits they request. The correct - long term - solution to this problem is for the executive branch to identify in its next budget request all the resources needed by all executive agencies to fulfill their statutory responsibilities and for the legislature to ensure that the needed funding is appropriated to each of those agencies so that they can fulfill the responsibilities that have been assigned to them.

Majority Amendment (1565h)

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

AN ACT relative to the permit issuance timeline for state air permits and the department of environmental services duty to make annual reports.

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

1 Application for Air Pollution Control Permit; Commissioner's Requirement to Act. Amend RSA 125-C:12, II to read as follows:

II. ***Notwithstanding RSA 541-A:29 and RSA 541-A:29-a, [The] the commissioner shall act upon a permit application [within a reasonable period of time] for all sources, except affected sources, within a reasonable period of time that does not exceed 120 days from receipt of a complete application, unless the applicant agrees in writing to extend the time period. Applications for affected sources shall be subject to the time limits established pursuant to Title V, Clean Air Act, including 40 C.F.R. 70.4(b)(6) and 70.7(b)(4), July 1, 2023.*** Prior to such action, the commissioner shall provide notice of the application by publication in at least one newspaper of general circulation. The commissioner shall also provide an opportunity for a hearing to interested persons. The requirement of public notice and hearing shall not apply to such devices or sources that will have, in the opinion of the commissioner, an insignificant effect on air quality. The commissioner may adopt rules relative to the requirements of public notice and hearing for such devices or sources.

2 New Section; Air Pollution Control; Administrative Reporting. Amend RSA 125-C:12 by inserting after section II the following new section:

II-a. On February 28, 2025, and on each February 28 thereafter, the department shall report in writing to the chair of the senate energy and natural resources committee and the chair of the house science, technology, and energy committee on the previous calendar year's air pollution control permitting activity. Such reports shall identify, for the previous calendar year that is the subject of the report, the following information:

- (a) The number of applications received for such air permits;
- (b) The number of such air permits the department granted or denied; and
- (c) The number of applications pending without decision more than 120 days after submission to the department.

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

AMENDED ANALYSIS

This bill provides the commissioner 120 days to act upon an air pollution control permit application and requires annual reports from the department of environmental services.

The question being adoption of the majority committee amendment.
Majority committee amendment was adopted.

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

SB 540, requiring the department of energy to investigate behind the meter and utility scale energy storage. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. JD Bernardy for the Majority of Science, Technology and Energy. This bill would study battery storage technology for both customer and utility scale supply. Utility scale supply is the province of ISO-NE and therefore not a legitimate function of the Department of Energy. The value of understanding a customer's behind the meter storage is unknown and may or may not be worth of investigating. Interim study will assess that value. Vote 11-8.

Rep. Thomas Cormen for the Minority of Science, Technology and Energy. We all agree that the electric grid must be reliable. Although renewable energy sources such as solar and wind provide many benefits, they fall short on reliability. As renewable sources become an increasing component of our energy mix, then if the grid is to be reliable, we need to store energy so that we can draw upon it as needed. This bill simply charges the Department of Energy to investigate and promote energy storage, both "behind the meter" (relatively small amounts at customer sites) and utility-scale (large-scale projects). As the technology for storing energy improves and the cost of storage decreases, our state needs to be ready to take advantage of the benefits of energy storage, and this bill helps position us to do so.

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

Rep. Cormen spoke against.

Rep. Bernardy spoke in favor.

On a division vote, with 188 members having voted in the affirmative, and 171 in the negative, the majority committee report was adopted.

SB 603-FN, relative to telephone number and area code conservation. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. Granite Staters take great pride in our small state's single area code, reproducing it on hats, tee shirts, and coffee mugs and want to see it preserved. This bill directs the Department of Energy to continue and accelerate work already begun to conserve and reclaim telephone numbers to allow the 603 area code to be preserved as the sole code for the entire state for as long as possible. A similar effort in Maine has extended the life of that state's area code by as much as a decade. The original bill allowed the assessment of costs related to this proceeding to be extended to cell phone providers and the committee amendment restricted this expansion to just this one proceeding. The amendment also lowered the communications services tax from 7% to 6.5% to offset any necessary assessment costs and thereby protect ratepayers. Vote 10-9.

Rep. Thomas Cormen for the Minority of Science, Technology and Energy. As amended, this bill calls for the Department of Energy to hire a consultant to determine how to extend the life of the 603 area code and also reduces the communications tax from 7% to 6.5%. There are two fundamental problems with this bill. First, because the tax reduction was in the amendment and not the bill as introduced to the House, there was no testimony on the fiscal impact of the tax reduction during the hearing on the bill. Second, whether or not we attempt to extend the life of the 603 area code, we will run out of phone numbers in the 603 area code sometime in the next few years. The bottom line is that this bill spends money just to kick the can down the road.

CLERK'S NOTE

The Speaker ruled the majority committee amendment (1559h) non-germane and was not offered.

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

Rep. Vose offered floor amendment (1600h).

Floor Amendment (1600h)

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

1 Public Utilities; Telephone Number Conservation and Area Code Implementation Policy Principles. RSA 374:59 is repealed and reenacted to read as follows:

374:59 Telephone Number Conservation and Area Code Implementation Policy Principles.

I. In this section:

(a) "Commission" means the public utilities commission.

(b) "Department" means the department of energy.

(c) "North American Numbering Plan Administrator" (NANPA) means a North American organization responsible for neutrally administering numbering resources in a New Hampshire numbering plan area as defined in 47 Code of Federal Regulations, Section 52.13.

(d) "Service Provider" refers to a telecommunications carrier or other entity that receives numbering resources from the NANPA, a pooling administrator or another service provider for the purpose of providing or enabling a communications service. For purposes of this section, the term "service provider" includes an interconnected VoIP service provider.

II. The department should promote and adopt telephone number conservation measures to the maximum extent allowed by federal law for area code 603 including, but not limited to, exercising authority on the reclamation of telephone numbering resources and ensuring that all service providers that have chosen to participate in thousands-block pooling are in compliance with the FCC's regulations on thousands-block number pooling and ordering rate center consolidation that it determines necessary after review and investigation of the appropriateness of such consolidation.

III. The department may exercise any authority provided to the states by 47 C.F.R., Part 52 to maximize numbering resources. Notwithstanding any other law, rule, or order to the contrary, and in particular RSA 362:6 and RSA 362:7, II, all service providers, including but not limited to, cellular mobile radio service providers, paging service providers, voice over Internet protocol service providers, and IP-enabled service providers shall be subject to the department's authority with respect to telephone numbering resources. The department may specially assess these providers for the costs of investigations and other proceedings regarding telephone number conservation pursuant to RSA 365:37, II regardless of their participation in any proceeding. Service providers shall be subject to penalties imposed by the department or commission for failure to pay a special assessment or for failure to comply with any rule or order.

IV. The department may adopt rules or orders to implement the requirements of this section.

V. A provider of interconnected voice over Internet protocol service as defined in 47 C.F.R., Section 9.3 shall register with the department prior to requesting numbering resources in the state. The registration must include:

(a) Contact information for a representative of the voice over Internet protocol service responsible for regulatory and numbering matters, and when there is any change in the contact information required under this subparagraph, a provider of interconnected voice over Internet protocol service shall update its registration information; and

(b) An acknowledgment that the provider of interconnected voice over Internet protocol service must file a notice with the commission at least 30 days before requesting numbers from the NANPA or its successor.

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

AMENDED ANALYSIS

This bill updates the authority of the department of energy and the public utilities commission to promote and adopt telephone number conservation measures to the maximum extent allowed by federal law for area code 603.

The question being adoption of floor amendment (1600h).

Rep. Vose spoke in favor.

Floor amendment (1600h) was adopted.

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

Rep. Cormen spoke against.

Rep. Doug Thomas spoke in favor.

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

On a division vote, with 257 members having voted in the affirmative, and 103 in the negative, the majority committee report was adopted, and the bill was ordered to third reading.

SB 471-FN, relative to adding a speed limit of 45 miles per hour on rural highways. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill would add a 45 mile per hour (mph) category for rural highways where a higher speed limit would be imprudent. The only options currently legally available for speed limits on state highways are 35 mph for rural residential districts or 55 miles per hour for other locations. This tool would give the Department of Transportation (DOT) the discretion to reduce speed limits on unimproved rural roadways where speed limits alternate between 35 mph and 55 mph, and a consistent speed

limit of 45 mph would reduce the incidents of speeding when the speed limit transitions repetitively over short distances. It would also allow the DOT to update speed limits in areas where the existing legal speed limit is inappropriate for the conditions, but a legal alternative does not exist.

Rep. Daniel Veilleux

Statement in support of Inexpedient to Legislate: This bill creates a new statutory speed limit of 45 miles per hour (mph) and a definition of “unimproved” state highways. Currently, the statutory state highway speed limit is 55 mph, and the Department of Transportation (DOT) has the authority to lower it based on road design issues and conditions. Also, municipalities can request and receive lower speed limits in problem areas if it is supported by traffic engineering studies. Members in support of Inexpedient to Legislate position have two main issues. First, this arbitrarily reduces the speed limit by 10 mph and the bill is silent on whether the DOT has authority to raise it if justified. Second is the cost, where the fiscal note is silent. With the new definition, it is unknown how many miles of road will need to be changed or how many signs will need to be replaced. We cannot support a bill without having all the facts.

Rep. Thomas Walsh

Rep. Veilleux moved Ought to Pass.

MOTION TO LAY ON THE TABLE

Rep. Sweeney moved that **SB 471-FN**, relative to adding a speed limit of 45 miles per hour on rural highways, be laid on the table.

On a division vote, with 190 members having voted in the affirmative, and 165 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 454-FN, increasing the annual real estate transfer tax revenue contribution to the affordable housing fund. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Walter Spilsbury for the Majority of Ways and Means. This bill would double the annual earmark from the real estate transfer tax to the affordable housing fund, from \$5 million to \$10 million, with an effective date of July 1, 2025. Historically, appropriations to support affordable housing with targeted funding have been erratic, with zero appropriations in many years. To provide a predictable revenue stream, the affordable housing fund was created in 2020 and the \$5 million transfer was set recently. Though the affordable housing fund is often described as a “revolving fund,” it operates more as a subsidy to developers, with no cash return anticipated. One-third of real estate transfer tax already goes to the education trust fund, so any increase in housing funds competes with existing obligations covered by the remainder. Of all the state’s broad tax revenue sources, real estate transfer tax has been hit hardest over the past year or more as sales have been in dramatic decline. Since the bill would not take effect for another year, the majority believes this bill should be referred to Interim Study in anticipation of allocation decisions better made in the context of the next biennial budget. Vote 11-8.

Rep. Nicole Leapley for the Minority of Ways and Means. Currently, as described in RSA 204-C:57, \$5 million of the monies raised through the Real Estate Transfer Tax (RETT) is transferred each year to the Affordable Housing Fund. This legislation would increase that amount to \$10 million. The minority of the committee believes that this bill Ought to Pass. We urgently need more housing of all types in New Hampshire, especially more affordable housing. In the current market, affordable housing is next to impossible to build. The Affordable Housing Fund (AHF) is administered by NH Housing and provides loans and grants to support the creation of affordable housing. Typically, below market-rate, these loans cover financing gaps and complement other resources, the most common being federal Low-Income Housing Tax Credits. Many support “workforce housing” as defined by RSA 674. By statute, at least half of the units developed by the fund must be affordable to households with incomes at or below 80% of area median income. It is these working families that often have the hardest time finding an affordable place to live in New Hampshire. The source of this revenue is the RETT. It is appropriate that a portion of the taxes collected by the operation of the real estate market go to ensure the health of that market. The New Hampshire housing market has a vacancy rate less than 1%. We need more housing. This is not only about making sure new hires can move to New Hampshire to complement our workforce and ensure New Hampshire businesses can thrive. It is also about folks who already live here being able to move. In a housing market as tight as ours, people feel stuck in their current living situation, which reduces real estate transfers, which negatively impacts RETT receipts. One important way we can break this cycle is to invest in new housing. This is an investment in our people, who are the treasure of our state. If people can’t afford to live and work in New Hampshire, our revenues will be on a downward trajectory—and we will all be poorer for it. New Hampshire’s housing crisis has no end in sight. The only way to end the housing crisis is to increase our housing stock. Increasing our housing stock takes time. The time to create more housing is now.

MOTION TO LAY ON THE TABLE

Rep. Sweeney moved that **SB 454-FN**, increasing the annual real estate transfer tax revenue contribution to the affordable housing fund, be laid on the table.

On a division vote, with 180 members having voted in the affirmative, and 176 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 591-FN-A, modifying definitions, claims procedures, and funding relating to the youth development center settlement fund and claims administration. **OUGHT TO PASS.**

Rep. Nancy Murphy for Criminal Justice and Public Safety. This bill was brought forward after extensive negotiations and agreement between the Attorney General and attorneys representing over 1100 of the approaching 1400 survivors of childhood abuse at the Youth Development Center and related facilities. This bill will amend RSA 21-M:11-a which established a Youth Development Center Claims Administration Fund, and modify definitions, claims procedures, and funding therein. It expands the scope of conduct covered under the administrative process; increases the caps on settlement awards from the fund, while providing the administrator discretion to award settlements in installment payments; and makes changes to the administrative process designed to speed up the process, while preserving the administrators flexibility to administer the process. The committee unanimously agreed that though there is no amount of money that can compensate the victims for the harms suffered, this bill will benefit many child abuse survivors who have avoided the current process because of its limited scope, low caps on recovery, and overly complex procedures. The fiscal note includes details relative to funding source expenditures and appropriations. The Department of Justice noted that the total fiscal impact of the bill cannot yet be determined, as it will depend upon variables in claims filed, amounts awarded, and the extent to whether payment of awards is made via lump sum or through installment payments. Vote 20-0.

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.

SB 375, relative to biological sex in student athletics. **REFER FOR INTERIM STUDY.**

Rep. Rick Ladd for Education. The committee recommends this bill be Referred for Interim Study, as a similar bill, HB 1205, was passed by the House and sent to the Senate earlier this session. Both bills require school sports to be expressly designated as male, female, or coed. The overall intent of both bills is to ensure participant safety, fairness, and opportunity; however, this bill would allow any team, sport, or athletic event designated for males, men, or boys to be open to students of either sex, while any team, sport, or athletic event designated for females, women, or girls shall only be open to students of the female sex. This double standard does present safety concerns. Secondly, while developing HB 1205, the committee carefully worded the bill to include only middle and high school grades whereas SB 375 also includes the University System and Community College System athletics. The committee understands that in a legal move that could potentially have significant implications for college sports, a group of sixteen college athletes have initiated a class action lawsuit against the National Collegiate Athletic Association (NCAA), challenging its transgender participation policy. This lawsuit not only seeks to revise the current standings and records to exclude transgender women from women's sports events but also aims for a broader impact on how gender and eligibility are navigated in collegiate sports. It is asking the court to require the NCAA to redefine its approach to gender inclusivity, suggesting that without clear sex-separated sports teams, competitions, and facilities, equality and equal opportunity in female athletics are compromised. Vote 19-1.

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

MOTION TO LAY ON THE TABLE

Rep. Belcher moved that **SB 375**, relative to biological sex in student athletics, be laid on the table.

On a division vote, with 162 members having voted in the affirmative, and 195 in the negative, the motion failed.

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

Rep. Alicia Lekas spoke against.

Rep. Simpson spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 200 - NAYS 154

YEAS - 200

BELKNAP

CARROLL

Avellani, Lino
Paige, David

Belcher, Mike
McAleer, Chris

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Almy, Susan
Fellows, Sallie
Murphy, James
Massimilla, Linda
Stringham, Jerry

Baldwin, Heather
Fracht, David
Sullivan, Jared
Morse, Corinne
Sykes, George

Bolton, Bill
Hakken-Phillips, Mary
Ladd, Rick
Muirhead, Russell

Cormen, Thomas
Hoyt, Tommy
Lovett, Peter
Stavis, Laurel

HILLSBOROUGH

Murray, Alissandra
Beaulieu, Jane
Calabro, Karen
Cushman, Leah
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wheeler, Jonah

Nutting-Wong, Allison
Booras, Efsthathia
Chretien, Jacqueline
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Baroody, Benjamin
Bouchard, Donald
Cole, Brian
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Howard, Molly
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Beauchemin, Paige
Bouldin, Amanda
Cornell, Patricia
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Murray, Megan
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Tellerski, Laura
Thomas, Wendy

MERRIMACK

Turcotte, Alisson
Carey, Lorrie
Hall, Muriel
MacKay, James
Richards, Beth
Schultz, Kristina

Andrus, Louise
Ebel, Karen
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Seaworth, Brian

Brennan, Angela
Gallager, Eric
Lane, Connie
Myler, Mel
Gould, Sherry
Shurtleff, Steve

Caplan, Tony
Gibbs, Merryl
Luneau, David
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Gilman, Julie
Haskins, Linda
Cahill, Michael
Mandelbaum, Jennifer
Meuse, David
Quaratiello, Arlene
Simpson, Alexis
Vandecasteele, Susan

DiLorenzo, Charlotte
Grossman, Gaby
Murray, Kate
Paige, Mark
Manos, Zoe
Milz, David
Rafter, Hal
Sytek, John
Ward, Gerald

Drago, Mike
Grote, Jaci
Knab, Allison
Maggiore, Jim
McBeath, Rebecca
Muns, Chris
Raynolds, Ned
Turer, Eric
Yokela, Josh

Edgar, Michael
Hamblet, Joan
Layon, Erica
Malloy, Dennis
McDonnell, Valerie
O'Neil, Candice
Read, Ellen
Vallone, Mark

STRAFFORD

Bay, Luz
Conlin, Bill
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter
Wall, Janet

Bixby, Peter
Fitzpatrick, Daniel
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Rich, Cecilia
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

Cannon, Gerri
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 154 BELKNAP

Bean, Harry
Dumais, Russell

Bogert, Steven
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara

CARROLL

Cordelli, Glenn
McConkey, Mark

Costable, Michael
Peternel, Katy

MacDonald, John
Brown, Richard

Smith, Jonathan

CHESHIRE

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

Thackston, Dick

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Rocheport, David

Brown, Carroll
Simon, Matthew

Coulon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Erf, Keith
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Sirois, Shane
Ulery, Jordan

Abare, Kimberly
King, Bill
Corcoran, Travis
Griffin, Gerald
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

Alexander, Joe
Berry, Ross
Creighton, Jim
Gagne, Larry
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Seidel, Sheila
Mannion, Tom

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Aures, Cyril
McGuire, Dan
Mason, James
See, Alvin

Aylward, Deborah
Gerhard, Jason
Moffett, Michael
Walsh, Thomas

McGuire, Carol
Hill, Gregory
Polozov, Yury
Testerman, Dave

Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Wood, Clayton

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Edwards, Jess
Nelson, Jodi
Khan, Aboul
Lynn, Bob
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Summers, James
Tripp, Richard
Vose, Michael

Bernardy, JD
Donnelly, Tanya
Emerick, Tracy
Janvrin, Jason
Kuttab, Katelyn
Pearson, Mark
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Sweeney, Joe
True, Chris
MacDonald, Wayne

Mannion, Dennis
Doucette, Fred
Harb, Robert
Perez, Kristine
Walsh, Lilli
McMahon, Charles
Phillips, Emily
Potucek, John
Soti, Julius
Cahill, Tim
Tudor, Paul
Wallace, Scott

Thomas, Douglas
Dunn, Ron
Hobson, Deb
Katsakiores, Phyllis
Love, David
Melvin, Charles
Piemonte, Tony
Pratt, Kevin
Spillane, James
Dolan, Tom
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

Granger, Michael
Newton, Clifford

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

and the committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Weber moved that the House reconsider its action whereby, on a roll call vote of 200-154, the House adopted the committee report of Refer for Interim Study on **SB 375**, relative to biological sex in student athletics.
Rep. Weber spoke against.

On a division vote, with 118 members having voted in the affirmative, and 233 in the negative, the motion failed.

MOTION TO REMOVE FROM THE TABLE

Rep. Wilhelm moved that **SB 219-FN-L**, requiring mandatory reporting by school districts of school expenses, be removed from the table.

On a division vote, with 176 members having voted in the affirmative, and 174 in the negative, the motion was adopted.

The question being adoption of the motion of Inexpedient to Legislate.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 172

YEAS - 178 BELKNAP

Comtois, Barbara

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Schapiro, Joe

Ames, Richard
Faulkner, Barry
Newell, Jodi
Tatro, Bruce

Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Toll, Amanda

Fox, Dru
Jones, Philip
Santonastaso, Matthew
Weber, Lucy

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Almy, Susan
Fellows, Sallie
Sullivan, Jared
Muirhead, Russell

Baldwin, Heather
Fracht, David
Lovett, Peter
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Massimilla, Linda
Stringham, Jerry

Cormen, Thomas
Hoyt, Tommy
Morse, Corinne
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Beaulieu, Jane
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Howard, Molly
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Nutting-Wong, Allison
Booras, Efstathia
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Murray, Megan
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Telerski, Laura
Thomas, Wendy

Baroody, Benjamin
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Gibbons, Candace
Hamer, Heidi
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Wheeler, Jonah

Beauchemin, Paige
Bouldin, Amanda
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Ebel, Karen
Lane, Connie
Myler, Mel
Gould, Sherry
Wallner, Mary Jane

Brennan, Angela
Gallager, Eric
Luneau, David
Payeur, Stephanie
Schuett, Dianne

Caplan, Tony
Gibbs, Merryl
MacKay, James
Richards, Beth
Schultz, Kristina

Carey, Lorrie
Hall, Muriel
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Malloy, Dennis
Meuse, David
Raynolds, Ned
Ward, Gerald

DiLorenzo, Charlotte
Grote, Jaci
Cahill, Michael
Mandelbaum, Jennifer
Muns, Chris
Simpson, Alexis

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

Gilman, Julie
Haskins, Linda
Maggiore, Jim
McBeath, Rebecca
Rafter, Hal
Vallone, Mark

STRAFFORD

Bay, Luz
Conlin, Bill
Horrigan, Timothy
Kenney, Cam
Schmidt, Peter

Bixby, Peter
Fitzpatrick, Daniel
Howland, Allan
LaMontagne, Jessica
Pare, Gail

Rich, Cecilia
Grassie, Chuck
Rich, Jeffrey
Levesque, Cassandra
Southworth, Thomas

Cannon, Gerri
Howard, Heath
Johnson, Erik
Smith, Marjorie
Wall, Janet

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 172**BELKNAP**

Bean, Harry
Dumais, Russell
Beaudoin, Richard

Bogert, Steven
Harvey-Bolia, Juliet
Terry, Paul

Bordes, Mike
McCarter, Nikki

Coker, Matthew
Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John
Brown, Richard

Belcher, Mike
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Costable, Michael
Peternel, Katy

CHESHIRE

Qualey, James

Rhodes, Jennifer

Thackston, Dick

Nutting, Zachary

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Murphy, Michael

Ouellet, Mike

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rocheport, David

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Cushman, Leah
Gagne, Larry
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Seidel, Sheila
Mannion, Tom

Abare, Kimberly
King, Bill
Cole, Brian
Kelley, Diane
Healey, Robert
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Sheehan, Vanessa
Tenczar, Jeffrey

Alexander, Joe
Berry, Ross
Corcoran, Travis
Erf, Keith
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Sirois, Shane
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, Jim
Griffin, Gerald
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aures, Cyril
McGuire, Dan
Mason, James
Seaworth, Brian
Wood, Clayton

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

McGuire, Carol
Hill, Gregory
Polozov, Yuri
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Nelson, Jodi
Khan, Aboul
Love, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
MacDonald, Wayne

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Janvrin, Jason
Kuttab, Katelyn
Lynn, Bob
Melvin, Charles
Phillips, Emily
Potucek, John
Read, Ellen
Summers, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

Thomas, Douglas
Drago, Mike
Harb, Robert
Perez, Kristine
Walsh, Lilli
Pearson, Mark
Milz, David
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Harrington, Michael
Pitre, Joseph

Bickford, David
Horgan, James
Potenza, Kelley

Burnham, Claudine
Kaczynski, Thomas

Granger, Michael
Newton, Clifford

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

and the motion was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Weber moved that the House reconsider its action whereby, on a roll call vote of 178-172, the House adopted the motion of Inexpedient to Legislate on **SB 219-FN-L**, requiring mandatory reporting by school districts of school expenses.

Rep. Weber spoke against.

On a division vote, with 173 members having voted in the affirmative, and 177 in the negative, the motion failed.

RESOLUTION

Rep. Osborne offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, May 9, 2024 at 10:00 a.m.

Motion was adopted.

LATE SESSION**Third Reading and Final Passage**

SB 420, relative to requiring an additional report from the legislative study committee concerning the long-term impact of the New Hampshire adult parole system.

SB 424, relative to reductions of maximum sentences while on parole.

SB 460-FN, establishing the crime of and penalties for unlawful use of unmanned aircraft systems.

SB 564-FN, relative to crimes involving child sexual abuse images.

SB 338, relative to the education professional standards board.

SB 377-FN, establishing the achieving a better life experience (ABLE) savings account program administrative fund.

SB 379-FN, relative to emergency action plans for sports related injuries.

SB 441, relative to establishing an advisory group to examine potential funding sources for career and technical education (CTE) construction and renovation.

SB 443-FN, relative to the definition of school transportation vehicle.

SB 521-FN, relative to the educational credentials for master teacher.

SB 528, relative to trustees of the university system.

SB 329-FN, relative to background checks of certain persons associated with solid waste management.

SB 385, relative to the cost of care fund.

SB 545-FN, Establishing a committee to study the scope and role of veterinary technicians.

SB 587, relative to animals brought into this state.

SB 210-FN, relative to the licensing of software applications by state agencies.

SB 306-FN, relative to manufactured housing rulemaking authority.

SB 367, reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.

SB 372-FN, relative to plumbing apprenticeships.

SB 430, relative to establishing a council to study the impacts of electric vehicles, e-mobility devices, and the associated lithium-ion batteries on first responder response, the environment, building and fire codes, life safety, and property protection.

SB 437, relative to local authority to amend the state building code.

SB 599, relative to the state fire code.

SB 314-FN, relative to pre-trial competency evaluations.

SB 327-FN, providing penalties for the assault or harassment of sports officials.

SB 303-FN, relative to the use of renewable energy funds by the department of energy.

SB 388-FN, relative to administration of utilities by the department of energy.

SB 391, relative to electric grid interconnection for certain customer generators.

SB 478-FN, relative to child day care, residential care, and child-placing agency licensing.

SB 472-FN, relative to historic horse racing licensing, establishing operations of games of chance for the benefit of the host community, and relative to charitable gaming dates for municipalities and charitable organizations.

SB 473-FN, governing unclaimed horse racing ticket and voucher money.

SB 513, relative to permitting charity auctions by non-profit corporations.

SB 546, removing the requirement that an executory interest be conveyed to the state of New Hampshire in all easements acquired through the use of LCHIP program funds.

SB 597, relative to lucky 7 ticket dispenser devices.

SB 468, relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway.

SB 359, raising the age of marriage to 18 years of age.

SB 498-FN, relative to the department of health and human services, division for children, youth and families.

SB 573-FN, establishing a committee to study consent and confidentiality laws applicable to adolescent and young adult health care in New Hampshire.

SB 376, relative to establishing a corrections education and vocational planning group.

SB 489-FN, relative to election audits.

SB 435, relative to the New Hampshire unitrust statute.

SB 449, relative to the permit issuance timeline for state air permits and the department of environmental services duty to make annual reports.

SB 603-FN, relative to telephone number and area code conservation.

PERSONAL PRIVILEGE

Rep. Weber requested Personal Privilege and addressed the House.

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, vacate motions, forming committees of conference and receiving messages. Motion was adopted.

The House recessed at 5:15 p.m.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

CONCURRENCE

HB 155, relative to the higher education commission.

HB 182-FN, prohibiting discharge of volunteer firefighters or volunteer emergency medical technicians from other employment.

HB 283, relative to rental application fees charged to prospective tenants.

HB 354, relative to chartered public school eligibility for state school building aid.

HB 370-FN, relative to after market window tinting on motor vehicles for drivers with medical conditions.

HB 1002, relative to fees for records under the right-to-know law.

HB 1008, relative to the authority of the commissioner of the department of education to grant extensions for the filing of school expenditure reports.

HB 1009, relative to the submission of annual town reports to the commissioner of the department of education.

HB 1019, relative to the interstate compact on educational opportunity for military children.

HB 1038-FN, relative to prohibiting registered sex offenders from employment at businesses providing direct services to minors or direct supervision or oversight of minors.

HB 1042, repealing the requirement that each pharmacy establish a continuous quality improvement program.

HB 1045, relative to requiring a powerboat operator to wear an engine cut-off switch (ECOS) while operating certain powerboats traveling over headway speed.

HB 1046-FN, requiring a boat owner who is not the operator to notify law enforcement and file an accident report in certain circumstances.

HB 1048, relative to the commission on Holocaust and genocide education.

HB 1062, relative to the use of special cover plates.

HB 1066, relative to the graduation requirement of filing a Free Application for Federal Student Aid (FAFSA).

HB 1104-FN, relative to the review of decisions in cases involving judicial misconduct.

HB 1109, relative to requiring student identification cards to include the helpline for the National Alliance for Eating Disorders and the 988 Suicide and Crisis Lifeline.

HB 1138-FN, equalizing the fines for operating an OHRV with a driver's license suspended and operating a snowmobile with a driver's license suspended.

HB 1151, relative to the carrying of alcoholic beverages on hotel premises and monthly deposits from the liquor commission to the general fund.

HB 1155, relative to insurance coverage for living organ donors.

HB 1160, relative to school assessments of statewide academic areas.

HB 1161, relative to use of the public school infrastructure fund for energy efficient school buses.

HB 1163, relative to review of public school minimum standards by the legislative oversight commission.

HB 1164, relative to criminal records checks of teacher credentialing applicants.

HB 1167, relative to the math learning communities program.

HB 1190-FN, relative to adopting the interstate social work licensure compact.

HB 1214, relative to establishing a committee to study best practices for the development of a restorative justice model for misdemeanor-level behavior and hate crimes committed by juveniles under the age of eighteen.

HB 1217, relative to an exception to allow the state or a municipality to use video monitoring to identify the cause of damage to historic covered bridges.

HB 1235, relative to high school students serving as school board members.

HB 1249, relative to the towing of inflatables by motorboats.

HB 1260-FN, relative to the criminal penalty for violations of privacy involving minors.

HB 1270-FN, relative to protective custody statutes.

HB 1340, relative to exclusion of incarceration as voluntary unemployment for purposes of calculating child support.

HB 1341, relative to the liability of grandparents to provide assistance.

HB 1469, relative to the retention of individualized education program records.

HB 1480, relative to alternative dispute resolution within individualized education programs.

HB 1552, relative to the duties and responsibilities of superintendents of school administrative units.

HB 1565-FN, relative to the definition of potentially hazardous food.

HB 1615-FN, relative to the autism registry.

HB 1639-FN-L, relative to children with disabilities placed at state facilities for detained or adjudicated youth.

HB 1698-FN, relative to the use of drones for the aerial application of pesticides.

REFERRED FOR INTERIM STUDY

HB 38-FN, relative to the penalty for and sentencing of habitual offenders.

HB 314-FN, relative to the expectation of privacy in the collection and use of personal information.

HB 472, relative to the placement of temporary seasonal docks.

HB 475, establishing a right to submit evidence and testimony in family court proceedings.

HB 535-FN, relative to appointment of counsel for a child who is the subject of a proceeding in a child protection case.

HB 618-FN, relative to wage garnishment with child support payments.

HB 1012-FN, exempting from criminal penalty certain parenting decisions intended to encourage a child's independence and freedom.

HB 1047, relative to the effectiveness of state outreach to residents without computer, tablet, smartphone, or other electronic device access.

HB 1115, relative to the termination of tenancy at the expiration of the tenancy or lease term.

HB 1213-FN, relative to immunization requirements for child care agencies.

HB 1263-FN, relative to parenting coordinators in high-conflict cases.

HB 1266-FN, relative to permitting recordings of open family court proceedings by parties.

HB 1276-FN, relative to repealing the prohibition on the possession or sale of blackjacks, slung shots, and metallic knuckles except by or to minors.

HB 1524, relative to authorizing parents of special education children to observe in the classroom setting.

HB 1659-FN, relative to interference with child custody and shared parenting.

NONCONCURRENCE

HB 173, relative to toilet facilities provided by restaurants.

HB 470-FN, relative to fentanyl test strips and other drug checking equipment.

HB 1054-A, relative to the Northern Border Alliance Program fund.

HB 1111-FN, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

HB 1198-FN, relative to liquor stores.

HB 1237-FN, relative to the use of unmarked or stealth police vehicles for traffic enforcement.

HB 1252, relative to establishing a committee to study the needs of Native Americans in New Hampshire.

HB 1412-FN, relative to court reporters.

HB 1528, relative to reporting by the northern border alliance program.

HB 1709-FN, establishing the forest carbon commission.

RECESS

(Speaker Packard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1052, 1302, 1361, 1382, 1433 and 1631 and Senate Bills numbered 482.

Rep. Osborne, Sen. Avarad for the Committee

RECESS