

HOUSE RECORD

First Year of the 155th Session of the General Court

Calendar and Journal of the 1997 Session

Vol. 19 Concord N.H. Thursday, January 9, 1997 No. 12

HOUSE JOURNAL No. 2 (cont.)

Wednesday, January 8, 1997

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 3

Thursday, January 9, 1997

The House assembled at 11:00 a.m., the hour to which it stood adjourned and was called to order by the Speaker.

Prayer was offered by Rep. Lindblade.

Almighty God, as we gather on this momentous day, a day of change and a day of new beginnings, make us also mindful of that cloud of witnesses, those who have been here before us and labored for this state. Now, we would ask that all who serve the state of New Hampshire, in whatever capacity, have Thy favor and Thy blessing. Amen.

Reps. Burling and Ann Torr led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Flint and Leber, the day, illness.

Reps. Cobbin, Patricia Cote, Henry Coulombe, Yvonne Coulombe, Hart, Feng, Mirski, Morris, Musler, Arthur Pelletier and Marsha Pelletier, the day, important business.

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

INTRODUCTION OF GUESTS

Brenda Major, wife of Rep. Major.

RESOLUTION

Reps. Wheeler and Burling offered the following:

RESOLVED, that the Honorable Senate be notified that the House of Representatives is ready to meet in Joint Convention for the purpose of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, and for the Inauguration of the Governor, the Honorable C. Jeanne Shaheen, and for the taking of the oath by the Executive Council.

Adopted.

SENATE MESSAGE

The Honorable Senate is ready to meet in Joint Convention for the purpose of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, for the Inauguration of the Governor, the Honorable C. Jeanne Shaheen, and for the taking of the oath by the Executive Council.

JOINT CONVENTION (Speaker Sytek Presiding)

The Sergeant-at-Arms introduced the Honorable Senate and Senate President, Joseph L. Delahunty.

INTRODUCTION AND SEATING OF SPECIAL GUESTS

The Sergeant-at-Arms introduced the following who were escorted to their seats by the Governor's Military Staff:

The family and friends of Governor-elect Shaheen. Hon. Joseph DiClerico, Jr., Chief Justice of the U.S. District Court; Associate District Court Justices and their guests. Hon. John R. Maher, Administrative Judge of the Probate Court. Hon. Edwin W. Kelly, Administrative Judge of the District Court and Mrs. Kelly. Hon. Joseph P. Nadeau, Chief Justice of the Superior Court and Mrs. Nadeau. The Associate Justices of the Superior Court and their guests. The Associate Justices of the Supreme Court and their guests. Hon. David Brock, Chief Justice of the Supreme Court and Mrs. Brock. Former Governor Hugh Gregg and Mrs. Gregg. Former Governor Walter Peterson and Mrs. Peterson. Former Congressman Norman E. D'Amours and Mrs. D'Amours. Former Congressman Richard Swett and Mrs. Swett. Former Senator John A. Durkin. Congressman Charles Bass. Senator Judd Gregg and Mrs. Gregg. Senator Robert C. Smith. Attorney General Jeffrey Howard and Mrs. Howard. United States Attorney Paul Gagnon. State Treasurer Georgie A. Thomas. Deputy Secretary of State Robert P. Ambrose. The House Leadership. The Senate Leadership. The Reverend Clergy. The Council-elect: Raymond S. Burton; Peter J. Spaulding and guest, Esther Spaulding; Ruth L. Griffin and guest, Jason Recher; James A. Normand and guests, Lynn, Peter and Justin Normand; Bernard A. Streeter, Jr. and Mrs. Streeter. Ambassador of Austria, Helmut Tuerk. Consul General of Austria, Walter Greinert. Governor Stephen E. Merrill and Mrs. Merrill. Belle Bowers, mother of Governor-elect Shaheen. Stephanie and her fiancé, Craig Welch, and Stacy and Molly Shaheen, daughters of Governor-elect Shaheen. Governor-elect Jeanne Shaheen and Mr. Shaheen.

REPORT

Sens. Blaisdell and Podles and Reps. LaMott, Copenhaver and Flanagan offered the following report:

The Joint Committee appointed to compare and count the votes for Governor and Executive Council reports that it has attended to its duties and the vote is correct.

INVOCATION

The Invocation was offered by the Most Reverend Leo E. O'Neil, Bishop of Manchester.

Gracious God, you give us this noon ceremony to remind us we need not wait till Sunday to be assured that New England Patriots are victorious. To this gathering today come men and women seeking your blessings as they begin a year of service to "we the people" of New Hampshire. Bless them with the gift of silence for these men and women who write, judge, or execute our laws must first of all listen. All speech is babble, all debate confused, all proclamations null, until the voice of the powerless, the cry for justice, the thundering protest against violence are heard. Here, in this chamber there must be silence so that our Constitution may whisper guidance and Your Holy Spirit break through the barriers of clashing noise and lead to the quiet task of righteous discernment. May these men and women who are the voice of the people accept the burden of becoming and remaining listeners. Gracious God, bless our governor, Jeanne Shaheen, sustain and strengthen her for weariness is the partner of responsibility; criticism, the companion of leadership; honest anguish, the spouse for right judgment. Grant her the gift of confidence which empowers her to burst through the security of inaction and the fear of renewal that paralyzes and holds us captive to indifference. Grant her a heart of joy, courageous enough to pierce the gloom of doubt and empower her to rally all of us to the heights of hope. Bless this woman who takes her place in history today - not so much because she is a first but because she comes to dedicate all her strength, all her talent, her whole person to accept once more the enduring but often forgotten biblical and constitutional truth: There is no power but the power to serve and all other power is ultimately chaos. Bless this generous woman. May her husband and her children sustain and strengthen her and be her healing and her consolation. Lord, make all of us remember that life is a journey like traveling on 101 East. "It's a trip" they say trying to figure which way the pieces fit together where the road goes, and how it gets there wandering about like us when we pray. But I bet anyone, even before it's done, as they move away the cranes, will sit bumper-to-bumper and say, "I told you they needed four more lanes." Enough is never enough so we'll complain (sort of like us when we pray). No wonder God unfolds His constructions, makes His interconnections without our consultations except, of course, in His prayer. (Thy will be done.) The surprise of all God's startling symmetry is that we're the masterpiece and all is grace. Thank God for prayer! Lord, grant us all the gift of listening as we pray, then we shall fulfill the injunction of Micah, the prophet. Only three things are required of us: to act with justice, to love tenderly and to walk humbly with our God. And then we will truly be victorious New England Patriots. We make our prayer in You who live and reign, God, forever and ever. Amen.

POSTING OF COLORS

The New Hampshire National Guard posted the Colonial and Traditional Colors.

PLEDGE OF ALLEGIANCE

The Kindergarten Class from Rumford Elementary School in Concord led the Pledge of Allegiance.

NATIONAL ANTHEM

The National Anthem was sung by Rawn Spearman from Nashua.

PRAYER

A prayer for peace and thanksgiving was offered by Father Peter Chamberas, Dean of St. George Greek Orthodox Cathedral in Manchester.

In the name of the Father, the Son and the Holy Spirit.

Heavenly Father, it is proper and right during this solemn and joyful inauguration ceremony to lift our minds and hearts toward heaven in praise and glorification of Your Holy name and to express our heartfelt thanksgiving to You for raising up a distinguished civic leader in the person of Jeanne Shaheen, who today begins her first term as Governor of the State of New Hampshire. Lord God, humbly yet fervently we beseech You to bless all civil authorities who gather in this historic building and to empower them with Your divine spirit to serve well the people of this state. Especially today, Lord, we pray and ask for Your favored blessings to come upon Your favored servant, Governor Jeanne Shaheen. Lord, bless her and her family with the gift of peaceful love and harmony and hope so that the first family of this state may be a source of inspiration and support to all the families of New Hampshire, for

it is in Your divine plan of salvation that the family be the basic building block of any enlightened and free society. Provide for her the health and the energy of body and spirit to apply her so fully to the many diverse issues and concerns of the day that are complex and demand resolution. As a woman of faith who has placed her hope and her trust in You, Lord, grant her the gift of wise perseverance to stay on the course that is straight and true. Grant her, also, the grace and the courage to think, to speak and to do that which is true and which serves best the people of this state. So strengthen her loyalty to You, Lord, that she may now and always choose Your will as her will, Your way as her way and Your peace as her peace. Fire her mind and heart with the clear vision of a more Godly, a more compassionate society where justice and opportunity will prevail for all the people of this state. Enable her to so execute the powers and privileges of her high office that social evils and wrongs may be eradicated while legislation and programs for the improvement of family and social life may be prudently and effectively enacted throughout the state. Finally, Lord, we pray that Your faithful servant, Governor Jeanne Shaheen, be empowered by Your Holy Spirit to maintain an undistorted vision, a clear and true vision of our American nation. A nation under God, indivisible, with liberty and justice for all. These blessings for Your servant, Jeanne Shaheen, Governor of the State of New Hampshire we humbly and fervently ask from You, Lord, God in Trinity, and to You we ascribe glory and thanksgiving and worship to the Father and the Son and the Holy Spirit, now and always. Amen.

OATHS OF OFFICE

Chief Justice David A. Brock administered the oath of office to Governor-elect C. Jeanne Shaheen.

Governor Shaheen administered the oath of office to the Honorable Executive Councilors-elect, Raymond S. Burton, Peter J. Spaulding, Ruth L. Griffin, James A. Normand and Bernard A. Streeter, Jr.

PRAYER

A Prayer for a successful administration was offered by Reverend Ruth Boling from the Bedford Presbyterian Church.

God our Sovereign, look with mercy on us this day, and especially on Your servant, Jeanne Shaheen. Accept our praise and thanks for Your powerful hand that has guided, prodded, cautioned, groomed and prepared Jeanne Shaheen to become the first woman Governor of the State of New Hampshire. Work Your will in and through her in the months to come, that she may govern Your people with energy, intelligence, imagination and love. Steer her through the tangle of issues, ideals and interests that will vie for her attention. Fortify her mightily with the unwavering conviction that it is her vocation to embody Your compassion and Your justice in all her earthly dealings, after the example of her Lord Jesus Christ. Through her example, may other women and girls begin to imagine themselves as leaders in their own right. God our strength, give to our new first family the wherewithal to make the sacrifices of time and privacy that will be exacted of them in fulfilling their obligations. When they fall short, give them grace to laugh at themselves, forgive themselves, seek Your forgiveness and listen for Your divine laughter. God our hope, we pray as well for our Executive Council, our House of Representatives and our Senate, the General Court, judges, magistrates and for all government workers. May their actions serve to keep stable the fabric of society, yielding a more abundant life for all. God of wisdom, inspire Governor Jeanne Shaheen and this administration to appeal to what is best in us, engaging not our fears but our hopes, not our cynicism but our truthfulness, not our penchant for easy answers but our seasoned understanding that complicated problems call for complicated solutions, not our smallest, meanest selves but our selves when we are larger, wiser, truer and more noble than we had known we were. May all who hold power hold it reverently, use it reluctantly, and share it readily. God who knows us all by name, use this historic day to inspire the rest of us who are not elected officials; do not let the sun go down until each of us has made, privately, an oath of public service of our own, unique to our gifts and callings. Sustained by the example of those who have gone before, called to accountability by those who follow close on our heels, and entreating Your presence with us Almighty God, we pledge to add our ounce of effort to the successful workings of this administration, and of its gifted leader, our Governor Jeanne Shaheen. All to the glory of Your Holy Name. Lord in Your wide mercy, hear our prayer. Amen.

SCRIPTURE READING

Reverend H. Paul Boackle from St. George Maronite Roman Catholic Church in Dover read the 10th Psalm.

"I will sing of loyalty and of justice. To Thee O Lord I will sing. I will give heed to the way that is blameless. Oh, when will Thou come to me? I will walk with integrity of heart within my house. I will not set before my eyes anything that is base. I hate the work of those who fall away. They shall not cleave to me. Perverseness of heart shall be far from me and I will know nothing of evil. Him who slanders his neighbors secretly, I will destroy. The man of haughty looks and arrogant heart, I will not endure. I will look with favor on the faithful in the land that they may dwell with me. He who walks in the way that is blameless shall minister to me. No man who practices deceit shall dwell in my house. No man who utters lies shall continue in my presence. Morning by morning I shall destroy all the wicked in the land, cutting off all the evil doers from the city of God. Praise be to God always."

SALUTE TO GOVERNOR JEANNE SHAHEEN

Members of a fourth grade class from Bedford Memorial School performed two original songs. "The President's Song" and "New Hampshire's Famous People."

POEM

New Hampshire Poet Laureate, Donald Hall, read his poem, "A Sister on the Tracks".

INAUGURAL ADDRESS

The Governor delivered her Inaugural Address as follows:

Madame Speaker, Mr. President, Mr. Chief Justice, honorable members of the Executive Council and the House and Senate.

Thank you for the honor you have given me and the sacred trust you have placed in me. It is a very special privilege.

To all of you in this chamber today and to every citizen of our great state I pledge my full devotion to the solemn oath I have just taken.

This is an historic moment for our state. This magnificent building is the oldest state capitol in the nation that still serves as a legislative chamber. In this historic building I stand before you as the thankful daughter of two hardworking parents, as the grateful wife of a loving and supportive husband, as the proud mother of three wonderful daughters - wake-up, Molly - and now, as the first elected woman Governor of the State of New Hampshire.

I am honored and proud to share this important day in our state's history not just with New Hampshire's other daughters and wives and mothers, but with all of the people of the state of New Hampshire. I am equally proud and honored to be part of a long New Hampshire tradition of steadily opening the doors of democratic government. This tradition started with Marilla Ricker, a courageous woman who first tried to vote in Dover in 1870 and in 1910 dared to file her candidacy for governor of New Hampshire. This tradition continued last month, when the House of Representatives elected its first woman speaker. Madame Speaker, let me congratulate you on your historic election.

But as I have said before, I did not seek this office to make history but to make a difference in the lives of the people of New Hampshire. This is my promise to the people of this great state: I will work to bring people together to solve the problems we face.

Together we will make our government work better. And this, too, is my challenge to the people of New Hampshire, because if we are to succeed, we must write these new chapters in New Hampshire history together. We must focus on what is important to our families and our future. We must work together to make our dreams real. Instead of

allowing fear to divide us, we must let hope bring us together. Above all, we must never forget this simple truth: New Hampshire belongs to all of us.

And so, today, I invite every New Hampshire citizen to become a part of our history and a part of our future. If you have an idea about how to improve the quality of life in our state, I want to hear it. If you know a way to help our state government work better, I want you to share it with me. If there is something that you or your business or your school or your community is doing right and the rest of us can learn from it, I want to see it.

I am going to listen and I'm going to learn. And with your help, we will take action to meet the challenges that we face. We will improve our schools. We will lower our electric rates. We will protect health care and create good jobs that build our economy.

Beginning in these first days as Governor and continuing through every day of my service, the door to my office will be open to the people of New Hampshire. To those in this chamber today who share the responsibility of elected state office and to our dedicated state employees, let me extend this invitation to you as well. The door of the Governor's office stands open to you and to your ideas.

In the days ahead we will not always agree on every issue. But let us agree from the beginning that no political party is the sole font of wisdom; that name-calling never solved a single problem; and that democratic government is about tending to the people's business. The people of New Hampshire are not looking to us for partisanship; they want leadership. So let us provide it.

Leadership requires us to recognize the difference between what makes New Hampshire special and what threatens its future, between what must be protected and what can no longer be tolerated as the status quo.

I will soon be presenting a budget for the next biennium. Budget hearings held recently by Governor Merrill made clear there are more requests than there is money. Let me be equally clear: the budget I present will be balanced, and it will not include a broad-based sales or income tax.

I said during my campaign and I will say it again now: I will not propose or support such a tax, and if this legislature passes one, I will veto it.

This is a New Hampshire tradition I will preserve. But there are others we must change.

For too long, we have been paying the highest electric rates in the nation. They constitute a hidden tax, taking money away from families already struggling to make ends meet. They are increasing the costs of running our businesses, our towns and our state.

We have already taken the first steps toward introducing competition into the electric industry. We must continue down that path to competition with steadfast resolution, but we must seek to avoid a lengthy court battle that could further threaten our economic competitiveness. Our task is clear: high electric rates are a threat to our economic future, and they must come down.

We must make sure that quality health care is affordable and accessible to all our families. The increasing number of families who rely on managed care should be protected from practices that put profits first and patients second. And as our population ages, we must develop alternatives to costly nursing home care, alternatives that allow our senior citizens to remain at home and in their communities.

We must put in place a comprehensive plan that will strengthen and build our economy. We must do better at coordinating state agencies and promoting programs that stimulate investment and growth. We must have a state where a clean environment and safe streets are a central ingredient of economic prosperity. Everything we do must move New Hampshire toward the same goal: building a state of good-paying jobs, hardworking people, and secure and thriving families.

And let us agree on this: our future depends on the quality of education we provide our children. To compete successfully in the 21st century, New Hampshire must have citizens who are better prepared and better educated.

So let me state this as strongly as I can: I will make education a priority - in my budget, in my appointments, and in the full weight and visibility of this office.

Without intruding upon the tradition of local control, the state has a vital role to play in education. It must provide leadership.

As Governor, I will soon be convening an education summit to focus on this most critical issue. This education summit will bring together teachers and parents, administrators and academics, students and business people - every sector of our society. Our goal will be to create an action plan to ensure that education in New Hampshire helps our children meet the challenges of the next century. Because the quality of our schools and the education our children receive affect every one of us.

But there are some things we already know we must do. In New Hampshire, public education should begin with kindergarten.

We are the only state in the nation in which public kindergarten is not available to every five-year-old. Many states are now moving beyond kindergarten, offering public pre-school programs to three-and-four-year-olds. They understand that an earlier start equals a better student; a better student makes a better worker and citizen; and better citizens and workers build stronger communities.

All of us were charmed and impressed by the kindergarten students from the Rumford School here in Concord who led us in the Pledge of Allegiance earlier. Let us pledge to these boys and girls that we will not rest until the opportunity of public kindergarten is extended to every five-year-old in every school system in every town in New Hampshire.

For too long the vital issue of education has been sidetracked into arguments about ideology and politics. And each time that's happened, valuable time and scarce resources have been wasted. Each time, the distractions of politics have robbed a little more from our children's and our state's future. Let me assure every citizen of New Hampshire that those days are over.

We are here to serve the people of New Hampshire. They are not interested in whether we are Republicans or Democrats, liberals or conservatives, men or women. What they expect from us is results, or at least an honest effort to achieve them. That is our responsibility to the people of this great state. That is how they and history will judge us.

After all, history is not only comprised of epic events, but also of the quiet, steady work of people striving together to make tomorrow a little better than today.

For now, join me in celebrating this moment. And tomorrow let us begin the quiet, steady work of the people. Let us do it without acrimony or bitterness. Let us do it without petty partisanship. And let us do it together. For then, we will truly make history.

Thank you all very much.

BENEDICTION

Rabbi Wesley Michael Odell from the Temple Israel in Dover offered the Benediction.

N'varech et M'kor HaChaim. We bless the Source of Life and we are blessed when we see the value in every living thing. N'varech et M'kor HaEmet. We bless the Source of Truth and we are blessed when we live as if every word

we speak matters. N'varech et M'kor HaBriut. We bless the Source of Health and we are blessed when we challenge our own fear to care for the sick and dying among us. N'varech et M'kor HaTzedek. We bless the Source of Justice and we are blessed when we treat each other as equals without the barriers of bigotry and intolerance. N'varech et M'kor HaRachamim. We bless the Source of Mercy and we are blessed when we show real kindness to others without any benefit to us. N'varech et M'kor HaNefesh. We bless the Source of the Soul and we are blessed when we realize there is no "them" versus "us"; when we experience each other and ourselves as sparks of a single, eternal flame. N'varech et M'kor HaShalom. We bless the Source of Peace and we are blessed when we act not only for ourselves, but also for generations past and generations yet to be. Life, truth, health, justice, mercy, soul and peace belong to us when we live our responsibility for creating the world into the Eden of our dreams. Amen.

Rep. Wheeler and Sen. Barnes moved that the Joint Convention arise.

Adopted.

RESOLUTION

Rep. Wheeler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 195 through 222, Constitutional Amendment Concurrent Resolutions numbered 8 through 10 and House Resolution numbered 9 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS, CACRS, AND HR First, second reading and referral

HB 195-FN-A, increasing the exemption amount under the interest and dividends tax. (Ferguson, Hills 13; Jacobson, Merr 2: Finance)

HB 196-FN, providing for the regulation of horticultural growing media. (Owen, Merr 6: Environment and Agriculture)

HB 197-FN, relative to the regulation of wetland scientists. (Dyer, Hills 8; M. Brown, Merr 10: Executive Departments and Administration)

HB 198-L, allowing municipalities to offer tax incentives to foster growth in new and existing industrial construction. (Fesh, Rock 13; Patten, Carr 9; Steere, Ches 11; Whipple, Dist 8: Local and Regulated Revenues)

HB 199-FN, to include highways designated as part of the National Highway System within the definition of "federal aid primary system" for purposes of the control of outdoor advertising. (K. Rogers, Merr 22; M. Fuller Clark, Rock 36; G. Chandler, Carr 1: Public Works and Highways)

HB 200-FN, prohibiting the use of leghold traps and "conibear" traps. (Vaillancourt, Hills 44; Hilliard, Straf 14; K. Wheeler, Dist 21; Cohen, Dist 24; Roberge, Dist 9: Wildlife and Marine Resources)

HB 201-L, allowing municipalities to apply the amount of a property tax abatement refund to outstanding taxes owed by the taxpayer. (Noyes, Rock 26: (Local and Regulated Revenues)

HB 202, relative to the sale of air guns to minors and the use of air guns by minors. (Steere, Ches 11: Criminal Justice and Public Safety)

HB 203, relative to driving after a revocation or suspension of license. (Dolan, Rock 12; Knowles, Straf 11; Dodge, Rock 4; Christie, Rock 22: Transportation)

HB 204-FN-L, relative to transportation of arrestees, detained defendants, and prisoners and court control of arrestees, detained defendants, and prisoners. (Durham, Hills 22; Dokmo, Hills 14; LaRose, Hills 27; Daniels, Hills 13: Criminal Justice and Public Safety)

HB 205-L, relative to a generic ballot in unorganized places. (P. Bradley, Coos 6; Davis, Coos 1: Election Law)

HB 206-FN-L, requiring trailers and recreational vehicles used for storage or habitation to be either registered under the motor vehicle laws or subject to local property tax. (A. MacNeil, Graf 7; Phinney, Graf 8; Hinman, Graf 7: Local and Regulated Revenues)

HB 207-FN, relative to pesticide registration fees and making an appropriation therefor. (Philbrick, Carr 4; Owen, Merr 6; Belanger, Rock 26; F. King, Dist 1; Johnson, Dist 3; Pignatelli, Dist 13: Environment and Agriculture)

HB 208-L, relative to the status of county highways which are being maintained by towns. (Thulander, Hills 6: Public Works and Highways)

HB 209, relative to information required when applying for a New Hampshire driver's license. (R. Foster, Carr 10; J. Bradley, Carr 8; Howard, Carr 10; Johnson, Dist 3: Criminal Justice and Public Safety)

HB 210, requiring that an applicant to a planning or zoning board wishing to subdivide property supply the names of holders of conservation or preservation restrictions on the subdivision property, who will then be notified by the board. (Metzger, Ches 13; Hager, Merr 18: Municipal and County Government)

HB 211, defining the terms "psychological injury" and related terms under the child protection act. (Hess, Merr 11; I. Pratt, Ches 5; C. Moore, Merr 19; Richardson, Ches 12; Podles, Dist 16: Judiciary and Family Law)

HB 212, removing the provision allowing a motor vehicle operator to produce a license within 48 hours of demand by a police officer. (Dolan, Rock 12; Christie, Rock 22: Transportation)

HB 213, establishing a committee to study the issues of licensing of psychologists, pastoral counselors, clinical social workers, mental health counselors, and marriage and family therapists. (Dyer, Hills 8; M. Brown, Merr 10; Emerton, Hills 7: Executive Departments and Administration)

HB 214, relative to forest product purchasers and loggers. (Laflam, Belk 2; Dickinson, Carr 2: Resources, Recreation and Development)

HB 215, relative to taxation of discretionary easements. (Philbrick, Carr 4; Owen, Merr 6: Municipal and County Government)

HB 216, relative to municipal budgets. (Brundige, Hills 18; Coes, Rock 19; L. Foster, Hills 10; Roberge, Dist 9: Municipal and County Government)

HB 217, relative to outdoor advertising hearings in the department of transportation. (Pfaff, Merr 11: Public Works and Highways)

HB 218-L, clarifying that local health officers are state employees for purposes of defense and indemnification of lawsuits filed against them. (Burnham, Ches 8; Avery, Ches 8, Haettenschwiller, Hills 29: Judiciary and Family Law)

HB 219-L, repealing provisions relative to literacy instruction and the committee to study literacy and remedial instruction. (Spear, Straf 5; Champagne, Ches 19; Snyder, Straf 14; Feng, Hills 23: Education)

HB 220, to establish new state representative districts for the city of Laconia. (Turner, Belk 7; Fraser, Dist 4: Election Law)

HB 221, prohibiting out-of-state sweepstakes conducted by mail. (Leonard, Hills 39: Criminal Justice and Public Safety)

HB 222-L, relative to pooled risk management programs. (Jacobson, Merr 2: Commerce)

CACR 8, relating to increasing the executive council membership and the number of executive council districts. Providing that the executive council shall be increased from 5 to 10 members, and the number of executive council districts shall be increased from 5 to 10. (G. Brown, Straf 17; M. Fuller Clark, Rock 36; Hilliard, Straf 14; Peter Cote, Hills 32: Election Law)

CACR 9, relating to requiring that the attorney general be elected by the legislature. Providing that the attorney general be chosen by joint ballot of the senators and representatives. (Mirski, Graf 12: Election Law)

CACR 10, relating to municipalities' home rule. Providing that municipalities shall have home rule authority to exercise any powers not specifically prohibited by the state or federal constitutions or any statute adopted by the legislature. (G. Brown, Straf 17; Peter Cote, Hills 32: Municipal and County Government)

HR 9, urging local school districts to require interaction between educationally disabled pupils and nondisabled pupils for academic credit. Leonard, Hills 39: Education)

RESOLUTION

Rep. Wheeler 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 Wednesday, January 29, 1997 at 1:00 p.m..

Adopted.

RECESS MOTION

Rep. Wheeler moved that the House stand in recess for the purpose of introduction of bills only.

Adopted.

The House recessed at 1:25 p.m.

RECESS (Rep. Cooper in the Chair) RESOLUTION

Rep. Thulander offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 223 through 236, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS First, second reading and referral

HB 223-FN-L, providing that catastrophic aid for special education shall be fully funded. (W. Riley, Ches 7; Ferguson, Hills 13; McKinley, Straf 2; Champagne, Ches 19; Bonneau, Ches 2; Hollingworth, Dist 23; Gordon, Dist 2; Russman, Dist 19; Squires, Dist 12; Cohen, Dist 24: Finance)

HB 224-FN-L, delaying the start date for the auto emissions inspection program. (J. Bradley, Carr 8; Below, Graf 13; MacGillivray, Hills 21; McGovern, Rock 35; Lamach, Merr 3; Russman, Dist 19; Pignatelli, Dist 13; Johnson, Dist 3; Cohen, Dist 24; Fraser, Dist 4: Science, Technology and Energy)

HB 225-FN, requiring the commissioner of health and human services to establish a needle exchange pilot program. (C. Kane, Rock 32; Copenhagen, Graf 10; O'Keefe, Rock 21; Sargent, Hills 3; Amidon, Hills 9; Blaisdell, Dist 10; Cohen, Dist 24; Hollingworth, Dist 23: Health, Human Services and Elderly Affairs)

HB 226, relative to the composition of the aviation users advisory board. (Weyler, Rock 18; G. Katsakiores, Rock 13: Transportation)

HB 227-L, relative to North Hampton property taxes. (Rubin, Rock 25: Local and Regulated Revenues)

HB 228, relative to the definition of "club-veterans" under the liquor laws. (Fenton, Hills 24; Hunter, Hills 7; Vincent, Straf 14; Rubin, Rock 25; Y. Coulombe, Coos 7: Local and Regulated Revenues)

HB 229-FN-A-L, establishing a reading recovery training program and making an appropriation therefor. (Guest, Graf 10; W. Riley, Ches 7; Durham, Hills 22; Yeaton, Merr 10; O'Hearn, Hills 26; Gordon, Dist 2; Larsen, Dist 15: Education)

HB 230, establishing a committee to study the school building aid system. (Stone, Rock 7; Hawkinson, Coos 7; Lynch, Ches 19; Ferguson, Hills 13; Nichols, Merr 2; Barnes, Dist 17; J. King, Dist 18: Education)

HB 231-FN-L, imposing a penalty on motor vehicle operators under 20 years of age if the operator is convicted of any violation offense involving the operation of a motor vehicle. (Christie, Rock 22; G. Katsakiores, Rock 13; Gleason, Rock 13; Podles, Dist 16: Transportation)

HB 232-FN, prohibiting the carrying of firearms and certain other weapons into certain state buildings by persons other than law enforcement personnel. (Morello, Hills 38; Chabot, Hills 48; Sargent, Hills 3; Copenhagen, Graf 10; L. Johnson, Hills 40: Criminal Justice and Public Safety)

HB 233-FN, making failure to provide child support a class B felony. (Carson, Rock 29: Criminal Justice and Public Safety)

HB 234-FN-L, relative to disposition by counties of funds of deceased patients of county nursing homes. (Brundige, Hills 18; Patten, Carr 9; Lefebvre, Hills 31; Roberge, Dist 9: Judiciary and Family Law)

HB 235-FN-L, requiring a special election to be held when a vacancy occurs in the office of county sheriff. (Malcolm, Rock 22; David Welch, Rock 18: Election Law)

HB 236-FN, to include a person who is being stalked in the definition of "family household member" for purposes of the domestic violence law. (Nowe, Rock 3: Criminal Justice and Public Safety)

RECESS
(Speaker Sytek in the Chair)

The Speaker appointed Reps. John W. Flanders, John Anthony Simmons, Maxwell D. Sargent, David M. Lawton and Lawrence J. Guay as Assistant Majority Whips. Reps. George N. Katsakiores, Robert W. Foster and Natalie S. Flanagan were appointed Chairmen Emeritus. Rep. Ann M. Torr was appointed Majority Leader Emeritus.

The Democratic Leader appointed Reps. Cynthia McGovern, Carol Moore and Daniel Burnham as Assistant Democratic Leaders.

RECESS
(Rep. Holden in the Chair)
RESOLUTION

Rep. Langley offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 237 through 255 and Constitutional Amendment Concurrent Resolution numbered 11, House Concurrent Resolution numbered 1, and House Resolution numbered 10, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS, CACR, HCR AND HR
First, second reading and referral

HB 237, authorizing the board of barbering, cosmetology, and esthetics to adopt rules relative to conditions and standards for persons engaged in demonstrating the use of any machine or other article for purposes of sale. (Whittemore, Merr 13: Executive Departments and Administration)

HB 238-FN, requiring certain vehicles to travel only in the right-hand lanes on highways. (Malcolm, Rock 22: Transportation)

HB 239, requiring a child under 13 years of age to wear protective headgear when riding a bicycle. (Howard, Carr 10: Transportation)

HB 240-FN-A, increasing certain state employee salaries and making an appropriation therefor, and reducing the number of state employees. (M. Brown, Merr 10: Finance)

HB 241, relative to genetic testing. (Below, Graf 13; A. Merrill, Straf 8; Kurk, Hills 5; K. Wheeler, Dist 21: Commerce)

HB 242, requiring voter approval for any type of random drug testing within a school district. (Hunt, Ches 10: Education)

HB 243, requiring a conviction of a person wounding or killing a human being while hunting before the person's hunting license can be revoked. (L'Heureux, Hills 18; H. Coulombe, Coos 7; D. Wheeler, Dist 11: Wildlife and Marine Resources)

HB 244, allowing a municipality to prohibit sexually oriented businesses. (Rice, Belk 7; R. Foster, Carr 10; Knowles, Straf 11; J. Bradley, Carr 8; Bartlett, Belk 6; Johnson, Dist 3: Municipal and County Government)

HB 245-FN-A, making certain real estate transfers taxable. (Kurk, Hills 5; Weyler, Rock 18: Finance)

HB 246, making technical corrections to the business profits tax, interest and dividends tax, and the legacies and successions tax. (Weyler, Rock 18: Finance)

HB 247, requiring automobile insurance companies to offer uninsured motorist coverage as an insurance option, not a requirement. (Arnold, Hills 20: Commerce)

HB 248-L, prohibiting all persons except candidates who appear on the ballot from performing electioneering activities within 100 feet of the door of the polling place and relative to campaign signs held by candidates. (Vaillancourt, Hills 44: Election Law)

HB 249, clarifying the authority of local police officers to serve cease and desist orders against planning and zoning violations. (Dolan, Rock 12; Stone, Rock 7: Criminal Justice and Public Safety)

HB 250-FN-L, establishing a formal hearing process for board of tax and land appeals or court appeals limited to a review of the record for certain property tax abatement applications. (Noyes, Rock 26: Judiciary and Family Law)

HB 251-FN-L, reclassifying a portion of North Main Street in the town of Farmington from a class II to a class V highway. (Sullivan, Straf 3; G. Chandler, Carr 1; Spear, Straf 5; Tsiros, Straf 3; Fraser, Dist 4: Public Works and Highways)

HB 252, relative to posting of bylaws in advance of any town election. (Holden, Hills 14; MacIntyre, Hills 18: Election Law)

HB 253-FN-L, relative to special education services. (Ferguson, Hills 13: Education)

HB 254, relative to shared tenant telecommunication services. (J. Bradley, Carr 8; Howard, Carr 10; Johnson, Dist 3: Science, Technology and Energy)

HB 255, establishing a committee to study access to dental care for low-income, uninsured, and underinsured persons. (French, Merr 3; Manning, Ches 9; Copenhaver, Graf 10; Case, Rock 2; K. Wheeler, Dist 21; Squires, Dist 12: Health, Human Services and Elderly Affairs)

CACR 11, relating to: legislative authority to limit noneconomic damage awards. Providing that: the general court shall have the authority to limit the amount of noneconomic damage awards granted in the state of New Hampshire. (Guaraldi, Graf 14: Judiciary and Family Law)

HCR 1, requesting Congress to propose an amendment to the U.S. Constitution to prevent federal courts from instructing states or political subdivisions of states to levy or increase taxes. (Noyes, Rock 26; F. Riley, Hills 44; Rubin, Rock 25; Fesh, Rock 13; Simmons, Rock 25: State-Federal Relations and Veterans Affairs)

HR 10, requesting that certain media entities refrain from prematurely proclaiming the winners in state and federal elections. (Pepino, Hills 40: Election Law)

RECESS
(Rep. Burling in the Chair)
RESOLUTION

Rep. Copenhaver offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 256 through 275 and House Concurrent Resolution numbered 2, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS AND HCR
First, second reading and referral

HB 256-FN, establishing uniform adjudicative proceedings for state agencies and establishing a pilot program for adjudicative hearings. (Dodge, Rock 4; Steere, Ches 11; M. Brown, Merr 10; Whipple, Dist 8: Executive Departments and Administration)

HB 257, offering priority to qualified veterans for participation in training programs funded by the state or federal government. (R. Krueger, Sull 9; Fenton, Hills 24: State-Federal Relations and Veterans Affairs)

HB 258-FN, requiring financial institutions to display certain information on fees, charges, and available products in their lobbies. (Hunt, Ches 10; Adams, Merr 9: Commerce)

HB 259-FN, requiring all state forms requesting racial or ethnic status to allow for or include a biracial and a multiracial option. (Snyder, Straf 14; Keans, Straf 16; K. Wheeler, Dist 21: Executive Departments and Administration)

HB 260, defining "marriage" to mean a legal union between one man and one woman as husband and wife. (Mirski, Graf 12: Judiciary and Family Law)

HB 261, recodifying the insurance laws pertaining to hospital service corporations, medical service corporations, and nonprofit health service corporations (Blue Cross/Blue Shield). (Hunt, Ches 10: Commerce)

HB 262-FN-A-L, establishing a National Information Infrastructure oversight committee, authorizing the department of education to hire a technology consultant, and making an appropriation therefor. (Durham, Hills 22; O'Hearn, Hills 26: Education)

HB 263-FN, relative to viatical settlements which are settlements between an insurance provider and a policy holder or certificate holder with a life-threatening illness. (Lindblade, Sull 7; Kaen, Straf 7: Commerce)

HB 264, relative to technical committees advising the director of the office of information technology management on technical issues. (S. Holley, Hills 28; LaMach, Merr 3; Hunt, Ches 10; Drabinowicz, Hills 36; Hansen, Hills 2; Larsen, Dist 15: Executive Departments and Administration)

HB 265, repealing certain rulemaking authority of the commissioner of transportation. (G. Chandler, Carr 1; E. Smith, Ches 6; Whittemore, Merr 13; F. King, Dist 1; Johnson, Dist. 3: Executive Departments and Administration)

HB 266, relative to the Alzheimer's Special Care Disclosure Act. (C. Moore, Merr 19; Nordgren, Graf 10; Podles, Dist 16: Health, Human Services and Elderly Affairs)

HB 267, prohibiting petroleum-powered motors on Little Dan Hole Pond in the town of Ossipee. (Lyman, Carr 5: Transportation)

HB 268-FN, relative to the powers of the Pease development authority. (Syracusa, Rock 33; Hunt, Chest 10; M. Fuller Clark, Rock 36; Fraser, Dist 4; Cohen, Dist 24: Commerce)

HB 269, relative to the compensation of sweepstakes commissioners who are members of a multi-state lottery commission. (C. Brown, Graf 14: Executive Departments and Administration)

HB 270-L, allowing school districts to transfer permanent paper records onto electronic alternate media and destroy printed records. (O'Hearn, Hills 26; W. Riley, Ches 7: Education)

HB 271, establishing a committee to examine the effectiveness and efficiency of the multiple DWI offender intervention detention center program. (C. Brown, Graf 14; Blaisdell, Dist 10: Criminal Justice and Public Safety)

HB 272, relative to boat docking facilities. (Dickinson, Carr 2; Merritt, Straf 8; M. Whalley, Merr 5: Resources, Recreation and Development)

HB 273-FN, increasing the age that child passenger restraints are required from 12 years of age to 18 years of age. (Cloutier, Sull 8; Gleason, Rock 13; M. Whalley, Merr 5; Copenhaver, Graf 10; Pilliod, Belk 3; Squires, Dist 12; K. Wheeler, Dist 21; Roberge, Dist 9; Pignatelli, Dist 13: Transportation)

HB 274-FN-A, relative to refinancing the cost and rehabilitation of the Cheshire Bridge. (Cloutier, Sull 8; Ferland, Sull 6; Flint, Sull 4; Lindblade, Sull 7; Whipple, Dist 8: Public Works and Highways)

HB 275-A-L, establishing the equipment grant program, and making an appropriation therefor. (Durham, Hills 22; O'Hearn, Hills 26: Education)

HCR 2, urging all school districts in the state of New Hampshire to implement peer mediation programs. (Copenhaver, Graf 10; Yeaton, Merr 10; McGuirk, Ches 1; Spear, Straf 5; Hansen, Hills 2; Fraser, Merr 21; McCarley, Dist 6: Education)

RECESS
(Rep. Pfaff in the Chair)
RESOLUTION

Rep. Burling offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 276 through 284, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS
First, second reading and referral

HB 276, relative to petitions for filing for a primary election. (Pepino, Hills 40: Election Law)

HB 277, relative to the option to process absentee ballots before closing of polls. (McGovern, Rock 35: Election Law)

HB 278, relative to the doctrines of adverse possession and prescription. (Bickford, Straf 1: Judiciary and Family Law)

HB 279, relative to elderly exemptions from the property tax. (Varrell, Rock 9: Local and Regulated Revenues)

HB 280, relative to uniform contracts for roofing contractors. (Hemon, Straf 11: Commerce)

HB 281, relative to regulation of medical assistants. (Emerton, Hills 7: Executive Departments and Administration)

HB 282, relative to enforcement of compliance by agencies with statutory authority for administrative rulemaking and other grounds for final objection by the joint committee on administrative rules. (M. Brown, Merr 10; Dodge, Rock 4: Executive Departments and Administration)

HB 283, establishing a study committee to examine the parity of salary scales between state troopers and other law enforcement officers. (McGovern, Rock 35: Executive Departments and Administration)

HB 284, establishing a study committee on the feasibility of combining the department of labor and the department of employment security. (Pepino, Hills 40; Buckley, Hills 44: Labor, Industrial and Rehabilitative Services)

RECESS