



State of
New Hampshire

HOUSE RECORD

First Year of the 167th General Court

Calendar and Journal of the 2021 Session

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Vol. 43

Concord, N.H.

Thursday, April 8, 2021

No. 6

HOUSE JOURNAL NO. 5 (Cont'd)

Wednesday, April 7, 2021

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

HOUSE JOURNAL NO. 6

Thursday, April 8, 2021

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

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

The Fast Life

Author Unknown

Let us Pray. Fast from judging others; Feast on God dwelling within them. Fast from fear of illness; Feast on the healing power of God. Fast from words that pollute; Feast on speech that purifies. Fast from discontent; Feast on Gratitude. Fast from anger; Feast on patience. Fast from negatives; Feast on encouragement. Fast from bitterness; Feast on forgiveness. Fast from self-concern; Feast on compassion. Fast from suspicion; Feast on truth. Fast from gossip; Feast on purposeful silence. Fast from problems that overwhelm; Feast on prayer that sustains. Fast from anxiety; Feast on Faith. O God help us to feast on those things that are pleasing to you. Amen.

Representative Michael Pedersen, member from Nashua, led the Pledge of Allegiance.

A recording of the National Anthem, performed by the United States Army Band, was played.

LEAVES OF ABSENCE

Reps. Cleaver, Pantelakos and Von Plinsky, the day, illness.

Reps. Alicea, Berry, Cote, Cross, Danielson, Myler, Pickering, Ruprecht, Varney, Booras, McKinney, Oxaal and Kimball, the day, important business.

Rep. Leavitt, the day, death in the family.

REGULAR CALENDAR PART II CONT'D

HB 334, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for the Majority of Criminal Justice and Public Safety. Due to a clerical oversight, when Constitutional Carry (SB 12) was enacted In 2017, the General Court neglected to repeal the prohibition on carrying a loaded pistol or revolver on a snowmobile or ATV unless the gun carrier first obtained a Pistol / Revolver license pursuant to RSA 159:6. HB 334 is a simple clerical bill to make the firearms carry law for snowmobiles and ATVs consistent with the laws for cars and boats. New Hampshire will soon observe the fourth anniversary of being a Constitutional Carry state. When SB 12 became law many naysayers were predicting crime and violence. But none of that happened. New Hampshire is one of the safest places to live, work and raise a family. People who ride snowmobiles and ATVs should be able to freely exercise their Second Amendment rights just like those who drive cars, pickup trucks or boats. Vote 11-10.

Rep. David Meuse for the Minority of Criminal Justice and Public Safety. This bill would allow any person who is not prohibited from owning a firearm to carry or transport a loaded pistol on a moving snowmobile or ATV. Many responsible firearms owners would never even consider carrying a loaded firearm on such a

vehicle because of the high risk of an accidental discharge as a result of an accident, bump, or spill. Many of the states that allow pistols to be transported on these vehicles require them to be unloaded. This bill throws caution to the wind by allowing loaded pistols to be carried and transported on moving ATVs and snowmobiles—a practice that increases the risk of accidental discharge for operators, passengers, and others nearby. Ready access to a loaded firearm also increases the possibility that a minor spat between operators could turn into a violent and potentially deadly confrontation. This legislation would turn a growing and important recreational activity of vital importance to New Hampshire's tourism industry into yet another opportunity for tragedy.

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

Rep. Meuse spoke against.

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

YEAS 223 - NAYS 145

YEAS - 223

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
Deshaies, Brodie
McAleer, Chris

Burroughs, Anita
MacDonald, John
McConkey, Mark

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William
Woodcock, Stephen

CHESHIRE

Hunt, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin
Merner, Troy

Davis, Arnold
Theberge, Robert

Dostie, Donald
Tucker, Edith

Lafamme, Larry

GRAFTON

Adjutant, Joshua
Depalma IV, Joseph
Gordon, Edward
Nordgren, Sharon

Alliegro, Mark
Egan, Timothy
Greeson, Jeffrey
Simon, Matthew

Berezhny, Lex
Folsom, Beth
Ham, Bonnie

Binford, David
Sanborn, Gail
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Smith, Denise
Freitas, Mary
Gorski, Ted
Gunski, Michael
Hyland, Stephanie
Kofalt, Jim
Lanzara, Tom
Marston, Dick
Mullen, Sue
Pauer, Diane
Ober, Russell
Rung, Rosemarie
Lekas, Tony
Veilleux, Daniel

Alexander, Joe
Baroody, Benjamin
Creighton, Jim
Erf, Keith
Griffin, Gerald
Gould, Linda
Healey, Robert
Infantine, William
Ober, Lynne
Lascelles, Richard
Mayville, Mary
Notter, Jeanine
Plett, Fred
Renzullo, Andrew
Shaw, Barbara
Tausch, Lindsay
Warden, Mark

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gagne, Larry
Graham, John
Homola, Susan
Jack, Martin
Sanborn, Laurie
Lewicke, John
McLean, Mark
Nunez, Hershel
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Toomey, Dan

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Foster, William
Goley, Jeffrey
Greene, Bob
Hopper, Gary
Kelsey, Niki
Labranche, Tony
King, Mark
Mooney, Maureen
O'Brien, Michael
Prout, Andrew
Rouillard, Claire
Somero, Paul
Ulery, Jordan

MERRIMACK

Allard, James
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Wolf, Dan

Andrus, Louise
Klose, John
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

Boyd, Stephen
Mason, James
Pitaro, Matthew
Wells, Natalie

Cambrils, Jose
McGuire, Carol
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul

Abrami, Patrick
Baldasaro, Al

Abramson, Max
Baxter, Tim

Acton, Dennis
Belanger, Cody

Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
Verville, Kevin
Welch, David

Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
True, Chris
Vose, Michael
Weyler, Kenneth

Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

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

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

DeLemus, Susan
Horgan, James
Pitre, Joseph

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

STRAFFORD

Aron, Judy
Rollins, Skip

Callum, John
Spilsbury, Walter

Cloutier, John
Stapleton, Walter

Merchant, Gary
Smith, Steven

SULLIVAN

NAYS - 145 CARROLL

Buco, Thomas

Knirk, Jerry

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon

Hatch, William

Thompson, Dennis

GRAFTON

Abel, Richard
Hakken-Phillips, Mary
Smith, Suzanne

Almy, Susan
Massimilla, Linda
Sykes, George

Dontonville, Roger
Murphy, James
Weston, Joyce

Fellows, Sallie
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Espitia, Manny
Heath, Mary
Klee, Patricia
Leishman, Peter
McGhee, Kat
Pedersen, Michael
Porter, Marjorie
Snow, Kendall
Vail, Suzanne

Bouldin, Andrew
Bradley, Amy
Cornell, Patricia
Griffith, Willis
Herbert, Christopher
Klein-Knight, Nicole
Long, Patrick
Moran, Melbourne
Perez, Maria
Query, Joshua
Sofikitis, Catherine
Van Houten, Constance

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Hamer, Heidi
Schmidt, Janice
Langley, Diane
Murray, Megan
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Smith, Timothy
Vann, Ivy

Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Harriott-Gathright, Linda
Judy, Jean
Loughton, Stacie-Marie
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Newman, Sue
Telerski, Laura
Wilhelm, Matthew

Bartlett, Christy
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Luneau, David
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

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

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

MERRIMACK

Altschiller, Debra
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

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

Cushing, Robert Renny
Grossman, Gaby
Maggiore, Jim
Paige, Mark
Ward, Gerald

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

ROCKINGHAM

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Gourgue, Amanda
 Levesque, Cassandra
 Salloway, Jeffrey
 Wall, Janet

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

Chase, Wendy
 Fontneau, Timothy
 Horrigan, Timothy
 Schmidt, Peter
 Spang, Judith

Conley, Casey
 Frost, Sherry
 Kenney, Cam
 Rich, Cecilia
 Treleven, Susan

SULLIVAN

Gottling, Suzanne
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

Sullivan, Brian

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

HB 338-FN, relative to penalties for dog theft and tampering with a dog's radio collar. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Harriott-Gathright for Criminal Justice and Public Safety. Most of the committee agreed that it would be an injustice to tag that young person or anyone with a first offense a Class A Felony (7 1/2 - 15 years). The committee felt no data was brought forth as to how often dog stealing is reported, nor any data regarding the previous increase penalty from a misdemeanor to Class B Felony over the past few years. The committee believed in keeping with criminal justice reform the offenses would be served by increasing penalties based on repeat or habitual offenders. Vote 19-2.

Amendment (0395h)

Amend RSA 466:42-a, I as inserted by section 1 of the bill by replacing it with the following:

I. Whoever steals a dog shall be guilty of a misdemeanor for the first offense a class B felony for the second offense, and a class A felony for each subsequent offense.

AMENDED ANALYSIS

This bill makes the first instance of the crime of dog theft a misdemeanor, the second instance a class B felony, and any subsequent instance a class A felony.

This bill also makes it a crime to remove certain collars from certain dogs.

Committee amendment adopted.

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

HB 347-FN, relative to driving with a suspended license. **OUGHT TO PASS.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. There are many instances where an out-of-state traffic offense conviction counts as a prior offense when convicted again in New Hampshire. Ironically, driving after revocation or suspension was not included in that category. This bill corrects that oversight. Vote 14-7. Committee report adopted and the bill was ordered to third reading.

HB 539, relative to records of communications common carriers. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dave Testerman for the Majority of Criminal Justice and Public Safety. The law as currently written clearly violates the Fourth Amendment of U.S. Constitution regarding unwarranted searches because it allows authorities unwarranted access to records from common carriers. This bill will stop unwarranted governmental intrusion into citizens private or personal information by requiring a search warrant or a judicially-recognized exception to the warrant requirement before providing such information. Vote 13-8.

Rep. David Meuse for the Minority of Criminal Justice and Public Safety. During testimony for this bill, the committee heard from the sponsor and two parties advocating for its passage. We did not hear from any telephone service carriers or from the New Hampshire Attorney General's Office, whose ability under the current statute to issue an order to carriers to turn over phone records would be eliminated by this bill. While the minority agrees that protecting individual privacy from state intrusion is an obligation under the New Hampshire Constitution, we felt that making such a significant change to the law without hearing from the affected parties would be premature and has the potential to lead to unintended consequences.

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

Rep. Meuse spoke against.

Rep. Abbas spoke in favor.

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

HB 546-FN, relative to 911 immunity for reporting that a person has been the victim of a violent crime. **OUGHT TO PASS.**

Rep. Amanda Bouldin for Criminal Justice and Public Safety. This is a Good Samaritan bill. It provides immunity from prosecution for drug possession for persons reporting a violent crime to the police. It pertains to the reporter who might possess drugs as well as to another crime victim. The bill encourages the reporting of violent crimes by a person who might otherwise fail to report for fear of prosecution. It is designed to save lives. Vote 16-5. Committee report adopted and the bill was ordered to third reading.

CACR 3, use of money raised by taxation for education. Providing that money raised by taxation may be applied for the use of religious educational institutions. **MAJORITY: OUGHT TO PASS. MINORITY: IN-EXPEDIENT TO LEGISLATE.**

Rep. Michael Moffett for the Majority of Education. This bill repeals the line in Article 83 of the New Hampshire Constitution which prohibits public funds from being directed to sectarian schools. Added in 1877, the line was a version of the so-called Blaine Amendment which numerous states adopted in the 19th century as a means to rebuff efforts by the Catholic Church to access funding support for its schools in the same manner that generically protestant public schools received public funding. Seen by many as examples of religious bigotry, the Blaine Amendments sought to diminish the power and influence of immigrants from predominantly Catholic countries. The landmark 2020 U.S. Supreme Court case *Espinoza vs. Montana* overturned the use of Blaine Amendments which proscribed public funding for sectarian schools. Given this new judicial precedent, existing Blaine Amendments such as New Hampshire's are essentially moot. Leaving such wording in the New Hampshire Constitution provides a faulty mechanism that could still be cited during future frivolous and costly litigation that would be doomed to failure due to the new realities created by *Espinoza vs. Montana*. Vote 11-8.

Rep. Mel Myler for the Minority of Education. The minority is opposed to this CACR because it removes the prohibition of the use of money raised by taxation for schools of any religious sect or denomination. The proposal violates the "no-aid" provision in the New Hampshire Constitution Article 6 which states, "[b]ut no person shall ever be compelled to pay towards the support of the schools of any sect or denomination." This section was passed June 2, 1784. For 237 years, this has been a standard that separated church and state regarding the education of our children. In 1802, Thomas Jefferson stated that by adopting the first amendment to the US Constitution, it had "built a wall of separation between church and state." If passed, CACR 3 will challenge this historic tenet of our state and nation. The minority has no problem with sectarian schools teaching their respective beliefs. However, we are concerned that sectarian schools are willing to accept public tax dollars without accepting any education regulations or anti-discrimination laws relating to student admissions and personal beliefs. Further, it violates the religious conscience of the taxpayer by coercing them to fund religious education. You will hear the argument that CACR 3 abolishes the "Blaine Amendment," that was rooted in anti-Catholic bias. "No-aid" clauses predated Maine's Republican Senator Blaine's attempt to amend the US Constitution in 1885 to stop public funds to support Catholic schools. Further, you will hear arguments that CACR 3 is relevant due to US Supreme Court cases in *Espinoza* (tax credit vouchers), *Trinity Lutheran* (public funds for playground equipment). These cases have narrow rulings. The "no-aid" clause in our state constitution ensures that public schools would be secular and therefore open to all. It protects the fundamental religious freedom principle that no citizen should be forced to fund someone else's religious activities or religious instruction. It is an important part of America's history of religious freedom. 47 states have adopted constitutional provisions that explicitly prohibit the government from funding religious activities and religious education.

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

Rep. Luneau spoke against and yielded to questions.

Rep. Cordelli spoke in favor.

Rep. Cordelli requested a roll call; sufficiently seconded.

YEAS 197 - NAYS 175

YEAS - 197

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
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin
Theberge, Robert

Davis, Arnold

Dostie, Donald

Mermer, Troy

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
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Ulery, Jordan

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Somero, Paul
Warden, Mark

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Lekas, Tony

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Shaw, Barbara
Tausch, Lindsay

MERRIMACK

Allard, James
Hill, Gregory
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Andrus, Louise
Kennedy, Margaret
Pearl, Howard
Walsh, Thomas

Boyd, Stephen
Klose, John
Pitaro, Matthew
Wells, Natalie

Cambrils, Jose
McGuire, Carol
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Janigian, John
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harley, Tina
Khan, Aboul
Lundgren, David
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Hobson, Deborah
Layon, Erica
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
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

NAYS - 175**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAlear, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Toll, Amanda

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

Berch, Paul
Fenton, Donovan
Kilanski, Ben
Rhodes, Jennifer
Welkowitz, Lawrence

Bordenet, John
Fox, Dru
Ley, Douglas
Schapiro, Joe

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Lafamme, Larry

Thompson, Dennis

GRAFTON

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

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	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	Schmidt, Janice	Jack, Martin
Jeady, Jean	Klee, Patricia	Klein-Knight, Nicole	Labranche, Tony
Langley, Diane	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	Petrigno, Peter
Piedra, Israel	Porter, Marjorie	Query, Joshua	Newman, Ray
Rung, Rosemarie	Newman, Sue	Snow, Kendall	Sofikitis, Catherine
Smith, Timothy	Telerski, Laura	Toomey, Dan	Vail, Suzanne
Van Houten, Constance	Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew

MERRIMACK

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

ROCKINGHAM

Altschiller, Debra	Cahill, Michael	Cushing, Robert Renny	DiLorenzo, Charlotte
Edgar, Michael	Gilman, Julie	Grossman, Gaby	Grote, Jaci
Guthrie, Joseph	Hamblet, Joan	Murray, Kate	Maggiore, Jim
Malloy, Dennis	McBeath, Rebecca	Meuse, David	Paige, Mark
Read, Ellen	Simpson, Alexis	Somssich, Peter	Vandecastelee, Susan
Ward, Gerald			

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Ellis, Donna	Fargo, Kristina	Fontneau, Timothy	Frost, Sherry
Gourgue, Amanda	Grassie, Chuck	Horrigan, Timothy	Kenney, Cam
Levesque, Cassandra	Smith, Marjorie	Schmidt, Peter	Rich, Cecilia
Salloway, Jeffrey	Southworth, Thomas	Spang, Judith	Treleaven, Susan
Vincent, Kenneth	Wall, Janet		

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	O'Hearne, Andrew
Oxenham, Lee	Sullivan, Brian	Tanner, Linda	

and the majority committee report failed, lacking the necessary three-fifths vote.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **CACR 3**, use of money raised by taxation for education. Providing that money raised by taxation may be applied for the use of religious educational institutions, be printed in the Permanent Journal.

On a division vote, with 222 members having voted in the affirmative, and 150 in the negative, the motion was adopted.

DEBATE ON CACR 3

Representative Luneau: Thank you very much, Mister Speaker. I speak in opposition to CACR 3. CACR 3 would amend the New Hampshire Constitution by deleting provisions that are critical to protecting the freedom of religion and the fundamental principles of separation of church and state. These provisions of the New Hampshire Constitution were specifically crafted to preserve our freedom to live in a state where the government is not entangled with matters of faith. Matters of faith are personal, private decisions and are properly reserved for individuals, families and religious communities. The New Hampshire Constitution rightly protects these decisions from government interference and intervention. In fact, CACR 3 would

break down the walls separating our state government from our religious practices by allowing public funds to be used for religious education. Moreover, CACR 3 would, in conjunction with other legislation, have significant financial costs to our state. For example, it would allow a school voucher program to pay for students education at religious schools, where such funds can be used for religious instruction. Today, families already have the choice to attend a religious school without state involvement. You'll hear the argument that CACR 3 abolishes the Blaine Amendment. In New Hampshire we don't have that. We have something called the "No-aid" clause that predates the Blaine attempt to amend the US Constitution in the mid-1880s. Further, you'll hear arguments that CACR 3 is relevant due to US Supreme Court cases in *Espinoza*, which had to do with tax credit vouchers and is not about the requirement for public funding of religious education and you also might hear about the *Trinity Lutheran* decision which uses public funds for playground equipment. Both of these supreme court rulings are very, very narrow. The "No-aid" clause in our state constitution ensures that public schools would be secular and therefore open to all. It protects the fundamental religious freedom principles that no citizen should be forced to fund someone else's religious activities or religious instruction. It is an important part of America's history of religious freedom. Like New Hampshire, 47 states have constitutional provisions that explicitly prohibit the government from funding religious activities and religious education. If you agree that the state government should not be financially supporting religious decisions and practices, then I urge you to support our existing New Hampshire Constitution and vote no on CACR 3. Thank you, Mister Speaker.

Speaker Packard: The Chair recognizes Rep. Cordelli to speak in favor of the majority committee report.

Representative Cordelli: Thank you, Mister Speaker. CACR 3 is a constitutional amendment to repeal the so called Blaine Amendment from our constitution. This 1877 amendment to our constitution needs to be repealed for two reasons. First, it is unconstitutional. Last June, the US Supreme Court ruled in *Espinoza v. Montana Department of Revenue* case that it is a violation of the establishment clause to exclude religious schools while allowing non-religious private schools. The committee minority would have you ignore this ruling and also the 2017 ruling by the supreme court in the *Trinity Lutheran v. Comer* case that said, "That denying a generally available benefit solely on the count of religious identity imposes a penalty on the free exercise of religion" and that is exactly what our Blaine Amendment does. To cite our Blaine Amendment as an objection to school choice programs is clearly unconstitutional therefore shortly you will hear several other bills on school choice that will not require this repeal because of the *Espinoza* ruling. This amendment is also a relic of anti-Catholic bigotry. It was placed in our constitution as a reaction to that bigotry. Public schools of the era were Protestant schools, reading from Protestant bibles. The influx of Catholic immigrants primarily from Ireland and Germany arrived here and found that their children were being taught religious concepts that were contrary to their own. This discrimination led to violence. In Philadelphia there were riots over which version of the bible was to be used in schools. In Maine a Catholic church was burned and a priest tarred and feathered and these were not isolated incidents. An amendment to the US Constitution to maintain the Protestant control of schools and deny funding to Catholic schools was put forward by Congressman Blaine of Maine who wanted to ride the anti-Catholic bigotry to the US Presidency and succeed President Grant. His amendment passed the US House, but was defeated by just 2 votes in the US Senate. The anti-Catholic movement did not end there. States began adopting their own Blaine Amendments. The New Hampshire Constitution was amended just two years later in 1877 to include a so-called Blaine Amendment and was clearly modeled after the failed US Constitution. I will add that these anti-religious school efforts continued until at least the 1920s, aided in part by the Ku Klux Klan. The minority report talks about separation of church and state. That language is nowhere in our US Constitution, yet it was mentioned in a letter by Thomas Jefferson, but the minority cherry-picks one phrase and ignores the context of that letter. The New Hampshire Blaine Amendment was an attempt to preserve the Protestant monopoly, monopoly on education and school funding. Blaine Amendments were borne of bigotry. Religious bigotry is no better than racial bigotry. We have seen the tearing down of statues around the country, but what needs to be torn down are the statutes that promote that bigotry to this day. New Hampshire needs to repeal this amendment now as an unconstitutional remnant of that anti-Catholic bigotry. It is a stain upon our constitution. As the supreme court said of Blaine Amendments in the *Mitchell v. Helms* decision, "It was borne of bigotry and should be buried now." Today, you can help to bury our Blaine Amendment and let the voters have a say by pressing the green button. And, Mister Speaker, I request a division vote.

Speaker Packard: A division has already been requested. Will the member yield to question? The member does not yield. I heard a request for a roll call. Yes, Representative. Representative Almy.

Representative Almy: Yes, Mister Speaker. I wanted to ask a question of Rep. Luneau or someone from the committee.

Speaker Packard: Does someone from the committee accede to questions?

Representative Luneau: I'm happy to, Mister Speaker.

Speaker Packard: You may inquire.

Representative Almy: Thank you. I'm reading in the minority blurb that, sorry report, that this section that we are talking about was passed on June 2, 1784. That is well before any Blaine Amendments. It is in line with the Jeffersonian position. So, could you tell me is there a problem with that statement?

Representative Luneau: No. Thank you very much for the question. That statement is something that our founding fathers put in the constitution early on back in 1784 and has been in our constitution and it reads in part, "But no person shall ever be compelled to pay towards the support of the schools for any sect or denomination."

Speaker Packard: Does the member yield to a further question?

Representative Luneau: No, we are all set. Thank you.

Speaker Packard: A roll call has been requested. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. Just to be clear Representative, it is 3/5th of the entire membership, not those voting and present. The Chair recognizes Rep. Ley for a parliamentary inquiry.

Representative Ley: Thank you, Mister Speaker. Mister Speaker if I know that since 1784 the New Hampshire Constitution has wisely contained the clause, "But no person shall ever be compelled to pay towards the support of the schools of any sect or denomination" thereby establishing a separation in education between church and state. And, if I know this language long predates the so-called Blaine Amendment put forth by a Republican legislature and named after a Republican Presidential candidate in the mid late 19th century. And, if I know that recent US Supreme Court cases were narrow rulings and do not necessarily apply in a direct manner, as asserted, to the language of the New Hampshire Constitution, would I now vote against adoption of CACR 3 and vote no by pressing the red button? Thank you, Mister Speaker.

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

Representative Lynn: Thank you, Mister Speaker. Mister Speaker, if I know that the legislation before this body now has nothing to do with changing the provision of the constitution that was enacted in 1784. And, if I know that the Blaine Amendment, which is the subject of this legislation, is an unfortunate relic of 19th century anti-Catholic bigotry that thankfully has been rendered toothless by recent US Supreme Court decisions, which negate a similar provision in the Montana Constitution. And, if I know that the Blaine Amendment serves no useful purpose today other than to offer a last ditch effort by the teachers' unions and those beholden to them to prevent parents of ordinary means as opposed to wealthy parents from exercising freedom of choice in educating their children, would I press the green button? Thank you, Mister Speaker.

Speaker Packard: This is a roll call vote. The question is on majority report of Ought to Pass on CACR 3. 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. 197 voting Yea, 175 voting Nay, it does not meet the requirement of 239 so the motion, committee report fails.

REGULAR CALENDAR PART II CONT'D

HB 69, relative to the display of the national motto in schools. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This legislation is enabling that allows for school boards to provide a poster or framed copy of the motto of the United States "In God We Trust" for display in each school building in the district. This legislation allows for schools to accept non-public funds or in-kind contributions to implement this. The committee could not come to agreement on this bill, however, half the committee supported Ought to Pass.

Rep. Deborah Hobson

Statement in support of Inexpedient to Legislate: We suggest that by our public schools displaying the national motto of, "In God We Trust," it will result in many negative and unwanted consequences and therefore support an Inexpedient to Legislate motion. Our nation is going through a very divisive time. Do we need to display something that may create more acrimony and division in our public schools and charter schools? The bill's sponsors recognized this fact by including a section that deals with the possibility of legal action against the school. In paragraph II, the Attorney General's Office is required to "defend the display." No fiscal note accompanies this bill. A defense by the Attorney General's Office could require considerable expenditures which should be stated in a fiscal note. More importantly, the displaying of this motto without context or accompanying educational material and instruction could be intimidating, unwanted, and unwelcoming to many in our multicultural society who do not share the same religious beliefs associated with the motto. We represent all our constituents and must, in good conscience, recognize the multicultural communities we represent. Our public schools need to be an open and welcoming place for all children to foster unity and appreciation for all students, parents, and staff regardless of their religious, ethnic, or cultural backgrounds.

Rep. Linda Tanner

Rep. Hobson moved Ought to Pass.

Rep. Tanner spoke against.

Rep. True spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 204 - NAYS 169**YEAS - 204****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Lang, Timothy
Ploszaj, Tom
Trotter, 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
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

Craig, Kevin
Theberge, Robert

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
Lascelles, Richard
Mayville, Mary
Nunez, Hershel
Post, Lisa
Rouillard, Claire
Tausch, Lindsay

Alexander, Joe
Baroody, Benjamin
Creighton, Jim
DiSilvestro, Linda
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Laughton, Stacie-Marie
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Blasek, Melissa
Cushman, Leah
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Petrigno, Peter
Renzullo, Andrew
Somero, Paul
Warden, Mark

Griffin, Barbara
Boehm, Ralph
Kelley, Diane
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Lanzara, Tom
Marston, Dick
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Lekas, Tony

MERRIMACK

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

Andrus, Louise
Kennedy, Margaret
Pearl, Howard
Testerman, Dave

Boyd, Stephen
Klose, John
Pitaro, Matthew
Walsh, Thomas

Cambrils, Jose
McGuire, Carol
Schamberg, Thomas
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harley, Tina
Khan, Aboul
Lundgren, David
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torsosian, Peter
Vandecasteele, Susan
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Fontneau, Timothy
Horgan, James
Turcotte, Leonard

Bailey, Glenn
Groen, Fenton
Kaczynski, Thomas
Vincent, Kenneth

DeLemus, Susan
Harrington, Michael
Newton, Clifford
Wuelper, Kurt

Ellis, Donna
Hayward, Peter
Pitre, Joseph

SULLIVANAron, Judy
Rollins, SkipCallum, John
Spilsbury, WalterMerchant, Gary
Stapleton, Walter

O'Hearne, Andrew

NAYS - 169**CARROLL**Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIREAbbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, LawrenceAmes, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, JoeBerch, Paul
Fenton, Donovan
Ley, Douglas
Toll, AmandaBordenet, John
Fox, Dru
Mann, John
Weber, Lucy**COOS**Kelley, Eamon
Tucker, Edith

Hatch, William

Lafamme, Larry

Thompson, Dennis

GRAFTONAbel, Richard
Egan, Timothy
Massimilla, Linda
Smith, SuzanneAdjutant, Joshua
Fellows, Sallie
Murphy, James
Sykes, GeorgeAlmy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, JoyceDontonville, Roger
Ham, Bonnie
Stavis, Lauree**HILLSBOROUGH**Bouldin, Amanda
Bouchard, Donald
Connors, Erika
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Ober, Russell
Snow, Kendall
Telerski, Laura
Vann, IvyBouldin, Andrew
Bradley, Amy
Cornell, Patricia
Goley, Jeffrey
Heath, Mary
Jack, Martin
Labranche, Tony
King, Mark
Moran, Melbourne
O'Brien, Michael
Porter, Marjorie
Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan
Veilleux, DanielBeaulieu, Jane
Chretien, Jacqueline
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Judy, Jean
Langley, Diane
Murray, Megan
Mullen, Sue
Pedersen, Michael
Query, Joshua
Newman, Sue
Stevens, Deb
Vail, Suzanne
Wilhelm, MatthewBergeron, Paul
Cohen, Bruce
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Shaw, Barbara
Smith, Timothy
Van Houten, Constance**MERRIMACK**Bartlett, Christy
Lane, Connie
McWilliams, Rebecca
Schultz, Kristina
Walz, Mary Beth
Woods, GaryEbel, Karen
Luneau, David
Pimentel, Roderick
Shurtleff, Steve
Wazir, SafiyaEllison, Arthur
MacKay, James
Rogers, Katherine
Soucy, Timothy
White, NickGallager, Eric
Mason, James
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan**ROCKINGHAM**Altschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
Meuse, David
Somssich, PeterCahill, Michael
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Paige, Mark
Ward, GeraldCali-Pitts, Jacqueline
Gay, Betty
Hamblet, Joan
Malloy, Dennis
Read, EllenCushing, Robert Renny
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Simpson, Alexis**STRAFFORD**Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Smith, Marjorie
Southworth, ThomasCannon, Gerri
Frost, Sherry
Kenney, Cam
Schmidt, Peter
Spang, JudithChase, Wendy
Gourgue, Amanda
Kittredge, Mac
Rich, Cecilia
Treleaven, SusanConley, Casey
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Wall, Janet**SULLIVAN**Cloutier, John
Gottling, Suzanne
Tanner, Linda

Oxenham, Lee

Sullivan, Brian

and the motion of Ought to Pass was adopted and the bill was ordered to third reading.

HB 71, relative to school district emergency special meetings. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the Majority of Education. Current law states that for a special election, the judge will consider if the reason was covered in the previous school district's past election. This was done some years ago to prevent unnecessary special elections. This bill, as amended, makes it clear that a special election cannot be held for a collective bargaining agreement that failed at the previous school district meeting. No means no. It is not fair to the school district voters if they say no to a contract and a judge rules that a special election can be held, thus negating the wishes of the voters. Usually, a special election will be held in the fall, without much notice, and only a small number of voters will vote. The result will be a late property tax bill, coming right before Christmas. Another vote on a modified contract will be done the following March or April, and in most cases will pass, with retroactive pay increases. Vote 11-9.

Rep. Linda Tanner for the Minority of Education. This bill, as amended, takes away the discretion not only of the locally elected school board to request an emergency school meeting, but also sets restrictions on the judicial review process by the courts for approving an emergency meeting. Because the amended bill singles out just one area, collective bargaining agreements, it is an assault on the key of good faith bargaining in the collective bargaining process leaving school boards and the school staff without a contract agreement until the next year's meeting.

Majority Amendment (0498h)

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; School Meetings; Raising Money at Special Meeting. Amend RSA 197:3, I by inserting after subparagraph (c) the following new subparagraph:

(d) The court shall not allow a special meeting if the emergency involves a collective bargaining agreement that was voted down at the regular meeting, including a collective bargaining agreement modified after the regular meeting.

AMENDED ANALYSIS

This bill prohibits the superior court from allowing special school meetings for a collective bargaining agreement that was voted down at the regular meeting.

Majority committee amendment adopted.

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

Rep. Tanner spoke against and yielded to questions.

Rep. Boehm spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 181**YEAS - 193****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			

CARROLL

Avellani, Lino	Cordelli, Glenn	MacDonald, John	Smith, Jonathan
Marsh, William	McConkey, Mark	Nelson, Bill	Umberger, Karen

CHESHIRE

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

COOS

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

GRAFTON

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

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Blasek, Melissa	Boehm, Ralph	Burt, John
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
Erf, Keith	Fedolfi, Jim	Foster, William	Griffin, Gerald
Gagne, Larry	Gorski, Ted	Gould, Linda	Graham, John
Greene, Bob	Gunski, Michael	Healey, Robert	Homola, Susan
Hopper, Gary	Infantine, William	Kelsey, Niki	Kofalt, Jim

Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul

Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Katsakiores, Phyllis
Lundgren, David
Major, Norman
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Harley, Tina
Khan, Aboul
Lynn, Bob
McBride, Everett
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Hobson, Deborah
Layon, Erica
Griffin, Mary
McMahon, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Janigian, John
Love, David
Pearson, Mark
Melvin, Charles
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

Rollins, Skip

Spilsbury, Walter

Smith, Steven

**NAYS - 181
CARROLL**

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
McAleer, Chris

Crawford, Karel
Woodcock, Stephen

Deshaies, Brodie

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Lafamme, Larry

Thompson, Dennis

GRAFTON

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

Adjutant, Joshua
Fellows, Sallie
Murphy, James
Sykes, George

Almy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Jeudy, Jean
Langley, Diane
King, Mark
Moran, Melbourne

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison

O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Perez, Maria
Query, Joshua
Shaw, Barbara
Smith, Timothy
Van Houten, Constance

Petrigno, Peter
Newman, Ray
Snow, Kendall
Telerski, Laura
Vann, Ivy

MERRIMACK

Bartlett, Christy
Lane, Connie
Pimentel, Roderick
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Luneau, David
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

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

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

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grote, Jaci
Murray, Kate
Malloy, Dennis
Paige, Mark
Ward, Gerald

Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Litchfield, Melissa
McBeath, Rebecca
Read, Ellen

Cali-Pitts, Jacqueline
Gilman, Julie
Hamblet, Joan
Loughman, Tom
Meuse, David
Simpson, Alexis

Cushing, Robert Renny
Grossman, Gaby
Harb, Robert
Maggiore, Jim
Milz, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Wall, Janet

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

Chase, Wendy
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Conley, Casey
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Callum, John
O'Hearne, Andrew
Tanner, Linda

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Stapleton, Walter

Merchant, Gary
Sullivan, Brian

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

HB 140, relative to private rights of action regarding pupil safety. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the Majority of Education. Prior to 2010, parents could sue if their child's school neglected their duty of care to protect students from bullying. This bill returns that power to parents and restores the penalty to make our anti-bullying laws more than a suggestion. There is a high burden of proof to demonstrate gross negligence or willful misconduct leading to demonstrated injury. The likely outcome from passage of this bill is school districts paying closer attention to RSA 193-F, not an influx of lawsuits. Vote 12-8.

Rep. David Luneau for the Minority of Education. When it comes to student safety, current law does not prevent a private right of action against a school district or chartered public school in the case of negligence. This bill is unnecessary and expands the cause of action by any person aggrieved by any violation of RSA 193-F, including technical violations when nobody was injured and when no bullying occurred, provided a school official committed that technical violation with "gross negligence" which is a term state law does not define. The bill also allows the plaintiff to recover attorney's fees for such technical and victimless violations, creating an incentive to sue school districts for harmless mistakes.

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

Rep. Luneau spoke against and yielded to questions.

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

YEAS 207 - NAYS 169

YEAS - 207

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
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaiies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Mann, John

Rhodes, Jennifer

COOS

Craig, Kevin
Theberge, Robert

Davis, Arnold

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Hopper, Gary
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tausch, Lindsay

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Infantine, William
Ober, Lynne
Lewicke, John
Moran, Melbourne
Piedra, Israel
Renzullo, Andrew
Somero, Paul
Ulery, Jordan

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Herbert, Christopher
Jack, Martin
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Lekas, Tony
Warden, Mark

King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Homola, Susan
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Post, Lisa
Rouillard, Claire
Smith, Timothy

MERRIMACK

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

Andrus, Louise
Kennedy, Margaret
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Klose, John
Pitaro, Matthew
Walsh, Thomas

Cambrils, Jose
McGuire, Carol
Schamberg, Thomas
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
Maggiore, Jim
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
Major, Norman
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Abramson, Max
Baxter, Tim
Cali-Pitts, Jacqueline
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Griffin, Mary
McBeath, Rebecca
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Belanger, Cody
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tosorian, 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

Cloutier, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 169**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel

Ames, Richard
Faulkner, Barry

Berch, Paul
Fenton, Donovan

Bordenet, John
Fox, Dru

Gomarlo, Jennie
Qualey, James
Welkowitz, Lawrence

Harvey, Cathryn
Schapiro, Joe

Ley, Douglas
Toll, Amanda

Parshall, Lucius
Weber, Lucy

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Lafamme, Larry

Thompson, Dennis

GRAFTON

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

Adjutant, Joshua
Fellows, Sallie
Murphy, James
Sykes, George

Almy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

HILLSBOROUGH

Alexander, Joe
Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pedersen, Michael
Query, Joshua
Newman, Sue
Stevens, Deb
Van Houten, Constance

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Hyland, Stephanie
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Newman, Ray
Shaw, Barbara
Telerski, Laura
Vann, Ivy

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Schmidt, Janice
Labranche, Tony
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Petrigno, Peter
Ober, Russell
Snow, Kendall
Toomey, Dan
Veilleux, Daniel

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Judy, Jean
Langley, Diane
King, Mark
Mooney, Maureen
O'Brien, Michael
Porter, Marjorie
Rung, Rosemarie
Sofikitis, Catherine
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
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

Gallager, Eric
Mason, James
Rogers, Katherine
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

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

Cahill, Michael
Gilman, Julie
Murray, Kate
Paige, Mark
Ward, Gerald

Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Read, Ellen

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

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Treleven, Susan

Conley, Casey
Frost, Sherry
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Callum, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the majority committee report was adopted and the bill was ordered to third reading.
Rep. Alexander voted Nay and intended to vote Yea.

HB 182, relative to approval of coursework completed at other approved schools. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Erica Layon for the Majority of Education. This bill, as amended, allows a high school principal to grant credit towards graduation for similar courses and programs satisfactorily completed at other approved schools, mirroring the processes used for military families transferring into NH schools pursuant to RSA 110-D. This bill allows the principal to deny credit with reasonable justification, while honoring the competency-based academic focus of New Hampshire which affords students the opportunity to learn at their own skill level. The need for this bill is highlighted by a student who transferred from NY who had previously taken algebra in the 8th grade, and who achieved all standards and requirements but was denied credit at the receiving school because the course was completed prior to the 9th grade. Vote 11-9.

Rep. Linda Tanner for the Minority of Education. This bill disregards the statutory requirement of the local school district and elected school board to approve credits and competencies required for graduation from their schools. This bill requires the acceptance of programs and course work from other schools for local credit for graduation. The administrator is also required to provide a “reasonable justification” if credit is denied. Nothing in this bill gives guidance or clarity on “justifiable” reasons for denial. There are no directions as to whom this report shall be given nor is there transparency as to who the final authority will be to determine if the denial is based on reasonable justification. This is an unnecessary, vaguely worded bill that undermines the local responsibility and hard work New Hampshire public schools have done to develop curricula and competencies for graduation credits that reflect the values of their communities.

Majority Amendment (0690h)

Amend the bill by replacing section 1 with the following:

1 New Section; Adequate Public Education; Approval of Courses and Programs. Amend RSA 193-E by inserting after section 3-e the following new section:

193-E:3-f Approval of Courses and Programs. The principal or other administrator of a high school shall grant credit toward high school graduation for similar courses and programs that have been satisfactorily completed at other approved schools or shall provide reasonable justification for denial. For purposes of this section, approved schools include all New Hampshire public schools, including chartered public schools, public academies, approved public or private tuition program schools, and all schools in Vermont and Maine that are members of an interstate school district with schools in New Hampshire.

Majority committee amendment adopted.

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

Rep. Tanner spoke against and yielded to questions.

Rep. Layon spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 208 - NAYS 169

YEAS - 208

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
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

Craig, Kevin
Theberge, Robert

Davis, Arnold
Tucker, Edith

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Massimilla, Linda

Depalma IV, Joseph
Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascalles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Wolf, Dan

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Griffin, Mary
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
Maggiore, Jim
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Ellis, Donna
Horgan, James
Pitre, Joseph

Bailey, Glenn
Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Bixby, Peter
Harrington, Michael
Kittredge, Mac
Wuelper, Kurt

DeLemus, Susan
Hayward, Peter
Newton, Clifford

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 169**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon

Hatch, William

Lafamme, Larry

GRAFTON

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

Adjutant, Joshua
Fellows, Sallie
Nordgren, Sharon
Weston, Joyce

Almy, Susan
Hakken-Phillips, Mary
Stavis, Laurel

Dontonville, Roger
Muirhead, Russell
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Jeudy, Jean
Langley, Diane
King, Mark
Moran, Melbourne
O'Brien, Michael
Piedra, Israel

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hylland, Stephanie
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pedersen, Michael
Porter, Marjorie

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutter-Upaham, Frances
Perez, Maria
Query, Joshua

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray

Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Newman, Sue
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Shaw, Barbara
Smith, Timothy
Van Houten, Constance

Snow, Kendall
Telerski, Laura
Vann, Ivy

MERRIMACK

Bartlett, Christy
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Ebel, Karen
Luneau, David
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

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

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Paige, Mark
Ward, Gerald

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Read, Ellen

Cahill, Michael
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

STRAFFORD

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Chase, Wendy
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Fargo, Kristina
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

HB 278, relative to the use of unused district facilities by chartered public schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the Majority of Education. Public charter schools operate with less than half the funding of traditional public schools and leasing of space is one of their primary expenses. With continued statewide enrollment declines, it is likely districts will have vacant, unused facilities and property. It seems logical that since unused buildings were built with taxpayer/public funds and designed specifically for classrooms, that these available properties should be first made available for other educational opportunities. This bill specifies that districts will make known their available space. Public charter schools will have the first right of refusal for the purchase or lease of that space. The offering district will, however, have the option to sell or lease the property at fair market value for a term to be negotiated. Charter school children should have the same claim on suitable classroom space as all other public school children. Vote 11-9.

Rep. Patricia Cornell for the Minority of Education. This bill grants a right of first refusal on property that is not owned by the state, which is an illegal taking of property rights and an egregious overreach by state government. This bill takes local control of school buildings out of the hands of the local community. Districts that have empty buildings may already have plans for other use, such as a community center. Students attending a charter school may come from a wide catchment area; is the local municipality responsible for the possible costs of police, fire, local playing fields? Will this be a cost to local taxpayers? Local taxpayers should not be told they shall accept these schools and the possible additional tax burden. This bill would not apply to a city like Manchester, where ownership of any unused school building reverts to the city. The sponsors did not know if this ownership rule applied in any other localities. This bill is vaguely worded and no actual evidence was presented that this has been a problem.

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

Rep. Hill spoke in favor.

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

YEAS 190 - NAYS 185

YEAS - 190

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
Nelson, Bill

Cordelli, Glenn
Umberger, Karen

Smith, Jonathan

McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

Davis, Arnold

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Ulery, Jordan

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
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
Smith, Steven

Rollins, Skip

Spilsbury, Walter

Stapleton, Walter

NAYS - 185**CARROLL**

Buco, Thomas
MacDonald, John
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

Crawford, Karel
Marsh, William

Deshaies, Brodie
McAleer, Chris

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Faulkner, Barry	Fenton, Donovan	Fox, Dru
Gomarlo, Jennie	Harvey, Cathryn	Kilanski, Ben	Ley, Douglas
Mann, John	Parshall, Lucius	Rhodes, Jennifer	Schapiro, Joe
Toll, Amanda	Weber, Lucy	Welkowitz, Lawrence	

COOS

Dostie, Donald	Kelley, Eamon	Hatch, William	Laflamme, Larry
Theberge, Robert	Thompson, Dennis	Tucker, Edith	

GRAFTON

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

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	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	Schmidt, Janice
Jack, Martin	Judy, Jean	Klee, Patricia	Klein-Knight, Nicole
Labranche, Tony	Langley, Diane	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
Petrigno, Peter	Piedra, Israel	Porter, Marjorie	Query, Joshua
Newman, Ray	Rung, Rosemarie	Newman, Sue	Shaw, Barbara
Sofikitis, Catherine	Stevens, Deb	Smith, Timothy	Telerski, Laura
Toomey, Dan	Vail, Suzanne	Van Houten, Constance	Vann, Ivy
Veilleux, Daniel	Wilhelm, Matthew		

MERRIMACK

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

ROCKINGHAM

Altschiller, Debra	Bunker, Lisa	Cahill, Michael	Cali-Pitts, Jacqueline
Copp, Anne	Cushing, Robert Renny	DiLorenzo, Charlotte	Edgar, Michael
Gilman, Julie	Grossman, Gaby	Grote, Jaci	Hamblet, Joan
Murray, Kate	Loughman, Tom	Maggiore, Jim	Malloy, Dennis
McBeath, Rebecca	Meuse, David	Paige, Mark	Read, Ellen
Simpson, Alexis	Somssich, Peter	Ward, Gerald	

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Ellis, Donna
Fargo, Kristina	Fontneau, Timothy	Frost, Sherry	Gourgue, Amanda
Grassie, Chuck	Horrigan, Timothy	Kenney, Cam	Levesque, Cassandra
Smith, Marjorie	Schmidt, Peter	Rich, Cecilia	Salloway, Jeffrey
Southworth, Thomas	Spang, Judith	Treleaven, Susan	Vincent, Kenneth
Wall, Janet			

SULLIVAN

Callum, John	Cloutier, John	Gottling, Suzanne	Merchant, Gary
O'Hearne, Andrew	Oxenham, Lee	Sullivan, Brian	Tanner, Linda

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

HB 282, relative to a private school that is approved as a tuition program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the Majority of Education. This bill relates to towns that do not have all grade levels and therefore tuition students to other schools for those grades. The current statute limits the district to sending students to another public school or a non-sectarian private school. Last year's US Supreme Court ruling in the *Espinoza v. Montana Department of Revenue* case stated that if students

could be sent to private schools it would be unconstitutional to exclude religious (sectarian) private schools. This amended bill removes the non-sectarian exclusion. It also includes the current practice of districts signing tuition agreements with multiple schools and giving parents the right to select among the approved schools for their child. Vote 12-8.

Rep. Linda Tanner for the Minority of Education. The current law, RSA 193:1, I(d), allows towns which do not offer public education in certain grades to enter into a contract with either another public school or a non-sectarian private school to fulfill their responsibility for providing education for their students. This bill seeks to remove the restriction for nonsectarian schools. The decision to stipulate nonsectarian private schools was based on Article 6 of New Hampshire's Constitution which speaks directly to education. Written in 1784, Article 6 states that religious schools may, "... [elect] their own teachers, and [contract] with them for their support. But no person shall ever be compelled to pay towards the support of the schools of any sect or denomination." There is currently a case being heard in court dealing with this specific bill and this constitutional issue that will most likely go through an appeal process. This bill should not be considered at this time because of its potential influence on the judicial process.

Majority Amendment (0616h)

Amend RSA 193:3, VI as inserted by section 2 of the bill by replacing it with the following:

VI. If there is no public school for the child's grade in the resident district, the school board may ~~assign the child to~~ **contract with** another public school in another school district or ~~to~~ **with** any ~~[nonsectarian]~~ private school that has been approved as a school tuition program by the school board ~~[- The school board may execute a contract with an approved nonsectarian private school to provide for the education of a child who resides in the school district]~~, and may raise and appropriate money for the purposes of the contract, if the school district ~~[does not have a public school at the pupil's grade level and the school board]~~ decides it is in the best interest of the pupil. ***The district may either assign all children to schools that have been approved as a school tuition program, or allow each child's parent to choose a school from among schools that have been approved as a school tuition program.***

Majority committee amendment adopted.

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

Rep. Ladd spoke in favor.

Rep. Tanner spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 178

YEAS - 198

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
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin
Theberge, Robert

Davis, Arnold

Dostie, Donald

Mermer, Troy

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
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim

Ober, Lynne
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Somero, Paul
Warden, Mark

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

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

Aron, Judy
Smith, Steven

Buco, Thomas
Woodcock, Stephen

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Toll, Amanda

Kelley, Eamon
Tucker, Edith

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

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Jeudy, Jean

Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Lekas, Tony

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Bailey, Glenn
Hayward, Peter
Newton, Clifford

Rollins, Skip

Burroughs, Anita

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

Hatch, William

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

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klee, Patricia

Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Shaw, Barbara
Tausch, Lindsay

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

DeLemus, Susan
Horgan, James
Pitre, Joseph

Spilsbury, Walter

Knirk, Jerry

Berch, Paul
Fenton, Donovan
Kilanski, Ben
Rhodes, Jennifer
Welkowitz, Lawrence

Laflamme, Larry

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

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole

Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Ulery, Jordan

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
Major, Norman
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Groen, Fenton
Kaczynski, Thomas
Turcotte, Leonard

Stapleton, Walter

McAleer, Chris

Bordenet, John
Fox, Dru
Ley, Douglas
Schapiro, Joe

Thompson, Dennis

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

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jack, Martin
Labranche, Tony

MERRIMACK

ROCKINGHAM

STRAFFORD

SULLIVAN

NAYS - 178

CARROLL

CHESHIRE

COOS

GRAFTON

HILLSBOROUGH

Langley, Diane
King, Mark
Moran, Melbourne
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Smith, Timothy
Van Houten, Constance

Leishman, Peter
Mangipudi, Latha
Nutter-Upham, Frances
Perez, Maria
Query, Joshua
Snow, Kendall
Telerski, Laura
Vann, Ivy

Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

MERRIMACK

Bartlett, Christy
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
Luneau, David
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

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

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Malloy, Dennis
Read, Ellen

Cahill, Michael
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Simpson, Alexis

Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Conley, Casey
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleven, Susan

SULLIVAN

Callum, John
O'Hearne, Andrew

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Turcotte moved that the House reconsider its action whereby, on a roll call vote of 190-185, the House adopted the majority committee report of Ought to Pass on **HB 278**, relative to the use of unused district facilities by chartered public schools.

Rep. Turcotte spoke against.

Rep. Cushman requested a roll call; sufficiently seconded.

YEAS 176 - NAYS 201

YEAS - 176

CARROLL

Buco, Thomas
Marsh, William

Crawford, Karel
McAlear, Chris

Deshaies, Brodie
Woodcock, Stephen

Knirk, Jerry

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Weber, Lucy

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Welkowitz, Lawrence

Berch, Paul
Fenton, Donovan
Kilanski, Ben
Schapiro, Joe

Bordenet, John
Fox, Dru
Ley, Douglas
Toll, Amanda

COOS

Dostie, Donald
Theberge, Robert

Kelley, Eamon
Tucker, Edith

Hatch, William

Lafamme, Larry

GRAFTON

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

Adjutant, Joshua
Fellows, Sallie
Murphy, James
Sykes, George

Almy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	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	Schmidt, Janice	Jack, Martin
Jeady, Jean	Klee, Patricia	Klein-Knight, Nicole	Labranche, Tony
Langley, Diane	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	Petrigno, Peter	Piedra, Israel
Porter, Marjorie	Query, Joshua	Newman, Ray	Rung, Rosemarie
Newman, Sue	Shaw, Barbara	Snow, Kendall	Sofikitis, Catherine
Stevens, Deb	Smith, Timothy	Telerski, Laura	Toomey, Dan
Vail, Suzanne	Van Houten, Constance	Vann, Ivy	Wilhelm, Matthew

MERRIMACK

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

ROCKINGHAM

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
Maggiore, Jim	Malloy, Dennis	McBeath, Rebecca	Meuse, David
Paige, Mark	Read, Ellen	Simpson, Alexis	Ward, Gerald

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Ellis, Donna	Fargo, Kristina	Fontneau, Timothy	Frost, Sherry
Gourgue, Amanda	Grassie, Chuck	Horrigan, Timothy	Kenney, Cam
Levesque, Cassandra	Smith, Marjorie	Schmidt, Peter	Rich, Cecilia
Salloway, Jeffrey	Southworth, Thomas	Spang, Judith	Treleaven, Susan
Vincent, Kenneth	Wall, Janet		

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	O'Hearne, Andrew
Oxenham, Lee	Sullivan, Brian	Tanner, Linda	

NAYS - 201**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			

CARROLL

Avellani, Lino	Burroughs, Anita	Cordelli, Glenn	MacDonald, John
Smith, Jonathan	McConkey, Mark	Nelson, Bill	Umberger, Karen

CHESHIRE

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

Craig, Kevin	Davis, Arnold	Merner, Troy	Thompson, Dennis
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GRAFTON

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

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Blasek, Melissa	Boehm, Ralph	Burt, John
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
Erf, Keith	Fedolfi, Jim	Foster, William	Griffin, Gerald

Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Perez, Maria
Ober, Russell
Sheehan, Vanessa
Ulery, Jordan

Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Plett, Fred
Renzullo, Andrew
Somero, Paul
Veilleux, Daniel

Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Post, Lisa
Rice, Kimberly
Lekas, Tony
Warden, Mark

Graham, John
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Rouillard, Claire
Tausch, Lindsay

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul
Lundgren, David
Major, Norman
Milz, David
Pratt, Kevin
Somssich, Peter
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 motion failed.

(Rep. Steven Smith in the Chair)

REGULAR CALENDAR PART II CONT'D

HB 319, requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Moffett for the Majority of Education. This bill, as amended, seeks to address the well-documented and extremely troubling civics knowledge deficiency among college students in the Granite State. Requiring a score of 70% or better on the 128-question 2020 Naturalization Examination will ensure that every N.H. college graduate acquires and demonstrates awareness of basic civics fundamentals. This assessment is widely used to provide citizens with the broad base of knowledge crucial to engaged citizenship. Other states have already demonstrated the effectiveness of this test, most recently Florida and Missouri, which now have this exact statute in law. The NH House has passed HB 320, a similar measure requiring high school graduates to pass this assessment. Should HB 320 become law, then high school graduates who have already satisfied the requirement need not take it again in college. The test may be administered on-line at the convenience of the student, who may take it as many times as necessary to pass. Approving this measure would find favor with the many Granite Staters with significant concerns about civics ignorance, while also raising their confidence in and support for our state's post-secondary educational institutions. Vote 12-8.

Rep. Douglas Ley for the Minority of Education. This bill is well-intentioned, striving to promote familiarity and greater comprehension of civics amongst students graduating from post-secondary institutions. Unfortunately, the real impact of this proposal will be to trivialize civics and further reduce respect for and under-

standing of how government functions and the duties and responsibilities of citizenship. The bill mandates that students pass the 2020 Citizenship test, likely by taking an online version completely independent of or connected to any coursework. Whether the test would be proctored is unclear, especially since sponsors stated there would be no additional duties or costs upon the University or Community College systems. Thus, students will take an online test where ALL answers are already freely and widely available online and where the contents of the test are not connected at all to anything else, they are learning in their classes. As any serious educator will attest, learning does not occur via regurgitation of answers already possessed by the student by a quick online search, especially if the material is not linked to any substantive coursework or material that students deem relevant and useful to their lives. This bill will not improve civics knowledge, but will trivialize it and make clear to students that we in NH do not value civics but simply view it as a hoop through which one must pass in order to graduate.

Majority Amendment (0726h)

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

1 New Section; University System of New Hampshire; Civics Graduation Requirement. Amend RSA 187-A by inserting after section 16-b the following new section:

187-A:16-c Civics Graduation Requirement. Every student admitted or transferring to an institution in the university system of New Hampshire on or after January 1, 2023 shall, as a requirement for graduation and in addition to any other baccalaureate degree graduation requirements, show proof of having passed the 128-question 2020 version of the United States Citizenship and Immigration Services naturalization test with a score of 70 or better, or shall be required take and pass such test with a score of 70 or greater. University system of New Hampshire institutions shall establish procedures to administer, certify, and record results of this assessment for students needing to satisfy this requirement. Exchange students and foreign nationals shall be exempt from this section.

2 New Section; Community College System of New Hampshire; Civics Graduation Requirement. Amend RSA 188-F by inserting after section 6 the following new section:

188-F:6-a Every student admitted or transferring to an institution in the community college system of New Hampshire on or after January 1, 2023 shall, as a requirement for graduation and in addition to any other degree graduation requirements, show proof of having passed the 128-question 2020 version of the United States Citizenship and Immigration Services naturalization test with a score of 70 or better, or shall be required take and pass such test with a score of 70 or greater. Community college system of New Hampshire institutions shall establish procedures to administer, certify, and record results of this assessment for students needing to satisfy this requirement. Exchange students and foreign nationals shall be exempt from this section.

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

Majority committee amendment adopted.

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

Rep. Moffett spoke in favor.

Rep. Ley spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 187

YEAS - 188

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
Silber, Norman	Sylvia, Michael	Terry, Paul	Trottier, Douglas

CARROLL

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

CHESHIRE

Qualey, James

COOS

Craig, Kevin	Davis, Arnold	Dostie, Donald	Merner, Troy
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GRAFTON

Adjutant, Joshua	Alliegro, Mark	Berezhny, Lex	Binford, David
Depalma IV, Joseph	Egan, Timothy	Folsom, Beth	Sanborn, Gail
Gordon, Edward	Greeson, Jeffrey	Ham, Bonnie	Ladd, Rick
Muirhead, Russell	Simon, Matthew		

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Gunski, Michael
Infantine, William
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Petrigno, Peter
Renzullo, Andrew
Somero, Paul
Warden, Mark

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Marston, Dick
Notter, Jeanine
Plett, Fred
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lascelles, Richard
Mayville, Mary
Nunez, Hershel
Post, Lisa
Shaw, Barbara
Tausch, Lindsay

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Greene, Bob
Hopper, Gary
Ober, Lynne
Leishman, Peter
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
Yakubovich, Michael

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Katsakiores, Phyllis
Love, David
Major, Norman
Osborne, Jason
Pratt, Kevin
Pearson, Stephen
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

Abrami, Patrick
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harley, Tina
Khan, Aboul
Lynn, Bob
McBride, Everett
Packard, Sherman
Prudhomme-O'Brien, Katherine
Soti, Julius
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abramson, Max
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Hobson, Deborah
Layon, Erica
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Read, Ellen
Spillane, James
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Janigian, John
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Potucek, John
Roy, Terry
Sweeney, Joe
True, Chris
Vose, Michael
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

Rollins, Skip

Spilsbury, Walter

NAYS - 187**BELKNAP****CARROLL**

Ploszaj, Tom

Buco, Thomas
MacDonald, John
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

Crawford, Karel
Marsh, William

Deshaies, Brodie
McAlear, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Schapiro, Joe

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

Berch, Paul
Fenton, Donovan
Kilanski, Ben
Rhodes, Jennifer
Weber, Lucy

Bordenet, John
Fox, Dru
Ley, Douglas
Santonastaso, Matthew
Welkowitz, Lawrence

COOS

Kelley, Eamon
Thompson, Dennis

Hatch, William
Tucker, Edith

Lafamme, Larry

Theberge, Robert

GRAFTON

Abel, Richard
Hakken-Phillips, Mary
Stavis, Laurel

Almy, Susan
Massimilla, Linda
Smith, Suzanne

Dontonville, Roger
Murphy, James
Sykes, George

Fellows, Sallie
Nordgren, Sharon
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	Connors, Erika	Cornell, Patricia	DiSilvestro, Linda
Dutzy, Sherry	Espitia, Manny	Freitas, Mary	Goley, Jeffrey
Graham, John	Griffith, Willis	Hamer, Heidi	Harriott-Gathright, Linda
Heath, Mary	Herbert, Christopher	Hyland, Stephanie	Schmidt, Janice
Jack, Martin	Judy, Jean	Klee, Patricia	Klein-Knight, Nicole
Labranche, Tony	Langley, Diane	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	Piedra, Israel
Porter, Marjorie	Query, Joshua	Newman, Ray	Ober, Russell
Rouillard, Claire	Rung, Rosemarie	Newman, Sue	Snow, Kendall
Sofikitis, Catherine	Stevens, Deb	Smith, Timothy	Telerski, Laura
Toomey, Dan	Vail, Suzanne	Van Houten, Constance	Vann, Ivy
Veilleux, Daniel	Wilhelm, Matthew		

MERRIMACK

Bartlett, Christy	Caplan, Tony	Ebel, Karen	Ellison, Arthur
Gallager, Eric	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Pimentel, Roderick	Richards, Beth	Rogers, Katherine
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
Harb, Robert	Murray, Kate	Loughman, Tom	Lundgren, David
Maggiore, Jim	Malloy, Dennis	McBeath, Rebecca	Meuse, David
Milz, David	Paige, Mark	Simpson, Alexis	Somssich, Peter
Sytek, John	Ward, Gerald	Welch, David	

STRAFFORD

Bixby, Peter	Cannon, Gerri	Chase, Wendy	Conley, Casey
Ellis, Donna	Fargo, Kristina	Fontneau, Timothy	Frost, Sherry
Gourgue, Amanda	Grassie, Chuck	Horrigan, Timothy	Kenney, Cam
Levesque, Cassandra	Smith, Marjorie	Schmidt, Peter	Rich, Cecilia
Salloway, Jeffrey	Southworth, Thomas	Spang, Judith	Vincent, Kenneth
Wall, Janet			

SULLIVAN

Cloutier, John	Gottling, Suzanne	Merchant, Gary	O'Hearne, Andrew
Oxenham, Lee	Sullivan, Brian	Tanner, Linda	

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

MOTION TO PRINT DEBATE

Rep. Grote moved that the debate on **HB 319**, requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 319

Representative Ley: Thank you, Mister Speaker. The intent behind this bill is a laudable one. To improve the level of civics knowledge amongst graduates of our community colleges and the university system. I've taught US history for over 30 years at a university. I've also taught the occasional course in political science and I can attest to the low level of civic knowledge and unfortunately civic engagement that frequently characterizes many of our college and university students. It's kind of depressing. Having said all this though, there are some questions and points that need to be raised. I think a good question can be posed right off the bat. Is it advisable for the legislature to dictate what should be taught in a higher education context? I fear it could be a slippery slope if we require a test administered by the Customs and Naturalization Service, as it is proposed here. What would prevent a future legislature from requiring the teaching of divisive concepts, for example? But I want to focus more on pedagogy. The bill will do virtually nothing, I'm afraid, to begin solving the problem of civics, lack of civics knowledge and engagement and it might even worsen it. Handwriting over the lack of civics knowledge has been with us for well over 100 years. We have surveys and concerns about it leading back to the 19-teens. Along with dire predictions that the younger generation are doomed to fail and run the country aground due to their civic ignorance. Sorry all you younger people. Oddly though

we've managed to survive. Moreover, I think what's truly embarrassing is that the lack of civic knowledge is widespread. It crosses all age groups and educational levels. I hate to mention this, but a colleague on the Education Committee at one point, randomly selected 7 questions. It was either 7 or 8 questions from the proposed test and he threw them at the members of the committee in quick fashion and members were not exactly racing to shout out the answers. I'll just leave it at that. I know the bill's prime sponsor scored well and I did as well but you know we have an unfair advantage. We've taught this stuff for a long time. It's kind of our bread and butter. But, let's face it. Is knowing why Dwight Eisenhower was famous or being able to name 5 of the 13 colonies; is that knowledge really important to student's lives today? We have a thing called the Internet. Look it up, okay. And, that gets to the heart of the problem here. You know if we seek a quick feel-good solution to low levels of civics knowledge. Fine, we can pass the bill. We can brag about how we're addressing this problem when we talk to our constituents. But, the fact of the matter is it will do no good. The bill requires students to pass the 128 question exam previously administered by the USCIS. I will note that the USCIS, the Customs and Immigration only choose 10 questions but here it would be the entire 128. I'd also note that the USCIS has now returned to the older 100 question, not the 128 that's currently, I believe, named here. But more important, the exam will have no attachment to anything in the college or university curriculum. It's a standalone. It's a standalone exam. In my years of teaching asking students to memorize facts without embedding them into some sort of larger narrative or program, is frankly a waste of time. In one ear and out the other. But most egregious, you know the student need not even memorize the facts. Why? Because the answers are all over the Internet. I have them. They are right here. You can just go to the USCIS site and you can get them. They are right there. Do we really think this is how you would teach civics and civic engagement? I would surmise and offer that this will have an opposite effect. It will turn students off from US history, from politics, from civics. Gee, got to get this exam out of the way so I can get on with my college life and my major, my career and graduate. So for all these reasons, if we want to improve civics education and civics knowledge, let's take the time to truly think through how to do it in a manner that is effective and lasting in its impact. Don't do it this way. I caution if we all had to sit here right now and take this test, I dare say there are some amongst us who might not pass. But does that mean we are bad legislators? Does it mean we are bad citizens? No, not at all. It just means that our civic knowledge is personalized. It is part of our lives. It is not a set of facts laid out in a 128 question exam. So for that reason I urge you to vote no on the current motion by pressing the red button so that an alternative motion can be offered. I ask for a division vote and just as a last point by the way in case you were wondering. Here's why they say Dwight Eisenhower was famous. He was a General during WWII. Makes no mention of D-Day. He was President at the end of the Korean War. I'm not sure how many people would cite that as a point of fame. I mean it's true. He was the 34th President of the United States. Okay. I like this one. His major accomplishment apparently as President was that he signed the Federal Aid Highway Act of 1956, the Interstate. So thank you, President Eisenhower and I know that all of you, your civic knowledge has been enhanced. Thank you.

Speaker Steven Smith: Does the member yield for a question? You may inquire.

Representative Timothy Smith: Thank you for taking my question. As you know, Representative, due to the highly prestigious nature of New Hampshire's universities, we have a healthy population of international students who come to New Hampshire from all over the world to seek a higher education. I'm curious if there is an exemption in this bill for those foreign students because I can imagine the State of New Hampshire getting involved in proctoring the naturalization examination to foreign students could create a significant amount of confusion for those students, never mind a little bit of friction with the US State Department?

Representative Ley: Thank you for the question. I don't have a copy of the amended bill in front of me. I actually believe that we may have taken care of that, but you should ask the prime sponsor that about the international students. What is interesting with the way the bill is structured, if you are a New Hampshire student, graduating from a New Hampshire high school, you're already required by a law we previously have passed, statute that we have passed in this body, to take this test. So you would be able to just certify that you've taken the test. It wouldn't even apply to New Hampshire raised students, coming from New Hampshire schools and attending the university system or community college. So basically who it affects are out of state students and that's it. And again there is nothing in the bill that proscribes how the test is administered other than that it has to be done and they have to certify some sort of results so it could just be the university could say okay here is the online test, it's an open book exam, take it. Guess what the score is going to be? Hopefully they all get 100 at that point because they can have the answers right in front of them. Thank you for the question.

Speaker Steven Smith: Does the member yield for a further question? You may inquire.

Representative Rung: Thank you for taking my question. Administering this test to the thousands and thousands of students in our university and college system, would this cost anything of them and if so, is the legislature prepared to provide that funding or would this be an unfunded mandate?

Representative Ley: Thank you for the question. My understanding, again recalling from the hearing we had on the bill is that we would not be asking any sort of direct expenditure or funds. Obviously, there would be

some sort of indirect expenditure in that somebody had to record and certify the results. Somehow the exam has to be administered. If somebody is proctoring it, then that's part of their workday, things like that, but it's a very vague sort of bill in that it doesn't connect at all to anything in the curriculum, it doesn't require any connection to the curriculum. It's literally, just take this exam where all the answers are available online.

Representative Rung: Thank you very much.

Representative Ley: You're welcome.

Speaker Steven Smith: Does the member yield for another question?

Representative Ley: Yeah, I'll go for the record today. Why not?

Representative Bixby: So another consideration that I'm not sure if it was taken into account in the committee, but a very large proportion of the university system comes from tuition and a lot of that tuition is, a lot of that comes from people who are recruited from out of the country and I was wondering if this would have any effect on international students wanting to come to UNH and provide funding for our university?

Representative Ley: Thank you for the question. That would be purely speculative. I don't know if it would or not. It depends on how, let's say, widespread the university system advertised this requirement as part of the graduation requirements. And, again if there is an exemption and I concede to the prime sponsor who can perhaps answer this, if there is an exemption for international students. The other part where it would have potentially an impact would be on out of state students. Again, the university system relies very much on non-New Hampshire based students, the out of state students and by adding this sort of requirement for graduation, it could have a chilling effect upon recruitment. It's quite possible.

Speaker Steven Smith: Rep. Ley, I have a note that says you requested a roll call, but I thought I heard you say division.

Representative Ley: Well if the note says roll call, we will go with a roll call.

Speaker Steven Smith: Fair enough. The member from Loudon, Rep. Moffett is recognized to speak in support of the committee report.

Representative Moffett: Thank you, Mister Speaker. For the record I am a big fan of President Eisenhower and to my colleague's question with regard to foreign students, they are exempt. That was a good question and is a good answer, yes, they are exempt. So honorable colleagues I ask you, do your constituents know who you are? Should they know who you are? Most of them probably do not and in fact most of them probably do not know who their congressperson is and that's a problem for some us. I appreciate my distinguished colleague agreeing that there is a real deficit of civics knowledge that we are dealing with here. A recent report called *America's Knowledge Crisis*, a survey on civic literacy found shortfalls in American's knowledge of history and how our country operates. A poll of over 1,000 people, mostly college graduates, found that 63% of respondents did not know the term lengths of US Senators. These are college graduates and I have taught at the university system and I have taught in the community college system and I've taught at a private college. The lack of civics knowledge has always disturbed me if not horrified me. That's not okay with me or with many others and there is something we can do about it. Requiring that New Hampshire public college students pass the 128 question citizenship test would create a broad knowledge base, a foundation of information common to all college graduates. It would increase the value of a college diploma and it would increase public support for a public institution. This is not unusual. Several other states have put this exact statute into effect already, most recently Florida and Missouri. So this is something that is increasingly common and popular across the country in addressing what my colleague acknowledged was a very disturbing problem. I disagree that it would be an issue or problem in any way a serious problem to implement this initiative and there are some folks that say these are factoids and it will be quickly forgotten. Well I think there are sometimes we do need to remember stuff whether it is multiplication tables, anatomy or the name of your state rep. Many of us think college graduates should actually learn and remember material and actually be tested on it. Why is it okay to know about climate change and not the constitution? Some will say that a civics requirement is best satisfied by encouraging activism. Have the students go to a town meeting which is fine, but shouldn't they know what a warrant article is or what a quorum is before they go to a town meeting? Some will say this is an unnecessary requirement and I say really? The test can be taken online in one's pajamas. Students can take it as many times as they need to pass has already been said. At the end of the day they will know this stuff or they won't and they will know it. The questions are out there in the public domain. Yes, we had an impromptu quiz in the Education Committee which actually was fun. I should point out as has already been pointed out that this body, this House of Representatives, has already passed HB 320. That's the high school civic test requirement currently moving forward in the Senate. So if HB 320 does become law, most of our New Hampshire and Granite State college students will have already satisfied this requirement in high school. No problemo. So if you are comfortable with, well, I hate to say it, but ignorant low information college graduates who can't name their US Senator, much less know who their state rep. is, then press the red button. But if you want smarter college grads and more knowledgeable citizens, then press the green button for OTP, Oscar Tango Papa, Ought to Pass, so New Hampshire can join other states in actually expecting college graduates to know things. Thank you, Mister Speaker and to keep things moving I will not take any questions. Thank you.

Speaker Steven Smith: Thank you. The question before the House is the majority committee report of Ought to Pass as Amended. Rep. Ley has requested a roll call vote. Is that sufficiently seconded? Yep, it's sufficiently seconded. This will be a roll call vote. Members will take their seats. The question before the House is the majority committee report of Ought to Pass as Amended on HB 319. Rep. Ellison is recognized for a parliamentary inquiry.

Representative Ellison: Thank you, Mister Speaker. If I know that educated citizens are vital to a functioning democracy. And if I know that answering questions on an open book test such as what the name of the current Speaker of the US House is or who becomes President when the President or Vice President cannot serve does nothing to indicate that a person has a working understanding of our political system. And Mister Speaker if I believe that nothing in this bill will produce active knowledgeable citizens, would I now push the red button so another bill can be brought forward? Thank you, Mister Speaker.

Speaker Steven Smith: Thank you. Rep. Ford is recognized for a parliamentary inquiry.

Representative Ford: Mister Speaker, as a former university president and English professor, native speakers and ESL speakers of English, I understand that it is difficult for many students to remember the fundamental facts and ideas of complex subjects like civics. And, if I know that having a compulsory final exam in the subject, such as the civics exam taken online by naturalized citizens is an effective way to help them organize and retain what they already understand and have learned, would I then push the green button in the hope that they also learn not to say I graduated college, but instead I graduated from college? Thank you, Mister Speaker.

Speaker Steven Smith: Thank you. This is a roll call vote. If you are in favor of the committee report, you'll press the green 1-A button. If you are opposed, you will press the red 2-B button. Voting stations will be open for 30 seconds. The House will attend to the state of the vote. With 188 voting in the affirmative, 187 voting in the negative, the committee report is adopted.

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 188-187, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 319**, requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test.

Rep. McGuire spoke against.

On a division vote, with 186 members having voted in the affirmative, and 189 in the negative, the motion failed.

REGULAR CALENDAR PART II CONT'D

HB 321, requiring school districts to submit an annual report concerning gifted students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Moffett for the Majority of Education. This bill, as amended, simply asks that school districts report to the New Hampshire Department of Education with regard to what, if anything, they do to identify and support gifted and talented students. "Gifted" is broadly defined in the measure, to better allow districts to enjoy local conversations as to what they feel constitutes a gifted student. These reports will go into a best practices folder, thus giving educators from all over the state a new resource to utilize while reviewing approaches and policies which have proven useful or effective at other schools. Research presented to the committee in past years confirmed that New Hampshire ranks among the worst of all the states in terms of programs or initiatives concerning gifted students. While this bill involves no policy mandate or spending requirement, this measure would raise awareness about better supporting a very underserved population while facilitating important discussion that could lead to significant future action in this neglected area. Vote 12-8.

Rep. David Luneau for the Minority of Education. This bill requires schools to file an annual report with the Department of Education on policies, programs, and procedures directed to gifted and talented students. The basic idea is well-intentioned and the minority believes the bill can be improved by adding a provision to encourage student effort and growth. Studies show that to the extent young people believe they simply have a gift that makes them intelligent or talented, they may not put in the work necessary to sustain that talent. Moreover, the gifted label that many students still receive has unintended consequences that turn some children into students who are overly cautious and avoid challenges. The amendment adds to the bill a section to also require schools to file a report on policies, programs, and procedures that encourage student effort and growth.

Majority Amendment (0537)

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

AN ACT requiring school districts to submit an annual report concerning gifted and talented students.

Amend the bill by replacing section 1 with the following:

1 New Section; Instruction of Pupils; Gifted and Talented Students; Report. Amend RSA 189 by inserting after section 29-a the following new section:

189:29-b Identification and Accommodation of Gifted and Talented Students.

I. In this section, "gifted and talented student" means a student identified as having unique academic, artistic, or athletic potential according to assessments selected and administered locally.

II. No later than August 1 of each year, every New Hampshire public school shall submit a narrative report to the department of education detailing what policies, programs, and procedures are in place to identify and accommodate the unique needs of gifted and talented students. The format, length, and substance of the report shall be at the discretion of the local school. If no such policies, programs, or procedures exist, then said report shall so state.

AMENDED ANALYSIS

This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Luneau offered minority committee amendment (0960h).

Minority Amendment (0960h)

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

AN ACT requiring school districts to submit annual reports concerning gifted students and programs that encourage student growth and effort.

Amend the bill by replacing section 1 with the following:

1 New Sections; Instruction of Pupils; Gifted and Talented Students; Encouragement of Student Growth and Effort; Report. Amend RSA 189 by inserting after section 29-a the following new sections:

189:29-b Identification and Accommodation of Gifted and Talented Students.

I. In this section, "gifted and talented student" means a student identified as having unique academic, artistic, or athletic potential according to assessments selected and administered locally.

II. No later than August 1 of each year, every New Hampshire public school shall submit a narrative report to the department of education detailing what policies, programs, and procedures are in place to identify and accommodate the unique needs of gifted and talented students. The format, length, and substance of the report shall be at the discretion of the local school. If no such policies, programs, or procedures exist, then said report shall so state.

189:29-c Encouragement of Student Growth and Effort; Report.

I. Findings. Studies show that teaching people to have a growth mindset, which encourages a focus on effort, helps them to become high achievers in school and in life.

II. No later than August 1 of each year, every New Hampshire public school shall submit a narrative report to the department of education detailing what policies, programs, or procedures are in place to encourage student growth and effort. The format, length, and substance of the report shall be at the discretion of the local school. If no such policies, programs, or procedures exist, then the report shall state this fact.

AMENDED ANALYSIS

This bill requires all public schools to submit annual reports to the department of education detailing the policies and procedures that are in place to identify and accommodate the needs of gifted students and to encourage student growth and effort.

Reps. Luneau, Ellison and Woodcock spoke in favor.

Rep. Layon and Moffett spoke against.

On a division vote, with 171 members having voted in the affirmative, and 205 in the negative, the minority committee amendment failed.

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

The House recessed at 12:30 p.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Packard in the Chair)

REGULAR CALENDAR PART II CONT'D

HB 388, relative to changing a pupil's school or assignment because of a manifest educational hardship. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Glenn Cordelli for the Majority of Education. The bill relates to current law regarding local board approval of a student's change of schools when in the best interests of the student or State Board of Education approval of a school change due to a student experiencing a manifest educational hardship. In both cases, the

current law restricts the school assignment to another public school or public academy. The bill, as amended, allows parents to request transfer also to approved private schools (religious or non-religious). If that transfer is approved, the private school may charge tuition to the family or can enter into a tuition payment agreement with the resident school district. That is the same existing law for when the student transfers to an out-of-district public school, so the bill simply extends that provision to private schools. When there is a recognized educational hardship that impacts a student's education, that student deserves the education option to meet their needs, regardless of whether a public or private school. Vote 11-9.

Rep. David Luneau for the Minority of Education. In 2020, state law with respect to changing a pupil's school because of a manifest educational hardship, was overhauled. The new law followed several years of collaboration between key stakeholders and won strong bipartisan support. This bill, as introduced, tossed out all that work. This bill, as amended, restores the current policy but includes substantive changes that were not subject to a hearing. One of the proposed changes would give a parent/guardian of a student who does not live in a school district or attend schools in that district the right to appeal decisions made by that district. A change such as this deserves a thorough hearing and public input. And the newly reformed policy deserves time to be rigorously evaluated.

Majority Amendment (0923h)

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

1 School Attendance; Change of School or Assignment; Best Interest of Student. Amend RSA 193:3 to read as follows:

193:3 Change of School or Assignment; Best Interest of Student.

I.(a) The parent or guardian of a student may apply to the superintendent of the student's district of residence if the parent or guardian believes it would be in the best interest of the student to change the student's school or assignment.

(b) Upon such request, the superintendent shall schedule a meeting with the parent or guardian, to be held within 10 days of the request.

(c) Prior to or at such meeting, the parent or guardian shall make a specific request that the student be re-assigned by the school board to another public school, [or] public academy, **or an approved private school** within the district or to a public school, [or] public academy, **or an approved private school** in another district.

(d) At such meeting, the parent or guardian may present documents, witnesses, or other relevant evidence supporting the parent's belief that it is in the best interest of the student to change the student's school or assignment. The superintendent may present such information as he or she deems appropriate.

(e) In determining whether it is in the best interest of the student to change the student's school or assignment, the superintendent shall consider the student's academic, physical, personal, or social needs.

(f) If the superintendent finds it is in the best of the interest of the student to change the student's school or assignment, the superintendent shall initiate:

(1) A change of assignment within the student's current assigned school;

(2) The student's transfer to another public school or public academy within the district of residence;

or

(3) The student's transfer to a public school, [or] public academy, **or an approved private school** in another district.

(g) If a student is reassigned as a result of a best interest determination **to a public school or public academy**, the superintendents **or administrators** involved in the reassignment shall jointly establish a tuition rate for such student. Some or all of the tuition may be waived by the superintendent of the receiving district for good cause shown or pursuant to school board policy of the receiving district. The school board of the student's district of residence shall approve the payment of tuition upon the superintendent's finding that is in the best interest of the student to be reassigned. Transportation shall be the responsibility of the parent or legal guardian.

(h) **If the student is reassigned as the result of a best interest determination to an approved private school, the private school may charge tuition to the parent or may enter into an agreement for payment of tuition with the school district in which the child resides.**

(i) If the superintendent does not find that it is in the best interest of the student to change the student's school or assignment, the parent or guardian may request a hearing with the school board of residence to determine if the student is experiencing a manifest educational hardship under paragraph II.

II.(a) "Manifest educational hardship" means that a student has a documented hardship in his or her current educational placement; and that such hardship has a detrimental or negative impact on the student's academic achievement or growth, physical safety, or social and emotional well-being. Such hardship must be so severe, pervasive, or persistent that it interferes with or limits the ability of the student to receive an education.

(b) The superintendent shall duly notify the school board that the parent or guardian has requested a manifest educational hardship hearing, upon which the school board shall schedule a hearing to be held no more than 15 days after the request has been received.

(c) At such hearing, the parent or guardian may present documents, witnesses, or other relevant evidence supporting their belief that the student is experiencing a manifest educational hardship. The superintendent may present such information as he or she may deem appropriate to assist the school board in reaching its decision. The parties shall have the right to examine all evidence and witnesses.

(d) Prior to or at such hearing, the parent or guardian shall make a specific request that the student be re-assigned by the school board to another public school, [or] public academy, **or an approved private school** within the district or to a public school, [or] public academy **or an approved private school** in another district.

(e) The parent or guardian shall have the burden of establishing the presence of a manifest educational hardship by clear and convincing evidence.

(f) If the school board finds that the student has a manifest educational hardship, the school board shall grant the parent's or guardian's request to re-assign the student to another public school, [or] public academy **or an approved private school** within the district or to a public school, [or] public academy, **or an approved private school** in another district.

(g) If the school board finds that the parent or guardian has not met their burden of proof, the parent or guardian may appeal the local school board decision to the state board of education. If the state board of education chooses to accept the parent's or guardian's appeal, the state board of education shall schedule hearing on the matter, pursuant to applicable department of education rules.

(h) If a student is assigned to attend **a public school or public academy** in another district because of a manifest educational hardship, the district in which the student resides shall pay tuition to the district to which the child is re-assigned. Such tuition shall be computed according to RSA 193:4. The school board of the district in which the student resides shall approve the tuition payment.

III. The state board of education may permit such child to withdraw from the school the student currently attends for such time as the state board deems necessary. Children with disabilities as defined in RSA 186-C:2 shall be accorded a due process review pursuant to rules adopted under RSA 186-C:16.

III-a.(a) A student reassigned under this section shall be counted in the average daily membership in residence of the student's resident school district. The student's resident district shall forward any tuition payment due to the district to which the student was reassigned.

(b) The superintendent of the student's resident school administrative unit shall notify the department of education within 30 days of any reassignment of students under this section.

(c) Nothing in this section shall alter or impair the right of a child with a disability, as defined in RSA 186-C:2, to be accorded a due process review pursuant to rules adopted under RSA 186-C:16.

(d) The total reassignments or transfers in any one school year shall not exceed one percent of the average daily membership in residence of a school district, or 5 percent of the average daily membership in residence of any single school, whichever is greater, unless the school board votes to exceed this limit.

(e) The state board of education shall adopt rules, pursuant to RSA 541-A, relative to manifest educational hardship. Each school board shall establish a policy, consistent with the state board's rules, which shall allow a school board, with the recommendation of the superintendent, to take appropriate action including assignment to another public school or public academy within the district or to a public school or public academy in another district.

(f) Students re-assigned under this section shall meet the admission requirements of the school to which the student is re-assigned.

IV.(a) Any person having custody of a child may apply to enroll that child in a public school or public academy outside the school district in which the person and child reside. If the non-resident school district or public academy agrees to enroll the child it may charge tuition to the parent or may enter into an agreement for payment of tuition with the school district in which the child resides.

(b) When a child is enrolled pursuant to subparagraph (a), the district in which the child is enrolled shall immediately notify the district in which the child resides of the name, date of birth, address, and grade assignment of the child. This same notification shall be made at the beginning of each school year for which the child is enrolled.

(c) When a child is enrolled pursuant to subparagraph (a), the district in which the child resides shall retain all responsibility for the provision of special education and related services pursuant to RSA 186-C.

(d) The decision by a school district or a public academy to deny enrollment of a non-resident pupil shall not be based, in whole or in part, on whether such pupil is a child with a disability as defined in RSA 186-C:2, I, or a child that requires an accommodation under the Rehabilitation Act of 1973, as amended. ***If a parent or guardian believes the denial was based upon the child's disability, such parent may appeal the decision to the state board of education consistent with the provisions of RSA 21-N:11, III or file a complaint with the state commission for human rights under RSA 354-A:28. The decision of a parent to enroll a child in a chartered public school shall not be subject to the provisions of this section.***

(e) The decision of a parent to enroll a child in a charter school shall not be subject to the provisions of this section.

(f) Disputes related to the provision of special education services under this paragraph shall be governed by RSA 186-C.

V. A placement made by a child's special education team pursuant to that child's individualized education program shall not be deemed a change of school assignment for purposes of this section.

VI. If there is no public school for the child's grade in the resident district, the school board may assign the child to another public school in another school district or to any [nonsectarian] private school that has been approved as a school tuition program by the school board. The school board may execute a contract with an approved [nonsectarian] private school to provide for the education of a child who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.

VII. In this section, "approved as a school tuition program" means a school that has been approved and contracted by the school board to provide students with the opportunity to acquire an adequate education as defined in RSA 193-E:2. Upon approval by the school board, the school shall receive status as an approved school tuition program, shall be deemed in compliance with the provisions of RSA 193-E:3-b, I(a) and (b), and shall qualify as a school approved to provide the opportunity for an adequate education. The school shall be required to submit to the school board an annual student performance progress report in a format selected by the school board, which may include reporting of aggregate achievement data to protect student privacy, and that demonstrates that students are afforded educational opportunities that are substantially equal in quality to state performance standards for determining an adequate education. A private school that receives tuition program students shall:

(a) Comply with statutes and regulations relating to agency approvals such as health, fire safety, and sanitation;

(b) Be a [nonsectarian] school ***approved and contracted by a local public school board to provide students with the opportunity for an adequate education;***

(c) Be incorporated under the laws of New Hampshire or the United States; and

(d) Administer an annual assessment in reading and language arts, mathematics, and science as defined in RSA 193-C:6 to tuition program students. The assessment may be any nationally recognized standardized assessment used to measure student academic achievement, shall be aligned to the school's academic standards, and shall satisfy the requirements of RSA 193-C:6 for school tuition program students. The school's annual assessment results for tuition program students shall be submitted to the commissioner and school board. If the school enrolls 10 or more publicly-funded tuition program students and if the school's group assessment percentile score for tuition program students is less than the 40th percentile, the commissioner may require a site visit to determine if the school provides the opportunity for an adequate education in accordance with RSA 193-E:3-b. After the third consecutive year of a tuition program school being unable to demonstrate that it provides an opportunity for an adequate education, the school may be subject to revocation of tuition program status.

VIII. If the student is assigned to an approved private school under the manifest educational hardship determination and the private school agrees to enroll the child, it may charge tuition to the parent or may enter into an agreement for payment of tuition with the school district in which the child resides.

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

On a division vote, with 359 members having voted in the affirmative, and 13 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.

Rep. Luneau spoke against.

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

YEAS 199 - NAYS 175

YEAS - 199

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
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John	Qualey, James	Santonastaso, Matthew
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COOS

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

GRAFTON

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

HILLSBOROUGH

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

MERRIMACK

Allard, James	Andrus, Louise	Boyd, Stephen	Cambrils, Jose
Hill, Gregory	Kennedy, Margaret	Klose, 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	Acton, Dennis
Ayer, Paul	Baldasaro, Al	Baxter, Tim	Belanger, Cody
Bernardy, JD	Bershtein, Alan	Cali-Pitts, Jacqueline	Copp, Anne
DeSimone, Debra	Dodge, Dustin	Dolan, Tom	Doucette, Fred
Edwards, Jess	Elliott, Robert	Emerick, Tracy	Ford, Oliver
Gay, Betty	Green, Dennis	Guthrie, Joseph	Harb, Robert
Harley, Tina	Hobson, Deborah	Janigian, John	Katsakiores, Phyllis
Khan, Aboul	Layon, Erica	Litchfield, Melissa	Love, David
Lundgren, David	Lynn, Bob	Griffin, Mary	Pearson, Mark
McBride, Everett	McMahon, Charles	Melvin, Charles	Milz, David
Osborne, Jason	Piemonte, Tony	Potucek, John	Pratt, Kevin
Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen	Soti, Julius
Spillane, James	Sweeney, Joe	Sytek, John	Thomas, Douglas
Torosian, Peter	Tripp, Richard	True, Chris	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	Smith, Steven		

NAYS - 175**CARROLL**

Buco, Thomas	Burroughs, Anita	Knirk, Jerry	McAleer, Chris
Woodcock, Stephen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Faulkner, Barry	Fenton, Donovan	Fox, Dru
Gomarlo, Jennie	Harvey, Cathryn	Kilanski, Ben	Ley, Douglas
Mann, John	Parshall, Lucius	Rhodes, Jennifer	Schapiro, Joe
Toll, Amanda	Weber, Lucy	Welkowitz, Lawrence	

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Egan, Timothy
Muirhead, Russell
Sykes, George

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

Almy, Susan
Hakken-Phillips, Mary
Stavis, Laurel

Dontonville, Roger
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Judy, Jean
Langley, Diane
King, Mark
Mullen, Sue
Perez, Maria
Query, Joshua
Newman, Sue
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Infantine, William
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Shaw, Barbara
Smith, Timothy
Van Houten, Constance

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
O'Brien, Michael
Piedra, Israel
Ober, Russell
Snow, Kendall
Telerski, Laura
Vann, Ivy

MERRIMACK

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
Luneau, David
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

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

Bunker, Lisa
Edgar, Michael
Hamblet, Joan
Malloy, Dennis
Read, Ellen

Cahill, Michael
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Simpson, Alexis

Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Meuse, David
Somssich, Peter

STRAFFORD

Bixby, Peter
Fargo, Kristina
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Chase, Wendy
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleven, Susan

Ellis, Donna
Gourque, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

HB 458-L, relative to provision of menstrual products for students in need. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alicia Lekas for the Majority of Education. This bill repeals RSA 189:16-a which mandates that menstrual hygiene products be placed in school bathrooms at the expense of the school districts. This is a clear violation of Part I, Article 28-a of the NH Constitution. The NH School Boards Association testified in favor of this bill because the school boards in NH also believe it is a 28-a violation. There is an argument that schools already provide toilet paper and this is an extension of that. The problem with this argument is that schools are not required by the state to do so. They choose to do so because it is a good idea. Similarly, even after this RSA is repealed, schools can continue to provide sanitary products in school bathrooms because it is a good idea. Since we have sworn to uphold the constitution, we should get rid of this law which clearly violates the constitution. Vote 11-9.

Rep. Stephen Woodcock for the Minority of Education. On July 17, 2019, hardly a school year ago, Governor Sununu signed into law SB 142, the menstrual product bill known as the "period poverty bill." It is called "period poverty" as it impacts primarily those young women in grades 7-12 that cannot afford the necessary female menstrual products. This financial limitation provided for many young women only one option – stay home from school during their period so that they wouldn't become victims of embarrassment

and increased stigmatization. The impact of period poverty in missing three days school per month for ten months equals almost six weeks per year of school absence, just because these poor young women were having their period, and couldn't afford menstrual products. Imagine the loss of learning and academic remediation that would be required to help these young women catch up to their classmates. Economic insecurity is as real as food insecurity and is magnified post-COVID for those of limited means. However, in 2021, this divisive and discriminating bill will undo gains of SB 142 and spread the academic distance between the haves and have-nots. Governor Sununu stated, "This legislation is about equality and dignity. SB 142 will help ensure young women in New Hampshire public schools will have the freedom to learn without disruption and free of shame, or fear of stigma." The minority on the House Education Committee agreed with Governor Sununu then and still agrees today. The majority recommendation blocks student academic success, especially to those of limited means.

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

Rep. Abramson spoke against.

Rep. Alicea Lekas spoke in favor and yielded to questions.

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

YEAS 183 - NAYS 193

YEAS - 183

BELKNAP

Aldrich, Glen	Bean, Harry	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

CARROLL

Avellani, Lino	Cordelli, Glenn	Smith, Jonathan	Marsh, William
McConkey, Mark	Nelson, Bill	Umberger, Karen	

CHESHIRE

Hunt, John	Qualey, James	Santonastaso, Matthew
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COOS

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

GRAFTON

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

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Blasek, Melissa	Boehm, Ralph	Burt, John
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
Erf, Keith	Fedolfi, Jim	Foster, William	Griffin, Gerald
Gagne, Larry	Gould, Linda	Greene, Bob	Gunski, Michael
Healey, Robert	Homola, Susan	Hopper, Gary	Kelsey, Niki
Kofalt, Jim	Ober, Lynne	Sanborn, Laurie	Lanzara, Tom
Lascalles, Richard	Marston, Dick	Mayville, Mary	McLean, Mark
Mooney, Maureen	Notter, Jeanine	Nunez, Hershel	Pauer, Diane
Post, Lisa	Prout, Andrew	Ober, Russell	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
Hill, Gregory	Kennedy, Margaret	Klose, 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	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	Gay, Betty	Green, Dennis	Guthrie, Joseph

Harb, Robert
Katsakiores, Phyllis
Lundgren, David
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
Verville, Kevin
Welch, David

Harley, Tina
Layon, Erica
Lynn, Bob
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Hobson, Deborah
Litchfield, Melissa
Griffin, Mary
Melvin, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Janigian, John
Love, David
Pearson, Mark
Milz, David
Pratt, Kevin
Soti, Julius
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

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

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

STRAFFORD

SULLIVAN

NAYS - 193

BELKNAP

CARROLL

CHESHIRE

COOS

GRAFTON

HILLSBOROUGH

MERRIMACK

Bordes, Mike

Buco, Thomas
MacDonald, John

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Toll, Amanda

Kelley, Eamon
Tucker, Edith

Abel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Gorski, Ted
Harriott-Gathright, Linda
Infantine, William
Klee, Patricia
Laughton, Stacie-Marie
King, Mark
Moran, Melbourne
Pedersen, Michael
Plett, Fred
Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Burroughs, Anita
Knirk, Jerry

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

Hatch, William

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

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Graham, John
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Murray, Megan
Mullen, Sue
Perez, Maria
Porter, Marjorie
Newman, Sue
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Crawford, Karel
McAlear, Chris

Berch, Paul
Fenton, Donovan
Kilanski, Ben
Rhodes, Jennifer
Welkowitz, Lawrence

Laflamme, Larry

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

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Griffith, Willis
Herbert, Christopher
Jack, Martin
Labranche, Tony
Lewicke, John
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Shaw, Barbara
Smith, Timothy
Van Houten, Constance

Ebel, Karen
Luneau, David
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Deshaies, Brodie
Woodcock, Stephen

Bordenet, John
Fox, Dru
Ley, Douglas
Schapiro, Joe

Thompson, Dennis

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

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Hamer, Heidi
Hyland, Stephanie
Judy, Jean
Langley, Diane
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Ray
Snow, Kendall
Telerski, Laura
Vann, Ivy

Ellison, Arthur
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Abramson, Max
Cali-Pitts, Jacqueline
Edgar, Michael
Hamblet, Joan
Maggiore, Jim
Paige, Mark
Sweeney, Joe

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Murray, Kate
Malloy, Dennis
Read, Ellen
Ward, Gerald

Bunker, Lisa
DiLorenzo, Charlotte
Grossman, Gaby
Khan, Aboul
McBeath, Rebecca
Simpson, Alexis

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

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Conley, Casey
Frost, Sherry
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the majority committee report failed.

Rep. Luneau moved the minority committee report of Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **HB 458-L**, relative to provision of menstrual products for students in need, be laid on the table.

Rep. Altschiller requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 184**YEAS - 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
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

Smith, Jonathan
Umberger, Karen

Marsh, William

CHESHIRE

Hunt, John

Kilanski, Ben

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin
Theberge, Robert

Davis, Arnold

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Sanborn, Gail
Simon, Matthew

Berezhny, Lex
Gordon, Edward

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Litchfield, Melissa
Pearson, Mark
Milz, David
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Love, David
McBride, Everett
Osborne, Jason
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Welch, David

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Khan, Aboul
Lundgren, David
McMahon, Charles
Piemonte, Tony
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Layon, Erica
Lynn, Bob
Melvin, Charles
Potucek, John
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

STRAFFORD

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

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

DeLemus, Susan
Horgan, James
Schmidt, Peter

Groen, Fenton
Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 184

CARROLL

Buco, Thomas
MacDonald, John

Burroughs, Anita
Knirk, Jerry

Crawford, Karel
McAleer, Chris

Deshaiies, Brodie
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Weber, Lucy

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Rhodes, Jennifer
Welkowitz, Lawrence

Berch, Paul
Fenton, Donovan
Ley, Douglas
Schapiro, Joe

Bordenet, John
Fox, Dru
Mann, John
Toll, Amanda

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

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

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

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

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

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Judy, Jean
Langley, Diane
King, Mark
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stevens, Deb

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Smith, Timothy

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Telerski, Laura

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan

Vail, Suzanne
Wilhelm, Matthew

Van Houten, Constance

Vann, Ivy

Veilleux, Daniel

MERRIMACK

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
Luneau, David
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

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Grossman, Gaby
Katsakiores, Phyllis
Malloy, Dennis
Pratt, Kevin
Ward, Gerald

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Loughman, Tom
McBeath, Rebecca
Read, Ellen

Cahill, Michael
Edgar, Michael
Hamblet, Joan
Griffin, Mary
Meuse, David
Simpson, Alexis

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Gilman, Julie
Murray, Kate
Maggiore, Jim
Paige, Mark
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Southworth, Thomas
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Fargo, Kristina
Grassie, Chuck
Smith, Marjorie
Spang, Judith

Chase, Wendy
Fontneau, Timothy
Horrigan, Timothy
Rich, Cecilia
Treleaven, Susan

Conley, Casey
Frost, Sherry
Kenney, Cam
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the motion was adopted.

MOTION TO PRINT DEBATE

Rep. Shurtleff moved that the debate on **HB 458-L**, relative to provision of menstrual products for students in need, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

Objection was made.

On a division vote, with 248 members having voted in the affirmative, and 128 in the negative, the motion was adopted.

DEBATE ON HB 458-L

Representative Abramson: Thank you, Mister Speaker. I rise against the Ought to Pass motion on HB 458. I voted with the other party last Session on this bill and I took some flack for it and was even publicly criticized in the media and some of the independent pages and whatnot. The reason I thought differently on this bill was I viewed it as a public safety or children's safety bill. The reason is, you know, when we had sports medicine when I was in track and field, we would also fall down and bleed all over the place and I didn't want to have as a kid, I kind of wanted to show off that I was getting cut and bleeding all over, but as taxpayers, we pay for sports medicine and bandages and whatnot to protect the safety of the other schools. The bigger issue that was brought up on this bill is that girls at that age, 12, 13, 14, have been skipping classes. It's not a large number of them, but it has been a few and taxpayers end up having to foot the bill for remedial classes and summer classes when girls fall behind. That's a critical age for math and science and similar STEM courses and a lot of girls have actually fallen behind, especially those from low income backgrounds. So the public schools cost taxpayers on the Seacoast \$22,000 per year, per student and the high school cost \$27,000 per year per student. I felt that this was a, because this was a safety issue and is an educational issue if taxpayers are going to pay to subsidize formal schooling that safety should be included in that just as it would be with any other issue. I would ask members to press the red button.

Speaker Packard: The Chair recognizes Rep. Woodcock.

Representative Woodcock: Thank you, Mister Speaker. This bill is often referred to as period poverty. For those of you that weren't here last year and don't recall, period poverty is the term because it impacts primarily those young women in grades 7 through 12 that can't afford the necessary feminine hygiene products. In 2019, the House of Representatives, that would be the majority of this body sitting here today, just two years ago approved a bill-created and which was brought forward by a student from Rochester, NH. The bill was SB 142. The Senate had previously approved the bill and the Governor signed it into law July 17. The new law provided that in all New Hampshire middle and high school female and gender neutral bathrooms free menstrual products would be available. This law applies to all but was focused on students who were

and continue to be financially unable to purchase these basic necessities. You may ask yourself why would a school do such a thing? Could it be compared to providing toilet paper in the bathroom? Yes, as there is no requirement to provide toilet paper, but they do. Could it be compared to providing paper towels in the bathroom? Yes, as there is no requirement that schools provide paper towels in the bathroom, but they do. So what's the issue? That's actually a pretty good question. You'll hear that this law is just another in a long line of unfunded mandates and that the sponsors of the bill will say that they believe in the law's intent and they value it, but just not how it's funded. They will tell you it's just another unfunded mandate and it needs to be corrected. Yet, the New Hampshire Supreme Court held in a recent case, *City of Concord vs. The State*, "A local subdivision," this would be the schools, "Has historically had responsibility for the subject matter of the mandate, some change in the scope of that responsibility, including an increased financial responsibility, does not violate Article 28-a." I would suggest to you that the supreme court ruling does apply to this bill, HB 458 and we asked that because school districts currently provide a limited amount of feminine hygiene products with the often distributed to the nurses office or women's phys-ed department. This ongoing purchase aligns with the supreme court's ruling. We know that under the current law, schools can accept donations for female products and some do. We also know that under the current law, schools can seek grants for feminine hygiene products and yes, some communities do. We also know that under the current law, schools can partner with non-profits and community-based organizations to meet this obligation and yes, some do. We also know under the current law, schools can simply just choose to purchase the products as they do with other school-base supplies and yes, some often do. There is no requirement for schools to purchase an expensive machine to distribute these products, although some do. Each school district is allowed to determine the manner of acquisition and distribution whichever they feel is best for their community. Why are there so many ways in the law to fulfill this need? Because everyone understands the lifelong hidden costs if we don't step up and help. The New Hampshire School Board Association provided in testimony that the intent was to put in place to mitigate the stigma and disruption experienced by women and girls who can't afford menstrual products, many of whom without access to these products will forego attending school, as Mr. Abramson just indicated. That is exactly the point of the law. This bill was not created to give a handout, it is about giving a hand up. The bill was designed to maximize the student's education, all student's education, especially those from low income families. Those that may have to decide which do we buy, milk, bread or tampons? Now you may say that sounds absurd to many sitting here today in this million dollar sports complex, many of us who never, ever contemplated not buying feminine products for our wives or our daughters or perhaps for yourself, but that's us. We are not as a group in the demographic of the typical low income, economically and/or food insecure family every school district sees every single day of the week. We know that student free reduced lunch applications decline in high school although nothing financially significant had changed from grade 8 to grade 9. The need has not been reduced, but the student free reduced lunch enrollment has declined. Why? Because these young adults are still adolescents and they do not want to be singled out, identified, embarrassed or look differently than their peers. That's just part of adolescence. The issue today that we are really discussing, the funding of feminine hygiene products in the high school has exactly the same root, stigma and embarrassment. So often the choice for these young women is to stay away from the school for 3 or 4 days and then return when their period or their heaviest flow has gone by. Well, on the face of it, doesn't sound like a bad solution, except this isn't just a one and done situation. The same strategy is used every month so do the math, 3 days per month times 10 school months equals 30 school days lost per year. That's 1/6 of the school year lost of instruction for a student that stays home just 2 or 3 days per month because they don't have access to the needed feminine hygiene products. Over the course of their middle and high school experience, those young women will lose over one full year of schooling not being present for that reason. How much does one full year of schooling cost the student in your city or town? Usually around the state average that is about \$14,000 for the minimum not to mention the academic and social impact on the student. What a blow to a developing young woman's self-confidence and education and future. For those of us who are or were teachers we understand also that the academic loss, the time diverted to reteach, the time lost for other students in the classroom while you are reteaching or to provide individual tutoring, just to watch these students fail and fall further behind. These issues far exceed that small cost of providing the necessary products. How much do you think that academic loss of education costs your school resources? Unintended, yes, yet expense required. How much will it cost and impact your city and towns as years go by to your future citizens, these future young ladies? During the first year of the COVID, that was the first year of the law. The law was already in place and it was doing exactly what it was supposed to do, provide support to students in need and improve attendance. On July 17, the Governor signed a law and he said at that time, "This legislation is about equality and dignity to help ensure young women in New Hampshire public schools will have the freedom to learn without the disruption, fear of shame or fear of stigma." That fellow legislators is exactly what this law has done. We all know the old saying, if it ain't broke, don't fix it. The same concept stands here. The law is working and doing exactly as intended. Please don't break it. We heard this morning from the chairman of the education department, education committee who said the bottom

line is this is good for kids. I agree with him this is good for kids. We heard from the vice chairman of the education committee a few minutes ago. We want what is right for kids. This is right for kids. So when you leave today, if you really want to feel good about yourself, you can do something right and make it a better life for a young woman. Thank you and please push the red button.

Speaker Packard: The House will be in order. Does the speaker yield to a question? The speaker does not yield. The Chair recognizes Alicia Lekas.

Representative Alicia Lekas: Thank you, Mister Speaker. I received in the mail not long ago a sanitary napkin from an organization pushing for this passed law and in red letters on the appropriate part of the sanitary napkin, it said shame on you. Shame on me? I made an oath to uphold the constitution of New Hampshire. Shame on Me? I believe in keeping my word. The constitution says, Article 1 28-a, Mandated Programs. "The state shall not mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivision unless such programs or responsibilities are fully funded by the state or unless such programs or responsibilities are approved for funding by a vote of the local legislative body of the political subdivision." Last term, we passed a law that violated that. Shame on us. Now, you heard they said it doesn't really because the school already provides some of these things. But as you also heard the state never mandated that the school provide those things, the school does it because it makes sense. I also testified on this bill last time. I pointed out that it was a 28-a violation but for those of you who remember that speech, I started out with the sounds of silence. I never disputed that this was not needed. I talked about the need and I asked every one of us, since in this body we represent every school district in this state. I asked us to figure out how to do this without violating our constitution and I ask again. Let's take this unconstitutional law out and let's, each one of us, go to the districts which we represent and figure out how to do this without this unfunded mandate. We can figure out some way of having a charity do this. We can just ask the school board to put it in their operating budget. We have all kinds of options as you heard, but we shouldn't be doing it because of a mandate, we should be doing it because it's a good idea. Thank you.

Speaker Packard: Does the member yield to a question?

Representative Alicia Lekas: Yes.

Representative Klein-Knight: Thank you, Representative. A 13-year old girl is going to use the bathroom. She just finds out she has a heavy period. The school nurse is all the way across the other building. They have no drop offs of any sanitary products. Nobody has come to donate. What do you tell that 13-year old girl that is alone in the bathroom bleeding profusely?

Representative Alicia Lekas: I will return that question to you because as I said each one of us as reps represent districts and you can ask your school district to make sure that it is indeed provided, which might mean putting it in the operating budget. Thank you.

Speaker Packard: Does the member yield to another question?

Representative Alicia Lekas: Sure if it's short.

Speaker Packard: The member yields. You may inquire.

Representative Verville: Thank you, Mister Speaker. Thank you, Representative for taking my question. Is there anything in state law today that prohibits any school district, any public school district in the State of New Hampshire from voluntarily providing these materials to students from their own budget just like they do for toilet paper and paper towels?

Representative Alicia Lekas: No there is not and taking this, pressing green on this bill does not change that.

Representative Verville: Thank you, Representative. Thank you, Mister Speaker.

Speaker Packard: Does the member yield to another question? No, the member does not yield. Representative Woodcock has asked for a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. The Chair recognizes Rep. Ellison for a parliamentary inquiry.

Representative Ellison: Thank you, Mister Speaker. If I know that some female students in our middle and high schools do not attend school up to 3 days a month because they cannot afford the necessary female menstrual products. And if I know that this body and the body on the other side of the wall back in Concord and the Governor 2 years ago overwhelmingly approved the bill that provides menstrual products to a New Hampshire female student in need. Mister Speaker, if I believe that our schools should provide basic necessities like toilet paper, paper towels and menstrual products, would I now push the red button to defeat this motion? Thank you.

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

Representative Aron: Thank you, Mister Speaker. Mister Speaker, if I know that this bill seeks to repeal an unconstitutional unfunded mandate in our statute and replace it with legislation that is in line with our constitutional oath and duty, yet still accommodates female students in need to be provided with menstrual products in New Hampshire schools. And if I also know that this bill is supported by the New Hampshire School Board Association who supports the constitutionally sound and flexible legislation which addresses the associated costs of providing menstrual products in our schools. And, Mister Speaker, if I further know that our school administrators are totally aware of the issues of period poverty and that this bill will still

allow them to provide products, but leaves the decisions regarding availability up to the school administration and not state mandates, would I now press the green button to support the committee recommendation of Ought to Pass? Thank you, Mister Speaker.

Speaker Packard: The question is on the majority committee report of Ought to Pass on HB 458. 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. 183 voting Yea, 193 voting Nay, the motion fails. The House will be in order. Representative Luneau.

Representative Luneau: Mister Speaker, thank you very much. I'd like to move ITL and request a roll call vote. Thank you.

Speaker Packard: The motion before us is Inexpedient to Legislate on HB 458. Why does the member rise?

Representative Baldasaro: Mister Speaker, I'd like to make a motion to table.

Speaker Packard: That is a higher priority motion. Rep. Altschiller has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. The motion before us is to table HB 458. Would you give me a minute to finish? The motion before us is to table HB 458. Why does the member rise?

Representative Klein-Knight: I rise to make a motion to Indefinitely Postpone.

Speaker Packard: Tabling is a higher motion. The motion on the floor is tabling. Rep. Ley.

Representative Ley: Mister Speaker, if the bill is tabled, how can it be removed from the table? What would be the procedure for that?

Speaker Packard: It takes a majority to put it on. It take a majority to take it off. But after tomorrow, it will take 2/3.

Representative Ley: Thank you, Mister Speaker.

Speaker Packard: The motion is to table HB 458. I'm assuming we will have parliamentary inquiries. Rep. Weber. The Chair recognizes Rep. Weber for a parliamentary inquiry.

Representative Weber: Thank you, Mister Speaker. If I want to have a vote on this very important matter and ensure that young women get all the days in school that they can possibly have, would I now vote no on the tabling motion?

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

Representative Baldasaro: Thank you, Mister Speaker. Mister Speaker, if I know that I am proud each and every time that I have taken the oath to support the constitution of New Hampshire and the United States, then would I vote green and table this bill so you do not go against your oath? Thank you.

Speaker Packard: The question is on the motion to table HB 458. 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. 192 voting Yea, 184 voting Nay, the motion to table passes.

REGULAR CALENDAR PART II CONT'D

HB 464, relative to the commission to study school funding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, recognizes that the work of the commission to study school funding is complete. The final report from the commission was submitted to the House, Senate, Governor, and State Library in accordance with statute, "on or before January 10, 2021." With the work of the commission now complete, this bill as amended simply repeals RSA 193-E:2-e, which authorized the formation and work of the commission. Vote 18-2.

Amendment (0841h)

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

- 1 Repeal. RSA 193-E:2-e, relative to the commission to study school funding, is repealed.
- 2 Effective Date. This act shall take effect upon its passage.

Committee amendment adopted.

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

HB 77, requiring town and city clerks to provide daily notification to the secretary of state of any filings for elected office. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ross Berry for Election Law. This bill requires the town clerks to report candidate filings to the Secretary of State's office daily via electronic medium. Currently clerks are required to forward, and they do via the US Postal Service, the candidate filing forms. The amendment clarifies that the filing is to occur on the day filings occur, not necessarily daily. A problem currently exists where, due to slow mail service, the Secretary of State's office is not able to receive the original information in a timely manner to post online and this impacts candidate filings. This delay means that often the public is not aware that someone has or has not filed before the deadline and creates issues in making sure that each and every position for public office is filled. The majority of the committee believes this bill will improve the reporting of filings and thus improve the information for potential and official candidates. Vote 14-6.

Amendment (0402h)

Amend the bill by replacing section 1 with the following:

1 Nominations; Forwarding Declarations of Candidacy. Amend RSA 655:18 to read as follows:
655:18 Forwarding Declarations of Candidacy.

I. Each city or town clerk shall forward each declaration of candidacy filed with him or her to the secretary of state on the day of filing of the same.

II. City and town clerks shall provide to the secretary of state, on at least a daily basis, a summary of any filings received pursuant to this chapter each day. Such summary shall be submitted electronically and shall include the name and address of any candidate who has filed. The secretary of state shall then add those persons to the daily report for that day.

III. Clerks shall only be required to report to the secretary of state pursuant to this section on days the clerks' offices are open and receiving filings.

Committee amendment adopted.

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

On a division vote, with 212 members having voted in the affirmative, and 158 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 98, relative to the date of the state primary election. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fenton Groen for the Majority of Election Law. This bill, as amended, proposes to move the date of the NH primary from the 2nd Tuesday in September to the 4th Tuesday in June and to move the first day of the filing period from the last Wednesday in May to the 4th Wednesday in April. New Hampshire's Primary Election is one of the latest in the nation. The current primary date allows only 7 to 8 weeks between the primary date and the General Election. The majority of the committee believes that this simply does not allow enough time for the prevailing candidate – especially in statewide and federal races – to switch gears from a contested primary race, gain the full support of the members of his or her own party, raise the necessary financial support, present herself or himself to the NH voters and win their support. This bill would change the current time lapse of 7-8 weeks between the Primary and the General Election to 19-20 weeks. Currently, 31 states hold their primaries in June or earlier. 46 states hold their primaries before September. Vote 11-9.

Rep. Paul Bergeron for the Minority of Election Law. The filing period proposed by this bill for a June State Primary Election is in conflict with the March Town Election calendar. This bill requires the Supervisors of the Checklist to hold a session for the change of registration of legal voters on the Tuesday before the first Wednesday in March. However, communities with town elections on the second Tuesday of March will have already closed their checklists. (In 2020 and 2021, checklists were closed following sessions on the last Saturday in February.) The bill also reduces the amount of time that a voter has to affiliate with or disaffiliate from a party prior to the start of the filing period. Currently, voters have until the day before the start of the filing period to change party affiliations. In this bill, the cut-off is set eight weeks prior to the start of the filing period. Due to the late release of the US Census redistricting population numbers, seven cities will need to hold special elections in the spring to amend ward lines in their city charters. A charter amendment process may take four months or longer once new ward lines have been proposed. This delay may impact the House's ability to draw any state representative districts that use city ward lines prior to the start of the proposed filing period in March. Finally, the bill will reduce the time that third-party or independent candidates can collect nomination papers: that is, they will have from January 1 to June instead of January 1 to September. The House Election Law Committee has retained two bills proposing to move the date of the State Primary Election. This bill still needs work and is not ready for passage. The committee will have time to address the problems cited above when discussing the primary election process in the retained bills.

Majority Amendment (0743h)

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

1 Election of Officers and Delegates; Election Dates; State Primary Election; Authority for Change in Filing Period. Amend RSA 653:8 to read as follows:

653:8 State Primary Election. The state primary election shall be held on the [second] *fourth* Tuesday in [September] *June* of every even-numbered year.

653:8-a Change in Primary Date. Notwithstanding the provisions of RSA 653:8, if the secretary of state changes the dates of the filing period pursuant to RSA 655:14-c, he or she is hereby authorized to make a corresponding change to the date of the primary election.

2 Voters and Checklists; Hearings on Alterations to Party Registration. Amend RSA 654:32 to read as follows:

654:32 Hearings on Alterations to Party Registration. Before each state or presidential primary election, the supervisors of the checklist shall be in session before each primary for the change of registration of legal voters as

provided in RSA 654:34 or 654:34-a or both. Before the presidential primary, the session shall be on the Friday preceding the first day of the filing period, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Before the state primary election, the session shall be on Tuesday before the first Wednesday in ~~[June]~~ **March** between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours.

3 Voters and Checklists; Change of Registration. Amend RSA 654:34, IV to read as follows:

IV. No person, who is already registered to vote, whether his *or her* party membership has been previously registered or not, shall affiliate with a party or disaffiliate from a party between the first Wednesday in ~~[June]~~ **March** and the day before the state primary election.

4 Voters and Checklists; Verification of Checklists. Amend RSA 654:38, III to read as follows:

III. Upon completion of verification of the checklist, but, in no event later than ~~[September 1]~~ **June 1**, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the checklist of the town (or ward _____) of _____, do hereby certify that we have verified the checklist of registered voters in the town (or ward _____ of the city) of _____ as directed by the ballot law commission.

5 Voters and Checklists; Verification Every 10 Years. Amend RSA 654:39, V to read as follows:

V. Upon completion of verification of the checklist, but in no event later than ~~[September 1]~~ **June 1**, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the checklist (or registrars of voters) of the town (or ward _____) of _____, do hereby certify that we have verified the checklist of registered voters in the town (or ward _____ of the city) of _____, pursuant to the provisions of RSA 654:39.

6 Elections; Nominations by Primary; Filing: General Provisions. Amend RSA 655:14 to read as follows:

655:14 Filing; General Provisions. The name of any person shall not be printed upon the ballot of any party for a primary unless he or she is a registered member of that party, he or she shall have met the age and domicile qualifications for the office he or she seeks at the time of the general election, he or she meets all the other qualifications at the time of filing, and he or she shall file with the appropriate official between the ~~[first]~~ **fourth** Wednesday in ~~[June]~~ **April** and the Friday of the following week a declaration of candidacy as provided in RSA 655:17.

7 Elections; Nominations by Primary. Amend RSA 655:21 to read as follows:

655:21 Form. Primary petitions shall be made in the following form:

State of New Hampshire

County of _____ ss.

City (Town) of _____

I do hereby join in a petition for the printing on the primary ballot of the name of _____ whose domicile is in the city (town) of _____ (ward, street, and number, if in a city), in the county of _____, for the office of _____ to be voted for on Tuesday, the _____ day of ~~[September]~~ **June**, _____ (year), and certify that I am qualified to vote for a candidate for said office, that I am a registered member of the _____ party, and am not at this time a signer of any other similar petition for any other candidate for the above office; that my domicile is in the city (town) of _____ (ward, street, and number, if in a city), in the county of _____. I certify that to my knowledge the above-named candidate is not a candidate for incompatible offices as defined in RSA 655:10, and that he or she is not a federal employee which makes him or her ineligible to file as a candidate for this office. I further certify that I believe the above-named person is especially qualified to fill said office.

I hereby swear, under the penalties for voting fraud set forth below, that the information above is true and correct to the best of my knowledge and belief.

Print Voter's name

Voter's Signature

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

8 Elections; Nomination by Primary; Examination and Rejection. Amend RSA 655:26 to read as follows:

655:26 Examination and Rejection. The officer with whom primary petitions are filed shall immediately upon receipt thereof examine the same and ascertain whether they conform to the law. If found not to conform thereto or to be conflicting as provided in RSA 655:23, he *or she* shall then endorse thereon the reason why such petition cannot be accepted and shall, within 24 hours, return the same to the candidate in whose behalf it was filed. In such case, the candidate may file supplementary petitions with the official, but not later than ~~[the third Wednesday in June]~~ **14 days after the opening of the filing period under RSA 655:14**.

9 Ballot Law Commission; Hearing Date. Amend the introductory paragraph of RSA 665:5, I to read as follows:

I. If necessary, the ballot law commission shall meet on the [third] **second** Thursday [of September] **following the date of the state primary election** in each general election year and the third Friday following the presidential primary election in order to hear and decide:

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

AMENDED ANALYSIS

This bill changes the date of the state primary election to the fourth Tuesday in June.
Majority committee amendment adopted.

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

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 174

YEAS - 195

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			

CARROLL

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

CHESHIRE

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

Craig, Kevin	Davis, Arnold	Dostie, Donald	Merner, Troy
Tucker, Edith			

GRAFTON

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

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Blasek, Melissa	Burt, John	Creighton, Jim
Cushman, Leah	Kelley, Diane	Smith, Denise	Erf, Keith
Fedolfi, Jim	Foster, William	Griffin, Gerald	Gagne, Larry
Gorski, Ted	Gould, Linda	Graham, John	Greene, Bob
Griffith, Willis	Gunski, Michael	Healey, Robert	Homola, Susan
Hopper, Gary	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	Pauer, Diane	Plett, Fred
Post, Lisa	Prout, Andrew	Renzullo, Andrew	Rice, Kimberly
Rouillard, Claire	Sheehan, Vanessa	Somero, Paul	Lekas, Tony
Smith, Timothy	Ulery, Jordan		

MERRIMACK

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

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Acton, Dennis	Ayer, Paul
Baldasaro, Al	Baxter, Tim	Belanger, Cody	Bernardy, JD
Bershtein, Alan	Copp, Anne	DeSimone, Debra	Dodge, Dustin
Dolan, Tom	Doucette, Fred	Edwards, Jess	Elliott, Robert
Emerick, Tracy	Ford, Oliver	Gay, Betty	Green, Dennis
Guthrie, Joseph	Harb, Robert	Harley, Tina	Hobson, Deborah
Janigian, John	Katsakiores, Phyllis	Khan, Aboul	Layon, Erica
Litchfield, Melissa	Love, David	Lundgren, David	Lynn, Bob
Griffin, Mary	Pearson, Mark	McBride, Everett	McMahon, Charles
Melvin, Charles	Milz, David	Osborne, Jason	Piemonte, Tony

Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
MacDonald, Wayne
Yokela, Josh

Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, Scott

Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Welch, David

Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kenney, Cam
Turcotte, Leonard

Bailey, Glenn
Hayward, Peter
Kittredge, Mac
Wuelper, Kurt

DeLemus, Susan
Horgan, James
Newton, Clifford

Groen, Fenton
Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

NAYS - 174**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAlear, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Weber, Lucy

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Welkowitz, Lawrence

Berch, Paul
Fenton, Donovan
Kilanski, Ben
Schapiro, Joe

Bordenet, John
Fox, Dru
Ley, Douglas
Toll, Amanda

COOS

Kelley, Eamon
Thompson, Dennis

Hatch, William

Lafamme, Larry

Theberge, Robert

GRAFTON

Abel, Richard
Fellows, Sallie
Muirhead, Russell
Smith, Suzanne

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

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

Egan, Timothy
Massimilla, Linda
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Harriott-Gathright, Linda
Infantine, William
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Telerski, Laura
Vann, Ivy

Bouldin, Andrew
Boehm, Ralph
Connors, Erika
Freitas, Mary
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Toomey, Dan
Veilleux, Daniel

Baroody, Benjamin
Bouchard, Donald
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Sofikitis, Catherine
Vail, Suzanne
Wilhelm, Matthew

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Hamer, Heidi
Hyland, Stephanie
Judy, Jean
Langley, Diane
King, Mark
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stevens, Deb
Van Houten, Constance

MERRIMACK

Allard, James
Ellison, Arthur
McWilliams, Rebecca
Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

Bartlett, Christy
Gallager, Eric
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

Caplan, Tony
Luneau, David
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

Ebel, Karen
MacKay, James
Rogers, Katherine
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Abramson, Max
Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Simpson, Alexis

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Meuse, David
Somssich, Peter

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Maggiore, Jim
Paige, Mark
Vose, Michael

Cahill, Michael
Edgar, Michael
Hamblet, Joan
Malloy, Dennis
Read, Ellen
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna

Cannon, Gerri
Fargo, Kristina

Chase, Wendy
Fontneau, Timothy

Conley, Casey
Gourgue, Amanda

Grassie, Chuck
Schmidt, Peter
Spang, Judith

Horrigan, Timothy
Rich, Cecilia
Treleaven, Susan

Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

HB 223, relative to political party access to a list of absentee ballot requests. **OUGHT TO PASS.**

Rep. Joe Sweeney for Election Law. This bill authorizes political parties to request and subscribe to the absentee ballot request list issued by the Secretary of State. Currently, only candidates can request and subscribe to the absentee ballot request list. As a result, in order for the political parties to get access to that data a candidate must denote the party as their agent. It is foreseeable that a political party may not have a statewide candidate on the ballot or may not have a candidate that is willing to work with them. The majority of the Election Law Committee believes that by allowing political parties to directly request their own subscriptions of the absentee ballot request lists it will be ensured that the respective political parties will always have access to this data throughout the entire political cycle. Vote 11-9.

On a division vote, with 202 members having voted in the affirmative, and 169 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 263, relative to campaign finance reform. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for the Majority of Election Law. This bill as amended, provides for campaign finance reform by repealing voluntary expenditure limits, increasing the expenditure and contribution reporting threshold for all political entities, and modifying the maximum contribution amount a person may contribute to candidate committees and political committees. The amendment keeps the categories of candidate and candidate committee in response to testimony that indicated that a change to this would create confusion. The limits on reporting requirements were changed to reflect the realities of current expenses and federal law governing campaign contributions. The majority of the Election Law Committee believes that a significant amount of time has passed since our last comprehensive campaign finance reform. Limits on contributions to a candidate or candidate committee were changed from \$5,000 to \$3,500. Very few candidates take advantage of the voluntary expenditure limit law and it is not well understood, so that category is eliminated in the bill. The limit on total contribution is changed to \$10,000, making the law consistent with the federal law for federal candidates. The majority believes this is an opportunity to update our campaign finance framework in the Granite State by removing some barriers on candidate fundraising and allowing our state-focused political organizations to operate at the same level that federal political organizations in our state are currently operating. Vote 11-9.

Rep. Russell Muirhead for the Minority of Election Law. The bill repeals voluntary campaign expenditure limits. It also increases the limit on contributions to political committees (other than committees of the candidate) to \$10,000 (from the current \$5,000 for candidates accepting voluntary limits and \$1000 for candidates not accepting limits). At the same time, this bill decreases the limit on individual donations to \$3,500 from the same \$5,000/\$1,000 caps that currently apply. The minority is concerned this would make campaigns for all offices more expensive and would invite bundling of donations to political committees. We do not believe that these changes to the campaign finance law should be made.

Majority Amendment (0333h)

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

2 New Paragraph; Registration of Political Committees. Amend RSA 664:3 by inserting after paragraph V the following new paragraph:

VI. For purposes of filing expenditure reports pursuant to RSA 664:6 and RSA 664:7, a candidate for office may choose to file as a candidate or, if such candidate creates a candidate committee, as a candidate committee.

3 Political Expenditures and Contributions; Prohibited Political Contributions. Amend RSA 664:4, V to read as follows:

V. By any person (1) if in excess of [~~\$5,000~~] **\$3,500** in value *to a candidate or a candidate committee*, except for contributions made by a candidate in behalf of his own candidacy, [~~or if in excess of \$1,000 in value by any person or by any political committee to a candidate or a political committee working on behalf of a candidate who does not voluntarily agree to limit his campaign expenditures and those expenditures made on his behalf as provided in RSA 664:5-a,]~~ **or in excess of \$10,000 in value to a political committee other than a political committee of a candidate**, (2) if made anonymously or under a name not that of the donor, (3) if made in the guise of a loan, (4) if any other manner concealed, (5) if made without the knowledge and written consent of the candidate or his fiscal agent, a political committee or its treasurer, or not to any one of the same.

4 Political Expenditures and Contributions; Reporting by Political Committee. Amend RSA 664:6, I to read as follows:

664:6 Reporting by Political Committee.

I. Any political committee whose receipts or expenditures exceed ~~[\$500]~~ **\$1,500** shall file with the secretary of state an itemized statement in the form prescribed by the secretary of state, signed by its chairman and treasurer showing each of its receipts exceeding \$25 with the full name and postal address of the contributor in alphabetical order and the amount of the contribution, the date it was received, and the aggregate total for each election for each contributor of over \$100. Statements shall be filed not later than the first Wednesday in June and December after the state general election and before the filing deadline established in RSA 655:14, after which statements shall be filed no later than the Wednesday 12 weeks immediately preceding a primary election, before 5 o'clock in the afternoon, and shall cover the period from the day of the committee registration up to and including the Monday before the statement is due. All receipts of \$25 or under shall appear on the statements as unitemized receipts. Any listing that exceeds an individual's aggregate total of \$100 for each election shall be accompanied by the contributor's occupation including official job title, the name of the contributor's employer, and the city or town of the contributor's principal place of business, if any. The statement shall also show each committee expenditure exceeding \$25 with the full name and postal address of the payee or promise of payment, the date paid or obligated, and the election for which the expenditure was made, with the specific nature and amount of each expenditure since the date of the registration.

5 Political Expenditures and Contributions; Reporting by Political Committee. Amend RSA 664:6, IV and IV-a to read as follows:

IV. Any political committee whose receipts or expenditures do not exceed ~~[\$500]~~ **\$1,500** for a reporting period need not file. However, when a committee's accumulated receipts or expenditures for an election exceed ~~[\$500]~~ **\$1,500** the committee shall file a statement at the next reporting deadline, and shall continue to file at each reporting deadline.

IV-a. Any political committee whose independent expenditures, in aggregate, exceed ~~[\$500]~~ **\$1,500** shall file an itemized statement with the secretary of state which shall be received by the secretary of state not later than 48 hours after such expenditures are made, and thereafter each time a further ~~[\$500]~~ **\$1,500** is expended. Such itemized statements shall cover the period during which independent expenditures totaling ~~[\$500]~~ **\$1,500** were made. Each statement shall include a certification by the chairman of the political committee that the independent expenditure meets the definition in RSA 664:2, XI. Each statement shall contain the date of each independent expenditure; the name and address of the person to whom the expenditure was made; the name of the candidate on whose behalf or against whom each independent expenditure was made; the amount of each expenditure; the purpose of each expenditure, and the aggregate amount of all previous independent expenditures. If the independent expenditure is made in support of or in opposition to more than one candidate, the statement made under this paragraph shall allocate the way in which the expenditure was made among the candidates on a reasonable basis. For the purposes of this paragraph, "reasonable basis" means a statement that reflects the benefit or the burden reasonably expected to be derived or suffered by each candidate. The filing requirements of this paragraph shall be in addition to all other filing requirements under this section, and shall not be limited to the filing periods during which expenditures must otherwise be reported.

6 Political Expenditures and Contributions; Reporting by Candidate Committee. Amend RSA 664:7 to read as follows:

664:7 Reporting by Candidates. Each candidate at the primary or general election for governor, councilor, state senator, representative to general court, or county officer, who has expenditures exceeding ~~[\$500]~~ **\$1,500**, shall file statements before and after an election in like manner and detail as prescribed in RSA 664:6, II, II-a, III, IV, and V, excepting, however, the expenditures of political committees of the party to which the candidate belongs in elections other than primaries.

7 Political Expenditures and Contributions; Identification Required. Amend RSA 664:16-a, II to read as follows:

II. Any person or entity who violates paragraph I shall be subject to penalty under RSA 664:21, ~~[V and VI]~~ **IV and V**.

8 Political Expenditures and Contributions; Penalty. Amend RSA 664:21 to read as follows:

664:21 Penalty.

~~[I. Any candidate who voluntarily agrees to limit campaign expenditures as provided in RSA 664:5-a, and who exceeds the total political expenditure limitation as provided in RSA 664:5-a and 5-b in running for any office in either a state primary or state general election, or both, shall be subject to a fine schedule which is based on the percentage by which the candidate exceeds permitted campaign expenditures, so that the candidate shall pay a percentage of the excess campaign expenditures as follows:~~

~~(a) Candidates for United States Senate and governor:~~

~~under \$1,000-one percent~~

~~\$1,000-\$5,000-10 percent~~

~~\$5,000-\$10,000-25 percent~~

\$10,000-\$50,000-50 percent
over \$50,000-100 percent

(b) Candidates for representative to Congress:

under \$1,000-one percent
\$1,000-\$5,000-10 percent
\$5,000-\$10,000-25 percent
\$10,000-\$25,000-50 percent
over \$25,000-100 percent

(c) Candidates for executive council and county officers:

under \$500-one percent
\$500-\$1,000-10 percent
\$1,000-\$5,000-25 percent
\$5,000-\$10,000-50 percent
over \$10,000-100 percent

(d) Candidates for state senate:

under \$100-one percent
\$100-\$500-10 percent
\$500-\$1,000-25 percent
\$1,000-\$5,000-50 percent
over \$5,000-100 percent

(e) Candidates for the general court:

under \$100-one percent
\$100-\$250-10 percent
\$250-\$500-25 percent
\$500-\$1,000-50 percent
over \$1,000-100 percent

H:] **I.** Any fine assessed under the provision of this section shall be paid to the secretary of state for deposit into the general fund.

[HH:] **II.** Nothing in this section shall be construed to limit the enforcement powers of the attorney general under RSA 664:18.

[IV. In addition to the fines levied under paragraph I,] **III.** Any person who fails to file any report or statement on the date on which the report or statement is due under this chapter shall be subject to a daily fine of \$25 for every weekday for which the report or statement is late and until the report or statement is actually filed, except that candidates for the general court shall be subject to a daily fine of \$5 under this paragraph.

[V. The provisions of this paragraph shall apply to violations of this chapter other than the violation of RSA 664:5-a and 5-b, and] **IV.** A person liable under the provisions of this paragraph shall not also be subject to the penalties imposed under [paragraphs I, II and IV] **paragraph III.** Any person who otherwise violates any provision of this chapter shall be guilty of a misdemeanor if a natural person or shall be guilty of a felony if any other person.

[VI:] **V.(a)** Whoever violates any of the provisions of RSA 664:16-a or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property shall be subject to a civil penalty not to exceed \$1,000.

(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 664:16-a or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the general fund.

(c) The attorney general shall have authority to notify suspected violators of RSA 664:16-a or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the general fund.

[VII:] **VI.(a)** A political committee other than a political committee of a candidate that fails to register in accordance with RSA 664:3 shall be subject to a fine up to 25 percent of the total amount of independent expenditures made during the period from the date the political committee was required to register to the date the political committee registered.

(b) A political committee that fails to report independent expenditures in accordance with RSA 664:6, IV-a shall be subject to a fine up to 25 percent of the total amount of independent expenditures not reported or reported late.

[VIII:] **VII.** Any person who willfully makes and subscribes to any statement filed under this chapter that he or she does not believe to be true and correct as to every material matter shall be guilty of false swearing under RSA 641:2.

9 Repeal. RSA 664:5-a and 664:5-b, relative to voluntary political expenditure limitations, are repealed.
10 Effective Date. This act shall take effect January 1, 2022.

AMENDED ANALYSIS

This bill repeals voluntary expenditure limits, increases the expenditure and contribution reporting threshold for all political entities, and modifies the maximum contribution amount a person may contribute to candidate committees and political committees.

Majority committee amendment adopted.

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

Rep. Muirhead spoke against.

Rep. Sweeney spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 196 - NAYS 173

YEAS - 196

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
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

Craig, Kevin
Merner, Troy

Davis, Arnold
Tucker, Edith

Dostie, Donald

Lafamme, Larry

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Lekas, Tony

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Sheehan, Vanessa
Warden, Mark

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Somero, Paul

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Copp, Anne
Doucelette, Fred
Ford, Oliver
Harb, Robert
Katsakiores, Phyllis

Abrami, Patrick
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Khan, Aboul

Acton, Dennis
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Hobson, Deborah
Layon, Erica

Ayer, Paul
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Janigian, John
Litchfield, Melissa

Love, David
 Pearson, Mark
 Milz, David
 Pratt, Kevin
 Soti, Julius
 Thomas, Douglas
 Tudor, Paul
 MacDonald, Wayne
 Yokela, Josh

Lundgren, David
 McBride, Everett
 Osborne, Jason
 Prudhomme-O'Brien, Katherine
 Spillane, James
 Torosian, Peter
 Vandecasteele, Susan
 Wallace, Scott

Lynn, Bob
 McMahon, Charles
 Piemonte, Tony
 Roy, Terry
 Sweeney, Joe
 Tripp, Richard
 Verville, Kevin
 Welch, David

Griffin, Mary
 Melvin, Charles
 Potucek, John
 Pearson, Stephen
 Sytek, John
 True, Chris
 Vose, Michael
 Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
 Harrington, Michael
 Newton, Clifford

Bailey, Glenn
 Hayward, Peter
 Pitre, Joseph

DeLemus, Susan
 Horgan, James
 Turcotte, Leonard

Groen, Fenton
 Kaczynski, Thomas
 Wuelper, Kurt

SULLIVAN

Aron, Judy
 Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

NAYS - 173**CARROLL**

Buco, Thomas
 Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIRE

Abbott, Michael
 Eaton, Daniel
 Gomarlo, Jennie
 Schapiro, Joe

Ames, Richard
 Faulkner, Barry
 Harvey, Cathryn
 Toll, Amanda

Berch, Paul
 Fenton, Donovan
 Mann, John
 Weber, Lucy

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

COOS

Kelley, Eamon

Hatch, William

Thompson, Dennis

GRAFTON

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

Adjutant, Joshua
 Fellows, Sallie
 Murphy, James
 Sykes, George

Almy, Susan
 Hakken-Phillips, Mary
 Nordgren, Sharon
 Weston, Joyce

Dontonville, Roger
 Massimilla, Linda
 Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
 Bergeron, Paul
 Cohen, Bruce
 Dutzy, Sherry
 Griffith, Willis
 Herbert, Christopher
 Jeudy, Jean
 Langley, Diane
 King, Mark
 Moran, Melbourne
 Pedersen, Michael
 Porter, Marjorie
 Newman, Sue
 Smith, Timothy
 Van Houten, Constance

Bouldin, Andrew
 Bouchard, Donald
 Connors, Erika
 Espitia, Manny
 Hamer, Heidi
 Hyland, Stephanie
 Klee, Patricia
 Laughton, Stacie-Marie
 Murray, Megan
 Mullen, Sue
 Perez, Maria
 Query, Joshua
 Shaw, Barbara
 Telerski, Laura
 Vann, Ivy

Baroody, Benjamin
 Bradley, Amy
 Cornell, Patricia
 Freitas, Mary
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klein-Knight, Nicole
 Leishman, Peter
 Mangipudi, Latha
 Nutting-Wong, Allison
 Petrigno, Peter
 Newman, Ray
 Sofikitis, Catherine
 Toomey, Dan
 Veilleux, Daniel

Beaulieu, Jane
 Chretien, Jacqueline
 DiSilvestro, Linda
 Goley, Jeffrey
 Heath, Mary
 Jack, Martin
 Labranche, Tony
 Long, Patrick
 McGhee, Kat
 O'Brien, Michael
 Piedra, Israel
 Rung, Rosemarie
 Stevens, Deb
 Vail, Suzanne
 Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
 Gallagher, Eric
 McWilliams, Rebecca
 Schamberg, Thomas
 Soucy, Timothy
 Wolf, Dan

Caplan, Tony
 Lane, Connie
 Pimentel, Roderick
 Schuett, Dianne
 Wallner, Mary Jane
 Woods, Gary

Ebel, Karen
 Luneau, David
 Richards, Beth
 Schultz, Kristina
 Walz, Mary Beth

Ellison, Arthur
 MacKay, James
 Rogers, Katherine
 Shurtleff, Steve
 Wazir, Safiya

ROCKINGHAM

Abramson, Max
 Cahill, Michael
 Edgar, Michael
 Hamblet, Joan
 Malloy, Dennis
 Read, Ellen

Altschiller, Debra
 Cali-Pitts, Jacqueline
 Gilman, Julie
 Murray, Kate
 McBeath, Rebecca
 Simpson, Alexis

Baxter, Tim
 Cushing, Robert Renny
 Grossman, Gaby
 Loughman, Tom
 Meuse, David
 Somssich, Peter

Bunker, Lisa
 DiLorenzo, Charlotte
 Grote, Jaci
 Maggiore, Jim
 Paige, Mark
 Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Treleven, Susan

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

HB 285, relative to verification of voter checklists. MAJORITY: OUGHT TO PASS. MINORITY: INEX-PEDIENT TO LEGISLATE.

Rep. Katherine Prudhomme-O'Brien for the Majority of Election Law. This bill proposes to modify the procedure for maintenance of an accurate voter checklist. It codifies what should be a regular process of removing invalid voters on the list such as deceased voters, duplicate names and people who have moved. The bill does this by directing the Secretary of State to inform town or city election officials about incomplete and partial voter records received by the Division of Vital Records when a voter dies. This will enable local officials to investigate and further ascertain if those names should be removed from the local checklist. It also directs the Division of Motor Vehicles, when they receive an address change from a licensed driver, to inform the election officials in that community of both the previous address and new address to facilitate maintenance of the checklist. Finally, this bill also directs the Secretary of State to maintain records in accordance with United States Postal Service standardized address system, aiding in the accuracy of records throughout all databases and reducing duplications. The majority of the committee believes this will help maintain checklist records on a regular basis and avoid a lot of maintenance that occurs on election day. Vote 11-9.

Rep. Paul Bergeron for the Minority of Election Law. This bill requires the Secretary of State to notify city and town clerks of possible voter registration duplications and requires that the clerks conduct an undefined "investigation" to determine if an individual voted more than once in any election. City and town clerks do not have access to another community's voter history data. The Secretary of State would be able to 1) identify possible voter registration duplication, and 2) determine if that individual voted more than once in any election, but that is not what this bill proposes to do. The procedure proposed by the bill will come with a cost. It requires the voter registration database to list addresses in accordance with US Postal Service Pub. 28. That publication requires the use of Postal Service ZIP+4 and will necessitate changes to the database to provide ZIP+4 search-and-populate field capabilities. The bill also directs the Division of Motor Vehicles to notify city and town clerks of all address changes received for all NH citizens. This bill does not include a fiscal note estimating costs that will be incurred by the Secretary of State, the Department of Safety, or city and town clerks.

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

Rep. Bergeron spoke against.

Rep. Prudhomme-O'Brien spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 199 - NAYS 172**YEAS - 199****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
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

Craig, Kevin
Theberge, Robert

Davis, Arnold

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Rice, Kimberly
Lekas, Tony

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Sheehan, Vanessa
Warden, Mark

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascalles, Richard
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Somero, Paul

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Wolf, Dan

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Janigian, John
Litchfield, Melissa
Griffin, Mary
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harley, Tina
Khan, Aboul
Lundgren, David
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Hobson, Deborah
Layon, Erica
Lynn, Bob
McMahon, Charles
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
Verville, Kevin
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
Spilsbury, Walter

Callum, John
Stapleton, Walter

Merchant, Gary
Smith, Steven

Rollins, Skip

NAYS - 172**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Lafamme, Larry

Thompson, Dennis

GRAFTON

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

Adjutant, Joshua
Fellows, Sallie
Murphy, James
Sykes, George

Almy, Susan
Hakken-Phillips, Mary
Nordgren, Sharon
Weston, Joyce

Dontonville, Roger
Massimilla, Linda
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
 Bergeron, Paul
 Cohen, Bruce
 Dutzy, Sherry
 Griffith, Willis
 Herbert, Christopher
 Jeudy, Jean
 Langley, Diane
 King, Mark
 Mullen, Sue
 Perez, Maria
 Query, Joshua
 Shaw, Barbara
 Smith, Timothy
 Van Houten, Constance

Bouldin, Andrew
 Bouchard, Donald
 Connors, Erika
 Espitia, Manny
 Hamer, Heidi
 Hyland, Stephanie
 Klee, Patricia
 Laughton, Stacie-Marie
 Murray, Megan
 Nutting-Wong, Allison
 Petrigno, Peter
 Newman, Ray
 Snow, Kendall
 Telerski, Laura
 Vann, Ivy

Baroody, Benjamin
 Bradley, Amy
 Cornell, Patricia
 Freitas, Mary
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klein-Knight, Nicole
 Leishman, Peter
 McGhee, Kat
 O'Brien, Michael
 Piedra, Israel
 Rung, Rosemarie
 Sofikitis, Catherine
 Toomey, Dan
 Veilleux, Daniel

Beaulieu, Jane
 Chretien, Jacqueline
 DiSilvestro, Linda
 Goley, Jeffrey
 Heath, Mary
 Jack, Martin
 Labranche, Tony
 Long, Patrick
 Moran, Melbourne
 Pedersen, Michael
 Porter, Marjorie
 Newman, Sue
 Stevens, Deb
 Vail, Suzanne
 Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
 Gallagher, Eric
 McWilliams, Rebecca
 Schamberg, Thomas
 Soucy, Timothy
 Woods, Gary

Caplan, Tony
 Lane, Connie
 Pimentel, Roderick
 Schuett, Dianne
 Wallner, Mary Jane

Ebel, Karen
 Luneau, David
 Richards, Beth
 Schultz, Kristina
 Walz, Mary Beth

Ellison, Arthur
 MacKay, James
 Rogers, Katherine
 Shurtleff, Steve
 Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
 Cushing, Robert Renny
 Grossman, Gaby
 Murray, Kate
 McBeath, Rebecca
 Simpson, Alexis

Bunker, Lisa
 DiLorenzo, Charlotte
 Grote, Jaci
 Loughman, Tom
 Meuse, David
 Somssich, Peter

Cahill, Michael
 Edgar, Michael
 Guthrie, Joseph
 Maggiore, Jim
 Paige, Mark
 Ward, Gerald

Cali-Pitts, Jacqueline
 Gilman, Julie
 Hamblet, Joan
 Malloy, Dennis
 Read, Ellen

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Grassie, Chuck
 Schmidt, Peter
 Spang, Judith

Cannon, Gerri
 Fargo, Kristina
 Horrigan, Timothy
 Rich, Cecilia
 Treleaven, Susan

Chase, Wendy
 Fontneau, Timothy
 Kenney, Cam
 Salloway, Jeffrey
 Vincent, Kenneth

Conley, Casey
 Gourgue, Amanda
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Cloutier, John
 Sullivan, Brian

Gottling, Suzanne
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

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

HB 291, relative to public inspection of absentee ballot lists. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for the Majority of Election Law. This bill requires town and city clerks to make absentee ballot voter lists available for public inspection. The majority of the House Election Law Committee believes that the public has a right to inspect absentee ballot voter lists after an election. This will not impact elections as the lists are to be available 60 days after the election. This bill also requires the Secretary of State to create a report on absentee ballot requests from the statewide voter registration database containing aggregate data, such as the number of requests received that had a ballot sent to an address that was not the address on the checklist. Ensuring the integrity of our elections requires sunlight and this bill provides that sunlight. The majority believes that in light of the interests in absentee voting, how absentee voting is being utilized is useful information for everyone. Vote 11-9.

Rep. Heidi Hamer for the Minority of Election Law. This bill puts an additional burden on our already stressed town and city clerks by requiring them to maintain a list of names and addresses of voters, who have requested an absentee ballot up until 5 pm on the day before an election and make it available for public inspection. Furthermore, this bill would require the NH Secretary of State to compile a report showing common addresses where multiple ballots are sent both in-state and out of state. Our current law states this information may only be available for public inspection by a court order. This is to keep private names and addresses out of the public view. Absentee ballot requests contain sensitive information. Information that in the wrong hands can be used in nefarious ways. Ready access to absentee voter lists identifies those voters who were out of town on Election Day or disabled and possibly vulnerable.

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

Rep. Hamer spoke against and yielded to questions.

Rep. Sweeney spoke in favor.

On a division vote, with 191 members having voted in the affirmative, and 179 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 292, relative to the absentee ballot application process. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fenton Groen for the Majority of Election Law. This bill establishes a voluntary procedure for the verification of certain mail-in absentee voter applications. It allows for the pre-verification of a returned absentee ballot when it has been mailed to a place other than the recorded domicile of the voter. To do so, the voter simply includes a copy of a photo identification or they have their signature notarized. If the returned ballot is not verified it simply goes through the regular Election Day verification process. The majority of the committee believes this is one small, but important, step in verifying the identity of a voter who chooses the absentee voting option. Voting is a high privilege, an act that directs the destiny of the state and country we love. It should be done with clear and verifiable evidence that the person voting is precisely who he or she says he or she is. The majority of the committee believes this voluntary process is a step towards increasing confidence in voting. Vote 11-9.

Rep. Connie Lane for the Minority of Election Law. This bill makes absentee voting more difficult by imposing photo-ID requirements or notarization of the voter's signature to avoid having the moderator compare the signature on the ballot to the one on the application. It is unclear what the moderator is to do after the signature comparison since under the ruling of the 2018 federal district court case, *Saucedo v. William Gardner*, the signature-matching process by moderators is fundamentally flawed and over-ruled the ability of the moderator to reject ballots based on mismatched signatures.

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

Rep. Lane spoke against.

Rep. Groen spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 174

YEAS - 198

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			

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			

COOS

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

GRAFTON

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

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Blasek, Melissa	Boehm, Ralph	Burt, John
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
Erf, Keith	Fedolfi, Jim	Foster, William	Griffin, Gerald
Gagne, Larry	Gorski, Ted	Gould, Linda	Graham, John
Greene, Bob	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	Pauer, Diane
Plett, Fred	Post, Lisa	Prout, Andrew	Ober, Russell
Renzullo, Andrew	Rice, Kimberly	Rouillard, Claire	Sheehan, Vanessa
Somero, Paul	Lekas, Tony	Ulery, Jordan	Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Andrus, Louise
Kennedy, Margaret
Pearl, Howard
Walsh, Thomas

Boyd, Stephen
Klose, John
Pitaro, Matthew
Wells, Natalie

Cambrils, Jose
McGuire, Carol
Seaworth, Brian
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Janigian, John
Litchfield, Melissa
Griffin, Mary
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Harb, Robert
Katsakiores, Phyllis
Love, David
Pearson, Mark
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Ford, Oliver
Harley, Tina
Khan, Aboul
Lundgren, David
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Vandecasteele, Susan
Wallace, Scott

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Hobson, Deborah
Layon, Erica
Lynn, Bob
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

NAYS - 174**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarolo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon
Tucker, Edith

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Egan, Timothy
Muirhead, Russell
Sykes, George

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

Almy, Susan
Hakken-Phillips, Mary
Stavis, Laurel

Dontonville, Roger
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Jeudy, Jean
Langley, Diane
King, Mark
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Smith, Timothy
Van Houten, Constance

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Hyland, Stephanie
Klee, Patricia
Loughton, Stacie-Marie
Murray, Megan
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Telerski, Laura
Vann, Ivy

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan
Veilleux, Daniel

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jack, Martin
Labranche, Tony
Long, Patrick
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
Mason, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
McBeath, Rebecca
Simpson, Alexis

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Loughman, Tom
Meuse, David
Somssich, Peter

Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Maggiore, Jim
Paige, Mark
Ward, Gerald

Cali-Pitts, Jacqueline
Gilman, Julie
Hamblet, Joan
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John Gottling, Suzanne
Oxenham, Lee Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

HB 326, requiring town and city clerks to make electronic lists of persons who have requested, been mailed, or returned absentee ballots available to candidates upon request. **OUGHT TO PASS.**

Rep. Ross Berry for Election Law. Under current law, candidates on the ballot may obtain a list of absentee voter applicants from town and city clerks. This bill would make electronic lists of voters who have requested absentee ballots available to candidates that request them. It does not change any other aspect of law relative to absentee voting or who has access to the list. It also specifically authorizes town clerks to invoice for the payment, payment due in 7 days, which allows the electronic list to be released when available. This majority of the committee believes that this bill will in a small way modernize New Hampshire's election laws while not presenting a burden to its town clerks. Vote 11-9.

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

On a division vote, with 202 members having voted in the affirmative, and 165 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 391, increasing the threshold for reporting by political committees. **OUGHT TO PASS.**

Rep. Fenton Groen for Election Law. This bill proposes that the threshold for the itemized reporting requirement for political campaign contributions be increased from \$25 to \$100. The \$25 amount has been in place since 1984 and has been outdated by time and the cost of money. The purpose of reporting contributions is to disclose potential financial influence on elections. In light of current funding levels of elections the majority of the committee thinks that single or aggregate donations of \$100 or less do not represent undue influence by a donor. The change will encourage small donations awhile maintaining disclosure of amounts that may have an influence on candidates and /or their campaigns. Vote 11-9.

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

Rep. Espitia requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 167**YEAS - 202****BELKNAP**

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

Bean, Harry
Howard, Raymond
Mackie, Jonathan
Terry, Paul

Bordes, Mike
Johnson, Dawn
O'Hara, Travis
Trottier, Douglas

Comtois, Barbara
Lang, Timothy
Silber, Norman

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

Craig, Kevin
Theberge, Robert

Davis, Arnold
Tucker, Edith

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Gunski, Michael
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gould, Linda
Healey, Robert
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Graham, John
Herbert, Christopher
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Greene, Bob
Homola, Susan
Kofalt, Jim
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Veilleux, Daniel

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Seaworth, Brian
White, Nick

Andrus, Louise
Kennedy, Margaret
Moffett, Michael
Testerman, Dave
Wolf, Dan

Boyd, Stephen
Klose, John
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

Cambrils, Jose
Mason, James
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bershtein, Alan
Dolan, Tom
Emerick, Tracy
Guthrie, Joseph
Katsakiores, Phyllis
Love, David
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
MacDonald, Wayne
Yokela, Josh

Abrami, Patrick
Baldasaro, Al
Copp, Anne
Doucette, Fred
Ford, Oliver
Harb, Robert
Khan, Aboul
Lundgren, David
Maggiore, Jim
Milz, David
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, Scott

Abramson, Max
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Gay, Betty
Harley, Tina
Layon, Erica
Lynn, Bob
McBride, Everett
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Verville, Kevin
Welch, David

Acton, Dennis
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Green, Dennis
Janigian, John
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Piemonte, Tony
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
Vincent, Kenneth

DeLemus, Susan
Horgan, James
Pitre, Joseph
Wuelper, Kurt

Groen, Fenton
Kaczynski, Thomas
Spang, Judith

SULLIVAN

Aron, Judy
Spilsbury, Walter

Callum, John
Stapleton, Walter

Merchant, Gary
Smith, Steven

Rollins, Skip

NAYS - 167**BELKNAP**

Ploszaj, Tom

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAlear, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon

Hatch, William

Laflamme, Larry

Thompson, Dennis

GRAFTON

Abel, Richard
Egan, Timothy
Muirhead, Russell
Sykes, George

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

Almy, Susan
Hakken-Phillips, Mary
Stavis, Laurel

Dontonville, Roger
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Gorski, Ted
Heath, Mary
Jeudy, Jean
Langley, Diane
King, Mark
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stevens, Deb
Vail, Suzanne

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Griffith, Willis
Hyland, Stephanie
Klee, Patricia
Loughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Smith, Timothy
Van Houten, Constance

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Telerski, Laura
Vann, Ivy

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Sofikitis, Catherine
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Gallager, Eric
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Caplan, Tony
Lane, Connie
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
MacKay, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

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

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Gilman, Julie
Murray, Kate
Meuse, David
Somssich, Peter

Baxter, Tim
Cushing, Robert Renny
Grossman, Gaby
Loughman, Tom
Paige, Mark
Ward, Gerald

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Malloy, Dennis
Read, Ellen

Cahill, Michael
Edgar, Michael
Hamblet, Joan
McBeath, Rebecca
Simpson, Alexis

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

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

HB 523-FN, requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete. **MAJORITY: OUGHT TO PASS. MINORITY: IN-EXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the Majority of Election Law. This bill will restore some faith in our elections. Currently a person may walk into the polling location and register to vote on Election Day with no photo identification or proof of domicile. If a voter chooses to exercise this option, the poll worker will ask to take the voter's photograph. The voter then may decline the photograph if they cite a religious exemption; this is rarely used. The concept that someone may register to vote on Election Day without any ID or proof of domicile while leaving behind nothing more than a signature is troublesome to many citizens. It breeds distrust in our election process and creates an environment where people lose faith in our elections. By requiring newly registered

voters who present no photo ID to have their photograph taken, we restore some faith in our elections and do not create a real barrier to the ballot box. Furthermore, it is nearly impossible to go into a polling place without ever being on some camera somewhere. Thus, it is highly unlikely that voters choosing to exercise this option would be doing so in good faith. Vote 11-9.

Rep. Joan Hamblet for the Minority of Election Law. There are at least 3 groups of citizens who would be disenfranchised if this bill passes: 1. Some citizens subscribe to a religion that prohibits them from having a photo of themselves taken (RSA 659:13-b). Under this bill, they would not be allowed to vote. 2. Some citizens who reside in nursing homes do not have a recent form of photo identification. An administrator of the nursing home can verify their identity without a photo ID to allow them to register and vote (RSA 654:12, III). A requirement for photo identification is not reasonable or necessary. 3. A "confidential voter" can be allowed to vote if he or she presents a valid protective order (RSA 173-B:4) or evidence that he or she is a participant in the address confidentiality program (RSA 7:46). Such a voter might be prohibited from voting under this bill. In addition, our voting laws include layers of checks and balances in the specific duties of our local election officials, Supervisors of the Checklist, the Secretary of State and the Attorney General who document and verify the voters before, during and after our elections. This bill would wrongfully prevent legitimate voters from voting and would do nothing to make our elections safer.

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

Rep. Hamblet spoke against and yielded to questions.

Rep. Barbara Griffin spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 197 - NAYS 172

YEAS - 197

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
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaiies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin
Theberge, Robert

Davis, Arnold

Dostie, Donald

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Simon, Matthew

Depalma IV, Joseph
Greeson, Jeffrey

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Erf, Keith
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Warden, Mark

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Fedolfi, Jim
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Somero, Paul

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Lekas, Tony

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lascalles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Rung, Rosemarie
Ulery, Jordan

MERRIMACK

Allard, James
Hill, Gregory
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Andrus, Louise
Kennedy, Margaret
Pearl, Howard
Wells, Natalie

Boyd, Stephen
Klose, John
Pitaro, Matthew
White, Nick

Cambrils, Jose
McGuire, Carol
Seaworth, Brian
Wolf, Dan

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Acton, Dennis
Ayer, Paul	Baldasaro, Al	Baxter, Tim	Belanger, Cody
Bernardy, JD	Bershtein, Alan	Copp, Anne	DeSimone, Debra
Dodge, Dustin	Dolan, Tom	Doucette, Fred	Edwards, Jess
Elliott, Robert	Emerick, Tracy	Ford, Oliver	Gay, Betty
Green, Dennis	Harb, Robert	Harley, Tina	Hobson, Deborah
Janigian, John	Katsakiores, Phyllis	Khan, Aboul	Layon, Erica
Litchfield, Melissa	Love, David	Lundgren, David	Lynn, Bob
Griffin, Mary	Pearson, Mark	McBride, Everett	McMahon, Charles
Melvin, Charles	Milz, David	Osborne, Jason	Piemonte, Tony
Potucek, John	Pratt, Kevin	Prudhomme-O'Brien, Katherine	Roy, Terry
Pearson, Stephen	Soti, Julius	Spillane, James	Sweeney, Joe
Sytek, John	Thomas, Douglas	Torosian, Peter	Tripp, Richard
True, Chris	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		

NAYS - 172**CARROLL**

Buco, Thomas	Burroughs, Anita	Knirk, Jerry	McAleer, Chris
Woodcock, Stephen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Faulkner, Barry	Fenton, Donovan	Fox, Dru
Gomarlo, Jennie	Harvey, Cathryn	Kilanski, Ben	Ley, Douglas
Mann, John	Parshall, Lucius	Schapiro, Joe	Toll, Amanda
Weber, Lucy	Welkowitz, Lawrence		

COOS

Kelley, Eamon	Lafamme, Larry	Thompson, Dennis	Tucker, Edith
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GRAFTON

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

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Paul	Bouchard, Donald	Bradley, Amy	Chretien, Jacqueline
Cohen, Bruce	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	Schmidt, Janice	Jack, Martin
Jeudy, Jean	Klee, Patricia	Klein-Knight, Nicole	Labranche, Tony
Langley, Diane	Laughton, Stacie-Marie	Leishman, Peter	Long, Patrick
King, Mark	Murray, Megan	Mangipudi, Latha	McGhee, Kat
Moran, Melbourne	Mullen, Sue	Nutting-Wong, Allison	O'Brien, Michael
Pedersen, Michael	Perez, Maria	Petrigno, Peter	Piedra, Israel
Porter, Marjorie	Query, Joshua	Newman, Ray	Newman, Sue
Shaw, Barbara	Snow, Kendall	Sofikitis, Catherine	Stevens, Deb
Smith, Timothy	Telerski, Laura	Toomey, Dan	Vail, Suzanne
Van Houten, Constance	Vann, Ivy	Veilleux, Daniel	Wilhelm, Matthew

MERRIMACK

Bartlett, Christy	Caplan, Tony	Ebel, Karen	Ellison, Arthur
Gallager, Eric	Lane, Connie	MacKay, James	Mason, James
McWilliams, Rebecca	Pimentel, Roderick	Richards, Beth	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Schultz, Kristina	Shurtleff, Steve
Soucy, Timothy	Wallner, Mary Jane	Walz, Mary Beth	Wazir, Safiya
Woods, Gary			

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
McBeath, Rebecca
Simpson, Alexis

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Loughman, Tom
Meuse, David
Somssich, Peter

Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Maggiore, Jim
Paige, Mark
Ward, Gerald

Cali-Pitts, Jacqueline
Gilman, Julie
Hamblet, Joan
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

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

(Rep. Steven Smith in the Chair)

REGULAR CALENDAR PART II CONT'D

HB 85, relative to using Atlantic Standard Time in New Hampshire. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for the Majority of Executive Departments and Administration. This bill would switch New Hampshire to the Atlantic Time Zone, or you could consider it “daylight saving all year.” This change eliminates the inconvenient and dangerous clock changes in spring and fall, which have been shown to cause auto and work accidents, heart attacks, strokes and many other problems because of sleep disturbance. Yes, it will be darker on winter mornings, but afternoons will be lighter; winter days just aren’t long enough here to have sunlight all the time we’re out and about. Under the bill, this change would be triggered when Maine and Massachusetts also agree to make a permanent switch to Atlantic Standard Time, so that we would remain on the same time as our neighboring states. Massachusetts is the major actor in New England, with over 100,000 New Hampshire people commuting there every day. Passing this bill may encourage Massachusetts to adopt this change, to our benefit as well as theirs. Vote 14-5.

Rep. Sallie Fellows for the Minority of Executive Departments and Administration. The greatest concern of the minority of the committee is public safety. Switching to the Atlantic time zone means the sun would rise one hour later in the winter. In December and January this would be between 8:00 and 8:15 a.m. Children would be waiting for the school bus in the dark of night. After a snow storm, darkness would make a treacherous morning commute more dangerous. Radio and TV broadcasters oppose this bill because prime time shows would run from 9 p.m. to midnight, Sunday night football would end after midnight, and they would lose revenue. The minority doesn’t accept claims that eliminating Daylight Saving Time has health benefits. Your risk of a heart attack is increased by high blood pressure, high cholesterol, and diabetes, not loss of one hour of sleep once a year.

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

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

On a division vote, with 250 members having voted in the affirmative, and 117 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 218, repealing RSA 321 regarding itinerant vendors. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for the Majority of Executive Departments and Administration. This bill as amended would eliminate the state license currently required for hawkers, peddlers, and itinerant vendors. The state license requires that a fee be paid and a bond provided. We heard testimony from the Deputy Secretary of State that in his memory his office has never done an investigation or had to make use of the bond. He also testified that no investigation is done on those applying. In fact, he said that even if the applicant checked the box indicating that they were a felon no investigation was done and they were still granted the license. The Deputy Secretary of State had no objection to eliminating these licenses. Municipalities already have the authority under statute to create ordinances or regulations for hawkers, peddlers, and itinerant vendors. These licenses provide no real protection to the people of New Hampshire. Many, if not most, of those are just trying to earn a living. It is not right to burden them for no real purpose. Vote 10-9.

Rep. Jeffrey Goley for the Minority of Executive Departments and Administration. This bill will remove the requirement that hawkers, peddlers, and itinerant vendors to obtain a license from the Secretary of State. The minority believes that individuals who engage in a temporary or transient business, which includes traveling from town to town selling goods, wares, and merchandise from a temporary place of business such as a hotel,

motel, rooming house, tent, or vacant lot should continue to be licensed with the Secretary of State. With these businesses being transient and moving from town to town, it makes sense that they register with the Secretary of State rather than each individual town they do business in.

Majority Amendment (0256h)

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

AN ACT repealing RSA 320 relative to hawkers and peddlers and RSA 321 relative to itinerant vendors.

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

1 Powers and Duties of Towns; Regulation of Hawkers, Peddlers and Vendors; Cross Reference to RSA 321 Removed. Amend the introductory paragraph of RSA 31:102-a to read as follows:

31:102-a Hawkers, Peddlers and Vendors. The governing board of a city, town or village district may adopt, by ordinance or regulation, provisions for the licensure and regulation of itinerant vendors, hawkers, peddlers, traders, farmers, merchants, or other persons who sell, offer to sell, or take orders for merchandise from temporary or transient sales locations within a town or who go from town to town or place to place within a town for such purposes. Any person who violates any provision of such ordinance or regulation shall be guilty of a class B misdemeanor, and each continuing day of violation after notice shall constitute a separate offense. A city, town, or village district shall be specifically prohibited, however, from licensing or regulating a candidate for public office in the process of obtaining signatures on nomination papers, who seeks to have the candidate's name placed on the ballot for the state general election by submitting nomination papers under RSA 655:40. Provisions adopted under this section [~~shall be in addition to any requirements imposed by the state under either RSA 320 or RSA 321 and~~] may include, but shall not be limited to:

2 Repeal. The following are repealed:

- I. RSA 320, relative to hawkers and peddlers.
- II. RSA 321, relative to itinerant vendors.

AMENDED ANALYSIS

This bill repeals RSA 320, relative to hawkers and peddlers, and repeals RSA 321, relative to itinerant vendors. Majority committee amendment adopted.

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

On a division vote, with 202 members having voted in the affirmative, and 165 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 273, relative to the 50th anniversary of the passage of the 26th amendment, granting the right to vote to 18-21 year olds and celebrating youth voting and office holding. **OUGHT TO PASS.**

Rep. John Sytek for Executive Departments and Administration. The last major expansion of the franchise – the right to vote and to hold office – occurred 50 years ago. That was the passage of the 26th amendment which granted that right to 18- to 21-year olds. Indeed, many in this chamber witnessed this history-making event. The committee felt that this bill commemorating the anniversary was fitting and appropriate. Vote 18-0.

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

On a division vote, with 330 members having voted in the affirmative, and 33 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 345, establishing a license for mushroom harvesters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sallie Fellows for the Majority of Executive Departments and Administration. This bill legalizes the sale of safe varieties of wild harvested mushrooms in restaurants and markets. The Food and Drug Administration Food Code explicitly prohibits the sale of wild harvested mushrooms unless an oversight agency establishes an approval process for licensed harvesters. Some wild mushrooms are poisonous. Licensing will ensure those sold in NH are safe. The Department of Health and Human Services (DHHS) will oversee training programs, testing and licensing of harvesters, and will specify the authorized varieties. Harvesters must have permission to take wild mushrooms from someone else's land. This bill doesn't apply to cultivated mushrooms or picking wild mushrooms for personal consumption. DHHS supports this bill and indicated they can absorb the operational cost. The amendment simply adds a definition of mushrooms. Vote 12-7.

Rep. Tony Lekas for the Minority of Executive Departments and Administration. This bill would license wild mushroom harvesters. Wild mushrooms have been harvested for sale in New Hampshire for many years. Up to now that has not caused enough trouble for there to have been a call for regulating the practice in our state. That would likely still be the case except that, unfortunately, the Department of Health and Human Services chose to adopt the 2017 Food and Drug Administration Food Code into New Hampshire rule and the legislature accepted that action. There are reasons that there are separate states. What is necessary and appropriate for one state may not be for another. We should end the practice of adopting standards without carefully considering if they are all really necessary for New Hampshire. We should not be licensing additional professions just to deal with an earlier error.

Majority Amendment (0239h)

Amend RSA 143-A:21, VII-VIII as inserted by section 1 of the bill by replacing them with the following:

VII. "Mushroom" means the fleshy, spore-bearing, fruiting body of a fungus.

VIII. "Tier 1 mushroom" means a wild mushroom which is easily identified, that has no toxic look-alikes, and which is unlikely to cause illness in humans.

IX. "Tier 2 mushroom" means a wild mushroom which is difficult to identify, may have toxic look-alikes, or may cause illness in some humans.

Majority committee amendment adopted.

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

YEAS 194 - NAYS 174**YEAS - 194****BELKNAP**

Lang, Timothy

Buco, Thomas
MacDonald, John
McConkey, Mark

Burroughs, Anita
Knirk, Jerry
Umberger, Karen

Crawford, Karel
Marsh, William
Woodcock, Stephen

Deshaies, Brodie
McAleer, Chris

CARROLL

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

CHESHIRE**COOS**

Kelley, Eamon

Laflamme, Larry

Abel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Murphy, James
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Ham, Bonnie
Stavis, Laurel

Almy, Susan
Fellows, Sallie
Ladd, Rick
Smith, Suzanne

Depalma IV, Joseph
Gordon, Edward
Muirhead, Russell
Sykes, George

GRAFTON

Alexander, Joe
Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim
Espitia, Manny
Griffith, Willis
Herbert, Christopher
Jack, Martin
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Smith, Timothy
Van Houten, Constance

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Smith, Denise
Freitas, Mary
Hamer, Heidi
Hyland, Stephanie
Judy, Jean
Langley, Diane
King, Mark
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Telerski, Laura
Vann, Ivy

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Infantine, William
Klee, Patricia
Lanzara, Tom
Murray, Megan
Mullen, Sue
Perez, Maria
Query, Joshua
Snow, Kendall
Toomey, Dan
Veilleux, Daniel

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Dutzy, Sherry
Graham, John
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Laughton, Stacie-Marie
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

HILLSBOROUGH**MERRIMACK**

Bartlett, Christy
Gallager, Eric
Mason, James
Richards, Beth
Soucy, Timothy
Woods, Gary

Caplan, Tony
Kennedy, Margaret
McWilliams, Rebecca
Schamberg, Thomas
Wallner, Mary Jane

Ebel, Karen
Lane, Connie
Pearl, Howard
Schuett, Dianne
Walz, Mary Beth

Ellison, Arthur
MacKay, James
Pimentel, Roderick
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Hamblet, Joan
Murray, Kate
Maggiore, Jim

Bunker, Lisa
DeSimone, Debra
Grossman, Gaby
Harb, Robert
Loughman, Tom
Malloy, Dennis

Cahill, Michael
DiLorenzo, Charlotte
Grote, Jaci
Hobson, Deborah
Lundgren, David
McBeath, Rebecca

Cali-Pitts, Jacqueline
Edgar, Michael
Guthrie, Joseph
Janigian, John
Pearson, Mark
McBride, Everett

McMahon, Charles
Pearson, Stephen
MacDonald, Wayne

Meuse, David
Simpson, Alexis
Ward, Gerald

Paige, Mark
Somssich, Peter
Weyler, Kenneth

Read, Ellen
Sytek, John

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Spang, Judith

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Vincent, Kenneth

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Wall, Janet

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Southworth, Thomas

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 174

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
Trottier, Douglas

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

Nelson, Bill

CHESHIRE

Hunt, John
Santonastaso, Matthew

Kilanski, Ben

Qualey, James

Rhodes, Jennifer

COOS

Craig, Kevin
Merner, Troy

Davis, Arnold
Theberge, Robert

Dostie, Donald
Tucker, Edith

Hatch, William

GRAFTON

Alliegro, Mark
Sanborn, Gail

Berezhny, Lex
Greeson, Jeffrey

Binford, David
Massimilla, Linda

Folsom, Beth
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Blasek, Melissa
Kelley, Diane
Griffin, Gerald
Greene, Bob
Hopper, Gary
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Somero, Paul

Ammon, Keith
Boehm, Ralph
Erf, Keith
Gagne, Larry
Gunski, Michael
Kelsey, Niki
Lascelles, Richard
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Lekas, Tony

Griffin, Barbara
Burt, John
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Kofalt, Jim
Leishman, Peter
McLean, Mark
Pauer, Diane
Ober, Russell
Shaw, Barbara
Ulery, Jordan

King, Bill
Cushman, Leah
Foster, William
Gould, Linda
Homola, Susan
Ober, Lynne
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa
Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
Pitaro, Matthew
Testerman, Dave
Wolf, Dan

Andrus, Louise
Klose, John
Rogers, Katherine
Walsh, Thomas
Yakubovich, Michael

Boyd, Stephen
McGuire, Carol
Schultz, Kristina
Wells, Natalie

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

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dolan, Tom
Emerick, Tracy
Harley, Tina
Litchfield, Melissa
Melvin, Charles
Potucek, John
Soti, Julius
Torosian, Peter
Verville, Kevin
Yokela, Josh

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Ford, Oliver
Katsakiores, Phyllis
Love, David
Milz, David
Pratt, Kevin
Spillane, James
Tripp, Richard
Vose, Michael

Abramson, Max
Baxter, Tim
Copp, Anne
Edwards, Jess
Gay, Betty
Khan, Aboul
Lynn, Bob
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris
Wallace, Scott

Acton, Dennis
Belanger, Cody
Dodge, Dustin
Elliott, Robert
Green, Dennis
Layon, Erica
Griffin, Mary
Piemonte, Tony
Roy, Terry
Thomas, Douglas
Tudor, Paul
Welch, David

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
Salloway, Jeffrey

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

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

HB 417, relative to the powers of the governor during a renewal of a declared state of emergency. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the Majority of Executive Departments and Administration. This bill, as amended, changes the emergency powers laws in three ways. First, it extends a declared emergency to 30 days, rather than 21, so that the common weather-related emergencies are not affected. Second, if a state of emergency is renewed, the legislature must meet to approve the extension and any executive orders issued during the emergency. If the legislature cannot meet, the state of emergency and the orders continue in force and are extended in 14-day increments until the legislature can meet. Thirdly, any gifts, grants or other funds obtained for emergency purposes must be accepted by the Governor and Council, rather than the governor alone, which requires Fiscal Committee involvement from amounts over \$100,000. These changes go into effect after the end of the current emergency, and so are prospective only. These changes address the most common concerns about the current emergency powers statute, which was updated after the terrorist attacks on September 11, 2001 and never used for an extended period of time until the COVID-19 outbreak. This emergency raised concerns about imposing too much responsibility on the governor alone, and so this bill presents a plan to share the responsibility and provide policy oversight. Vote 16-2.

Rep. Peter Schmidt for the Minority of Executive Departments and Administration. This bill seeks to address widespread objections to a number of aspects of the Governor's emergency order regime, which is currently in effect in New Hampshire. The minority of the ED&A Committee recognizes and shares many of the majority's concerns, and also supports a review and revision of the existing emergency statute. Nevertheless, the minority opposes passage of HB 417 at this time for the following reasons. First, the bill is entirely prospective; it cures none of the actual or supposed abuses of the Governor's authority at this time. Hence, it has no urgency and should not be substituted for a truly deliberative investigation of the deficiencies of the existing statute, nor of any instances of gubernatorial overreach. Second, instead of this bill, a blue ribbon committee should be empaneled, not to assess blame, but to lay the basis for a wisely revised statute to more perfectly protect the state and its citizens in the future. Third, the bill mistakenly conflates every living NH citizen's experience and expectations of a state of emergency with the fundamentally different duration and reality of this pandemic, which is, in addition, by no means fully understood or resolved. Further, the bill creates a legislative oversight and control structure which the minority believes would likely be in its own way in a typical emergency, in other words, unnecessary, and very likely to hamstring effective emergency management in the case of a future pandemic, or nuclear emergency, in other words, unworkable and counterproductive. For these reasons, this bill should be found Inexpedient to Legislate.

Majority Amendment (0973h)

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

AN ACT relative to the powers of the governor during a renewal of a declared state of emergency, and relative to the acceptance of federal assistance.

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

1 Emergency Powers; Termination at 30 Days. Amend RSA RSA 4:45, I(d) and II to read as follows:

(d) Duration of the state of emergency, if less than [21] **30** days.

II.(a) A state of emergency shall terminate automatically [21] **30** days after its declaration unless it is renewed [~~under the same procedures set forth in paragraph I of this section. The governor may, by executive order, renew a declaration of a state of emergency as many times as the governor finds is necessary to protect the safety and welfare of the inhabitants of this state.~~] **by the majority vote of each chamber of the legislature prior to termination. In the event that the legislature is unable to convene prior to the termination date, the state of emergency and orders issued pursuant thereto shall automatically extend in 14-day increments or until the legislature can convene to vote on the renewal, whichever comes first.**

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

(c) The legislature may terminate a state of emergency by concurrent resolution adopted by a majority vote of each chamber. [~~The governor's power to renew a declaration of a state of emergency shall terminate upon the adoption of a concurrent resolution under this subparagraph.~~] Provided, however, that such resolution shall not preclude the governor from declaring a new emergency for different circumstances under paragraph I of this section.

2 State of Emergency; Powers. Amend the introductory paragraph of RSA 4:45, III to read as follows:

III. During the existence of [a] ***an initial period of a*** state of emergency, ***prior to any renewal***, and only for so long as such state of emergency shall exist, the governor shall have and may exercise the following additional emergency powers:

3 New Paragraph; State of Emergency; Powers In Renewal; Procedure. Amend RSA 4:45 by inserting after paragraph III the following new paragraph:

IV.(a) If a state of emergency is renewed, any orders issued by the governor shall be approved by a majority of each chamber of the legislature, present and voting in such a manner as required by rules of the legislature, prior to such orders going into effect. In the event that the legislature is unable to convene within 3 calendar days of the renewal, the state of emergency and orders issued pursuant thereto shall automatically extend in 14-day increments or until the legislature can convene to vote on the orders for the renewal, whichever comes first. All emergency orders issued in the original 30-day state of emergency and any issued thereafter that were not subject to a vote in the legislature shall be presented to the legislature for a vote to be continued or terminated.

(b) The governor shall make every effort to assist members of the legislature in convening to include transportation to and from the location for the seat of state government should the circumstances of the emergency so require. Members of the legislature shall be exempt from any emergency orders that would infringe on their ability to travel or otherwise conduct their business as representatives of the people.

V. The acceptance of any federal, private, or other non-state gift, grant, or loan for purposes of emergency powers of the state which exceed \$100,000, shall be required to be approved by the fiscal committee of the general court according to RSA 14:30-a, VI.

4 Homeland Security; Executive Council Approval. Amend RSA 21-P:43 to read as follows:

21-P:43 Appropriations and Authority to Accept Services, Gifts, Grants, and Loans. Each political subdivision may make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local organization for emergency management. Whenever the federal government or any federal agency or officer offers to the state, or through the state to any of its political subdivisions, services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor ***and council***, commissioner, or such political subdivision, acting with the consent of the governor ***and council*** and through its executive officer, city council, or board of selectmen, may accept such offer, subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer. Whenever any person, firm or corporation offers to the state or to any of its political subdivisions services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management the state, acting through the governor ***and council***, or such political subdivision, acting through its executive officer, city council, or board of selectmen, may accept such offer, subject to its terms.

5 Applicability of Act. The provisions of this act shall take effect upon the latter of either the passage of this act or 30 days after the termination of the COVID-19 state of emergency, as certified to the secretary of state and the director legislative services by the office of the governor.

6 Effective Date. This act shall take effect as provided in section 5 of this act.

AMENDED ANALYSIS

This bill terminates a state of emergency called by the governor after 30 days and modifies the procedure for renewal. Any orders issued during the period of a renewal of the state of emergency shall be subject to prior approval by the legislature. This bill also requires executive council approval in the acceptance of services, equipment, supplies, materials, or funds from the federal government.

Majority committee amendment adopted.

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

Rep. Peter Schmidt spoke against.

On a division vote, with 328 members having voted in the affirmative, and 41 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 544, relative to the propagation of divisive concepts. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the Majority of Executive Departments and Administration. This bill is an anti-racism piece of legislation that would prohibit the teaching of racist ideology to students and employees of state schools. It would also bar mandatory racist ideology training to employees of state agencies and businesses who contract with the state to provide services to or on behalf of the state. The committee heard testimony that these trainings and teachings do currently occur in New Hampshire and seem to be becoming more of a trend both here and nationwide. The committee also heard testimony that the teaching and training of the concepts prohibited by this bill cause disharmony, resentment and hatred. The majority agrees. The bill does not prohibit teaching about racism and its negative effects throughout history on the people of New Hampshire

and the United States. The majority believes teaching about actual history including institutional racism that has existed and the steps we have taken to eradicate it are important aspects of a proper education and a healthy and diverse workplace. The bill, simply put, prohibits teaching that one race is at fault in perpetuity for challenges and disadvantages faced by another race. The majority acknowledges that racism still exists and that we must always be on guard against it to challenge it whenever it rears its ugly head but the majority also believes in the inherent good of each individual Granite State citizen and in the greatness of this state and of the United States of America. Of all the nations on Earth, it is the United States that provides the most opportunity and legal protections to minorities of every race, creed and religion. Vote 10-9.

Rep. Sallie Fellows for the Minority of Executive Departments and Administration. In 2020 we all saw George Floyd die, Black Lives Matter demonstrations, and white supremacists' counter protests. Public interest led to an exponential growth in books, documentaries, zoom seminars, and courses about racism and bias. The function of this bill is to suppress teaching about racism and sexism. It does so by banning discussion of any "form of race or sex stereotyping." This prohibition applies to state and municipal governments, and all public schools, private schools and colleges receiving state funding. The ban also applies to the internal operations of businesses with state contracts, which would likely result in fewer bidders and higher costs for state projects. In this time of heightened awareness about racism, this bill will tarnish the image of New Hampshire as a great place to live and work. The minority believes it also violates the First Amendment's protection of free speech, which is why we oppose this bill.

Majority Amendment (0611h)

Amend RSA 10-C:1, I as inserted by section 1 of the bill by replacing it with the following:

I. "Contractor" means any and all persons, individuals, corporations, or businesses of any kind that in any manner have entered into a contract to perform a service for, or perform a subcontract pursuant to a contract to perform a service for, or with the state of New Hampshire.

Amend RSA 10-C:2, V(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) The head of each agency shall ensure that the agency, agency employees while on duty status, and any contractors hired by the agency to provide training, workshops, forums, or similar programming to agency employees do not teach, advocate, act upon, or promote in any training to agency employees any of the divisive concepts listed in RSA 10-C:1, II; and

Amend RSA 10-C:3 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph and renumbering the original paragraph III to read as paragraph IV:

III Nothing in this chapter is meant to include as a "contract or subcontract" certain government financial assistance, including but not limited to the taking or receiving of loans, tax credits, tax incentives, tax abatements or gifts deriving from money sent from the federal government or agency designed or meant to assist during or after a declared emergency, including but not limited to health, weather, riot, civil disobedience or acts of foreign agents, or designed as economic stimulus during economic emergency.

MOTION TO LAY ON THE TABLE

Rep. Osborne moved that **HB 544**, relative to the propagation of divisive concepts, be laid on the table.

On a division vote, with 347 members having voted in the affirmative, and 18 in the negative, the motion was adopted.

REGULAR CALENDAR PART II CONT'D

HB 575, relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would permit an applicant for a license as a cosmetologist, manicurist, or esthetician to complete the training requirement either in an apprenticeship program or a school. While current statute does permit an applicant to complete the training requirement through an apprenticeship it requires twice as many hours in an apprenticeship program than in a school. If this bill is adopted, the number of training hours would be the same for a school or apprenticeship program. The bill also makes it clear that the apprenticeship program must be one approved by the board. In current statute, approval is not required for apprenticeship programs for cosmetologists although it is required for manicurists and estheticians. In either case, the applicant must pass an examination conducted by the board. This would especially benefit those who must work and/or raise a family while training for a new career. It is often not possible for such people to put their lives on hold in order to attend a school full time. An apprenticeship program can offer more schedule flexibility and changing the hours required in such a program the same as those required in a school would reduce the burden on such people. Another potential benefit to an apprenticeship program is that the applicant is likely to receive more hands on practical training than in a school. Vote 10-9.

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

On a division vote, with 203 members having voted in the affirmative, and 160 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 606, exempting services provided without remuneration from license requirements for barbering, cosmetology, and esthetics. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Alliegro for the Majority of Executive Departments and Administration. Under current New Hampshire law, it is illegal to cut your daughter's hair or file your grandmother's fingernails. This bill remedies such regulatory overreach by stipulating that a person may provide barbering, cosmetology, or esthetics services without payment and not be in violation of the law. This bill does not affect licensure requirements for paid, professional service providers. Opponents warned that this change would put the public at risk from the unauthorized use of dangerous chemicals such as shampoo and hair coloring, or transmissible disease, but no evidence in support of this claim was presented during hearings or deliberation. It was also argued that selective law enforcement renders this bill unnecessary. It is not government's role to interfere with the highly personal acts mentioned in this summary. The adoption of HB 606 is a small step in restoring the inalienable right of caring for one another. Vote 10-8.

Rep. Jeffrey Goley for the Minority of Executive Departments and Administration. Supporters of this bill believe that under the current RSA a parent who cuts a child's hair or someone who helps a neighbor color their hair is breaking the law. But there is no documented evidence that this type of enforcement has ever been practiced. The bill as written would allow anyone to practice barbering, cosmetology, or esthetics provided there is no remuneration. Testimony from professionals was that an untrained person doing these procedures may not be as conscientious about necessary sanitation or not trained in the possible dangers of chemicals involved and could subject the recipient to severe chemical burns or injuries. The minority believes this bill should be voted ITL as it is trying to solve a problem that does not exist.

MOTION TO LAY ON THE TABLE

Rep. Grote moved that **HB 606**, exempting services provided without remuneration from license requirements for barbering, cosmetology, and esthetics, be laid on the table.

On a division vote, with 176 members having voted in the affirmative, and 192 in the negative, the motion failed.

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

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

On a division vote, with 200 members having voted in the affirmative, and 166 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 131, relative to reporting of health care associated infections. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Woods for the Majority of Health, Human Services and Elderly Affairs. This bill is an update to the review process for residential care and health care facility licensing. First, two measures are being eliminated. This means these measures no longer must be reported as they have reached 90% -95% compliance over several years' review. Nevertheless, these measures will still be monitored during the usual, periodic site evaluation. Second, reporting rates of influenza vaccination will continue to enable awareness of the level of protection against outbreaks in these facilities. This is not a mandate to vaccinate. This is only a monitoring measure to increase awareness. Third is the insertion of the word "measures" in two other sections of the RSA to make it consistent with the wording already in RSA 151:33,II(b) and used by the Centers for Disease Control and Prevention, Centers for Medicare and Medicaid Services Hospital Inpatient Quality Reporting Program, and the National Quality Forum. These last-mentioned federal agencies are cited as providing referenced guidelines going forward but are not referenced as mandatory standards to be incorporated directly. Vote 17-3.

Rep. Leah Cushman for the Minority of Health, Human Services and Elderly Affairs. The minority opposes this bill. It changes statute to allow tracking and reporting of "measures" for infection control. The minority believes the term "measures" is too broad. It would allow the Department of Health and Human Services to require medical facilities to collect information on uptake rates of any immunizations for employees and patients. Currently, the only vaccination rates explicitly permitted by statute to be tracked and reported are influenza vaccination rates. Aware of the surveillance, employers will likely pressure individual employees to take any vaccinations of which rates are being monitored, even those for which there is no evidence of healthcare-associated outbreaks, such as Human Papillomavirus (HPV). Many healthcare workers, residents, and patients do not want to receive certain vaccines for different reasons, and this monitoring, and related pressure from employers and facility administrators, may drive some healthcare workers to leave the field. This bill also requires NH reporting protocols to conform with the protocols of federal agencies and gives control of the state's protocols to individuals or groups not elected by NH voters. There is no legislative oversight as to what can be required, thus the minority recommends that this bill be Inexpedient to Legislate.

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

Rep. Kofalt spoke against.

Rep. Woods spoke in favor.

Rep. Johnson requested a roll call; sufficiently seconded.

YEAS 230 - NAYS 130**YEAS - 230
BELKNAP**

Lang, Timothy

Buco, Thomas
MacDonald, John
McConkey, MarkAbbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Toll, AmandaCraig, Kevin
Laflamme, LarryAbel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, GeorgeBouldin, Amanda
Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim
Espitia, Manny
Hamer, Heidi
Herbert, Christopher
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Moran, Melbourne
Pedersen, Michael
Plett, Fred
Rouillard, Claire
Snow, Kendall
Vail, Suzanne
Wilhelm, MatthewAllard, James
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Wolf, DanAbbas, Daryl
Bunker, Lisa
DeSimone, Debra
Edgar, Michael
Grote, Jaci
Janigian, John
Lynn, Bob
Malloy, Dennis
Meuse, David
Prudhomme-O'Brien, Katherine
Somssich, Peter
Tudor, Paul
Weyler, KennethBurroughs, Anita
Knirk, Jerry
Nelson, BillAmes, Richard
Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Weber, LucyDavis, Arnold
Merner, TroyAdjutant, Joshua
Egan, Timothy
Ham, Bonnie
Murphy, James
Weston, JoyceBouldin, Andrew
Bergeron, Paul
Cohen, Bruce
Smith, Denise
Freitas, Mary
Harriott-Gathright, Linda
Hyland, Stephanie
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Mullen, Sue
Perez, Maria
Porter, Marjorie
Rung, Rosemarie
Stevens, Deb
Van Houten, ConstanceBartlett, Christy
Gallager, Eric
Mason, James
Richards, Beth
Schultz, Kristina
Walsh, Thomas
Woods, GaryAbrami, Patrick
Cahill, Michael
DiLorenzo, Charlotte
Emerick, Tracy
Guthrie, Joseph
Murray, Kate
Griffin, Mary
McBeath, Rebecca
Milz, David
Read, Ellen
Sweeney, Joe
MacDonald, Wayne**CARROLL**Crawford, Karel
Marsh, William
Umberger, Karen**CHESHIRE**Berch, Paul
Fenton, Donovan
Hunt, John
Rhodes, Jennifer
Welkowitz, Lawrence**COOS**Dostie, Donald
Theberge, Robert**GRAFTON**Almy, Susan
Fellows, Sallie
Ladd, Rick
Stavis, Laurel**HILLSBOROUGH**Griffin, Barbara
Bouchard, Donald
Connors, Erika
DiSilvestro, Linda
Graham, John
Healey, Robert
Schmidt, Janice
Labranche, Tony
Long, Patrick
Mayville, Mary
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Newman, Sue
Telerski, Laura
Vann, Ivy**MERRIMACK**Caplan, Tony
Klose, John
McWilliams, Rebecca
Rogers, Katherine
Shurtleff, Steve
Walz, Mary Beth**ROCKINGHAM**Acton, Dennis
Cali-Pitts, Jacqueline
Dolan, Tom
Gilman, Julie
Hamblet, Joan
Khan, Aboul
Pearson, Mark
McBride, Everett
Packard, Sherman
Pearson, Stephen
Sytek, John
Ward, GeraldDeshaies, Brodie
McAlear, Chris
Woodcock, StephenBordenet, John
Fox, Dru
Ley, Douglas
Schapiro, JoeKelley, Eamon
Tucker, EdithDepalma IV, Joseph
Gordon, Edward
Massimilla, Linda
Smith, SuzanneBaroody, Benjamin
Bradley, Amy
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jack, Martin
Lascalles, Richard
King, Mark
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Toomey, Dan
Veilleux, DanielEbel, Karen
Lane, Connie
Pearl, Howard
Schamberg, Thomas
Soucy, Timothy
Wazir, SafiyaAltschiller, Debra
Cushing, Robert Renny
Doucette, Fred
Grossman, Gaby
Harb, Robert
Loughman, Tom
Maggiore, Jim
McMahon, Charles
Paige, Mark
Simpson, Alexis
Tripp, Richard
Welch, David

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Groen, Fenton
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Conley, Casey
Gourgue, Amanda
Kenney, Cam
Rich, Cecilia
Treleven, Susan

Callum, John
O'Hearne, Andrew
Sullivan, Brian

Cloutier, John
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Spilsbury, Walter

Merchant, Gary
Stapleton, Walter

SULLIVAN**NAYS - 130****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
Trottier, Douglas

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

CHESHIRE

Qualey, James

Santonastaso, Matthew

GRAFTON

Alliegro, Mark
Sanborn, Gail

Berezhny, Lex
Greeson, Jeffrey

Binford, David
Simon, Matthew

Folsom, Beth

HILLSBOROUGH

Lekas, Alicia
Blasek, Melissa
Kelley, Diane
Gagne, Larry
Gunski, Michael
Kelsey, Niki
Lanzara, Tom
Mooney, Maureen
Post, Lisa
Rice, Kimberly
Ulery, Jordan

Alexander, Joe
Boehm, Ralph
Erf, Keith
Gorski, Ted
Homola, Susan
Kofalt, Jim
Lewicke, John
Notter, Jeanine
Prout, Andrew
Sheehan, Vanessa
Warden, Mark

Ammon, Keith
Burt, John
Foster, William
Gould, Linda
Hopper, Gary
Ober, Lynne
Marston, Dick
Nunez, Hershel
Ober, Russell
Somero, Paul

King, Bill
Cushman, Leah
Griffin, Gerald
Greene, Bob
Infantine, William
Sanborn, Laurie
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

Andrus, Louise
McGuire, Carol
Testerman, Dave

Boyd, Stephen
Moffett, Michael
Wells, Natalie

Cambrils, Jose
Pitaro, Matthew
White, Nick

Hill, Gregory
Seaworth, Brian
Yakubovich, Michael

MERRIMACK**ROCKINGHAM**

Abramson, Max
Belanger, Cody
Dodge, Dustin
Gay, Betty
Katsakiores, Phyllis
Melvin, Charles
Pratt, Kevin
Thomas, Douglas
Vose, Michael

Ayer, Paul
Bernardy, JD
Edwards, Jess
Green, Dennis
Layon, Erica
Osborne, Jason
Roy, Terry
Torosian, Peter
Wallace, Scott

Baldasaro, Al
Bershtein, Alan
Elliott, Robert
Harley, Tina
Litchfield, Melissa
Piemonte, Tony
Soti, Julius
True, Chris
Yokela, Josh

Baxter, Tim
Copp, Anne
Ford, Oliver
Hobson, Deborah
Love, David
Potucek, John
Spillane, James
Verville, Kevin

STRAFFORD

Ankarberg, Aidan
Hayward, Peter
Pitre, Joseph

Bailey, Glenn
Kaczynski, Thomas
Turcotte, Leonard

DeLemus, Susan
Kittredge, Mac
Wuelper, Kurt

Harrington, Michael
Newton, Clifford

SULLIVAN

Aron, Judy

Rollins, Skip

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

HB 143, relative to an electronic prescription drug program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Merchant for the Majority of Health, Human Services and Elderly Affairs. There are two parts to this bill: 1. electronic prescribing of controlled substances and, 2. clinical alerts. The nation and

the state face an ongoing opioid and substance abuse crisis. Written paper prescriptions for controlled substances provide a substantial opportunity to divert opioids and other controlled medications from pharmacy-shopping via a fake, written prescription created from stolen provider prescription pads or via altering amounts. In 2018, Congress passed the SUPPORT Act prohibiting providers from using paper prescriptions and required secure prescription of controlled substances to minimize diversion to address the nation's crisis. Federal law applies to controlled medications paid for by a Medicare Part D drug plan. This bill requires a prescriber to electronically prescribe all prescriptions for controlled substances regardless of the payment source, including cash, the typical payment used to pay for fake prescriptions. Recently, the company Practice Infusion paid \$145 million to resolve a criminal and civil investigation by the US Department of Justice related to an illegal arrangement with a major opioid manufacturer. Practice Fusion received payments from the manufacturer to create and implement Clinical Decision Support alerts used by providers. One alert included a recommendation to use an opioid therapy treatment option that included the opioid made by the manufacturer. This bill adds language to the Commercial Protection Act prohibiting such deceptive practice. Vote 19-2.

Rep. Jim Kofalt for the Minority of Health, Human Services and Elderly Affairs. Current law entitles patients to a paper prescription, making it possible to compare prices from more than one pharmacy. This bill would impose new mandates on medical providers and limit price transparency for patients, notably uninsured and under-insured people.

Majority Amendment (0444h)

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Pharmacists and Pharmacies; Prescriptions. Amend RSA 318:47-c by inserting after paragraph II the following new paragraph:

III.(a) Notwithstanding any provision of law to the contrary, no person shall issue a prescription for a controlled drug unless the prescription is made by electronic prescription from the person issuing the prescription to a pharmacy and the electronic prescription contains the information and signature required in paragraph II, except for prescriptions issued:

(1) In circumstances where electronic prescribing is not available due to temporary technological or electrical failure.

(2) By a practitioner to be dispensed by a pharmacy located outside of New Hampshire, provided that such pharmacy complies with the laws and regulations of the state where the pharmacy is located.

(3) When the prescriber is the dispenser.

(4) By a practitioner for a drug that the federal Food and Drug Administration (FDA) requires the prescription to contain certain elements that are not able to be accomplished with electronic prescribing.

(5) By practitioners who have received a waiver or a renewal thereof for a specified period determined by the practitioner's licensing board, not to exceed one year, from the requirement to use electronic prescribing, pursuant to a process established in rules of the board, due to economic hardship, technological limitations that are not reasonably within the control of the practitioner, or other exceptional circumstance demonstrated by the practitioner.

(6) In circumstances where electronic prescribing is not available due to RSA 318-B:2, VI-a.

(7) For a compounded prescription for a hospice patient or in circumstances where access to electronic prescribing technology is temporarily unavailable to electronically prescribe a controlled drug for a hospice patient.

(8) By a veterinarian, until such time that the New Hampshire board of veterinary medicine determines that electronic prescribing software is widely available for veterinarians and notifies the pharmacy board. The board of veterinary medicine shall at least annually make such a determination.

(b) A pharmacist who receives a written, oral, or faxed prescription shall not be required to verify that the prescription properly falls under one of the exceptions under subparagraph (a). Pharmacists may continue to dispense medications from otherwise valid written, oral, or faxed prescriptions that are consistent with this section.

Majority committee amendment adopted.

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

YEAS 243 - NAYS 114

**YEAS - 243
CARROLL**

Buco, Thomas
MacDonald, John
McConkey, Mark

Burroughs, Anita
Knirk, Jerry
Nelson, Bill

Crawford, Karel
Marsh, William
Umberger, Karen

Deshaies, Brodie
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Harvey, Cathryn
Parshall, Lucius
Welkowitz, Lawrence

Berch, Paul
Fenton, Donovan
Hunt, John
Schapiro, Joe

Bordenet, John
Fox, Dru
Ley, Douglas
Toll, Amanda

Eaton, Daniel
Gomarlo, Jennie
Mann, John
Weber, Lucy

COOS

Davis, Arnold
Merner, Troy

Dostie, Donald
Theberge, Robert

Kelley, Eamon
Tucker, Edith

Laflamme, Larry

GRAFTON

Abel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Adjutant, Joshua
Egan, Timothy
Ham, Bonnie
Murphy, James
Weston, Joyce

Almy, Susan
Fellows, Sallie
Ladd, Rick
Stavis, Laurel

Depalma IV, Joseph
Gordon, Edward
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Alexander, Joe
King, Bill
Bouchard, Donald
Connors, Erika
DiSilvestro, Linda
Gagne, Larry
Graham, John
Healey, Robert
Infantine, William
Klein-Knight, Nicole
Laughton, Stacie-Marie
Murray, Megan
Moran, Melbourne
Pedersen, Michael
Plett, Fred
Rice, Kimberly
Shaw, Barbara
Toomey, Dan
Vann, Ivy

Bouldin, Amanda
Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Griffith, Willis
Heath, Mary
Schmidt, Janice
Labranche, Tony
Leishman, Peter
Mangipudi, Latha
Mullen, Sue
Perez, Maria
Porter, Marjorie
Rouillard, Claire
Snow, Kendall
Ulery, Jordan
Veilleux, Daniel

Bouldin, Andrew
Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim
Espitia, Manny
Gorski, Ted
Hamer, Heidi
Homola, Susan
Jack, Martin
Langley, Diane
Long, Patrick
Mayville, Mary
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Griffin, Barbara
Bergeron, Paul
Cohen, Bruce
Smith, Denise
Freitas, Mary
Gould, Linda
Harriott-Gathright, Linda
Hyland, Stephanie
Klee, Patricia
Lascelles, Richard
King, Mark
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Ray
Newman, Sue
Telerski, Laura
Van Houten, Constance

MERRIMACK

Allard, James
Ellison, Arthur
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gallager, Eric
Mason, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Caplan, Tony
Klose, John
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Ebel, Karen
Lane, Connie
Pitaro, Matthew
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Cali-Pitts, Jacqueline
Dolan, Tom
Gay, Betty
Guthrie, Joseph
Murray, Kate
Lynn, Bob
Malloy, Dennis
Meuse, David
Prudhomme-O'Brien, Katherine
Somssich, Peter
Tripp, Richard
Welch, David

Abrami, Patrick
Baxter, Tim
Cushing, Robert Renny
Doucette, Fred
Gilman, Julie
Hamblet, Joan
Katsakiores, Phyllis
Griffin, Mary
McBeath, Rebecca
Milz, David
Read, Ellen
Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

Acton, Dennis
Bunker, Lisa
DeSimone, Debra
Edgar, Michael
Grossman, Gaby
Harb, Robert
Khan, Aboul
Pearson, Mark
McBride, Everett
Packard, Sherman
Pearson, Stephen
Sytek, John
MacDonald, Wayne

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Ford, Oliver
Grote, Jaci
Janigian, John
Loughman, Tom
Maggiore, Jim
McMahon, Charles
Paige, Mark
Simpson, Alexis
Thomas, Douglas
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Groen, Fenton
Kenney, Cam
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Hayward, Peter
Kittredge, Mac
Pitre, Joseph
Spang, Judith
Wuelper, Kurt

Conley, Casey
Gourgue, Amanda
Horgan, James
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Spilsbury, Walter

Merchant, Gary
Stapleton, Walter

O'Hearne, Andrew
Sullivan, Brian

NAYS - 114**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

CHESHIRE

Ames, Richard

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

GRAFTON

Alliegro, Mark
Sanborn, Gail

Berezhny, Lex
Greeson, Jeffrey

Binford, David
Simon, Matthew

Folsom, Beth

HILLSBOROUGH

Lekas, Alicia
Burt, John
Foster, William
Hopper, Gary
Lanzara, Tom
Mooney, Maureen
Post, Lisa
Sheehan, Vanessa

Ammon, Keith
Cushman, Leah
Griffin, Gerald
Kelsey, Niki
Lewicke, John
Notter, Jeanine
Prout, Andrew
Somero, Paul

Blasek, Melissa
Kelley, Diane
Greene, Bob
Kofalt, Jim
Marston, Dick
Nunez, Hershel
Ober, Russell
Lekas, Tony

Boehm, Ralph
Erf, Keith
Gunski, Michael
Ober, Lynne
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Warden, Mark

MERRIMACK

Andrus, Louise
McGuire, Carol
Testerman, Dave
Yakubovich, Michael

Boyd, Stephen
Moffett, Michael
Walsh, Thomas

Cambrils, Jose
Pearl, Howard
Wells, Natalie

Hill, Gregory
Seaworth, Brian
White, Nick

ROCKINGHAM

Abramson, Max
Bershtein, Alan
Elliott, Robert
Layon, Erica
Osborne, Jason
Roy, Terry
Verville, Kevin

Baldasaro, Al
Copp, Anne
Green, Dennis
Litchfield, Melissa
Piemonte, Tony
Soti, Julius
Vose, Michael

Belanger, Cody
Dodge, Dustin
Harley, Tina
Love, David
Potucek, John
Spillane, James
Wallace, Scott

Bernardy, JD
Edwards, Jess
Hobson, Deborah
Melvin, Charles
Pratt, Kevin
Torosian, Peter
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Kaczynski, Thomas

Bailey, Glenn
Newton, Clifford

DeLemus, Susan
Turcotte, Leonard

Harrington, Michael

SULLIVAN

Aron, Judy

Callum, John

Rollins, Skip

and the majority committee report was adopted and the bill was ordered to third reading.
Rep. Labranche voted Yea and intended to vote Nay.

HB 163-FN, relative to cannabis use during pregnancy. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for the Majority of Health, Human Services and Elderly Affairs. This bill directs the Department of Health and Human Services to create a poster and make information available at dispensaries regarding the use of cannabis while pregnant or lactating, accidental poisoning, and, use during adolescence. This parallels the information currently being made available in Colorado dispensaries. As cannabis has been made available for therapeutic use by the General Court, and not by the FDA, it becomes incumbent upon the General Court to provide consumers with information, just like the FDA provides package inserts for prescription drugs. We know from a June 2019 study in the Journal of the American Medical Association (JAMA) that

the rate of pre-term birth among reported cannabis users was 12% vs. 6% in non-users. We also know from a June 2018 study in Obstetrics Gynecology that 69% of dispensaries in Colorado recommend cannabis for first trimester morning sickness. Surgeon General Jerome Adams has expressed concern about subsequent learning disabilities, and about the risk of accidental poisoning, particularly with edibles. The amendment clarifies language as recommended by the therapeutic cannabis medical oversight board. Vote 18-3.

Rep. Leah Cushman for the Minority of Health, Human Services and Elderly Affairs. The minority does not support this bill. While it is important for patients to be informed of the benefits and risks of a medication, and in this case, the therapeutic use of cannabis, the responsibility of providing informed consent is already required of medical providers. It is unusual for risk counseling for a specific medication to be mandated by statute. The minority believes the nature of the discussion on cannabis use should be between the prescriber and the patient, and the bill allows government to micro-manage medical practice. Therefore the minority believes this bill should be inexpedient to legislate.

Majority Amendment (0238h)

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

3 New Paragraph; Use of Cannabis for Therapeutic Purposes; Departmental Rules. Amend RSA 126-X:6 by inserting after paragraph V the following new paragraph:

VI. The department shall adopt rules, pursuant to RSA 541-A, to document that counseling has been provided by the certifying provider to all women of child-bearing age and adolescents 25 years of age or less, and the parent or guardian of a patient less than age 18, about the risks of cannabis use in adolescence, during pregnancy, and while breastfeeding, prior to issuing or reissuing a therapeutic cannabis card to such individuals.

4 New Subparagraphs; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers; Requirements. Amend RSA 126-X:8, XVI(c) by inserting after subparagraph (6) the following new subparagraphs:

(7) Information about the risks of cannabis use during pregnancy and while breastfeeding, as outlined by the therapeutic cannabis medical oversight board. Such information shall include the posting of an informational poster regarding the risks of cannabis use during pregnancy and while breastfeeding in a conspicuous location at the alternative treatment center's dispensary location.

(8) Information regarding safe storage and disposal of cannabis and paraphernalia to prevent accidental poisonings, including the contact information for the Northern New England Poison Control Center.

(9) Information about the risks of cannabis use in adolescence as outlined by the therapeutic cannabis medical oversight board. Such information shall include the posting of an informational poster on the risks of cannabis use in adolescence in a conspicuous location at the alternative treatment center's dispensary location. Majority committee amendment adopted.

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

YEAS 255 - NAYS 101

YEAS - 255 BELKNAP

Bordes, Mike	Howard, Raymond	Trottier, Douglas
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CARROLL

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

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Faulkner, Barry	Fenton, Donovan	Fox, Dru
Gomarlo, Jennie	Harvey, Cathryn	Hunt, John	Ley, Douglas
Mann, John	Parshall, Lucius	Schapiro, Joe	Toll, Amanda
Weber, Lucy	Welkowitz, Lawrence		

COOS

Davis, Arnold	Dostie, Donald	Kelley, Eamon	Lafamme, Larry
Merner, Troy	Theberge, Robert	Tucker, Edith	

GRAFTON

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

HILLSBOROUGH

Alexander, Joe
Griffin, Barbara
Bergeron, Paul
Cohen, Bruce
Smith, Denise
Freitas, Mary
Griffith, Willis
Heath, Mary
Schmidt, Janice
Labranche, Tony
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Perez, Maria
Porter, Marjorie
Rouillard, Claire
Sheehan, Vanessa
Toomey, Dan
Vann, Ivy

Bouldin, Amanda
King, Bill
Bouchard, Donald
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Hamer, Heidi
Homola, Susan
Jack, Martin
Langley, Diane
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Snow, Kendall
Ulery, Jordan
Veilleux, Daniel

Ammon, Keith
Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Dutzy, Sherry
Gould, Linda
Harriott-Gathright, Linda
Hyland, Stephanie
Klee, Patricia
Lanzara, Tom
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Ray
Newman, Sue
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim
Espitia, Manny
Graham, John
Healey, Robert
Infantine, William
Klein-Knight, Nicole
Lascalles, Richard
King, Mark
Moran, Melbourne
Pedersen, Michael
Plett, Fred
Rice, Kimberly
Shaw, Barbara
Telerski, Laura
Van Houten, Constance

MERRIMACK

Allard, James
Ebel, Karen
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan

Bartlett, Christy
Ellison, Arthur
MacKay, James
Pitaro, Matthew
Schultz, Kristina
Walz, Mary Beth
Woods, Gary

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

Caplan, Tony
Klose, John
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wells, Natalie

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Cushing, Robert Renny
Doucette, Fred
Gay, Betty
Guthrie, Joseph
Murray, Kate
Loughman, Tom
McBeath, Rebecca
Milz, David
Pratt, Kevin
Simpson, Alexis
Tudor, Paul
Weyler, Kenneth

Abrami, Patrick
Bunker, Lisa
DeSimone, Debra
Edgar, Michael
Gilman, Julie
Hamblet, Joan
Katsakiores, Phyllis
Pearson, Mark
McBride, Everett
Packard, Sherman
Prudhomme-O'Brien, Katherine
Somssich, Peter
MacDonald, Wayne

Acton, Dennis
Cahill, Michael
DiLorenzo, Charlotte
Elliott, Robert
Grossman, Gaby
Harb, Robert
Khan, Aboul
Maggiore, Jim
McMahon, Charles
Paige, Mark
Read, Ellen
Sweeney, Joe
Ward, Gerald

Altschiller, Debra
Cali-Pitts, Jacqueline
Dolan, Tom
Ford, Oliver
Grote, Jaci
Janigian, John
Litchfield, Melissa
Malloy, Dennis
Meuse, David
Potucek, John
Pearson, Stephen
Tripp, Richard
Welch, David

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Horrigan, Timothy
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Groen, Fenton
Kenney, Cam
Pitre, Joseph
Spang, Judith
Wuelper, Kurt

Chase, Wendy
Fontneau, Timothy
Hayward, Peter
Smith, Marjorie
Rich, Cecilia
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Horgan, James
Newton, Clifford
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Callum, John
O'Hearne, Andrew
Stapleton, Walter

Cloutier, John
Oxenham, Lee
Sullivan, Brian

Gottling, Suzanne
Rollins, Skip
Tanner, Linda

Merchant, Gary
Spilsbury, Walter

NAYS - 101**BELKNAP**

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

Bean, Harry
Johnson, Dawn
O'Hara, Travis
Terry, Paul

Comtois, Barbara
Lang, Timothy
Ploszaj, Tom

Harvey-Bolia, Juliet
Littlefield, Richard
Silber, Norman

CARROLL

Avellani, Lino

Smith, Jonathan

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

GRAFTON

Berezhny, Lex

Binford, David

HILLSBOROUGHLekas, Alicia
Cushman, Leah
Griffin, Gerald
Hopper, Gary
Lewicke, John
Mooney, Maureen
Prout, Andrew
Lekas, TonyBlasek, Melissa
Kelley, Diane
Gorski, Ted
Kelsey, Niki
Marston, Dick
Nunez, Hershel
Ober, Russell
Warden, MarkBoehm, Ralph
Erf, Keith
Greene, Bob
Kofalt, Jim
Mayville, Mary
Pauer, Diane
Renzullo, AndrewBurt, John
Foster, William
Gunski, Michael
Ober, Lynne
McLean, Mark
Post, Lisa
Somero, Paul**MERRIMACK**Andrus, Louise
Moffett, Michael
Walsh, ThomasCambrils, Jose
Pearl, Howard
White, NickHill, Gregory
Seaworth, Brian
Yakubovich, MichaelMcGuire, Carol
Testerman, Dave**ROCKINGHAM**Abramson, Max
Bernardy, JD
Edwards, Jess
Layon, Erica
Melvin, Charles
Soti, Julius
Torosian, Peter
Wallace, ScottBaldasaro, Al
Bershtein, Alan
Green, Dennis
Love, David
Osborne, Jason
Spillane, James
True, Chris
Yokela, JoshBaxter, Tim
Copp, Anne
Harley, Tina
Lynn, Bob
Piemonte, Tony
Sytek, John
Verville, KevinBelanger, Cody
Dodge, Dustin
Hobson, Deborah
Griffin, Mary
Roy, Terry
Thomas, Douglas
Vose, Michael**STRAFFORD**Ankarberg, Aidan
Kaczynski, ThomasBailey, Glenn
Kittredge, MacDeLemus, Susan
Turcotte, Leonard

Harrington, Michael

SULLIVAN

Aron, Judy

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

HB 185-FN, removing the work requirement of the New Hampshire granite advantage health care program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Schapiro for the Majority of Health, Human Services and Elderly Affairs. The work/community engagement requirement, a good faith compromise when it was enacted in 2018, was part of a five-year renewal of Expanded Medicaid, renamed the New Hampshire Granite Advantage Health Care Program. Since that time, the landscape has changed dramatically. In July of 2019, Governor Sununu delayed implementation of the work requirement due to difficulties contacting and signing up eligible Medicaid recipients. It would later be reported by the US Government Accountability Office that the unsuccessful attempt at implementation had cost a total of \$4.4 million, with \$187,000 in state funds and the rest in federal dollars. Later that month, a federal judge ruled that the Department of US Health and Human Services had misused its authority in approving the new requirement, halting any further attempts at implementation. Similar work requirements in Arkansas and Kentucky were also struck down. Now, in the midst of a pandemic, Covid 19 presents further ethical, practical, and public health impediments to implementation. The initial intent of this statute was never to deny people health care coverage, but rather to encourage self-reliance and independence. Nevertheless, it is now clear to the majority that this policy puts residents' health at risk, is legally questionable, administratively unworkable, and presents an enormous financial liability for the state of New Hampshire. Vote 11-10.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. The minority appreciates the bipartisan coalition which passed SB 313 establishing the Granite Advantage Program. The minority recognizes that tweaks to programs may need to be made on a data-driven basis as programs are implemented, but does not agree that the repeal of the work requirement is supported by data, especially as this requirement is suspended due to the Covid-19 pandemic. The minority recognizes this bipartisan coalition no longer exists. Repeal of the work requirement opens the door to subsequent changes to the Medicaid Expansion Program based solely on changes in the political climate in New Hampshire. Various providers who might be inclined to create programs expecting stability in reimbursement through Medicaid Expansion for five years might well decide to forego capital investments without that stability. Given the need to expand programs addressing behavioral health, discouraging capital investments in healthcare is very much not in the interest of the state of New Hampshire. If the work requirement successfully allows 1% of participants (500) to lift themselves out of poverty, and those participants lose their eligibility for Medicaid Expansion due to their increased income, the minority believes that would validate the efficacy of the work requirement. For these reasons, the minority recommends this bill be found Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Mark Pearson moved that **HB 185-FN**, removing the work requirement of the New Hampshire granite advantage health care program, be laid on the table.

Rep. Weber requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 155**YEAS - 203****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
MacDonald, John
Nelson, Bill

Cordelli, Glenn
Smith, Jonathan
Umberger, Karen

Crawford, Karel
Marsh, William

Deshaiies, Brodie
McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin
Theberge, Robert

Davis, Arnold
Tucker, Edith

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
Creighton, Jim
Erf, Keith
Gorski, Ted
Gunski, Michael
Infantine, William
Langley, Diane
Lewicke, John
McLean, Mark
Pauer, Diane
Ober, Russell
Shaw, Barbara
Warden, Mark

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lanzara, Tom
Marston, Dick
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Sheehan, Vanessa

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lanzara, Tom
Mayville, Mary
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Griffin, Barbara
Burt, John
Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Lascelles, Richard
McGhee, Kat
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

MERRIMACK

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

Andrus, Louise
Klose, John
Pimentel, Roderick
Walsh, Thomas
Yakubovich, Michael

Boyd, Stephen
McGuire, Carol
Pitaro, Matthew
Wells, Natalie

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

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Ford, Oliver
Grote, Jaci
Hobson, Deborah
Layon, Erica
Griffin, Mary
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Verville, Kevin
Welch, David

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Gay, Betty
Guthrie, Joseph
Janigian, John
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Vose, Michael
Weyler, Kenneth

Abramson, Max
Baxter, Tim
Copp, Anne
Doucette, Fred
Gilman, Julie
Harb, Robert
Katsakiores, Phyllis
Love, David
Maggiore, Jim
Milz, David
Potucek, John
Simpson, Alexis
Sytek, John
True, Chris
MacDonald, Wayne
Yokela, Josh

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Elliott, Robert
Green, Dennis
Harley, Tina
Khan, Aboul
Lynn, Bob
McBride, Everett
Osborne, Jason
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Groen, Fenton
Kaczynski, Thomas
Salloway, Jeffrey

Bailey, Glenn
Harrington, Michael
Kittredge, Mac
Turcotte, Leonard

Conley, Casey
Hayward, Peter
Newton, Clifford
Wuelper, Kurt

DeLemus, Susan
Horgan, James
Pitre, Joseph

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Spilsbury, Walter

Merchant, Gary
Stapleton, Walter

O'Hearne, Andrew

NAYS - 155**CARROLL**

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon

Lafamme, Larry

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

Dontonville, Roger
Ham, Bonnie
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Hyland, Stephanie
Klein-Knight, Nicole
King, Mark
Mullen, Sue
Perez, Maria
Query, Joshua
Snow, Kendall
Toomey, Dan
Veilleux, Daniel

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Schmidt, Janice
Labranche, Tony
Murray, Megan
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Somero, Paul
Vail, Suzanne
Wilhelm, Matthew

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Loughton, Stacie-Marie
Mangipudi, Latha
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Stevens, Deb
Van Houten, Constance

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Klee, Patricia
Long, Patrick
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Telerski, Laura
Vann, Ivy

MERRIMACK

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schultz, Kristina
Walz, Mary Beth

Caplan, Tony
Lane, Connie
Richards, Beth
Shurtleff, Steve
Wazir, Safiya

Ebel, Karen
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Ellison, Arthur
Mason, James
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Hamblet, Joan
McBeath, Rebecca
Roy, Terry

Bunker, Lisa
DiLorenzo, Charlotte
Murray, Kate
Meuse, David
Somssich, Peter

Cahill, Michael
Edgar, Michael
Loughman, Tom
Paige, Mark
Ward, Gerald

Cali-Pitts, Jacqueline
Grossman, Gaby
Malloy, Dennis
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Chase, Wendy
Gourgue, Amanda
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Spang, Judith

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

Sullivan, Brian

and the motion was adopted.

REGULAR CALENDAR PART II CONT'D

HB 295, relative to initiating amendments and corrections to birth records. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gerri Cannon for the Majority of Health, Human Services and Elderly Affairs. RSA 5-C:87,V, enacted in 2005 to allow sex changes, didn't include how changes to birth records would be made. This bill as amended standardizes information required by the NH Vital Records office and city or town clerk's offices when sex change amendments to birth records are requested for NH born citizens. The bill reduces the time, effort and costs required to process applicant requests by requiring a licensed health care provider's notarized statement that in their professional opinion the individual's gender is male or female and can be reasonably expected to continue as such for the foreseeable future. The original birth certificate will be retained by the clerk and vital records offices and a new birth certificate with the gender changed to male or female will be issued to the requestor. Vote 11-10.

Rep. Mark Pearson for the Minority of Health, Human Services and Elderly Affairs. This bill seeks to erase the reality of biological sex from government records. The minority believes that sex is an objective fact of human life. The notion that sex is merely an arbitrary social construct is patently false, and the state of New Hampshire should not endorse that view by passing this bill. While transgender people have a legal right to live according to their identity and conscience, accurately listing a transgender person's biological sex on his or her birth certificate does not impose upon that right. The minority also notes with concern that a New Hampshire school board recently used a similar 2019 law, relative to driver's licenses, to justify integrating biological males and females in school athletics. The minority notes that denying the reality of biological sex is increasingly leading to cruel impositions by the government on female athletes who do not share the beliefs of extreme gender activists. The minority believes that birth certificates should accurately note what they always have noted: facts, not feelings; real data, not self-perceptions. Prince Harry may have come to love America, his new home, and might even want to become our President one day, but his birth certificate correctly notes he was born in London, and is therefore constitutionally disqualified from being President, whatever his feelings on the matter. A healthy woman may perceive herself to be entitled to healthcare benefits from Medicare, but her birth certificate correctly says she's 59, not 65. A guy may wish his biological parents were two famous movie stars and would feel better about himself were their names listed on his birth certificate, but they are not his parents. Anyone may craft various instruments to reflect that with which they identify, but the birth certificate is correctly not one of those instruments. Usable data for individuals and groups are gleaned from birth certificates so they must be accurate with changes made only if the original certificate had factual errors. Birth certificates should reflect objective facts.

Majority Amendment (0608h)

Amend RSA 5-C:87, V(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The individual shall surrender any prior birth record issued by the state of New Hampshire in the individual's possession. The original birth record shall be retained by the city or town of birth. The city or town clerk shall submit the individual's application, the health care provider's certification, and a certified copy of the original birth record to the state registrar for review. Upon approval by the state registrar, the city or town clerk shall issue a new birth record without a marginal note. The birth record shall reflect the gender as male or female. Amend RSA 5-C:87, V as inserted by section 1 of the bill by inserting after subparagraph (e) the following new subparagraph:

(f) On or before January 1, 2022, the secretary of state shall create and make available an application for statewide use to implement RSA 5-C:87, V.

MOTION TO LAY ON THE TABLE

Rep. Cannon moved that **HB 295**, relative to initiating amendments and corrections to birth records, be laid on the table.

On a division vote, with 352 members having voted in the affirmative, and 3 in the negative, the motion was adopted.

REGULAR CALENDAR PART II CONT'D

HB 381-FN, relative to laboratory testing. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for the Majority of Health, Human Services and Elderly Affairs. This bill enables laboratories offering laboratory testing on a direct access basis to allow individuals to order their own lab tests at their own expense without a doctor's order. It specifically provides that insurers do not have to pay for testing done in this manner. This legislation is modeled after a similar working program in Arizona. NH citizens already have access to such testing at multiple sites across NH, however the tests are sent out of state which puts our NH labs at a competitive disadvantage. The argument that we should not allow patient-ordered lab tests is flawed, as no harm has come to the public from the existing sites. The majority is aware of instances where patients want particular tests but their doctors do not agree. Allowing patients to perform these tests at their own expense may well result in a more amicable resolution than having them confront their physicians. Further, many patients have health insurance with high deductibles and co-pays. Allowing them to get routine testing done without having to see a physician first may well enable them to obtain needed health care at a lower cost. Vote 14-7.

Rep. Jerry Knirk for the Minority of Health, Human Services and Elderly Affairs. The minority agrees that patients should be empowered and encouraged in managing their health care, but this bill is overly broad, allowing any test, not just routine maintenance tests, to be ordered by a patient. Results of laboratory tests need to be interpreted in the context of the patient's history and physical examination. Lab results are often not dichotomous, with a yes or no value. There are ranges of normal to be considered. Many tests have significant false positive or false negative rates requiring confirmation with the history and physical examination or with further testing. The results of many tests, especially serologic tests, are highly dependent upon the patient's stage of illness. Unnecessary tests will likely lead to a diagnostic cascade of further testing which is costly and may expose the patient to unnecessary risk. Patients may get a result which leads them to believe they have a disease which they do not have, leading to an increased sense of poor health and changes in their behavior due to a misdiagnosis. Regardless of the language in the bill, providers have a duty to deal with any abnormal result of which they become aware, even if they did not order the test. We should not endorse a practice which is bad medical practice just because others are doing it.

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

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 264 - NAYS 89

YEAS - 264

BELKNAP

Aldrich, Glen	Bean, Harry	Bordes, Mike	Comtois, Barbara
Hough, Gregg	Howard, Raymond	Johnson, Dawn	Lang, Timothy
Littlefield, Richard	Mackie, Jonathan	O'Hara, Travis	Ploszaj, Tom
Silber, Norman	Sylvia, Michael	Terry, Paul	Trotter, Douglas

CARROLL

Avellani, Lino	Burroughs, Anita	Cordelli, Glenn	Crawford, Karel
Deshaias, Brodie	MacDonald, John	Smith, Jonathan	Marsh, William
McAleer, Chris	McConkey, Mark	Nelson, Bill	Umberger, Karen
Woodcock, Stephen			

CHESHIRE

Abbott, Michael	Faulkner, Barry	Fox, Dru	Gomarlo, Jennie
Harvey, Cathryn	Hunt, John	Ley, Douglas	Qualey, James
Rhodes, Jennifer	Santonastaso, Matthew	Toll, Amanda	

COOS

Craig, Kevin	Davis, Arnold	Dostie, Donald	Kelley, Eamon
Laflamme, Larry	Merner, Troy	Theberge, Robert	

GRAFTON

Adjutant, Joshua	Alliegro, Mark	Almy, Susan	Berezchny, Lex
Binford, David	Depalma IV, Joseph	Folsom, Beth	Sanborn, Gail
Gordon, Edward	Greeson, Jeffrey	Ham, Bonnie	Ladd, Rick
Massimilla, Linda	Muirhead, Russell	Simon, Matthew	Smith, Suzanne

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	Beaulieu, Jane	Blasek, Melissa	Boehm, Ralph
Bouchard, Donald	Bradley, Amy	Burt, John	Chretien, Jacqueline
Creighton, Jim	Cushman, Leah	Kelley, Diane	Smith, Denise
DiSilvestro, Linda	Erf, Keith	Foster, William	Griffin, Gerald
Gagne, Larry	Gorski, Ted	Gould, Linda	Graham, John
Greene, Bob	Gunski, Michael	Harriott-Gathright, Linda	Healey, Robert
Homola, Susan	Hopper, Gary	Hyland, Stephanie	Infantine, William
Jack, Martin	Kelsey, Niki	Klee, Patricia	Klein-Knight, Nicole
Kofalt, Jim	Ober, Lynne	Sanborn, Laurie	Labranche, Tony
Lanzara, Tom	Lascalles, Richard	Laughton, Stacie-Marie	Lewicke, John
Murray, Megan	Mangipudi, Latha	Marston, Dick	Mayville, Mary
McGhee, Kat	McLean, Mark	Mooney, Maureen	Moran, Melbourne
Mullen, Sue	Notter, Jeanine	Nunez, Hershel	O'Brien, Michael
Pauer, Diane	Perez, Maria	Piedra, Israel	Plett, Fred
Post, Lisa	Prout, Andrew	Query, Joshua	Newman, Ray
Ober, Russell	Renzullo, Andrew	Rice, Kimberly	Rouillard, Claire
Rung, Rosemarie	Newman, Sue	Shaw, Barbara	Sheehan, Vanessa
Snow, Kendall	Somero, Paul	Lekas, Tony	Toomey, Dan
Warden, Mark			

MERRIMACK

Allard, James
Cambrials, Jose
Hill, Gregory
Moffett, Michael
Soucy, Timothy
Wells, Natalie

Andrus, Louise
Caplan, Tony
Klose, John
Pearl, Howard
Testerman, Dave
White, Nick

Bartlett, Christy
Ellison, Arthur
Mason, James
Pimentel, Roderick
Walsh, Thomas
Wolf, Dan

Boyd, Stephen
Gallager, Eric
McGuire, Carol
Seaworth, Brian
Walz, Mary Beth
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Belanger, Cody
DeSimone, Debra
Doucette, Fred
Gay, Betty
Harley, Tina
Katsakiores, Phyllis
Loughman, Tom
Pearson, Mark
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Soti, Julius
Thomas, Douglas
Tudor, Paul
Weyler, Kenneth

Abrami, Patrick
Ayer, Paul
Bernardy, JD
DiLorenzo, Charlotte
Edwards, Jess
Green, Dennis
Hobson, Deborah
Khan, Aboul
Love, David
Maggiore, Jim
Meuse, David
Piemonte, Tony
Read, Ellen
Spillane, James
Torosian, Peter
Verville, Kevin
Yokela, Josh

Abramson, Max
Baldasaro, Al
Bershtein, Alan
Dodge, Dustin
Elliott, Robert
Grote, Jaci
Janigian, John
Layon, Erica
Lynn, Bob
McBride, Everett
Milz, David
Potucek, John
Roy, Terry
Sweeney, Joe
Tripp, Richard
Wallace, Scott

Acton, Dennis
Baxter, Tim
Copp, Anne
Dolan, Tom
Ford, Oliver
Harb, Robert
Murray, Kate
Litchfield, Melissa
Griffin, Mary
McMahon, Charles
Osborne, Jason
Pratt, Kevin
Simpson, Alexis
Sytek, John
True, Chris
Welch, David

STRAFFORD

Ankarberg, Aidan
DeLemus, Susan
Groen, Fenton
Kaczynski, Thomas
Newton, Clifford
Turcotte, Leonard

Bailey, Glenn
Ellis, Donna
Harrington, Michael
Kenney, Cam
Pitre, Joseph
Vincent, Kenneth

Bixby, Peter
Fontneau, Timothy
Hayward, Peter
Kittredge, Mac
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Grassie, Chuck
Horgan, James
Levesque, Cassandra
Spang, Judith
Wuelper, Kurt

SULLIVAN

Aron, Judy
O'Hearne, Andrew
Sullivan, Brian

Callum, John
Rollins, Skip
Tanner, Linda

Cloutier, John
Spilsbury, Walter

Merchant, Gary
Stapleton, Walter

NAYS - 89**CARROLL**

Buco, Thomas

Knirk, Jerry

CHESHIRE

Ames, Richard
Fenton, Donovan
Weber, Lucy

Berch, Paul
Mann, John
Welkowitz, Lawrence

Bordenet, John
Parshall, Lucius

Eaton, Daniel
Schapiro, Joe

GRAFTON

Abel, Richard
Hakken-Phillips, Mary
Weston, Joyce

Dontonville, Roger
Murphy, James

Egan, Timothy
Stavis, Laurel

Fellows, Sallie
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Cohen, Bruce
Espitia, Manny
Hamer, Heidi
Long, Patrick
Petrigno, Peter
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Connors, Erika
Freitas, Mary
Schmidt, Janice
King, Mark
Porter, Marjorie
Van Houten, Constance

Baroody, Benjamin
Cornell, Patricia
Goley, Jeffrey
Langley, Diane
Nutting-Wong, Allison
Stevens, Deb
Vann, Ivy

Bergeron, Paul
Dutzy, Sherry
Griffith, Willis
Leishman, Peter
Pedersen, Michael
Telerski, Laura
Veilleux, Daniel

MERRIMACK

Ebel, Karen
Richards, Beth
Schultz, Kristina
Woods, Gary

Lane, Connie
Rogers, Katherine
Shurtleff, Steve

MacKay, James
Schamberg, Thomas
Wallner, Mary Jane

McWilliams, Rebecca
Schuett, Dianne
Wazir, Safiya

ROCKINGHAM

Bunker, Lisa
Edgar, Michael
Malloy, Dennis
MacDonald, Wayne

Cahill, Michael
Gilman, Julie
McBeath, Rebecca
Ward, Gerald

Cali-Pitts, Jacqueline
Grossman, Gaby
Paige, Mark

Cushing, Robert Renny
Hamblet, Joan
Somssich, Peter

STRAFFORD

Chase, Wendy
Horrigan, Timothy
Salloway, Jeffrey

Conley, Casey
Smith, Marjorie
Treleaven, Susan

Fargo, Kristina
Schmidt, Peter

Gourgue, Amanda
Rich, Cecilia

SULLIVAN

Gottling, Suzanne

Oxenham, Lee

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

HB 503, establishing a New Hampshire commission on homelessness. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for the Majority of Health, Human Services and Elderly Affairs. The committee heard overwhelming testimony on the need to address the issue of homelessness in NH. The Department of Health and Human Services (DHHS) testified that a new commission would be duplicative of the Council on Housing Stability established by the Governor's executive order #22. By amendment, the committee expanded on the charge to the Council on Housing Stability by adding the specifics addressing homelessness in the underlying bill. Additional members, suggested in the underlying bill who were not already on the council, were added. The committee thinks this will allow homelessness to be addressed without creating an additional commission. Vote 19-2.

Rep. Jim Kofalt for the Minority of Health, Human Services and Elderly Affairs. This bill as amended would give a legislative stamp of approval to the council on housing stability, which was created by executive order during the state of emergency. The council addresses an array of topics that are not directly related to homelessness. This bill would increase the scope of the council's work and add more members. The council was not created under legislative authority and has never received legislative approval. The council's charter calls for it to plan for a "housing stability governance structure" and to "create housing stability for all citizens." Such plans, if implemented, will inevitably lend legitimacy to expanded government programs and interventionist policies.

Majority Amendment (0678h)

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

AN ACT codifying the council on housing stability.

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

1 Statement of Intent. The intent of the general court is to codify the council on housing stability established by the governor in Executive Order 2020-22, to add additional members, and to expand upon its existing duties to further address homelessness in New Hampshire.

2 New Chapter; Council on Housing Stability. Amend RSA by inserting after chapter 4-G the following new chapter:

CHAPTER 4-H**COUNCIL ON HOUSING STABILITY**

4-H:1 Council on Housing Stability Established. There is hereby established the council on housing stability for the purpose of creating and implementing a plan to create housing stability for all citizens of the state of New Hampshire.

4-H:2 Membership.

I. The initial members of the council on housing stability shall be those appointed by Executive Order 2020-22 and shall serve at the pleasure of the governor as follows:

(a) Two individuals, one of whom shall be a parent and one of whom shall be a young adult, who have current and/or recent lived experience with housing instability.

(b) Commissioners or executive directors, or their designees, of the following agencies:

- (1) Department of health and human services.
- (2) Department of education.
- (3) Department of safety.
- (4) Department of transportation.
- (5) Department of business and economic affairs.
- (6) Department of corrections.
- (7) Department of employment security.
- (8) Department of military affairs and veterans services.
- (9) New Hampshire housing finance authority.
- (10) Community development finance authority.

(c) The bureau chief of the bureau of housing supports.

(d) The director of the division of behavioral health services, or designee.

(e) The director of the division of economic and housing stability, or designee.

(f) The director of the division for children, youth and families, or designee.

- (g) One representative of each of New Hampshire's Continuum of Care, appointed by each continuum.
- (h) A representative of the New Hampshire Municipal Association.
- (i) A representatives of a local educational agency.
- (j) A representative of the department of education responsible for programs for children experiencing homelessness.
- (k) A representative of the NH Landlord Association.
- (l) A representative of NH Builder's Association.
- (m) A representative of local providers of housing services.
- (n) A representative of Housing Action New Hampshire.
- (o) A representative of a county economic development council.
- (p) A representative of the Community Behavioral Health Association, appointed by the association.
- (q) A representative of the faith based community.
- (r) A representative of a member agency of the NH Coalition Against Domestic and Sexual Violence, nominated by the coalition.
- (s) Two representatives of the philanthropic community with expertise in housing instability.
- (t) A representative of the business community with an interest in affordable housing.
- (u) Three legislators, one appointed by the governor, one appointed by the senate president, and one appointed by the speaker of the house of representatives.
- (v) Any other individual or representative of an organization or entity that the governor deems appropriate to support the work of the council.
- (w) Three mayors, or their designees, representing different regions of New Hampshire.
- (x) A representative from a law enforcement agency.

II. Additional members are appointed as follows:

- (a) One representative of Waypoint, appointed by that organization.
- (b) One representative of NAMI NH, appointed by that organization.
- (c) One municipal welfare director, appointed by the New Hampshire Welfare Association.
- (d) One representative of Families in Transition, appointed by that organization.
- (e) One representative of the Nashua Soup Kitchen and Shelter, appointed by that organization.
- (f) One representative of Harbor Homes, Inc., appointed by that organization.
- (g) One representative of the New Hampshire Coalition to End Homelessness, appointed by the coalition.
- (h) One representative of the NH Providers Association, appointed by that organization.
- (i) One representative of the New Hampshire Psychological Association, appointed by the association.

III. The council is authorized to perform its work virtually. If physical meeting is necessary, legislative members of the council shall receive mileage at the legislative rate when attending to the duties of the council. The council may form subcommittees as necessary in the course of its work.

4-H:3 Duties; Quorum; Authority to Accept Grants.

I. The council on housing stability shall develop and monitor a plan which makes recommendations to address and/or undertake the following:

- (a) Necessary measures to strengthen New Hampshire's housing market and to create housing stability for all citizens.
- (b) Conduct an affordable housing needs assessment in each county to determine the housing deficit.
- (c) The barriers to affordable housing and what can be done to remove such barriers.
- (d) The necessary system of care to support individuals and families to obtain and maintain stable housing.
- (e) Integrate and coordinate a housing stability governance structure across state government and connect to local communities by conducting ongoing needs assessment and strategic planning.
- (f) Enhance the interoperability of data systems within and across government agencies to inform and monitor program and service access, equity, and quality.
- (g) Have housing options available throughout citizens' lifespans, based on the needs and desire people have at different times of their life.
- (h) Develop a comprehensive update to the state's plan on homelessness which shall include, but not be limited to:
 - (1) Reviewing the coordinated services currently administered in New Hampshire, including outreach, treatment, and transitional to independence services.
 - (2) Reviewing housing availability for unsheltered individuals.
 - (3) Identifying the number of children experiencing homelessness, the adequacy of available services, and shelter options.
 - (4) Identifying the number of veterans experiencing homelessness, the adequacy of available services, and shelter options.

(5) Reviewing non-government service agencies and their involvement in their communities.

(6) Identifying public and private programs that effectively address and prevent homelessness, the ability of those programs to meet the need for assistance, and potential funding sources for expansion, if appropriate.

(7) Reviewing the state of New Hampshire's regional capacity in shelters and programs in addressing homelessness.

(8) Exploring national models that successfully address and mitigate homelessness.

II. The council on housing stability shall be led by the department of health and human services, the department of business and economic affairs, and the New Hampshire community development finance authority.

III. A majority of the appointed council members shall constitute a quorum and all official actions of the council shall require a majority vote of those present and voting.

IV. The council may accept grants and other assistance to support its work, contingent upon the approval of the governor and executive council. Such items may be brought forward by any state agency that is represented on the council.

4-H:4 Reporting Requirement.

I. The council on housing stability shall submit its initial report and action plan, dated December 14, 2020, to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, and the state library. The council shall report its final plan to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library at its earliest convenience.

II. Thereafter, on or before November 1, the council shall provide an annual report of its activities and the status of the plan to create housing stability for all citizens of the state to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

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

AMENDED ANALYSIS

This bill codifies the council on housing stability initially established by the governor in Executive Order 2020-22.

Majority committee amendment adopted.

MOTION TO LAY ON THE TABLE

Rep. Sylvia moved that **HB 503**, codifying the council on housing stability, be laid on the table.

On a division vote, with 140 members having voted in the affirmative, and 213 in the negative, the motion failed.

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

Rep. Kofalt spoke against and yielded to questions.

Rep. Bill King spoke in favor.

On a division vote, with 210 members having voted in the affirmative, and 115 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Verville moved that the House reconsider its action whereby, on a division vote of 210-115, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 503**, codifying the council on housing stability.

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

YEAS 142 - NAYS 214

YEAS - 142

BELKNAP

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

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

McConkey, Mark

CHESHIRE

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

GRAFTON

Alliegro, Mark
Sanborn, Gail

Berezhny, Lex
Greeson, Jeffrey

Binford, David
Ladd, Rick

Folsom, Beth
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Erf, Keith
Gould, Linda
Hopper, Gary
Kofalt, Jim
Marston, Dick
Nunez, Hershel
Ober, Russell
Lekas, Tony

Ammon, Keith
Burt, John
Foster, William
Greene, Bob
Infantine, William
Ober, Lynne
McLean, Mark
Pauer, Diane
Renzullo, Andrew
Ulery, Jordan

Griffin, Barbara
Cushman, Leah
Griffin, Gerald
Gunski, Michael
Jack, Martin
Sanborn, Laurie
Mooney, Maureen
Post, Lisa
Sheehan, Vanessa
Warden, Mark

Blasek, Melissa
Kelley, Diane
Gagne, Larry
Homola, Susan
Kelsey, Niki
Lewicke, John
Notter, Jeanine
Prout, Andrew
Somero, Paul

MERRIMACK

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

Boyd, Stephen
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Cambriels, Jose
Pearl, Howard
Walsh, Thomas

Klose, John
Pitaro, Matthew
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Baxter, Tim
Cali-Pitts, Jacqueline
Edwards, Jess
Hobson, Deborah
Litchfield, Melissa
Melvin, Charles
Roy, Terry
Thomas, Douglas
Verville, Kevin
Yokela, Josh

Abramson, Max
Belanger, Cody
Copp, Anne
Ford, Oliver
Katsakiores, Phyllis
Love, David
Packard, Sherman
Soti, Julius
Tosorian, Peter
MacDonald, Wayne

Ayer, Paul
Bernardy, JD
DeSimone, Debra
Green, Dennis
Khan, Aboul
Lynn, Bob
Piemonte, Tony
Spillane, James
Tripp, Richard
Wallace, Scott

Baldasaro, Al
Bershtein, Alan
Dodge, Dustin
Harley, Tina
Layon, Erica
Griffin, Mary
Potucek, John
Sweeney, Joe
True, Chris
Weyler, Kenneth

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Newton, Clifford

Bailey, Glenn
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Kaczynski, Thomas
Rich, Cecilia

Groen, Fenton
Kittredge, Mac
Turcotte, Leonard

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

NAYS - 214**BELKNAP**

Littlefield, Richard

CARROLL

Buco, Thomas
MacDonald, John
Nelson, Bill

Burroughs, Anita
Knirk, Jerry
Umberger, Karen

Crawford, Karel
Marsh, William
Woodcock, Stephen

Deshaies, Brodie
McAlear, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Mann, John
Toll, Amanda

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

Berch, Paul
Fenton, Donovan
Hunt, John
Rhodes, Jennifer
Welkowitz, Lawrence

Bordenet, John
Fox, Dru
Ley, Douglas
Schapiro, Joe

COOS

Davis, Arnold
Merner, Troy

Dostie, Donald
Theberge, Robert

Kelley, Eamon
Tucker, Edith

Lafamme, Larry

GRAFTON

Abel, Richard
Dontonville, Roger
Hakken-Phillips, Mary
Murphy, James
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Ham, Bonnie
Stavis, Laurel

Almy, Susan
Fellows, Sallie
Massimilla, Linda
Smith, Suzanne

Depalma IV, Joseph
Gordon, Edward
Muirhead, Russell
Sykes, George

HILLSBOROUGH

Alexander, Joe
Baroody, Benjamin
Bradley, Amy
Cornell, Patricia

Bouldin, Amanda
Beaulieu, Jane
Chretien, Jacqueline
Creighton, Jim

Bouldin, Andrew
Bergeron, Paul
Cohen, Bruce
Smith, Denise

King, Bill
Bouchard, Donald
Connors, Erika
DiSilvestro, Linda

Dutzy, Sherry
Gorski, Ted
Harriott-Gathright, Linda
Schmidt, Janice
Langley, Diane
Leishman, Peter
Mangipudi, Latha
Mullen, Sue
Perez, Maria
Porter, Marjorie
Rouillard, Claire
Snow, Kendall
Vail, Suzanne
Wilhelm, Matthew

Espitia, Manny
Graham, John
Healey, Robert
Klee, Patricia
Lanzara, Tom
Long, Patrick
Mayville, Mary
Nutting-Wong, Allison
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Stevens, Deb
Van Houten, Constance

Freitas, Mary
Griffith, Willis
Heath, Mary
Klein-Knight, Nicole
Lascelles, Richard
King, Mark
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Newman, Ray
Newman, Sue
Telerski, Laura
Vann, Ivy

Goley, Jeffrey
Hamer, Heidi
Hyland, Stephanie
Labranche, Tony
Loughton, Stacie-Marie
Murray, Megan
Moran, Melbourne
Pedersen, Michael
Plett, Fred
Rice, Kimberly
Shaw, Barbara
Toomey, Dan
Veilleux, Daniel

MERRIMACK

Allard, James
Ellison, Arthur
Mason, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Abbas, Daryl
Cahill, Michael
Edgar, Michael
Grossman, Gaby
Janigian, John
Maggiore, Jim
McMahon, Charles
Pratt, Kevin
Simpson, Alexis
Ward, Gerald

Acton, Dennis
Cushing, Robert Renny
Elliott, Robert
Grote, Jaci
Murray, Kate
Malloy, Dennis
Meuse, David
Prudhomme-O'Brien, Katherine
Somssich, Peter
Welch, David

Altschiller, Debra
DiLorenzo, Charlotte
Gay, Betty
Hamblet, Joan
Loughman, Tom
McBeath, Rebecca
Milz, David
Read, Ellen
Sytek, John

Bunker, Lisa
Dolan, Tom
Gilman, Julie
Harb, Robert
Pearson, Mark
McBride, Everett
Paige, Mark
Pearson, Stephen
Tudor, Paul

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Horgan, James
Smith, Marjorie
Spang, Judith
Wuelper, Kurt

Chase, Wendy
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Kenney, Cam
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the motion failed.

(Speaker Packard in the Chair)

REGULAR CALENDAR PART II CONT'D

HB 605-FN, relative to the therapeutic cannabis program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jerry Knirk for the Majority of Health, Human Services and Elderly Affairs. This bill has two parts. The first part adds opioid use disorder (OUD) as a standalone, qualifying condition for the use of therapeutic cannabis with very restrictive guard rails set by the Therapeutic Cannabis Medical Oversight Board (TCMOB). TCMOB is composed of the Chief Medical Officer of the Department to Health and Human Services (DHHS), a qualifying patient representative, a clinical representative from an alternative treatment center (ATC), and ten medical providers from various fields, charged with the task of advising the therapeutic cannabis program on medical issues, including qualifying conditions. The use of therapeutic cannabis in OUD is complicated. CBD has been shown to help with symptoms of craving and withdrawal, but THC stimulates reward centers so it can exacerbate OUD. TCMOB does not support the use of therapeutic cannabis for OUD except when used as part of a specialist-guided treatment program for OUD. By a 9-0 vote, TCMOB approved certification of a patient for the use of therapeutic cannabis only when certified by a board-certified addiction medicine or addiction psychiatry provider, who is actively treating the patient for OUD, to treat associated symptoms of craving and withdrawal. The second part of the bill allows patients visiting New Hampshire, who have qualified for the use of therapeutic cannabis in their home state or Canada (which has a nationwide therapeutic cannabis program), to purchase therapeutic cannabis at New Hampshire ATCs. There are many

qualified patients from other states or Canada who stay in New Hampshire for extended times vacationing, at a second home or as students. It is illegal to bring cannabis across state or international borders. This bill will allow visiting qualifying patients to purchase therapeutic cannabis at a New Hampshire ATC. The therapeutic cannabis program will develop rules for the ATCs to assist them in verifying a visiting qualifying patient's registry identification card or its equivalent. Vote 17-3.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. The minority agrees with the majority on all issues except whether we should allow therapeutic cannabis for opioid use disorder. The minority believes the medical literature does not support the use of cannabis for this indication and may in fact make opioid use disorder worse. The minority therefore believes the bill Ought to Pass with a different amendment which does not include opioid use disorder.

Majority Amendment (0646h)

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

1 New Subparagraph; Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, IX(b) by inserting after subparagraph (3) the following new subparagraph:

(4) Opioid use disorder, with the following restrictions:

(A) When certified only by a board certified addiction medicine or addiction psychiatry provider who is actively treating the patient for opioid use disorder; and

(B) With associated symptoms of cravings and/or withdrawal.

2 Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, I to read as follows:

I. "Alternative treatment center" means a not-for-profit entity registered under RSA 126-X:7 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, and dispenses cannabis, and related supplies and educational materials, to qualifying patients [and], **designated caregivers, other alternative treatment centers, and visiting qualifying patients.**

3 Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, XIII(b) to read as follows:

(b) Cultivation or purchase by a visiting qualifying patient **from a qualifying patient or designated caregiver;** or

4 Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, XVI to read as follows:

XVI. "Visiting qualifying patient" means a [~~patient with a qualifying medical condition who is not a resident of New Hampshire or who has been a resident of New Hampshire for fewer than 30 days and is not eligible to purchase therapeutic cannabis in New Hampshire or receive cannabis from a qualifying New Hampshire patient~~] **person who is not a resident of New Hampshire, or who has been a resident of New Hampshire for fewer than 90 days, who has been issued a valid registry identification card, or its equivalent, under the laws of another state, district, territory, commonwealth, or insular possession of the United States, or under the laws of Canada, that allows, in the jurisdiction of issuance, that person to possess cannabis for therapeutic purposes.**

5 Use of Cannabis for Therapeutic Purposes; Therapeutic Use of Cannabis Protections. Amend RSA 126-X:2, V to read as follows:

V. A valid registry identification card, or its equivalent, that is issued under the laws of another state, district, territory, commonwealth, or insular possession of the United States, **or under the laws of Canada** that allows, in the jurisdiction of issuance, a visiting qualifying patient to possess cannabis for therapeutic purposes, shall have the same force and effect **and be subject to the same restrictions** as a valid registry identification card issued by the department in this state, provided that[:

(a) ~~The visiting qualifying patient shall also produce a statement from his or her provider stating that the visiting qualifying patient has a qualifying medical condition as defined in RSA 126-X:1; and~~

(b) ~~a visiting qualifying patient shall not cultivate [or purchase] cannabis in New Hampshire or obtain or purchase cannabis from [alternative treatment centers or from] a [qualifying] New Hampshire qualifying patient or designated caregiver.~~

6 New Paragraph; Use of Cannabis for Therapeutic Purposes; Departmental Rules. Amend RSA 126-X:6 by inserting after paragraph V the following new paragraph:

VI. The department shall adopt rules, pursuant to RSA 541-A, regarding an alternative treatment center's verification of a visiting qualifying patient's registry identification card, or its equivalent.

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

AMENDED ANALYSIS

This bill

I. Adds opioid use disorder as a qualifying medical condition for the purpose of the therapeutic use of cannabis.

II. Amends the definitions of "alternative treatment center" and "therapeutic use" and "visiting qualifying patient" in the therapeutic cannabis statute.

III. Permits out-of-state residents qualified in other jurisdictions to purchase therapeutic cannabis at New Hampshire therapeutic dispensaries.

IV. Requires the department of health and human services to adopt rules regarding an alternative treatment

center's verification of a visiting qualifying patient's identification.

Majority committee amendment adopted.

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

HB 135, requiring parties responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for the Majority of Judiciary. This bill requires that parties found responsible by the Department of Environmental Services (DES) Commissioner for polluting a drinking water supply be held financially responsible for the costs of returning the impacted community to a state where safe water is available for consumption. It requires that the responsible party connect affected residences and businesses to commercial or municipal water, and pay those affected a monthly sum based on the average community water usage. The amended bill reduces this period of compensation from five to two years due to compliance concerns that were raised in testimony by DES. The bill preserves the right of appeal to the Waste Management Council and NH Supreme Court, and was seen by the majority of the committee as a fair means of giving impacted communities time to recover and transition following a contamination event. Vote 12-9.

Rep. Michael Sylvia for the Minority of Judiciary. While this bill seeks to provide citizens a remedy to drinking water contamination, it leaves much to be desired. It puts the Commissioner of the Department of Environmental Services in a position to determine if an entity is in violation. The remedies offered have holes which will delay those remedies in court battles. For instance, while a damaged party is awaiting a connection to a water supply, they will be provided "drinking water;" if the water is unsuitable for bathing, how much drinking water will be supplied and how long will a party be doing sponge baths? Another remedy calls for a "whole house filter," with no standard, a filter might be installed which is insufficient to properly remove a contaminant. A law with so many holes is worse than nothing; it provides a false sense of security while it ensures lawyers will not suffer excess unemployment.

Majority Amendment (0473h)

Amend RSA 485:17-b, III and IV as inserted by section 1 of the bill by replacing them with the following:

III. If the connection required in paragraph I cannot be made in 6 months or less, the public or private corporation, individual, partnership, or other entity shall pay for the temporary installation of a whole house water filter and the maintenance of such filter until the connection can be made.

IV. The public or private corporation, individual, partnership, or other entity shall pay the owner of the residence or business affected by the violation a monthly sum based on the average water usage and billing of comparable residences or businesses for 2 years from the date of the connection required under paragraph I or until the residence or business is sold to a different owner, whichever comes first.

Majority committee amendment adopted.

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

HB 206, relative to collective bargaining agreement strategy discussions under the right-to-know law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This bill would require the negotiating by public employers and the union representing the public employees to be done in open sessions. The main benefit would be to allow both the public taxpayer and union members to view, in real time, joint bargaining sessions. 22 states allow public employee collective bargaining negotiations as public meetings. We believe openness would speed, not slow, negotiations. Either way, the people, who pay all the costs of the negotiated agreements and the negotiations per se, could see just who is advocating for what and the alternatives offered by both sides. We believe this transparency will make our public officials more accountable to us and the same scrutiny could benefit union members in similar fashion. Vote 11-10.

Rep. Rebecca McBeath for the Minority of Judiciary. The minority of the Judiciary Committee believes rather than improving transparency this bill would reduce candor and increase posturing by both management and labor during contract negotiation. Requiring all "meetings" regarding collective bargaining to be open to the public would stifle productive negotiations and drastically curb the ability of parties to reach a timely resolution of issues. The unintended consequences of this bill include prolonging the negotiation sessions, thereby increasing the costs to municipalities by increasing counsel and staff time on negotiations. Another issue significant to medium and smaller communities in New Hampshire is the potential of participants to inadvertently reveal confidential employment information to the point that the public could identify individual employees. Numerous groups including the NH Municipal Association and the NH School Boards Association presented testimony opposing this bill to the committee.

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

Rep. McBeath spoke against.

Rep. Wuelper spoke in favor and yielded to questions.

Rep. Harrington requested a roll call; sufficiently seconded.

YEAS 168 - NAYS 187**YEAS - 168****BELKNAP**

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

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

Smith, Jonathan

McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Davis, Arnold

Tucker, Edith

GRAFTON

Alliegro, Mark
Sanborn, Gail
Simon, Matthew

Berezhny, Lex
Gordon, Edward

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Warden, Mark

Alexander, Joe
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul

Ammon, Keith
Burt, John
Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Ober, Lynne
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

King, Bill
Creighton, Jim
Erf, Keith
Gorski, Ted
Gunski, Michael
Infantine, William
Sanborn, Laurie
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

MERRIMACK

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

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

Cambriels, Jose
Moffett, Michael
Testerman, Dave
Yakubovich, Michael

Hill, Gregory
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baxter, Tim
Copp, Anne
Doucette, Fred
Gay, Betty
Janigian, John
Love, David
Melvin, Charles
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
Wallace, Scott

Abrami, Patrick
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Katsakiores, Phyllis
Lynn, Bob
Osborne, Jason
Roy, Terry
Sytek, John
True, Chris
Welch, David

Abramson, Max
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Harley, Tina
Layon, Erica
Griffin, Mary
Piemonte, Tony
Soti, Julius
Thomas, Douglas
Tudor, Paul
Weyler, Kenneth

Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Ford, Oliver
Hobson, Deborah
Litchfield, Melissa
McMahon, Charles
Potucek, John
Spillane, James
Torosian, Peter
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
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 187**BELKNAP**

Bordes, Mike

CARROLL

Buco, Thomas
MacDonald, John
Umberger, Karen

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Crawford, Karel
Marsh, William

Deshaiies, Brodie
McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarolo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon

Lafamme, Larry

Merner, Troy

GRAFTON

Abel, Richard
Dontonville, Roger
Ham, Bonnie
Stavis, Laurel

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Sykes, George

Depalma IV, Joseph
Hakken-Phillips, Mary
Murphy, James
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Klee, Patricia
Lanzara, Tom
King, Mark
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Telerski, Laura
Vann, Ivy

Bouldin, Andrew
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Hyland, Stephanie
Klein-Knight, Nicole
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Toomey, Dan
Veilleux, Daniel

Griffin, Barbara
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Schmidt, Janice
Labranche, Tony
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Vail, Suzanne
Wilhelm, Matthew

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Jack, Martin
Langley, Diane
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Stevens, Deb
Van Houten, Constance

MERRIMACK

Allard, James
Ellison, Arthur
Mason, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Acton, Dennis
Cahill, Michael
Edgar, Michael
Hamblet, Joan
Loughman, Tom
McBeath, Rebecca
Paige, Mark
Simpson, Alexis

Altschiller, Debra
Cali-Pitts, Jacqueline
Gilman, Julie
Harb, Robert
Pearson, Mark
McBride, Everett
Pratt, Kevin
Somssich, Peter

Ayer, Paul
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
MacDonald, Wayne

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Khan, Aboul
Malloy, Dennis
Milz, David
Pearson, Stephen
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Spang, Judith

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

and the majority committee report failed.

Rep. Marjorie Smith moved the minority committee report of Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Spillane moved that **HB 206**, relative to collective bargaining agreement strategy discussions under the right-to-know law, be laid on the table.

On a division vote, with 174 members having voted in the affirmative, and 178 in the negative, the motion failed.

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

YEAS 189 - NAYS 163

**YEAS - 189
BELKNAP**

Bordes, Mike

Buco, Thomas
MacDonald, John
Umberger, Karen

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Davis, Arnold

Abel, Richard
Dontonville, Roger
Ham, Bonnie
Stavis, Laurel

Bouldin, Amanda
Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Langley, Diane
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Stevens, Deb
Vann, Ivy

Allard, James
Ellison, Arthur
Mason, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Acton, Dennis
Cahill, Michael
Edgar, Michael
Hamblet, Joan
Loughman, Tom
McBeath, Rebecca
Paige, Mark
Simpson, Alexis
Welch, David

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Spang, Judith

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Kelley, Eamon

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Smith, Suzanne

Bouldin, Andrew
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Graham, John
Heath, Mary
Klee, Patricia
Lanzara, Tom
King, Mark
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Telerski, Laura
Veilleux, Daniel

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Altschiller, Debra
Cali-Pitts, Jacqueline
Gilman, Julie
Harb, Robert
Pearson, Mark
McBride, Everett
Pratt, Kevin
Somssich, Peter

Cannon, Gerri
Fargo, Kristina
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

Crawford, Karel
Marsh, William

CARROLL

CHESHIRE

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

COOS

Laflamme, Larry

GRAFTON

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Sykes, George

HILLSBOROUGH

Griffin, Barbara
Bouchard, Donald
Connors, Erika
Espitia, Manny
Griffith, Willis
Hyland, Stephanie
Klein-Knight, Nicole
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Ayer, Paul
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
MacDonald, Wayne

STRAFFORD

Chase, Wendy
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Deshaies, Brodie
McAlear, Chris

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

Merner, Troy

Depalma IV, Joseph
Hakken-Phillips, Mary
Murphy, James
Weston, Joyce

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Labranche, Tony
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Van Houten, Constance

Ebel, Karen
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Khan, Aboul
Malloy, Dennis
Milz, David
Pearson, Stephen
Ward, Gerald

Conley, Casey
Gourgue, Amanda
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVANCloutier, John
Sullivan, BrianGottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

NAYS - 163**BELKNAP**Aldrich, Glen
Howard, Raymond
Mackie, Jonathan
Sylvia, MichaelBean, Harry
Johnson, Dawn
O'Hara, Travis
Terry, PaulComtois, Barbara
Lang, Timothy
Ploszaj, Tom
Trottier, DouglasHough, Gregg
Littlefield, Richard
Silber, Norman**CARROLL**Avellani, Lino
Nelson, Bill

Cordelli, Glenn

Smith, Jonathan

McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Santonastaso, Matthew

COOS

Craig, Kevin

Tucker, Edith

GRAFTONAlliegro, Mark
Sanborn, Gail
Simon, MatthewBerezhny, Lex
Gordon, EdwardBinford, David
Greeson, JeffreyFolsom, Beth
Ladd, Rick**HILLSBOROUGH**Lekas, Alicia
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, MarkAlexander, Joe
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Greene, Bob
Hopper, Gary
Ober, Lynne
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, TonyAmmon, Keith
Burt, John
Smith, Denise
Gagne, Larry
Gunski, Michael
Infantine, William
Sanborn, Laurie
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, JordanKing, Bill
Creighton, Jim
Erf, Keith
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lascalles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Vail, Suzanne**MERRIMACK**Andrus, Louise
Klose, John
Pitaro, Matthew
Wells, NatalieBoyd, Stephen
McGuire, Carol
Seaworth, Brian
White, NickCambriels, Jose
Moffett, Michael
Testerman, Dave
Yakubovich, MichaelHill, Gregory
Pearl, Howard
Walsh, Thomas**ROCKINGHAM**Abbas, Daryl
Baxter, Tim
Copp, Anne
Doucelette, Fred
Gay, Betty
Janigian, John
Lynn, Bob
Osborne, Jason
Roy, Terry
Sytek, John
True, Chris
Weyler, KennethAbrami, Patrick
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Layon, Erica
Griffin, Mary
Piemonte, Tony
Soti, Julius
Thomas, Douglas
Tudor, Paul
Yokela, JoshAbramson, Max
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Harley, Tina
Litchfield, Melissa
McMahon, Charles
Potucek, John
Spillane, James
Torosian, Peter
Verville, KevinBaldasaro, Al
Bershtein, Alan
Dolan, Tom
Ford, Oliver
Hobson, Deborah
Love, David
Melvin, Charles
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
Wallace, Scott**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

and the minority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Espitia moved that the House reconsider its action whereby, on a roll call vote of 189 to 163, the House adopted the minority committee report of Inexpedient to Legislate on **HB 206**, relative to collective bargaining agreement strategy discussions under the right-to-know law. Rep. Espitia spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 192**YEAS - 162****BELKNAP**

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

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
Nelson, Bill

Cordelli, Glenn

Smith, Jonathan

McConkey, Mark

CHESHIRE

Hunt, John

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Tucker, Edith

GRAFTON

Alliegro, Mark
Sanborn, Gail
Simon, Matthew

Berezhny, Lex
Gordon, Edward

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Greene, Bob
Hopper, Gary
Ober, Lynne
Marston, Dick
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Lekas, Tony

Alexander, Joe
Burt, John
Smith, Denise
Gagne, Larry
Gunski, Michael
Infantine, William
Sanborn, Laurie
Mayville, Mary
Nunez, Hershel
Prout, Andrew
Rouillard, Claire
Ulery, Jordan

Ammon, Keith
Creighton, Jim
Erf, Keith
Gorski, Ted
Healey, Robert
Kelsey, Niki
Lascelles, Richard
McLean, Mark
Pauer, Diane
Ober, Russell
Sheehan, Vanessa
Warden, Mark

Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Homola, Susan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Renzullo, Andrew
Somero, Paul

MERRIMACK

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

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

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

Hill, Gregory
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baxter, Tim
Copp, Anne
Doucette, Fred
Gay, Betty
Janigian, John
Love, David
Osborne, Jason
Roy, Terry
Sytek, John
Tudor, Paul
Yokela, Josh

Abrami, Patrick
Belanger, Cody
DeSimone, Debra
Edwards, Jess
Green, Dennis
Katsakiores, Phyllis
Lynn, Bob
Piemonte, Tony
Soti, Julius
Thomas, Douglas
Verville, Kevin

Abramson, Max
Bernardy, JD
Dodge, Dustin
Elliott, Robert
Harley, Tina
Layon, Erica
Griffin, Mary
Potucek, John
Spillane, James
Torosian, Peter
Wallace, Scott

Baldasaro, Al
Bershtein, Alan
Dolan, Tom
Ford, Oliver
Hobson, Deborah
Litchfield, Melissa
Melvin, Charles
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tripp, Richard
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

Grassie, Chuck
Horgan, James
Pitre, Joseph

SULLIVAN

Aron, Judy
Smith, Steven

Callum, John

Rollins, Skip

Spilsbury, Walter

NAYS - 192**BELKNAP**

Bordes, Mike

CARROLL

Buco, Thomas
MacDonald, John
Umberger, Karen

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Crawford, Karel
Marsh, William

Deshaies, Brodie
McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius
Welkowitz, Lawrence

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Davis, Arnold

Kelley, Eamon

Laflamme, Larry

Merner, Troy

GRAFTON

Abel, Richard
Dontonville, Roger
Ham, Bonnie
Stavis, Laurel

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Sykes, George

Depalma IV, Joseph
Hakken-Phillips, Mary
Murphy, James
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Labranche, Tony
Long, Patrick
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Stevens, Deb
Van Houten, Constance

Bouldin, Andrew
Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Jack, Martin
Lanzara, Tom
King, Mark
Moran, Melbourne
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Telerski, Laura
Vann, Ivy

Griffin, Barbara
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Graham, John
Heath, Mary
Klee, Patricia
Laughton, Stacie-Marie
Murray, Megan
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Toomey, Dan
Veilleux, Daniel

King, Bill
Bouchard, Donald
Connors, Erika
Espitia, Manny
Griffith, Willis
Hyland, Stephanie
Klein-Knight, Nicole
Leishman, Peter
Mangipudi, Latha
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Allard, James
Ellison, Arthur
Mason, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Bartlett, Christy
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Wolf, Dan

Caplan, Tony
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Ebel, Karen
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Acton, Dennis
Cahill, Michael
Edgar, Michael
Hamblet, Joan
Loughman, Tom
McBeath, Rebecca
Milz, David
Pearson, Stephen
MacDonald, Wayne

Altschiller, Debra
Cali-Pitts, Jacqueline
Gilman, Julie
Harb, Robert
Pearson, Mark
McBride, Everett
Paige, Mark
Simpson, Alexis
Ward, Gerald

Ayer, Paul
Cushing, Robert Renny
Grossman, Gaby
Murray, Kate
Maggiore, Jim
McMahon, Charles
Pratt, Kevin
Somssich, Peter
Welch, David

Bunker, Lisa
DiLorenzo, Charlotte
Grote, Jaci
Khan, Aboul
Malloy, Dennis
Meuse, David
Read, Ellen
True, Chris

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

Cannon, Gerri
Fargo, Kristina
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

Chase, Wendy
Fontneau, Timothy
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

Conley, Casey
Gourgue, Amanda
Smith, Marjorie
Spang, Judith

SULLIVAN

Cloutier, John
Stapleton, Walter
the motion failed.

Gottling, Suzanne
Sullivan, Brian

Merchant, Gary
Tanner, Linda

Oxenham, Lee

MOTION TO PRINT DEBATE

Rep. Spillane moved that the debate on **HB 206**, relative to collective bargaining agreement strategy discussions under the right-to-know law, be printed in the Permanent Journal. Without objection, the Speaker ordered.

DEBATE ON HB 206

Representative McBeath: Thank you, Mister Speaker. I'm here and I rise to speak for the minority on this bill opposed to Ought to Pass on HB 206. This bill makes significant changes in the exceptions to the right to know law. When the law was written, there were very narrow exceptions that were included and one of them was the exception that negotiations and strategy discussions regarding collective bargaining would not be considered a public meeting and therefore under the right to know. Another one of these very narrow exceptions is one that we all enjoy. It's the right for us to caucus as elected officials as members of our caucuses. I think that we all can imagine what it would be like if we weren't able to caucus in private, to ask questions, to have open dialogue and to kind of nudge our members to think about things in a different way. The other very important issue why collective bargaining needs to be contained, included in the exclusions, is just the whole process of what negotiation is. There are books written on it. There are treatises. It's a multi-stage process and while some part of the stages of the process are important to be public, some of it needs to be done in private and that would be in the beginning collecting information and getting your range of offers together. So I ask you all to consider collective bargaining and to go, this was a very close vote in our committee. Some of the affects if this is public, is it creates posturing of people and the inability to move from one side to the other. I think we can all understand that so it would make collective bargaining longer and more expensive and it also has the possibility of disclosing private information of personnel. I ask you all to consider to vote against the committee recommendation, the majority recommendation so that another motion can be offered. Thank you.

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

Representative Wuelper: Thank you, Mister Speaker. Mister Speaker, the majority believes that we the people who pay the salaries of everybody at the negotiating tables and who pay the cost of the negotiated agreement should be able to know what our elected officials are actually doing during the negotiations. We believe, we heard testimony from people involved in negotiations for national unions that is what they do. There are many states in the country that have partial or fully open negotiations and it works just fine for them. Those people who think this is going to delay the process or lead to showboating or things like that obviously don't have much respect for their representatives. I believe it would be far different. If it were open, if they were on television, it would be very similar to what we do right here and people would be much more respectful and be much more serious and negotiations would not be any longer. There is no evidence presented that opening these negotiations would in fact lengthen the process. It would just be whoa, it would be terrible. No it wouldn't. It's a great bill. We deserve, we have a right to know. Please support the committee.

Speaker Packard: Why does the member rise? Will the speaker yield to a question? You may inquire.

Representative Turcotte: Thank you, Mister Speaker. Thank you, speaker. Would I be correct in that this bill would not change the ability of either side to caucus in private?

Representative Wuelper: Oh, yeah that's absolutely right. Strategy sessions are perfectly, can still be done in private, outside the public view as it should. It's only the actual negotiations that would occur in public.

Representative Turcotte: Thank you.

Speaker Packard: Did you call for a roll call? Roll call has been called for. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. The Chair recognizes Rep. DiLorenzo for a parliamentary inquiry.

Representative Marjorie Smith: I believe one my colleagues on the other side has asked to do the PI. Is that not true?

Speaker Packard: That's not what I have on my sheet, Representative.

Representative Marjorie Smith: Well, I can understand that because I have been confused too. If no one else is rising.

Speaker Packard: Do you wish to do it, Representative?

Representative Marjorie Smith: Rep. DiLorenzo will do it.

Representative DiLorenzo: Thank you, Mister Speaker. Mister Speaker, if I know that were this bill to pass, it would have a detrimental impact on the collective bargaining process. And, if I know that public negotiations would increase posturing on both sides of the negotiating table and cause delays in reaching a contract agreement. And, finally, if I know that public negotiations could reveal personal employee confidential information, then I would press the red button so that a new motion could be introduced?

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

Representative Sylvia: Thank you, Mister Speaker. Mister Speaker if I know that personal information is not discussed in a union contract negotiation. And, if I know that the principle parties to negotiations are excluded from observing the actions of their agents under the current law. And, if I know that our constitution demands transparency in government actions, then would I press the green button?

Speaker Packard: The question is on the majority Ought to Pass report on HB 206. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 168 voting Yea, 187 voting Nay, the motion fails. Rep. McBeath.

Representative Marjorie Smith: Thank you, Mister Speaker. I move ITL on HB 206.

Speaker Packard: I'm sorry. Rep. Smith.

Representative Spillane: Mister Speaker, I move to table.

Speaker Packard: That is a higher motion. The motion is to table HB 206. A division has been requested. Have we any PI's?

Representative Marjorie Smith: I will do a PI if that is acceptable.

Speaker Packard: This is a division vote. If you wish to do a PI, representative.

Representative Marjorie Smith: I would like to do a PI on the division. Thank you. Rep. McBeath will do the PI.

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

Representative McBeath: Thank you very much. If I know that this bill only adds 7 words to the statute and the 7 words are, "That strategy with respect to collective bargaining where only one member of the negotiating party is present can be private." So despite what we heard earlier, we know that if this bill passes.

Speaker Packard: This is a parliamentary inquiry.

Representative McBeath: I apologize. If I know that this bill would have a chilling affect on collective bargaining, would I now vote to not table this bill, against this motion so that another motion can be brought?

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

Representative Spillane: Thank you, Mister Speaker. Mister Speaker, if I know that sunlight is the best sanitizer and that the best results come from negotiations that are made when all parties know what's going on, would I now push the green button to table this bill?

Speaker Packard: The motion is to table HB 206. This is a division vote. If you are in favor, you'll press the green button. If you are against, you'll press the red button. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 174 voting Yea, 178 voting Nay, the motion to table fails. We are back to the ITL motion.

Representative Marjorie Smith: Mister Speaker, with your indulgence, I would move ITL. Since the House has just demonstrated its opposition to this bill, I would think a very quick voice vote could confirm that fact that we want to ITL this bill. Thank you very much, Mister Speaker.

Speaker Packard: I heard roll call. Is roll call sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Are there PI's that are going to be done?

Representative Marjorie Smith: Well not wanting to miss. Oh wait, the other side goes first.

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

Representative Sylvia: Thank you, Mister Speaker. If I know that transparency is one of the foundations of the state government. Article 8 of our constitution demands transparency. Our people demand transparency. If I understand that it is my job to support that, would I then press the red button?

Speaker Packard: The Chair recognizes Rep. Smith. I'm sorry.

Representative Marjorie Smith: That's okay. I don't wear my name badge so how can I expect you to remember?

Speaker Packard: I think we've been here too long today, but unfortunately; we have to continue. The Chair recognizes Rep. Marjorie Smith for a parliamentary inquiry.

Representative Marjorie Smith: Thank you very much and I share with you the desire to move appropriately through the calendar and say if I recognize that this body has voted not to pass this bill and in order to complete the process, we would have to vote yes on an ITL motion. And if I understand that transparency in all situations is not necessarily appropriate in order to have us have the best possible government. If I understand for example that we're all dressed in clothes because it wouldn't be appropriate for us to be here transparently showing us without clothes, would I in fact vote yes on the ITL motion and support the earlier vote of this body? Thank you.

Speaker Packard: The question is on the ITL motion for HB 206. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 189 voting Yea, 163 voting Nay, the committee report of ITL is adopted.

REGULAR CALENDAR PART II CONT'D

HB 227, relative to termination of tenancy at the expiration of the tenancy or lease term. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Edward Gordon for the Majority of Judiciary. This bill, as amended, adjusts the eviction process to allow a landlord to terminate a tenancy when a defined lease period expires without having to prove some other cause. The amendment provides that written notice that the lease will not be renewed must be given to the tenant at least 30 days prior to the end of the lease term. Tenants are still entitled to judicial process prior to any eviction and the landlord will still have to show cause for an eviction if there is no defined lease term or if the tenant is in hold over status. Vote 12-9.

Rep. Charlotte DiLorenzo for the Minority of Judiciary. The minority of the committee feel that this bill in effect negates the need for and use of lease agreements. The amended version of this bill requires the landlord to give the tenant a written notice 30 days in advance of the termination date and orders the tenant to vacate the apartment at the end of the lease term. This bill is essentially a no-fault eviction. The timing of this bill could not have been worse given that we have a housing crisis with rents out of reach for the average renter, and with a historically low vacancy rate. The New Hampshire Housing Finance Agency's December 2020 Rental Market Report shows the median monthly gross rent for a 2-bedroom apartment to be \$1,413 with an average state wide vacancy rate of only 1.8%. This bill creates bad policy and will increase housing insecurity and homelessness for our low-and moderate-income families who rent.

Majority Amendment (0361h)

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Termination of Tenancy; Expiration of Term. Amend RSA 540:2, II by inserting after subparagraph (g) the following new subparagraph:

(h) For a lease or tenancy the original term of which is 6 months or longer, or for a lease or tenancy the term of which is less than 6 months but which has been renewed for a total period of 6 months or longer, the expiration of the term of the lease or tenancy, provided that the landlord has provided the tenant with written notice at least 30 days in advance of the termination date of the lease term that the lease will not be renewed and that the tenant must vacate the rental property at the end of the lease term.

Majority committee amendment adopted.

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

DiLorenzo spoke against.

Rep. Gordon spoke in favor.

Rep. Harrington requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 147**YEAS - 202****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
MacDonald, John
Umberger, Karen

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
Marsh, William

Deshaies, Brodie
McConkey, Mark

CHESHIRE

Gomarlo, Jennie
Santonastaso, Matthew

Hunt, John

Qualey, James

Rhodes, Jennifer

COOS

Craig, Kevin

Davis, Arnold

Merner, Troy

GRAFTON

Alliegro, Mark
Folsom, Beth
Ham, Bonnie

Berezhny, Lex
Sanborn, Gail
Ladd, Rick

Binford, David
Gordon, Edward
Massimilla, Linda

Depalma IV, Joseph
Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
King, Bill
Burt, John
Kelley, Diane
Foster, William

Alexander, Joe
Baroody, Benjamin
Connors, Erika
Smith, Denise
Griffin, Gerald

Ammon, Keith
Blasek, Melissa
Creighton, Jim
DiSilvestro, Linda
Gagne, Larry

Griffin, Barbara
Boehm, Ralph
Cushman, Leah
Erf, Keith
Gorski, Ted

Gould, Linda
 Harriott-Gathright, Linda
 Kelsey, Niki
 Lanzara, Tom
 Marston, Dick
 Notter, Jeanine
 Plett, Fred
 Renzullo, Andrew
 Sheehan, Vanessa
 Warden, Mark

Allard, James
 Hill, Gregory
 Moffett, Michael
 Seaworth, Brian
 Wells, Natalie

Abbas, Daryl
 Ayer, Paul
 Bershtein, Alan
 Dolan, Tom
 Ford, Oliver
 Harley, Tina
 Khan, Aboul
 Lynn, Bob
 McBride, Everett
 Osborne, Jason
 Prudhomme-O'Brien, Katherine
 Spillane, James
 Torosian, Peter
 Verville, Kevin
 Weyler, Kenneth

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

Aron, Judy
 Stapleton, Walter

Buco, Thomas
 Woodcock, Stephen

Abbott, Michael
 Eaton, Daniel
 Harvey, Cathryn
 Schapiro, Joe

Laflamme, Larry

Abel, Richard
 Egan, Timothy
 Murphy, James
 Weston, Joyce

Bouldin, Amanda
 Bouchard, Donald
 Cornell, Patricia
 Goley, Jeffrey
 Hyland, Stephanie

Graham, John
 Healey, Robert
 Kofalt, Jim
 Lascelles, Richard
 Mayville, Mary
 Nunez, Hershel
 Post, Lisa
 Rice, Kimberly
 Somero, Paul

Andrus, Louise
 Klose, John
 Pearl, Howard
 Soucy, Timothy
 White, Nick

Abrami, Patrick
 Baldasaro, Al
 Copp, Anne
 Doucette, Fred
 Gay, Betty
 Hobson, Deborah
 Layon, Erica
 Griffin, Mary
 McMahon, Charles
 Piemonte, Tony
 Roy, Terry
 Sweeney, Joe
 Tripp, Richard
 MacDonald, Wayne
 Yokela, Josh

Bailey, Glenn
 Harrington, Michael
 Kittredge, Mac
 Vincent, Kenneth

Callum, John
 Smith, Steven

Burroughs, Anita

Ames, Richard
 Faulkner, Barry
 Ley, Douglas
 Toll, Amanda

Tucker, Edith

Adjutant, Joshua
 Fellows, Sallie
 Stavis, Laurel

Bouldin, Andrew
 Bradley, Amy
 Dutzy, Sherry
 Griffith, Willis
 Schmidt, Janice

Greene, Bob
 Homola, Susan
 Ober, Lynne
 Leishman, Peter
 McLean, Mark
 Pauer, Diane
 Prout, Andrew
 Rouillard, Claire
 Lekas, Tony

MERRIMACK

Boyd, Stephen
 Mason, James
 Pitaro, Matthew
 Testerman, Dave
 Wolf, Dan

ROCKINGHAM

Abramson, Max
 Belanger, Cody
 DeSimone, Debra
 Edwards, Jess
 Grote, Jaci
 Janigian, John
 Litchfield, Melissa
 Pearson, Mark
 Melvin, Charles
 Potucek, John
 Pearson, Stephen
 Sytek, John
 True, Chris
 Wallace, Scott

STRAFFORD

DeLemus, Susan
 Hayward, Peter
 Newton, Clifford
 Wuelper, Kurt

SULLIVAN

Rollins, Skip

NAYS - 147 CARROLL

Knirk, Jerry

CHESHIRE

Berch, Paul
 Fenton, Donovan
 Mann, John
 Weber, Lucy

COOS

GRAFTON

Almy, Susan
 Hakken-Phillips, Mary
 Smith, Suzanne

HILLSBOROUGH

Beaulieu, Jane
 Chretien, Jacqueline
 Espitia, Manny
 Hamer, Heidi
 Jack, Martin

Gunski, Michael
 Hopper, Gary
 Sanborn, Laurie
 Lewicke, John
 Mooney, Maureen
 Petrigno, Peter
 Ober, Russell
 Rung, Rosemarie
 Ulery, Jordan

Cambrils, Jose
 McGuire, Carol
 Schamberg, Thomas
 Walsh, Thomas
 Yakubovich, Michael

Acton, Dennis
 Bernardy, JD
 Dodge, Dustin
 Elliott, Robert
 Harb, Robert
 Katsakiores, Phyllis
 Love, David
 McBeath, Rebecca
 Milz, David
 Pratt, Kevin
 Soti, Julius
 Thomas, Douglas
 Tudor, Paul
 Welch, David

Fontneau, Timothy
 Horgan, James
 Pitre, Joseph

Spilsbury, Walter

McAleer, Chris

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

Dontonville, Roger
 Muirhead, Russell
 Sykes, George

Bergeron, Paul
 Cohen, Bruce
 Freitas, Mary
 Heath, Mary
 Klee, Patricia

Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara
Toomey, Dan
Veilleux, Daniel

Labranche, Tony
King, Mark
Moran, Melbourne
Pedersen, Michael
Query, Joshua
Snow, Kendall
Vail, Suzanne
Wilhelm, Matthew

Langley, Diane
Murray, Megan
Mullen, Sue
Perez, Maria
Newman, Ray
Stevens, Deb
Van Houten, Constance

Laughton, Stacie-Marie
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Newman, Sue
Telerski, Laura
Vann, Ivy

MERRIMACK

Bartlett, Christy
Gallagher, Eric
Pimentel, Roderick
Schultz, Kristina
Wazir, Safiya

Caplan, Tony
Lane, Connie
Richards, Beth
Shurtleff, Steve
Woods, Gary

Ebel, Karen
MacKay, James
Rogers, Katherine
Wallner, Mary Jane

Elison, Arthur
McWilliams, Rebecca
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Grossman, Gaby
Maggiore, Jim
Read, Ellen

Bunker, Lisa
DiLorenzo, Charlotte
Hamblet, Joan
Malloy, Dennis
Simpson, Alexis

Cahill, Michael
Edgar, Michael
Murray, Kate
Meuse, David
Somssich, Peter

Cali-Pitts, Jacqueline
Gilman, Julie
Loughman, Tom
Paige, Mark
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Kenney, Cam
Rich, Cecilia
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Levesque, Cassandra
Southworth, Thomas

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Spang, Judith

Conley, Casey
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

and the majority committee report was adopted and the bill was ordered to third reading.
Reps. Hakken-Phillips, Kelley and Baxter declared a conflict of interest and did not participate.

HB 232, relative to nonpublic sessions under the right to know law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for the Majority of Judiciary. This bill permits nonpublic sessions under RSA 91-A for consideration of the amount paid, offered, or accepted for the sale or lease of property. Nonpublic sessions would not be permitted for general discussions of whether to proceed with the sale or lease. This bill restricts nonpublic sessions to negotiations of price for property sale or acquisition. Discussions of purchases and sales would be held in public meetings. Vote 11-10.

Rep. Timothy Horrigan for the Minority of Judiciary. This bill was inspired by a recent real estate transaction where the City of Laconia agreed to buy an unused school building, a house, and a parking lot in the center of the city from the Roman Catholic Diocese of Manchester. The city and the diocese negotiated the sale in a somewhat unorthodox but perfectly legal fashion. The minority is not prepared to say whether this deal was a good one or not, but they note that the negotiated price is well in line with the value of other properties in downtown Laconia. The minority also recognized that it is a bad idea to make law based on one isolated incident, especially when it is unclear what, if anything, was problematic about that one incident.

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

Rep. Horrigan spoke against.

Rep. Sylvia spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 183 - NAYS 164

YEAS - 183

BELKNAP

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

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

Bordes, Mike
Johnson, Dawn
O'Hara, Travis
Terry, Paul

Comtois, Barbara
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

CARROLL

Avellani, Lino
McConkey, Mark

Cordelli, Glenn
Umberger, Karen

MacDonald, John

Smith, Jonathan

CHESHIRE

Hunt, John
Welkowitz, Lawrence

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Davis, Arnold

Merner, Troy

Tucker, Edith

GRAFTON

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Sanborn, Gail
Simon, Matthew

Berezhny, Lex
Gordon, Edward

Binford, David
Greeson, Jeffrey

Folsom, Beth
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Creighton, Jim
Dutzy, Sherry
Gagne, Larry
Graham, John
Homola, Susan
Ober, Lynne
Leishman, Peter
McLean, Mark
Nunez, Hershel
Ober, Russell
Sheehan, Vanessa

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Erf, Keith
Goley, Jeffrey
Greene, Bob
Hopper, Gary
Sanborn, Laurie
Lewicke, John
Mooney, Maureen
Pauer, Diane
Renzullo, Andrew
Lekas, Tony

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Foster, William
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Lanzara, Tom
Marston, Dick
Moran, Melbourne
Post, Lisa
Rice, Kimberly
Ulery, Jordan

Griffin, Barbara
Burt, John
Smith, Denise
Griffin, Gerald
Gould, Linda
Healey, Robert
Kofalt, Jim
Lascalles, Richard
Mayville, Mary
Notter, Jeanine
Prout, Andrew
Rouillard, Claire
Warden, Mark

MERRIMACK

Andrus, Louise
Hill, Gregory
Pearl, Howard
Walsh, Thomas
Yakubovich, Michael

Boyd, Stephen
Klose, John
Pitaro, Matthew
Wells, Natalie

Cambriels, Jose
McGuire, Carol
Seaworth, Brian
White, Nick

Caplan, Tony
Moffett, Michael
Testerman, Dave
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
DeSimone, Debra
Elliott, Robert
Harb, Robert
Katsakiores, Phyllis
Love, David
McMahon, Charles
Potucek, John
Pearson, Stephen
Sytek, John
True, Chris
Wallace, Scott

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Dodge, Dustin
Ford, Oliver
Harley, Tina
Khan, Aboul
Lynn, Bob
Melvin, Charles
Pratt, Kevin
Soti, Julius
Thomas, Douglas
Tudor, Paul
Welch, David

Abramson, Max
Baxter, Tim
Cali-Pitts, Jacqueline
Doucette, Fred
Gay, Betty
Hobson, Deborah
Layon, Erica
Griffin, Mary
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Torosian, Peter
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
Copp, Anne
Edwards, Jess
Green, Dennis
Janigian, John
Litchfield, Melissa
Pearson, Mark
Piemonte, Tony
Roy, Terry
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Newton, Clifford

DeLemus, Susan
Horgan, James
Turcotte, Leonard

Groen, Fenton
Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Rollins, Skip

Spilsbury, Walter

NAYS - 164**CARROLL**

Buco, Thomas
Marsh, William

Burroughs, Anita
McAleer, Chris

Deshaies, Brodie
Woodcock, Stephen

Knirk, Jerry

CHESHIRE

Abbott, Michael
Eaton, Daniel
Gomarlo, Jennie
Parshall, Lucius

Ames, Richard
Faulkner, Barry
Harvey, Cathryn
Schapiro, Joe

Berch, Paul
Fenton, Donovan
Ley, Douglas
Toll, Amanda

Bordenet, John
Fox, Dru
Mann, John
Weber, Lucy

COOS

Kelley, Eamon

Lafamme, Larry

GRAFTON

Abel, Richard
Dontonville, Roger
Ham, Bonnie
Stavis, Laurel

Adjutant, Joshua
Egan, Timothy
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Sykes, George

Depalma IV, Joseph
Hakken-Phillips, Mary
Murphy, James
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Espitia, Manny
Harriott-Gathright, Linda
Schmidt, Janice
Labranche, Tony
King, Mark
Mullen, Sue
Perez, Maria
Query, Joshua
Shaw, Barbara
Toomey, Dan
Veilleux, Daniel

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Freitas, Mary
Heath, Mary
Jack, Martin
Langley, Diane
Murray, Megan
Nutting-Wong, Allison
Petrigno, Peter
Newman, Ray
Snow, Kendall
Vail, Suzanne
Wilhelm, Matthew

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Griffith, Willis
Hyland, Stephanie
Klee, Patricia
Laughton, Stacie-Marie
Mangipudi, Latha
O'Brien, Michael
Piedra, Israel
Rung, Rosemarie
Stevens, Deb
Van Houten, Constance

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Hamer, Heidi
Infantine, William
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Telerski, Laura
Vann, Ivy

MERRIMACK

Allard, James
Gallager, Eric
McWilliams, Rebecca
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Bartlett, Christy
Lane, Connie
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

Ebel, Karen
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Ellison, Arthur
Mason, James
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBride, Everett
Read, Ellen

Bunker, Lisa
Dolan, Tom
Grote, Jaci
Maggiore, Jim
Meuse, David
Simpson, Alexis

Cahill, Michael
Edgar, Michael
Hamblet, Joan
Malloy, Dennis
Milz, David
Somssich, Peter

Cushing, Robert Renny
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Paige, Mark
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Schmidt, Peter
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Kenney, Cam
Pitre, Joseph
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Levesque, Cassandra
Rich, Cecilia

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Spang, Judith

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

Oxenham, Lee

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

HB 236, creating a statute of limitation on civil actions relative to damage caused by perfluoroalkyl and polyfluoroalkyl substances. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Mark Paige for the Majority of Judiciary. This bill extends the statute of limitations to six years to bring civil actions for damages caused by perfluoroalkyl and polyfluoroalkyl, or “PFAS” chemicals. PFAS refers to a group of over 5,000 man-made chemicals used to make items such as non-stick coating and outdoor clothing. They have been found in numerous drinking water supplies of New Hampshire residents. Human exposure to these chemicals can cause significant negative health effects, including reproductive disorders and developmental effects to infants. However, the manifestation of these effects can take many years, even decades. Under the ordinary statute of limitations, three years, harm caused by the chemicals may manifest itself at a point in time beyond the typical statute of limitations and effectively foreclose a remedy through a civil action. This bill addresses this problem because it extends the statute of limitations to account for this latency effect known to be caused by PFAS. It was recommended Ought to Pass with bipartisan support. Vote 11-10. Rep. Mark McLean for the Minority of Judiciary. This bill extends the statute of limitations for bringing forth a civil action related to damage caused by perfluoroalkyl and polyfluoroalkyl substances (PFAS) from three years from the date of reasonable discovery to six years. Three years has long been the standard in environmental cases, and because the clock doesn’t start until the discovery is made, the minority of the committee felt that it is more than enough time to bring forth a claim. The minority was also concerned that a special carve out for PFAS may begin the journey to a confusing patchwork of limitations in the future as more harmful substances are identified. Majority committee report adopted and the bill was ordered to third reading.

HB 368, relative to claims for medical monitoring. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for the Majority of Judiciary. This bill seeks to provide a right of action to seek medical monitoring in the event of significant exposure to toxins caused by the negligent activity of a defendant. Medical monitoring claims are relatively new to the legal landscape and have only really emerged in the last few decades. Nevertheless, our expanding understanding of the long-term negative health effects of toxin exposure has led to a sea change in legal thinking in this area, and courts in New England and across the country have increasingly allowed claims to proceed. With this in mind, this bill provides guidance and clarity relative to the rights and responsibilities of all parties involved in a monitoring claim. The committee was careful to base the legal standard on the growing body of case law in the area, including the *Hermens v. Textiles Coated Incorporated* case heard in Hillsborough Superior court, and the case of the residents of Bennington, *Vermont v. Saint-Gobain Performance Plastics Corporation*. The bill preserves the need to show negligence and causation on the part of the defendant, and the amendment further requires that the plaintiff demonstrate a significantly increased health risk from exposure that requires monitoring for which tests exist. The final amended bill holds negligent chemical users accountable, protects users who operate in good faith and compliance with the law, and provides a much-needed legal remedy for monitoring to those who are exposed. Vote 13-7.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority recognizes there are health risks associated with toxic exposure and it also recognizes there are boundaries around damage claims. The standard for damages has always been some actual damage; damage that could be assessed in some reasonable manner upon which claims can be adjudicated. Medical monitoring creates an entirely new standard where damages can be claimed for events that may never occur simply because people are put at increased risk of something that may or may not happen at some unspecified future time. Such a claim has no end time, no limit on the potential cost, and no reasonable way of evaluating the potential damages. Any money paid for potential, but never occurring, events reduces the money available for those who actually suffer the real damages of the exposure.

Majority Amendment (0494h)

Amend RSA 125-T:3, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The plaintiff now suffers from a significantly increased risk of illness, disease, or latent disease. The plaintiff does not need to prove that the illness, disease, or latent disease is certain or likely to develop as a result of the exposure;

MOTION TO LAY ON THE TABLE

Rep. Alexander moved that **HB 368**, relative to claims for medical monitoring, be laid on the table. Rep. Espitia requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 169**YEAS - 172****BELKNAP**

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

CARROLL

Avellani, Lino	Cordelli, Glenn	Deshaies, Brodie	MacDonald, John
Smith, Jonathan	Marsh, William	McConkey, Mark	Umberger, Karen

CHESHIRE

Faulkner, Barry	Hunt, John	Mann, John	Qualey, James
Rhodes, Jennifer	Santonastaso, Matthew		

COOS

Craig, Kevin	Davis, Arnold	Merner, Troy	
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GRAFTON

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

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Ammon, Keith	Griffin, Barbara
King, Bill	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	Hopper, Gary	Infantine, William	Kelsey, Niki

Kofalt, Jim
 Lascelles, Richard
 Pauer, Diane
 Renzullo, Andrew
 Sheehan, Vanessa

Sanborn, Laurie
 Lewicke, John
 Post, Lisa
 Rice, Kimberly
 Lekas, Tony

Langley, Diane
 Marston, Dick
 Prout, Andrew
 Rouillard, Claire
 Ulery, Jordan

Lanzara, Tom
 Nunez, Hershel
 Ober, Russell
 Shaw, Barbara
 Warden, Mark

MERRIMACK

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

Andrus, Louise
 Klose, John
 Pearl, Howard
 Wells, Natalie

Boyd, Stephen
 Mason, James
 Pitaro, Matthew
 White, Nick

Cambrils, Jose
 McGuire, Carol
 Seaworth, Brian
 Wolf, Dan

ROCKINGHAM

Abbas, Daryl
 Ayer, Paul
 Copp, Anne
 Doucette, Fred
 Harb, Robert
 Katsakiores, Phyllis
 Love, David
 McBride, Everett
 Potucek, John
 Pearson, Stephen
 Sytek, John
 Tudor, Paul
 Welch, David

Abrami, Patrick
 Baldasaro, Al
 DeSimone, Debra
 Edwards, Jess
 Harley, Tina
 Khan, Aboul
 Lynn, Bob
 Melvin, Charles
 Pratt, Kevin
 Soti, Julius
 Thomas, Douglas
 Verville, Kevin
 Weyler, Kenneth

Abramson, Max
 Bernardy, JD
 Dodge, Dustin
 Ford, Oliver
 Hobson, Deborah
 Layon, Erica
 Griffin, Mary
 Milz, David
 Prudhomme-O'Brien, Katherine
 Spillane, James
 Torosian, Peter
 MacDonald, Wayne
 Yokela, Josh

Acton, Dennis
 Bershtein, Alan
 Dolan, Tom
 Green, Dennis
 Janigian, John
 Litchfield, Melissa
 Pearson, Mark
 Piemonte, Tony
 Roy, Terry
 Sweeney, Joe
 True, Chris
 Wallace, Scott

STRAFFORD

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

Bailey, Glenn
 Hayward, Peter
 Newton, Clifford

DeLemus, Susan
 Horgan, James
 Pitre, Joseph

Groen, Fenton
 Kaczynski, Thomas
 Rich, Cecilia

SULLIVAN

Aron, Judy
 Smith, Steven

Rollins, Skip

Spilsbury, Walter

Stapleton, Walter

NAYS - 169

CARROLL

Buco, Thomas
 Woodcock, Stephen

Burroughs, Anita

Knirk, Jerry

McAleer, Chris

CHESHIRE

Abbott, Michael
 Eaton, Daniel
 Harvey, Cathryn
 Toll, Amanda

Ames, Richard
 Fenton, Donovan
 Ley, Douglas
 Weber, Lucy

Berch, Paul
 Fox, Dru
 Parshall, Lucius
 Welkowitz, Lawrence

Bordenet, John
 Gomarlo, Jennie
 Schapiro, Joe

COOS

Kelley, Eamon

Lafamme, Larry

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

Dontonville, Roger
 Ham, Bonnie
 Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
 Bergeron, Paul
 Cohen, Bruce
 Espitia, Manny
 Hamer, Heidi
 Homola, Susan
 Klee, Patricia
 Leishman, Peter
 Mangipudi, Latha
 Mooney, Maureen
 Nutting-Wong, Allison
 Petrigno, Peter
 Newman, Ray
 Stevens, Deb
 Van Houten, Constance

Bouldin, Andrew
 Bouchard, Donald
 Connors, Erika
 Freitas, Mary
 Harriott-Gathright, Linda
 Hyland, Stephanie
 Klein-Knight, Nicole
 Long, Patrick
 Mayville, Mary
 Moran, Melbourne
 O'Brien, Michael
 Piedra, Israel
 Rung, Rosemarie
 Telerski, Laura
 Vann, Ivy

Baroody, Benjamin
 Bradley, Amy
 Cornell, Patricia
 Goley, Jeffrey
 Healey, Robert
 Schmidt, Janice
 Labranche, Tony
 King, Mark
 McGhee, Kat
 Mullen, Sue
 Pedersen, Michael
 Porter, Marjorie
 Newman, Sue
 Toomey, Dan
 Veilleux, Daniel

Beaulieu, Jane
 Chretien, Jacqueline
 Dutzy, Sherry
 Griffith, Willis
 Heath, Mary
 Jack, Martin
 Loughton, Stacie-Marie
 Murray, Megan
 McLean, Mark
 Notter, Jeanine
 Perez, Maria
 Query, Joshua
 Snow, Kendall
 Vail, Suzanne
 Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Gallager, Eric
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Caplan, Tony
Lane, Connie
Rogers, Katherine
Shurtleff, Steve
Wazir, Safiya

Ebel, Karen
MacKay, James
Schamberg, Thomas
Soucy, Timothy
Woods, Gary

Ellison, Arthur
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Simpson, Alexis

Baxter, Tim
Cali-Pitts, Jacqueline
Gay, Betty
Hamblet, Joan
Malloy, Dennis
Osborne, Jason
Somssich, Peter

Belanger, Cody
Cushing, Robert Renny
Gilman, Julie
Murray, Kate
McBeath, Rebecca
Paige, Mark
Tripp, Richard

Bunker, Lisa
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McMahon, Charles
Read, Ellen
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Schmidt, Peter
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Kenney, Cam
Spang, Judith
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Levesque, Cassandra
Treleven, Susan

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Turcotte, Leonard

SULLIVAN

Callum, John
Oxenham, Lee

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Merchant, Gary

and the motion was adopted.

REGULAR CALENDAR PART II CONT'D

HB 384-FN, prohibiting the sharing of location data. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This bill, as amended, prohibits any mobile application developer, telecommunications carrier, or other person from selling or permitting access to customer personal location data unless the customer expressly consents to that sale or access. The bill prohibits a provider from refusing to serve a customer, charging a customer a penalty, or offering a customer a discount if the customer does not consent to the use, disclosure, sale, or access. Nothing in this bill limits how your location data can be internally used by a service provider. The bill has broad exemptions for law enforcement, emergencies, and other legal processes. The majority believes where you are and where you have been are an important element of our privacy and that information should be protected just as much as your birth date. Vote 16-4. Rep. Timothy Horrigan for the Minority of Judiciary. The minority of the Judiciary Committee agrees with the majority that online privacy is an important issue for Granite Staters. This bill is, however, a crude and inflexible attempt to solve an extraordinarily complicated problem which in any case could best be addressed, and is being addressed, on a federal level. This bill, if passed, would accomplish little if anything aside from denying Granite State residents, visitors, and businesses access to valuable online location-based services. It would also destroy jobs by driving high-tech firms to other states or countries and by crippling the growth of the new "gig economy." Finally, this bill would impose fines which could literally run into the millions of dollars on businesses and individuals who inadvertently violate the vague provisions of this bill.

Majority Amendment (0155H)

Amend RSA 570-A:2-b, II(a) as inserted by section 1 of the bill by replacing it with the following:

II(a) No mobile application developer or a telecommunications carrier shall share a customer's location data, other than to fulfill an explicit request from such customer, unless the customer has affirmatively waived such right after being properly informed. For purposes of this section, continuing to use a service or website shall not be considered an affirmative waiver.

Majority committee amendment adopted.

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

Rep. Yokela offered floor amendment (1097h).

Floor Amendment (1097h)

Amend RSA 570-A:2-b, IV as inserted by section 1 of the bill by replacing it with the following:

IV. This section shall not apply to:

- (a) Location data or location information lawfully collected under the requirements of RSA 644-A.
- (b) A customer providing the customer's own location data to a mobile application.

Rep. Yokela spoke in favor.

Rep. Wuelper spoke against.

Floor amendment (1097h) failed.

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

Rep. Horrigan spoke against.

Rep. Wuelper spoke in favor.

On a division vote, with 327 members having voted in the affirmative, and 12 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Lang 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 236**, creating a statute of limitation on civil actions relative to damage caused by perfluoroalkyl and polyfluoroalkyl substances.

Rep. Lang spoke against.

On a division vote, with 117 members having voted in the affirmative, and 226 in the negative, the motion failed.

REGULAR CALENDAR PART II CONT'D

HB 402, relative to takings of property in a declared emergency. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for the Majority of Judiciary. This bill enhances the protections guaranteed by the New Hampshire Constitution by requiring a supermajority vote of the legislature prior to property takings under a state of emergency. By commanding that two thirds of the house and senate agree to the necessity of a taking, this policy upholds our duty to protect our citizens' right to property as is found in Part I, Article 2 of the New Hampshire Constitution. As there is no known application of RSA 4:46 since its creation, this provision may never come to be used, but it stands as a strong support for the rights of the people of New Hampshire if there is ever a need. Vote 11-10.

Rep. Paul Berch for the Minority of Judiciary. The minority of the Judiciary Committee opposes this bill, which would create an unnecessary, impractical, and very expensive impediment to the state responding to a state of emergency. Under current law, if there is a required need for temporary taking of real or personal property, such taking must have the approval of the Governor and Executive Council. With minor exceptions, takings are limited in time and scope and do not include personal items used by individuals and families. This bill would add a requirement that the house and senate be convened and that any such taking be voted upon and agreed to by a supermajority in each chamber. An emergency is, by definition, an emergency. To call the house and senate into session is a time-consuming, expensive, and complex effort. A suitable place may have to be found; required notice and participation of the public will need to be arranged; access by state representatives and senators who will have difficulty attending due to the emergency may have to be considered. There appears to be no claim that the present system, utilizing the Governor and Executive Council, has not worked to protect the rights of the public during a stated emergency or natural disaster. Absent that, creating an expensive and unnecessary level of regulation seems unwarranted.

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

Rep. Berch spoke against.

Rep. Sylvia spoke in favor.

Rep. Belanger requested a roll call; sufficiently seconded.

YEAS 166 - NAYS 171

YEAS - 166

BELKNAP

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

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

Bordes, Mike
Johnson, Dawn
O'Hara, Travis
Terry, Paul

Comtois, Barbara
Lang, Timothy
Ploszaj, Tom
Trottier, Douglas

CARROLL

Avellani, Lino

Cordelli, Glenn

Smith, Jonathan

McConkey, Mark

CHESHIRE

Gomarlo, Jennie

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Craig, Kevin

Davis, Arnold

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
Creighton, Jim
Erf, Keith
Gorski, Ted
Gunski, Michael
Kelsey, Niki
Lanzara, Tom
Mayville, Mary
Nunez, Hershel
Renzullo, Andrew
Lekas, Tony

Alexander, Joe
Blasek, Melissa
Cushman, Leah
Foster, William
Gould, Linda
Healey, Robert
Kofalt, Jim
Lascalles, Richard
McLean, Mark
Pauer, Diane
Rice, Kimberly
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Griffin, Gerald
Graham, John
Homola, Susan
Ober, Lynne
Lewicke, John
Mooney, Maureen
Post, Lisa
Rouillard, Claire
Warden, Mark

Griffin, Barbara
Burt, John
Smith, Denise
Gagne, Larry
Greene, Bob
Hopper, Gary
Sanborn, Laurie
Marston, Dick
Notter, Jeanine
Prout, Andrew
Sheehan, Vanessa

MERRIMACK

Andrus, Louise
Klose, John
Pitaro, Matthew
Yakubovich, Michael

Boyd, Stephen
McGuire, Carol
Seaworth, Brian

Cambrils, Jose
Moffett, Michael
Wells, Natalie

Hill, Gregory
Pearl, Howard
White, Nick

ROCKINGHAM

Abbas, Daryl
Ayer, Paul
Bernardy, JD
Dodge, Dustin
Gay, Betty
Hobson, Deborah
Layon, Erica
McBride, Everett
Piemonte, Tony
Roy, Terry
Sweeney, Joe
True, Chris
Wallace, Scott

Abrami, Patrick
Baldasaro, Al
Bershtein, Alan
Doucette, Fred
Green, Dennis
Janigian, John
Litchfield, Melissa
McMahon, Charles
Potucek, John
Pearson, Stephen
Thomas, Douglas
Tudor, Paul
Welch, David

Abramson, Max
Baxter, Tim
Copp, Anne
Edwards, Jess
Harb, Robert
Katsakiores, Phyllis
Love, David
Melvin, Charles
Pratt, Kevin
Soti, Julius
Torosian, Peter
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Belanger, Cody
DeSimone, Debra
Ford, Oliver
Harley, Tina
Khan, Aboul
Griffin, Mary
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Harrington, Michael
Kittredge, Mac

Bailey, Glenn
Hayward, Peter
Pitre, Joseph

DeLemus, Susan
Horgan, James
Turcotte, Leonard

Groen, Fenton
Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Rollins, Skip

Spilsbury, Walter

**NAYS - 171
CARROLL**

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Marsh, William

Deshaies, Brodie
McAleer, Chris

MacDonald, John
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Toll, Amanda

Ames, Richard
Faulkner, Barry
Ley, Douglas
Weber, Lucy

Berch, Paul
Fenton, Donovan
Parshall, Lucius
Welkowitz, Lawrence

Bordenet, John
Fox, Dru
Schapiro, Joe

COOS

Kelley, Eamon

Lafamme, Larry

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

Dontonville, Roger
Ham, Bonnie
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Cohen, Bruce
Dutzy, Sherry
Griffith, Willis
Hyland, Stephanie

Bouldin, Andrew
Bouchard, Donald
Connors, Erika
Espitia, Manny
Hamer, Heidi
Infantine, William

Baroody, Benjamin
Bradley, Amy
Cornell, Patricia
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice

Beaulieu, Jane
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Jack, Martin

Klee, Patricia
 Laughton, Stacie-Marie
 Murray, Megan
 Nutting-Wong, Allison
 Petrigno, Peter
 Newman, Ray
 Snow, Kendall
 Vail, Suzanne
 Wilhelm, Matthew

Klein-Knight, Nicole
 Leishman, Peter
 Mangipudi, Latha
 O'Brien, Michael
 Piedra, Israel
 Rung, Rosemarie
 Stevens, Deb
 Van Houten, Constance

Labranche, Tony
 Long, Patrick
 McGhee, Kat
 Pedersen, Michael
 Porter, Marjorie
 Newman, Sue
 Telerski, Laura
 Vann, Ivy

Langley, Diane
 King, Mark
 Mullen, Sue
 Perez, Maria
 Query, Joshua
 Shaw, Barbara
 Toomey, Dan
 Veilleux, Daniel

MERRIMACK

Allard, James
 Ellison, Arthur
 Mason, James
 Rogers, Katherine
 Shurtleff, Steve
 Wazir, Safiya

Bartlett, Christy
 Gallager, Eric
 McWilliams, Rebecca
 Schamberg, Thomas
 Soucy, Timothy
 Wolf, Dan

Caplan, Tony
 Lane, Connie
 Pimentel, Roderick
 Schuett, Dianne
 Wallner, Mary Jane
 Woods, Gary

Ebel, Karen
 MacKay, James
 Richards, Beth
 Schultz, Kristina
 Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
 Cushing, Robert Renny
 Gilman, Julie
 Murray, Kate
 Maggiore, Jim
 Milz, David
 Somssich, Peter

Bunker, Lisa
 DiLorenzo, Charlotte
 Grossman, Gaby
 Loughman, Tom
 Malloy, Dennis
 Paige, Mark
 Sytek, John

Cahill, Michael
 Dolan, Tom
 Grote, Jaci
 Lynn, Bob
 McBeath, Rebecca
 Read, Ellen
 Ward, Gerald

Cali-Pitts, Jacqueline
 Edgar, Michael
 Hamblet, Joan
 Pearson, Mark
 Meuse, David
 Simpson, Alexis

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Horrigan, Timothy
 Schmidt, Peter
 Vincent, Kenneth

Cannon, Gerri
 Fargo, Kristina
 Kenney, Cam
 Rich, Cecilia
 Wall, Janet

Chase, Wendy
 Fontneau, Timothy
 Levesque, Cassandra
 Spang, Judith

Conley, Casey
 Grassie, Chuck
 Smith, Marjorie
 Treleven, Susan

SULLIVAN

Cloutier, John
 Sullivan, Brian

Gottling, Suzanne
 Tanner, Linda

Merchant, Gary

Oxenham, Lee

and the majority committee report failed.

Rep. Marjorie Smith moved the minority committee report of Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Osborne moved that **HB 402**, relative to takings of property in a declared emergency, be laid on the table. On a division vote, with 169 members having voted in the affirmative, and 168 in the negative, the motion was adopted.

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, Friday, April 9, 2021 at 9:00 a.m.

Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 334, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile.

HB 338-FN, relative to penalties for dog theft and tampering with a dog's radio collar.

HB 347-FN, relative to driving with a suspended license.

HB 539, relative to records of communications common carriers.

HB 546-FN, relative to 911 immunity for reporting that a person has been the victim of a violent crime.

HB 69, relative to the display of the national motto in schools.

HB 71, relative to school district emergency special meetings.

HB 140, relative to private rights of action regarding pupil safety.

HB 182, relative to approval of coursework completed at other approved schools

HB 278, relative to the use of unused district facilities by chartered public schools.

HB 282, relative to a private school that is approved as a tuition program.

HB 319, requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test.

HB 321, requiring school districts to submit an annual report concerning gifted and talented students.
HB 388, relative to changing a pupil's school or assignment because of a manifest educational hardship.
HB 464, relative to the commission to study school funding.
HB 77, requiring town and city clerks to provide daily notification to the secretary of state of any filings for elected office.
HB 98, relative to the date of the state primary election.
HB 223, relative to political party access to a list of absentee ballot requests.
HB 263, relative to campaign finance reform.
HB 285, relative to verification of voter checklists.
HB 291, relative to public inspection of absentee ballot lists.
HB 292, relative to the absentee ballot application process.
HB 326, requiring town and city clerks to make electronic lists of persons who have requested, been mailed, or returned absentee ballots available to candidates upon request.
HB 391, increasing the threshold for reporting by political committees.
HB 523-FN, requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete.
HB 85, relative to using Atlantic Standard Time in New Hampshire.
HB 218, repealing RSA 320 relative to hawkers and peddlers and RSA 321 relative to itinerant vendors.
HB 273, relative to the 50th anniversary of the passage of the 26th amendment, granting the right to vote to 18-21 year olds and celebrating youth voting and office holding.
HB 345, establishing a license for mushroom harvesters.
HB 417, relative to the powers of the governor during a renewal of a declared state of emergency, and relative to the acceptance of federal assistance.
HB 575, relative to licensure of applicants for cosmetology, esthetics, and manicuring through apprenticeship programs.
HB 606, exempting services provided without remuneration from license requirements for barbering, cosmetology, and esthetics.
HB 131, relative to reporting of health care associated infections.
HB 143, relative to an electronic prescription drug program.
HB 163-FN, relative to cannabis use during pregnancy.
HB 381-FN, relative to laboratory testing.
HB 503, codifying the council on housing stability.
HB 605-FN, relative to the therapeutic cannabis program.
HB 135, requiring parties responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution.
HB 227, relative to termination of tenancy at the expiration of the tenancy or lease term.
HB 232, relative to nonpublic sessions under the right to know law.
HB 236, creating a statute of limitation on civil actions relative to damage caused by perfluoroalkyl and polyfluoroalkyl substances.
HB 384-FN, prohibiting the sharing of location data.

UNANIMOUS CONSENT

Rep. Schultz requested Unanimous Consent of the House regarding thanks for the vaccine and addressed the House.

UNANIMOUS CONSENT

Rep. Horrigan requested Unanimous Consent of the House regarding the 75th anniversary of integrated professional baseball 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 6:55 p.m.

RECESS