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New Hampshire

HOUSE RECORD

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Concord, N.H.

Wednesday, February 24, 2021

No. 3

HOUSE JOURNAL NO. 2 (Cont'd)

Wednesday, January 6, 2021

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

HOUSE JOURNAL NO. 3

Wednesday, February 24, 2021

The House assembled at 9:30 a.m., and was called to order by the Speaker.

Prayer was offered by the member from Hampstead, Representative Mark Pearson.

So join with me, please, in New Hampshire President John Langdon's proclamation for a Day of Fasting and Prayer and let's make it our own, perhaps tweaking the wording as you wish. Here are Langdon's words. Let us pray. "That the citizens of this state may with one heart and voice, penitently confess their manifold sins and transgressions, and fervently implore the Divine benediction, that a true spirit of repentance and humiliation may be poured out upon all orders and degrees of men, and a compleat and universal reformation take place.that He would be pleased to bless the great Council of the United States of America, [and we would add, and the General Court of the State of New Hampshire] and direct their deliberations [our deliberations] to the wise and best determinations. ...and above all, that He would rain down righteousness upon the earth, revive religion, and spread abroad the knowledge of the true God, the Saviour of man, throughout the world." Amen.

Representative Steven Smith, member from Charlestown, led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Berch, Booras, Cohen, Cote, Eaton, Ellis, Mary Griffin, Langley, Myler, Oxenham, Pantelakos, Rogers, Janice Schmidt, Snow, Sofikitis, Treleaven, Van Houten, Fargo and Stevens, the day, illness.

Reps. Bucu, Gourgue, Petrigno, Porter, Ruprecht, Sandler, Southworth and McBeath, the day, important business.

Reps. Baroody and Craig, the day, illness in the family.

COMMUNICATION

VIA EMAIL

January 12, 2021

Good afternoon,

I submit the following as my letter of resignation from the New Hampshire house. Thank you all for everything you do for the State of New Hampshire. Sam

Dear Citizens,

It has been my great honor to serve in the New Hampshire General Court on behalf of the people of Merrimack District 23. I have worked hard over the last couple of years to live up to the expectations that voters had when they elected me as their State Representative. That is why it is with great difficulty that I announce my resignation.

I am proud of the civic spirit of Bow and Dunbarton, and I am sorry to be leaving before my term is over. However, I have taken a job that requires me to relocate out of the district and am no longer eligible to perform the duties of its representative. Thank you for your confidence in me; I am grateful for the opportunity to serve.
Samantha Fox

The Speaker accepted the resignation with regret.

COMMUNICATION

January 22, 2021

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

Dear Paul:

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

Rockingham County District No. 6
 Anne Copp, r, Derry (46 Tsienneto Rd.) 03038

Sincerely,
 William M. Gardner, Secretary of State

UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent of the House regarding the passing of the member from Merrimack, the Honorable Richard Hinch and addressed the House.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the member from Merrimack, the Honorable Speaker of the House of Representatives, Richard "Dick" Hinch.

MOTION TO PRINT REMARKS

Rep. Steven Smith moved that the remarks made by Rep. Notter during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Rep. Notter: Thank you, Mister Speaker. When I received the tragic news that Speaker Hinch had passed, I instantly started crying. It was shocking and unbelievable. My phone rang all evening and all of the next day, from A to T; Ager and Boyd to Spillane and Twombly, asking, "Is it true?" Or, "I know you were close. I'm so sorry. What happened? Our sincerest condolences." Whenever someone I know passes, I usually go right to the keyboard to pour out my thoughts, but this time I was at a loss for words. It was hard to put almost two decades of memories into order, so I just rambled. I posted that I remember voting for Dick Hinch for Selectman. At the time he reminded me of how my dad looked when I was a little kid. Mr. Hinch was always friendly and greeted everyone with a big hello and a smile. He had a sense of humor. When I first ran for office, he told me that the freshmen all sit in the middle of section 3. Then he told me that I was supposed to keep my current license plate on my car and put the Legislative plate right over it. The morning of my first primary, he told me it was customary for the newbie to buy the donuts and coffee. I just looked at him with wide eyes. I did make the run to Dunkin' Donuts that morning, and every election day after that, but he gave me the money to buy the donuts and his hot tea. He was a very generous man. He was always the first to donate to whatever the cause was, whether it was my women's club, of which he was also a member, or a charity like The Children of Fallen Patriots. He was someone who always gave back or paid it forward. I often saw him pass me on the road when I was out jogging. I would later thank him for not running me over. I marched with him in the 4th of July parades and was really surprised at how many people clapped for us when we walked by. Last term I always tried to get to the State House before him. Sometimes he beat me there. The guards would then play along and tell me I missed an important meeting at 7 am! Sometimes on the sign-in sheet he would write, "You're late!" next to my name, or I would write, "Ha ha," or "Beat ya," or put a smiley face next to his. It also happened that as soon as I sat down at my desk the phone would ring. It was Mr. Leader asking for a report at 7:05 am. Here is an example of one of our typical early morning conversations: Me: I just got here. Hinch: Are you eating hummus in the office again? Me: Yes. Hinch: Blech, and where is Al? Me: Um, someone didn't answer a Whip question. Al said something about putting a horse's head in the bed. Whenever Leader Hinch was on his way over to LOB 300, someone would say, "Here he comes. Look busy!" I couldn't think of a good segue for this next part, but for a while we were on the same shopping schedule at Market Basket. I kept seeing him there. One time I looked up from the oranges and there he was. I jumped. He laughed. I was behind him in line at the service desk one day. He handed a lottery ticket to the girl and said, "Hi. Can you please tell me if I can retire?" Another time I was behind him in line at the checkout and ran after him when I saw he left his package of chewing gum behind. He was wearing sparkling white sneakers that really stood out. Only a confident person wears white sneakers. There's a saying that when you see a red cardinal, someone from the other side

is near. When I was jotting down these random memories of Dick Hinch, I looked out the window and saw a red cardinal. He had terms of endearment for his friends. Sometimes he called me “Blondie.” Representative Kim Rice was “Missy,” and I was “Little Missy.” The Hummus sisters was another nickname he had for us. Kim and I are the best of friends and we have Dick Hinch to thank for that. I’m glad we had chance to tell him. He said, “Yeah, I know.” Leader Hinch sometimes called members of our caucus “Rock Stars.” He considered all of us family. Phone conversations always ended with him saying, “It was the highlight of my day.” Dick Hinch loved to kid around. Every time the Young Republicans were acknowledged, he raised his hand too. But he also had a serious side. I saw firsthand that he had good relationships with people in various government departments, and like a true leader, he utilized those connections for the benefit of Granite Staters. He knew the right words to say to the right people to get things done. It was the result of one of those meetings that finally got the Exit 11 toll booths in Merrimack taken down. Not too many people know this. He worked behind the scenes for the removal of the Exit 12 tolls as well. And then there is the infamous water issue, but that would take all day. Let me just assure you that he was on it from the start. I don’t think he got nearly enough credit for all he’s done for Merrimack and New Hampshire, maybe because he wasn’t a braggart. Fortitude was another one of his attributes. Did you know he lived with chronic pain? He endured his health issues stoically and never let it stop him from doing his job and living his life. When people post vile, nasty things on social media, I learned, partly from Dick Hinch, to not engage. I do my best to ignore those people, but I also then rank them in negative numbers on the scale of likability, but not Dick Hinch. No matter what they said about him, he would greet those same people with his signature smile and big hello. Add nice to the list of adjectives. There is so much more to say about our dear friend. He was a Navy Veteran. He co-owned a realty company. He looked so happy at his daughter Kelly’s wedding, and he surprised us all when he and his wife officiated the ceremony. The day he was handed the gavel as the new Speaker of the NH House, he was so happy he choked up. One week later he was called home. One of our Merrimack constituents, Ginger Heald, said that she for one was comforted by knowing that we have another angel watching over us from the other side. These remarks today may not do him justice, but they were written from the heart. To quote Representative Michael Vose, “We will spend this term in mourning. Even so, we must press on, in memory of Speaker Dick Hinch, and do the job we were elected to do.” Mr. Speaker, if I know that those who serve together in the Legislature become family, would I then also know that it feels like a family member has died. If only there were a button for us to press to ITL your passing. I didn’t know how much you meant to me until you were gone. It was the same way when I lost my parents. It was a blessing to know you, Mr. Speaker. We miss you and will never forget you. Thank you all for listening. May his memory be eternal.

CONSENT CALENDAR

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

Consent Calendar adopted.

Rep. Sytek declared a conflict of interest on HB 469 and did not participate in the vote on the Consent Calendar.

HB 254, relative to the placement of minors in secure settings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra DeSimone for Children and Family Law. This bill as amended provides that under 169-B, when a minor is detained, there must be a continuum of care from least restrictive (community-based) to most restrictive (institutional). Any child placed out of home must receive a conflict-free assessment to verify the need. States which do not fully comply with the standards of the federal Families First Prevention Services Act risk losing federal matching reimbursements for Title IV-E Medicaid. The Division of Children, Youth, and Families is subsidized with significant amounts of Title IV-E funding. Vote 14-1.

Amendment (0140h)

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

2 Delinquent Children; Release or Detention Pending Adjudicatory Hearing. Amend RSA 169-B:14, I(e)(3) to read as follows:

(3) Secure detention shall ~~not~~ **only** be ordered.

(A) For delinquency charges which may ~~not~~ form the basis for commitment under RSA 169-B:19, I(j); **or**

(B) When a petition does not allege a violation of RSA 262 or RSA 637, possession of a controlled drug without intent to sell under RSA 318-B, or any violation of RSA 634, RSA 635, RSA 641, or RSA 644, which would be a misdemeanor if committed by an adult.

3 Delinquent Children; Release or Detention Pending Adjudicatory Hearing. RSA 169-B:14, I(e)(3) is repealed and reenacted to read as follows:

(3) Secure detention shall not be ordered for delinquency charges which may not form the basis for commitment under RSA 169-B:19, I(j).

4 Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:

(j) Commit the minor to the custody of the department of health and human services for the remainder of minority. Commitment under this subparagraph may only be made following written findings of fact by the court, supported by clear and convincing evidence, that commitment is necessary to protect the safety of the minor or of the community, and may only be made if the minor has not waived the right to counsel at any stage of the proceedings. If there is a diagnosis or other evidence that a minor committed under this subparagraph may have a serious emotional disturbance or other behavioral health disorder, the minor shall, with the consent of the minor and the minor's family, be referred to a care management entity pursuant to RSA 135-F:4, III. The care management entity shall develop and oversee the implementation of a care plan for the minor, intended to reduce the period of commitment. Commitment may not be based on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the proceedings from which the contempt arises. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified. Commitment under this subparagraph shall not be ordered as a disposition for ~~[a violation of RSA 262 or 637, possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 634, 635, 641, or 644, which would be a misdemeanor if committed by an adult]~~ **any offense other than first degree murder, second degree murder, attempted murder, manslaughter, negligent homicide under RSA 630:3, II, first degree assault, second degree assault, except when the allegation is a violation of RSA 631:2, I(d), felonious sexual assault, aggravated felonious sexual assault, kidnapping, criminal restraint, robbery punishable as a class A felony, burglary while armed or involving the infliction of bodily harm under RSA 635:1, II, or arson punishable as a felony.** However, commitment may be ordered under this subparagraph for any offense which would be a felony or class A misdemeanor if committed by an adult if the minor has previously been adjudicated under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is before the court, and that the minor was represented by counsel at each stage of the prior proceedings following arraignment.

5 Applicability.

I. RSA 169-B:14, I(e)(3) and RSA 169-B:19, I(j), as amended by sections 2 and 4 of this act, respectively, shall apply to cases pending on January 1, 2022 in which a dispositional order has not yet been entered.

II. RSA 169-B:14, I(e)(3), as amended by section 3 of this act, shall apply to cases pending on July 1, 2022 in which a dispositional order has not yet been entered.

6 Effective Date.

I. Section 3 of this act shall take effect July 1, 2022.

II. The remainder of this act shall take effect January 1, 2022.

AMENDED ANALYSIS

This bill addresses the criteria for secure detention pending adjudication and the circumstances in which a minor may be committed to the department of health and human services for the remainder of his or her minority. Referred to the Committee on Finance.

HB 427, prohibiting corporal punishment of children in state agency programs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra Altschiller for Children and Family Law. The committee believes that children who are in the care and custody of state agencies, both public and private, should be free from violence. Understanding that the circumstances that lead to children being placed into state custody and programs are traumatic, it is the intention of this bill to prohibit corporal punishment (any punishment in which physical force is issued and intended to cause some degree of pain or discomfort, exclusive of restraint or physical force used to protect self or others) in all policies and procedures related to children. This effort takes a step in preventing further trauma to our most vulnerable children. Vote 15-0.

Amendment (1494h)

Amend RSA 161:14, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) "Agency" means any executive branch department, institution, bureau, or office of the state, engaged in providing services to or for children. Agency shall include any public or private entity under contract or agreement with the department of health and human services or the department of education to provide services to or for a child or children.

HB 610-FN, requiring certain licensing and reporting functions be conducted through the Nationwide Multistate Licensing System and Registry, and relative to background investigations of trust officers, to certain filing fees, assessments, and interest rates, and to the transmission of consumer complaints by the banking department. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill, as requested by the Banking Department, requires retail sellers, sale finance companies, small loan lenders, debt adjusters, and money transmitters to license and report through the Nationwide Multistate Licensing System and Registry and clarifies the filing deadlines for call reports under RSA 397-A. The bill also clarifies the circumstances under which background investigations are conducted for trust executive officers and provides for the removal of directors or officers by the commissioner. The bill adjusts fees for filings by state chartered institutions, requires payment of an assessment by institutions seeking approval to dissolve or convert and establishes minimum interest rates tied to federal funds interest rates set by the Federal Open Market Committee. Finally the bill authorizes the department to transmit consumer complaints via email rather than by certified mail. Vote 19-0. Referred to the Committee on Ways and Means.

HB 145, relative to physical force in defense of a person. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. The committee was not able to identify a problem that this bill will solve. However, opponents of this bill are very concerned that it will eviscerate long-standing self-defense law which has allowed law abiding residents and visitors alike to use force, including lethal force in self-defense. If enacted into law, this bill will repeal all of RSA 627:4, III which requires a defender to retreat from a violent encounter except in certain specific circumstances where a defender is not required to retreat. Without a "bright line" statute, the courts will be free to rule in any way they see fit. In most cases that will mean judges will rely upon the traditional common law requirement that a defender use any means necessary to avoid a confrontation. Those who are opposed to this bill informed the committee that the courts could very possibly rule that people who are victims of home invaders must leave their home instead of defending it; business owners facing assault might be forced to leave their businesses and surrender to a criminal attack; and people who are being assaulted in public would be forced to flee. Little to no consideration would be given to a person's physical ability to safely retreat. The committee believes that this bill is a solution in search of a problem where no problem exists. Vote 18-0.

HB 375, allowing the destruction of valueless contraband by the chief of police. **OUGHT TO PASS.**

Rep. Chris True for Criminal Justice and Public Safety. The committee, having heard testimony from various police departments and chiefs of police, agrees that noncontraband abandoned or lost property, that cannot be returned and does not have any monetary value may be destroyed or disposed of, as directed by the chief of police of the department. Vote 20-1.

HB 469, relative to the term served by a bail commissioner. **INEXPEDIENT TO LEGISLATE.**

Rep. Dave Testerman for Criminal Justice and Public Safety. The length of service for Bail Commissioners is currently set at five years and this bill reduces it to two years. There are currently 112 commissioners. Reducing the term would increase the review of commissioners by two and a half times. Vote 20-0.

HB 530, relative to candidate background checks for law enforcement officers. **OUGHT TO PASS.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill protects the cities and towns from lawsuits. It allows the chief of police or whomever does the hiring to contact anyone the applicant has worked for and it is confidential. Vote 20-0.

HB 304, establishing a committee to study the funding of tuition and transportation for career technical education. **OUGHT TO PASS.**

Rep. Glenn Cordelli for Education. This bill establishes a committee to make recommendations relative to tuition and transportation funding of career and technical education (CTE). 20% of the indicators used for the delivery of an adequate education reference CTE student participation, industry recognized credentials, and certification programs available to high school students. The committee heard from the NH Advisory Council for Technical Education, the Department of Education, and numerous professional business-related organizations urging the state to identify policy and funding strategies to increase student access to CTE. The legislature currently allocates \$9 million for reimbursement of tuition and transportation. Transportation is reimbursed at a rate of ten cents per student mile. For FY 20, districts were reimbursed \$680,000 while the actual amount spent was over \$2.6 million. Once the transportation amount is removed from the \$9 million, the remainder is used for tuition. No reimbursement is provided to students who attend CTE within their own districts. Only 14% of NH's high school population participates in CTE programs, unlike other states, such as Delaware that enrolls 59% of high school students. In a time in which business and manufacturers are looking for skilled, certified employees, NH is falling further and further behind the state's needed supply to remain competitive with neighboring states. This committee study is needed. Vote 20-0.

HB 432, relative to the offenses that prevent employment in a school. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Allard for Education. This bill, as amended, adds human trafficking (RSA 633:7) to the list of offenses that prevent an individual from being employed in a NH school (RSA 189:13-a, V). The bill was requested by the Department of Education, as was the amendment to remove language that would have permitted decisions made for similar offenses in out-of-state jurisdictions. Vote 18-0.

Amendment (0015h)

Amend RSA 189:13-a,V as inserted by section 1 of the bill by replacing it with the following:

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; **633:7**; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4, or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. The superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy may deny a selected applicant a final offer of employment if such person has been convicted of any crime, misdemeanor or felony, in addition to those listed above. The governing body of a school district, chartered public school, or public academy shall adopt a policy relative to hiring practices based on the results of the criminal history records check and report of misdemeanors and felonies received under paragraph II. Such policy may include language stating that any person who has been convicted of any misdemeanor, or any of a list of misdemeanors, may not be hired. Such policy may also include language stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired.

HB 442, relative to penalties for a school's failure to file department of education reports. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. This bill, as amended, was requested by the Department of Education. They currently have the authority to withhold some funds from public schools if they fail to submit reports as required by state and federal law. This bill adds requirements and penalties for failure to submit required reports for chartered public schools and non-public schools. Vote 20-0.

Amendment (0383h)

Amend RSA 189:28, I as inserted by section 2 of the bill by replacing it with the following:

I. The governing body of every public, *chartered public school, and nonpublic* education agency, shall, on or before ~~[August 1]~~ *the deadline established by the department as deemed appropriate* in each year, submit to the department of education those statistical reports necessary to compute the average daily membership of pupils attending each school district, and the average daily membership of pupils resident in each school district. Information relating to the fall enrollment, drop-outs, staffing census, and ~~[average teacher salary,]~~ *prior year annual safety reports* as of October 1 of each school year, *and other reports necessary to meet state and federal requirements as determined by the department*, shall be submitted to the department of education on or before ~~[October 15]~~ *the deadline established by the department*.

I-a. The governing body of every public and chartered public school shall submit the average teacher salary as of October 1 of each school year to the department of education on or before the deadline established by the department.

I-b. Nonpublic schools shall submit the following: general statistics of nonpublic schools, non-public school restraint and seclusion collection data, general fall report of non-public schools, school emergency operation plan, and other reports necessary to meet state and federal requirements as determined by the department of education. If the governing body of a non-public school fails to submit the statistical reports by the established deadlines for 2 consecutive years, the commissioner may request the state board of education to revoke the enabling charter or approval.

HB 127, relative to placement and removal of political advertising. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Election Law. The bill permits the placement of political advertising and signs on public property unless the property is posted with signs explicitly prohibiting their posting. The committee heard testimony from the prime sponsor and the NH Department of Transportation stating that this legislation is not necessary. Vote 18-0.

HB 483, prohibiting certain political advertising. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Election Law. This bill proposes to ban political advertising that directly states or suggests a candidate for office would have opposed legislation when that candidate was not a legislator at the time to vote for it. Issues were raised with potential discrepancies with federal standards that govern broadcast mediums. The committee believes the proposal is also problematic as it raises First Amendment protection concerns. Additionally it might prevent new candidates from taking a position on prior legislation while incumbent candidates would not have such restrictions. The committee agreed with the sponsor that while there are concerns with certain practices, this legislation as presented is not the way to deal with it. Vote 20-0.

HB 505, allowing voters to vote for multiple candidates for an office. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This bill would amend the election laws to allow voters to cast votes for as many candidates as they wish for any office. For example, a voter could vote for two candidates for Governor and not have their vote for that office counted as an over-vote. The committee had concerns that this bill would not substantially change the outcome of elections and would further delay the vote counting process while also confusing voters. Vote 20-0.

HB 73, relative to public notice requirements for certain permits issued by the department of environmental services. **OUGHT TO PASS.**

Rep. Judy Aron for Environment and Agriculture. This bill updates the current statute (RSA:149-M:7 III, and RSA 149-M:9 VIII) to require that means of noticing the public about solid waste permits include using electronic means via the department's website and communicating permitting information with affected municipalities electronically as well. Public hearing notices regarding solid waste permits must also be posted on the department's website along with posting in local newspapers. Vote 18-0.

HB 95-FN, relative to milk pasteurization. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Homola for Environment and Agriculture. This bill updates the current statute (RSA:184:84, V) to include ice cream and frozen yogurt in the products that can be made from raw milk. It also stipulates that ice cream and frozen yogurt made from raw milk must be packaged in containers no larger than six fluid ounces, and must be marked with an expiration date of thirty days from the date of manufacture. Vote 18-0.

Amendment (0190h)

Amend RSA 184:84, V as inserted by section 1 of the bill by replacing it with the following:

V. A milk producer-distributor who daily produces for sale less than 20 gallons of raw milk or processes less than 20 gallons of raw milk into cheese aged at least 60 days, yogurt, cream, butter, *ice cream, frozen yogurt*, or kefir shall not require a milk producer-distributor license, provided these products are offered as direct sales from the producer-distributor's own farm, farm stand, or at a farmers' market to the food consumer within the state of New Hampshire only. *Ice cream and frozen yogurt produced and sold under this paragraph shall be packaged in containers no larger than 6 fluid ounces and shall be marked with an expiration date 30 days from the date of manufacture.*

HB 226, relative to the repeal of laws on produce safety. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Comtois for Environment and Agriculture. This bill was requested by the Department of Agriculture. It adds a 5-year extension to the repeal date of the produce inspection program required by the Food Safety Modernization Act enacted by the USDA. Additionally, the bill provides a housekeeping change to allow the Commissioner of the Department of Agriculture, or his agent, to issue a "stop sale order" if produce is being sold in violation of the produce safety rules. Vote 18-0.

Amendment (0046h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Section; Produce; Stop Sale. Amend RSA 426-A by inserting after section 6 the following new section: 426-A:7 Produce; Stop Sale. When the commissioner or the commissioner's authorized agent has reasonable cause to believe produce is being distributed in violation of any of the provisions of this chapter, or of any of the rules adopted under this chapter, the commissioner or agent may issue and serve a written "stop sale, use or removal" order upon the owner or custodian of any such produce. The produce shall not be sold, used or removed until the provisions of this chapter have been complied with and the produce has been released by the commissioner or the violation has been otherwise disposed of as provided in this chapter by a court of competent jurisdiction.

AMENDED ANALYSIS

This bill extends the date for the repeal of the laws on produce safety.

This bill also enables the commissioner of the department of agriculture, markets, and food to stop the sale of produce violating produce safety rules.

HB 318, proclaiming the daring jumping spider to be the state spider of New Hampshire. **OUGHT TO PASS.**

Rep. Megan Murray for Environment and Agriculture. This bill will make the Daring Jumping Spider the state spider of New Hampshire. The third-grade students of the Hollis Primary School did an exemplary job of educating the committee on the attributes of this spider and its importance to New Hampshire's ecosystem. The committee commends the outreach of the Fish and Game Department as the inspiration for this project derived from a workshop they hosted. Vote 18-0.

HB 70, authorizing certification for the microblading of eyebrows. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill authorizes the Office of Professional Licensing and Certification, as advised by the Advisory Board of Body Art Practitioners, to approve courses, train, and certify licensed cosmetologists or estheticians to perform microblading. Microblading, often used for eyebrows, is a permanent makeup technique, that is a form of tattoo. It currently requires a tattoo license to perform this service with a year's apprenticeship. This bill will allow those in the cosmetology and skin care professions, with the proper training, to expand this service to the public. The hygiene concerns raised in the hearing will be addressed in rules developed by the advisory board and the Joint Legislative Committee on Administrative Rules. Vote 19-0.

HB 94-FN, relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would make most occupational licenses expire at the end of the month the license was issued rather than all at one time and sets the term of the licenses to two years. The bill also handles the transition from the current renewal schedule to the new one. This will spread the workload for the Office of Professional Licensing and Certification out over the year resulting in an increase in efficiency. The requirements for the licenses and the process for approval are unchanged other than the renewal date. Vote 19-0.

HB 137, relative to the rulemaking authority of the department of information technology. **OUGHT TO PASS.** Rep. Carol McGuire for Executive Departments and Administration. This bill exempts Department of Information Technology standards and protocols on the state telephone system and cybersecurity from rulemaking requirements. In most cases these are technical documents, frequently industry standards, and converting them to rules (which must comply with the formats set up by the lawyers) would confuse the users of these standards, rather than make them simpler. It also clarifies when rules needed to be written. Vote 19-0.

HB 150, making a technical correction and a clarification in the law governing death benefits for emergency medical technicians and rescue squad members. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill makes a technical correction to the law that provides death benefits to the families of certain first responders who die in the line of duty. That benefit is intended for police officers, firefighters, emergency medical technicians, and rescue squad members. Emergency medical technicians and rescue squad members were left out of the list of beneficiaries in one of the nine places in the statute where the beneficiaries are listed. This bill corrects that omission. Vote 18-0.

HB 173-FN, requiring the independent investment committee of the New Hampshire retirement system to report investment fees. **OUGHT TO PASS.**

Rep. Terry Roy for Executive Departments and Administration. This bill would require that the NH Retirement System's quarterly reports to the trustees include a description of all fees incurred due to investment transactions. The committee, after hearing testimony, concluded that it was relatively easy information for the system to produce and provided another level of transparency to members. Vote 17-0.

HB 208, repealing RSA 323 regarding lightning rod dealers and salesmen. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would eliminate the requirement for a license for dealers and salesmen of lightning rods. According to the State Fire Marshal the program has outlived its usefulness to the state. The installation of lightning rods are governed by the state fire code and state electrical code, and included in the National Fire Protection Association (NFPA) standards. The State Fire Marshal recommends eliminating this program. Vote 17-0.

HB 219, repealing RSA 332-J regarding athlete agents. **INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would eliminate the requirement for someone acting as an athletic agent to have a certificate of registration from the state. There were changes expected to National Collegiate Athletic Association rules that might have affected this bill. Unfortunately those changes have been delayed due to the COVID-19 pandemic. As a result, an amendment was offered to turn this bill into a study committee to review those rules when they came out and their possible impact on this bill. Due to the difficulties the House faces due to COVID-19, we will not be creating study committees this year. As a result, the ED&A Committee recommends that this bill be found Inexpedient to Legislate. If appropriate, a new bill may be submitted in the future related to this issue. Vote 14-2.

HB 298, adding a member to the aviation users advisory board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill adds a representative of the unmanned aircraft systems industry to the Aviation Users Advisory Board. The representative must be a certified remote pilot at the time of the appointment. The committee supports adding this position to represent the growing segment of unmanned aircraft to the advisory board. A representative from the industry, who is also the vice-chair of the Aviation Users Advisory Board, testified in the support of the bill. The amendment clarifies the reference to the Code of Federal Regulations section cited in the bill. Vote 18-1.

Amendment (0206h)

Amend RSA 21-L:8, I(g) as inserted by section 1 of the bill by replacing it with the following:

(g) *One member representing the unmanned aircraft systems industry, who shall be certificated as a remote pilot pursuant to 14 C.F.R. section 107 et seq., as amended, at the time of appointment.*

HB 302, relative to the creation and use of electronic records by government agencies. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill clarifies the authority of the Department of Information Technology (DOIT) to set standards for electronic records. It also confirms that municipalities may use electronic records, at their option, without waiting for the state to set standards. It is supported by the NH Municipal Association and the counties, as well as DOIT. Vote 19-0.

HB 356, relative to the city of Manchester employees' contributory retirement system. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill makes a number of technical corrections and clarifications to the Manchester city retirement system. Most importantly, it allows the system to adopt newer versions of Internal Revenue Service codes by rule, rather than needing legislative approval. It also sets up a procedure to replace a trustee who cannot complete his term. Vote 15-0.

HB 357, establishing a committee to study the expiration and updating of administrative rules. **INEXPEDIENT TO LEGISLATE.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill was drafted to create a study committee, which legislative leadership has recommended limiting this term. Therefore, the committee voted unanimously to kill this bill. However, since administrative rules are the purview of the ED&A Committee, it was agreed we will work on some of the issues raised by this in the future. Vote 19-0.

HB 377, relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill puts into statute a clear definition for recovery houses throughout our state and provides guidance to protect those individuals in recovery. This bill gives the State Fire Marshal authority to grant exemptions to recovery houses that are unable to meet all fire codes and eliminates the dangerous practice of bypassing fire code standards that protect individuals in recovery houses. The State Fire Marshal testified in support of this bill. Although the NH Coalition of Recovery Residences opposes the bill, they were unable to make the case to the committee that this bill is discriminatory since all recovery houses are able to seek this exemption. Vote 19-0.

HB 390-FN-L, relative to the amortization of retirement system unfunded accrued liability. **INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would extend the date when the unfunded liability in the pension system is fully funded by five years, changing it from 2039 to 2044. Failing to keep a pension system fully funded is very expensive in the long run. This bill would cost the taxpayers of New Hampshire an additional \$1.4 billion. For every \$1 deferred in the short term, taxpayers will need to spend an additional \$2. The state, counties, and municipalities have been seeing the cost of the underfunding of the pension system in the past and will have to continue to make significantly higher pension payments until those past mistakes are made up for. There is always pressure to maintain or increase spending and to minimize tax increases. There are often situations which increase that pressure for a time. COVID is not unique in that respect. Perhaps the worst aspect of this bill is that it would burden our children and grandchildren in the future with the cost of our lack of fiscal discipline today. Vote 18-1.

HB 536-FN, relative to death benefits for public works employees killed in the line of duty, and relative to workers' compensation offsets for certain retirement system benefits. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill adds public works employees to those eligible for the \$100,000 state line of duty death benefit. Public works employees are often the first responders for accidents, and their job not infrequently puts them in harm's way. The committee felt that a line of duty death benefit was appropriate. Vote 18-1.

Referred to the Committee on Finance.

HB 192, relative to pistols permitted for the taking of deer. **OUGHT TO PASS.**

Rep. David Love for Fish and Game and Marine Resources. This is a modernization and housekeeping bill for Fish and Game laws. It modernizes the current law by extending the calibers allowed, to include newer and the more common calibers for the taking of deer. It also increases the rounds to six for the number of rounds allowed in a pistol. Having five rounds here, in pistols like revolvers, created an enforcement issue for Fish and Game and was making accidental criminals out of some hunters. You see, you can have six rounds in a revolver for personal protection while hunting, however only five rounds in the same revolver if used for hunting. The Fish and Game enforcement division agreed with the change, and also the change in HB 342, which brought all firearms to the same level, six rounds. This bill provides for more uniformity in law. Vote 17-3.

HB 342, relative to the taking of game by certain lever-action firearms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Raymond Howard for Fish and Game and Marine Resources. As amended, this is a modernization and housekeeping bill for Fish and Game laws. It was shown in committee that using a lever-action carbine, chambered in the handgun calibers listed in the bill, increases the overall safety in the pistol and shotgun only hunting areas across the state. This bill extends the use of those safer lever-action carbines for use in pistol and shotgun hunting areas across the state. This bill, as amended, also increases to six, the number of rounds in all firearms used for hunting, to create more uniformity in all Fish and Game laws. Pistols and rifles now can all have six rounds. This bill was highly supported by the Fish and Game Enforcement Division. Vote 20-0.

Amendment (0136h)

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

AN ACT relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to take deer.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Lawful Methods of Taking. Amend RSA 207:3, II to read as follows:

II. A full automatic rifle shall not be used at any time nor shall a semi-automatic rifle be used to which is attached a magazine or clip holding more than [5] 6 cartridges, nor shall a full jacketed metal case bullet be used, either in its original form or any alteration thereof.

3 Game Animals; Pistols Permitted. Amend RSA 208:3-d to read as follows:

208:3-d Pistols Permitted. Pistols permitted under RSA 208:3, 3-a, 3-b, and 3-c shall include a .357 Magnum, 10mm Automatic, .41 Remington, .44 Magnum, .45 Long Colt, .480 Ruger, and .50 Magnum, provided that a pistol used for taking deer under this section shall be loaded with no more than [5] 6 rounds of ammunition at any time.

AMENDED ANALYSIS

This bill allows the taking of game with certain lever-action firearms. The bill also specifies that a firearm used to take deer shall not be loaded with more than 6 rounds of ammunition.

HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird. **OUGHT TO PASS.**

Rep. Jonathan Smith for Fish and Game and Marine Resources. This bill creates criminal penalties for acts of purposeful or neglectful cruelty to wildlife. With this bill, Fish and Game Conservation Officers will be able to clearly and efficiently protect wildlife from acts of cruelty, while at the same time protecting the rights of individuals engaged in hunting, fishing, trapping, or nuisance animal management. The Fish and Game Department was wholly in support of the bill and believes it will be an invaluable tool for law enforcement to protect New Hampshire's wildlife. Vote 19-1.

Referred to the Committee on Criminal Justice and Public Safety.

HB 75, renaming and adjusting the membership of the New Hampshire commission on deafness and hearing loss. **OUGHT TO PASS.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. This bill comes at the suggestion of the New Hampshire Commission on Deafness and Hearing Loss. Members of the deaf and hard of hearing (d/hh) community note that our title speaks about medical conditions, not about people. Members of the commission researched what similar commissions in other states are called. Invariably, their titles speak about people. The second part of the bill adds three additional members to the commission. There are three large groupings of long term care facilities in the state. While these facilities give good care to their d/hh residents, their leaders know there are periodic problems which keep them from doing even better. By inviting a representative of each of these groupings to sit on the commission, both they and commission members believe that periodic conversations could be held to the betterment of all. Vote 20-0.

HB 240, relative to identification of cannabis strain for therapeutic cannabis. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary Merchant for Health, Human Services and Elderly Affairs. Individuals who use cannabis therapeutically titrate the amount used to a particular strain. Strains of cannabis vary in their composition as does the amount needed therapeutically. When an individual uses a different strain, they need to titrate the amount to use. This bill requires an alternative treatment center to include the commercial strain name to assist individuals when purchasing cannabis to obtain an equivalent product, avoiding the need to adjust the dose. The amendment clarified that the label should use the commercial strain name's terminology and not the full name of the cannabis strain in the original bill. Vote 21-0.

Amendment (0237h)

Amend the bill by replacing section 1 with the following:

1 Use of Cannabis for Therapeutic Purposes; Labeling of Cannabis. Amend RSA 126-X:8, XVI(a) to read as follows:

XVI.(a) All cannabis dispensed by an alternative treatment center shall include a label specifying the *commercial strain name of the cannabis*, the weight of the cannabis, and any other information the department requires to appear on the label. The label shall also specify that the cannabis is for therapeutic use and that diversion is a class B felony requiring revocation of one's registry identification card. *An alternative treatment center may list the commercial strain names of the cannabis available to be dispensed on its public Internet website.*

AMENDED ANALYSIS

This bill requires an alternative treatment center to list the commercial strain name of the cannabis on the label of the packaging and permits the alternative treatment center to list the commercial strain names of the cannabis available to be dispensed on its public Internet website.

HB 244, relative to the membership and duties of the joint health care reform oversight committee. **INEXPEDIENT TO LEGISLATE.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill would create a Joint Health Care Oversight Committee, determine its membership, and mandate various issues it would review. The Health, Human Services, and Elderly Affairs Committee determined that the bill was not needed as various groups fulfill its functions. Moreover, the bill mandated studying the Affordable Care Act which is a federal program over which the state has no jurisdiction. Vote 21-0.

HB 350, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. **OUGHT TO PASS.**

Rep. Dennis Acton for Health, Human Services and Elderly Affairs. This is a bill that authorizes patients or their designated caregivers who are licensed through the New Hampshire Therapeutic Cannabis Program to cultivate three mature and three immature cannabis plants at their home. This allows patients who can't afford the Alternative Treatment Center prices or who may live hours away from the nearest location to produce their own cannabis according to their needs. This bill has passed the house multiple times so it has been carefully amended to address concerns. It is important to note that this bill is far more restrictive than cultivation laws that exist in surrounding states where any adult may grow six or more plants for recreational use. Vote 20-1.

HB 363, creating a committee to study appointing an inspector general for nursing homes in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Leah Cushman for Health, Human Services and Elderly Affairs. This bill would create a commission to study creating an additional, redundant layer of regulation and oversight. Long-term care facilities are licensed, certified, and inspected by the federal government, state government, and the Office of Long-term Care Ombudsman. The county delegations have additional oversight on the county nursing homes. The committee members agree that a commission to study creating a position of an Inspector General for Nursing Homes in New Hampshire is unnecessary, and gave the bill a unanimous recommendation of inexpedient to legislate. Vote 21-0.

HB 378, repealing the therapeutic use of cannabis advisory council. **OUGHT TO PASS.**

Rep. Dennis Acton for Health, Human Services and Elderly Affairs. The Therapeutic Cannabis Advisory Council was created by the Therapeutic Cannabis Law in 2013 with legislation added to RSA 126-X. The council was comprised of stakeholders tasked with advising the Department of Health and Human Services as they created and rolled out the state's new Therapeutic Cannabis Program. The advisory council met a total of 15 times over the next five years and provided assistance with rule-making and data-gathering. In 2018, the council published a five year review of the program as required in the law which concluded that the program rollout had been successful and should be allowed to continue. With the duties of the council now concluded and a new Medical Oversight Board formed to assist with the current program, the Health, Human Services, and Elderly Affairs committee recommends Ought to Pass on the bill, which repeals the language that created the advisory council. Vote 21-0.

HB 479, relative to pharmacist provider status and nicotine cessation therapy. **OUGHT TO PASS.**

Rep. Gary Merchant for Health, Human Services and Elderly Affairs. In order to send reimbursement to New Hampshire for services performed by a health care provider, the Center for Medicare and Medicaid (CMS) requires that the state recognize the individual as a 'health care provider' in statute. Because the state does not recognize a pharmacist as a health care provider in state statute, CMS will not reimburse New Hampshire Medicaid for such services, which this bill corrects. Smoking is a public health epidemic and the single largest cause of preventable disease and death. According to the 2020 US Surgeon General's report, smoking cessation interventions should be implemented as widely as possible throughout the healthcare system including pharmacists providing smoking cessation therapy. This bill not only supports improved health for the constituents of New Hampshire, it also supports the US Surgeon General's call to implement interventions as widely as possible throughout the healthcare system in the Granite State. Vote 20-0.

HB 600-FN, relative to funding for newborn screening. **OUGHT TO PASS.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. New Hampshire's newborn screening program is a wonderful program, and the intent of this bill is not to change the program in any way. The intent is to change how they send out their bills. Under current law, the Department of Health and Human Services bills hospitals for the filter paper on which blood samples are submitted for testing. Filter paper is a supply, and this bill cannot be submitted to insurers. We are simply asking the commissioner to restructure the current fee so that these bills can be submitted to insurers. Instead of billing for "filter paper," the invoice

could read “newborn screening panel.” We are aware this is already done at least in Texas and Minnesota. Coverage for pediatric preventative services has been mandated by federal law without co-pay or deductible since 2014 pursuant to 45 CFR 147.130. This bill does not mandate any change whatsoever in insurance law. Passage of this bill will help maintain the economic viability of the various birthing centers in NH. Vote 21-0. Referred to the Committee on Finance.

HB 617, relative to food safety training for child care centers. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. During the hearing on this bill, some committee members wondered if the goal of the bill could be better served by rule-making within the Department of Health and Human Services. The sponsor learned her goals could indeed be accomplished in this manner. As a result, she asked us to recommend the bill be found Inexpedient to Legislate. Vote 21-0.

CACR 10, relative to powers of the legislature. Providing that the legislature may overturn any decision of a state court concerning the interpretation of a state law. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. This constitutional amendment concurrent resolution provides that the General Court may overturn a decision of a state court that concerns the interpretation of a state law. Our founders purposely created a system of government comprised of three separate and independent branches: executive, legislative, and judicial, to provide checks and balances and separation of powers. This system is enshrined in our federal and state constitutions. The New Hampshire legislature does not have the power to overturn decisions of state courts. This proposed constitutional amendment would turn our legislature into a de jure appeals court, and it would upset the separation of powers of the three branches of government that we so cherish. Vote 20-1.

HB 331-FN, relative to a forfeiture of personal property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for Judiciary. This bill reinforces New Hampshire’s asset forfeiture law by disallowing adoption to the Federal Equitable Sharing Program some seizures made in New Hampshire. Seizures involving \$100,000 or less in U.S. currency made by New Hampshire law enforcement, acting under state authority, shall follow New Hampshire’s criminal forfeiture law. The amendment makes it clear that this bill will not prevent participation with federal joint task force operations. Seizures made in conjunction with joint task force operations under federal law would not be restricted. Any funds received in violation of this law shall be directed to the state’s general fund. Vote 18-2.

Amendment (0188h)

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

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

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

I. A state or local law enforcement agency shall not offer for transfer or adoption property, seized under state law, to a federal agency for the purpose of forfeiture under the federal Controlled Substances Act, Public Law 91-513, unless the seized property includes more than \$100,000 in United States currency.

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

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

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

HB 596-FN, prohibiting public funding of abortions and establishing the New Hampshire foster care and adoption initiative fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Trottier for Judiciary. This bill and HB 434 were heard together as they both would prohibit public funding for abortions, although this bill would also create a new foster care and adoption initiative fund. It became clear at the hearing that HB 434 had much greater support and was the preferred alternative. While many committee members support the intent of this bill, it did not make sense to have the two bills competing with each other. In addition, the creation of the new fund did not have wide support. Vote 20-1.

HB 231, relative to workplace lactation rights. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Cahill for Labor, Industrial and Rehabilitative Services. The committee appreciates the efforts of the sponsor who brought this issue to our attention. She has also worked with other stakeholders on a Senate bill. We understand that there is strong support for SB 69 and feel that is the better bill. Vote 20-0.

HB 258, relative to employee time records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gregg Hough for Labor, Industrial and Rehabilitative Services. This bill was to allow the required records between employers and employees to be processed and retained electronically. The committee found

that the goal of this bill would be better suited with an amendment that placed the language in a different RSA chapter. The amendment was offered in order to help clarify the existing law and situated HB258 in a suitable RSA section. Both the amendment and the bill were approved. Vote 20-0.

Amendment (0168h)

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

AN ACT permitting wage and hour records to be approved and retained electronically.

Amend the bill by replacing section 1 with the following:

1 Employers' Records; Records of Hours and Wages. Amend RSA 279:27 to read as follows:

279:27 Records of Hours and Wages. Every employer of employees shall keep a true and accurate record of the hours worked by each, wages paid to each, and classification of employment when necessary, and shall furnish to the commissioner or the commissioner's authorized representative upon demand a sworn statement of the same. Employers shall retain such records of hours and wages for 3 years and such records shall be open to inspection by the commissioner or the authorized representative at any reasonable time, subject to the provisions of RSA 273:9. Every employer subject to a statutory minimum wage shall post and make available to his or her employees a copy of such statutory minimum wage. Employers shall be furnished copies of posters on request without charge. ***Records required by this section may be made, signed, acknowledged, approved, and retained electronically.***

AMENDED ANALYSIS

This bill permits wage and hour records to be approved and retained electronically.

HB 259, relative to employee uniforms. **INEXPEDIENT TO LEGISLATE.**

Rep. Jonathan Mackie for Labor, Industrial and Rehabilitative Services. This bill attempted to clarify the current New Hampshire law regarding the ability of an employee to purchase optional or alternative employee uniforms offered by the employer. The committee did not feel this was a significant issue that was causing issues in NH. The Department of Labor (DOL) testified that normally issues arise when out-of-state employers do not know our laws. When informed, employers abide by NH laws and all is well. Complaints to the NH DOL average 1-3 a year. The committee felt the bill needed more clarification and asked the sponsor to submit an amendment. An amendment was filed but the committee felt that the way it was worded weakened the current law and made the law more confusing. We felt it was best to preserve the current law and recommend the bill be found Inexpedient to Legislate. Vote 20-0.

HB 301, relative to the compensation appeals board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This bill was submitted at the request of the Department of Labor in response to the Legislative Budget Assistant's Audit Report. It sets in statute the long-time practice for compensating the Workers' Compensation Appeals Board members for work done outside of the hearing process. The amendment makes clear the basis upon which to calculate the hourly rate. Vote 20-0.

Amendment (0296h)

Amend the bill by replacing section 1 with the following:

1 Workers' Compensation; Compensation Appeals Board. Amend RSA 281-A:42-a, III to read as follows:

III. Attorney members of the board shall receive \$400 per diem and all other members of the board shall each receive \$250 per diem for each day devoted to the work of the board and shall be reimbursed for necessary travel expenses. ***Said per diems shall be prorated to an hourly basis using 7.5 hours per day for other related work performed by board members.***

HB 303, relative to required pay. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This language was suggested by the Department of Labor. The current language in law provides two different exceptions in 275:43-a. One exception is for municipal and county employees and one is for ski and snowboard instructors. They are meant to be distinct, however the way the RSA is written, it is possible to confuse the two cases. This bill amends the language to make the original intent clear. The amendment reinserts the word "instructor," left out in the initial drafting. Vote 20-0.

Amendment (0189h)

Amend the bill by replacing section 1 with the following:

1 Payment of Wages; Required Pay. Amend RSA 275:43-a to read as follows:

275:43-a Required Pay. On any day an employee reports to work at an employer's request, he or she shall be paid not less than 2 hours' pay at his or her regular rate of pay; provided, however, that this section shall not apply to employees of counties or municipalities ~~[or ski and snowboard instructional employees at ski resorts, provided that these employees receive other compensation that is at least equal to their rate of pay, and provided further that].~~ ***This section shall also not apply to ski and snowboard instructional employees at ski resorts, provided that these employees receive other compensation that is at least***

equal to their rate of pay. No employer who makes a good faith effort to notify an employee not to report to work shall be liable to pay wages under this section. However, if the employee reports to work after the employer's attempt to notify him or her has been unsuccessful or if the employer is prevented from making notification for any reason, the employee shall perform whatever duties are assigned by the employer at the time the employee reports to work.

AMENDED ANALYSIS

This bill exempts ski and snowboard instructional employees at ski resorts from receiving required pay from an employer, provided that such employees receive other compensation that is at least equal to their rate of pay.

HB 189, relative to accessory dwelling units. **INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for Municipal and County Government. This bill is not necessary because the provisions proposed are covered by another bill coming forward this session. Vote 18-0.

HB 340, permitting the designation of an open container area for the consumption of alcoholic beverages. **INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for Municipal and County Government. The Liquor Commission stated that the bill was unnecessary. Jurisdictions already have the ability to create an open container area. Vote 18-0.

HB 380, relative to the election of Grafton county commissioners. **OUGHT TO PASS.**

Rep. Richard Tripp for Municipal and County Government. This bill changes the terms of the Grafton county commissioners beginning in 2022 so that one is elected to a 4-year term at each general election. This bill follows the general rule of differing term lengths for county commissioners which is utilized by many counties to preserve the corporate knowledge used to administer the county. This change precludes the possibility of electing three new commissioners at a general election. Vote 17-0.

HB 383, relative to the quarterly or semi-annual collection of taxes in certain municipalities. **OUGHT TO PASS.**

Rep. Julie Gilman for Municipal and County Government. The Department of Revenue Administration (DRA) requested this change to RSA 76:15-a, III. It will allow municipalities, counties, and school districts to apply to DRA for quarterly tax rate setting when there is a change of adequate education grants, excess tax amounts or by a change of 15% or more in taxes to be raised from the current year compared to the previous year. Allowing for quarterly rate setting will keep property owners from large drops or increases that may affect mortgage escrow among other financial matters. Vote 19-0.

HB 404, relative to the perambulation of town lines. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for Municipal and County Government. This bill deletes the frequency provision from the requirement that selectmen perambulate the lines between the towns. It also permits other methods be used to ascertain the marks and bounds physical location of the town lines. Current statute requires the town lines be perambulated once every seven years to verify the absolute location of each of the physical boundary markers used to identify the town lines. Historical boundary markers are oftentimes identified as a stone, notched tree or other subjective entity. Upkeep of the town boundary markers requires they be renewed frequently to maintain the knowledge of the markers location and to replace those moved or disturbed. The use of satellite imagery or other to be identified means to perform this is not up to task. Vote 17-1.

SB 30, permitting the towns of Tilton and Northfield to redraw their boundary lines. **OUGHT TO PASS.**

Rep. Tony Piemonte for Municipal and County Government. This is a non-controversial bill regarding an island on Lake Winnepesaukee which changes the boundaries between Northfield and Tilton. There were no significant objections. Vote 19-0.

HB 74-FN, relative to the Merrimack ramp toll plazas. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. This legislation prohibits the Commissioner of the Department of Transportation (DOT) from adding ramp toll plazas or open road tolls in the town of Merrimack unless tolls are placed in other locations on the F.E. Everett Turnpike that have higher traffic. New tolling locations are not determined by the DOT Commissioner but by the Governor's Advisory Commission on Intermodal Transportation (GACIT) and the General Court. When they are determined to be necessary, they are brought forward through the 10-year transportation plan. That process begins every two years with the GACIT, moves to the Governor for input, and finally the legislature determines what projects make into the ten-year plan. During the entire process, the DOT Commissioner is a nonvoting member. The committee recommends this bill be found Inexpedient to Legislate. Vote 20-1.

HB 114-FN, relative to the erection of a sound barrier in the vicinity of Teaberry Lane in the town of Bedford. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. The committee is sympathetic to the plight of the residents of Teaberry Lane, but cannot support the request contained in this bill to construct a sound wall along the F.E. Everett Turnpike adjacent to their neighborhood. There is an established criterion for the construction of sound walls across the state and this project does not meet that criterion. While it does exceed the noise,

measured in decibels, it does not meet other criteria in the guidelines. The Department of Transportation estimated that to address all locations in the state that are similar to Teaberry Lane the cost would exceed \$400 million. The committee was also cognizant that there is an equity issue if this bill were to be approved outside of the Ten-year Transportation Plan process. Would the General Court be opening itself to a deluge of separate bills from members requesting a sound wall for their constituents? For these reasons the committee recommends this bill be found Inexpedient to Legislate. Vote 20-1.

HB 305, relative to motorist service signs on limited access highways. **OUGHT TO PASS.**

Rep. John Cloutier for Public Works and Highways. This bill would delete the limitation on the placement of the blue motorist service signs on limited access highways. Under existing law, these signs are prohibited north of Concord, but are allowed south of Concord. This bill would create uniformity throughout the state. This type of signage would be in accordance with federal rules and subject to approval of the New Hampshire Department of Transportation with no cost to the state. Vote 21-0.

HB 99, relative to seasonal platforms on public waters of the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill requires that any person seeking to anchor a floating dock, seasonal platform, inflatable platform or float on public waters of the state adhere to requirements specified by the department of safety, division of marine patrol. As more and more people flock to New Hampshire's beautiful lakes, there is a proliferation of more and larger anchored floats, platforms, inflatable rafts and other "toys" used in water recreation. The situation has grown such that regulation is required as a platform could, if improperly sited, constitute a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation, or be in such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety, or be situated in such a manner that the platform presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas, or be situated in such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land. The Director of Marine Patrol shall develop rules pursuant to this legislation. The bill was amended to exempt government agencies engaged in the non-recreational execution of their duties such as construction and repair. The amendment also removed regulations concerning view obstruction from the bill. Vote 20-0.

Amendment (0203h)

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Anchored Seasonal Platforms. Amend RSA 270 by inserting after section 72-a the following new subdivision:

Anchored Seasonal Platforms

270:72-b Definitions. In this subdivision:

I. "Anchored seasonal platform" means a seasonal platform, inflatable platform, float, or device attached to such platform, inflatable platform, or float, that is attached by chains, cables, ropes, or related equipment to a fixed object or stationary point, or that is attached to an anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable body of water.

II. "Director" means the director, division of state police, department of safety.

III. "Division" means the division of state police, department of safety.

IV. "Shorefront property" means any property abutting public waters of the state. "Shorefront property" shall include:

(a) A lot on the public waters that is divided by a road so that the lot is on the opposite side of the road from the public waters or divided by an exclusive right-of-way which has been acquired as a result of an eminent domain proceeding which resulted in the break or loss of property between the property owner's residence and shore frontage.

(b) A lot of record with not less than 25 feet of frontage.

(c) Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. Property owned in common by associations and other groups shall be deemed owned by the group and shall not convey any rights to individual members of such group.

270:72-c Anchored Seasonal Platform; Limitations.

I. No person shall erect, install, maintain, or exercise control over an anchored seasonal platform on the public waters of the state who is not the legal owner of the adjacent shorefront property.

II. Any person erecting, installing, maintaining, or exercising control over an anchored seasonal platform on any public body of water shall attach his or her name and contact information to any such seasonal platform as provided in this subdivision.

270:72-d Anchored Seasonal Platform Prohibited.

I. No anchored seasonal platform shall be located:

(a) In such a manner that it constitutes a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation; or

(b) In such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety; or

(c) In such a manner that it presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas; or

(d) In such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land.

II. The director shall develop rules for the purposes of this subdivision pursuant to RSA 541-A and 270:72-g. 270:72-e Removal of Anchored Seasonal Platforms; Powers of Director.

I. The director or his agents shall remove or cause the removal of, or shall move or cause the moving of, any anchored seasonal platform, which:

(a) Is in violation of RSA 270:72-d; or

(b) Does not bear the owner's name and contact information as required under RSA 270:72-c; or

(c) Constitutes a hazard to public safety because of the manner in which it is constructed or maintained.

II. The owner of record of anchored seasonal platform, if known, shall be notified, by the director or his agents, of the removal, by certified mail with return receipt requested, within 10 days of removal.

III. Any anchored seasonal platform which is removed pursuant to paragraph I shall be stored in a safe place and the owner shall be notified. Before he or she may reclaim a platform which has been removed pursuant to paragraph I, the owner shall reimburse the person who removes the platform for any costs incurred in transporting and storing the platform.

270:72-f Liability. Nothing in this subdivision shall relieve the owner or installer of an anchored seasonal platform from liability relating to water pollution, accidents, or other liabilities associated with ownership of an anchored seasonal platform.

270:72-g Rulemaking.

I. The director of the division shall adopt rules under RSA 541-A relative to:

(a) The use, design, weight or size, construction, lighting, placement including safe spacing, and required maintenance of individual anchored seasonal platforms.

(b) The enforcement of this subdivision.

270:72-h Penalty. Any person violating the provisions of this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for any additional offenses.

270:72-i Exemptions. This subdivision and any rules implemented under RSA 270:72-g shall not apply to any local, state, or federal government agency, such as an agency's sub-contractors, or to any conservation groups engaged in the non-recreational execution of their duties including, but not limited to, work related to law enforcement, bridge and road work, pollution control, the protection of fish and wildlife, or environmental studies.

HB 115, relative to wake surfing. **OUGHT TO PASS.**

Rep. Jim Creighton for Resources, Recreation and Development. The bill addresses the safety of wake surfers by requiring them to wear personal flotation devices and use only boats with propulsion systems designed for wake-boarding. These requirements bring wake-surfing safety rules in line with those of other water sports. To provide for the safety of New Hampshire residents and guests, the committee recommends approval of HB 115. This bill results from the work of the 2019 Commission to Study Wake Boats (Chapter Law 77:1). Vote 19-1.

HB 193, relative to penalties for improper timber harvesting. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill does not increase or decrease the penalties for timber trespass. It does however amend RSA 227-J:8, I and RSA 227-J:8-a to clarify the responsibilities of all parties involved in the harvesting of timber relative to timber trespassing. It explicitly extends culpability to the landowner who may have provided erroneous information about property boundaries and thereby enabled the timber trespass to occur. It does not lessen the shared responsibility of the timber harvester to conduct his/her due diligence to ensure the correct location of all boundary lines. The amendment removes the word "or" in both statutes which provides better clarification of the bill's intent. Vote 20-0.

Amendment (0157h)

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

1 Timber Harvesting; Trespass; Civil Penalty. Amend RSA 227-J:8, I to read as follows:

I. No person shall negligently cut, fell, destroy, injure, [or] carry away, **or cause to be cut, felled, destroyed, injured, or carried away**, any tree, timber, log, wood, pole, underwood, or bark which is on the land of another person, or aid in such actions without the permission of that person or the person's agent.

2 Timber Harvesting; Trespass; Criminal Penalty. Amend RSA 227-J:8-a, I to read as follows:

I. No person shall recklessly cut, fell, destroy, injure, [or] carry away, **or cause to be cut, felled, destroyed, injured, or carried away**, any tree, timber, log, wood, pole, underwood, or bark which is on the land of another person, or aid in such actions without the permission of that person or the person's agent.

HB 256, adding members from Londonderry to the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield. **OUGHT TO PASS.**

Rep. Rosemarie Rung for Resources, Recreation and Development. This bill adds a Londonderry local official and resident to the HB 737 (2019) commission, the Commission on the Environmental and Public Health Impacts of Perfluorinated Chemicals, established to study the environmental and public health impacts relating to PFAS (per and poly fluoroalkyl substances) released in Merrimack, Bedford, and Litchfield. In addition to agency and state environmental and health specialists, the commission includes representation from each affected town. Since the passage of HB 737, related PFAS contamination has been found in parts of Londonderry, thus in its 2020 interim report, the HB 737 commission recommended legislation to expand to include Londonderry representation. This recommendation is supported by the NH Department of Environmental Services. This bill implements the commission recommendation. Vote 21-0.

HB 311, establishing a committee to study rail trail best management practices. **OUGHT TO PASS.**

Rep. Juliet Harvey-Bolia for Resources, Recreation and Development. Former rail line roadbeds revert to the state when abandoned. While many are reclaimed by nature, others can and have been repurposed as recreational trails which are used by residents and visitors for walking, bicycling, skiing, snowshoeing, as well as for snowmobiles and 4-wheel OHRVs. In some instances adjacent industrial activities, historic loading practices, leaks during material transfers or storage, and repair activities may have contaminated the roadbed with oil or hazardous materials. In addition, residual contamination may often be found along the length of the line, incidental to the maintenance and use of the railway itself. This bill establishes a legislative committee to study and develop rail trail best management practices for repurposing former rail beds into trails. This committee will study residual contamination from railroad operations on these abandoned roadbeds as well as other impacts common to rail trail systems. The Resources, Recreation and Development Committee unanimously supports this bill and believes it be integral to the maintenance of New Hampshire's rail trail system. Vote 20-0.

HB 344, relative to temporary docks. **OUGHT TO PASS.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill, which was a request of the Commission to Study Structures in and on Non-tidal Waters, amends RSA 482-A:3, IV-a (a) which relate to temporary seasonal docks, in three places. First, the word "seasonal" was inadvertently removed in previous legislation and has been replaced. Second, temporary seasonal docks on rivers may no longer be permitted by notification to the department. These docks are not anchored and when installed on rivers, these floating docks are a health and safety hazard as current and storms may dislodge them. Third, Part 3 of the bill addresses a flaw in the dock registration criteria which was signed into law in 2020. It specifies that in cases where there is pending or adverse municipal or state compliance action or pending civil action, the new dock registration process is not applicable. Vote 20-0.

HB 117, relative to the use of force at New Hampshire national guard facilities. **OUGHT TO PASS.**

Rep. David Binford for State-Federal Relations and Veterans Affairs. This bill seeks to standardize how things are done between the branches and aligns state statute with the Department of Defense rules of force to ensure cohesiveness throughout the state of New Hampshire's Department of Defense and National Guard facilities. Ultimately, aligning New Hampshire with Federal regulations. Vote 21-0.

HCR 4, recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution. **INEXPEDIENT TO LEGISLATE.**

Rep. Brodie Deshaies for State-Federal Relations and Veterans Affairs. An Article V Constitutional Convention will not guarantee the objective of this resolution and could actually have contrary results during an Article V Constitutional Convention, any conceivable amendments can come to fruition. Any suggested constitutional amendments made by the convention can be later ratified by individual states, and if enough individual states ratify the amendments, they become adopted in our federal constitution. This hypothetical convention could even suggest amendments that prevent very reasonable limits on abortion procedures. If enough states agree to such a change, it would run contrary to the purpose of this resolution. It is best for states to constitutionally pass legislation that defends the gift of human life; and for states to make legal arguments in front of state and federal courts explaining why a state government has an interest in defending any and all persons in the womb. Vote 21-0.

HCR 5, supporting democracy and human rights in Hungary, Poland, and Hong Kong and supporting democracy in Taiwan. **OUGHT TO PASS.**

Rep. Brodie Deshaies for State-Federal Relations and Veterans Affairs. The committee unanimously recommends OTP because any and all governments that are democratically elected, constitutional republics or constitutional monarchies, should support the principles of freedom, liberty, and democracy at home and abroad. Today, we can observe nations like China, Russia, Iran and North Korea who oppress their people and promote other regimes and groups that are equally oppressive and grotesque. Specifically, China actively stifles these previously listed ideals in Hong Kong, stripping these democratic people of their God-given liberties; and China wishes to do the same to the people of Taiwan, forcing a free people into their oppressive grip.

Nations like Hungary and Poland are also following down this same dangerous path, limiting the freedoms and liberties of their own people. We should express our concerns and ensure that we speak up for those who cannot practice such freedoms in their own countries. Democratic principles lead to happier, more fulfilling lives and create a more sustainable global peace. Vote 21-0.

HR 7, calling for the Netflix show “Cuties” to be taken off the air. **OUGHT TO PASS WITH AMENDMENT.** Rep. Brodie Deshaies for State-Federal Relations and Veterans Affairs. The movie “Cuties” contains not only extremely inappropriate content, but content that should not be considered permissible in our society. It is quite questionably illegal. From underage nudity to an 11-year-old dancing in a wet T-shirt, as well as seven full-minutes of a close up on 11 and 12-year old girls bumping and grinding, this is not content that the Federal Communications Commission should allow to air in our country. Senator Ted Cruz and Senator Tom Cotton have also written to the Department of Justice noting that the material appears to violate 18 U.S.C. 2251 and 2252, which puts people in legal jeopardy for reviewing, watching or even sharing images from this film. We should always condemn the sexualizing of children and the profiting from such a grotesque activity. Vote 19-2.

Amendment (0061h)

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

A RESOLUTION condemning Netflix release and promotion of the film “Cuties”.

Amend the resolution by replacing all after the resolving clause with the following:

That the New Hampshire house of representatives hereby condemns the film “Cuties” and Netflix decision to release and promote the film; and

That the house clerk send copies of this resolution to the United States Department of Justice to investigate whether the movie violates laws against exploitation of minors under 18 U.S.C. section 2251 and section 2252 and consider prosecution of Netflix and those who chose to put this content in front of millions of viewers.

AMENDED ANALYSIS

This resolution condemns the film “Cuties” and Netflix decision to release and promote the film and urges the United States Department of Justice to investigate whether the show violates federal law regarding sexual exploitation of children.

HR 8, requesting an investigation on whether opioids, benzodiazepines, and exposure to chemical agents contribute to suicides by veterans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Binford for State-Federal Relations and Veterans Affairs. This bill resolves to respectfully urge the U.S. Congress Department of Defense and Department of Veteran Affairs to continue investigations regarding the effects of opioids, benzodiazepines as well as exposures to agent oranges, insecticides, pyridostigmine bromide, and nerve agents and to include vaccinations, in regard to their effects contributing to veteran suicide. Our veterans truly are a National Treasure and the loss of one is tragic and even more so when it is a loss by suicide. It is critical that all agencies involved seek to end veteran suicide as well as offer alternative care/treatment such as chiropractic, acupuncture, occupational and physical therapy, massage therapy and other osteopathic treatment prior to or in place of opioid or prescription treatments. Vote 21-0.

Amendment (0097h)

Amend the resolving clause of the resolution to read as follows:

Resolved by the House of Representatives:

That the New Hampshire house of representatives respectfully urges the Congress of the United States, the Department of Defense, and the Department of Veterans Affairs to continue to investigate whether opioids, benzodiazepines, exposure to agent orange, insecticides, pyridostigmine bromide, and nerve agents including, but not limited to, sarin and cyclosarin, as well as vaccines administered to military personnel such as Mefloquine, and constant, long term stress from service in the theater of operations are contributing to the high number of suicides by veteran members of the armed forces and whether veteran members of the armed forces who seek treatment for conditions that cause pain should receive alternative treatments such as chiropractic, physical therapy, occupational therapy, acupuncture, massage therapy, and/or osteopathic manipulation before receiving prescriptions for opioids; and

That the house clerk forward official copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Secretary of Defense, the Secretary of Veterans Affairs, and to all the members of the New Hampshire congressional delegation with the request that this resolution be officially entered in the Congressional Record as a high priority for the Congress of the United States of America.

AMENDED ANALYSIS

This resolution requests that the United States Congress, the Department of Defense, and the Veterans Administration continue to investigate whether opioids, benzodiazepines, and exposure to agent orange contribute to a higher rate of suicides by veteran members of the armed forces and whether veterans who seek treatment for conditions that cause pain should receive alternative treatments before receiving prescriptions for opioids.

HB 159-FN, relative to organizations authorized to issue decals for multi-use decal number plates. **INEX-PEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Transportation. This bill to permit the New Hampshire State Council of the Knights of Columbus to issue decals for multi-use plates was merged into HB 451-FN as a streamlining measure and in no way dilutes this bill. Vote 18-0.

HB 222-FN, authorizing New Hampshire municipalities to issue decals for motor vehicle plates to municipal officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. The underlying bill intended to provide special plates for municipal officials. There were multiple technical details unresolved and no evidence of buy in from municipal officials. The committee amendment replaces the bill with a housekeeping measure regarding legislative cover plates. RSA 261:90 is vague regarding whether the number of title plates should include in the total sets of plate the director may issue. Past practice has been that seat plates are given first, title plates later. Members as a rule do not return their initial sets of seat number plates. The committee amendment codifies this practice. The committee amendment also authorizes the clerk of the New Hampshire House to be eligible for cover plates. Vote 19-0.

Amendment (0224h)

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

AN ACT relative to official cover plates.

Amend the bill by replacing section 1 with the following:

1 Number Plates; Official Cover Plates. Amend RSA 261:90 to read as follows:

261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of United States senators from this state, representatives to congress from this state, the governor, members of the governor's council, the president of the senate, members of the senate, the speaker of the house of representatives, members of the house of representatives, *the clerk of the house of representatives*, the attorney general, the secretary of state, the state treasurer, the President of the United States and members of his or her executive staff, and any ambassador or member of the foreign diplomatic corps. The fee for official cover plates shall be \$1 in addition to any other number plate manufacturing fee otherwise required. The official cover plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red lettering every other biennium. Official cover plates shall have the title of the person requesting the plates, except for members of the governor's council whose plates shall have their council district numbers embossed on them, and members of the general court, whose plates shall have their house seat numbers or their senate district numbers embossed on them unless the president of the senate, for members of the senate, or the speaker of the house of representatives, for members of the house of representatives, shall designate a title for their plates. The president of the senate, or a designee, and the speaker of the house of representatives, or a designee, shall provide the director with input as needed on the cover plate design for members of the general court. The director shall not issue more than 2 sets of *house seat number or senate district number* official cover plates to any person. *The director shall not issue more than 2 sets of official cover plates bearing a title to any person.* Official cover plates may be attached only to vehicles registered in the name of the person issued the plates or the name of the spouse of a member of the general court, or any vehicle being operated by a member of the general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor. Official cover plates shall be manufactured at the state prison and the prison shall provide the plates to the department at the prison's cost.

AMENDED ANALYSIS

This bill permits the director to issue official cover plates to the clerk of the New Hampshire house of representatives. The bill also clarifies the number of sets of official cover plates that may be issued to any eligible person.

HB 423, establishing a commission to study the implementation of enhanced automation of traffic lights. **OUGHT TO PASS.**

Rep. Ted Gorski for Transportation. This bill amends RSA 236 (by inserting after section 8) to establish a commission to study the implementation of enhanced automation of lights. The members of this commission will include 3 members from House (appointed by the Speaker of the House), 3 members of the Senate (appointed by President of the Senate), 1 representative from the Department of Safety (appointed by Commissioner of Department of Safety), the Commissioner of the Department of Safety (or designate) and representative of the adaptive traffic signal control systems industry (appointed the Governor). The commission shall report their findings on or before November 1, 2021. Vote 18-1.

HB 134, repealing certain inactive dedicated funds. **OUGHT TO PASS.**

Rep. Alan Bershtein for Ways and Means. This bill repeals various inactive dedicated funds and adds new dedicated funds to comply with recent statutory changes. This bill was requested by the Joint Com-

mittee on Dedicated Funds, which was established to review the finances and purpose of all dedicated funds on a rotating basis every five years and recommend continuance, amendment, or repeal of relevant provisions. This housekeeping bill is the result of two years of work by the committee, as last year's bill was never enacted due to legislative challenges presented by the COVID pandemic. This bill involved significant input from affected agencies. The high degree of attention to detail required to craft a bill such as this is acknowledged and appreciated and has earned the unanimous support of the Ways and Means Committee. Vote 23-0.

HB 181, relative to the local option for operation of sports book retail locations. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Almy for Ways and Means. This bill is identical to one filed last year in the Senate which was lost in the complications of the COVID sessions. It was specific to the desire of the City of Nashua to hold a vote on a municipal issue during the 2020 state primary election. The committee found that the city will be able to vote on this in November in its biennial city election, and that the bill will not help that issue. Several committee members also felt that the participants in a state primary are by and large quite different from those concerned with municipal issues, and that there should not be an exemption from the existing standard that limits municipal issues to municipal elections. Vote 23-0.

HB 281-FN, relative to the tax expenditure report and relative to delaying the enactment of the single sales factor under the business profits and business enterprise taxes. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill does three things. First, it removes the weighted apportionment factors under RSA 77-A:3, II(a) and adds the regional career and technical education center tax credit pursuant to RSA 188-E:9-a, respectively, from and to the tax expenditure report which is produced by the Department of Revenue Administration (DRA) annually. This is a simple housekeeping matter. Second, it delays the implementation of single sales factor under the business profits tax from taxable periods ending on or after December 31, 2022 to periods on or after December 31, 2026. It was the unanimous belief of the committee that with the movement to market-based sourcing for taxable periods ending on or after December 31, 2021 as the new form of apportionment for sales due to services and other intangibles, that more time is needed to evaluate whether moving to the single sales factor method of apportionment would be a positive move in terms of revenues to the state. The committee wanted to see what the new baseline of revenue would be before modifying any of our other apportionment strategies. Given that business taxes are the largest source of NH state revenues, the committee felt moving forward without good data would not be prudent. The DRA has just finished the implementation of a new tax collection software system that will soon start providing very useful back end data. Other states that have implemented single sales factor have many other revenue streams, thus if they made a mistake in modifying their apportionment methodology, it would not be as dramatic as if NH made a mistake. Also, underlying the committee's concerns is that single sales factor apportionment was placed in HB 4, the compromise FY 2020-21 budget trailer bill, without public hearings or an affirmative vote by House Ways and Means. Third, this bill creates a Joint Legislative Committee on Apportionment. The committee felt that all things apportionment needed to be monitored closely by the House and Senate together. Vote 22-0.

HB 306, relative to revenue estimates while operating under emergency orders caused by the COVID-19 pandemic. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The intent of this bill is to formalize the committee's continuing revenue estimating role after the biennial budget is passed. Revenue estimates are cemented into law in the budget bill, as part of the requirement that the approved budget is balanced. But the economy changes, we sometimes pass new legislation that impacts revenues, and other states or the federal government take action that affects them. When the chair of the committee determines that a significant amount of revenue may have changed, the committee is convened to re-examine part or all of the estimate, and subsequently, if the House is in session, present an updated estimate as a House Resolution. The committee finds it advisable to make this process transparent in our law. Vote 24-0.

Amendment (0318h)

Amend the bill by replacing section 1 with the following:

1 Revenue Estimates.

I. The house ways and means committee shall consider what the unrestricted revenue estimates should be at intervals dictated by unforeseen economic and legislative changes and as determined by the chair of the committee.

II. The estimates shall be based on current law and economic conditions and shall include all unrestricted funds for:

- (a) The combined general fund and the education trust fund.
- (b) Highway funds.
- (c) Fish and game funds.

AMENDED ANALYSIS

This bill directs the house ways and means committee to consider revenue estimates for the state as frequently as the chair determines is required by changing conditions.

HB 324-FN, relative to the administration of certain state taxes by the department of revenue administration. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This was a housekeeping bill requested by the Department of Revenue Administration (DRA). The bill does four things: clarifies electronic filing of meals and rooms tax, excludes interest for the 30-day period after notice of assessment of state taxes for amounts paid within the 30-day period, removes the consideration of weighted apportionment factor under the business profits tax from inclusion in the tax expenditure report, and provides for conformity in business tax filing dates of non-profit corporations in this state with United States Internal Revenue Code filing dates. In committee, after direct questioning and discussion with the DRA staff, it was deemed in a unanimous vote that these changes were required. Vote 23-0.

HB 330, relative to sports book locations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Fred Doucette for Ways and Means. This bill as amended, allows for “tier II” sports wagering. This will allow the same wagering options to occur in the brick and mortar sports book locations as can be done on the mobile application. The amendment retains the restriction that “no more than 10 sports book retail locations may be in operation at any given time.” Vote 24-0.

Amendment (0314h)

Amend RSA 287-I:5 as inserted by section 1 of the bill by replacing it with the following:

287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to operate physical sports book retail locations within the state for the purposes of accepting tier I, *tier II*, and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The sports book retail locations may be co-located with other commercial businesses or general commercial retail locations. No more than 10 sports book retail locations may be in operation at any given time.

AMENDED ANALYSIS

This bill allows tier II sports wagers.

HB 354, relative to the local option for sports betting. **OUGHT TO PASS.**

Rep. Robert Elliott for Ways and Means. This bill makes the language relative to the adoption of sports betting parallel to the language relative to local adoption of Keno. This bill is about the problem of liability. The present wording says: “We” are liable, but that term is not very clear as to who “We” is. The new wording is an attempt to make it perfectly clear the town or city is the liable entity. Therefore, the wording should be “Shall the Town/City of ___ allow the operation of sports book retail within the Town/City of ___.” Thus making the Town/City liable, not “We.” Vote 23-0.

HB 528-FN, relative to electronic filing of state tax returns. **INEXPEDIENT TO LEGISLATE.**

Rep. Tim Baxter for Ways and Means. This bill requires a tax return preparer for more than 25 different taxpayers to electronically file state tax returns. This bill introduces unnecessary requirements for tax preparers in New Hampshire who are preparing New Hampshire state business taxes. If a person is compensated for preparing New Hampshire state taxes using tax software for 25 or more people, this bill requires those filings to happen electronically. The Department of Revenue Administration (DRA) does not have the infrastructure in place at this time to handle this change, which may or may not introduce more expenditures for that department. Members of the committee believe this introduces unnecessary complications to our tax code, and introduces unneeded regulation on experts who assist others with filing their taxes, while simultaneously increasing the burden on the DRA. Vote 23-1.

HB 533, establishing a division of investigation and compliance in the lottery commission. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. First, this bill codifies in statute a Division of Investigation and Compliance in the Lottery Commission. The functions and roles within this division are already being performed and thus no new positions are being requested or position title changes, and thus no grade changes impacting salary levels, are being requested. The committee unanimously supported this change given the growth in lottery in recent years with things such as Keno, sports betting, and the expansion of charitable gaming. The second thing this bill does is modify the way in which the Lottery Commission interacts with the Attorney General’s Office when it comes to the investigation of license applicants. With this bill, the Lottery Commission would pick up more of the responsibility for fact-finding about all applicants for the variety of gambling-related licenses that the Lottery Commission offers. The important point is that the Attorney General’s Office will still have the final say in whether an individual is fit to hold a license. The committee fully supported this realignment of responsibilities, once they received assurances that the Attorney General’s Office had no objections and actually welcomed this change. Vote 22-0.

Referred to the Committee on Executive Departments and Administration.

REGULAR CALENDAR - PART I

HB 188-FN, relative to appointment of counsel in juvenile court proceedings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cody Belanger for Children and Family Law. The majority believes that this bill allows earlier intervention needed with indigent minors to facilitate justice. The amendment addresses financial concerns when a civil suit is present and a minor may need counsel. Vote 15-0.

Amendment (0387h)

Amend the bill by replacing sections 3 and 4 with the following:

3 Delinquency Children; Issuance of Summons and Notice; Appointment of Counsel. RSA 169-B:7, III is repealed and reenacted to read as follows:

III. The court shall appoint counsel for the minor upon receipt of the petition. Such appointment shall occur no later than the time the summons is issued. The court shall apply the presumption of indigency required by RSA 169-B:12, I, so that such appointment is not delayed. The summons shall contain the contact information of the appointed counsel. The appointment shall be made sufficiently before any hearing to allow for consultation between counsel and client, as well as for any appropriate investigation. Notice of the appointment shall be provided to counsel and to the petitioner telephonically, electronically, or in some other manner that is calculated to provide actual notice on the same day as the appointment.

4 Appointment of Counsel; Waiver of Counsel. Amend RSA 169-B:12, I and I-a to read as follows:

I. [~~Absent a valid waiver, the court shall appoint counsel at the time of arraignment of an indigent minor, provided that an indigent minor detained pursuant to RSA 169-B:11, III, shall have counsel appointed upon the issuance of the detention order.~~] ***Absent a valid waiver, the court shall appoint counsel for an indigent minor pursuant to RSA 169-B:7, III.*** For purposes of [~~the appointment of counsel under~~] this section, an indigent minor shall be a minor who satisfies the court, after appropriate inquiry, that the minor is financially unable to independently obtain counsel. ***So that counsel can be appointed promptly pursuant to RSA 169-B:7, III, indigency shall be presumed for all minors who are the subject of petitions brought under this chapter, subject to the court's reconsideration following the receipt of complete information regarding the minor's financial ability to independently obtain counsel.*** If the court has received information indicating that the minor has an intellectual, cognitive, emotional, learning, or sensory disability, the court shall require the minor to consult with counsel.

I-a. When an attorney is appointed as counsel for a child, representation shall include counsel and investigative, expert, and other services, including process to compel the attendance of witnesses, as may be necessary to protect the rights of the child. ***Representation also shall include representation in related proceedings when such matters are based on the same factual circumstances as the petition under this chapter. Such appointment shall remain in effect until the court no longer has jurisdiction over the child pursuant to this chapter, except in situations where the only remaining issue involves the payment of fines or restitution. If an action for damages is commenced based on the same factual circumstances as a petition under this chapter, representation by counsel appointed under this chapter in such action may only extend to protecting the minor's right against self-incrimination and other constitutional and statutory rights as related to the petition brought under this chapter. Under no circumstances shall representation by counsel appointed under this chapter in related proceedings continue after the court no longer has jurisdiction over the child pursuant to this chapter.***

MOTION TO LAY ON THE TABLE

Rep. Rice moved that **HB 188-FN**, relative to appointment of counsel in juvenile court proceedings, be laid on the table.

On a division vote, with 201 members having voted in the affirmative, and 149 in the negative, the motion was adopted.

REGULAR CALENDAR - PART I CONT'D

HB 76-FN, prohibiting paper billing fees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul Terry for the Majority of Commerce and Consumer Affairs. This bill prohibits a person from being charged an additional fee for paying by mail or receiving a paper bill statement. The majority of the committee is opposed to the bill for several reasons. There is no evidence that any other state has banned these nominal fees. The majority was also overwhelmingly opposed to exempting all government agencies while adversely impacting a whole range of much smaller providers directly and their customers who pay electronically. The bill's sponsors have not provided measurable and meaningful data to demonstrate the number of customers who have failed in their efforts to appeal to providers for a hardship exemption or the types and degrees of difficulty encountered by customers who have been unable to locate and secure the services of an alternate provider who either does not charge for paper billing or whose fees are less than an existing provider. Finally,

the bill's fine for a first offense is up to \$500. We regard this amount as rather large, particularly because we suspect that it would fall disproportionately on smaller providers. Even more problematically, "first offense" is not clearly defined. It could be interpreted as the first individual billed or all those who are effectively a class of persons billed in a first billing period. Vote 13-6.

Rep. Christy Bartlett for the Minority of Commerce and Consumer Affairs. This bill would prohibit an additional charge for paying by mail or receiving a paper billing statement. There are many in our communities who, for various reasons, cannot access a computer to make payments. They may be unable to obtain a secure broadband, may be uncomfortable making payments over the Internet, may not have a checking account or may not understand the intricacies of technology. This affects New Americans, elderly and low-income NH residents disproportionately. The minority felt this was unfair when companies try to compel their customers to reduce the company's costs by disallowing paper payments by making an additional charge.

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

Reps. Abramson and Terry spoke in favor.

Rep. Wazir spoke against.

On a division vote, with 206 members having voted in the affirmative, and 146 in the negative, the majority committee report was adopted.

HB 63-FN-A, relative to the reversal or forgiveness of emergency order violations. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for the Majority of Criminal Justice and Public Safety. The COVID-19 pandemic has been a difficult time for everyone. Small businesses have been hurt especially hard. Without large legal compliance teams or alternative staff available to cover for those with medical issues, many have struggled to implement the guidance in the highly technical pandemic emergency orders. This bill would forgive any violations of the emergency orders when the state of emergency is over, return any revoked or suspended licenses, refund any fines collected, annul any criminal charges, and make the history inadmissible in future licensing decisions. This limits the long term damage to small businesses, gives them certainty that they are getting their licenses back so they can plan for the future, and provides a path for unity when these trying times are behind us. It also mitigates the constitutional concerns, and court challenges that may arise from them, regarding the alternative civil penalties issued under Emergency Order #65 when a penalty has already been identified in statute for violating an emergency order. The amendment removes some unnecessary language related to enforcement methods that have not been utilized and makes the bill effective upon the end of the COVID-19 state of emergency instead of upon passage. Vote 11-10.

Rep. David Meuse for the Minority of Criminal Justice and Public Safety. This bill would essentially remove any reason for citizens or for businesses to comply with legal orders issued by the governor under a state of emergency. It would require fines to be refunded and the record of any penalties to be removed from an individual's record at the end of the state of emergency. This bill should be rejected because it takes away the possibility of holding people accountable for violating orders designed to protect public health during the worst public health emergency in over 100 years. While penalties could continue to be imposed and orders enforced by the Attorney General during the state of emergency, this bill would effectively reverse those penalties once the state of emergency is allowed to expire. This is simply bad public policy. During a pandemic that has touched us all, passing this bill would allow those who feel entitled to ignore orders motivated by the need to protect public health that has killed over 1,000 New Hampshire residents and over 400,000 of our fellow Americans to violate them impunity and with the knowledge that they will suffer no long term consequences. By removing the threat of consequences for violators, this bill sends precisely the wrong message at a time when compliance with these orders is essential to contain the further spread of the coronavirus and ensure the survival of our citizens and our businesses while minimizing additional hospitalizations and deaths. The minority urges rejection of this bill.

Majority Amendment (0079h)

Amend section 1 of the bill by replacing paragraphs I and II with the following:

I. Void and if already paid, refund, any fines issued under emergency order #65, any other emergency order, or RSA 21-P:47; and

II. Void, or direct the attorney general to request that the court dismiss, any enforcement action related to violation of an emergency order; and

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect upon its passage or upon termination of the state of emergency due to Novel Coronavirus (COVID-19) declared in Executive Order 2020-04 as extended, whichever is later.

MOTION TO LAY ON THE TABLE

Rep. Conley moved that **HB 63-FN-A**, relative to the reversal or forgiveness of emergency order violations, be laid on the table.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 156 - NAYS 196**YEAS - 156
CARROLL**

Burroughs, Anita
Knirk, Jerry

Crawford, Karel
Marsh, William

Deshaies, Brodie
McAleer, Chris

MacDonald, John
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Von Plinsky, Sparky

Ames, Richard
Fox, Dru
Parshall, Lucius
Weber, Lucy

Bordenet, John
Gomarlo, Jennie
Schapiro, Joe

Faulkner, Barry
Harvey, Cathryn
Toll, Amanda

COOS

Kelley, Eamon

Laflamme, Larry

GRAFTON

Abel, Richard
Fellows, Sallie
Murphy, James
Weston, Joyce

Adjutant, Joshua
Hakken-Phillips, Mary
Stavis, Laurel

Almy, Susan
Ham, Bonnie
Smith, Suzanne

Egan, Timothy
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klein-Knight, Nicole
King, Mark
Moran, Melbourne
O'Brien, Michael
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
Murray, Megan
Mullen, Sue
Pedersen, Michael
Newman, Ray
Shaw, Barbara
Vail, Suzanne

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Judy, Jean
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Ober, Russell
Smith, Timothy
Vann, Ivy

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Allard, James
Ellison, Arthur
Mason, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Luneau, David
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Hamblet, Joan
Maggiore, Jim
Meuse, David
Somssich, Peter

Bunker, Lisa
Edgar, Michael
Harb, Robert
Major, Norman
Paige, Mark
MacDonald, Wayne

Cahill, Michael
Grossman, Gaby
Murray, Kate
Malloy, Dennis
Read, Ellen

Cushing, Robert Renny
Grote, Jaci
Lynn, Bob
McKinney, Betsy
Simpson, Alexis

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 196**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
Nelson, Bill

Cordelli, Glenn
Umberger, Karen

Smith, Jonathan

McConkey, Mark

CHESHIRE

Hunt, John
Rhodes, Jennifer

Kilanski, Ben
Santonastaso, Matthew

Mann, John

Qualey, James

COOS

Davis, Arnold
Thompson, Dennis

Dostie, Donald
Tucker, Edith

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Muirhead, Russell

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascelles, Richard
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Sheehan, Vanessa
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Laughton, Stacie-Marie
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Somero, Paul
Warden, Mark

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Lekas, Tony

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Marston, Dick
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Tausch, Lindsay

MERRIMACK

Andrus, Louise
Hill, Gregory
MacKay, James
Pitaro, Matthew
Wells, Natalie

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
White, Nick

Cambriis, Jose
Klose, John
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Cross, Kenna
Leavitt, John
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Green, Dennis
Janigian, John
Litchfield, Melissa
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Guthrie, Joseph
Katsakiores, Phyllis
Love, David
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Pearson, Mark
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, Scott

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Gilman, Julie
Hobson, Deborah
Layon, Erica
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Welch, David

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Smith, Steven

Callum, John

Rollins, Skip

Spilsbury, Walter

and the motion failed.

The question now being adoption of majority committee amendment (0079h).

On a division vote, with 199 members having voted in the affirmative, and 155 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
 Reps. Meuse and Conley spoke against.
 Rep. True spoke in favor.
 Rep. Belanger requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 169**YEAS - 188****BELKNAP**

Aldrich, Glen
 Hough, Gregg
 Littlefield, Richard
 Silber, Norman
 Varney, Peter

Bean, Harry
 Howard, Raymond
 Mackie, Jonathan
 Sylvia, Michael

Comtois, Barbara
 Johnson, Dawn
 O'Hara, Travis
 Terry, Paul

Harvey-Bolia, Juliet
 Lang, Timothy
 Ploszaj, Tom
 Trotter, Douglas

CARROLL

Avellani, Lino
 Nelson, Bill

Cordelli, Glenn
 Umberger, Karen

Smith, Jonathan

McConkey, Mark

CHESHIRE

Fenton, Donovan
 Rhodes, Jennifer

Hunt, John
 Santonastaso, Matthew

Kilanski, Ben

Qualey, James

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
 Folsom, Beth
 Ham, Bonnie

Berezhny, Lex
 Sanborn, Gail
 Ladd, Rick

Binford, David
 Gordon, Edward
 Simon, Matthew

Depalma IV, Joseph
 Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
 Berry, Ross
 Creighton, Jim
 Erf, Keith
 Gagne, Larry
 Gunski, Michael
 Infantine, William
 Sanborn, Laurie
 Marston, Dick
 Notter, Jeanine
 Post, Lisa
 Rice, Kimberly
 Lekas, Tony

Ammon, Keith
 Blasek, Melissa
 Cushman, Leah
 Fedolfi, Jim
 Gorski, Ted
 Healey, Robert
 Kelsey, Niki
 Lanzara, Tom
 Mayville, Mary
 Nunez, Hershel
 Prout, Andrew
 Rouillard, Claire
 Tausch, Lindsay

Griffin, Barbara
 Boehm, Ralph
 Kelley, Diane
 Foster, William
 Gould, Linda
 Homola, Susan
 Kofalt, Jim
 Lascelles, Richard
 McLean, Mark
 Pauer, Diane
 Ober, Russell
 Sheehan, Vanessa
 Ulery, Jordan

King, Bill
 Burt, John
 Smith, Denise
 Griffin, Gerald
 Greene, Bob
 Hopper, Gary
 Ober, Lynne
 Lewicke, John
 Mooney, Maureen
 Plett, Fred
 Renzullo, Andrew
 Somero, Paul
 Warden, Mark

MERRIMACK

Andrus, Louise
 Hill, Gregory
 Mason, James
 Pitaro, Matthew
 Wells, Natalie

Boyd, Stephen
 Kennedy, Margaret
 McGuire, Carol
 Seaworth, Brian
 White, Nick

Cambrils, Jose
 Klose, John
 Moffett, Michael
 Testerman, Dave
 Yakubovich, Michael

Cross, Kenna
 Leavitt, John
 Pearl, Howard
 Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
 Ayer, Paul
 Bernardy, JD
 Dodge, Dustin
 Elliott, Robert
 Green, Dennis
 Janigian, John
 Litchfield, Melissa
 McMahon, Charles
 Piemonte, Tony
 Roy, Terry
 Thomas, Douglas
 Tudor, Paul
 Wallace, Scott

Abrami, Patrick
 Baldasaro, Al
 Bershtein, Alan
 Dolan, Tom
 Emerick, Tracy
 Guthrie, Joseph
 Katsakiores, Phyllis
 Love, David
 Melvin, Charles
 Potucek, John
 Pearson, Stephen
 Torosian, Peter
 Vandecasteele, Susan
 Welch, David

Abramson, Max
 Baxter, Tim
 Copp, Anne
 Doucette, Fred
 Ford, Oliver
 Harley, Tina
 Khan, Aboul
 Lundgren, David
 Milz, David
 Pratt, Kevin
 Soti, Julius
 Tripp, Richard
 Verville, Kevin
 Weyler, Kenneth

Acton, Dennis
 Belanger, Cody
 DeSimone, Debra
 Edwards, Jess
 Gay, Betty
 Hobson, Deborah
 Layon, Erica
 McBride, Everett
 Osborne, Jason
 Prudhomme-O'Brien, Katherine
 Spillane, James
 True, Chris
 Vose, Michael
 Yokela, Josh

STRAFFORD

Ankarberg, Aidan
 Hayward, Peter
 Newton, Clifford

Bailey, Glenn
 Horgan, James
 Pitre, Joseph

DeLemus, Susan
 Kaczynski, Thomas
 Turcotte, Leonard

Groen, Fenton
 Kittredge, Mac
 Wuelper, Kurt

Aron, Judy
Smith, Steven

Callum, John

SULLIVAN

Rollins, Skip

Spilsbury, Walter

NAYS - 169

BELKNAP

Bordes, Mike

CARROLL

Burroughs, Anita
Knirk, Jerry

Crawford, Karel
Marsh, William

Deshaies, Brodie
McAleer, Chris

MacDonald, John
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Fox, Dru
Mann, John
Von Plinsky, Sparky

Ames, Richard
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

Bordenet, John
Harvey, Cathryn
Schapiro, Joe

Faulkner, Barry
Ley, Douglas
Toll, Amanda

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Fellows, Sallie
Murphy, James
Weston, Joyce

Adjutant, Joshua
Hakken-Phillips, Mary
Stavis, Laurel

Almy, Susan
Massimilla, Linda
Smith, Suzanne

Egan, Timothy
Muirhead, Russell
Sykes, George

HILLSBOROUGH

Alexander, Joe
Bergeron, Paul
Cleave, Skip
Dutzy, Sherry
Graham, John
Heath, Mary
Jeudy, Jean
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pedersen, Michael
Query, Joshua
Shaw, Barbara
Vail, Suzanne

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Griffith, Willis
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Smith, Timothy
Vann, Ivy

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Hyland, Stephanie
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
King, Mark
Moran, Melbourne
O'Brien, Michael
Piedra, Israel
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Allard, James
Ellison, Arthur
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Luneau, David
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Major, Norman
Paige, Mark
Sweeney, Joe

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Lynn, Bob
Malloy, Dennis
Read, Ellen
Sytek, John

Cahill, Michael
Edgar, Michael
Hamblet, Joan
Pearson, Mark
McKinney, Betsy
Simpson, Alexis
MacDonald, Wayne

Cali-Pitts, Jacqueline
Gilman, Julie
Harb, Robert
Maggiore, Jim
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey

Conley, Casey
Harrington, Michael
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the majority committee report was adopted and the bill was referred to the Committee on Finance. Rep. Harrington voted Nay and intended to vote Yea.

HB 498-FN, relative to the appointment of bail commissioners. **OUGHT TO PASS WITH AMENDMENT.** Rep. David Meuse for Criminal Justice and Public Safety. The majority recommends this bill Ought to Pass as Amended. This bill addresses an ongoing issue regarding the payment of bail commissioners. In New Hampshire, bail commissioners are officers of the court with the power to set a cash bail or to release a person accused of a crime on personal recognizances. Working mainly during off-hours when courts are closed, bail commissioners are called in by local police after a person is arrested. They assess the accused's condition and previous record and decide whether to require a cash bail, release them on their own recognizances, or—if they present a danger to others—to hold them until they can be brought before a judge. For this service, they are allowed to collect a \$40 fee from the accused. The problem is that a significant number of people don't pay the fee claiming to be indigent. When that happens, the court has no mechanism to ensure the bail commissioner gets paid. This bill requires the court to step in to pay the bail commissioner's fee in cases where a defendant is found to be indigent or doesn't pay the fee. It builds on legislation passed in 2020 that required the courts to establish a procedure to determine an offender's indigence and required the court to develop criteria for determining whether an offender is indigent. The 2020 legislation also directed the courts to "utilize all possible means" to ensure bail commissioners were paid, but did not create a mechanism to ensure they were paid in all cases. This bill fixes that by requiring the court system to develop uniform criteria to evaluate and determine whether an offender is indigent—and to pay the bail commissioner's fee. The majority believes that if the court develops the proper criteria, the estimates in the fiscal note—which assumes 50% of people using the services of bail commissioners would claim to be indigent—would be significantly lower. We urge you to pass this legislation to right a wrong and ensure that bail commissioners are paid reliably for the valuable service they provide to our citizens, our police, and our courts. Vote 14-6.

Amendment (0255h)

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

AN ACT relative to the payment of bail commissioners.

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

1 Bail and Recognizances; Determination of Indigence and Payment of Bail Commissioner Fee. Amend RSA 597:2-b, I to read as follows:

I. The arresting officer, at the point of arrest, shall inform the offender of the availability of the services of the bail commissioner. If the offender elects to utilize the bail commissioner's services and is not indigent, the offender shall pay the bail commissioner's fee directly to the bail commissioner. If the offender elects to utilize the services of the bail commissioner, but claims indigence, the court, ***based on the uniform criteria developed to determine indigence for the purpose of paying a bail commissioner's fee under paragraph II***, shall ~~to the extent of available funding, utilize all possible means to~~ pay the bail commissioner's fee~~;~~ and shall include written evidence of fee payment in the offender's case file.

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

AMENDED ANALYSIS

This bill requires the court to determine the offender's indigence using established criteria for the purpose of the offender's ability to pay the bail commissioner's fee.
Committee amendment adopted.

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

Rep. Meuse spoke in favor.

Rep. True spoke against and requested a roll call; sufficiently seconded.

YEAS 199 - NAYS 156

YEAS - 199

BELKNAP

Lang, Timothy

Littlefield, Richard

CARROLL

Burroughs, Anita
Marsh, William
Woodcock, Stephen

Cordelli, Glenn
McAleer, Chris

Deshaies, Brodie
McConkey, Mark

Knirk, Jerry
Umberger, Karen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Ames, Richard
Fox, Dru
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Lafamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Egan, Timothy
Massimilla, Linda
Smith, Suzanne

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

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

Depalma IV, Joseph
Ham, Bonnie
Stavis, Laurel

HILLSBOROUGH

Alexander, Joe
Beaulieu, Jane
Bradley, Amy
Cornell, Patricia
Espitia, Manny
Graham, John
Healey, Robert
Hyland, Stephanie
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pauer, Diane
Plett, Fred
Newman, Sue
Tausch, Lindsay
Vann, Ivy

Bouldin, Amanda
Bergeron, Paul
Chretien, Jacqueline
Creighton, Jim
Freitas, Mary
Griffith, Willis
Heath, Mary
Infantine, William
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Shaw, Barbara
Telerski, Laura
Veilleux, Daniel

Bouldin, Andrew
Berry, Ross
Cleaver, Skip
DiSilvestro, Linda
Gagne, Larry
Hamer, Heidi
Herbert, Christopher
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Sheehan, Vanessa
Toomey, Dan
Wilhelm, Matthew

Griffin, Barbara
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Hopper, Gary
Judy, Jean
Lascalles, Richard
King, Mark
Moran, Melbourne
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Smith, Timothy
Vail, Suzanne

MERRIMACK

Allard, James
Ebel, Karen
Leavitt, John
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Bartlett, Christy
Ellison, Arthur
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Boyd, Stephen
Gallager, Eric
MacKay, James
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Lane, Connie
Mason, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Cahill, Michael
Dolan, Tom
Grossman, Gaby
Janigian, John
Maggiore, Jim
McKinney, Betsy
Paige, Mark
Somssich, Peter
MacDonald, Wayne

Abrami, Patrick
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Murray, Kate
Major, Norman
McMahon, Charles
Read, Ellen
Sweeney, Joe
Welch, David

Altschiller, Debra
Cushing, Robert Renny
Gay, Betty
Hamblet, Joan
Lundgren, David
Malloy, Dennis
Melvin, Charles
Roy, Terry
Thomas, Douglas
Yokela, Josh

Bunker, Lisa
DiLorenzo, Charlotte
Gilman, Julie
Harb, Robert
Pearson, Mark
McBride, Everett
Meuse, David
Simpson, Alexis
Vandecasteele, Susan

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 156**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Mackie, Jonathan
Sylvia, Michael

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

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

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

CARROLL

Avellani, Lino
Nelson, Bill

Crawford, Karel

MacDonald, John

Smith, Jonathan

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold	Dostie, Donald	Merner, Troy	Theberge, Robert
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GRAFTON

Alliegro, Mark	Berezhny, Lex	Binford, David	Folsom, Beth
Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey	Ladd, Rick
Simon, Matthew			

HILLSBOROUGH

Lekas, Alicia	Ammon, Keith	King, Bill	Blasek, Melissa
Boehm, Ralph	Burt, John	Cushman, Leah	Kelley, Diane
Smith, Denise	Erf, Keith	Fedolfi, Jim	Foster, William
Griffin, Gerald	Gorski, Ted	Gould, Linda	Greene, Bob
Gunski, Michael	Homola, Susan	Kelsey, Niki	Kofalt, Jim
Ober, Lynne	Sanborn, Laurie	Lanzara, Tom	Lewicke, John
Marston, Dick	Mayville, Mary	McLean, Mark	Mooney, Maureen
Notter, Jeanine	Nunez, Hershel	Post, Lisa	Prout, Andrew
Ober, Russell	Renzullo, Andrew	Rice, Kimberly	Rouillard, Claire
Somero, Paul	Lekas, Tony	Ulery, Jordan	Warden, Mark

MERRIMACK

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

ROCKINGHAM

Abramson, Max	Acton, Dennis	Ayer, Paul	Baldasaro, Al
Baxter, Tim	Belanger, Cody	Bernardy, JD	Bershtein, Alan
Copp, Anne	DeSimone, Debra	Dodge, Dustin	Doucette, Fred
Edwards, Jess	Elliott, Robert	Emerick, Tracy	Ford, Oliver
Green, Dennis	Guthrie, Joseph	Harley, Tina	Hobson, Deborah
Katsakiores, Phyllis	Khan, Aboul	Layon, Erica	Litchfield, Melissa
Love, David	Lynn, Bob	Milz, David	Osborne, Jason
Piemonte, Tony	Potucek, John	Pratt, Kevin	Prudhomme-O'Brien, Katherine
Pearson, Stephen	Soti, Julius	Spillane, James	Torosian, Peter
Tripp, Richard	True, Chris	Tudor, Paul	Verville, Kevin
Vose, Michael	Wallace, Scott	Weyler, Kenneth	

STRAFFORD

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

SULLIVAN

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

and the committee report was adopted and the bill was referred to the Committee on Finance. Rep. Sytek declared a conflict of interest and did not participate in the vote.

HB 615-FN, reducing the penalty for certain first offense drug possession charges. OUGHT TO PASS WITH AMENDMENT.

Rep. Casey Conley for Criminal Justice and Public Safety. This bill contains four elements that reflect modern practice and policy consensus on drug sentencing. It reduces maximum penalties for non-violent drug offenses, eliminates felony charges for a first-time personal possession charge and eliminates mandatory minimum sentences for drug infractions. It increases penalties for certain fentanyl offenses to reflect the potentially deadly effects of very small quantities. The provisions in HB 615 previously passed the House on a voice vote in two separate bills in 2020. The Senate failed to take up either bill due to COVID-19. The majority of the committee considers this good public policy and recommends passage of this bill. Vote 15-6.

Amendment (0124h)

Amend RSA 318-B:26, VII as inserted by section 3 of the bill by replacing it with the following:

VII. Any person who violates RSA 318-B:2, XI may be sentenced to a maximum term of imprisonment of not more than [20] **15** years, a fine of not more than [~~300,000~~] **\$150,000**, or both. If any person commits such a violation after one or more prior offenses, as defined in RSA 318-B:27, such person may be sentenced to a term of imprisonment of not more than [40] **30** years, a fine of not more than \$500,000, or both.

Committee amendment adopted.

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

HB 96-FN-A, establishing the office of school counseling and psychology, establishing the position of school counselor coordinator, and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ralph Boehm for the Majority of Education. The Department of Education should be using their budget to determine what their needs are. They should put in positions as they see the need. If the department thinks they should have a School Counselor Coordinator, then they should use their resources to make that position. If the department believes they need that position, they should put it in their budget request. Proponents for that and any other position should not be made by the legislature. Micromanagement is not our job. Vote 11-9.

Rep. Patricia Cornell for the Minority of Education. The minority of the Education Committee agree that the intent of this bill, to reestablish and fund the position of the school counselor coordinator in the Department of Education (DOE), is an important one and should have been passed in this session of the legislature, as it was last session (18-2) in committee and by the full house. This position was in place until 2018. People in the field asked the sponsors for this bill, as, now more than ever, leadership from the top is needed. Students today are facing more and different issues than ever before and counselors, psychologists, and social workers need a specific liaison in the DOE that has the time to devote to them and the knowledge of available resources to aid them in assisting students and their families. There is a fiscal note to the bill of an appropriation of \$118,000 in FY 2022.

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

Rep. Cornell spoke against.

Rep. Boehm spoke in favor.

On a division vote, with 202 members having voted in the affirmative, and 153 in the negative, the majority committee report was adopted.

HB 497-FN, allowing a school district to exempt its chief administrative officer from compulsory participation in the retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Education. This bill allows a school district by action of its governing body to negotiate participation in the NH Retirement System (NHRS) in the initial contract with a newly hired or appointed superintendent. This legislation is opposed by both the majority and the New Hampshire School Administrators Association. This legislation would reduce the overall solvency of the retirement system by creating a significant impact to unaccrued actuarial liability, according to testimony of the NHRS. CEOs of municipalities and school districts are typically the largest contributors to the NHRS in each community, and this bill does not include any mandatory employee contributions which are 7% of payroll. This bill would make the superintendent position more attractive for out-of-state candidates with established retirement accounts in other states, while potentially becoming less attractive to New Hampshire candidates who are current members of the NHRS. The committee is not convinced that this bill is necessary. Vote 18-2.

Committee report adopted.

HB 594-FN, relative to the school building aid program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. This bill as amended sets the amount of school building aid grants for construction and renovation projects at no less than \$50 million per fiscal year. Current law states 'not to exceed \$50 million per fiscal year.' The amended bill also requires the Department of Education to develop and maintain a 10-year plan for school building grant projects. The plan shall provide the department and legislature a summary of projects with school facility capital expenditures that are anticipated for the next ten-year time frame. This procedure will result in better identifying potential statewide school construction and renovation projects and knowing the condition of projects in the plan. Vote 20-0.

Amendment (0400h)

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

1 Grant for School Construction. Amend RSA 198:15-a, IV to read as follows:

IV. Beginning July 1, 2013, and every fiscal year thereafter, school building aid grants for construction or renovation projects approved by the department of education shall [~~not exceed~~] **be no less than** \$50,000,000 per fiscal year less any debt service payments owed in the fiscal year, unless otherwise provided by an act of the general court. School building aid grants shall be funded from appropriations in the state operating budget and no state bonds shall be authorized or issued for the purpose of funding such school building aid grants.

2 New Paragraph; Ten Year Plan for Grant Projects. Amend RSA 198:15-a by inserting after paragraph IV the following new paragraph:

V. The department of education shall develop and maintain a 10-year school facilities plan of potential school building grant projects. Potential projects shall include, but not be limited to, criteria pursuant to RSA 198:15-c, II(b). The 10-year plan is intended to create a method to identify and enhance school facilities in a safe, healthy, and efficient manner while providing adequate learning environments for New Hampshire's students. The 10-year plan shall be updated every biennium to provide the department a summary of projects and school facility capital expenditures that are anticipated for the next 10 years. The state board of education shall adopt rules pursuant to RSA 541-A relative to this paragraph. The plan shall identify new construction, renovation, and emergency projects, and describe the overall condition of projects contained in the plan.

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

AMENDED ANALYSIS

This bill increases the amount of school building aid grants that may be approved by the department of education per fiscal year. This bill also requires the department of education to develop and maintain a 10-year plan for school building grant projects.

Committee amendment adopted.

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

HB 613-FN-L, relative to state aid to school districts with special education pupils. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the Majority of Education. This bill would lower the formula threshold for special education state aid (formerly CATAID) to 2.5 times the average cost of education from 3.5 times the average cost of education. In addition, the amendment enables the creation of association risk pools of the type outlined in RSA 5-B. The association might self-insure or use insurance products or both so that school districts could be assured, prior to their budgets being set, of the mitigation of potentially large and unexpected special education costs. Currently 117 districts have rainy-day funds to address unexpected special education costs. This bill would allow districts the option to join together to address these financial risks in a more efficient manner. Vote 10-9. Rep. Douglas Ley for the Minority of Education. As amended, this bill now provides enabling legislation to permit the establishment of “risk management associations” amongst school districts to manage the costs of special education. In essence, these are voluntary insurance associations entered into by school districts to control for and to manage sudden costs of special education, replacing the dedicated or rainy day funds many districts currently maintain. Members of the committee agreed that the concept was intriguing and that as a financial and insurance instrument, the proposal should be reviewed by the Commerce Committee. Where the minority diverged was in the complete lack of any public input or foreknowledge of the amendment, which completely changes and replaces the original bill considered in the public hearing. Neither school officials, superintendents, nor concerned parties in the special education community had any prior knowledge of this amendment and the minority believe it would be best to first consider the policy implications contained herein. This bill would enable creation of a particular financial instrument, but there are always policy and social implications as well as potential unintended consequences. The minority believe the policy merits of the proposed bill should be publicly and carefully examined prior to deciding whether to move forward.

Majority Amendment (0356h)

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

AN ACT relative to state aid to school districts with special education pupils and relative to pooled risk management for unanticipated special education cost recovery.

Amend the bill by replacing all after section 2 with the following:

3 Findings. The general court finds that:

I. Under federal and state law, local school districts are required to provide all children with a free appropriate public education (FAPE).

II. The average per student special education cost in 2020 was \$74,000.

III. Special education costs are increasing each school year.

IV. Only 15 percent of the funds necessary to pay for mandated special education services are provided by the federal government.

V. Only 20 percent of the funds necessary to pay for mandated special education services are provided by the state of New Hampshire.

VI. The remaining 65 percent of the funds necessary to pay for mandated special education services are borne by local school district taxpayers.

VII. Local school district budgets must be finalized prior to the start of the next school year and before the number of special education students and associated services are known.

VIII. Consequently, last minute student transfers into the district as well as unforeseen special education services for those students can far exceed the budgets for these services.

IX. Districts with smaller tax bases struggle to meet these unexpected special education costs.

X. To compensate for lack of funds, districts may compromise the quality and quantity of the services provided to our children. Consequently, our children do not get the services they need to enable them to grow to their fullest potential.

XI. To compensate for lack of funds, districts often move money from programming in one area to provide mandated funding in the areas of special education.

XII. To ensure that all our children receive and enjoy their basic right to a public education, it is a valid public purpose that the general court may promote mechanisms that provide special education funding stability to local school districts.

XIII. Recognizing the risk, some districts in the state purposely create non-lapsing special education capital reserve accounts as “rainy-day” funds.

4 Purpose. The purpose of this act is to:

- I. Provide the legal mechanisms necessary to create and maintain a special education cost recovery pool.
- II. Permit local school districts to voluntarily join a risk pool of the type outlined in RSA 5-B which may self-insure or include an insurance agreement to be offered within the pool to members.
- III. Minimize the state regulatory oversight of the pool.
- IV. Provide legal protections to the local school districts that enter into pool agreements.
- V. Provide local school districts with information necessary to:
 - (a) Understand the extent of special education aid coverage available to them.
 - (b) Understand the methods used to determine policy premiums.
 - (c) Compare past special education costs borne by the district with the cost of pool coverage.
 - (d) Make informed decisions prior to each year's school district budget formation.
 - (e) Promote the general welfare by providing districts with options to cover unanticipated special education costs.
 - (f) Recognize the need to protect student privacy by maintaining control over student data by the department of education.

5 New Subparagraph; Pooled Risk Management. Amend RSA 5-B:3 by inserting after subparagraph (g) the following new subparagraph:

- (h) Unanticipated special education cost recovery.

6 New Chapter; Pooled Risk Management for Unanticipated Special Education Cost Recovery. Amend RSA by inserting after chapter 186-C the following new chapter:

CHAPTER 186-D

SPECIAL EDUCATION RISK MANAGEMENT ASSOCIATION

186-D:1 Definitions. In this chapter:

- I. "Cost predictor spreadsheet tool" means an actuary-designed tool that can be used to predict future school district special education obligations based on past claims analysis.
- II. "Risk pool" means a non-lapsing reserve account held by the state treasurer from which all cost recovery funding is derived. The account held by the treasurer may be funded by member school district assessments, insurance proceeds, interest, or other sources.
- III. "RSA 5-B special education cost recovery association" means a voluntary group of at least 5 school districts that form an association under the RSA 5-B risk pool provision specifically to deal with special education cost recovery.
- IV. "RSA 5-B special education cost recovery association governing board" means a group of at least 5 superintendents elected from the association members.
- V. "Unanticipated special education cost recovery" means the program providing school districts with expanded pathways to recover those costs that are directly associated with special education provided to students assigned to the school district and payable under RSA 186-C:18 that occur after school budgets are fixed.

186-D:2 Risk Management Association. No fewer than 5 school districts, by resolution of their governing bodies, may form an RSA 5-B special education cost recovery association under the laws of this state to develop and administer a risk management program for the purpose of recovering unanticipated costs of special education. The members of the association may agree to pool self-insurance reserves, risks, claims, losses, and the expenses of administrative services associated with them. Each district shall be represented by its superintendent, or designee. The members of the association shall elect a governing board from among the members. The RSA 5-B special education cost recovery association governing board shall consist of no fewer than 5 member superintendents, or designees, with diversity in terms of district size and geographic region represented. Each board member shall serve one 3-year term and may only serve one term in each 9 year period. The chairperson of the governing board shall be chosen by the board. Minutes of each meeting shall be kept and made available to the public. There shall be one 2-week period annually, to be decided by the governing board, when new districts shall be allowed to join the association.

186-D:3 Duties of the Department of Education. The department shall:

- I. Provide all school districts with materials to facilitate the formation of an association under RSA 186-D:2.
- II. Update the department website to include the name of each special education cost recovery association with contact information, current membership, a description of the risk pool association, and the advantages and disadvantages of the program.
- III. Gather current student data regarding claims and costs which shall be redacted to exclude, to the greatest extent possible, personal student information for all requests for proposals.
- IV. Arrange one or more educational opportunities for interested school districts. Topics shall include but not be limited to: risk pools, risk calculators, premium predictors, required information for actuarial calculations, the effects of claims on future premiums, and the advantages and disadvantages of using insurance products to achieve the goals of the association.

V. Annually assist the risk pool governing board by calculating the unreimbursed special education amounts to be paid to the risk pool member districts from the risk pool funds held by the state treasurer.

186-D:4 Requests for Proposals.

I. The department of education shall be the sole drafter of requests for proposals in order to protect all student privacy provisions. Proposals shall be submitted no later than June 30 and shall require a contract duration of not less than 3 years. The proposals shall be for the purpose of soliciting bids with actuarial firms specifying:

(a) Annual cost, based on actuarial calculations, of self-funding a reimbursement pool including individual cost structure for each school district's unreimbursed costs directly associated with special education provided to students assigned to the school district and payable under RSA 186-C:18.

(b) The bids may also indicate recommendations for options that exist for using insurance products, including re-insurance, to achieve the same result as the self-insurance risk pool along with the advantages and disadvantages of each. The commissioner of the department of education may grant bidders access to data, including claims history, to the extent necessary to achieve accuracy of the annual cost. All data shall be protected under signed confidentiality agreements and shall be devoid of sensitive personal student information to the extent possible. The department of education shall impose a one month deadline after issuance of the request for proposals to receive bids. Any bids received by the department after the deadline shall be returned to the sender unopened and shall not be considered for acceptance. The department shall specify the minimum threshold for bid acceptance. Acceptance criteria shall include, but not be limited to, weighted factors such as insurance coverage, financial stability of the proposing insurance carrier, bond rating of the company, and insurance maintenance costs in any not included in the premiums. The bids that meet the minimum threshold shall then be ranked by the department based on the bid premium costs for each level of insurance coverage specified in the request for proposals.

II. The governing board of the association shall select the most qualified proposal. The board shall decide whether to self-fund or provide insurance products, or both, to the members and shall notify the department of education which shall then notify the selected bidder.

III. If the decision is to purchase an insurance product each member district shall be notified and shall be responsible for its share of the premium. Should the insurance agreement require a vote at town meeting, a majority vote of those present and voting shall be required to approve the agreement. The association shall be responsible for informing each member school district of the process and timing of the billing, the handling of late premiums, the lapsing of premiums, and the adjudication process in case of disputes.

IV. If the decision is to self-fund, the association board shall provide each member with an outline indicating, at minimum, the cost for the district and the risk pool reimbursement period, which shall be not more than 3 months after the state has reimbursed each school district in the association for the final portion of special education state aid under RSA 186-C:18. Any eligible special education expenses incurred by a member school district that were not reimbursed by the state and were not reimbursed by a purchased insurance product through the association shall be reimbursed by the risk pool to the full extent permitted by the risk pool governing agreement.

V. The selected bidder shall create or update a cost predictor spreadsheet tool so all the school districts may develop budgets and test various situations to arrive a reasonable special education expense prediction. Specific situations built into the spreadsheet shall include, but not be limited to, full or limited state funding and changes in student population or cost trends. The spreadsheet shall be able to determine rates and district contributions for membership in the risk pool with additional data updates possible to maintain accuracy. The department of education may limit the usage or sharing of the spreadsheet if they solely determine that student privacy may be compromised. The spreadsheet tool and each subsequent revision shall be the sole property of the department of education.

VI. All costs associated with the establishment of the risk pool including filing fees, requests for proposals, education and training for prospective members of the association, and the actuarial services and cost predictor spreadsheet tool shall be the responsibility of the department of education for the first 5 years after the effective date of this chapter.

VII. All costs associated with the administration of the risk pool after the filing fees are paid and all costs after the initial 5 year period shall be the responsibility of the association governing board. The governing board may pay those costs from the risk pool fund and shall adjust member district yearly charges to reflect the administration costs by separate line item.

VIII. Risk pool funds shall be held in a non-lapsing account by the state treasurer. The governing body may withdraw the funds only by written request with signed board approval. The fund withdrawals shall be kept to a minimum number each year. Funds shall only be removed for payment of unreimbursed costs of all member districts and for administrative costs.

IX. The risk pool may be terminated by a resolution of the association governing board and notification to the secretary of state, the department of education, and the state treasurer. All funds shall be distributed to the districts after a professional audit to determine the rightful share. Disputes may be directed to the attorney general.

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

AMENDED ANALYSIS

This bill increases the amount of state aid available to school districts for the costs of special education students.

This bill also establishes a program for pooled risk management for unanticipated special education cost recovery.

Majority committee amendment adopted.

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

Rep. Ley spoke against.

Rep. Hill spoke in favor.

On a division vote, with 225 members having voted in the affirmative, and 132 in the negative, the majority committee report was adopted and the bill was referred to the Committee on Finance.

HB 121-FN-A, establishing an independent redistricting commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Fenton Groen for the Majority of Election Law. This bill proposes to establish an Independent Redistricting Commission whose members would be appointed by elected state Senate and House leaders. The United States Constitution provides that individual state constitutions establish the laws governing their election process, including the establishment of voting districts for elected officers. The New Hampshire Constitution provides that our legislature has sole responsibility for the establishment of voting districts. The majority of the committee believes that to assign this responsibility would be contrary to the constitutions of New Hampshire and the United States which we have sworn to uphold and defend. Additionally, the appointment of commission members by elected leaders of the respective political parties continues to establish it as a political process but further insulated from the will of the NH voters. New Hampshire has the largest state legislative body in the United States. This makes us the most representative group, "commissioned of the people" if you will, to perform this constitutional responsibility. The majority of the committee recommends that this task be done as charged in our constitution and not be delegated to an appointed commission, contrary to our constitution. Vote 11-9.

Rep. Connie Lane for the Minority of Election Law. Gerrymandering is one of the major reasons why voters have lost faith in democracy and feel that their votes do not count. This bill establishes an Independent Redistricting Commission that is charged with conducting an open and transparent process enabling full public consideration of and comment upon the redistricting of county, state and federal electoral districts. It is intended to put the interest of voters, constituents, and communities of common interest ahead of purely political considerations. Historically, NH has conducted redistricting by establishing committees composed of members of the NH House and Senate. In NH, as in other states, the process of redistricting has become a bitterly contested, expensive, and litigated partisan battle. This bill creates a framework in statutory law, which will enable NH to have the next redistricting process conducted by an independent commission composed of 15 citizens, selected from a pool of citizens who fulfill the qualifications set out in the bill. The commission is independent, but the process continues to involve the Secretary of State and the elected leadership of both the NH House and Senate. The process leaves the ultimate decision to adopt the commission's plan to the legislature as the NH Constitution requires. It is akin to the commission established by the Governor to assist him with his constitutional duty to choose judges. This bill puts the interest of NH voters before our own as legislators seeking easy re-election.

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

Rep. Marjorie Smith spoke against.

Rep. Groen spoke in favor.

Rep. Read requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 158

YEAS - 198

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold

Merner, Troy

Theberge, Robert

Thompson, Dennis

GRAFTONAlliegro, Mark
Folsom, Beth
Ladd, RickBerezhny, Lex
Sanborn, Gail
Simon, MatthewBinford, David
Greeson, JeffreyDepalma IV, Joseph
Ham, Bonnie**HILLSBOROUGH**Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Ulery, JordanAlexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, MarkAmmon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, TonyGriffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay**MERRIMACK**Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Walsh, ThomasAndrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Wells, NatalieBoyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
White, NickCambrils, Jose
Klose, John
Moffett, Michael
Testerman, Dave
Yakubovich, Michael**ROCKINGHAM**Abbas, Daryl
Ayer, Paul
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Harley, Tina
Khan, Aboul
Lundgren, David
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Vose, Michael
Weyler, KennethAbrami, Patrick
Baldasaro, Al
Copp, Anne
Doucette, Fred
Ford, Oliver
Hobson, Deborah
Layon, Erica
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
MacDonald, Wayne
Yokela, JoshAbramson, Max
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Janigian, John
Litchfield, Melissa
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, ScottActon, Dennis
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Harb, Robert
Katsakiores, Phyllis
Love, David
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Welch, David**STRAFFORD**Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac
Wuelper, KurtBailey, Glenn
Hayward, Peter
Newton, CliffordDeLemus, Susan
Horgan, James
Pitre, JosephGroen, Fenton
Kaczynski, Thomas
Turcotte, Leonard**SULLIVAN**Aron, Judy
Stapleton, WalterCallum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 158**CARROLL**

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

Woodcock, Stephen

CHESHIREAbbott, Michael
Fenton, Donovan
Ley, Douglas
Toll, AmandaAmes, Richard
Fox, Dru
Mann, John
Von Plinsky, SparkyBordenet, John
Gomarlo, Jennie
Parshall, Lucius
Weber, LucyFaulkner, Barry
Harvey, Cathryn
Schapiro, Joe**COOS**

Kelley, Eamon

Hatch, William

Lafamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
 Fellows, Sallie
 Muirhead, Russell
 Sykes, George

Adjutant, Joshua
 Gordon, Edward
 Murphy, James
 Weston, Joyce

Almy, Susan
 Hakken-Phillips, Mary
 Stavis, Laurel

Egan, Timothy
 Massimilla, Linda
 Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
 Bouchard, Donald
 Connors, Erika
 Espitia, Manny
 Hamer, Heidi
 Hyland, Stephanie
 Klein-Knight, Nicole
 Long, Patrick
 McGhee, Kat
 Nutting-Wong, Allison
 Pickering, Daniel
 Rung, Rosemarie
 Telerski, Laura
 Veilleux, Daniel

Bouldin, Andrew
 Bradley, Amy
 Cornell, Patricia
 Freitas, Mary
 Harriott-Gathright, Linda
 Jack, Martin
 Labranche, Tony
 King, Mark
 Moran, Melbourne
 O'Brien, Michael
 Piedra, Israel
 Newman, Sue
 Toomey, Dan
 Wilhelm, Matthew

Beaulieu, Jane
 Chretien, Jacqueline
 DiSilvestro, Linda
 Goley, Jeffrey
 Heath, Mary
 Judy, Jean
 Laughton, Stacie-Marie
 Murray, Megan
 Mullen, Sue
 Pedersen, Michael
 Query, Joshua
 Shaw, Barbara
 Vail, Suzanne

Bergeron, Paul
 Cleaver, Skip
 Dutzy, Sherry
 Griffith, Willis
 Herbert, Christopher
 Klee, Patricia
 Leishman, Peter
 Mangipudi, Latha
 Nutter-Upham, Frances
 Perez, Maria
 Newman, Ray
 Smith, Timothy
 Vann, Ivy

MERRIMACK

Bartlett, Christy
 Gallagher, Eric
 McWilliams, Rebecca
 Schuett, Dianne
 Wallner, Mary Jane
 Woods, Gary

Caplan, Tony
 Lane, Connie
 Pimentel, Roderick
 Schultz, Kristina
 Walz, Mary Beth

Ebel, Karen
 Luneau, David
 Richards, Beth
 Shurtleff, Steve
 Wazir, Safiya

Ellison, Arthur
 MacKay, James
 Schamberg, Thomas
 Soucy, Timothy
 Wolf, Dan

ROCKINGHAM

Altschiller, Debra
 Cali-Pitts, Jacqueline
 Gay, Betty
 Guthrie, Joseph
 Lynn, Bob
 Paige, Mark
 Verville, Kevin

Baxter, Tim
 Cushing, Robert Renny
 Gilman, Julie
 Hamblet, Joan
 Maggiore, Jim
 Read, Ellen

Bunker, Lisa
 DiLorenzo, Charlotte
 Grossman, Gaby
 Murray, Kate
 Malloy, Dennis
 Simpson, Alexis

Cahill, Michael
 Edgar, Michael
 Grote, Jaci
 Loughman, Tom
 Meuse, David
 Somssich, Peter

STRAFFORD

Bixby, Peter
 Fontneau, Timothy
 Kenney, Cam
 Rich, Cecilia

Cannon, Gerri
 Frost, Sherry
 Levesque, Cassandra
 Salloway, Jeffrey

Chase, Wendy
 Grassie, Chuck
 Smith, Marjorie
 Wall, Janet

Conley, Casey
 Horrigan, Timothy
 Schmidt, Peter

SULLIVAN

Cloutier, John
 Sullivan, Brian

Gottling, Suzanne
 Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

and the majority committee report was adopted.

Reps. Lynn and Verville voted Nay and intended to vote Yea.

HB 532-FN, creating an animal records database. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Peter Bixby for the Majority of Environment and Agriculture. This bill was requested by the Department of Agriculture, Markets, and Foods to provide a tool for meeting its statutory obligation to track transfers of dogs, cats, and ferrets for the purpose of pet vendor licensing. The bill establishes a database application that enables veterinarians to submit animal health certificates electronically, and enables the department to track the number of animals transferred to determine if a person needs to become licensed as a pet vendor. The amendment removes rabies vaccination certificates and all fees from the original bill, and replaces the term health "certificate" with "certificate of transfer." The confidentiality section, which is based on the Prescription Drug Monitoring Program confidentiality provisions and pet license confidentiality statutes, has been amended to insure that authorized local, state, and federal authorities can use data only in animal health and pet vendor licensing investigations. This amendment adds a right of civil redress for violations, and strengthens it, based on advice from the department and the Chair of the Criminal Justice and Public Safety Committee. The establishment of the database is funded with existing department funds and an appropriation is requested for management costs in the second year of the biennium. Vote 16-2.

Rep. Barbara Comtois for the Minority of Environment and Agriculture. This bill is a result of a mandate passed in the last budget that never had a hearing in the House of Representatives. The provisions of this

mandate placed a hardship on hobby breeders and preservationist breeders. The database will collect personal information in relation to health certificates (which are only good for 14 days). The Commissioner of Agriculture asked us not to get into the weeds of the database, as they do not want to be ham-stringed in the future if it needed to be expanded. The reality is that this database is a policing tool to make sure those hobby breeders who transfer 25 or more dogs or cats and 30 or more ferrets have applied for a pet vendor license. This bill will also, after its implementation, add \$250,000 plus an additional informational technology person to the department budget.

Majority Amendment (0211h)

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

1 New Sections; Animal Records Database. Amend RSA 437 by inserting after section 8 the following new sections:

437:8-a Animal Records Database Established.

I. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of animal records.

II. The department shall maintain a reporting system capable of receiving electronically transmitted records from veterinarians. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information he or she deems necessary to manage such database including procedures for providing authorized access. The commissioner shall also ensure that the database is secure from unauthorized access or use.

III. The commissioner may issue a waiver to a veterinarian who is unable to submit information by electronic means. Such waiver may permit the veterinarian to submit information by paper form or other means, provided all information required by RSA 437:8 is submitted in this alternative format and within the established time limit.

IV. The commissioner may grant a reasonable extension to a veterinarian who is unable, for good cause, to submit all the information required by RSA 437:8 within the established time limits. Any veterinarian who in good faith reports to the program as required by RSA 437:8 shall be immune from any civil or criminal liability as the result of such good faith reporting.

V. There is established a nonlapsing fund to be known as the animal records database fund in the department of agriculture, markets, and food which shall be kept distinct and separate from all other funds. All moneys in the animal records database fund shall be nonlapsing and continually appropriated to the commissioner, and except as otherwise provided in law, shall be used for the purpose of administering and maintaining the animal records database established in this section. The database fund shall draw moneys only from grants and appropriations.

VI. Notwithstanding paragraph V, the fund shall be initiated by transfers from the agricultural product and scale testing fund established under RSA 435:20, IV, as provided in RSA 435:20,V, and the integrated pest management fund established under RSA 430:50, as provided in RSA 430:50, IV.

437:8-b Confidentiality.

I. Information contained in the animal records database under RSA 437:8-a, information obtained from it, and information contained in the records of requests for information from the database, shall be confidential, and shall not be a public record or otherwise subject to disclosure under RSA 91-A, and shall not be subject to discovery, subpoena, or other means of legal compulsion for release. Such information shall not be shared with an agency or institution, except as provided in this subdivision.

II. Information submitted to the animal records database is exempt from public disclosure. Disclosure to local, state, and federal officials is not public disclosure. This exemption shall not affect the disclosure of information used in official local, state, or federal animal health investigations or pet vendor license investigations under this chapter. Database records, information, or lists may be made available pursuant to a court order on a case-by-case basis. Any information, record, or list received pursuant to this paragraph shall not be transferred or otherwise made available to any other person or listed entity not authorized under this paragraph.

III. The department shall establish and maintain procedures to ensure the privacy and confidentiality of animal and animal owner information.

IV. The department may use and release information and reports from the program for program analysis and evaluation, statistical analysis, public research, public policy, and educational purposes, provided that the data are aggregated or otherwise de-identified.

V. No animal records database records, information, or lists shall be sold, rented, transferred, or otherwise made available in whole or in part, in any form or format, directly or indirectly, to another person.

VI. Certificates of transfer shall be removed from the animal records database after 4 years.

VII. Any person who knowingly accesses, alters, destroys, publishes, or discloses animal records database information except as authorized in this section or attempts to obtain such information by fraud, deceit, misrepresentation, or subterfuge shall be guilty of a class B felony.

VIII. Nothing in this section shall limit the right of a person damaged by a violation to pursue any other appropriate cause of action.

2 Certificates of Transfer for Dogs and Cats. RSA 437:8 is repealed and reenacted to read as follows:

437:8 Certificates of Transfer for Dogs, Cats, and Ferrets.

I. For purposes of this chapter, an official certificate of transfer means an electronic record electronically submitted to the animal records database by a licensed veterinarian, containing the name and address of the entity transferring ownership of the dog, cat, or ferret, the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret, and the certification by the veterinarian that the dog, cat, or ferret is free from evidence of communicable diseases or internal or external parasites. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included in the certificate.

II. The electronically submitted certificate of transfer shall be considered the official certificate of transfer. A copy of the certificate of transfer of the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection by the department, local officials, or a member of the public upon request up to one year after the animal has left the facility. The public shall be informed of their right to inspect a copy of the certificate of transfer for each dog, cat, or ferret offered for transfer by a sign prominently displayed in the area where dogs, cats, or ferrets are displayed. Upon transfer of a dog, cat, or ferret, a copy of that animal's certificate of transfer shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee.

III. For purposes of this chapter, an official certificate of transfer waiver means an electronic record electronically submitted to the animal records database provided in lieu of an official certificate of transfer for a dog, cat, or ferret that has failed the examination for an official certificate of transfer because of a non-contagious illness, feline leukemia, or feline immunodeficiency virus. The waiver shall contain the name and address of the entity transferring ownership of the dog, cat, or ferret; the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret; the reason for failure of the examination for the official certificate of transfer; and the signature of the transferee indicating that the transferee has knowledge of the dog's, cat's, or ferret's non-contagious medical condition. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included in the certificate of transfer waiver. The waiver shall be submitted electronically to the animal records database by a New Hampshire licensed veterinarian.

IV. No person, firm, corporation, or other entity shall ship or bring into the state of New Hampshire, to offer for transfer in the state of New Hampshire, any cat, dog, or ferret less than 8 weeks of age. No person, firm, corporation, or other entity shall offer for transfer any cat, dog, or ferret less than 8 weeks of age.

V. Once a dog, cat, or ferret intended for transfer has entered the state, it shall be held at least 48 hours at a facility licensed under RSA 437 or at a facility operated by a licensed veterinarian separated from other animals on the premises before being offered for transfer.

VI. Animal shelter facilities, as defined in RSA 437:1, I, are exempt from the requirements of this section relative to transferring dogs, cats, and ferrets except that:

(a) All animal shelter facilities shall have on premises a microchip scanner and shall maintain a file of recognized pet retrieval agencies, including but not limited to national tattoo or microchip registries.

(b) Where an owner is not known, all animal shelter facilities shall inspect for tattoos, ear tags, or other permanent forms of positive identification and shall scan for a microchip upon admission of an unclaimed or abandoned animal as defined in RSA 437:18, IV and prior to transferring ownership of an unclaimed or abandoned animal.

VII. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual without first being protected against infectious diseases using vaccines approved by the state veterinarian. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual unless accompanied by a copy of the official certificate of transfer or official certificate of transfer waiver issued by a licensed veterinarian within the prior 14 days. No transfer shall occur unless the transferred animal is accompanied by a copy of the official certificate of transfer or official certificate of transfer waiver. The official certificate of transfer or official certificate of transfer waiver shall reside in the animal records database. Copies shall be provided to the veterinarian, transferor, and the transferee, who shall retain copies for their records. The transferor shall retain a copy for his or her records. If an official certificate of transfer or official certificate of transfer waiver is produced, it shall be prima facie evidence of transfer.

3 New Subparagraph; Animal Records Database Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (364) the following new subparagraph:

(365) Moneys deposited in the animal records database fund established in RSA 437:8-a, V.

4 New Paragraph; Agricultural Product and Scale Testing Fund; Transfer Authority. Amend RSA 435:20 by inserting after paragraph IV the following new paragraph:

V. The commissioner shall transfer funds from the agricultural product and scale testing fund established under RSA 435:20, IV to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the agricultural product and scale testing fund to the animal records database fund for this purpose.

5 New Paragraph; Integrated Pest Management Fund; Transfer Authority. Amend RSA 430:50 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall transfer funds from the integrated pest management fund established in this section to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the integrated pest management fund to the animal records database fund for this purpose.

6 Repeals. The following are repealed:

I. RSA 430:50, IV, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds from the integrated pest management fund.

II. RSA 435:20, V, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds from the agricultural product and scale testing fund.

7 Applicability; Effective Dates.

I. Section 2 of this act shall take effect 90 days after the commissioner of the department of agriculture, markets, and food certifies to the secretary of state and the director of the office of legislative services that the animal records database established in RSA 437:8-a is operational.

II. Section 6 of this act shall take effect 2 years from the date on which the commissioner of the department of agriculture, markets, and food certifies to the secretary of state and the director of the office of legislative services, that the animal records database established in RSA 437:8-a is operational.

8 Appropriation. The sum of \$250,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of agriculture, markets, and food for the maintenance of the animal records database. These appropriations are in addition to any other funds appropriated to the department of agriculture, markets, and food. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

9 Position Established. The classified position of IT Manager III is established in the department of information technology to develop and administer the animal records database established in RSA 437:8-a.

10 Effective Date.

I. Section 2 of this act shall take effect as provided in paragraph I of section 7 of this act.

II. Section 6 of this act shall take effect as provided in paragraph II of section 7 of this act.

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

AMENDED ANALYSIS

This bill:

I. Creates a database for animal records.

II. Renames animal health certificates as certificates of transfer.

III. Authorizes the commissioner of the department of agriculture, markets, and food to transfer money to and from certain funds in order to establish the animal record database and to repay monies transferred from other funds. This bill does not require the commissioner to fully reimburse the other funds.

IV. Establishes a position in the department of information technology for the building and management of the animal records database.

Majority committee amendment adopted.

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

YEAS 214 - NAYS 141

YEAS - 214 BELKNAP

Lang, Timothy

Trottier, Douglas

CARROLL

Burroughs, Anita
MacDonald, John
McConkey, Mark

Cordelli, Glenn
Knirk, Jerry
Umberger, Karen

Crawford, Karel
Marsh, William
Woodcock, Stephen

Deshaias, Brodie
McAlee, Chris

CHESHIRE

Abbott, Michael
Fenton, Donovan
Kilanski, Ben
Rhodes, Jennifer
Weber, Lucy

Ames, Richard
Fox, Dru
Ley, Douglas
Schapiro, Joe

Bordenet, John
Gomarlo, Jennie
Mann, John
Toll, Amanda

Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Von Plinsky, Sparky

COOS

Davis, Arnold
Merner, Troy

Kelley, Eamon
Theberge, Robert

Hatch, William
Thompson, Dennis

Laflamme, Larry
Tucker, Edith

GRAFTON

Abel, Richard
Egan, Timothy
Ladd, Rick
Stavis, Laurel

Adjutant, Joshua
Fellows, Sallie
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Depalma IV, Joseph
Ham, Bonnie
Murphy, James
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Gagne, Larry
Griffith, Willis
Heath, Mary
Infantine, William
Klein-Knight, Nicole
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pedersen, Michael
Plett, Fred
Rung, Rosemarie
Smith, Timothy
Vail, Suzanne

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Hamer, Heidi
Herbert, Christopher
Jack, Martin
Labranche, Tony
Leishman, Peter
Mangipudi, Latha
Notter, Jeanine
Perez, Maria
Query, Joshua
Newman, Sue
Tausch, Lindsay
Vann, Ivy

Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim
Fedolfi, Jim
Gould, Linda
Harriott-Gathright, Linda
Homola, Susan
Jedy, Jean
Lanzara, Tom
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Telerski, Laura
Veilleux, Daniel

Bergeron, Paul
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Graham, John
Healey, Robert
Hyland, Stephanie
Klee, Patricia
Lascelles, Richard
King, Mark
Moran, Melbourne
O'Brien, Michael
Piedra, Israel
Rice, Kimberly
Sheehan, Vanessa
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Allard, James
Cross, Kenna
Kennedy, Margaret
Luneau, David
Pimentel, Roderick
Shurtleff, Steve
Wazir, Safiya

Bartlett, Christy
Ebel, Karen
Klose, John
MacKay, James
Richards, Beth
Soucy, Timothy
Wolf, Dan

Boyd, Stephen
Ellison, Arthur
Lane, Connie
Mason, James
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Caplan, Tony
Gallager, Eric
Leavitt, John
Pearl, Howard
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Cali-Pitts, Jacqueline
Doucette, Fred
Gilman, Julie
Hamblet, Joan
Katsakiores, Phyllis
Maggiore, Jim
McMahon, Charles
Potucek, John
Sweeney, Joe
Welch, David

Altschiller, Debra
Cushing, Robert Renny
Edgar, Michael
Grossman, Gaby
Harb, Robert
Loughman, Tom
Major, Norman
Meuse, David
Read, Ellen
Thomas, Douglas

Bunker, Lisa
DiLorenzo, Charlotte
Elliott, Robert
Grote, Jaci
Janigian, John
Lundgren, David
Malloy, Dennis
Milz, David
Simpson, Alexis
Vandecasteele, Susan

Cahill, Michael
Dolan, Tom
Ford, Oliver
Guthrie, Joseph
Murray, Kate
Pearson, Mark
McBride, Everett
Paige, Mark
Somssich, Peter
MacDonald, Wayne

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter

Cannon, Gerri
Frost, Sherry
Kittredge, Mac
Rich, Cecilia

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Wall, Janet

SULLIVAN

Aron, Judy
O'Hearne, Andrew

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

NAYS - 141**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Littlefield, Richard
Silber, Norman

Bean, Harry
Hough, Gregg
Mackie, Jonathan
Sylvia, Michael

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

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

CARROLL

Avellani, Lino	Smith, Jonathan	Nelson, Bill
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CHESHIRE

Hunt, John	Qualey, James	Santonastaso, Matthew
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GRAFTON

Alliegro, Mark	Berezhny, Lex	Binford, David	Folsom, Beth
Sanborn, Gail	Gordon, Edward	Greeson, Jeffrey	Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Berry, Ross	Blasek, Melissa	Boehm, Ralph
Burt, John	Cushman, Leah	Kelley, Diane	Smith, Denise
Erf, Keith	Foster, William	Griffin, Gerald	Gorski, Ted
Greene, Bob	Gunski, Michael	Hopper, Gary	Kelsey, Niki
Kofalt, Jim	Ober, Lynne	Sanborn, Laurie	Lewicke, John
Marston, Dick	Mayville, Mary	McLean, Mark	Mooney, Maureen
Nunez, Hershel	Nutting-Wong, Allison	Pauer, Diane	Post, Lisa
Prout, Andrew	Ober, Russell	Renzullo, Andrew	Rouillard, Claire
Somero, Paul	Ulery, Jordan	Warden, Mark	

MERRIMACK

Andrus, Louise	Cambrils, Jose	Hill, Gregory	McGuire, Carol
Moffett, Michael	Pitaro, Matthew	Schamberg, Thomas	Seaworth, Brian
Testerman, Dave	Walsh, Thomas	Wells, Natalie	White, Nick
Yakubovich, Michael			

ROCKINGHAM

Abbas, Daryl	Abramson, Max	Acton, Dennis	Ayer, Paul
Baldasaro, Al	Baxter, Tim	Belanger, Cody	Bernardy, JD
Bershtein, Alan	Copp, Anne	DeSimone, Debra	Dodge, Dustin
Edwards, Jess	Emerick, Tracy	Gay, Betty	Green, Dennis
Harley, Tina	Hobson, Deborah	Khan, Aboul	Layon, Erica
Litchfield, Melissa	Love, David	Lynn, Bob	McKinney, Betsy
Melvin, Charles	Osborne, Jason	Piemonte, Tony	Pratt, Kevin
Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen	Soti, Julius
Spillane, James	Sytek, John	Torosian, Peter	Tripp, Richard
True, Chris	Tudor, Paul	Verville, Kevin	Vose, Michael
Wallace, Scott	Weyler, Kenneth	Yokela, Josh	

STRAFFORD

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

SULLIVAN

Callum, John	Rollins, Skip	Spilsbury, Walter	Smith, Steven
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and the majority committee report was adopted and the bill was referred to the Committee on Ways and Means.

HB 91-FN, relative to death benefits of first responders who die from suicide. OUGHT TO PASS.

Rep. Terry Roy for Executive Departments and Administration. This bill provides a line of duty death benefit to police officers, firefighters, emergency medical technicians and rescue squad members who die by suicide after being exposed to traumatic events in the course of their duties. The majority of the committee agreed that suicide is one of the possible unfortunate effects of post-traumatic stress disorder which often results from conditions many of these first responders face on a regular basis and that when there is a nexus between their employment and their death, their families should be eligible for line of duty death compensation. Vote 14-4.

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

Rep. Leishman offered floor amendment (0401h).

Floor Amendment (0401h)

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

AN ACT relative to death benefits of first responders and corrections officers who die from suicide.

Amend RSA 21-I:29-a, I(f) as inserted by section 1 of the bill by replacing it with the following:

(f) "Killed in the line of duty" means a death, *including suicide*, of a police officer, firefighter, emergency medical technician, *correctional officers, probation and parole officers, correctional line personnel*, or rescue squad member while in the performance of his or her duties as a result of incident, accident, or violence

causing death or injuries which are the direct or proximate cause of death. ***Death by suicide shall be considered a work related cause of death.*** "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.

AMENDED ANALYSIS

This bill includes suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of first responders and corrections officers.

Rep. Leishman spoke in favor.

Rep. Roy spoke against.

Rep. Hatch requested a roll call; sufficiently seconded.

YEAS 150 - NAYS 206

YEAS - 150

BELKNAP

Bordes, Mike Littlefield, Richard Trottier, Douglas

CARROLL

Burroughs, Anita Crawford, Karel Deshaies, Brodie McAleer, Chris

CHESHIRE

Ames, Richard Bordenet, John Faulkner, Barry Fenton, Donovan
Fox, Dru Gomarlo, Jennie Harvey, Cathryn Kilanski, Ben
Ley, Douglas Mann, John Parshall, Lucius Schapiro, Joe
Toll, Amanda Weber, Lucy

COOS

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

GRAFTON

Abel, Richard Adjutant, Joshua Almy, Susan Egan, Timothy
Hakken-Phillips, Mary Ham, Bonnie Massimilla, Linda Muirhead, Russell
Murphy, James Stavis, Laurel Sykes, George Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda Bouldin, Andrew Beaulieu, Jane Bouchard, Donald
Bradley, Amy Chretien, Jacqueline Cleaver, Skip Connors, Erika
Cornell, Patricia DiSilvestro, Linda Dutzy, Sherry Espitia, Manny
Freitas, Mary Griffith, Willis Hamer, Heidi Heath, Mary
Hyland, Stephanie Jack, Martin Jeudy, Jean Klee, Patricia
Klein-Knight, Nicole Laughton, Stacie-Marie Leishman, Peter Long, Patrick
King, Mark Murray, Megan Mangipudi, Latha McGhee, Kat
Moran, Melbourne Mullen, Sue Nutter-Upham, Frances Nutting-Wong, Allison
Pedersen, Michael Perez, Maria Pickering, Daniel Piedra, Israel
Query, Joshua Newman, Ray Rung, Rosemarie Newman, Sue
Smith, Timothy Tausch, Lindsay Telerski, Laura Toomey, Dan
Vail, Suzanne Vann, Ivy Veilleux, Daniel Wilhelm, Matthew

MERRIMACK

Bartlett, Christy Caplan, Tony Ebel, Karen Ellison, Arthur
Gallager, Eric Lane, Connie Luneau, David MacKay, James
Pimentel, Roderick Richards, Beth Schamberg, Thomas Schultz, Kristina
Shurtleff, Steve Soucy, Timothy Wallner, Mary Jane Walz, Mary Beth
Wazir, Safiya Wolf, Dan

ROCKINGHAM

Altschiller, Debra Baxter, Tim Bunker, Lisa Cahill, Michael
Cali-Pitts, Jacqueline Cushing, Robert Renny DiLorenzo, Charlotte Edgar, Michael
Emerick, Tracy Ford, Oliver Gilman, Julie Grossman, Gaby
Guthrie, Joseph Hamblet, Joan Janigian, John Murray, Kate
Loughman, Tom Maggiore, Jim Malloy, Dennis McBride, Everett
Meuse, David Pratt, Kevin Read, Ellen Pearson, Stephen
Simpson, Alexis Somssich, Peter Vandecasteele, Susan

STRAFFORD

Bixby, Peter Cannon, Gerri Chase, Wendy Conley, Casey
Frost, Sherry Grassie, Chuck Horrigan, Timothy Kenney, Cam
Levesque, Cassandra Smith, Marjorie Schmidt, Peter Rich, Cecilia
Salloway, Jeffrey Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

O'Hearne, Andrew

Sullivan, Brian

NAYS - 206**BELKNAP**

Aldrich, Glen
Hough, Gregg
Mackie, Jonathan
Sylvia, Michael

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

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

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
Knirk, Jerry
Umberger, Karen

Cordelli, Glenn
Marsh, William
Woodcock, Stephen

MacDonald, John
McConkey, Mark

Smith, Jonathan
Nelson, Bill

CHESHIRE

Abbott, Michael
Santonastaso, Matthew

Hunt, John
Von Plinsky, Sparky

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold

Dostie, Donald

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Fellows, Sallie
Greeson, Jeffrey

Berezhny, Lex
Folsom, Beth
Ladd, Rick

Binford, David
Sanborn, Gail
Simon, Matthew

Depalma IV, Joseph
Gordon, Edward
Smith, Suzanne

HILLSBOROUGH

Lekas, Alicia
King, Bill
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Gould, Linda
Harriott-Gathright, Linda
Hopper, Gary
Ober, Lynne
Lascelles, Richard
McLean, Mark
O'Brien, Michael
Prout, Andrew
Rouillard, Claire
Lekas, Tony

Alexander, Joe
Bergeron, Paul
Burt, John
Smith, Denise
Gagne, Larry
Graham, John
Healey, Robert
Infantine, William
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Pauer, Diane
Ober, Russell
Shaw, Barbara
Ulery, Jordan

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Goley, Jeffrey
Greene, Bob
Herbert, Christopher
Kelsey, Niki
Labranche, Tony
Marston, Dick
Notter, Jeanine
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Warden, Mark

Griffin, Barbara
Blasek, Melissa
Cushman, Leah
Foster, William
Gorski, Ted
Gunski, Michael
Homola, Susan
Kofalt, Jim
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Post, Lisa
Rice, Kimberly
Somero, Paul

MERRIMACK

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Testerman, Dave
Woods, Gary

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Walsh, Thomas
Yakubovich, Michael

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Schuett, Dianne
Wells, Natalie

Cambrils, Jose
Klose, John
Moffett, Michael
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bershtein, Alan
Dolan, Tom
Gay, Betty
Harley, Tina
Layon, Erica
Lynn, Bob
McMahon, Charles
Paige, Mark
Roy, Terry
Sytek, John
True, Chris
MacDonald, Wayne
Yokela, Josh

Abrami, Patrick
Baldasaro, Al
Copp, Anne
Doucette, Fred
Green, Dennis
Hobson, Deborah
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, Scott

Abramson, Max
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Grote, Jaci
Katsakiores, Phyllis
Love, David
Major, Norman
Milz, David
Potucek, John
Spillane, James
Torosian, Peter
Verville, Kevin
Welch, David

Acton, Dennis
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Harb, Robert
Khan, Aboul
Lundgren, David
McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
Vose, Michael
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Bailey, Glenn
Harrington, Michael
Kittredge, Mac
Wuelper, Kurt

DeLemus, Susan
Hayward, Peter
Newton, Clifford

Fontneau, Timothy
Horgan, James
Pitre, Joseph

SULLIVAN

Aron, Judy
Spilsbury, Walter

Callum, John
Stapleton, Walter

Merchant, Gary
Smith, Steven

Rollins, Skip

and floor amendment (0401h) failed.

Rep. McBride voted Yea and intended to vote Nay.

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

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

HB 274-FN-L, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill requires the state to pay 5 percent of the normal and accrued liability contributions of the political subdivision retirement employers for group I teachers as well as group II (police and fire) members beginning in FY 2022. The intention of this bill is to alleviate the burden of the sole contribution by all participating municipalities in the New Hampshire Retirement System (NHRS), thus relieving the tax burden to the citizens when the state removed its obligation as a co-contributor to the NHRS system. This bill is a partial, prudent, and conservative attempt to reconstruct the state obligation. It is not at the original agreed to rate of 35% that was paid in the 1970's, but at a sensible rate of 5% relieving the applied tax to municipalities and their taxpayers this reduction inadvertently caused. To make a fair decision on this matter a brief overview and explanation is needed of the original agreement between the state and the contributing municipalities. NHRS was founded in 1967 from a combination of four existing retirement groups, Fire, Police, Teachers, and employees (e.g. state and local workers). Teachers and employees became known as group I; fire and police became known as group II. To entice municipalities to become contributing members, the state agreed to pay 40% of the shared costs in 1967. It was changed in the 1970's to what many of us remember of 35% of the shared costs. It remained under this agreement until 2010 when it was amended again to 30% then again amended to 25%, then further reduced to the current funding of zero. In 2012 it was understood by many of the municipalities that in 2012 it was supposed to be reinstated to 35%, but it was eliminated in the 2011 budget process which brings us to our current funding level of zero. Although changes were made over the years, at no time was it understood by the municipalities that this agreement by the state came with a sunset or termination date. Instead, it was understood that the state would continue as contributing partner in perpetuity. If municipalities had known in 1967 that the state would not fund their contributions, perhaps a different opinion would have been expressed by the municipalities at that time with legislation to continue the partnership. If one thinks that this elimination of the state's contribution responsibility was the panacea to the unfunded actuarial accrued liability (UAAL) they would be mistaken, for the UAAL still exists and other legislation was introduced to adjust that issue. In summary, the state walked away from being a contributing partner, which has led to a promise made and a promise unkept. Currently the state makes no contributions leaving the municipalities and taxpayers holding the bag and in essence a tax of 35% to member municipalities. This bill has the support of your municipal government expressed through the New Hampshire Municipal Association (NHMA). If you have employees in the NHRS, please just go ask your mayors, town administrators or other town officials if your community is feeling the pinch this downsizing has caused. So, you may then ask what is the solution? It is the adoption of this bill, which is a judicious and prudent attempt to compromise the absence of the state's contribution, not to the full 35%, but at a more practical 5%, and providing the 2012 intention of reinstating 35% that was eliminated in HB 2: Chapter 224, Laws of 2011, thus alleviating the inadvertent tax levied upon our constituents. This will allow each, and every contributing municipality and her taxpayers a minor breather, and perhaps allow each community additional funding to combat the other elephant in the room, COVID-19.

Rep. Michael O'Brien

Statement in support of Inexpedient to Legislate: This bill would require the state to pay 5% of the employer's portion of pension contributions paid by municipalities. It would cause every taxpayer in the state to subsidize local employees, without any say in the number of such employees employed, their pay or benefits. This subsidy creates incentives for localities to increase the number or pay of their employees, since they would not pay the full cost themselves. In addition, committee members are skeptical that this would actually provide property tax relief because we've all seen cases where outside funds sent to local governments result in higher spending, not lower taxes. We are also concerned that the minimal 5% share in this bill could easily be increased by future legislatures. Finally, the constant cry about broken promises and downshifting to localities is based on a mistaken premise. In 2011, when the pension system was restructured, the employees

were required to pay in 2% more than they had previously, which provided approximately as much money as the state's contribution. If there is any downshifting in this scenario, it is to the employees, not the employers. The increased requirements for employer payments since then are due to paying off 17 years of miscalculated employer contributions (plus interest), demographic changes, poor investment results, and changing policies at the retirement system.

Rep. Carol McGuire

Rep. O'Brien moved Ought to Pass and spoke in favor.

Rep. Weyler spoke against.

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 186

YEAS - 172 BELKNAP

Bordes, Mike Littlefield, Richard

Burroughs, Anita Crawford, Karel
Woodcock, Stephen

Abbott, Michael Ames, Richard
Fenton, Donovan Fox, Dru
Ley, Douglas Mann, John
Toll, Amanda Von Plinsky, Sparky

Davis, Arnold Kelley, Eamon
Merner, Troy Thompson, Dennis

Abel, Richard Adjutant, Joshua
Fellows, Sallie Hakken-Phillips, Mary
Muirhead, Russell Murphy, James
Sykes, George Weston, Joyce

Bouldin, Amanda Bouldin, Andrew
Bouchard, Donald Bradley, Amy
Connors, Erika Cornell, Patricia
Espitia, Manny Freitas, Mary
Hamer, Heidi Harriott-Gathright, Linda
Herbert, Christopher Hyland, Stephanie
Klee, Patricia Klein-Knight, Nicole
Laughton, Stacie-Marie Leishman, Peter
Murray, Megan Mangipudi, Latha
Mooney, Maureen Moran, Melbourne
Nutting-Wong, Allison O'Brien, Michael
Pickering, Daniel Piedra, Israel
Rung, Rosemarie Newman, Sue
Telerski, Laura Toomey, Dan
Veilleux, Daniel Wilhelm, Matthew

Bartlett, Christy Caplan, Tony
Gallager, Eric Lane, Connie
MacKay, James McWilliams, Rebecca
Schamberg, Thomas Schuett, Dianne
Soucy, Timothy Wallner, Mary Jane
Woods, Gary

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Katsakiores, Phyllis
Maggiore, Jim
Paige, Mark
Simpson, Alexis

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Loughman, Tom
Malloy, Dennis
Pratt, Kevin
Somssich, Peter

CARROLL

Knirk, Jerry McAleer, Chris

CHESHIRE

Bordenet, John Faulkner, Barry
Gomarlo, Jennie Harvey, Cathryn
Parshall, Lucius Schapiro, Joe
Weber, Lucy

COOS

Hatch, William Laflamme, Larry
Tucker, Edith

GRAFTON

Almy, Susan Egan, Timothy
Ham, Bonnie Massimilla, Linda
Stavis, Laurel Smith, Suzanne

HILLSBOROUGH

Beaulieu, Jane Bergeron, Paul
Chretien, Jacqueline Cleaver, Skip
DiSilvestro, Linda Dutzy, Sherry
Goley, Jeffrey Griffith, Willis
Healey, Robert Heath, Mary
Jack, Martin Jedy, Jean
Labranche, Tony Lanzara, Tom
Long, Patrick King, Mark
Mayville, Mary McGhee, Kat
Mullen, Sue Nutter-Upham, Frances
Pedersen, Michael Perez, Maria
Query, Joshua Newman, Ray
Shaw, Barbara Smith, Timothy
Vail, Suzanne Vann, Ivy

MERRIMACK

Ebel, Karen Ellison, Arthur
Leavitt, John Luneau, David
Pimentel, Roderick Richards, Beth
Schultz, Kristina Shurtleff, Steve
Walz, Mary Beth Wazir, Safiya

ROCKINGHAM

Cahill, Michael Cali-Pitts, Jacqueline
Edgar, Michael Gilman, Julie
Hamblet, Joan Murray, Kate
Lundgren, David Pearson, Mark
McKinney, Betsy Meuse, David
Read, Ellen Pearson, Stephen

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Callum, John
O'Hearne, Andrew
Tanner, Linda

Cloutier, John
Rollins, Skip

Gottling, Suzanne
Stapleton, Walter

Merchant, Gary
Sullivan, Brian

NAYS - 186**BELKNAP**

Aldrich, Glen
Hough, Gregg
Mackie, Jonathan
Sylvia, Michael

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

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

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

CARROLL

Avellani, Lino
Smith, Jonathan
Umberger, Karen

Cordelli, Glenn
Marsh, William

Deshaies, Brodie
McConkey, Mark

MacDonald, John
Nelson, Bill

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Dostie, Donald

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Gordon, Edward

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Hopper, Gary
Ober, Lynne
Marston, Dick
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Infantine, William
Sanborn, Laurie
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Lascelles, Richard
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lewicke, John
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

MERRIMACK

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

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

Boyd, Stephen
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Wolf, Dan

Cambrils, Jose
Klose, John
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Litchfield, Melissa
McBride, Everett
Osborne, Jason
Roy, Terry
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Love, David
McMahon, Charles
Piemonte, Tony
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Khan, Aboul
Lynn, Bob
Melvin, Charles
Potucek, John
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Layon, Erica
Major, Norman
Milz, David
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy

Spilsbury, Walter

Smith, Steven

and the motion failed.

Rep. Osborne moved Inexpedient to Legislate.

Rep. Conley requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 168**YEAS - 189****BELKNAP**

Aldrich, Glen
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bean, Harry
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

CARROLL

Avellani, Lino
Smith, Jonathan
Umberger, Karen

Cordelli, Glenn
Marsh, William

Deshaies, Brodie
McConkey, Mark

MacDonald, John
Nelson, Bill

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Dostie, Donald

Theberge, Robert

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Simon, Matthew

Berezhny, Lex
Sanborn, Gail

Binford, David
Gordon, Edward

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Hopper, Gary
Ober, Lynne
Marston, Dick
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Infantine, William
Sanborn, Laurie
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Lascelles, Richard
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lewicke, John
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

MERRIMACK

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Wells, Natalie

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
White, Nick

Cambrils, Jose
Klose, John
Moffett, Michael
Testerman, Dave
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica
McBride, Everett
Osborne, Jason
Roy, Terry

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
McMahon, Charles
Piemonte, Tony
Soti, Julius

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Melvin, Charles
Potucek, John
Spillane, James

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Major, Norman
Milz, David
Prudhomme-O'Brien, Katherine
Sweeney, Joe

Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

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

Aron, Judy

Bordes, Mike

Burroughs, Anita
Woodcock, Stephen

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Davis, Arnold
Merner, Troy

Abel, Richard
Fellows, Sallie
Massimilla, Linda
Smith, Suzanne

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Herbert, Christopher
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mooney, Maureen
Nutting-Wong, Allison
Pickering, Daniel
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Maggiore, Jim
Paige, Mark
Somssich, Peter

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Bailey, Glenn
Hayward, Peter
Newton, Clifford

Rollins, Skip

Crawford, Karel

Ames, Richard
Fox, Dru
Mann, John
Von Plinsky, Sparky

Kelley, Eamon
Tucker, Edith

Adjutant, Joshua
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Hyland, Stephanie
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Moran, Melbourne
O'Brien, Michael
Piedra, Israel
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Lundgren, David
Malloy, Dennis
Pratt, Kevin

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

STRAFFORD

DeLemus, Susan
Horgan, James
Pitre, Joseph

SULLIVAN

Spilsbury, Walter

NAYS - 168

BELKNAP

CARROLL

Knirk, Jerry

CHESHIRE

Bordenet, John
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

COOS

Hatch, William

GRAFTON

Almy, Susan
Ham, Bonnie
Murphy, James
Weston, Joyce

HILLSBOROUGH

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Healey, Robert
Jack, Martin
Labranche, Tony
Long, Patrick
Mayville, Mary
Mullen, Sue
Pedersen, Michael
Query, Joshua
Shaw, Barbara
Vail, Suzanne

MERRIMACK

Ebel, Karen
Luneau, David
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Cahill, Michael
Edgar, Michael
Hamblet, Joan
Lynn, Bob
McKinney, Betsy
Pearson, Stephen

STRAFFORD

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Tripp, Richard
Verville, Kevin
Welch, David

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Smith, Steven

McAleer, Chris

Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Laflamme, Larry

Egan, Timothy
Ladd, Rick
Stavis, Laurel

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Judy, Jean
Lanzara, Tom
King, Mark
McGhee, Kat
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Smith, Timothy
Vann, Ivy

Ellison, Arthur
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

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

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Callum, John
O'Hearne, Andrew

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

and the motion was adopted.

MOTION TO PRINT DEBATE

Rep. Espitia moved that the debate on **HB 274-FN-L**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers, be printed in the Permanent Journal. Without objection, the Speaker ordered.

DEBATE ON HB 274-FN-L

Representative O'Brien: Thank you, Mister Speaker. My fellow colleagues, I rise today to offer support for an Ought to Pass motion on HB 274. But, before I start, please let me give you the usual caveats. I spent 35 years as a firefighter for the City of Nashua, rising to the rant of Deputy Fire Chief, but at the same time, when I turned in and retired my helmet, I accepted the hat as an Alderman for the City of Nashua and I currently serve as Vice President of the Nashua Board of Aldermen. Having these two positions, being a member of the New Hampshire Retirement System, plus working for a municipality that comes up and does the financing of all, gives me a very unique aspect in looking at this particular bill. This bill will require the state to pay 5% of the normal contributions back into the Group I and the Group II pension system. Now, this was done in the past. If you look at the history, in 1967 when the pension system was formed by the State of New Hampshire, they took four groups. They took the state employees, they took the teachers and formed Group I. They took the police and they took the firefighters and formed Group II. Merging the two groups together that's come into the New Hampshire Retirement System. In its inception, the State of New Hampshire paid 40% contributions for each employee. It was later modified, very quickly by the time we got into the 70s to drop down to 35%. That 35% existed until about the year of 2010. Now, we all heard problems with the pension system, but can somebody explain to me how if there is a problem, legitimate, with the pension system, how do we go from the state paying 35% down to the current zero? The math doesn't work to me, okay. But where did the 35% that is needed for the employee contributions come from? Well, it came from your city and town so if your city or town has one cop, one teacher or one firefighter that belongs to the New Hampshire Retirement System, your taxpayers are paying 35% of that cost that used to be borne by the state. Now, this bill, if you go with the Ought to Pass motion, asks that the state pay a prudent compromise of only 5%. Now, we have to realize that our cities and towns, particularly in Nashua, are dealing with the other elephant in the room and that is the COVID. This would definitely help out municipalities deal with that type of pandemic. There is some opposition that people have brought up that it would go that if the state made the contributions, that the state would not have any say in the matter. It would be left up to the localities, but that already exists. If you go to your county budget, does your taxpayers really have a say at the county budget. No, they go and they have you as their representative to that. That's why I am asking you now for the Ought to Pass motion because you are the representative for your taxpayer to help them alleviate the burden that was thrust 10-years ago back the individual communities. They are saying people will try to get more raise or this would encourage cities to go out and hire more cops or fireman. Well, if you ever heard of the NFPA, the NFPA makes recommendations to, and I can speak from experience, of how many firefighters should be on duty. This has nothing to do with the state. When you have a fire in a ranch house, NFPA standards 1710 says you need 14 firefighters to fight that fire. So, it has nothing to do or any demands on the pension system. The other thing, let me introduce you to my favorite subject, math. I hated math, but the thing is, it is the law of percentages. If one community is paying more for their police and firefighters or teachers, does that put a drain on the system? No, because by percentages, it's all equal to what the percentage of what another community puts in. Now, I don't want to say this is just a Nashua bill. It's not. This is a bill that is going to affect every single community from the Canadian border to the Massachusetts border, from the great Atlantic Ocean to the Vermont border. Your cities and towns have felt this burden. This bill has the support of the New Hampshire Municipal Association and I hope you read the blurb and perhaps did a little bit of your homework and went to talk to your town fathers because they, through the New Hampshire Municipal Association, are in favor of this bill. So, I kindly ask you all to take a quick look at the blurb. I wrote it like a true Irishman. It's a little wordy, but I did kiss the Blarney Stone when I was over there last. So, please look at the blurb, make the educated decision and support your taxpayers by the prudent, not 35%. I could have asked for even halves, go Dutch, 17%. I came up with a number of a prudent 5%. So, please support me in the endeavor and support the Ought to Pass motion. Thank you, Mister Speaker.

Speaker Packard: The Chair recognizes the member from Kingston, Rep. Weyler, to speak against the Ought to Pass motion.

Representative Weyler: Thank you, Mister Speaker. The previous speaker neglected to mention the time that it was brought down to 25% and it wasn't a whisper. Then we came up with trying to balance a budget and look out 2-years in advance and realized that we had a very tight budget and if some town decided to give

6% pay raises to everybody, we would have to begin chipping in. It could happen all over. They could create new jobs. When these things were first passed back in the 60s, there were very few full-time firefighters or full-time policemen in most of these towns so a lot of that has been added since. A lot of these places, when the state first began chipping in, there were a lot fewer employees, so when we had to do a budget back in 2011, and we looked at how these retirement contributions had been growing. They'd been burgeoning, they'd been growing every year, not only because of large pay raises, but because people were added to payrolls and we had no control over that. So, we decided to make up for the difference if we didn't contribute the 25%, which it was at the time, by making the employees pay more. So, we added 2% to the teachers and they were about 60% of the group. The police and firemen were only about 40% total or less. So, everybody added 2% to the teachers, 2.25% to the police and 2.45% to the firemen, so they were adding more. I was confronted by fireman saying this was a new tax and I said wait a minute. Do you realize where this money is going to? It's not going to anybody but you or your family or your heirs. This is your money. It is in forced savings so you are paying a little bit more than you would normally, but it's all your money. So, to get all this talk about what's happening in the town and the property taxes and all that, when we first did it, that extra payment that went in took care of the extra money that would have cost the towns. Since then, the retirement system hasn't done a very good job in investing so that more money has been required to be paid in, but it probably should be paid in by those that are gaining the most. So, I hope you vote against this proposal and vote ITL. Of course I believe the motion that will come before us is Ought to Pass. I hope you vote against that and vote red because we have taken care of this and the fair way to do this is the retirement system is keeping lousy investments, would be to share the cost of going up between the employee and the employer to be really fair and that's the way most companies do it. They don't make the employer pay more. Thank you. Please vote red.

Representative Verville: Point of order, Mister Speaker.

Speaker Packard: State your point of order.

Representative Verville: Thank you, Mister Speaker. Two speakers ago, I want to know if it is appropriate for the use of language that I heard on the House floor two speakers ago when the speaker referred to going Dutch as a means of financial division? And, I would say that language is grossly inappropriate for the floor of the New Hampshire House of Representatives. Seriously.

Speaker Packard: Usually you make the point of order right at the time it is happening.

Representative Verville: I apologize, Mister Speaker, but the representative that just spoke was very quick to the microphone and I am seated way over there so to get to the microphone takes time. It's not the House floor so I apologize it took me a little time, but it's still language that should not be tolerated on the House floor.

Speaker Packard: I will take your comments under advice.

Representative Verville: Thank you, Mister Speaker.

Speaker Packard: The question before the House is the Ought to Pass motion on HB 274. Are you ready for the question? A roll call has been requested by Rep. Cushing. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. The Chair recognizes Rep. McGuire for a parliamentary inquiry.

Representative McGuire: Thank you, Mister Speaker. If I know that due to local control, the number in pay of all municipal employees is due totally under the control of the employer and the state has no input to that. If I know that the increase in retirement pay that so concerns some members is due not to a change in the state contribution, which went from zero to zero, but due to paying back with interest almost 20-years of artificially low employer contributions to a cost of living increase we granted last session without paying for it and downshifted to the local employers to the demographics, where the teachers in particular are living longer, which is wonderful for them. Not so good since we are committed to paying them a lifetime pension. Due to poor investment results at the retirement system and their changed assumptions. And, if I know that I have seen and many others have seen, cases where extra money given to municipalities for property tax relief actually resulted in higher spending and not in property tax relief, would I press the red button and not impose these unfair subsidies to local employees? Thank you.

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

Representative Cushing: Mister Speaker, if I know a half century ago, this legislature and the state government made a promise to the municipalities that it would support a portion of their retirement costs for teachers, firefighters and police officers. And, if I know that a decade ago, we broke that promise and the consequence was the largest single impact across the board in property taxes in the history of the State of New Hampshire. And, if I know what we have before us is a very modest attempt to have the legislature keep its promise to municipalities to help relieve the property tax burden that we are responsible for imposing in large part upon them, would I now press the green button and vote yes on the Ought to Pass motion? Thank you.

Speaker Packard: The question is on the Ought to Pass motion on HB 274. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you will press the red button. Voting stations are open for 30 seconds. Have all members present had the opportunity to vote? The House attend to the state of the vote. 172 voting Yea, 186 voting Nay, the motion fails. Rep. Osborne offers the motion

of ITL. Are you ready for the question? Rep. Conley requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. The question is on the motion of Inexpedient to Legislate on HB 274. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 189 voting Yea, 168 voting Nay, the ITL motion passed.

REGULAR CALENDAR - PART I CONT'D

HB 425-FN, establishing the position of chief information security officer and deputy chief information security officer in the department of information technology. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill was submitted at the request of the Department of Information Technology and brings into statute an executive order issued by Governor Hassan. The Chief Information Security Officer and Deputy Chief Information Security Officer work with all executive branch agencies to establish cyber security policy; in addition, they interact with the cyber risk assessment task force and implement steps to mitigate risk impact. These positions exist now and are in the budget as proposed. There was no opposition to this bill at the hearing and, recognizing the need for cyber security in NH, the bill passed through the committee unanimously. The committee amendment deletes language that inadvertently created duplicate positions. Vote 17-0.

Amendment (0027h)

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

AN ACT establishing technical committees and a cybersecurity advisory committee in the department of information technology.

Amend the bill by deleting sections 1-2 and renumbering the original sections 3-5 to read as 1-3, respectively.

AMENDED ANALYSIS

This bill establishes certain technical committees and a cybersecurity advisory committee in the department of information technology.

Committee amendment adopted.

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

The House recessed at 12:05 p.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Packard in the Chair)

Rep. Prout moved the adoption of an amendment to House Rule 36

AMENDMENT TO HOUSE RULE 36

Amend House Rule 36 by adding the following:

(f) Notwithstanding any other House rule except 35(b), a member may request drafting by the Office of Legislative Services of any resolution invoking statutory authority, irrespective of deadlines, and any subsequent consideration of said resolution by the House shall require a majority vote.

Rep. Timothy Smith spoke against.

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

YEAS 147 - NAYS 208

YEAS - 147

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Varney, Peter

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

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

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Trottier, Douglas

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

Marsh, William

CHESHIRE

Hunt, John

Kilanski, Ben

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Dostie, Donald

Theberge, Robert

GRAFTON

Alliegro, Mark
Sanborn, Gail

Berezhny, Lex
Greeson, Jeffrey

Binford, David
Simon, Matthew

Folsom, Beth

HILLSBOROUGH

Lekas, Alicia
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Homola, Susan
Kofalt, Jim
Mayville, Mary
Pauer, Diane
Rouillard, Claire
Tausch, Lindsay

Ammon, Keith
Kelley, Diane
Foster, William
Gould, Linda
Hopper, Gary
Lascelles, Richard
McLean, Mark
Post, Lisa
Sheehan, Vanessa
Ulery, Jordan

Blasek, Melissa
Smith, Denise
Griffin, Gerald
Greene, Bob
Infantine, William
Lewicke, John
Mooney, Maureen
Prout, Andrew
Somero, Paul
Warden, Mark

Burt, John
Erf, Keith
Gagne, Larry
Gunski, Michael
Kelsey, Niki
Marston, Dick
Nunez, Hershel
Ober, Russell
Lekas, Tony

MERRIMACK

Andrus, Louise
Hill, Gregory
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Kennedy, Margaret
Pearl, Howard
Walsh, Thomas

Cambrils, Jose
Leavitt, John
Pitaro, Matthew
Wells, Natalie

Cross, Kenna
McGuire, Carol
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl
Baxter, Tim
Copp, Anne
Edwards, Jess
Green, Dennis
Katsakiores, Phyllis
Major, Norman
Prudhomme-O'Brien, Katherine
Thomas, Douglas
Verville, Kevin
Yokela, Josh

Abramson, Max
Belanger, Cody
Dodge, Dustin
Emerick, Tracy
Harley, Tina
Layon, Erica
Melvin, Charles
Roy, Terry
Torosian, Peter
Vose, Michael

Acton, Dennis
Bernardy, JD
Dolan, Tom
Ford, Oliver
Hobson, Deborah
Love, David
Piemonte, Tony
Soti, Julius
True, Chris
Wallace, Scott

Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Gay, Betty
Janigian, John
Lundgren, David
Potucek, John
Spillane, James
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Hayward, Peter
Pitre, Joseph

Bailey, Glenn
Kaczynski, Thomas
Turcotte, Leonard

DeLemus, Susan
Kittredge, Mac
Wuelper, Kurt

Groen, Fenton
Newton, Clifford

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

NAYS - 208**BELKNAP**

Silber, Norman

CARROLL

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Crawford, Karel
McConkey, Mark

Deshaies, Brodie
Nelson, Bill

MacDonald, John
Umberger, Karen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Schapiro, Joe

Ames, Richard
Fox, Dru
Mann, John
Toll, Amanda

Bordenet, John
Gomarlo, Jennie
Parshall, Lucius
Von Plinsky, Sparky

Faulkner, Barry
Harvey, Cathryn
Qualey, James
Weber, Lucy

COOS

Davis, Arnold
Merner, Troy

Kelley, Eamon
Thompson, Dennis

Hatch, William
Tucker, Edith

Lafamme, Larry

GRAFTON

Abel, Richard
Egan, Timothy
Ham, Bonnie
Stavis, Laurel

Adjutant, Joshua
Fellows, Sallie
Ladd, Rick
Smith, Suzanne

Almy, Susan
Gordon, Edward
Massimilla, Linda
Sykes, George

Depalma IV, Joseph
Hakken-Phillips, Mary
Muirhead, Russell
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
King, Bill
Boehm, Ralph
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Hyland, Stephanie
Klein-Knight, Nicole
Lanzara, Tom
King, Mark
Moran, Melbourne
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Bouldin, Amanda
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Graham, John
Healey, Robert
Jack, Martin
Ober, Lynne
Loughton, Stacie-Marie
Murray, Megan
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Renzullo, Andrew
Shaw, Barbara
Vail, Suzanne

Bouldin, Andrew
Bergeron, Paul
Bradley, Amy
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Heath, Mary
Jeudy, Jean
Sanborn, Laurie
Leishman, Peter
Mangipudi, Latha
Notter, Jeanine
Pedersen, Michael
Plett, Fred
Rice, Kimberly
Smith, Timothy
Vann, Ivy

Griffin, Barbara
Berry, Ross
Chretien, Jacqueline
Creighton, Jim
Freitas, Mary
Hamer, Heidi
Herbert, Christopher
Klee, Patricia
Labranche, Tony
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

MERRIMACK

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

Bartlett, Christy
Gallager, Eric
MacKay, James
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Klose, John
Mason, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

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

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
DiLorenzo, Charlotte
Grote, Jaci
Murray, Kate
Lynn, Bob
McBride, Everett
Milz, David
Read, Ellen
Sweeney, Joe
MacDonald, Wayne

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Guthrie, Joseph
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Osborne, Jason
Pearson, Stephen
Sytek, John
Welch, David

Ayer, Paul
Cushing, Robert Renny
Gilman, Julie
Hamblet, Joan
Litchfield, Melissa
Maggiore, Jim
McMahon, Charles
Paige, Mark
Simpson, Alexis
Tripp, Richard

Bunker, Lisa
DeSimone, Debra
Grossman, Gaby
Harb, Robert
Loughman, Tom
Malloy, Dennis
Meuse, David
Pratt, Kevin
Somssich, Peter
Tudor, Paul

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horgan, James
Smith, Marjorie
Wall, Janet

Cannon, Gerri
Frost, Sherry
Horrigan, Timothy
Schmidt, Peter

Chase, Wendy
Grassie, Chuck
Kenney, Cam
Rich, Cecilia

Conley, Casey
Harrington, Michael
Levesque, Cassandra
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the motion failed.

Rep. Weber moved the adoption of an amendment to House Rule 110

AMENDMENT TO HOUSE RULE 110

Amend House Rule 110 to read as follows:

Notwithstanding the provisions of RSA 91-A, when the Speaker determines with the concurrence of the Minority Leader that is necessary for the conduct of the business of the House, the House or any of its committees or subcommittees may meet remotely, or with a hybrid of remote and in-person participation, provided that a quorum may be determined and provisions for public access are made.

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

YEAS 154 - NAYS 198

**YEAS - 154
BELKNAP**

CARROLL

Burroughs, Anita	Knirk, Jerry	McAleer, Chris	Woodcock, Stephen
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CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Faulkner, Barry
Fenton, Donovan	Fox, Dru	Gomarlo, Jennie	Harvey, Cathryn
Ley, Douglas	Mann, John	Parshall, Lucius	Shapiro, Joe
Toll, Amanda	Von Plinsky, Sparky	Weber, Lucy	

COOS

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

GRAFTON

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

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Beaulieu, Jane	Bergeron, Paul
Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline	Cleaver, Skip
Connors, Erika	Cornell, Patricia	DiSilvestro, Linda	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Goley, Jeffrey	Griffith, Willis
Hamer, Heidi	Harriott-Gathright, Linda	Herbert, Christopher	Hyland, Stephanie
Jack, Martin	Judy, Jean	Klee, Patricia	Klein-Knight, Nicole
Labranche, Tony	Laughton, Stacie-Marie	Long, Patrick	King, Mark
Murray, Megan	Mangipudi, Latha	McGhee, Kat	Moran, Melbourne
Mullen, Sue	Nutter-Upham, Frances	Nutting-Wong, Allison	O'Brien, Michael
Pedersen, Michael	Perez, Maria	Pickering, Daniel	Piedra, Israel
Query, Joshua	Newman, Ray	Rung, Rosemarie	Newman, Sue
Smith, Timothy	Telerski, Laura	Toomey, Dan	Vail, Suzanne
Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew	

MERRIMACK

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

ROCKINGHAM

Acton, Dennis	Altschiller, Debra	Bunker, Lisa	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert Renny	DiLorenzo, Charlotte	Edgar, Michael
Gilman, Julie	Grossman, Gaby	Grote, Jaci	Hamblet, Joan
Murray, Kate	Loughman, Tom	Pearson, Mark	Maggiore, Jim
Malloy, Dennis	McKinney, Betsy	Meuse, David	Paige, Mark
Read, Ellen	Simpson, Alexis	Somssich, Peter	

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fontneau, Timothy	Frost, Sherry	Grassie, Chuck	Horrigan, Timothy
Kenney, Cam	Levesque, Cassandra	Smith, Marjorie	Schmidt, Peter
Salloway, Jeffrey	Wall, Janet		

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	O'Hearne, Andrew
Sullivan, Brian	Tanner, Linda		

NAYS - 198**BELKNAP**

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

CARROLL

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

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Gordon, Edward

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Ober, Lynne
Leishman, Peter
McLean, Mark
Pauer, Diane
Ober, Russell
Shaw, Barbara
Tausch, Lindsay

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Lanzara, Tom
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Somero, Paul
Warden, Mark

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kofalt, Jim
Lascalles, Richard
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Lekas, Tony

MERRIMACK

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

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

Boyd, Stephen
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Cambrils, Jose
Klose, John
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abrami, Patrick
Baxter, Tim
Copp, Anne
Doucette, Fred
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Abramson, Max
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

and the motion failed.

Reps. Frost and Timothy Smith moved the adoption of an amendment to House Rule 67

AMENDMENT TO HOUSE RULE 67

Amend House Rule 67 by adding the following new subparagraph:

h) Members who are unable to attend in-person sessions of the House due to a documented medical condition that puts them at risk shall be allowed to attend sessions remotely and participate in a manner deemed most prudent by the Clerk. Their presence shall count toward a quorum of the House.

Rep. Timothy Smith spoke in favor.

Rep. Dutzy requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 197**YEAS - 157
BELKNAP**

Bordes, Mike Littlefield, Richard

Burroughs, Anita Knirk, Jerry

Abbott, Michael Bordenet, John
Fox, Dru Gomarlo, Jennie
Mann, John Parshall, Lucius
Von Plinsky, Sparky Weber, LucyKelley, Eamon Hatch, William
Thompson, Dennis Tucker, EdithAbel, Richard Adjutant, Joshua
Fellows, Sallie Hakken-Phillips, Mary
Muirhead, Russell Stavis, Laurel
Weston, JoyceBouldin, Amanda Bouldin, Andrew
Bouchard, Donald Bradley, Amy
Connors, Erika Cornell, Patricia
Freitas, Mary Goley, Jeffrey
Harriott-Gathright, Linda Heath, Mary
Jack, Martin Judy, Jean
Labranche, Tony Laughton, Stacie-Marie
King, Mark Murray, Megan
Moran, Melbourne Mullen, Sue
O'Brien, Michael Pedersen, Michael
Piedra, Israel Query, Joshua
Newman, Sue Shaw, Barbara
Toomey, Dan Vail, Suzanne
Wilhelm, MatthewBartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, GaryActon, Dennis
Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
McKinney, Betsy
Read, EllenBixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, CeciliaCloutier, John Gottling, Suzanne
Sullivan, Brian Tanner, LindaAldrich, Glen Bean, Harry
Hough, Gregg Howard, Raymond
Mackie, Jonathan O'Hara, Travis
Sylvia, Michael Terry, Paul**CARROLL**

McAleer, Chris Woodcock, Stephen

CHESHIREFaulkner, Barry Fenton, Donovan
Harvey, Cathryn Ley, Douglas
Schapiro, Joe Toll, Amanda**COOS**

Laflamme, Larry Theberge, Robert

GRAFTONAlmy, Susan Egan, Timothy
Ham, Bonnie Massimilla, Linda
Smith, Suzanne Sykes, George**HILLSBOROUGH**Beaulieu, Jane Bergeron, Paul
Chretien, Jacqueline Cleaver, Skip
DiSilvestro, Linda Espitia, Manny
Griffith, Willis Hamer, Heidi
Herbert, Christopher Hyland, Stephanie
Klee, Patricia Klein-Knight, Nicole
Leishman, Peter Long, Patrick
Mangipudi, Latha McGhee, Kat
Nutter-Upham, Frances Nutting-Wong, Allison
Perez, Maria Pickering, Daniel
Newman, Ray Rung, Rosemarie
Smith, Timothy Telerski, Laura
Vann, Ivy Veilleux, Daniel**MERRIMACK**Ebel, Karen Ellison, Arthur
Luneau, David MacKay, James
Richards, Beth Schamberg, Thomas
Shurtleff, Steve Soucy, Timothy
Wazir, Safiya Wolf, Dan**ROCKINGHAM**Bunker, Lisa Cahill, Michael
DiLorenzo, Charlotte Edgar, Michael
Grote, Jaci Hamblet, Joan
Maggiore, Jim Malloy, Dennis
Meuse, David Paige, Mark
Somssich, Peter**STRAFFORD**Chase, Wendy Conley, Casey
Grassie, Chuck Horrigan, Timothy
Smith, Marjorie Schmidt, Peter
Wall, Janet**SULLIVAN**

Merchant, Gary O'Hearne, Andrew

**NAYS - 197
BELKNAP**Comtois, Barbara Harvey-Bolia, Juliet
Johnson, Dawn Lang, Timothy
Ploszaj, Tom Silber, Norman
Trottier, Douglas Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Ames, Richard
Rhodes, Jennifer

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Gordon, Edward

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

Alexander, Joe
Berry, Ross
Creighton, Jim
Dutzy, Sherry
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascalles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

MERRIMACK

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Walsh, Thomas

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Wells, Natalie

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
White, Nick

Cambrils, Jose
Klose, John
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
McBride, Everett
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baxter, Tim
Copp, Anne
Doucette, Fred
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Pearson, Mark
Milz, David
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Emerick, Tracy
Harb, Robert
Katsakiores, Phyllis
Love, David
Major, Norman
Osborne, Jason
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

and the motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. McGuire moved that the House reconsider its action whereby, on a roll call vote of 189-168, the House adopted the motion of Inexpedient to Legislate on **HB 274-FN-L**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. Rep. McGuire spoke against. Rep. Cushing requested a roll call; sufficiently seconded.

CARROLL

Avellani, Lino
Marsh, William

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Nelson, Bill

Smith, Jonathan
Umberger, Karen

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Dostie, Donald

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Simon, Matthew

Berezhny, Lex
Sanborn, Gail

Binford, David
Greeson, Jeffrey

Depalma IV, Joseph
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Homola, Susan
Ober, Lynne
Lewicke, John
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Graham, John
Hopper, Gary
Sanborn, Laurie
Marston, Dick
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Greene, Bob
Infantine, William
Lanzara, Tom
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Gunski, Michael
Kelsey, Niki
Lascelles, Richard
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

MERRIMACK

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Wells, Natalie

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
White, Nick

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
Yakubovich, Michael

Cambrils, Jose
Klose, John
Moffett, Michael
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baxter, Tim
Copp, Anne
Doucette, Fred
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
McKinney, Betsy
Osborne, Jason
Pearson, Stephen
Sytek, John
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edgar, Michael
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McMahon, Charles
Potucek, John
Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Wallace, Scott

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Major, Norman
Melvin, Charles
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Verville, Kevin
Welch, David

Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
McBride, Everett
Milz, David
Roy, Terry
Sweeney, Joe
Tripp, Richard
Vose, Michael
Weyler, Kenneth

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Schmidt, Peter

Groen, Fenton
Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Aron, Judy
Smith, Steven

Callum, John

Rollins, Skip

Spilsbury, Walter

and the motion failed.

REGULAR CALENDAR - PART I CONT'D

HB 591-FN, relative to certain liquor license fees and establishing 2 liquor investigator positions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tony Lekas for Executive Departments and Administration. This bill, as amended, would permit the issuance of a retail tobacco license to any business which already has a license to sell alcoholic beverages for an additional fee of \$6. It also makes some minor clarifications of certain other liquor license provisions. As introduced, the bill as introduced established two investigator positions. While those investigators may or may not actually be needed by the Liquor Commission, they do not need to be added to implement the provisions of this

bill. The ED&A Committee does not normally get involved with the Liquor Commission and does not have the information or expertise to determine the commission's staffing needs. If the liquor commission does require additional staff that would be better addressed by another committee which has such expertise. Vote 11-8.

Amendment (0269H)

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

AN ACT relative to certain liquor license fees.

Amend RSA 178:29, II(e) as inserted by section 3 of the bill by replacing it with the following:

(e) Retail tobacco license:

(1) 1 register, \$216

(2) 2-3 registers, \$408

(3) 4 or more registers, \$648

Amend RSA 178:19-a as inserted by section 5 of the bill by inserting after paragraph I the following new paragraph:

I-a. The commission may issue a retail tobacco license to any business holding a license to sell alcoholic beverages under RSA 178 for an additional fee of \$6 per licensed location.

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

6 New Paragraph; On-Premises Cigar, Beverage, and Liquor License; Fee. Amend RSA 178:20-a by inserting after paragraph IV the following new paragraph:

V. The fee for an on-premises cigar, beverage, and liquor license shall be as determined in RSA 178:29, I.

7 New Paragraph; Combination License; Fee. Amend RSA 178:18 by inserting after paragraph III the following new paragraph:

IV. The fee for a combination license shall be as determined in RSA 178:29, II(b).

8 New Paragraph; Retail Wine License; Fee. Amend RSA 178:19 by inserting after paragraph IV the following new paragraph:

V. The fee for a retail wine license shall be as determined in RSA 178:29, II(a).

9 New Paragraph; Beer Specialty License; Fee. Amend RSA 178:19-d by inserting after paragraph VI the following new paragraph:

VII. The fee for a beer specialty license shall be found in RSA 178:29, II(d).

10 Applicability. The provisions of sections 1-9 of this act shall be applicable on the first day of the month following its effective date.

11 Effective Date.

I. Sections 1-9 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill makes changes to liquor license fees for agency licenses and retail tobacco licenses and clarifies certain other liquor license fee provisions.

On a division vote, with 205 members having voted in the affirmative, and 145 in the negative, the committee amendment was adopted.

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

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

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Wuelper moved that the House reconsider its action whereby, on a voice vote, the House adopted the committee report of Ought to Pass with Amendment on **HB 591-FN**, relative to certain liquor license fees.

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

YEAS 203 - NAYS 137

YEAS - 203

BELKNAP

Lang, Timothy

Sylvia, Michael

CARROLL

Burroughs, Anita
Marsh, William

Crawford, Karel
McAleer, Chris

Deshaies, Brodie
Woodcock, Stephen

Knirk, Jerry

CHESHIRE

Abbott, Michael
Fenton, Donovan
Hunt, John
Schapiro, Joe

Ames, Richard
Fox, Dru
Ley, Douglas
Toll, Amanda

Bordenet, John
Gomarlo, Jennie
Mann, John
Von Plinsky, Sparky

Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Weber, Lucy

COOS

Davis, Arnold
Lafamme, Larry

Dostie, Donald
Theberge, Robert

Kelley, Eamon
Tucker, Edith

Hatch, William

GRAFTON

Abel, Richard
Egan, Timothy
Ham, Bonnie
Smith, Suzanne

Adjutant, Joshua
Fellows, Sallie
Massimilla, Linda
Sykes, George

Almy, Susan
Gordon, Edward
Muirhead, Russell
Weston, Joyce

Depalma IV, Joseph
Hakken-Phillips, Mary
Stavis, Laurel

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Bradley, Amy
Cornell, Patricia
Espitia, Manny
Gorski, Ted
Harriott-Gathright, Linda
Infantine, William
Klein-Knight, Nicole
Lanzara, Tom
Lewicke, John
Mangipudi, Latha
Nutter-Upham, Frances
Pickering, Daniel
Newman, Sue
Telerski, Laura
Wilhelm, Matthew

Alexander, Joe
Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim
Freitas, Mary
Graham, John
Heath, Mary
Jack, Martin
Kofalt, Jim
Lascalles, Richard
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Shaw, Barbara
Toomey, Dan

Bouldin, Amanda
Bergeron, Paul
Cleaver, Skip
DiSilvestro, Linda
Gagne, Larry
Griffith, Willis
Hopper, Gary
Judy, Jean
Ober, Lynne
Laughton, Stacie-Marie
King, Mark
Moran, Melbourne
Pedersen, Michael
Newman, Ray
Lekas, Tony
Vail, Suzanne

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Hamer, Heidi
Hyland, Stephanie
Klee, Patricia
Labranche, Tony
Leishman, Peter
Murray, Megan
Mullen, Sue
Perez, Maria
Rung, Rosemarie
Smith, Timothy
Veilleux, Daniel

MERRIMACK

Bartlett, Christy
Ellison, Arthur
MacKay, James
Moffett, Michael
Schuett, Dianne
Soucy, Timothy
Wazir, Safiya

Caplan, Tony
Gallager, Eric
Mason, James
Pearl, Howard
Schultz, Kristina
Wallner, Mary Jane
Wells, Natalie

Cross, Kenna
Lane, Connie
McGuire, Carol
Pimentel, Roderick
Seaworth, Brian
Walsh, Thomas
Wolf, Dan

Ebel, Karen
Luneau, David
McWilliams, Rebecca
Schamberg, Thomas
Shurtleff, Steve
Walz, Mary Beth
Woods, Gary

ROCKINGHAM

Acton, Dennis
Bunker, Lisa
Gay, Betty
Harb, Robert
Loughman, Tom
Maggiore, Jim
Paige, Mark
Simpson, Alexis
Torosian, Peter
Yokela, Josh

Altschiller, Debra
Cahill, Michael
Gilman, Julie
Hobson, Deborah
Love, David
Major, Norman
Prudhomme-O'Brien, Katherine
Somssich, Peter
Vandecasteele, Susan

Baldasaro, Al
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Lynn, Bob
Malloy, Dennis
Read, Ellen
Sytek, John
Verville, Kevin

Bernardy, JD
DiLorenzo, Charlotte
Grote, Jaci
Litchfield, Melissa
Pearson, Mark
Meuse, David
Pearson, Stephen
Thomas, Douglas
Vose, Michael

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Wuelper, Kurt

Cannon, Gerri
Frost, Sherry
Kenney, Cam
Rich, Cecilia

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey

Conley, Casey
Groen, Fenton
Smith, Marjorie
Wall, Janet

SULLIVAN

Aron, Judy
O'Hearne, Andrew
Tanner, Linda

Cloutier, John
Stapleton, Walter

Gottling, Suzanne
Smith, Steven

Merchant, Gary
Sullivan, Brian

NAYS - 137**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Littlefield, Richard
Silber, Norman

Bean, Harry
Hough, Gregg
Mackie, Jonathan
Terry, Paul

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

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

CARROLL

Avellani, Lino
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

MacDonald, John
Umberger, Karen

Smith, Jonathan

CHESHIRE

Kilanski, Ben	Qualey, James	Rhodes, Jennifer	Santonastaso, Matthew
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COOS

Merner, Troy

GRAFTON

Alliegro, Mark	Berezhny, Lex	Binford, David	Folsom, Beth
Sanborn, Gail	Greeson, Jeffrey	Ladd, Rick	Simon, Matthew

HILLSBOROUGH

Ammon, Keith	King, Bill	Berry, Ross	Blasek, Melissa
Boehm, Ralph	Burt, John	Cushman, Leah	Kelley, Diane
Smith, Denise	Erf, Keith	Fedolfi, Jim	Foster, William
Griffin, Gerald	Greene, Bob	Gunski, Michael	Healey, Robert
Homola, Susan	Kelsey, Niki	Marston, Dick	Mayville, Mary
McLean, Mark	Mooney, Maureen	Notter, Jeanine	Nunez, Hershel
Pauer, Diane	Plett, Fred	Post, Lisa	Prout, Andrew
Ober, Russell	Renzullo, Andrew	Rice, Kimberly	Rouillard, Claire
Sheehan, Vanessa	Somero, Paul	Tausch, Lindsay	Ulery, Jordan
Warden, Mark			

MERRIMACK

Allard, James	Andrus, Louise	Boyd, Stephen	Cambrils, Jose
Hill, Gregory	Kennedy, Margaret	Klose, John	Leavitt, John
Pitaro, Matthew	Testerman, Dave	White, Nick	Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Ayer, Paul
Baxter, Tim	Belanger, Cody	Bershtein, Alan	DeSimone, Debra
Dodge, Dustin	Dolan, Tom	Doucette, Fred	Edwards, Jess
Ford, Oliver	Green, Dennis	Guthrie, Joseph	Harley, Tina
Janigian, John	Khan, Aboul	Layon, Erica	Lundgren, David
McBride, Everett	McKinney, Betsy	McMahon, Charles	Melvin, Charles
Milz, David	Osborne, Jason	Piemonte, Tony	Potucek, John
Pratt, Kevin	Roy, Terry	Soti, Julius	Spillane, James
Sweeney, Joe	True, Chris	Tudor, Paul	MacDonald, Wayne
Wallace, Scott	Welch, David	Weyler, Kenneth	

STRAFFORD

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

SULLIVAN

Rollins, Skip	Spilsbury, Walter
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and the motion was adopted.

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

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

Rep. McGuire yielded to questions.

Rep. Rung requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 147**YEAS - 203****BELKNAP**

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

CARROLL

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

CHESHIRE

Hunt, John	Kilanski, Ben	Qualey, James	Rhodes, Jennifer
Santonastaso, Matthew	Weber, Lucy		

COOS

Davis, Arnold
Tucker, Edith

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Depalma IV, Joseph
Greeson, Jeffrey
Simon, Matthew

Almy, Susan
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Massimilla, Linda

HILLSBOROUGH

Lekas, Alicia
King, Bill
Boehm, Ralph
Kelley, Diane
Foster, William
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Leishman, Peter
McLean, Mark
Pauer, Diane
Rice, Kimberly
Lekas, Tony

Alexander, Joe
Beaulieu, Jane
Burt, John
Smith, Denise
Freitas, Mary
Gould, Linda
Healey, Robert
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Rouillard, Claire
Tausch, Lindsay

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Griffin, Gerald
Graham, John
Homola, Susan
Lanzara, Tom
Marston, Dick
Notter, Jeanine
Prout, Andrew
Shaw, Barbara
Ulery, Jordan

Griffin, Barbara
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gagne, Larry
Greene, Bob
Hopper, Gary
Lascalles, Richard
Mayville, Mary
Nunez, Hershel
Renzullo, Andrew
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Pitaro, Matthew
Wells, Natalie

Boyd, Stephen
Klose, John
McWilliams, Rebecca
Seaworth, Brian
White, Nick

Cambrils, Jose
Leavitt, John
Moffett, Michael
Testerman, Dave
Wolf, Dan

Cross, Kenna
Mason, James
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bershtein, Alan
Doucette, Fred
Gay, Betty
Harb, Robert
Katsakiores, Phyllis
Love, David
McBride, Everett
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Welch, David

Abrami, Patrick
Baldasaro, Al
DeSimone, Debra
Edwards, Jess
Green, Dennis
Harley, Tina
Khan, Aboul
Lynn, Bob
McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
Vose, Michael
Weyler, Kenneth

Abramson, Max
Baxter, Tim
Dodge, Dustin
Emerick, Tracy
Grote, Jaci
Hobson, Deborah
Khan, Erica
Pearson, Mark
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
True, Chris
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Bernardy, JD
Dolan, Tom
Ford, Oliver
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Major, Norman
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
Tudor, Paul
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kittredge, Mac
Turcotte, Leonard

Bailey, Glenn
Hayward, Peter
Smith, Marjorie
Wuelper, Kurt

DeLemus, Susan
Horgan, James
Schmidt, Peter

Fontneau, Timothy
Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 147**CARROLL**

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Ames, Richard
Fox, Dru
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Parshall, Lucius

Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Hakken-Phillips, Mary
Sykes, George

Adjutant, Joshua
Muirhead, Russell
Weston, Joyce

Egan, Timothy
Stavis, Laurel

Fellows, Sallie
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bradley, Amy
Cornell, Patricia
Goley, Jeffrey
Heath, Mary
Judy, Jean
Labranche, Tony
Murray, Megan
Mullen, Sue
Pedersen, Michael
Post, Lisa
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Bouldin, Andrew
Chretien, Jacqueline
DiSilvestro, Linda
Griffith, Willis
Herbert, Christopher
Klee, Patricia
Laughton, Stacie-Marie
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Hamer, Heidi
Hyland, Stephanie
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Somero, Paul
Vail, Suzanne

Bouchard, Donald
Connors, Erika
Espitia, Manny
Harriott-Gathright, Linda
Jack, Martin
Ober, Lynne
King, Mark
Moran, Melbourne
O'Brien, Michael
Piedra, Israel
Ober, Russell
Smith, Timothy
Vann, Ivy

MERRIMACK

Andrus, Louise
Ellison, Arthur
MacKay, James
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gallager, Eric
Pimentel, Roderick
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Lane, Connie
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Ebel, Karen
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Lundgren, David
Paige, Mark
Torosian, Peter

Bunker, Lisa
DiLorenzo, Charlotte
Hamblet, Joan
Maggiore, Jim
Read, Ellen
Verville, Kevin

Cahill, Michael
Edgar, Michael
Murray, Kate
Malloy, Dennis
Simpson, Alexis

Copp, Anne
Gilman, Julie
Loughman, Tom
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Frost, Sherry
Kenney, Cam
Salloway, Jeffrey

Cannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Wall, Janet

Chase, Wendy
Harrington, Michael
Newton, Clifford

Conley, Casey
Horrigan, Timothy
Rich, Cecilia

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

and the committee report was adopted and the bill was referred to the Committee on Finance. Rep. Richards declared a conflict of interest and did not participate in the vote.

HB 187, relative to the emergency powers of the commissioner of health and human services. OUGHT TO PASS WITH AMENDMENT.

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill establishes retrospective legislative oversight over emergency orders from the commissioner of the Department of Health and Human Services (DHHS), issued under RSA 21-P. The bill also establishes legislative oversight over various powers under the public health and infectious disease laws. The critical part of this bill, and the only issue on which there was a difference of opinion, is on page 2, line 32, which gives the Health and Human Services Oversight Committee the authority to rescind emergency orders by a two-thirds vote. The majority feels this measure is essential to restore the balance of power between the branches, but is sufficiently high to prevent its misuse. Current law was appropriately used to limit the distribution of hydroxychloroquine under the emergency order when there was a shortage. The bill clarifies that we did not grant the power to prevent the prescribing of a drug medical professionals have reason to believe might be effective. Existing law in RSA 21-P:53 V clearly states individuals have a right to refuse ordered treatment including vaccination. However the statutory reference calls that into doubt as it refers to a statute telling a justice of the peace to order treatment. The bill corrects the reference, clearly allowing individuals to refuse treatment and remain in quarantine. Legislative oversight over other emergency powers is also established through the Ethics Oversight Advisory Committee. This committee is in statute but had no members appointed; the Governor used the State Disaster Medical Advisory Committee to reconstitute this necessary committee to create the vaccine distribution plan. This committee would also review other emergency orders, and address ethical concerns with emergency orders.

The amendment does the following: It eliminates section 2 of the bill as drafted, which was determined to be unnecessary. It rewrites the charge to the Ethics Oversight Advisory Committee to be less burdensome and to use aggregate and de-identified data. Last, it undoes changes to the membership of HHS Oversight in last year's HB 1245 on page 9. We do not believe those changes were intended to remove minority party input from HHS Oversight. Vote 19-2.

Amendment (0161h)

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

AN ACT relative to the emergency powers of the commissioner of health and human services and relative to the membership of the oversight committee on health and human services.

Amend RSA 21-P:53, VIII as inserted by section 1 of the bill by replacing it with the following:

VIII. Except as provided in paragraph IX, an emergency order issued under this section shall be subject to review by the joint legislative oversight committee on health and human services, established in RSA 126-A:13, and may be rescinded by a 2/3 vote of that committee. The commissioner shall notify the ethics oversight advisory committee established in RSA 141-C:27 of any emergency order issued under this section, and the joint legislative oversight committee shall consider the input of the ethics committee, if provided, in any decision. If the emergency precludes either committee from meeting in person, they shall be authorized, notwithstanding any other provision of law, to meet remotely for this purpose.

Amend RSA 21-P:53 as inserted by section 1 of the bill by inserting after paragraph VIII the following new paragraph:

IX. An emergency order issued under paragraph V or VI shall be subject to legislative oversight by the ethics oversight advisory committee pursuant to RSA 141-C:27, II(b).

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

2 Communicable Disease; Ethics Committee. Amend RSA 141-C:27 to read as follows:

141-C:27 Ethics **Oversight Advisory** Committee.

I. There is hereby established an ethics **oversight advisory** committee to offer advice to the commissioner relative to the ethical issues that may be identified in the course of planning for, and responding to, outbreaks of communicable disease that threaten to become epidemic or pandemic **and to review and provide recommendations for investigations, orders, and treatment ordered by the commissioner.**

II. The committee shall:

(a) Consider the ethical implications of any of the powers that may be exercised by the commissioner under the provisions of this chapter including, but not limited to, the confiscation, distribution, and rationing of anti-toxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents, and mechanical equipment; the issuance and enforcement of orders of isolation, quarantine, medical examination, and medical treatment; issues relative to information sharing and confidentiality; and the provisions for due process for orders issued pursuant to this chapter.

(b) **Review, at least annually, a report of investigations conducted pursuant to RSA 141-C:9 and orders issued under RSA 21-P:53, V and VI, and provide recommendations to the department. Any information furnished to the committee shall be aggregated and de-identified. The department shall not share any confidential information with the committee.**

(c) **Consider the competing rights of disabled persons who might be unable to comply with certain orders, health care workers who are entitled to a safe workplace, and the need to protect the public from communicable disease, and may recommend modification of orders to address specific concerns.**

(d) **Consider both the need to protect the most vulnerable members of society as well as the need for the most efficacious means to control a public health emergency when consulting with the commissioner pursuant to RSA 21-P:53, III-b in developing a plan for the distribution of a new treatment or vaccination.**

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

(a) **Two members of the house or representatives, one of whom shall be from the minority party, appointed by the speaker of the house of representatives.**

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

(c) The director of the **department of health and human services**, division of public health services.

~~(b)~~ (d) The state epidemiologist.

~~(c)~~ (e) The attorney general, or designee.

~~(d)~~ (f) A representative of a public health network, appointed by the commissioner.

~~(e)~~ (g) A representative from a college or university public health program, appointed by the commissioner.

~~(f) A chief of police or a police officer of a local police department, appointed by the New Hampshire Association of Chiefs of Police.~~

- (g) ~~A chief of a local fire department, appointed by the New Hampshire Association of Fire Chiefs.]~~
 (h) A physician, licensed under RSA 329, appointed by the New Hampshire Medical Society.
 (i) The commissioner of the department of safety, or designee.
 (j) ~~[A member of a fire department with a minimum of EMT-B certification, appointed by the Professional Firefighters of New Hampshire.~~
 (k) A representative of a hospital, appointed by the New Hampshire Hospital Association.
 (l) ~~A county representative, appointed by the New Hampshire Association of Counties.]~~
(k) A representative of the Disability Rights Center of New Hampshire, appointed by the center.
(l) The commissioner of the department of labor, or designee.

IV. ~~[The commissioner shall appoint a member of the committee to act as chairperson.]~~ **The committee shall elect one of the legislative members as chairperson. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.** The committee shall meet initially within 30 days of the effective date of this section and then as regularly as the chairperson shall direct.

V. The commissioner may at any time direct questions to the committee or request guidance on ethical issues.

VI. The committee ~~[shall be solely advisory in nature and any guidance, guidelines, or protocols issued by the committee shall not be binding on the commissioner]~~ **may provide advisory opinions, including draft guidance, guidelines, or protocols, which shall not be binding on the commissioner or any member of the public.**

3 Department of Health and Human Services; Oversight Committee. Amend RSA 126-A:13, I to read as follows:

I. There shall be an oversight committee on health and human services consisting of ~~[5]~~ **the following** members ~~[as follows]~~:

(a) Two members of the senate, at least one of whom shall be a member of the senate health and human services committee and one of whom shall be a member of the senate finance committee, appointed by the president of the senate~~[-and]~~.

(b)(1) ~~[Three]~~ **Five** members of the house of representatives, ~~[2]~~ **3** of whom shall be from the health, human services and elderly affairs committee, and one of whom shall be from the house finance committee **division responsible for the department of health and human services**, appointed by the speaker of the house of representatives.

(2) Two members of the house of representatives, one of whom shall be appointed by the speaker of the house of representatives, and one of whom shall be appointed by the leader of the minority party of the house of representatives, shall be available to serve, at the request of the committee chairperson, as an alternate member for an absent committee member. An alternate member shall have full voting authority while serving for an absent committee member.

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

AMENDED ANALYSIS

This bill makes various changes to the powers of the commissioner of the department of health and human services during a public health emergency; authorizes the joint legislative oversight committee on health and human services to review, and rescind by a 2/3 vote, emergency orders issued by the commissioner; gives a person subject to a treatment order for a communicable disease a right to a hearing on the order; and amends the membership and duties of the ethics oversight advisory committee. The bill also amends the house membership on the health and human services oversight committee. Committee amendment adopted.

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

YEAS 333 - NAYS 6

YEAS - 333

BELKNAP

Aldrich, Glen
 Howard, Raymond
 Mackie, Jonathan
 Sylvia, Michael

Comtois, Barbara
 Johnson, Dawn
 O'Hara, Travis
 Terry, Paul

Harvey-Bolia, Juliet
 Lang, Timothy
 Ploszaj, Tom
 Trottier, Douglas

Hough, Gregg
 Littlefield, Richard
 Silber, Norman
 Varney, Peter

CARROLL

Avellani, Lino
 Deshaies, Brodie
 Marsh, William
 Umberger, Karen

Burroughs, Anita
 MacDonald, John
 McAleer, Chris
 Woodcock, Stephen

Cordelli, Glenn
 Smith, Jonathan
 McConkey, Mark

Crawford, Karel
 Knirk, Jerry
 Nelson, Bill

CHESHIRE

Abbott, Michael
Fenton, Donovan
Hunt, John
Qualey, James
Von Plinsky, Sparky

Ames, Richard
Fox, Dru
Kilanski, Ben
Rhodes, Jennifer
Weber, Lucy

Bordenet, John
Gomarlo, Jennie
Ley, Douglas
Santonastaso, Matthew

Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Toll, Amanda

COOS

Davis, Arnold
Laflamme, Larry
Tucker, Edith

Dostie, Donald
Merner, Troy

Kelley, Eamon
Theberge, Robert

Hatch, William
Thompson, Dennis

GRAFTON

Abel, Richard
Berezhny, Lex
Fellows, Sallie
Greeson, Jeffrey
Massimilla, Linda
Smith, Suzanne

Adjutant, Joshua
Binford, David
Folsom, Beth
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Alliegro, Mark
Depalma IV, Joseph
Sanborn, Gail
Ham, Bonnie
Simon, Matthew
Weston, Joyce

Almy, Susan
Egan, Timothy
Gordon, Edward
Ladd, Rick
Stavis, Laurel

HILLSBOROUGH

Lekas, Alicia
Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cleaver, Skip
Cushman, Leah
Erf, Keith
Freitas, Mary
Gorski, Ted
Griffith, Willis
Healey, Robert
Hyland, Stephanie
Klee, Patricia
Labranche, Tony
Leishman, Peter
Murray, Megan
McGhee, Kat
Mullen, Sue
Nutting-Wong, Allison
Perez, Maria
Post, Lisa
Renzullo, Andrew
Newman, Sue
Lekas, Tony
Toomey, Dan
Warden, Mark

Alexander, Joe
Griffin, Barbara
Berry, Ross
Bradley, Amy
Connors, Erika
Kelley, Diane
Espitia, Manny
Griffin, Gerald
Gould, Linda
Gunski, Michael
Heath, Mary
Infantine, William
Klein-Knight, Nicole
Lanzara, Tom
Lewicke, John
Mangipudi, Latha
McLean, Mark
Notter, Jeanine
O'Brien, Michael
Pickering, Daniel
Prout, Andrew
Rice, Kimberly
Shaw, Barbara
Smith, Timothy
Ulery, Jordan

Bouldin, Amanda
King, Bill
Blasek, Melissa
Burt, John
Cornell, Patricia
DiSilvestro, Linda
Fedolfi, Jim
Gagne, Larry
Graham, John
Hamer, Heidi
Homola, Susan
Jack, Martin
Kofalt, Jim
Lascelles, Richard
Long, Patrick
Marston, Dick
Mooney, Maureen
Nunez, Hershel
Pauer, Diane
Piedra, Israel
Query, Joshua
Rouillard, Claire
Sheehan, Vanessa
Tausch, Lindsay
Vail, Suzanne

Ammon, Keith
Beaulieu, Jane
Boehm, Ralph
Chretien, Jacqueline
Creighton, Jim
Dutzy, Sherry
Foster, William
Goley, Jeffrey
Greene, Bob
Harriott-Gathright, Linda
Hopper, Gary
Kelsey, Niki
Ober, Lynne
Laughton, Stacie-Marie
King, Mark
Mayville, Mary
Moran, Melbourne
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Newman, Ray
Rung, Rosemarie
Somero, Paul
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Allard, James
Caplan, Tony
Gallager, Eric
Lane, Connie
Mason, James
Pitaro, Matthew
Schultz, Kristina
Testerman, Dave
Wazir, Safiya
Woods, Gary

Bartlett, Christy
Cross, Kenna
Hill, Gregory
Leavitt, John
McWilliams, Rebecca
Richards, Beth
Seaworth, Brian
Wallner, Mary Jane
Wells, Natalie
Yakubovich, Michael

Boyd, Stephen
Ebel, Karen
Kennedy, Margaret
Luneau, David
Moffett, Michael
Schamberg, Thomas
Shurtleff, Steve
Walsh, Thomas
White, Nick

Cambrils, Jose
Ellison, Arthur
Klose, John
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Soucy, Timothy
Walz, Mary Beth
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Belanger, Cody
Cali-Pitts, Jacqueline
Dodge, Dustin
Edwards, Jess
Gilman, Julie
Guthrie, Joseph
Hobson, Deborah
Layon, Erica
Pearson, Mark
McBride, Everett

Abrami, Patrick
Ayer, Paul
Bernardy, JD
Cushing, Robert Renny
Dolan, Tom
Emerick, Tracy
Green, Dennis
Hamblet, Joan
Janigian, John
Litchfield, Melissa
Maggiore, Jim
McKinney, Betsy

Abramson, Max
Baldasaro, Al
Bershtein, Alan
DeSimone, Debra
Doucette, Fred
Ford, Oliver
Grossman, Gaby
Harb, Robert
Murray, Kate
Loughman, Tom
Major, Norman
McMahon, Charles

Acton, Dennis
Baxter, Tim
Bunker, Lisa
DiLorenzo, Charlotte
Edgar, Michael
Gay, Betty
Grote, Jaci
Harley, Tina
Katsakiores, Phyllis
Lundgren, David
Malloy, Dennis
Melvin, Charles

Meuse, David
Piemonte, Tony
Read, Ellen
Somssich, Peter
Sytek, John
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Milz, David
Potucek, John
Roy, Terry
Soti, Julius
Thomas, Douglas
Vandecasteele, Susan
Wallace, Scott

Osborne, Jason
Pratt, Kevin
Pearson, Stephen
Spillane, James
Torosian, Peter
Verville, Kevin
Welch, David

Paige, Mark
Prudhomme-O'Brien, Katherine
Simpson, Alexis
Sweeney, Joe
True, Chris
Vose, Michael
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
DeLemus, Susan
Harrington, Michael
Kaczynski, Thomas
Smith, Marjorie
Rich, Cecilia
Wuelper, Kurt

Bailey, Glenn
Fontneau, Timothy
Hayward, Peter
Kenney, Cam
Newton, Clifford
Salloway, Jeffrey

Bixby, Peter
Frost, Sherry
Horgan, James
Kittredge, Mac
Schmidt, Peter
Turcotte, Leonard

Cannon, Gerri
Grassie, Chuck
Horrihan, Timothy
Levesque, Cassandra
Pitre, Joseph
Wall, Janet

SULLIVAN

Aron, Judy
Merchant, Gary
Stapleton, Walter

Callum, John
O'Hearne, Andrew
Smith, Steven

Cloutier, John
Rollins, Skip
Sullivan, Brian

Gottling, Suzanne
Spilsbury, Walter
Tanner, Linda

NAYS - 6

CHESHIRE

Schapiro, Joe

HILLSBOROUGH

Smith, Denise

Ober, Russell

MERRIMACK

Andrus, Louise

ROCKINGHAM

Cahill, Michael

Love, David

and the committee report was adopted and the bill was referred to the Committee on Executive Departments and Administration.

Rep. Love voted Nay and intended to vote Yea.

(Rep. Steven Smith in the Chair)

REGULAR CALENDAR - PART I CONT'D

HB 246, establishing a protective order for vulnerable adults. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bill King for the Majority of Health, Human Services and Elderly Affairs. This bill is similar to several other bills that have been considered and rejected over the past several years. This bill would create a civil process to address potential elder or vulnerable adult abuse. Many concerns were raised about financial abuse of adults and "that the money was gone" before someone could act. Stealing someone's retirement funds is already a crime under the criminal statutes as is physical abuse and neglect. The committee heard from numerous citizens expressing concerns about due process violations and use of civil processes when there is evidence that criminal activity had occurred. Specific issues were raised about the phrase, "...the court shall not be bound by the technical rules of evidence..." which would allow for 'evidence' that might be hearsay or double and even triple hearsay. The language in the proposed statute would allow the confiscation of personal property, including animals. The language would also kick in federal law that would allow for confiscation of firearms from the accused without a trial where the accused was found guilty. This bill also included an indefinite look back in time whereby an incident that had occurred decades ago could be used as evidence of abuse. This is a significant departure from traditional, American, jurisprudence. As a society, we have been careful to ensure that the accused is presumed innocent until proven guilty in a court of law. The committee heard significant concerns that this civil process would do away with those protections. Numerous suggestions were made to correct the flaws brought up in the public hearing but nothing was agreed to during the executive session. Members considered retaining the bill to work on it, however the committee decided that this bill was unworkable. Vote 14-7.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. This bill provides protections for vulnerable adults. This refers to persons who are mentally, physically or emotionally unable to manage their personal, home or financial affairs in their own best interest, and who may be suffering abuse, neglect or exploitation, whether physically, emotionally, or financially, at the hands of another. This bill is needed because existing statutes do not provide the prompt relief from the kinds of abuse, neglect or exploitation that seniors and persons with disabilities or with mental illness suffer all too often, sometimes at the hands of caregivers or their own families. Existing criminal statutes can punish those who abuse or exploit the vulnerable adult, but criminal prosecution takes a long time, and the abuser is often out on the street continuing to drain finances or

perpetrating physical or emotional abuse of the victim for significant periods of time before a case comes to trial. By the time of trial, the financial resources of the victim may have been drained, leaving them destitute and a charge of the state, or leaving them battered, either physically or emotionally. In some cases, existing relief from abuse orders may be used, but they cover only family or household members or domestic partners. Often the abuser is a caregiver or unrelated party who has wrongfully gained access to the victim's home, finances or other assets, and existing domestic relations orders offer no help. A guardianship may eventually provide the victim with appropriate supervision of financial or personal matters, but again, the process is lengthy and, in practice, the process usually does not start until after the victim's assets are gone or significant abuse has occurred. This bill offers a quick, effective process for the victim, aided by a support person if they choose, to file for a protective order in the circuit court. An expedited hearing schedule protects the substantive rights and due process rights of both the vulnerable adult and the alleged abuser without creating a whole new state bureaucracy. The resulting order may restrain the abuser from continued abuse, exploitation or neglect, keep the abuser away from the victim and the victim's home and property, and require the return of personal property wrongfully taken from the victim, providing desperately needed immediate protection for the victim.

MOTION TO INDEFINITELY POSTPONE

Rep. Burt moved that **HB 246**, establishing a protective order for vulnerable adults, be Indefinitely Postponed.

Rep. Burt spoke in favor.

Rep. Weber spoke against.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 158

YEAS - 195

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Gordon, Edward

Depalma IV, Joseph
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HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
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Graham, John
Homola, Susan
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Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Somero, Paul
Warden, Mark

Alexander, Joe
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Erf, Keith
Gagne, Larry
Greene, Bob
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Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Lekas, Tony

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Shaw, Barbara
Tausch, Lindsay

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Walsh, Thomas

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Schamberg, Thomas
Wells, Natalie

Cambrils, Jose
Klose, John
Moffett, Michael
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl	Abramson, Max	Ayer, Paul	Baldasaro, Al
Baxter, Tim	Belanger, Cody	Bernardy, JD	Bershtein, Alan
Copp, Anne	DeSimone, Debra	Dodge, Dustin	Dolan, Tom
Doucette, Fred	Edwards, Jess	Emerick, Tracy	Ford, Oliver
Green, Dennis	Harley, Tina	Hobson, Deborah	Janigian, John
Katsakiores, Phyllis	Khan, Aboul	Layon, Erica	Litchfield, Melissa
Love, David	Lundgren, David	Lynn, Bob	Major, Norman
McBride, Everett	McKinney, Betsy	Melvin, Charles	Milz, David
Osborne, Jason	Packard, Sherman	Piemonte, Tony	Potucek, John
Pratt, Kevin	Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen
Soti, Julius	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	Torosian, Peter	Tripp, Richard	True, Chris
Tudor, Paul	Vandecasteele, Susan	Verville, Kevin	Vose, Michael
MacDonald, Wayne	Wallace, Scott	Welch, David	Weyler, Kenneth
Yokela, Josh			

STRAFFORD

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

SULLIVAN

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

NAYS - 158**CARROLL**

Burroughs, Anita	Knirk, Jerry	McAleer, Chris	Woodcock, Stephen
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CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Faulkner, Barry
Fenton, Donovan	Fox, Dru	Gomarlo, Jennie	Harvey, Cathryn
Ley, Douglas	Mann, John	Parshall, Lucius	Schapiro, Joe
Toll, Amanda	Von Plinsky, Sparky	Weber, Lucy	

COOS

Kelley, Eamon	Hatch, William	Lafamme, Larry	Theberge, Robert
Thompson, Dennis	Tucker, Edith		

GRAFTON

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

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Beaulieu, Jane	Bergeron, Paul
Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline	Cleaver, Skip
Connors, Erika	Cornell, Patricia	DiSilvestro, Linda	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Goley, Jeffrey	Griffith, Willis
Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher
Hyland, Stephanie	Infantine, William	Jack, Martin	Judy, Jean
Klee, Patricia	Klein-Knight, Nicole	Labranche, Tony	Laughton, Stacie-Marie
Leishman, Peter	Long, Patrick	King, Mark	Murray, Megan
Mangipudi, Latha	McGhee, Kat	Moran, Melbourne	Mullen, Sue
Nutter-Upham, Frances	Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael
Perez, Maria	Pickering, Daniel	Piedra, Israel	Query, Joshua
Newman, Ray	Rung, Rosemarie	Newman, Sue	Smith, Timothy
Telerski, Laura	Toomey, Dan	Vail, Suzanne	Veilleux, Daniel
Wilhelm, Matthew			

MERRIMACK

Bartlett, Christy	Caplan, Tony	Ebel, Karen	Ellison, Arthur
Gallager, Eric	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Pimentel, Roderick	Richards, Beth	Schuetz, Dianne
Schultz, Kristina	Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane
Walz, Mary Beth	Wazir, Safiya	Wolf, Dan	Woods, Gary

ROCKINGHAM

Abrami, Patrick	Acton, Dennis	Altschiller, Debra	Bunker, Lisa
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Renny	DiLorenzo, Charlotte
Edgar, Michael	Gay, Betty	Gilman, Julie	Grossman, Gaby

Grote, Jaci
Murray, Kate
Malloy, Dennis
Read, Ellen

Guthrie, Joseph
Loughman, Tom
McMahon, Charles
Simpson, Alexis

Hamblet, Joan
Pearson, Mark
Meuse, David

Harb, Robert
Maggiore, Jim
Paige, Mark

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

and the motion was adopted.

REFERRAL DECLINED

Rep. Abbas, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 47 (f), declined the referral of **HB 529-FN**, relative to cruelty to a wild animal, fish, or wild bird.

REGULAR CALENDAR - PART I CONT'D

HB 420-FN, relative to the use of funds in the drug forfeiture fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. The majority of the committee agrees that our state has a serious substance abuse crisis, and that more treatment programs are needed. However, prevention is just as necessary as treatment, and this relatively small funding source is essential for local, county, and state law enforcement agencies. Currently, the Drug Forfeiture Fund is administered by the Attorney General's Office. In Fiscal Year 2020, this fund directed about \$100,000 towards street-level drug investigations, along with a variety of local substance abuse prevention programs. This is the most effective use for that money. This bill would also eliminate the only current funding source for the new and much needed Police Psychological Stability Screening Fund, which was established just last year as part of a bi-partisan law enforcement omnibus bill. Vote 15-6.

Rep. Tony Lekas spoke against.

Rep. Horrigan spoke in favor.

Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 173

YEAS - 181

BELKNAP

Bordes, Mike

Littlefield, Richard

Trottier, Douglas

CARROLL

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Crawford, Karel
McAleer, Chris

Deshaies, Brodie
McConkey, Mark

MacDonald, John
Umberger, Karen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Ames, Richard
Fox, Dru
Mann, John
Weber, Lucy

Bordenet, John
Gomarlo, Jennie
Parshall, Lucius

Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

COOS

Kelley, Eamon
Thompson, Dennis

Hatch, William

Lafamme, Larry

Theberge, Robert

GRAFTON

Abel, Richard
Fellows, Sallie
Stavis, Laurel

Adjutant, Joshua
Hakken-Phillips, Mary
Smith, Suzanne

Almy, Susan
Massimilla, Linda
Sykes, George

Egan, Timothy
Muirhead, Russell
Weston, Joyce

HILLSBOROUGH

Alexander, Joe
King, Bill
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Hyland, Stephanie
Klein-Knight, Nicole
Long, Patrick

Bouldin, Amanda
Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim
Gagne, Larry
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
King, Mark

Bouldin, Andrew
Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Judy, Jean
Laughton, Stacie-Marie
Murray, Megan

Griffin, Barbara
Bouchard, Donald
Connors, Erika
Espitia, Manny
Graham, John
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha

McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Tausch, Lindsay
Vann, Ivy

Mullen, Sue
Pedersen, Michael
Plett, Fred
Newman, Sue
Telerski, Laura
Veilleux, Daniel

Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Shaw, Barbara
Toomey, Dan
Wilhelm, Matthew

Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Smith, Timothy
Vail, Suzanne

MERRIMACK

Allard, James
Ellison, Arthur
Leavitt, John
McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Bartlett, Christy
Gallager, Eric
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Caplan, Tony
Klose, John
MacKay, James
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

Ebel, Karen
Lane, Connie
Mason, James
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Abrami, Patrick
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Murray, Kate
Major, Norman
Meuse, David
Simpson, Alexis

Altschiller, Debra
Cushing, Robert Renny
Ford, Oliver
Hamblet, Joan
Katsakiores, Phyllis
Malloy, Dennis
Packard, Sherman
Somssich, Peter

Bunker, Lisa
DiLorenzo, Charlotte
Gilman, Julie
Harb, Robert
Loughman, Tom
McBride, Everett
Paige, Mark
MacDonald, Wayne

Cahill, Michael
Doucette, Fred
Grossman, Gaby
Janigian, John
Maggiore, Jim
McKinney, Betsy
Pratt, Kevin
Welch, David

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Callum, John
O'Hearne, Andrew

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

NAYS - 173

BELKNAP

Aldrich, Glen
Hough, Gregg
Mackie, Jonathan
Sylvia, Michael

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

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

Harvey-Bolia, Juliet
Lang, Timothy
Silber, Norman

CARROLL

Avellani, Lino
Nelson, Bill

Cordelli, Glenn

Smith, Jonathan

Marsh, William

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben
Von Plinsky, Sparky

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

Tucker, Edith

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Smith, Denise
Griffin, Gerald
Griffith, Willis
Hopper, Gary
Ober, Lynne
Marston, Dick
Moran, Melbourne
Post, Lisa
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Burt, John
DiSilvestro, Linda
Gorski, Ted
Gunski, Michael
Infantine, William
Lanzara, Tom
Mayville, Mary
Notter, Jeanine
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Berry, Ross
Cushman, Leah
Erf, Keith
Gould, Linda
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Nunez, Hershel
Ober, Russell
Sheehan, Vanessa
Warden, Mark

Blasek, Melissa
Kelley, Diane
Foster, William
Greene, Bob
Homola, Susan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Renzullo, Andrew
Somero, Paul

MERRIMACK

Andrus, Louise
Hill, Gregory
Pearl, Howard
Walsh, Thomas

Boyd, Stephen
Kennedy, Margaret
Pitaro, Matthew
Wells, Natalie

Cambriels, Jose
McGuire, Carol
Seaworth, Brian
White, Nick

Cross, Kenna
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Green, Dennis
Khan, Aboul
Lundgren, David
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael

Abramson, Max
Baxter, Tim
Copp, Anne
Edwards, Jess
Guthrie, Joseph
Layon, Erica
Lynn, Bob
Milz, David
Prudhomme-O'Brien, Katherine
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Emerick, Tracy
Harley, Tina
Litchfield, Melissa
Pearson, Mark
Osborne, Jason
Read, Ellen
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Weyler, Kenneth

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Gay, Betty
Hobson, Deborah
Love, David
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Yokela, Josh

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy

Rollins, Skip

Spilsbury, Walter

Stapleton, Walter

the committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Timothy Smith moved that the House reconsider its action whereby, on a roll call vote of 181-173, the House adopted the committee report of Inexpedient to Legislate on **HB 420-FN**, relative to the use of funds in the drug forfeiture fund.

Rep. Timothy Smith spoke against.

On a division vote, with 164 members having voted in the affirmative, and 184 in the negative, the motion failed.

(Speaker Packard in the Chair)**REGULAR CALENDAR - PART I CONT'D**

HB 481-FN-A, establishing the office of the right-to-know ombudsman and making an appropriation therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This bill creates a Right to Know Ombudsman. The office of ombudsman was proposed by the 2017 bipartisan Right to Know Commission as the best solution to give our citizens better access to government documents. It has worked effectively in many states, including Maine. Since RSA 91-A has no enforcement mechanism, individuals who have disputes over access must go to court for resolution. That is expensive and time-consuming for both the citizen and the government. Local governments have spent tens of thousands of dollars defending Right to Know cases, and people, who can rarely afford a lawyer, many thousands on these suits. The ombudsman will provide a faster, cheaper, and less adversarial way to resolve disputes. Either party retains the right to go to court after an ombudsman ruling, but the court will have to address the reasoning in the ombudsman's ruling, leading to a clearer understanding of the law for all concerned. This bill contains a two-year sunset clause to ensure the ombudsman solution is working. Vote 16-5. Rep. Michael Sylvia for the Minority of Judiciary. This bill seeks to resolve numerous problems surrounding New Hampshire's Right-To-Know laws. The minority of the committee believes this solution to be just another patch in a law that simply lacks the teeth to correct the abuses of RSA 91-A. While it has a sunset provision, the minority is very familiar with the life expectancy of a government program. If there are as many problems as we believe exist (on this we agree), then we can expect the ombudsman to be very busy and perhaps need to expand the office. Lacking growth of the office, the volume might cause resolution to cases to be drawn out for long periods of time. A better method for correcting the issues of 91-A would be to enhance penalties for bad actors, whether they be citizens or public bodies.

Majority committee report of Ought to Pass adopted and the bill was referred to the Committee on Finance.

HB 625-FN, relative to the protection of fetal life. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie Smith for the Majority of Judiciary. This bill prohibits a health care provider from performing an abortion if the gestational age of the fetus is at least 24 weeks unless there is a medical emergency. This

bill sets an extremely narrow exception to the prohibition of abortion, excluding emotional, psychological, and other health factors worthy of consideration as determined by a patient and the patient's doctor. Not even rape or incest would be a permissible exception. Viability varies with each pregnancy. It has no predictive value in utero. It is only after birth that viability might become a relevant measure. This bill requires that all patients, no matter at what state of the pregnancy, seeking an abortion to have an ultrasound, imaging studies, and possibly other costly and invasive tests. The majority believes that doctors must be able to provide the best possible health care for each individual patient. By threatening criminal charges against providers who are exercising their best medical judgment, passage of this bill will result in intimidation and harassment against medical professionals. Vote 11-10.

Rep. Kimberly Rice for the Minority of Judiciary. This bill prohibits abortions on babies older than 24 weeks who can live outside of the mother's womb, except when the alternative poses significant risk to the life or health of the mother. This bill implements the compelling state interest in protecting viable babies and minimizes risk to the mother's health. This is about the values that define us. We see potential in every life- including the pre-born, and we recognize that the pre-born has been endowed by her creator with the inalienable right to life. We believe that viable babies should be allowed to live even if they have Down Syndrome or are otherwise less than perfect. We know every OB/GYN with a pregnant patient has two patients; mother and child, and uses all their skills to protect both. We believe the law should do the same. Testimony showed this bill to be consistent with standards of care for pregnant women who present with very difficult pregnancies. The minority of the committee believes that New Hampshire should never be a haven for those like Kermit Gosnell, the Pennsylvania abortionist who heartlessly snipped the spinal cords of "accidentally" born babies. We are proud to support legislation that reflects our values and protects the sanctity of human life. The minority stands in the gap, defending the most defenseless, and giving voice to the voiceless. New Hampshire should join the many states with post-viability bans by adopting this bill.

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

Reps. Abramson and Simon spoke against.

Rep. Wuelper spoke against and yielded to questions.

Rep. Marjorie Smith spoke in favor.

Rep. Rice requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 190

YEAS - 162

CARROLL

Burroughs, Anita	Knirk, Jerry	McAleer, Chris	Woodcock, Stephen
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CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Faulkner, Barry
Fenton, Donovan	Fox, Dru	Gomarlo, Jennie	Harvey, Cathryn
Hunt, John	Ley, Douglas	Mann, John	Parshall, Lucius
Schapiro, Joe	Toll, Amanda	Von Plinsky, Sparky	Weber, Lucy

COOS

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

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Berezny, Lex
Depalma IV, Joseph	Egan, Timothy	Fellows, Sallie	Gordon, Edward
Hakken-Phillips, Mary	Massimilla, Linda	Muirhead, Russell	Stavis, Laurel
Smith, Suzanne	Sykes, George	Weston, Joyce	

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Beaulieu, Jane	Bergeron, Paul
Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline	Cleaver, Skip
Connors, Erika	Cornell, Patricia	DiSilvestro, Linda	Dutzy, Sherry
Espitia, Manny	Freitas, Mary	Goley, Jeffrey	Griffith, Willis
Hamer, Heidi	Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher
Hyland, Stephanie	Jack, Martin	Jeudy, Jean	Klee, Patricia
Klein-Knight, Nicole	Labranche, Tony	Leishman, Peter	Lewicke, John
Long, Patrick	King, Mark	Murray, Megan	Mangipudi, Latha
McGhee, Kat	Moran, Melbourne	Mullen, Sue	Nutter-Upham, Frances
Nutting-Wong, Allison	O'Brien, Michael	Pauer, Diane	Pedersen, Michael
Perez, Maria	Pickering, Daniel	Piedra, Israel	Prout, Andrew
Query, Joshua	Newman, Ray	Ober, Russell	Rung, Rosemarie
Newman, Sue	Shaw, Barbara	Smith, Timothy	Telerski, Laura
Vail, Suzanne	Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew

MERRIMACK

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

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

Ebel, Karen
Luneau, David
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
MacKay, James
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Murray, Kate
Malloy, Dennis
Simpson, Alexis

Bunker, Lisa
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
Meuse, David
Somssich, Peter

Cahill, Michael
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Paige, Mark
Yokela, Josh

Cali-Pitts, Jacqueline
Ford, Oliver
Hamblet, Joan
Major, Norman
Read, Ellen

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

NAYS - 190**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Greeson, Jeffrey

Binford, David
Ham, Bonnie

Folsom, Beth
Ladd, Rick

Sanborn, Gail
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Marston, Dick
Notter, Jeanine
Renzullo, Andrew
Somero, Paul
Warden, Mark

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gorski, Ted
Gunski, Michael
Infantine, William
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Rice, Kimberly
Tausch, Lindsay

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Plett, Fred
Rouillard, Claire
Toomey, Dan

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Loughton, Stacie-Marie
Mooney, Maureen
Post, Lisa
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

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

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

Boyd, Stephen
Kennedy, Margaret
Moffett, Michael
Testerman, Dave

Cambrils, Jose
Klose, John
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Emerick, Tracy
Harb, Robert
Katsakiores, Phyllis
Love, David
McBride, Everett
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

and the majority committee report failed.

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

Rep. Mangipudi requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 160**YEAS - 191****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Ames, Richard
Rhodes, Jennifer

Kilanski, Ben
Santonastaso, Matthew

Mann, John

Qualey, James

COOS

Davis, Arnold
Thompson, Dennis

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Greeson, Jeffrey

Binford, David
Ham, Bonnie

Folsom, Beth
Ladd, Rick

Sanborn, Gail
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Marston, Dick
Notter, Jeanine
Renzullo, Andrew
Somero, Paul

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gorski, Ted
Gunski, Michael
Infantine, William
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Rice, Kimberly
Tausch, Lindsay

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Plett, Fred
Rouillard, Claire
Ulery, Jordan

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Laughton, Stacie-Marie
Mooney, Maureen
Post, Lisa
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Andrus, Louise
Hill, Gregory
McGuire, Carol
Seaworth, Brian
Yakovovich, Michael

Boyd, Stephen
Kennedy, Margaret
Moffett, Michael
Testerman, Dave

Cambrils, Jose
Klose, John
Pearl, Howard
Walsh, Thomas

Cross, Kenna
Leavitt, John
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Emerick, Tracy
Harb, Robert
Katsakiores, Phyllis
Love, David
McBride, Everett
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 160**CARROLL**

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Abbott, Michael
Fox, Dru
Parshall, Lucius
Weber, Lucy

Bordenet, John
Harvey, Cathryn
Schapiro, Joe

Faulkner, Barry
Hunt, John
Toll, Amanda

Fenton, Donovan
Ley, Douglas
Von Plinsky, Sparky

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Depalma IV, Joseph
Hakken-Phillips, Mary
Smith, Suzanne

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Sykes, George

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Weston, Joyce

Berezny, Lex
Gordon, Edward
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Perez, Maria
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
King, Mark
Moran, Melbourne
O'Brien, Michael
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Vail, Suzanne

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Judy, Jean
Leishman, Peter
Murray, Megan
Mullen, Sue
Pauer, Diane
Piedra, Israel
Ober, Russell
Smith, Timothy
Vann, Ivy

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Klee, Patricia
Lewicke, John
Mangipudi, Latha
Nutter-Upham, Frances
Pedersen, Michael
Prout, Andrew
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Allard, James
Ellison, Arthur
MacKay, James

Bartlett, Christy
Gallager, Eric
Mason, James

Caplan, Tony
Lane, Connie
McWilliams, Rebecca

Ebel, Karen
Luneau, David
Pimentel, Roderick

Richards, Beth
Shurtleff, Steve
Wazir, Safiya

Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Schuetz, Dianne
Wallner, Mary Jane
Woods, Gary

Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Murray, Kate
Malloy, Dennis
Simpson, Alexis

Bunker, Lisa
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
Meuse, David
Somssich, Peter

Cahill, Michael
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Paige, Mark
Yokela, Josh

Cali-Pitts, Jacqueline
Ford, Oliver
Hamblet, Joan
Major, Norman
Read, Ellen

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

and the minority committee report was adopted and the bill was referred to the Committee on Criminal Justice and Public Safety.

Rep. Ames voted Yea and intended to vote Nay.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Spillane moved that the House reconsider its action whereby, on a roll call vote of 191-160, the House adopted the minority committee report of Ought to Pass on **HB 625-FN**, relative to the protection of fetal life.

Rep. DeSimone requested a roll call; sufficiently seconded.

YEAS 152 - NAYS 197

YEAS - 152

CARROLL

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Hunt, John
Toll, Amanda

Ames, Richard
Fox, Dru
Ley, Douglas
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Egan, Timothy
Muirhead, Russell
Weston, Joyce

Adjutant, Joshua
Fellows, Sallie
Stavis, Laurel

Almy, Susan
Hakken-Phillips, Mary
Smith, Suzanne

Depalma IV, Joseph
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klein-Knight, Nicole
King, Mark
Moran, Melbourne
Pauer, Diane
Piedra, Israel
Ober, Russell
Smith, Timothy
Wilhelm, Matthew

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
Murray, Megan
Mullen, Sue
Pedersen, Michael
Prout, Andrew
Rung, Rosemarie
Telerski, Laura

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Judy, Jean
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Perez, Maria
Query, Joshua
Newman, Sue
Vail, Suzanne

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Klee, Patricia
Long, Patrick
McGhee, Kat
O'Brien, Michael
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Veilleux, Daniel

MERRIMACK

Bartlett, Christy
Gallager, Eric

Caplan, Tony
Lane, Connie

Ebel, Karen
Luneau, David

Ellison, Arthur
MacKay, James

McWilliams, Rebecca
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Richards, Beth
Shurtleff, Steve
Wazir, Safiya

Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Maggiore, Jim
Paige, Mark
Yokela, Josh

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Major, Norman
Read, Ellen

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

Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

NAYS - 197

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
Thompson, Dennis

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Sanborn, Gail
Ladd, Rick

Berezhny, Lex
Gordon, Edward
Simon, Matthew

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ham, Bonnie

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Marston, Dick
Notter, Jeanine
Post, Lisa
Sheehan, Vanessa
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gorski, Ted
Gunski, Michael
Infantine, William
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Renzullo, Andrew
Somero, Paul
Warden, Mark

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Nutter-Upham, Frances
Rice, Kimberly
Tausch, Lindsay

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Laughton, Stacie-Marie
Mooney, Maureen
Plett, Fred
Rouillard, Claire
Toomey, Dan

MERRIMACK

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Walsh, Thomas

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Wells, Natalie

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
Yakovovich, Michael

Cambrils, Jose
Klose, John
Moffett, Michael
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan

Abramson, Max
Baxter, Tim
Cali-Pitts, Jacqueline

Acton, Dennis
Belanger, Cody
Copp, Anne

DeSimone, Debra
Edwards, Jess
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Dodge, Dustin
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Dolan, Tom
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
McBride, Everett
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

Doucette, Fred
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

and the motion failed.

REFERRAL DECLINED

Rep. Weyler, Chairman of the Committee on Finance, under the provisions of House Rule 47 (f), declined the referral of **HB 425-FN**, establishing technical committees and a cybersecurity advisory committee in the department of information technology.

REGULAR CALENDAR - PART I CONT'D

HB 590-FN, relative to paid sick time. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would mandate each and every employer provide paid sick time to each and every employee. Currently, the majority of employers in our state already provide either paid sick time or a personal day/sick time "bank" as an added benefit or incentive to retain employees. Just as an employee's pay is determined by agreement between the employer and employee, perks and benefits should also be between the two parties and not a mandate instituted by bureaucrats. The bill adds a voluminous number of ancillary and unrelated provisions to the point that the legislation becomes similar in scope and more analogous to a paid Family Medical Leave program, a program this House has rejected numerous times. Business leaders and business associations who testified unanimously reject this legislation. Their universal statement was "do not dictate and mandate universal and 'one-size-fits-all policies' to business owners. Allow us, those who know are businesses, to run our businesses." Vote 11-9.

Rep. Joshua Adjutant for the Minority of Labor, Industrial and Rehabilitative Services. The minority on the committee is disappointed that on the same day Governor Sununu promised more in tax breaks to businesses in the state of New Hampshire, the majority of the committee decided that low-wage workers who have been showing up for work during the COVID-19 crisis do not deserve the most basic paid sick leave protection. The minority of the committee recognizes that while some companies already provide a paid sick leave program for their employees, many low-wage employees don't have those basic benefits, and the minority believes that this bill is asking employers to provide a very reasonable and affordable benefit.

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

Rep. Sullivan spoke against.

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

YEAS 202 - NAYS 148

YEAS - 202

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold
Thompson, Dennis

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Somero, Paul
Warden, Mark

Alexander, Joe
Bergeron, Paul
Burt, John
Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Lekas, Tony

Ammon, Keith
Berry, Ross
Creighton, Jim
Erf, Keith
Gorski, Ted
Gunski, Michael
Infantine, William
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Shaw, Barbara
Tausch, Lindsay

Griffin, Barbara
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Wells, Natalie

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
White, Nick

Cambrils, Jose
Klose, John
Moffett, Michael
Testerman, Dave
Wolf, Dan

ROCKINGHAM

Abrami, Patrick
Baxter, Tim
Copp, Anne
Doucette, Fred
Gay, Betty
Harley, Tina
Khan, Aboul
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Hobson, Deborah
Layon, Erica
Pearson, Mark
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Major, Norman
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Malloy, Dennis
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip
Tanner, Linda

Spilsbury, Walter

NAYS - 148**CARROLL**

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Ames, Richard
Fox, Dru
Mann, John
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

COOS

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

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

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Beaulieu, Jane	Bouchard, Donald
Bradley, Amy	Chretien, Jacqueline	Cleaver, Skip	Connors, Erika
Cornell, Patricia	DiSilvestro, Linda	Dutzy, Sherry	Espitia, Manny
Freitas, Mary	Goley, Jeffrey	Griffith, Willis	Hamer, Heidi
Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher	Hyland, Stephanie
Jack, Martin	Judy, Jean	Klee, Patricia	Klein-Knight, Nicole
Labranche, Tony	Lanzara, Tom	Laughton, Stacie-Marie	Leishman, Peter
Long, Patrick	King, Mark	Murray, Megan	Mangipudi, Latha
McGhee, Kat	Moran, Melbourne	Mullen, Sue	Nutter-Upham, Frances
Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael	Perez, Maria
Pickering, Daniel	Piedra, Israel	Query, Joshua	Newman, Ray
Rung, Rosemarie	Newman, Sue	Smith, Timothy	Telerski, Laura
Toomey, Dan	Vail, Suzanne	Vann, Ivy	Veilleux, Daniel
Wilhelm, Matthew			

MERRIMACK

Bartlett, Christy	Caplan, Tony	Ebel, Karen	Ellison, Arthur
Gallager, Eric	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Pimentel, Roderick	Richards, Beth	Schamberg, Thomas
Schuett, Dianne	Schultz, Kristina	Shurtleff, Steve	Soucy, Timothy
Wallner, Mary Jane	Walz, Mary Beth	Wazir, Safiya	Woods, Gary

ROCKINGHAM

Abbas, Daryl	Abramson, Max	Altschiller, Debra	Bunker, Lisa
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Renny	DiLorenzo, Charlotte
Edgar, Michael	Gilman, Julie	Grossman, Gaby	Grote, Jaci
Murray, Kate	Loughman, Tom	Maggiore, Jim	Meuse, David
Paige, Mark	Read, Ellen	Simpson, Alexis	Somssich, Peter

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Fontneau, Timothy	Frost, Sherry	Grassie, Chuck	Horrigan, Timothy
Kenney, Cam	Levesque, Cassandra	Smith, Marjorie	Schmidt, Peter
Rich, Cecilia	Salloway, Jeffrey	Wall, Janet	

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	O'Hearne, Andrew
Sullivan, Brian			

and the majority committee report was adopted.

HB 459, prohibiting a transfer of funds within an adopted budget to a general ledger line item in such budget that contains an entry of zero dollars. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurel Stavis for the Majority of Municipal and County Government. This is a bill that seeks to impose severe penalties on any public official in our state who may transfer funds into an approved budget ledger line containing zero dollars. The bill demands no burden of proof that such a transfer may have been made inadvertently – or even as the result of a subsequent approval by the voters. In fact, it places the burden of proof solely on the accused, which runs counter to everything our system of justice is based on. Those who manage our towns and cities do so, in large part, on a voluntary basis and out of a sense of commitment to the common good. This bill would be a powerful disincentive to anyone considering public service in New Hampshire and would place a significant burden on our courts. Vote 11-7.

Rep. Tony Piemonte for the Minority of Municipal and County Government. The minority of the committee believed that this bill would properly address and potentially cure long-existing problems in which approved municipal and school budgets often contain general ledger line items containing an entry of zero dollars. It is a reasonable expectation of those authorized to grant final approval of budgets that no transfers of funds are to be made to general ledger line items that contain an entry of zero dollars in approved budgets, but nevertheless, some of the relevant governing bodies are known to make such transfers, effectively contravening the intent of the voters and, as applicable, the governing bodies, that approved the respective budgets with the expectation that an entry of zero dollars in a line item means that no money shall be transferred into such a line in the approved budget.

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

YEAS 198 - NAYS 153**YEAS - 198****BELKNAP**

Bordes, Mike	Harvey-Bolia, Juliet	Lang, Timothy	Ploszaj, Tom
Trottier, Douglas			

CARROLL

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

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Faulkner, Barry
Fenton, Donovan	Fox, Dru	Gomarlo, Jennie	Harvey, Cathryn
Ley, Douglas	Mann, John	Parshall, Lucius	Qualey, James
Schapiro, Joe	Toll, Amanda	Von Plinsky, Sparky	Weber, Lucy

COOS

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

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Egan, Timothy
Fellows, Sallie	Gordon, Edward	Hakken-Phillips, Mary	Ladd, Rick
Massimilla, Linda	Muirhead, Russell	Stavis, Laurel	Smith, Suzanne
Sykes, George	Weston, Joyce		

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Griffin, Barbara	King, Bill
Beaulieu, Jane	Bergeron, Paul	Bouchard, Donald	Bradley, Amy
Chretien, Jacqueline	Cleaver, Skip	Connors, Erika	Cornell, Patricia
Creighton, Jim	DiSilvestro, Linda	Dutzy, Sherry	Espitia, Manny
Freitas, Mary	Goley, Jeffrey	Graham, John	Griffith, Willis
Hamer, Heidi	Harriott-Gathright, Linda	Healey, Robert	Heath, Mary
Herbert, Christopher	Hyland, Stephanie	Jack, Martin	Judy, Jean
Klee, Patricia	Klein-Knight, Nicole	Labranche, Tony	Laughton, Stacie-Marie
Leishman, Peter	Lewicke, John	Long, Patrick	King, Mark
Murray, Megan	Mangipudi, Latha	Mayville, Mary	McGhee, Kat
Mooney, Maureen	Moran, Melbourne	Mullen, Sue	Notter, Jeanine
Nutter-Upham, Frances	Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael
Perez, Maria	Pickering, Daniel	Piedra, Israel	Plett, Fred
Post, Lisa	Query, Joshua	Newman, Ray	Rung, Rosemarie
Newman, Sue	Shaw, Barbara	Smith, Timothy	Telerski, Laura
Toomey, Dan	Ulery, Jordan	Vail, Suzanne	Vann, Ivy
Veilleux, Daniel	Wilhelm, Matthew		

MERRIMACK

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

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Altschiller, Debra	Bunker, Lisa
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Renny	DiLorenzo, Charlotte
Dolan, Tom	Edgar, Michael	Gay, Betty	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Guthrie, Joseph	Harb, Robert
Murray, Kate	Katsakiores, Phyllis	Khan, Aboul	Litchfield, Melissa
Loughman, Tom	Maggiore, Jim	Malloy, Dennis	McBride, Everett
Meuse, David	Milz, David	Paige, Mark	Pratt, Kevin
Read, Ellen	Pearson, Stephen	Simpson, Alexis	Somssich, Peter
Sytek, John	Tripp, Richard	Tudor, Paul	MacDonald, Wayne
Welch, David			

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Spilsbury, Walter

Gottling, Suzanne
Stapleton, Walter

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

NAYS - 153**BELKNAP**

Aldrich, Glen
Howard, Raymond
O'Hara, Travis
Varney, Peter

Bean, Harry
Johnson, Dawn
Silber, Norman

Comtois, Barbara
Littlefield, Richard
Sylvia, Michael

Hough, Gregg
Mackie, Jonathan
Terry, Paul

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

Nelson, Bill

CHESHIRE

Hunt, John

Kilanski, Ben

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Simon, Matthew

Berezhny, Lex
Sanborn, Gail

Binford, David
Greeson, Jeffrey

Depalma IV, Joseph
Ham, Bonnie

HILLSBOROUGH

Lekas, Alicia
Blasek, Melissa
Kelley, Diane
Griffin, Gerald
Greene, Bob
Infantine, William
Lanzara, Tom
Nunez, Hershel
Renzullo, Andrew
Somero, Paul

Alexander, Joe
Boehm, Ralph
Smith, Denise
Gagne, Larry
Gunski, Michael
Kelsey, Niki
Lascelles, Richard
Pauer, Diane
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Burt, John
Erf, Keith
Gorski, Ted
Homola, Susan
Kofalt, Jim
Marston, Dick
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

Berry, Ross
Cushman, Leah
Foster, William
Gould, Linda
Hopper, Gary
Ober, Lynne
McLean, Mark
Ober, Russell
Sheehan, Vanessa
Warden, Mark

MERRIMACK

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

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

Boyd, Stephen
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Cambrils, Jose
Klose, John
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abramson, Max
Baxter, Tim
Copp, Anne
Edwards, Jess
Harley, Tina
Love, David
McMahon, Charles
Potucek, John
Spillane, James
True, Chris
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Emerick, Tracy
Hobson, Deborah
Lynn, Bob
Melvin, Charles
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Ford, Oliver
Janigian, John
Pearson, Mark
Osborne, Jason
Roy, Terry
Thomas, Douglas
Verville, Kevin
Yokela, Josh

Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Layon, Erica
Major, Norman
Piemonte, Tony
Soti, Julius
Torosian, Peter
Vose, Michael

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy

Callum, John

Rollins, Skip

Smith, Steven

and the majority committee report was adopted.

REFERRAL DECLINED

Rep. Abbas, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 47 (f), declined the referral of **HB 625-FN**, relative to the protection of fetal life.

REGULAR CALENDAR - PART I CONT'D

HB 586-FN-A-L, relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. In 2020, the Governor's Task Force on Housing proposed legislation to encourage the development of affordable housing within the state. Unfortunately, after extensive work by several House committees, the two amended companion bills died on the table due to the pandemic. This bill is the combined version of those amended bills. In amending last year's bills, the committees worked closely with all major stakeholders to make the provisions enabling rather than mandatory, and to maintain and enhance local control of development. HB 586 provides for free training materials for planning boards and zoning boards of appeals. It streamlines the appeals process, clarifies what can be incorporated in inclusionary zoning ordinances, and modifies the criteria for workforce housing. It permits municipal economic development and revitalization districts under RSA 162-K to be used to increase workforce housing and other residential development within a city or town, and increases the community revitalization tax relief incentive period for eligible housing projects under RSA 79-E. Finally, it establishes the New Hampshire housing champion certification program as an incentive for communities who seek to make housing a priority. This enabling legislation gives communities a toolbox of options to use if they so choose and maintains local control. Vote 15-3.

Rep. Tony Piemonte for the Minority of Municipal and County Government. The minority of the committee believed, even after hours of testimony from two prior bills presented in 2020 that failed to pass, and after hours in subcommittee meetings trying to combine them into HB 586, that this bill made the pendulum swing further in favoring land developers. This bill started off with good intentions. This bill will grow government bureaucracy bigger and expand regulations through this bill if that happens. It creates a 16-member advisory board and the minority is concerned about the potential training for said members. The committee heard from many towns about how these policies will be implemented and how much it would cost. Hopefully the House Finance Committee will have more information.

MOTION TO SPECIAL ORDER

Rep. Dolan moved that **HB 586-FN-A-L**, relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development, be made a Special Order as the first order of business on Thursday, February 25, 2021.

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

REGULAR CALENDAR PART I CONT'D

HB 614-FN, exempting the state and political subdivisions from payment of the costs of compliance with the renewable portfolio standard. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for the Majority of Science, Technology and Energy. As amended, this bill echoes the Governor's budget promise of tax cuts for everyone. As amended, it allows a county, city, town, school district, or other public body to reduce costs that could then lower property taxes. The bill exempts these public institutions from paying the portion of their electricity bills that goes to support the renewable portfolio standard (RPS). It even exempts the state, which spends between \$400,000-500,000 per year on the RPS. This state money could be used for education, health services, or strengthening the rainy-day fund. Cities like Manchester and Nashua could realize tens of thousands of dollars in savings by not paying for the RPS. Even a small town like Epping could save a few thousand dollars per year. The bill also gives town taxpayers the freedom to decide for themselves whether to continue paying to subsidize renewable energy and to remain eligible to request renewable energy grant money. This legislation relieves citizens of the double jeopardy of paying for the RPS on their personal electricity bills, and then paying for it again on their property taxes. It shifts no costs to other ratepayers. During these uncertain economic times, any budgetary relief provided under this kind of legislation will help ensure that the state can fund its most important activities uninterrupted. Vote 11-9.

Rep. Lee Oxenham for the Minority of Science, Technology and Energy. The minority disagrees with the Ought to Pass recommendation of the majority. The Renewable Portfolio Standard (RPS) is the primary mechanism supporting the development of Renewable Energy in NH. It requires NH utilities to buy a certain percentage of their total electrical supply from renewable sources (solar, wind, hydro and biomass). This bill would exempt state and local governments from paying for these requirements, on the false premise that this would "save" the average electric ratepayer on their bills (a small amount), at the cost of far larger long-term savings

from greater energy efficiency. Remember, NH has no fossil fuel industry; what we do have is a job-creating renewable energy business sector. Renewable energy brings investment capital to the state, attracts high tech firms, a young demographic, and provides thousands of jobs. Good Jobs. Renewable energy is also poised to grow exponentially with offshore wind development if we are able to compete with incentives provided by our neighboring states. Why would anyone want to unnecessarily spend ratepayers' money to deep six the RPS? What is the benefit to NH in sending billions of dollars out of state to pay for damaging fossil fuels? The RPS is a win-win proposition which provides grants for low to moderate income community solar projects, incentivizes private investment in home-grown renewable energy, and protects public health while producing good-paying local jobs, stronger business development, and enhanced economic growth.

Majority Amendment (0156h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Electrical Rates and Charges; Exemption For State and Political Subdivisions. Amend RSA 378:49 by inserting after paragraph III the following new paragraph:

IV.(a) The public utilities commission shall, after notice and hearing, by order or rule, approve a standard format and methodology that providers of electricity, as defined in RSA 362-F:2, XIV, shall use in exempting the state and its political subdivisions from paying the portion of electricity rates that covers the cost of compliance with the renewable portfolio standard (RPS) under RSA 362-F.

(b) Providers of electricity shall not be subject to compliance under RSA 362-F:3 for electricity sales that have been exempted pursuant to subparagraph (a).

(c) All competitive electricity suppliers shall:

(1) Negotiate with any serviced political subdivision or state agency a contract that provides a rate that excludes costs of compliance with the renewable portfolio standard under RSA 362-F; and

(2) Report yearly to the commission on all such contracts.

(d) A political subdivision of the state may, by a majority vote of its governing body, elect to continue payment of the amounts identified as costs of compliance with the renewable portfolio standard under RSA 362-F.

AMENDED ANALYSIS

This bill requires that the state and political subdivisions be exempted from paying the portion of electricity rates that covers the cost of compliance with the renewable portfolio standard. Electricity suppliers are required to contract for rates that exclude costs of compliance with the renewable portfolio standard. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Reps. McGhee and Mann spoke against.

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

YEAS 198 - NAYS 150

YEAS - 198

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman
Varney, Peter

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

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Cordelli, Glenn
Marsh, William

Crawford, Karel
McConkey, Mark

MacDonald, John
Nelson, Bill

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Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

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Davis, Arnold

Dostie, Donald

Laflamme, Larry

Merner, Troy

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Sanborn, Gail
Ladd, Rick

Berezhny, Lex
Gordon, Edward
Simon, Matthew

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ham, Bonnie

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Burt, John

Alexander, Joe
Berry, Ross
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Blasek, Melissa
Cushman, Leah

Griffin, Barbara
Boehm, Ralph
Kelley, Diane

Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Erf, Keith
Gorski, Ted
Gunski, Michael
Infantine, William
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Warden, Mark

Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul

Allard, James
Cross, Kenna
Leavitt, John
Pearl, Howard
Walsh, Thomas

Andrus, Louise
Hill, Gregory
Mason, James
Pitaro, Matthew
Wells, Natalie

Boyd, Stephen
Kennedy, Margaret
McGuire, Carol
Seaworth, Brian
White, Nick

Cambrils, Jose
Klose, John
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

MERRIMACK

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Major, Norman
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Malloy, Dennis
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Gay, Betty
Harley, Tina
Khan, Aboul
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Hobson, Deborah
Layon, Erica
Pearson, Mark
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

ROCKINGHAM

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

STRAFFORD

Aron, Judy
Spilsbury, Walter

Callum, John
Stapleton, Walter

Merchant, Gary
Smith, Steven

Rollins, Skip

SULLIVAN

Burroughs, Anita
Woodcock, Stephen

Deshaies, Brodie

Knirk, Jerry

McAleer, Chris

NAYS - 150

CARROLL

Abbott, Michael
Fenton, Donovan
Hunt, John
Schapiro, Joe

Ames, Richard
Fox, Dru
Ley, Douglas
Toll, Amanda

Bordenet, John
Gomarlo, Jennie
Mann, John
Von Plinsky, Sparky

Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Weber, Lucy

CHESHIRE

Kelley, Eamon
Tucker, Edith

Hatch, William

Theberge, Robert

Thompson, Dennis

COOS

Abel, Richard
Egan, Timothy
Muirhead, Russell
Weston, Joyce

Adjutant, Joshua
Fellows, Sallie
Stavis, Laurel

Almy, Susan
Hakken-Phillips, Mary
Smith, Suzanne

Depalma IV, Joseph
Massimilla, Linda
Sykes, George

GRAFTON

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher

HILLSBOROUGH

Hyland, Stephanie
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Jack, Martin
Labranche, Tony
King, Mark
Moran, Melbourne
O'Brien, Michael
Piedra, Israel
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Jeady, Jean
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pedersen, Michael
Query, Joshua
Shaw, Barbara
Vail, Suzanne

Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Smith, Timothy
Vann, Ivy

MERRIMACK

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Shurtleff, Steve
Wazir, Safiya

Ebel, Karen
Luneau, David
Richards, Beth
Soucy, Timothy
Wolf, Dan

Ellison, Arthur
MacKay, James
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Gallager, Eric
McWilliams, Rebecca
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Maggiore, Jim
Simpson, Alexis

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Meuse, David
Somssich, Peter

Cahill, Michael
Edgar, Michael
Murray, Kate
Paige, Mark

Cali-Pitts, Jacqueline
Gilman, Julie
Loughman, Tom
Read, Ellen

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Cannon, Gerri
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

O'Hearne, Andrew

Sullivan, Brian

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

HB 624-FN, decreasing the fee to file a petition for a declaratory ruling with the site evaluation committee. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jeanine Notter for the Majority of Science, Technology and Energy. This bill reduces the fee charged to obtain a declaratory ruling from the Site Evaluation Committee (SEC), the body that approves energy projects like hydroelectric plants or wind and solar farms. This legislation lowers the fee from either \$10,500 or \$3,000 to \$250, depending upon whether a subcommittee of the full committee provides the ruling. This reduction makes the declaratory ruling process more accessible to the general public. A declaratory ruling responds to a question or complaint about an energy project site certificate. It typically asks the SEC to rule on a possible violation of the terms or conditions of a certificate. The bill further clarifies that only the full SEC can determine whether an energy project operator is meeting the terms and conditions of its site certificate. This language change ensures that an SEC administrator can observe and record possible violations, but only the full SEC owns the responsibility for enforcing the terms and conditions of the certificate. The minority sought an amendment to restrict the fee reduction to non-corporate requesters, but the majority believes that fairness dictates otherwise. Public accessibility to the SEC is essential to the transparency and responsiveness of the site certificate process. Such accessibility enables public trust in the process of energy project siting. Vote 11-9. Rep. Peter Somssich for the Minority of Science, Technology and Energy. The minority disagrees with the Ought to Pass recommendation of the majority. Currently there are five levels of fees (ranging from \$3000 to \$10,500), for requests to the Site Evaluation Committee (SEC), which is in charge of approving large infrastructure projects. According to testimony, originally, the SEC only charged businesses involved in these projects those fees, while regular citizens who were affected by the projects, were not required to pay any fee when they requested clarification of compliance to a project's specifications in the form of a declaratory ruling. The thinking was that the high fees that financed the operations of the SEC would be overly burdensome for the average citizen, while the projects' proponents could well afford to pay those fees. Over time, fees at all levels were applied also to everyone, including residents who would not benefit from a project, but were impacted. This measure made it unaffordable for a resident to ask for a declaratory ruling. The sponsor of this bill originally requested that the fee for such a ruling be reduced to only \$250, but did not specify that this reduction was intended for residents and not for business interests. Both the majority and the minority were overwhelmingly supportive of allowing residents to request such a ruling at the lower fee of \$250, and the minority suggested a minor amendment that would specify this. While the majority and the sponsor agreed to this arrangement, they subsequently indicated that they do not want to do that at this time. Therefore, the fee as recommended in this bill can now be used by business interests to obstruct or slow a project down out of self-interest.

Rep. Somssich offered floor amendment (0465h).

Floor Amendment (0465h)

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

AN ACT relative to site evaluation committee filing fees.

Amend the bill by replacing section 2 with the following:

2 New Subparagraph; Fees. Amend RSA 162-H:8-a, II(d) by inserting after subparagraph (5) the following new subparagraph:

(6) No fee will be charged if the petitioner is an individual or individuals who have no business interest in the project at hand, or if the petitioner is an organization that is not lobbying on behalf of a business interest impacted by the project.

AMENDED ANALYSIS

This bill provides an exemption from site evaluation committee filing fees for individuals who have no business interest in the project and certain organizations.

Rep. Somssich spoke in favor.

Rep. Harrington spoke against.

On a division vote, with 132 members having voted in the affirmative, and 204 in the negative, the floor amendment failed.

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

Reps. Somssich and Chretien spoke against.

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Adjutant moved that the House reconsider its action whereby, on a voice vote, the House adopted the majority committee report of Ought to Pass on **HB 624-FN**, decreasing the fee to file a petition for a declaratory ruling with the site evaluation committee.

On a division vote, with 149 members having voted in the affirmative, and 194 in the negative, the motion failed.

MOTION TO SPECIAL ORDER

Rep. Osborne moved that **HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment, be made a Special Order as the next order of business.

Rep. Osborne spoke in favor.

Rep. Cushing spoke against.

Rep. Espitia requested a roll call; sufficiently seconded.

YEAS 180 - NAYS 159**YEAS - 180****BELKNAP**

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

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

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

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Trottier, Douglas

CARROLL

Avellani, Lino
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

Smith, Jonathan
Umberger, Karen

Marsh, William

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Simon, Matthew

Berezhny, Lex
Sanborn, Gail

Binford, David
Greeson, Jeffrey

Depalma IV, Joseph
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Healey, Robert

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gould, Linda
Homola, Susan

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Greene, Bob
Hopper, Gary

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Gunski, Michael
Infantine, William

Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Andrus, Louise
Hill, Gregory
McGuire, Carol
Testerman, Dave
Yakubovich, Michael

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Gilman, Julie
Hobson, Deborah
Layon, Erica
Pearson, Mark
Osborne, Jason
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

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

Aron, Judy
Stapleton, Walter

Ploszaj, Tom

Burroughs, Anita
McAleer, Chris

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Weber, Lucy

Kelley, Eamon
Thompson, Dennis

Abel, Richard
Fellows, Sallie
Massimilla, Linda
Sykes, George

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Graham, John
Heath, Mary
Jeudy, Jean
Loughton, Stacie-Marie
Murray, Megan

Kofalt, Jim
Lascalles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Warden, Mark

Boyd, Stephen
Kennedy, Margaret
Pearl, Howard
Walsh, Thomas

Abrami, Patrick
Baxter, Tim
Copp, Anne
Edwards, Jess
Green, Dennis
Janigian, John
Litchfield, Melissa
McBride, Everett
Piemonte, Tony
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Bailey, Glenn
Hayward, Peter
Newton, Clifford

Callum, John
Smith, Steven

Deshaies, Brodie
Woodcock, Stephen

Ames, Richard
Fox, Dru
Parshall, Lucius

Hatch, William
Tucker, Edith

Adjutant, Joshua
Gordon, Edward
Muirhead, Russell
Weston, Joyce

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Griffith, Willis
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha

Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul

MERRIMACK

Cambriels, Jose
Klose, John
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abramson, Max
Belanger, Cody
DeSimone, Debra
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Melvin, Charles
Potucek, John
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

STRAFFORD

DeLemus, Susan
Horgan, James
Pitre, Joseph

SULLIVAN

Rollins, Skip

NAYS - 159

BELKNAP

CARROLL

MacDonald, John

CHESHIRE

Bordenet, John
Gomarlo, Jennie
Schapiro, Joe

COOS

Laflamme, Larry

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Stavis, Laurel

HILLSBOROUGH

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Hamer, Heidi
Hyland, Stephanie
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat

Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Cross, Kenna
Leavitt, John
Seaworth, Brian
White, Nick

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Gay, Betty
Harley, Tina
Khan, Aboul
Lynn, Bob
Milz, David
Prudhomme-O'Brien, Katherine
Spillane, James
Tosorian, Peter
Vandecasteele, Susan
Wallace, Scott

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Spilsbury, Walter

Knirk, Jerry

Faulkner, Barry
Harvey, Cathryn
Toll, Amanda

Theberge, Robert

Egan, Timothy
Ham, Bonnie
Smith, Suzanne

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Gorski, Ted
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
King, Mark
Moran, Melbourne

Mullen, Sue
Perez, Maria
Newman, Ray
Smith, Timothy
Vann, Ivy

Nutter-Upham, Frances
Pickering, Daniel
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Nutting-Wong, Allison
Piedra, Israel
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

Pedersen, Michael
Query, Joshua
Shaw, Barbara
Vail, Suzanne

MERRIMACK

Allard, James
Gallager, Eric
Mason, James
Richards, Beth
Soucy, Timothy
Wolf, Dan

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

Ebel, Karen
Luneau, David
Moffett, Michael
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
MacKay, James
Pimentel, Roderick
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Major, Norman
Paige, Mark
Somssich, Peter

Bunker, Lisa
Dolan, Tom
Murray, Kate
Malloy, Dennis
Pratt, Kevin
Weyler, Kenneth

Cahill, Michael
Edgar, Michael
Loughman, Tom
McMahon, Charles
Read, Ellen

Cushing, Robert Renny
Grossman, Gaby
Maggiore, Jim
Meuse, David
Simpson, Alexis

STRAFFORD

Bixby, Peter
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey

Cannon, Gerri
Grassie, Chuck
Smith, Marjorie
Wall, Janet

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

and the motion was adopted

SPECIAL ORDER

HB 233-FN, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie Smith for the Majority of Judiciary. This bill establishes the Born Alive Infant Protection Act. It provides that legislators, not parents and their physicians, should determine appropriate medical care. Doctors already have an obligation to provide appropriate medical care in order to maintain their certification, and they willingly honor that obligation. The committee heard testimony that this bill, if enacted, would force obstetricians and pediatricians to ignore their best medical judgment and administer futile, painful treatments against the wishes of the family under the threat of civil or criminal litigation. Infants with a few moments, hours, or days would be taken out of the arms of their parents, hooked up to machines, and their parents would be denied the right to say how these last moments of a child's life would be spent. The majority concluded that passage of this bill was not in the best interests of the state or its citizens. Vote 11-10. Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that every baby born in NH should be treated in law and in fact as a legal person deserving normal medical care and the full protection of the law. We ask no more than that "medically appropriate and reasonable care" be provided to every baby born; no matter the circumstances of birth, no matter if the baby is wanted or not. No conditions are stated. The decision of what is medically appropriate and/ or reasonable remains where it has been, with medical providers and families. This bill seeks to prevent situations we have seen in other states where healthy born babies have been left to die for lack of care at all. The choice is simple but profound: life or death for a helpless child.

MOTION TO RECESS

Rep. Cushing moved that the House stand in Recess.

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 144 - NAYS 192

YEAS - 144

CARROLL

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Abbott, Michael
Fenton, Donovan
Ley, Douglas
Weber, Lucy

Ames, Richard
Fox, Dru
Parshall, Lucius

Bordenet, John
Gomarito, Jennie
Schapiro, Joe

Faulkner, Barry
Harvey, Cathryn
Toll, Amanda

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

Theberge, Robert

GRAFTON

Abel, Richard
Fellows, Sallie
Stavis, Laurel

Adjutant, Joshua
Hakken-Phillips, Mary
Smith, Suzanne

Almy, Susan
Massimilla, Linda
Sykes, George

Egan, Timothy
Muirhead, Russell
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Jack, Martin
Labranche, Tony
King, Mark
Moran, Melbourne
Perez, Maria
Newman, Ray
Shaw, Barbara
Vail, Suzanne

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Judy, Jean
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pickering, Daniel
Ober, Russell
Smith, Timothy
Vann, Ivy

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Herbert, Christopher
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Rung, Rosemarie
Telerski, Laura
Veilleux, Daniel

Bergeron, Paul
Cleaver, Skip
Dutzy, Sherry
Griffith, Willis
Hylland, Stephanie
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Pedersen, Michael
Query, Joshua
Newman, Sue
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Shurtleff, Steve
Wazir, Safiya

Ebel, Karen
Luneau, David
Richards, Beth
Soucy, Timothy
Wolf, Dan

Ellison, Arthur
MacKay, James
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Gallager, Eric
McWilliams, Rebecca
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Major, Norman
Paige, Mark
Vandecasteele, Susan

Bunker, Lisa
Edgar, Michael
Murray, Kate
Malloy, Dennis
Read, Ellen

Cahill, Michael
Gilman, Julie
Loughman, Tom
McMahon, Charles
Simpson, Alexis

Cushing, Robert Renny
Grossman, Gaby
Maggiore, Jim
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Grassie, Chuck
Smith, Marjorie

Cannon, Gerri
Horrigan, Timothy
Schmidt, Peter

Conley, Casey
Kenney, Cam
Rich, Cecilia

Frost, Sherry
Levesque, Cassandra
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

NAYS - 192**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
Smith, Jonathan
Umberger, Karen

Cordelli, Glenn
Marsh, William

Deshaies, Brodie
McConkey, Mark

MacDonald, John
Nelson, Bill

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

Thompson, Dennis

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

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

MERRIMACK

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

ROCKINGHAM

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

STRAFFORD

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

SULLIVAN

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

and the motion failed.

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

MOTION TO LAY ON THE TABLE

Rep. Griffith moved that **HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment, be laid on the table.

Rep. Ulery requested a roll call; sufficiently seconded.

YEAS 45 - NAYS 184**YEAS - 45****CARROLL**

MacDonald, John	Knirk, Jerry	Woodcock, Stephen
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CHESHIRE

Bordenet, John	Faulkner, Barry	Hunt, John	Ley, Douglas
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COOS

Laflamme, Larry	Thompson, Dennis
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GRAFTON

Adjutant, Joshua	Egan, Timothy	Gordon, Edward	Hakken-Phillips, Mary
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HILLSBOROUGH

Bergeron, Paul
Jack, Martin
Murray, Megan
Shaw, Barbara

Goley, Jeffrey
Judy, Jean
Mayville, Mary
Wilhelm, Matthew

Graham, John
Leishman, Peter
Mullen, Sue

Griffith, Willis
Long, Patrick
Query, Joshua

MERRIMACK

Allard, James
Soucy, Timothy

MacKay, James
Wolf, Dan

Mason, James
Woods, Gary

Shurtleff, Steve

ROCKINGHAM

Grote, Jaci
Weyler, Kenneth

Murray, Kate
Yokela, Josh

Malloy, Dennis

McBride, Everett

STRAFFORD

Smith, Marjorie

Schmidt, Peter

Rich, Cecilia

Wall, Janet

SULLIVAN

Cloutier, John

NAYS - 184**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
Marsh, William

Cordelli, Glenn
McConkey, Mark

Deshaies, Brodie
Nelson, Bill

Smith, Jonathan
Umberger, Karen

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold

Dostie, Donald

Merner, Troy

Theberge, Robert

GRAFTON

Alliegro, Mark
Folsom, Beth
Ladd, Rick

Berezhny, Lex
Sanborn, Gail
Simon, Matthew

Binford, David
Greeson, Jeffrey

Depalma IV, Joseph
Ham, Bonnie

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lanzara, Tom
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lascelles, Richard
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

MERRIMACK

Andrus, Louise
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick
ROCKINGHAM
Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dodge, Dustin
Ford, Oliver
Harley, Tina

Boyd, Stephen
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Cambrils, Jose
Klose, John
Pearl, Howard
Walsh, Thomas

Cross, Kenna
Leavitt, John
Pitaro, Matthew
Wells, Natalie

Abrami, Patrick
Baxter, Tim
Copp, Anne
Dolan, Tom
Gay, Betty
Hobson, Deborah

Abramson, Max
Belanger, Cody
Cushing, Robert Renny
Doucette, Fred
Green, Dennis
Janigian, John

Ayer, Paul
Bernardy, JD
DeSimone, Debra
Edwards, Jess
Harb, Robert
Katsakiores, Phyllis

Khan, Aboul
Lynn, Bob
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael

Layon, Erica
Pearson, Mark
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

Litchfield, Melissa
Major, Norman
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Love, David
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

STRAFFORD

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

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

and the motion failed.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Marjorie Smith spoke in favor.

MOTION TO INDEFINITELY POSTPONE

Rep. Griffith moved that **HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment, be Indefinitely Postponed.

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

On a division vote, with 43 members having voted in the affirmative, and 188 in the negative, the motion failed.

MOTION TO RECOMMIT

Rep. Griffith moved that **HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment, be recommitted to the Committee on Judiciary.

On a division vote, with 40 members having voted in the affirmative, and 186 in the negative, the motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Griffith moved that the House reconsider its action whereby, on a division vote of 40-186, the House failed to adopt the motion to recommit to the Committee on Judiciary on **HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment.

The Speaker ruled the motion out of order.

CHALLENGE TO THE RULING OF THE CHAIR

Rep. Griffith challenged the ruling of the Chair on ruling the motion to recommit out of order.

The question being shall the ruling of the Chair be upheld?

On a division vote, with 199 members having voted in the affirmative, and 27 in the negative, the ruling of the Chair is upheld.

MOTION TO LIMIT DEBATE

Rep. Lang moved that debate on **HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment, be limited.

Motion adopted.

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

Rep. Ulery requested a roll call; sufficiently seconded.

YEAS 46 - NAYS 186

YEAS - 46 CARROLL

Knirk, Jerry

CHESHIRE

Bordenet, John

Faulkner, Barry

Hunt, John

Ley, Douglas

COOS

Thompson, Dennis

GRAFTON

Adjutant, Joshua
Gordon, Edward

Berezhny, Lex
Hakken-Phillips, Mary

Depalma IV, Joseph

Egan, Timothy

HILLSBOROUGH

Bergeron, Paul
Jack, Martin
Murray, Megan
Ober, Russell

Goley, Jeffrey
Judy, Jean
Mullen, Sue
Shaw, Barbara

Graham, John
Leishman, Peter
Pauer, Diane
Wilhelm, Matthew

Griffith, Willis
Long, Patrick
Query, Joshua

MERRIMACK

MacKay, James
Wallner, Mary Jane

Mason, James
Walz, Mary Beth

Shurtleff, Steve
Wolf, Dan

Soucy, Timothy
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Litchfield, Melissa

Cushing, Robert Renny
Malloy, Dennis

Grote, Jaci
Yokela, Josh

Murray, Kate

STRAFFORD

Smith, Marjorie

Schmidt, Peter

Wall, Janet

SULLIVAN

Cloutier, John

NAYS - 186**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

Bean, Harry
Hough, Gregg
Littlefield, Richard
Silber, Norman

Bordes, Mike
Howard, Raymond
Mackie, Jonathan
Sylvia, Michael

Comtois, Barbara
Johnson, Dawn
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
Smith, Jonathan
Umberger, Karen

Cordelli, Glenn
Marsh, William
Woodcock, Stephen

Deshaies, Brodie
McConkey, Mark

MacDonald, John
Nelson, Bill

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
Theberge, Robert

Dostie, Donald

Laflamme, Larry

Merner, Troy

GRAFTON

Alliegro, Mark
Greeson, Jeffrey

Binford, David
Ham, Bonnie

Folsom, Beth
Ladd, Rick

Sanborn, Gail
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Gagne, Larry
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Prout, Andrew
Sheehan, Vanessa

Alexander, Joe
Berry, Ross
Creighton, Jim
Erf, Keith
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Renzullo, Andrew
Somero, Paul

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Plett, Fred
Rice, Kimberly
Lekas, Tony

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Post, Lisa
Rouillard, Claire
Ulery, Jordan

MERRIMACK

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

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

Boyd, Stephen
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Cambrils, Jose
Klose, John
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Layon, Erica

Abrami, Patrick
Baxter, Tim
Copp, Anne
Doucette, Fred
Green, Dennis
Janigian, John
Love, David

Abramson, Max
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Harb, Robert
Katsakiores, Phyllis
Lynn, Bob

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Ford, Oliver
Harley, Tina
Khan, Aboul
Pearson, Mark

Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

STRAFFORD

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

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

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Rich, Cecilia

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

and the majority committee report failed.

Rep. Woodcock voted Nay and intended to vote Yea.

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

On a division vote, with 181 members having voted in the affirmative, and 49 in the negative, the minority committee report was adopted by the necessary two-thirds vote and the bill was ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Spillane moved that the House reconsider its action whereby, on a division vote of 181-49, the House adopted the minority committee report of Ought to Pass on **HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment. Rep. Spillane spoke against.

On a division vote, with 44 members having voted in the affirmative, and 188 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, February 25, 2021 at 9:00 a.m.

On a division vote, with 158 members having voted in the affirmative, and 67 in the negative, the motion was adopted.

LATE SESSION

Third Reading and Final Passage

HB 427, prohibiting corporal punishment of children in state agency programs.

HB 375, allowing the destruction of valueless contraband by the chief of police.

HB 530, relative to candidate background checks for law enforcement officers.

HB 304, establishing a committee to study the funding of tuition and transportation for career technical education.

HB 432, relative to the offenses that prevent employment in a school.

HB 443-FN, relative to an extended term of imprisonment for assaulting military personnel.

HB 73, relative to public notice requirements for certain permits issued by the department of environmental services.

HB 95-FN, relative to milk pasteurization.

HB 226, relative to the repeal of laws on produce safety.

HB 318, proclaiming the daring jumping spider to be the state spider of New Hampshire.

HB 70, authorizing certification for the microblading of eyebrows.

HB 94-FN, relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.

HB 137, relative to the rulemaking authority of the department of information technology.

HB 150, making a technical correction and a clarification in the law governing death benefits for emergency medical technicians and rescue squad members.

HB 173-FN, requiring the independent investment committee of the New Hampshire retirement system to report investment fees.

HB 208, repealing RSA 323 regarding lightning rod dealers and salesmen.

HB 298, adding a member to the aviation users advisory board.

HB 302, relative to the creation and use of electronic records by government agencies.

HB 356, relative to the city of Manchester employees' contributory retirement system.

HB 377, relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

HB 192, relative to pistols permitted for the taking of deer.
HB 342, relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to take deer.
HB 75, renaming and adjusting the membership of the New Hampshire commission on deafness and hearing loss.
HB 240, relative to identification of cannabis strain for therapeutic cannabis.
HB 350, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.
HB 378, repealing the therapeutic use of cannabis advisory council.
HB 479, relative to pharmacist provider status and nicotine cessation therapy.
HB 331-FN, relative to a forfeiture of personal property.
HB 258, permitting wage and hour records to be approved and retained electronically.
HB 301, relative to the compensation appeals board.
HB 303, relative to required pay.
HB 380, relative to the election of Grafton county commissioners.
HB 383, relative to the quarterly or semi-annual collection of taxes in certain municipalities.
SB 30, permitting the towns of Tilton and Northfield to redraw their boundary lines.
HB 305, relative to motorist service signs on limited access highways.
HB 99, relative to seasonal platforms on public waters of the state.
HB 115, relative to wake surfing.
HB 193, relative to penalties for improper timber harvesting.
HB 256, adding members from Londonderry to the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield.
HB 311, establishing a committee to study rail trail best management practices.
HB 344, relative to temporary docks.
HB 117, relative to the use of force at New Hampshire national guard facilities.
HCR 5, supporting democracy and human rights in Hungary, Poland, and Hong Kong and supporting democracy in Taiwan.
HR 7, condemning Netflix release and promotion of the film “Cuties”.
HR 8, requesting an investigation on whether opioids, benzodiazepines, and exposure to chemical agents contribute to suicides by veterans.
HB 222-FN, relative to official cover plates.
HB 423, establishing a commission to study the implementation of enhanced automation of traffic lights.
HB 134, repealing certain inactive dedicated funds.
HB 281-FN, relative to the tax expenditure report and relative to delaying the enactment of the single sales factor under the business profits and business enterprise taxes.
HB 306, relative to revenue estimates while operating under emergency orders caused by the COVID-19 pandemic.
HB 324-FN, relative to the administration of certain state taxes by the department of revenue administration.
HB 330, relative to sports book locations.
HB 354, relative to the local option for sports betting.
HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird.
HB 425-FN, establishing technical committees and a cybersecurity advisory committee in the department of information technology
HB 625-FN, relative to the protection of fetal life.
HB 233-FN, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment.

UNANIMOUS CONSENT

Rep. Abramson requested Unanimous Consent of the House regarding a new caucus and addressed the House.

RECESS MOTION

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

The House recessed at 5:45 p.m.

CLERK'S NOTE

Reps. Lane and Simpson approached the Clerk after the House had recessed with a request to enter a protest in the Journal about their inability to vote on HB 233. Their protest involved questioning the Speaker's authority to lock members out of the House until after the deliberations and vote had concluded. Pursuant to Part II, Article 24 of the New Hampshire Constitution, all protests shall be made at the time of the action. Since the Representatives were not present at the time of the action, they were unable to register their protest.

RECESS