

State of
New Hampshire

HOUSE RECORD

First Year of the 155th Session of the General Court Calendar and Journal of the 1997 Session

Vol. 19 Concord N.H Friday, December 27, 1996 No. 6

Contains: Committees, Hearings, Notices, Work Sessions, Proposed Amendment to House Rules and Unsigned Sponsor List

HOUSE CALENDAR NOTICE

Members of the House:

The House will assemble on January 8, 1997, at 1:00 p.m. pursuant to Part 2, Article 3 of the New Hampshire Constitution. At that time, we will take up proposed changes to the House Rules. The House Rules Committee will meet at 10:00 a.m. on January 2, 1997 in Room 206, LOB to consider those changes to the Rules which are printed in this week's calendar as well as any others which members wish to propose. The proposal contained in this calendar includes (1) a number of housekeeping changes suggested by the House Clerk to reflect current practices (2) a proposed schedule for the first part of the session, and (3) a new section prohibiting non-germane amendments unless they have had a public hearing (Proposed Rule 45 (b)). Please let me know if you are unable to attend the hearing but have changes which you wish to present to the committee.

I would also like to announce that Rep. Ann Torr has been named Majority Leader Emeritus. Ann will bring a great deal of knowledge and experience to her positions on both Elections Committee and the Rules Committee. We are grateful to have the benefit of her wise counsel as we approach the challenges of the new session.

Also contained in this week's calendar is an updated listing of committee assignments in ranking order. Seating assignments, committee whips, and other leadership appointments will be announced later.

For planning purposes, please note that we will not have a February break this year and that session days will be scheduled on Wednesdays insofar as possible.

Last week, we announced the relocation of several committees. It would be helpful to all if members would remove all of their materials from their old committee rooms no later than January 6, 1997. This will ensure that your papers are not misplaced and will allow chairmen and staff to get organized as we begin our work in the 1997-98 biennium.

I hope that you are enjoying a happy holiday season and I look forward to seeing you soon.

Donna Sytek, Speaker

NOTICE

DEADLINES FOR FILING 1997 BILLS

JANUARY 17	-	Friday	-	Last day for sign-off of all bills.
JANUARY 30	-	Thursday	-	Last day to amend the rules by majority vote.
JANUARY 31	-	Friday	-	Last day to introduce all bills.

NOTICE

IMPORTANT UPCOMING LEGISLATIVE DATES

JANUARY 8 - Wednesday - 1997/98 Legislature Opens.
JANUARY 9 - Thursday - Inauguration of the Governor.

PROPOSED AMENDMENT TO HOUSE RULES

Amend the house rules to read as follows:

DUTIES OF THE SPEAKER

1. The Speaker shall take the chair at precisely the hour to which the House has adjourned [~~He~~], **and** shall immediately call the members to order [~~and they~~]. **Members** shall take their seats [~~The members~~] **and** shall activate their voting stations [~~as soon as they take their seats~~]; **immediately**. When they leave their seats for any reason they shall deactivate their stations.
2. The Speaker shall preserve decorum and order, [~~and~~] may speak on points of order in preference to other members, and shall decide questions of order, subject to an appeal to the House by any [~~two members~~] **member**. The appeal shall be decided by a majority vote of those members present and voting.
3. The Speaker shall appoint all committees unless otherwise directed by the House, subject to the provisions of Rule 27.
4. The Speaker shall refer [~~to the appropriate committees~~] all bills, resolutions, memorials, petitions, accounts, and other matters coming before the House **to the appropriate committees**, unless otherwise ordered by the House. Upon recommendation of the Committee on Rules, the Speaker may refer the same jointly to two committees or to a special committee.
5. The Speaker shall not be called on to vote unless [~~his~~] **the** vote would be decisive. If the vote is tied after the Speaker has voted, the question shall be lost as provided in Rule 22.
6. The Speaker shall sign all bills, resolutions, and addresses after passage. All warrants, subpoenas and other processes issued by order of the House shall be signed by the Speaker and attested to by the Clerk.
7. The Speaker or chairman of the committee of the whole House shall have the power to order the gallery cleared in cases of any disturbance or disorderly conduct.
8. [(a) ~~The following persons shall be admitted within the door of the Representatives' chamber while the House is in session: House members and officers, the Governor, Council members, Senate members, the Secretary of State, the Treasurer, and the Senate Clerks.~~
(b) ~~No other person shall be admitted within the door of the Representatives' chamber except with the permission of the Chair.~~
(c) ~~No lobbyist, department head or other non-member who is closely connected with legislation pending before the House shall be permitted on the floor of the House or in the House Sergeant-at-Arms area while the House is in session.~~]
The Speaker shall sign all bills after enrollment in both bodies.
9. The Speaker shall have power to substitute any member to perform the duties of the Chair. If [~~the Speaker is~~] absent, [~~he~~] **the Speaker** shall designate a member to perform the duties of the Chair unless otherwise ordered by the House.

DECORUM AND DEBATE

10. In all cases not provided for by the Constitution, House Rules or Joint Rules, "Mason's Manual of Legislative Procedure," 1989 Edition, shall be referred to as the [~~primary~~] **parliamentary** guide.
11. When any member is about to speak in debate, make a motion, or deliver any matter to the House, [~~he~~] **the member** shall rise from [~~his~~] **the** seat and respectfully address the Speaker, declaring the purpose for which [~~he~~] **the member** rises to speak.
12. In all cases the member rising first shall speak first. When two or more members rise at the same time, the Speaker shall name the person to speak. When many members choose to speak, they

may file their names with the Clerk, who shall supply the list to the Speaker. The Speaker shall name the order in which the members shall speak.

13. No member shall speak more than twice on the same question without ~~[leave of]~~ **permission from** the House. No member shall speak more than once until every member choosing to speak has spoken.

14. While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House. While a member is speaking, no one shall pass between ~~[him]~~ **that member** and the **other** members of the House, nor shall anyone ~~[entertain]~~ **engage in** private conversation.

15. If any member transgresses the rules of the House, the Speaker shall, or any member may, call ~~[him]~~ **the member** to order. The member called to order shall immediately sit down and the question of order shall be distinctly stated from the Chair. The decision of the Speaker on the question of order shall be conclusive unless the decision is immediately appealed to the House. The House shall decide the appeal by a majority vote of those members present and voting.

16. In all instances, every member shall act in conformance with the duly adopted New Hampshire General Court Ethics Guidelines and Procedures and opinions of the Legislative Ethics Committee.

17. (a) The following persons shall be admitted within the door of the Representatives' chamber while the House is in session: House members and officers, the Governor, Council members, Senate members, the Secretary of State, the Treasurer, and the Senate Clerks.

(b) No other person shall be admitted within the door of the Representatives' chamber except with the permission of the Chair.

(c) No lobbyist, department head or other non-member who is closely connected with legislation pending before the House shall be permitted on the floor of the House or in the House anteroom area while the House is in session.

~~[17]~~ **18.** Before any petition is received and read, the substance of the petition shall be in concise form, and the name of the member or person presenting it and ~~[his]~~ **the member's** district shall be recorded on the petition. The Speaker shall state the substance of the petition.

~~[18]~~ **19.** After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before an amendment.

~~[19]~~ **20 .(a)** When any question is under debate, ~~[no motion shall be received, but first]~~ **precedence of motions shall be as follows:**

(1) to adjourn; ~~[second:]~~

(2) to lay on the table; ~~[third:]~~

(3) for the previous question; ~~[fourth:]~~

(4) to postpone to a certain day; ~~[fifth:]~~

(5) to commit; ~~[sixth:]~~

(6) to amend; ~~[seventh:]~~

(7) to postpone indefinitely. ~~[These motions shall have precedence in order in which they are listed.]~~

Motions to adjourn, to lay on the table, for the previous question, and to take from the table shall be decided without debate. A motion to postpone to a certain day shall be debatable both as to time and subject matter.

(b) No vote on a motion to lay on the table a Constitutional Amendment Concurrent Resolution shall pass unless approved by an affirmative vote of three-fifths of the entire House membership.

~~[(b)]~~ **(c)** When a question is postponed indefinitely, it shall not be acted on during the same session, unless two-thirds of those members present and voting vote in favor thereof.

~~[(c)]~~ **(d)** On a motion to amend, the refusal by the maker of the amendment to strike out words shall neither preclude amendment to such words nor a motion to strike out and insert.

~~[(d)]~~ **(e)** A motion for commitment shall preclude all amendments to the main question

until it is decided; and all motions and reports may be committed at the pleasure of the House.

~~(e)~~ **(f)** No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

~~[20]~~ **21.**(a) The Speaker shall put the previous question in the following form: "Shall ~~[the main question now be put]~~ ***debate now be limited?***" and all debate on the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken on pending amendments, in their regular order, and then on the main question. The motion for the previous question shall not be put unless demanded by three members.

(b) All incidental questions of order arising after a motion of the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

(c) If the previous question is decided in the negative, it shall not again be in order for the particular question under consideration until after adjournment, but the main question shall be left before the House and disposed of as though the previous question had not been put.

~~[21]~~ **22.**(a) There shall be three forms of putting the question: voice vote, division vote, roll call vote. No member shall vote in any case when the member was not present when the question was put.

(b) The question put by voice vote shall be: "All those in favor of the question say 'aye,'" and after the affirmative vote is expressed, "Those of a contrary opinion say 'no.'"

(c) A division vote shall be taken if the Speaker doubts the voice vote or if a member calls for a division vote. When a division of the House is taken, the Speaker may appoint a teller for each seating division of the House, who shall report to the