HOUSE RECORD

Second Year of the 155th Session of the General Court

Calendar and Journal of the 1998 Session

Vol. 20 Concord N.H. Thursday, March 19, 1998 No. 27

HOUSE JOURNAL No. 7 (cont.)

Thursday, March 12, 1998

RECESS

(Rep. Mercer in the Chair)

RESOLUTION

Their introduction having been approved by the Rules Committee:

Rep. Robertson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1675 and 1676, 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 1675-FN-A-L, establishing a referendum for a new taxation plan to fund public education. (Below, Graf 13; Feuerstein, Merr 13; Allen, Hills 1; French, Merr 3; Lynott, Ches 11: Finance)

HB 1676-FN-A-L, relative to collection by the state of local property taxes paid by business, industrial, and public utility properties and redistribution to municipalities for education purposes on a per pupil basis. (Lavoie, Merr 12; Larrabee, Merr 9; Daneault, Merr 12: Finance)

RECESS

(Speaker Sytek in the Chair)

RESOLUTION

Their introduction having been approved by the Rules Committee:

Rep. Cushing offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1677 through 1679 and Constitutional Amendment Concurrent Resolution numbered 49, 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

First, second reading and referral

HB 1677-FN-A-L, authorizing towns and cities to determine the method of local taxation used to support public education. (Alger, Graf 9; Leishman, Hills 13; Stickney, Rock 26; Krueger, Merr 7; Mirski, Graf 12: Local and Regulated Revenues)

HB 1678-FN-L, authorizing school districts to establish local educational standards and perform local education program assessments. (Alger, Graf 9; M. Brown, Merr 10; Colburn, Merr 12; Stickney, Rock 26; Mirski, Graf 12; Krueger, Hills 7; L. Jean, Hills 17; Guaraldi, Graf 14: Education)

HB 1679-FN-A-L, relative to local property taxation and state aid to support public education. (Hess, Merr 11: Finance)

CACR 49, relating to rights of parents to nurture and educate their children. Providing that: the right of parents to nurture and educate their children is a natural right, that the legislature and courts shall respect local control of education, and that a local legislative body may promote and fund education through taxes that are reasonable and proportional throughout its jurisdiction. (Alger, Graf 9; Mirski, Graf 12; Cobbin, Graf 11;M.Brown, Merr 10; Colburn, Merr 12; Guaraldi, Graf 14; D. Wheeler, Dist 11: Education)

RESOLUTION

Rep. Cushing offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 310, 319, 331, 352, 364, 373, 385, 392, 406, 418, 419, 420 and 446, shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 310, relative to the licensure of micropigmentation practitioners. (Executive Departments and Administration)

SB 319, establishing a committee to study the parole system and methods to increase its efficiency. (Criminal Justice and Public Safety)

SB 331, eliminating work certificates for 16 and 17 year old youths. (Labor, Industrial and Rehabilitative Services)

SB 352, relative to continuing education requirements for electrologists. (Executive Departments and Administration)

SB 364, establishing a committee to study the feasibility and advisability of consolidating building trades under a single licensing board. (Executive Departments and Administration)

SB 373, protecting quality assurance information of home health care providers from discovery. (Health, Human Services and Elderly Affairs)

SB 385, requiring the clerks of the superior courts to notify the appropriate regulatory board when a health care provider is convicted of a felony. (Judiciary and Family Law)

SB 392, relative to requirements for law enforcement personnel who conduct interviews of minors. (Judiciary and Family Law)

SB 406, establishing a legislative task force to develop a state government restructuring plan. (Executive Departments and Administration)

SB 418-FN, making a person driving under the influence of a controlled drug subject to an administrative loss of license. (Criminal Justice and Public Safety)

SB 419, raising the minimum age for marriage. (Judiciary and Family Law)

SB 420, preventing a child from being required to have visitation with a parent incarcerated for the murder of the other parent. (Judiciary and Family Law)

SB 446, relative to estate planning by a guardian. (Judiciary and Family Law)

RECESS

(Speaker Sytek in the Chair)

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 8

Thursday, March 19, 1998

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Jeanne Shaheen, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Rabbi Richard Klein from Temple Beth Jacob in Concord.

This week, Jews around the world read from the closing chapters of the Book of Exodus. These chapters tell us of the building of a wilderness Sanctuary for the biblical Israelites. Primary responsibility was placed in the hands of the skilled artisans and craftspeople of the community, but everyone was given the opportunity to contribute to the project. Amazingly, the artisans had to say, "No more!" so great was the outpouring of support. May our community's leadership be blessed with such support and enthusiasm in all they undertake. Amen.

Rep. Kenneth MacDonald led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Alukonis, Bishop, Blanchard, Patricia Cote, Dowd, Ferguson, John Flanders, Robert Foster, Guest, Healy, Larrabee, Lyman, Major, O'Rourke, Marsha Pelletier, Pepino, Rubin, Simmons, Paul Taylor and Trelfa, the day, illness.

Reps. Allison, Arndt, Adams, Channing Brown, Boutin, Cegelis, Dokmo, Eaton, Lavoie, Lynde, MacNeil, O'Keefe and Vachon, the important business.

Rep. Carol Williams, the day, death in the family.

Reps. Carney, Horton, Krueger, Piteri and Irene Pratt, the day, illness in the family.

INTRODUCTION OF GUESTS

Fifth grade students from Symonds Elementary School in Keene, N. H. and their teachers Gatherine Gilbert, Kristen Fortson and Mary Donnis, guests of Rep. Champagne. Alex Reno, grandnephew of Rep. Pantelakos. Bill Roberts, guest of Rep. Edwin Smith. Jean and Wayne Gorski and Pauline and Arnold Gendron, guests of Rep. Briefs.

special guests

The 1997 World Champion Junior League All-star baseball team from Salem, N. H., guests of the House.

COMMUNICATION

March 18, 1998

Karen Wadsworth, Clerk of the House

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

Hillsborough 23, Joan C. Tate, r, Hudson (104 Pelham Rd.) 03051

Merrimack 12, Francis W. Davis, r, Pembroke (514 Buck St.) 03275

William M. Gardner, Secretary of State

parliamentary situation

The Speaker explained that the Senate passed ***SB 477-FN,*** relative to capital murder, and that under House Rule 20(c), this bill needs a two-thirds majority for the House to introduce because similar legislation was Indefinitely Postponed by the House during this session.

RESOLUTION

Rep. Wheeler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 477 shall be by this resolution read a first and second time by the therein listed title, and referred to the therein designated committee.

On a division vote, 130 members having voted in the affirmative and 138 in the negative, the motion for introduction failed, lacking the necessary two-thirds.

senate messages

concurrence

HB 443, relative to push-polling.

HB 467-FN, clarifying the definition of "telephone cloning paraphernalia."

HB 627-FN, establishing a conservation number plate trust fund, and a special motor vehicle license plate and associated fees, to support New Hampshire's natural and cultural resources.

HB 659, modifying restrictions on televised political advertising.

HB 670-FN, prohibiting telephone solicitors from using caller identification blocking services.

HB 1151, relative to the testing of certain domestic animals.

HB 1168-L, relative to municipal economic development and revitalization districts.

HB 1249, requiring budget line item appropriations for individual and departmental dues to national and regional organizations paid from state resources..

HB 1351-FN, extending "the Laboratory for New Ideas in Information Technology" pilot project.

nonconcurrence

HB 420, relative to administrative review of suspended or revoked motor vehicle licenses.

requests concurrence with amendments

HB 544, relative to dwellings which extend over public waters. (Amendment printed SJ 2, 1/29/98)

Rep. Royce moved that the House concur.

Adopted.

HCR 21, encouraging the designation of the Connecticut River as an American Heritage River. (Amendment printed SJ 6, 3/12/98)

Rep. Edwin Smith moved that the House concur.

Adopted.

ENROLLED BILL AMENDMENTS

HB 443, relative to push-polling.

Amendment (1107-EBA)

Amend RSA 664:2, XVII(c) as inserted by section 2 of the bill by replacing line 1 with the following:

(c) Conducting such calling in a manner which is likely to be construed by the

Amend section 3 of the bill by replacing line 1 with the following:

3 New Section; Push-polling; Submission of Information Required. Amend RSA664 by inserting after section

Adopted.

HB 659, modifying restrictions on televised political advertising.

Amendment (1104-EBA)

Amend RSA 664:14, IV(b) as inserted by section 3 of the bill by replacing line 4 with the following:

visual presentation shall be clearly legible and shall use letters equal to or greater than 12

Amend RSA 664:14, VI as inserted by section 4 of the bill by replacing line 7 with the following:

presentation shall be clearly legible and shall use letters equal to or greater than 12 percent

Adopted.

HB 670-FN, prohibiting telephone solicitors from using caller identification blocking services.

Amendment (1094-EBA)

Amend RSA 359-E:5-a as inserted by section 3 of the bill by replacing line 6 with the following:

contain a telephone number at which the telephone solicitor may receive telephone calls if the

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 517, 1151, 1168, 1249 and 1351.

Rep. Nowe, Sen. Barnes for the Committee

regular calendar (cont'd.)

HB 1187, relative to breakwater permitting. REFER FOR INTERIM STUDY

Rep. David M. Lawton for Resources, Recreation and Development**:** This bill is an attempt to clarify the current Department of Environmental Services (DES) rules relating to breakwater permitting. The majority of this committee strongly believes that the subject matter in the bill has merit, however, current time constraints inhibit a comprehensive airing of the issues at this time. Vote 15-0.

Adopted.

Rep. Mirski declared a conflict of interest and did not participate.

HB 1341, relative to temporary seasonal docks on lakes and ponds. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. William E. Williams, Jr. for the Majority of Resources, Recreation and Development**:** This legislation exempts temporary seasonal docks on lakes and ponds from excavating and dredging permit filing requirements. The bill provides specifications and conditions that the property owner must meet in order to comply with the act. The bill was amended at the suggestion of the Department of Environmental Services (DES) with the approval of the sponsor and encourages the use of a single temporary seasonal dock as a means to access the water in front of one's property. The majority believes that this bill represents a reasonable property use while not adversely impacting the public trust of lakes and ponds. Vote 10-9.

Rep. Sidney Lovett for the Minority of Resources, Recreation and Development**:** The minority believe that this bill has little merit. It provides a broad exemption without any accountable information to be provided to municipalities and or the Department of Environmental Services. It is simply a "give away" which evades both local control and responsible state planning.

Amendment (0583h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Excavating and Dredging Permit; Exemptions; Temporary Seasonal Docks. Amend RSA 482-A:3 by inserting after paragraph IV the following new paragraph:

IV-a. Temporary seasonal docks constructed on any lake or pond shall be exempt from the permitting requirements of this section. To qualify for this exemption, temporary seasonal docks must:

(a) Have a length of less than 50 feet;

(b) Have a total surface area of less than 200 square feet;

(c) Be removed from the water for at least 5 months of every calendar year;

(d) Have a width of 8 feet or less;

(e) Not obstruct navigation;

(f) Be the only structure on the frontage;

(g) Be on at least 60 feet of frontage owned by the owner of the dock;

(h) Be at least 20 feet from any property line or the imaginary extension of any property line into the water;

(i) Not impact wetlands along or adjacent to the shoreline.

Adopted.

Reps. Laflam and Lovett spoke against.

Rep. William Williams spoke in favor and yielded to questions.

Rep. Whalley spoke in favor.

Rep. Royce requested a roll call; sufficiently seconded.

The question being the adoption of the Majority report.

YEAS 182 NAYS 152

YEAS 182

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Calvert, Alice
Clark, Charles	Holbrook, Robert	Hurt, George	Lawton, David
Lawton, Robert	Pilliod, James	Rosen, Ralph	Thomas, John
Turner, Robert			

CARROLL

Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	MacDonald, Kenneth
Mock, Henry	Patten, Betsey	Philbrick, Donald	

CHESHIRE

Avery, Stephen	Hunt, John	Lynott, Margaret	Manning, Joseph
McNamara, Wanda	Metzger, Katherine	Royce, H. Charles	Smith, Edwin
Steere, Myron, III			

COOS

Coulombe, Henry	Coulombe, Yvonne	Guay, Lawrence	Merrill, Gerald
Pratt, Leighton	St. Hilaire, Paul	Tholl, John, Jr.	

GRAFTON

Alger, John	Cobbin, Philip	Guaraldi, Lawrence	Hill, Richard
Hinman, Harry	Weber, Phil	Williams, William, Jr.	

HILLSBOROUGH

Amidon, Eleanor	Arnold, Thomas, Jr.	Belvin, William	Bergin, Peter
Briefs, Geoffrey	Brundige, Robert	Calawa, Leon, Jr.	Chabot, Ernest
Christiansen, Lars	Clegg, Robert, Jr.	Daniels, Gary	Dawe, Eileen
Durham, Susan	Dyer, Merton	Emerton, Lawrence, Sr.	Fenton, James
Fields, Dennis	Flora, Kathleen	Foster, Linda	Franks, Suzan
Gagnon, Eugene	Ginsburg, Ruth	Golding, William	Goulet, Maurice
Haettenschwiller, Alphonse Herman, Keith	Holt, David	Hunter, Bruce	
Jean, Loren	Johnson, Lionel	Kelley, Robert	Kurk, Neal
LaRose, Richard	Leonard, Peter	Lessard, Rudy	Letendre, Evelyn
Lozeau, Donnalee	MacGillivray, Jeffrey	MacIntyre, Doris	Marcinkowski, Michael
McCarty, Winston	McGough, Tim	McRae, Karen	Melcher, Harold
Mercer, Robert	Messier, Irene	Mittelman, David	Morello, Michael
Murphy, Robert	O'Hearn, Jane	Peterson, Andrew	Riley, Frances
Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.	Tate, Joan
Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve	Welch, Donald
Wheeler, Robert	White, Donald		

MERRIMACK

Anderson, Eric	Brown, Mary	Chandler, Earle	Colburn, Thomas

Crowell, Peter	Hess, David	Hoadley, Elizabeth	Lamach, Bernard
Langer, Ray	Leber, William	Lockwood, Robert	Marshall, Kenneth
Maxfield, Roy	Morrill, Olive	Pfaff, Terence	Wallin, Jean
Whalley, Michael	Whittemore, James		

ROCKINGHAM

Beaulieu, Jon	Belanger, Ronald	Camm, Kevin	Carson, Gregory
Case, Margaret	Dalrymple, Janeen	Dearborn, Bruce	Dodge, Robert
Dowling, Patricia	Dunham, Vivian	Fesh, Robert	Flanagan, Natalie
Francoeur, Sheila	Gleason, John	Griffin, Mary	Guthrie, Joseph
Heath, John	Henderson, Warren	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Klemm, Arthur, Jr.	Kobel, Rudolph	Langone, John
Letourneau, Robert	Malcolm, Kenneth	McKinney, Betsy	Mikowlski, Walter
Moore, Benjamin	Morris, Debbie	Nowe, Ronald	Noyes, Richard
Packard, Sherman	Raynowska, Bernard	Smith, Kevin	Stickney, Nancy
Tufts, J. Arthur	Varrell, Thomas	Welch, David	Weyler, Kenneth

STRAFFORD

Bickford, David	Brown, Julie	Cossette, Larry	McKinley, Robert
Rollo, Michael	Spear, Barbara	Sullivan, Henry	Torr, Ann
Torr, Franklin	Tsiros, William	Vincent, Francis	

SULLIVAN

Adler, Rudolf	Kibbey, David	Leone, Richard	Lindblade, Eric

NAYS 152

BELKNAP

Golden, Paul	Laflam, Robert	Rice, Thomas, Jr.	Salatiello, Thomas
Veazey, John			

CARROLL

None

CHESHIRE

Bonneau, Sarah	Burnham, Daniel	Champagne, Richard	DePecol, Benjamin
Doucette, Richard	Lynch, Margaret	McGuirk, Paul	Meader, David
O'Connell, John	Pratt, John	Richardson, Barbara	Riley, William
Robertson, Timothy	Russell, Ronald	Vogl, John	

COOS

Bradley, Paula	Davis, Perley	Hawkinson, Marie	Mears, Edgar
Moynihan, Wayne			

GRAFTON

Akins, Ralph	Almy, Susan	Below, Clifton	Copenhaver, Marion
Ham, Bonnie	Lovett, Sidney	Luker, Elsa	Nordgren, Sharon
Phinney, William	Root, John		

HILLSBOROUGH

Ameen, W.	Baroody, Benjamin	Barry, William, III	Batula, Peter
Bernier, Shannon	Buckley, Raymond	Burke, M. Virginia	Cardin, Lori
Carlson, Donald	Chabot, Robert	Clay, Susan	Clemons, Jane
Cote, David	Cote, Peter	D'Allesandro, Lou	Daigle, Robert
Desrosiers, William	Drabinowicz, A. Theresa	Dwyer, Paul, Sr.	Foster, Joseph
Gage, Ruth	Gosselin, Gerald	Hall, Betty	Hansen, Herbert
Hart, Nick	Holley, Sylvia	Jean, Claudette	Konys, Christine
L'Heureux, Robert	Lefebvre, Roland	Leishman, Peter	MacAuslan, Rita
Martin, Mary	McCarthy, William	McDonald, James, Sr.	Milligan, Robert
Perkins, Paul	Reidy, Frank	White, Jay	Wright, George

MERRIMACK

Burney, Carol	Crosby, Toni	Daneault, Gabriel	Davis, Francis
DeStefano, Stephen	Dunn, Miriam	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Gile, Mary	Jacobson, Alf	Moore, Carol
Owen, Derek	Reardon, Tara	Seldin, Gloria	St. Cyr, Gerard
Wallner, Mary Jane	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Battles-Peirce, Marjorie	Cooney, Richard	Cushing, Robert
Dolan, Richard	Downing, Michael	Flanders, David	Frechette, Joseph
Gibbons, Paul	Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane
Langley, Jane	Lovejoy, Marian	McCarthy, John, Jr.	Micklon, Stephanie
Norelli, Terie	Pantelakos, Laura	Pitts, Jacqueline	Rabideau, Marie
Sabella, Norma	Sapareto, Frank	Schanda, Frank	Stritch, C. Donald
Syracusa, Anthony	Vaughn, Charles	Weatherspoon, Jackie	

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank

DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris	Grassie, Anne
Hemon, Roland	Heon, Richard	Kaen, Naida	Keans, Sandra
Knowles, William	Lundborn, Raymond	McCann, William, Jr.	Merrill, Amanda
Merritt, Deborah	Pelletier, Arthur	Rogers, Rose Marie	Smith, Marjorie
Snyder, Clair	Taylor, Kathleen	Twardus, Joseph	Wall, Janet
	SULLIVAN		
Burling, Peter	Cloutier, John	Donovan, Thomas	Ferland, Brenda
Flint, Gordon	Palmer, Lorraine	Robb-Theroux, Amy	Wiggins, Celestine

and the Majority report was adopted.

Ordered to third reading.

Reps. Allen and Mirski declared conflicts of interest and did not participate.

HB 1659, prohibiting the use of eminent domain powers by public utilities to take private property for the construction and operation of electric generating plants. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Clifton C. Below for the Majority of Science, Technology and Energy**:** This bill simply removes the right of a public utility to use eminent domain powers to take private land for the construction or operation of an electric generating plant. The amendment makes this change in policy only effective when competition for electric generation supply exists in at least 70% of the state. This policy will put competitive generation suppliers on a level playing field with public utilities that retain generation. It is also consistent with the restructuring policy principle in RSA 374-F:3, VII, that states: "The rules that govern market activity should apply to all buyers and sellers in a fair and consistent manner in order to ensure a fully competitive market". Vote 11-5.

Rep. Donald B. White for the Minority of Science, Technology and Energy**:** This bill is well intended as written as part of electrical restructuring. The Minority feels that this bill is premature and unnecessary prior to the time competition is in full force. This bill also leaves municipalities free of eminent domain restriction, so an unequal playing field exists. Of great concern, too, is the potential for the reduction of opportunity for new technology which is in the public interest because the cost and availability of logical sites may be priced out of reach for any buyer to construct a cost-competitive generation plant. Eminent domain for an electric energy supplier has been used only once in the past thirty years and only after demonstrating a clear public interest.

Amendment (0765h)

Amend RSA 371:1 s inserted by section 1 of the bill by replacing it with the following:

371:1 Petition. Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a line, branch line, extension, or a pipeline, conduit, line of poles, towers or wires across the land of another, or should acquire land, land for an electric [~~generating station or electric~~] substation, [~~land for a dam site,~~] or flowage, drainage**,** or other rights for the necessary construction, extension or improvement of any [~~plant,~~] water power[~~,~~] or other works owned or operated by such public utility, and it cannot agree with the owners of such land or rights as to the necessity or the price to be paid therefor, such public utility

may petition the public utilities commission for such rights and easements or for permission to take such lands or rights as may be needed for said purposes. ***No public utility may petition for permission to take private land or property rights for the construction or operation of an electric generating plant.***

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

3 Contingency. Sections 1 and 2 of this act shall take effect upon the date of certification by the chairman of the public utilities commission to the secretary of state, pursuant to RSA 38:36, that retail electric competition exists in at least 70 percent of the state.

4 Effective Date.

I. Sections 1-2 of this act shall take effect as provided in section 3.

II. Section 3 of this act shall take effect upon its passage.

Adopted.

Majority report adopted and ordered to third reading.

HB 1662-FN, restructuring the nuclear decommissioning finance committee and the office of the consumer advocate and amending laws relative to atomic energy to reflect the policies of electric utility restructuring. REFER FOR INTERIM STUDY

Rep. Jeb E. Bradley for Science, Technology and Energy**:** The committee believes that the nuclear decommissioning statutes, Chapters 162-B and 162-F, need updating due to electric utility restructuring. However, since this bill was not completed, and could not be scheduled for public hearing until February 10, the committee was unable to examine decommissioning with any thoroughness. The committee also needs ample time to study how best to accomplish the sponsors' goal of making the Office of the Consumer Advocate more accountable. The current statute provides that the Attorney General appoints the Consumer Advocate and the office is administratively attached to the Public Utilities Commission. Apparently, the current Consumer Advocate is a hold-over from a previous statute (before 1985) that provided Public Utilities Commission appointment and there is no appointment letter from the Attorney General according to a research request performed by the Office of Legislative Services. There is no term of office for the Consumer Advocate who is a classified employee and as such can be removed only for cause. The sponsors believe that were the office to have a four or five year term, with re-appointment necessary, the office would be more accountable to the public, and to the residential consumers of utility services whom the Consumer Advocate represents. The committee is sympathetic to the goals of the sponsors, but believes other states' statutes should be thoroughly studied if changes in appointment are to be made. The committee also believes that due to electric utility restructuring, the role of the Consumer Advocate must be carefully examined. Interim Study will allow for this examination. The committee takes no position on the current Consumer Advocate. Vote 16-0.

Adopted.

Rep. Joseph Foster declared a conflict of interest and did not participate.

HCR 22, rescinding the 1979 call for a federal constitutional convention. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Kenneth J. MacDonald for the Majority of State-Federal Relations and Veterans Affairs**:** In 1979, House Concurrent Resolution 8, dealing with a call for a federal constitutional convention to propose an amendment requiring a balanced federal budget, and alternatively calling on Congress to present such an amendment to the states for ratification, was passed. Over a period of years this state has stayed firm on the need for a balanced federal budget. This is not the time to back down but it is the time to stand our ground. A balanced budget is the only mechanism which can ensure our nation's economic future. Fears of a runaway convention are false due to the fact that the call for a convention would have a specific purpose, and would not have the authority other than specific purpose. Vote 10-7.

Rep. William H. Barry for the Minority of State-Federal Relations and Veterans Affairs**:** The minority of the committee believes that the call for a constitutional convention can not be limited to a single issue. A vote to rescind is not a vote against the balanced budget amendment. The founders did not allow for the constitutional convention to be limited to a single issue when called by the states. Disaster could result if a constitutional convention was open to amend the constitution on issues such as privacy, abortion, states rights, taxes and gun ownership.

Rep. William Riley spoke against and yielded to questions.

Rep. Teschner spoke in favor and yielded to questions.

Rep. Edwin Smith requested a roll; sufficiently seconded.

The question being the adoption of the Majority report.

YEAS 199 NAYS 136

YEAS 199

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Calvert, Alice
Clark, Charles	Golden, Paul	Holbrook, Robert	Hurt, George
Lawton, David	Lawton, Robert	Pilliod, James	Rice, Thomas, Jr.
Rosen, Ralph	Thomas, John	Turner, Robert	Veazey, John

CARROLL

Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	MacDonald, Kenneth
Mock, Henry	Patten, Betsey	Philbrick, Donald	

CHESHIRE

Avery, Stephen	Hunt, John	Manning, Joseph	McNamara, Wanda
Royce, H. Charles	Smith, Edwin	Steere, Myron, III	

COOS

Coulombe, Henry	Davis, Perley	Guay, Lawrence	Merrill, Gerald

Pratt, Leighton	Tholl, John, Jr.

GRAFTON

Akins, Ralph	Alger, John	Cobbin, Philip	Guaraldi, Lawrence
Ham, Bonnie	Hill, Richard	Hinman, Harry	Lovett, Sidney
Phinney, William	Root, John	Teschner, Douglass	Weber, Phil
Williams, William, Jr.			

HILLSBOROUGH

Amidon, Eleanor	Arnold, Thomas, Jr.	Batula, Peter	Belvin, William
Bergin, Peter	Briefs, Geoffrey	Brundige, Robert	Buckley, Raymond
Burke, M. Virginia	Calawa, Leon, Jr.	Carlson, Donald	Chabot, Ernest
Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr.	Daniels, Gary
Dawe, Eileen	Desrosiers, William	Durham, Susan	Dyer, Merton
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Franks, Suzan	Gagnon, Eugene	Golding, William	Goulet, Maurice
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Holt, David
Hunter, Bruce	Johnson, Lionel	Kelley, Robert	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Leishman, Peter	Lessard, Rudy
Letendre, Evelyn	Lozeau, Donnalee	MacGillivray, Jeffrey	MacIntyre, Doris
Marcinkowski, Michael	McCarty, Winston	McDonald, James, Sr.	McGough, Tim
McRae, Karen	Mercer, Robert	Messier, Irene	Milligan, Robert
Mittelman, David	Morello, Michael	O'Hearn, Jane	Peterson, Andrew
Riley, Frances	Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.
Tate, Joan	Thulander, O. Alan	Turgeon, Roland	Wheeler, Robert
White, Donald	Wright, George		

MERRIMACK

Anderson, Eric	Brown, Mary	Chandler, Earle	Colburn, Thomas
Crowell, Peter	Daneault, Gabriel	Davis, Francis	Feuerstein, Martin
Hager, Elizabeth	Hoadley, Elizabeth	Lamach, Bernard	Leber, William
Lockwood, Robert	Marshall, Kenneth	Maxfield, Roy	Morrill, Olive
Pfaff, Terence	Whalley, Michael	Whittemore, James	

ROCKINGHAM

Battles-Peirce, Marjorie	Belanger, Ronald	Camm, Kevin	Carson, Gregory
Cooney, Richard	Dalrymple, Janeen	Dearborn, Bruce	Dodge, Robert
Dolan, Richard	Dowling, Patricia	Fesh, Robert	Flanagan, Natalie

Flanders, David	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Griffin, Mary	Guthrie, Joseph	Henderson, Warren	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Klemm, Arthur, Jr.	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Lovejoy, Marian
Malcolm, Kenneth	McCarthy, John, Jr.	McKinney, Betsy	Mikowlski, Walter
Morris, Debbie	Nowe, Ronald	Noyes, Richard	Packard, Sherman
Rabideau, Marie	Raynowska, Bernard	Sapareto, Frank	Schanda, Frank
Smith, Kevin	Stickney, Nancy	Stone, Joseph	Stritch, C. Donald
Tufts, J. Arthur	Welch, David	Weyler, Kenneth	

STRAFFORD

Bickford, David	Cossette, Larry	DeChane, Marlene	Rollo, Michael
Spear, Barbara	Torr, Ann	Torr, Franklin	Tsiros, William
Twardus, Joseph	Vincent, Francis		

SULLIVAN

Adler, Rudolf	Flint, Gordon	Kibbey, David	Leone, Richard

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BELKNAP

Salatiello, Thomas

CARROLL

None

CHESHIRE

Bonneau, Sarah	Burnham, Daniel	Champagne, Richard	DePecol, Benjamin
Doucette, Richard	Lynch, Margaret	Lynott, Margaret	McGuirk, Paul
Meader, David	O'Connell, John	Pratt, John	Richardson, Barbara
Riley, William	Robertson, Timothy	Russell, Ronald	Vogl, John

COOS

Bradley, Paula	Coulombe, Yvonne	Hawkinson, Marie	Mears, Edgar
Moynihan, Wayne	St. Hilaire, Paul		

GRAFTON

Almy, Susan	Below, Clifton	Copenhaver, Marion	Luker, Elsa
Mirski, Paul	Nordgren, Sharon		

HILLSBOROUGH

Allen, W. Gordon	Ameen, W.	Baroody, Benjamin	Barry, William, III
Bernier, Shannon	Cardin, Lori	Clay, Susan	Clemons, Jane
Cote, David	Cote, Peter	D'Allesandro, Lou	Daigle, Robert
Drabinowicz, A. Theresa	Dwyer, Paul, Sr.	Foster, Joseph	Foster, Linda
Gage, Ruth	Ginsburg, Ruth	Gosselin, Gerald	Haettenschwiller, Alphonse
Hall, Betty	Hart, Nick	Jean, Claudette	Jean, Loren
Konys, Christine	Lefebvre, Roland	Leonard, Peter	MacAuslan, Rita
Martin, Mary	McCarthy, William	Melcher, Harold	Murphy, Robert
Perkins, Paul	Reidy, Frank	Vaillancourt, Steve	Welch, Donald
White, Jay			

MERRIMACK

Burney, Carol	Crosby, Toni	DeStefano, Stephen	Dunn, Miriam
Fraser, Marilyn	French, Barbara	Gile, Mary	Jacobson, Alf
Langer, Ray	Moore, Carol	Owen, Derek	Reardon, Tara
Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Case, Margaret	Cushing, Robert
Downing, Michael	Dunham, Vivian	Frechette, Joseph	Heath, John
Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane	Micklon, Stephanie
Moore, Benjamin	Norelli, Terie	Pantelakos, Laura	Pitts, Jacqueline
Sabella, Norma	Syracusa, Anthony	Varrell, Thomas	Vaughn, Charles
Weatherspoon, Jackie			

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	Dunlap, Patricia	Estabrook, Iris	Grassie, Anne
Hemon, Roland	Heon, Richard	Kaen, Naida	Keans, Sandra
Knowles, William	Lundborn, Raymond	McCann, William, Jr.	McKinley, Robert
Merrill, Amanda	Pelletier, Arthur	Rogers, Rose Marie	Smith, Marjorie
Snyder, Clair	Sullivan, Henry	Taylor, Kathleen	Wall, Janet

SULLIVAN

Burling, Peter	Cloutier, John	Donovan, Thomas	Ferland, Brenda

Lindblade, Eric	Palmer, Lorraine	Robb-Theroux, Amy	Wiggins, Celestine

and the Majority report was adopted.

HJR 22, requesting the government of the United States to adopt and ratify the international treaty to ban land mines. INEXPEDIENT TO LEGISLATE

Reps. Thomas A Varrell and Robert J. Letourneau for State-Federal Relations and Veterans Affairs**:** Passage of HJR 22 would greatly reduce the safety capabilities and morale of our existing armed forces. The United States currently only uses land mines in a defensive posture and maintains the exact location of all our land mines recently deployed throughout the world. In addition, our modern technology allows us to produce land mines which can be programmed to deactivate on command. As far as existing older unexploded ordinance is concerned, the United States maintains comprehensive SOFAs (Status of Forces Agreements) in all countries where American troops are deployed. All of these SOFAs contain provisions where American explosive ordinance disposal personnel shall assist the host country in the disarmament of all discovered older unexploded ordinance. This treaty has already been addressed by the Department of Defense, the Congress and the President. Under recommendation from DOD and the Congress , the President has declined to sign this treaty, since it would put our armed forces in great jeopardy. In addition, some of the other non-signatory nations are some of our greatest potential adversaries i.e. Cuba, North Korea, Iraq, Iran, Bosnia, etc. This resolution upon first blush appears to be a humanitarian treaty, which certainly has merit. However, upon closer reading of the treaty itself, the treaty is about open ended financial assistance to over 100 third world countries through the United Nations Voluntary Trust Fund. Disclosure of stockpiles of weapons, including lot numbers, would have national security concerns. The majority of the committee felt that it should leave foreign affairs of this nature up to the policy makers in our nation's capitol without interference, no matter how dignified, from state law makers. Vote 11-5.

Rep. John Pratt spoke against.

Reps. Letourneau, Belvin and Carson spoke in favor and yielded to questions.

Reps. D'Allesandro, Sabella and Bergin spoke against and yielded to questions.

Rep. Henderson spoke in favor.

Rep. Edwin Smith requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 220 NAYS 113

YEAS 220

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Calvert, Alice
Clark, Charles	Golden, Paul	Holbrook, Robert	Hurt, George
Lawton, David	Lawton, Robert	Pilliod, James	Rice, Thomas, Jr.
Rosen, Ralph	Thomas, John	Turner, Robert	Veazey, John

CARROLL

Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	MacDonald, Kenneth
Mock, Henry	Patten, Betsey	Philbrick, Donald	

CHESHIRE

Avery, Stephen	Burnham, Daniel	Doucette, Richard	Hunt, John
McNamara, Wanda	Meader, David	Metzger, Katherine	Royce, H. Charles
Smith, Edwin	Steere, Myron, III		

COOS

Davis, Perley	Guay, Lawrence	Merrill, Gerald	Pratt, Leighton
St. Hilaire, Paul	Tholl, John, Jr.		

GRAFTON

Alger, John	Cobbin, Philip	Ham, Bonnie	Hill, Richard
Hinman, Harry	Mirski, Paul	Phinney, William	Root, John
Teschner, Douglass	Weber, Phil	Williams, William, Jr.	

HILLSBOROUGH

Amidon, Eleanor	Arnold, Thomas, Jr.	Baroody, Benjamin	Barry, William, III
Batula, Peter	Belvin, William	Brundige, Robert	Burke, M. Virginia
Calawa, Leon, Jr.	Carlson, Donald	Chabot, Ernest	Chabot, Robert
Christiansen, Lars	Clegg, Robert, Jr.	Daniels, Gary	Dawe, Eileen
Desrosiers, William	Durham, Susan	Dyer, Merton	Emerton, Lawrence, Sr.
Fenton, James	Fields, Dennis	Flora, Kathleen	Franks, Suzan
Gagnon, Eugene	Golding, William	Gosselin, Gerald	Goulet, Maurice
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Holt, David
Hunter, Bruce	Jean, Loren	Johnson, Lionel	Kelley, Robert
Kurk, Neal	L'Heureux, Robert	LaRose, Richard	Lefebvre, Roland
Lessard, Rudy	Letendre, Evelyn	Lozeau, Donnalee	MacGillivray, Jeffrey
MacIntyre, Doris	McCarthy, William	McCarty, Winston	McDonald, James, Sr.
McGough, Tim	McRae, Karen	Mercer, Robert	Messier, Irene
Milligan, Robert	Mittelman, David	Morello, Michael	Murphy, Robert
O'Hearn, Jane	Perkins, Paul	Peterson, Andrew	Reidy, Frank
Riley, Frances	Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.
Tate, Joan	Thulander, O. Alan	Turgeon, Roland	Wheeler, Robert
White, Donald	Wright, George		

MERRIMACK

Anderson, Eric	Brown, Mary	Chandler, Earle	Colburn, Thomas
Daneault, Gabriel	Davis, Francis	DeStefano, Stephen	Feuerstein, Martin
Hess, David	Hoadley, Elizabeth	Lamach, Bernard	Langer, Ray
Leber, William	Lockwood, Robert	Marshall, Kenneth	Maxfield, Roy
Morrill, Olive	Pfaff, Terence	Whalley, Michael	Whittemore, James

ROCKINGHAM

Battles-Peirce, Marjorie	Beaulieu, Jon	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Case, Margaret	Cooney, Richard	Dalrymple, Janeen
Dearborn, Bruce	Dodge, Robert	Dolan, Richard	Dowling, Patricia
Downing, Michael	Dunham, Vivian	Fesh, Robert	Flanagan, Natalie
Flanders, David	Francoeur, Sheila	Frechette, Joseph	Gibbons, Paul
Gleason, John	Griffin, Mary	Guthrie, Joseph	Henderson, Warren
Hutchinson, Rebecca	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Lovejoy, Marian	Malcolm, Kenneth	McCarthy, John, Jr.
McKinney, Betsy	Mikowlski, Walter	Moore, Benjamin	Morris, Debbie
Nowe, Ronald	Noyes, Richard	Packard, Sherman	Rabideau, Marie
Raynowska, Bernard	Sapareto, Frank	Smith, Kevin	Stickney, Nancy
Stone, Joseph	Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur
Varrell, Thomas	Welch, David	Weyler, Kenneth	

STRAFFORD

Berube, Roger	Bickford, David	Brown, George	Brown, Julie
Cossette, Larry	McKinley, Robert	Rollo, Michael	Spear, Barbara
Torr, Ann	Torr, Franklin	Tsiros, William	Twardus, Joseph
Vincent, Francis			

SULLIVAN

Adler, Rudolf	Ferland, Brenda	Flint, Gordon	Kibbey, David
Leone, Richard	Lindblade, Eric	Robb-Theroux, Amy	Schotanus, Merle

NAYS 113

BELKNAP

Laflam, Robert	Salatiello, Thomas

CARROLL

None

CHESHIRE

Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	O'Connell, John
Pratt, John	Richardson, Barbara	Robertson, Timothy	Russell, Ronald
Vogl, John			

COOS

Bradley, Paula	Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne

GRAFTON

Akins, Ralph	Almy, Susan	Below, Clifton	Copenhaver, Marion
Lovett, Sidney	Luker, Elsa	Nordgren, Sharon	

HILLSBOROUGH

Allen, W. Gordon	Ameen, W.	Bergin, Peter	Bernier, Shannon
Briefs, Geoffrey	Buckley, Raymond	Cardin, Lori	Clay, Susan
Clemons, Jane	Cote, David	Cote, Peter	D'Allesandro, Lou
Daigle, Robert	Drabinowicz, A. Theresa	Dwyer, Paul, Sr.	Foster, Joseph
Foster, Linda	Gage, Ruth	Ginsburg, Ruth	Haettenschwiller, Alphonse
Hall, Betty	Hart, Nick	Jean, Claudette	Konys, Christine
Leishman, Peter	Leonard, Peter	MacAuslan, Rita	Martin, Mary
Melcher, Harold	Vaillancourt, Steve	Welch, Donald	White, Jay

MERRIMACK

Burney, Carol	Crosby, Toni	Fraser, Marilyn	French, Barbara
Gile, Mary	Hager, Elizabeth	Jacobson, Alf	Moore, Carol
Owen, Derek	Reardon, Tara	Rogers, Katherine	Seldin, Gloria
St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Coes, Betsy	Cushing, Robert	Heath, John
Kane, Cecelia	Kelley, Jane	Micklon, Stephanie	Norelli, Terie
Pantelakos, Laura	Pitts, Jacqueline	Sabella, Norma	Schanda, Frank
Vaughn, Charles			

STRAFFORD

Brennan, William	Callaghan, Frank	DeChane, Marlene	Dunlap, Patricia

Estabrook, Iris	Grassie, Anne	Hemon, Roland	Kaen, Naida
Keans, Sandra	Knowles, William	Lundborn, Raymond	McCann, William, Jr.
Merrill, Amanda	Merritt, Deborah	Pelletier, Arthur	Rogers, Rose Marie
Smith, Marjorie	Snyder, Clair	Sullivan, Henry	Taylor, Kathleen
Wall, Janet			

SULLIVAN

Burling, Peter	Cloutier, John	Donovan, Thomas	Palmer, Lorraine
Wiggins, Celestine			

and the report was adopted.

Rep. Weatherspoon declared a conflict of interest and did not participate.

RECESS

(Speaker Sytek in the Chair)

HB 1196, prohibiting the sale and use of lead fishing sinkers except to persons with commercial salt water fishing licenses. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Donald Carlson for the Majority of Wildlife and Marine Resources**:** As originally drafted, this bill would have outlawed the sale, possession and use of lead sinkers and jigs in New Hampshire. The committee heard testimony at the public hearing that was inconclusive as to the threat of lead fishing tackle to water birds. This bill, as amended, takes a two pronged approach. First an education program, already underway, to alert sportsmen and the public to the dangers to, not only wildlife, but also humans. (We heard testimony from health and human services that there were 250 to 300 new cases of human lead poisoning in New Hampshire, annually). Second, the Department of Fish and Game in consultation with Environmental Services and Health and Human Services and in partnership with other interested organizations shall study existing scientific literature and coordinate and compile additional studies into the causes of water bird, and in particular loon, deaths due to lead poisoning and the extent of these deaths. The Director is to report the findings to the Governor, Speaker of the House, President of the Senate and appropriate committees of the House and Senate. Should these studies prove, to a reasonable extent, the need to discontinue the use of lead sinkers and jigs, the Director of Fish and Game may make rules banning the use of the offending devices in New Hampshire's fresh waters. There does not seem to be a threat in New Hampshire's salt waters. Vote 9-1.

Rep. Dennis F. Abbott for the Minority of Wildlife and Marine Resources**:** The bill, as amended, offers little protection to the common loon from the effects of lead poisoning. The bill provides for a continuing study until the year 2003 ensuring that loon mortality shall escalate annually as it has in recent years. The proposed educational program may help, but until loons stop ingesting lead sinkers, they will continue to die from unnecessary and avoidable lead poisoning. The minority does support the hard work and efforts of the committee and the Fish and Game Department in grappling with this difficult issue

Amendment (0862h)

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

AN ACT relative to coordinating and compiling studies and establishing a lead education program concerning the effects of lead on water birds and other wildlife.

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

1 Findings. The legislature finds that the loon population of New Hampshire is increasing and further finds that this unique and popular threatened species is an integral part of the economic and social fabric of our citizenry. However, a preliminary review of research and literature on the toxicity of lead to loons and other waterbirds indicates that ingestion of lead fishing sinkers may pose a significant hazard to waterbirds. Therefore, the legislature finds a need to educate the public, acquire additional information, and review research on the effects of waterbird ingestible lead fishing gear on this important segment of our wildlife resource, and to authorize the executive director to regulate waterbird ingestible lead fishing gear if found hazardous to waterbird populations.

2 Lead Studies and Reports.

I. The executive director of the department of fish and game, in consultation with the commissioners of the department of health and human services and the department of environmental services, shall coordinate and compile studies, in partnership with appropriate agencies and organizations, detailing the causative effects of lead poisoning in waterbirds.

II. The executive director shall prepare a report that makes recommendations on protecting waterbirds from the effects of lead in New Hampshire. The report shall specifically address alternatives to waterbird ingestible lead fishing gear and shall include a determination, based upon scientific studies, as to whether lead fishing gear poses a hazard to the state's waterbirds. The final report shall be submitted no later than January 1, 2003, to the governor, the speaker of the house, the senate president, the house wildlife and marine resources committee, the senate wildlife and recreation committee, and the state library. Until the final report is issued, annual interim reports shall be submitted by January 1 to these entities.

3 New Subdivision; Lead Education Program. Amend RSA 207 by inserting after section 57 the following new subdivision:

Lead Education Program

207:58 Lead Education Program.

I. To discourage the use of lead, the fish and game department, in consultation with the department of health and human services and in partnership with the department of environmental services, the Loon Preservation Committee, the New Hampshire Audubon Society, and the New Hampshire Wildlife Federation, shall institute an educational program consisting of, but not limited to, press releases or articles for all news media, an informational brochure for distribution by licensing agents and at department sponsored training programs, videos for use by television outlets, posters for boat access kiosks and other bulletin boards, and a mobile display for use at public events.

II. The purpose of the educational program is to inform the public about adverse, though unintentional, effects of lead on wildlife, and how to reduce the introduction of lead into the environment through personal action.

4 New Section; Rulemaking; Restrictions on Lead Fishing Gear. Amend RSA 211 by inserting after section 13-a the following new section:

211:13-b Rulemaking; Restrictions on Lead Fishing Gear. The executive director may adopt rules, pursuant to RSA 541-A, relative to restrictions on the use or sale of waterbird ingestible lead fishing gear. This rulemaking authority may be exercised with reference to the state as a whole or for any specified county or part thereof.

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

AMENDED ANALYSIS

This bill requires the department of fish and game to coordinate and compile studies detailing the causative effects of lead poisoning in waterbirds and report by January 1, 2003. This bill also establishes a lead education program and allows the executive director of fish and game to adopt rules restricting waterbird ingestible lead fishing gear.

Adopted.

Rep. Abbott offered a floor amendment.

Floor Amendment (1103)

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

AN ACT relative to prohibiting the sale and use of lead fishing sinkers and lead jigs in fresh waters of the state and establishing a lead education program concerning the effects of lead on water birds and other wildlife.

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

1 Findings. The legislature finds that the loon population of New Hampshire, a unique and popular threatened species, is an integral part of the economic and social fabric of our citizenry. However, a review of research and literature on the toxicity of lead to loons and other waterbirds indicates that ingestion of lead fishing sinkers and jigs poses a significant hazard to waterbirds. Therefore, the legislature finds a need to educate the public on the effects of lead fishing sinkers and jigs on this important segment of our wildlife resource, and to phase in a prohibition on the sale and use of lead fishing sinkers or jigs.

2 New Subdivision; Lead Education Program. Amend RSA 207 by inserting after section 57 the following new subdivision:

Lead Education Program

207:58 Lead Education Program.

I. To discourage the use of lead, the fish and game department, in consultation with the department of health and human services and in partnership with the department of environmental services, the Loon Preservation Committee, the New Hampshire Audubon Society, and the New Hampshire Wildlife Federation, shall institute an educational program consisting of, but not limited to, press releases or articles for all news media, an informational brochure for

distribution by licensing agents and at department sponsored training programs, videos for use by television outlets, posters for boat access kiosks and other bulletin boards, and a mobile display for use at public events.

II. The purpose of the educational program is to inform the public about adverse, though unintentional, effects of lead on wildlife, and how to reduce the introduction of lead into the environment through personal action.

3 New Section; Lead Fishing Sinkers and Jigs; Sale Prohibited. Amend RSA211 by inserting after section 13-a the following new section:

211:13-b Lead Fishing Sinkers and Jigs; Sale Prohibited.

I. No person shall sell any lead sinker or lead jig for the taking of fish in any fresh waters of the state, except as otherwise specifically permitted in this title.

II. A person selling any such lead sinker or jig, shall, upon a first offense, receive a warning, and shall, upon a second offense, be guilty of a violation. Such devices shall be summarily seized and destroyed at any time by any law enforcement officer.

III. The executive director shall develop a fact sheet explaining the potential impact of lead sinkers and lead jigs, which shall be forwarded or given to each person found selling any lead sinker or lead jig pursuant to this section.

IV. For purposes of this section, "lead sinker" or "lead jig" means any device made from lead, the lead portion of which has a mass of one ounce or less. Lead sinkers and lead jigs shall not include lead wire used in fly tying, or lead core fishing line.

4 Lead Fishing Sinkers and Jigs; Sale or Use in Fresh Waters Prohibited. RSA211:13-a is repealed and reenacted to read as follows:

211:13-b Lead Fishing Sinkers and Jigs; Sale or Use in Fresh Waters Prohibited.

I. No person shall sell or use a lead sinker or lead jig for the taking of fish in any fresh waters of the state, except as otherwise specifically permitted in this title.

II. A person selling any such lead sinker or jig, or a person found on any fresh waters of this state, or the shores or islands thereof, having in possession any such lead sinker or jig, shall, upon a first offense, receive a warning, and shall, upon a second offense, be guilty of a violation. Such devices shall be summarily seized and destroyed at any time by any law enforcement officer.

III. The executive director shall develop a fact sheet explaining the potential impact of lead sinkers and lead jigs, which shall be forwarded or given to each person found in possession of any lead sinker or lead jig pursuant to this section.

IV. In accordance with RSA 211:4, the executive director shall confer with the officer or board of other states having jurisdiction over lakes and ponds situated partly in this state and another state for the purpose of developing joint rules regarding the use of lead sinkers or jigs.

V. For purposes of this section, "lead sinker" or "lead jig" means any device made from lead, the lead portion of which has a mass of one ounce or less. Lead sinkers and lead jigs shall not include lead wire used in fly tying, or lead core fishing line.

5 Effective Date.

I. Section 3 of this act shall take effect July 1, 2000.

II. Section 4 of this act shall take effect July 1, 2001.

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

AMENDED ANALYSIS

I. Establishes a lead education program.

II. Prohibits the sale of lead fishing sinkers and lead jigs effective July1,2000, and prohibits their use and sale effective July 1, 2001.

III. Requires the executive director of fish and game to develop a fact sheet on the potential impact of the use of lead sinkers and jigs and to confer with other states concerning lakes and ponds partly in another state.

Reps. Abbott ad Lovett spoke in favor and yielded to questions.

Rep. Carlson spoke against.

Rep. Mock spoke against and yielded to questions.

Rep. Lessard requested a roll call; sufficiently seconded.

The question being the adoption of the floor amendment.

YEAS 144 NAYS 177

YEAS 144

BELKNAP

Calvert, Alice	Laflam, Robert	Rice, Thomas, Jr.	Rosen, Ralph
Salatiello, Thomas	Veazey, John		

CARROLL

Bradley, Jeb	Howard, Godfrey

CHESHIRE

Avery, Stephen	Bonneau, Sarah	Burnham, Daniel	DePecol, Benjamin
Doucette, Richard	Lynch, Margaret	Lynott, Margaret	McGuirk, Paul

O'Connell, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Vogl, John			

COOS

Bradley, Paula	Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne

GRAFTON

Akins, Ralph	Almy, Susan	Below, Clifton	Copenhaver, Marion
Ham, Bonnie	Lovett, Sidney	Luker, Elsa	Nordgren, Sharon
Teschner, Douglass			

HILLSBOROUGH

Allen, W. Gordon	Ameen, W.	Baroody, Benjamin	Barry, William, III
Bernier, Shannon	Buckley, Raymond	Chabot, Ernest	Clay, Susan
Cote, Peter	D'Allesandro, Lou	Daigle, Robert	Drabinowicz, A. Theresa
Dwyer, Paul, Sr.	Foster, Joseph	Foster, Linda	Gage, Ruth
Ginsburg, Ruth	Gosselin, Gerald	Haettenschwiller, Alphonse Hall, Betty	
Hart, Nick	Jean, Claudette	Johnson, Lionel	Konys, Christine
Leonard, Peter	MacAuslan, Rita	MacGillivray, Jeffrey	Martin, Mary
McCarthy, William	Melcher, Harold	Messier, Irene	Peterson, Andrew
Vaillancourt, Steve	Welch, Donald	White, Jay	

MERRIMACK

Burney, Carol	Crosby, Toni	Daneault, Gabriel	DeStefano, Stephen
Fraser, Marilyn	French, Barbara	Hoadley, Elizabeth	Jacobson, Alf
Lamach, Bernard	Lockwood, Robert	Moore, Carol	Owen, Derek
Reardon, Tara	Rogers, Katherine	Seldin, Gloria	St. Cyr, Gerard
Wallin, Jean	Wallner, Mary Jane	Yeaton, Charles	

ROCKINGHAM

Abbott, Dennis	Case, Margaret	Clark, Martha	Coes, Betsy
Cooney, Richard	Cushing, Robert	Dalrymple, Janeen	Frechette, Joseph
Heath, John	Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane
Langone, John	Micklon, Stephanie	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Raynowska, Bernard	Sabella, Norma	Sapareto, Frank
Schanda, Frank	Stritch, C. Donald	Syracusa, Anthony	Varrell, Thomas
Vaughn, Charles	Weatherspoon, Jackie		

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
Dunlap, Patricia	Estabrook, Iris	Grassie, Anne	Hemon, Roland
Heon, Richard	Kaen, Naida	Keans, Sandra	Knowles, William
McCann, William, Jr.	Merrill, Amanda	Pelletier, Arthur	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Sullivan, Henry
Taylor, Kathleen	Twardus, Joseph	Wall, Janet	

SULLIVAN

Burling, Peter	Donovan, Thomas	Leone, Richard	Palmer, Lorraine
Robb-Theroux, Amy	Schotanus, Merle	Wiggins, Celestine	

NAYS 177

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Clark, Charles
Golden, Paul	Holbrook, Robert	Hurt, George	Lawton, David
Lawton, Robert	Thomas, John	Turner, Robert	

CARROLL

Babson, David, Jr.	Chandler, Gene	Cooper, Kipp	Dickinson, Howard, Jr.
Kenney, Joseph	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Philbrick, Donald			

CHESHIRE

Hunt, John	Manning, Joseph	McNamara, Wanda	Meader, David
Metzger, Katherine	Royce, H. Charles	Smith, Edwin	

COOS

Coulombe, Henry	Coulombe, Yvonne	Davis, Perley	Guay, Lawrence
Merrill, Gerald	Pratt, Leighton	St. Hilaire, Paul	Tholl, John, Jr.

GRAFTON

Alger, John	Hill, Richard	Hinman, Harry	LaMott, Paul
Mirski, Paul	Phinney, William	Root, John	Williams, William, Jr.

HILLSBOROUGH

Amidon, Eleanor	Arnold, Thomas, Jr.	Batula, Peter	Belvin, William
Bergin, Peter	Briefs, Geoffrey	Brundige, Robert	Burke, M. Virginia
Calawa, Leon, Jr.	Carlson, Donald	Chabot, Robert	Christiansen, Lars
Clegg, Robert, Jr.	Daniels, Gary	Dawe, Eileen	Durham, Susan

Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Franks, Suzan	Gagnon, Eugene	Golding, William	Goulet, Maurice
Herman, Keith	Holley, Sylvia	Holt, David	Hunter, Bruce
Jean, Loren	Kelley, Robert	Kurk, Neal	L'Heureux, Robert
LaRose, Richard	Lefebvre, Roland	Leishman, Peter	Lessard, Rudy
Letendre, Evelyn	Lozeau, Donnalee	MacIntyre, Doris	McCarty, Winston
McDonald, James, Sr.	McGough, Tim	McRae, Karen	Mercer, Robert
Milligan, Robert	Mittelman, David	Morello, Michael	Murphy, Robert
O'Hearn, Jane	Riley, Frances	Rowe, Robert	Sargent, Maxwell
Searles, Stanley, Sr.	Tate, Joan	Thulander, O. Alan	Turgeon, Roland
Wheeler, Robert	White, Donald	Wright, George	

MERRIMACK

Anderson, Eric	Brown, Mary	Chandler, Earle	Colburn, Thomas
Davis, Francis	Feuerstein, Martin	Hager, Elizabeth	Hess, David
Langer, Ray	Leber, William	Marshall, Kenneth	Maxfield, Roy
Morrill, Olive	Pfaff, Terence	Whittemore, James	

ROCKINGHAM

Beaulieu, Jon	Belanger, Ronald	Camm, Kevin	Carson, Gregory
Christie, Andrew, Jr.	Dearborn, Bruce	Dodge, Robert	Dolan, Richard
Dowling, Patricia	Downing, Michael	Dunham, Vivian	Fesh, Robert
Flanagan, Natalie	Flanders, David	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Griffin, Mary	Guthrie, Joseph	Henderson, Warren
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Klemm, Arthur, Jr.
Kobel, Rudolph	Langley, Jane	Letourneau, Robert	Lovejoy, Marian
Malcolm, Kenneth	McCarthy, John, Jr.	McKinney, Betsy	Mikowlski, Walter
Moore, Benjamin	Morris, Debbie	Nowe, Ronald	Noyes, Richard
Packard, Sherman	Rabideau, Marie	Stickney, Nancy	Stone, Joseph
Tufts, J. Arthur	Welch, David	Weyler, Kenneth	

STRAFFORD

Bickford, David	Brown, Julie	Cossette, Larry	DeChane, Marlene
McKinley, Robert	Musler, George	Spear, Barbara	Torr, Ann
Torr, Franklin	Tsiros, William	Vincent, Francis	

SULLIVAN

Adler, Rudolf	Cloutier, John	Ferland, Brenda	Flint, Gordon

Kibbey, David Lindblade, Eric

and the floor amendment failed.

Majority report adopted and ordered to third reading.

HB 1178, relative to automobile leasing. OUGHT TO PASS WITH AMENDMENT

Rep. David T. Mittelman for Commerce**:** This bill allows the termination of a motor vehicle lease upon payment of an insurance settlement arising from the total loss of the vehicle. Vote 16-0.

Amendment (0827h)

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

1 Retail Installment Sales; Motor Vehicle Leasing; Restriction on Liability for Early Termination; Lessee Termination Rights Expanded. Amend RSA 361-D:17, I to read as follows:

I.***(a)*** The lessee shall have the right to terminate the lease at any time***:***

(1) After the lessee has made 12 full periodic lease payments for which lease charges have been accrued by the holder[~~, or,~~]***:***

(2) In the case of a single payment lease, at the expiration of 12 months from the consummation of the lease***; or***

(3) Upon payment of an insurance settlement as a result of the total loss of the vehicle.

(b) Nothing in this section shall be deemed to prohibit the holder from ***terminating the lease pursuant to its terms or from*** permitting the lessee to terminate the lease before the expiration of 12 months.

2 Retail Installment Sales; Motor Vehicle Leasing; Restriction on Liability for Early Termination; Credits at Termination. Amend RSA 361-D:17, V to read as follows:

V. Any refundable security deposit [~~or~~]***,*** advance lease payment***, or single payment*** held by the holder may be retained by the holder and shall be credited against the lessee's early termination obligation to the extent it has not been applied against other obligations. The amount of such ***refundable*** security deposit [~~or~~]***,*** advance lease payment***, or single payment*** in excess of the amount of the lessee's early termination obligation shall be returned to the lessee. The holder is not obligated to pay interest to the lessee on [~~the security deposit~~] ***such excess amounts returned to the lessee***.

AMENDED ANALYSIS

This bill modifies certain provisions relative to liability for early termination of a motor vehicle lease.

Adopted.

Report adopted and ordered to third reading.

HB 1529, reinstating the corporate charter of the Hampstead Garage, Inc. OUGHT TO PASS WITH AMENDMENT

Rep. Tara G. Reardon for Commerce**:** When corporate charters lapse in the state of New Hampshire, it is necessary to petition the legislature to reinstate the charter. Although the committee was willing to remedy the immediate need of the corporation before us, we felt this was not an ongoing role that the legislature should play. This bill creates a study committee to investigate a procedure to create the scheme to reinstate these charters within the office of the Secretary of State. Vote 15-0.

Amendment (0819h)

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

AN ACT reinstating the corporate charters of Hampstead Garage, Inc. and Raycor Corporation and establishing a committee to study the process for reinstating a corporate charter.

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

2 Reinstatement of Corporate Charter of Raycor Corporation. The charter of Raycor Corporation, of Salem, New Hampshire, incorporated on February 6, 1996, was forfeited on November 2, 1992, under former RSA 293-A:95, I(a) now codified at RSA 293-A:14.21. Upon payment of any fees in arrears, a reinstatement fee of $135 under RSA 293-A:1.22(a)(7), the filing of any annual reports required by law, the filing of an affidavit with the secretary of state stating that there are no lawsuits pending against the corporation, and obtaining a certificate of good standing from the department of revenue administration, Raycor Corporation shall be reinstated for all purposes as a New Hampshire corporation. This reinstatement shall be retroactive to November 2, 1992.

3 Committee Established. There is established a committee to study the process for reinstating a corporate charter after revocation.

4 Membership and Compensation.

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

(a) Three members of the house, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the senate president.

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

5 Duties. The committee shall study the current process for reinstating a corporate charter after revocation by the secretary of state.

6 Chairperson; Quorum. The first meeting of the committee shall be called by the first-named house member. At the first meeting, the members of the committee shall elect a chairperson from among the members. All subsequent meetings shall be at the call of the chairperson. Four members of the committee shall constitute a quorum.

7 Report. The committee shall submit a report of its findings, including any recommendations for legislation, to the speaker of the house, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 1998.

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

AMENDED ANALYSIS

This bill reinstates the corporate charters of Hampstead Garage, Inc. and Raycor Corporation.

The bill also establishes a committee to study the corporate charter reinstatement process.

Adopted.

Rep. Hunt offered a floor amendment.

Floor Amendment (0966h)

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

AN ACT reinstating the corporate charters of Hampstead Garage, Inc., Shannon Ridge Development, Inc., and Raycor Corporation and establishing a committee to study the process for reinstating a corporate charter.

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-8 to read as 3-9, respectively:

2 Reinstatement of Corporate Charter of Shannon Ridge Development, Inc. The charter of Shannon Ridge Development, Inc., of Pelham, New Hampshire, incorporated on March 20, 1989, was forfeited on November 1, 1991, under former RSA 293-A:95, I(a) now codified at RSA 293-A:14.21. Upon payment of any fees in arrears, a reinstatement fee of $135 under RSA 293-A:1.22(a)(7), the filing of any annual reports required by law, the filing of an affidavit with the secretary of state stating that there are no lawsuits pending against the corporation, and obtaining a certificate of good standing from the department of revenue administration, Shannon Ridge Development, Inc. shall be reinstated for all purposes as a New Hampshire corporation. This reinstatement shall be retroactive to November 1, 1991.

AMENDED ANALYSIS

This bill reinstates the corporate charters of Hampstead Garage, Inc., Shannon Ridge Development, Inc., and Raycor Corporation.

The bill also establishes a committee to study the process for reinstating a corporate charter.

Rep. Hunt spoke in favor.

Adopted.

Report adopted and ordered to third reading.

HB 1598-FN, prohibiting the use of social security numbers except for taxation purposes and providing certain rights to victims of credit card fraud. INEXPEDIENT TO LEGISLATE

Rep. Martha Fuller Clark for Commerce: This legislation, while well intended, would wreak havoc economically and socially. For example, social security numbers now are used for all health records, including Medicaid and Medicare, at both the state and federal level. These numbers are also used as a mechanism to provide instant credit by many businesses. It is the only system, other than finger printing, which provides a unique identification process for individuals and is needed in many different venues. At the same time, it is clear that there is a fraud and abuse problem in the use of these numbers. The committee did not feel it had enough information to solve this problem at the present time, but would welcome future legislation that addresses identification. Vote 10-2.

Rep. Donald White spoke against.

Rep. Fuller Clark spoke in favor and yielded to questions.

Adopted.

HB 1654, relative to consumer credit solicitations. INEXPEDIENT TO LEGISLATE

Rep. David T. Mittelman for Commerce**:** This bill prohibits the use of the term "pre-approved" or any similar term in the solicitation for consumer credit. The committee, however, does not see the harm in using such a phrase. "Pre-approved" simply denotes an invitation to apply for credit worthy individuals. The accuracy of the solicitations is adequately regulated by Truth-In-Lending and fair credit laws. Moreover, consumers can request a credit bureau to place their names on no solicitation lists and thereby effectively stop most if not all of these mailings. Vote 12-0.

Rep. Sapareto spoke against.

Rep. Hunt spoke in favor.

On a division vote, 194 members having voted in the affirmative and 108 in the negative, the report was adopted.

HB 1327, clarifying enforcement when structures such as manufactured housing are relocated without payment of taxes. INEXPEDIENT TO LEGISLATE

Rep. Walter J. Mikowlski for Criminal Justice and Public Safety**:** The sponsors of this bill were unaware that the provisions in this bill were already in statutes: RSAs 477:44, 73:16 and 80:2-A. cover the concerns brought forward in this bill. The committee did not want to duplicate present laws. Vote 14-0.

Adopted.

Rep. Ann Torr declared a conflict of interest and did not participate.

HB 1559, legalizing the possession and cultivation of marijuana for medicinal purposes. INEXPEDIENT TO LEGISLATE

Rep. Paul K. Chase, Jr. for Criminal Justice and Public Safety**:** This bill would legalize the possession and cultivation of marijuana for medical purposes. No documentation was presented to

show that there is a medical benefit to be derived from the use of marijuana other than anecdotal evidence. Because marijuana has not been shown to be a safe and/or effective drug, no physicians in this state are prescribing marijuana. This drug has not been approved by the Federal Food and Drug Administration. There was no evidence to determine which, if any, diseases might be treated effectively by marijuana. The committee thinks that the jury is still out on medicinal use of marijuana. Vote 17-2.

Rep. Robertson spoke against.

Reps. Rosen and David Welch spoke in favor and yielded to questions.

Rep. David Welch requested a roll call ; sufficiently seconded.

The question being the adoption of the report.

YEAS 229 NAYS 86

YEAS 229

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Calvert, Alice
Clark, Charles	Golden, Paul	Holbrook, Robert	Hurt, George
Laflam, Robert	Lawton, David	Lawton, Robert	Pilliod, James
Rice, Thomas, Jr.	Rosen, Ralph	Thomas, John	Turner, Robert
Veazey, John			

CARROLL

Bradley, Jeb	Cooper, Kipp	Dickinson, Howard, Jr.	Howard, Godfrey
Kenney, Joseph	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Philbrick, Donald			

CHESHIRE

Avery, Stephen	Burnham, Daniel	Manning, Joseph	McNamara, Wanda
Royce, H. Charles	Smith, Edwin	Steere, Myron, III	

COOS

Coulombe, Henry	Coulombe, Yvonne	Davis, Perley	Guay, Lawrence
Merrill, Gerald	Pratt, Leighton	St. Hilaire, Paul	Tholl, John, Jr.

GRAFTON

Akins, Ralph	Alger, John	Ham, Bonnie	Hill, Richard
Hinman, Harry	LaMott, Paul	Phinney, William	Root, John
Teschner, Douglass	Weber, Phil	Williams, William, Jr.	

HILLSBOROUGH

Allen, W. Gordon	Ameen, W.	Amidon, Eleanor	Arnold, Thomas, Jr.
Baroody, Benjamin	Barry, William, III	Batula, Peter	Belvin, William
Bergin, Peter	Briefs, Geoffrey	Brundige, Robert	Burke, M. Virginia
Carlson, Donald	Chabot, Ernest	Chabot, Robert	Christiansen, Lars
Clay, Susan	Clegg, Robert, Jr.	D'Allesandro, Lou	Daniels, Gary
Dawe, Eileen	Drabinowicz, A. Theresa	Durham, Susan	Dyer, Merton
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Foster, Joseph	Foster, Linda	Franks, Suzan	Gagnon, Eugene
Golding, William	Gosselin, Gerald	Goulet, Maurice	Hart, Nick
Herman, Keith	Holley, Sylvia	Holt, David	Hunter, Bruce
Jean, Claudette	Jean, Loren	Johnson, Lionel	Kelley, Robert
Kurk, Neal	L'Heureux, Robert	LaRose, Richard	Leishman, Peter
Lessard, Rudy	Letendre, Evelyn	Lozeau, Donnalee	MacGillivray, Jeffrey
MacIntyre, Doris	Marcinkowski, Michael	Martin, Mary	McCarthy, William
McCarty, Winston	McDonald, James, Sr.	McGough, Tim	McRae, Karen
Melcher, Harold	Mercer, Robert	Messier, Irene	Milligan, Robert
Mittelman, David	Morello, Michael	Murphy, Robert	O'Hearn, Jane
Peterson, Andrew	Riley, Frances	Rowe, Robert	Sargent, Maxwell
Searles, Stanley, Sr.	Tate, Joan	Thulander, O. Alan	Turgeon, Roland
Wheeler, Robert	White, Donald	Wright, George	

MERRIMACK

Anderson, Eric	Chandler, Earle	Colburn, Thomas	Daneault, Gabriel
Davis, Francis	DeStefano, Stephen	Feuerstein, Martin	Fraser, Marilyn
Hager, Elizabeth	Hess, David	Hoadley, Elizabeth	Jacobson, Alf
Lamach, Bernard	Leber, William	Marshall, Kenneth	Maxfield, Roy
Morrill, Olive	Pfaff, Terence	Reardon, Tara	Whittemore, James

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Case, Margaret	Christie, Andrew, Jr.	Cooney, Richard
Dalrymple, Janeen	Dearborn, Bruce	Dolan, Richard	Dowling, Patricia
Downing, Michael	Dunham, Vivian	Fesh, Robert	Flanagan, Natalie
Flanders, David	Francoeur, Sheila	Frechette, Joseph	Gibbons, Paul
Gleason, John	Griffin, Mary	Guthrie, Joseph	Heath, John

Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Lovejoy, Marian	Malcolm, Kenneth
McCarthy, John, Jr.	McKinney, Betsy	Mikowlski, Walter	Moore, Benjamin
Morris, Debbie	Nowe, Ronald	Noyes, Richard	Packard, Sherman
Pantelakos, Laura	Rabideau, Marie	Raynowska, Bernard	Stickney, Nancy
Stone, Joseph	Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur
Varrell, Thomas	Vaughn, Charles	Welch, David	Weyler, Kenneth

STRAFFORD

Berube, Roger	Brown, George	Callaghan, Frank	Cossette, Larry
Dunlap, Patricia	Knowles, William	McKinley, Robert	Musler, George
Spear, Barbara	Sullivan, Henry	Taylor, Kathleen	Torr, Ann
Torr, Franklin	Wall, Janet		

SULLIVAN

Adler, Rudolf	Cloutier, John	Ferland, Brenda	Flint, Gordon
Kibbey, David	Leone, Richard	Lindblade, Eric	Robb-Theroux, Amy

NAYS 86

BELKNAP

None

CARROLL

Babson, David, Jr.

CHESHIRE

Bonneau, Sarah	DePecol, Benjamin	Doucette, Richard	Hunt, John
Lynch, Margaret	Lynott, Margaret	McGuirk, Paul	Meader, David
O'Connell, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Vogl, John			

COOS

Bradley, Paula	Mears, Edgar	Moynihan, Wayne

GRAFTON

Almy, Susan	Copenhaver, Marion	Lovett, Sidney	Luker, Elsa
Mirski, Paul	Nordgren, Sharon		

HILLSBOROUGH

Buckley, Raymond	Cardin, Lori	Cote, Peter	Daigle, Robert
Dwyer, Paul, Sr.	Gage, Ruth	Ginsburg, Ruth	Haettenschwiller, Alphonse
Hall, Betty	Konys, Christine	Leonard, Peter	MacAuslan, Rita
Reidy, Frank	Vaillancourt, Steve	Welch, Donald	

MERRIMACK

Burney, Carol	French, Barbara	Langer, Ray	Moore, Carol
Owen, Derek	Rogers, Katherine	Seldin, Gloria	St. Cyr, Gerard
Wallin, Jean	Wallner, Mary Jane	Yeaton, Charles	

ROCKINGHAM

Clark, Martha	Coes, Betsy	Cushing, Robert	Dodge, Robert
Kane, Cecelia	Kelley, Jane	Micklon, Stephanie	Norelli, Terie
Pitts, Jacqueline	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Weatherspoon, Jackie			

STRAFFORD

Bickford, David	Brennan, William	Brown, Julie	DeChane, Marlene
Estabrook, Iris	Grassie, Anne	Hemon, Roland	Heon, Richard
Kaen, Naida	Keans, Sandra	McCann, William, Jr.	Merrill, Amanda
Merritt, Deborah	Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Tsiros, William	Twardus, Joseph	Vincent, Francis

SULLIVAN

Burling, Peter	Donovan, Thomas	Palmer, Lorraine	Wiggins, Celestine

and the report was adopted.

Rep. Rollo voted nay and intended to vote yea.

HB 1465, relative to eligibility for athletic scholarships with the university system of New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Marie Rabideau for Education**:** This bill would require 1/3 of all athletic scholarships granted within the university system be awarded to New Hampshire high school graduates and that a scholastic aptitude test (SAT) score of 1100 be required as the minimum for athletic scholarship eligibility. The committee felt that placing further restrictions on athletic scholarships was not in the best interest of the university system nor the duty of the committee to legislate. This matter would be better addressed to the university system legislative oversight committee. Vote 17-0.

Rep. Fesh spoke against.

Rep. O'Hearn spoke in favor.

Rep. Fesh requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 225 NAYS 85

YEAS 225

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Calvert, Alice	Clark, Charles
Golden, Paul	Holbrook, Robert	Hurt, George	Lawton, Robert
Pilliod, James	Rosen, Ralph	Thomas, John	Veazey, John

CARROLL

Babson, David, Jr.	Bradley, Jeb	Cooper, Kipp	Dickinson, Howard, Jr.
Howard, Godfrey	MacDonald, Kenneth	Mock, Henry	

CHESHIRE

Avery, Stephen	Burnham, Daniel	DePecol, Benjamin	Doucette, Richard
Hunt, John	Lynch, Margaret	McNamara, Wanda	Meader, David
Richardson, Barbara	Riley, William	Robertson, Timothy	Royce, H. Charles
Smith, Edwin	Vogl, John		

COOS

Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Davis, Perley
Guay, Lawrence	Mears, Edgar	Moynihan, Wayne	Pratt, Leighton

GRAFTON

Akins, Ralph	Alger, John	Below, Clifton	Copenhaver, Marion
Ham, Bonnie	Hill, Richard	LaMott, Paul	Lovett, Sidney
Luker, Elsa	Nordgren, Sharon	Teschner, Douglass	Williams, William, Jr.

HILLSBOROUGH

Allen, W. Gordon	Amidon, Eleanor	Arnold, Thomas, Jr.	Baroody, Benjamin
Barry, William, III	Batula, Peter	Belvin, William	Bergin, Peter
Buckley, Raymond	Calawa, Leon, Jr.	Cardin, Lori	Chabot, Ernest
Chabot, Robert	Christiansen, Lars	Clay, Susan	Clegg, Robert, Jr.
D'Allesandro, Lou	Daniels, Gary	Dawe, Eileen	Drabinowicz, A. Theresa
Durham, Susan	Dyer, Merton	Emerton, Lawrence, Sr.	Fenton, James
Fields, Dennis	Foster, Joseph	Foster, Linda	Franks, Suzan
Gage, Ruth	Gagnon, Eugene	Ginsburg, Ruth	Golding, William

Gosselin, Gerald	Goulet, Maurice	Haettenschwiller, Alphonse Hall, Betty	
Hart, Nick	Herman, Keith	Holt, David	Hunter, Bruce
Jean, Claudette	Johnson, Lionel	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Leonard, Peter	Letendre, Evelyn
Lozeau, Donnalee	MacAuslan, Rita	MacGillivray, Jeffrey	MacIntyre, Doris
McCarty, Winston	McDonald, James, Sr.	Melcher, Harold	Mercer, Robert
Messier, Irene	Morello, Michael	O'Hearn, Jane	Peterson, Andrew
Rowe, Robert	Sargent, Maxwell	Searles, Stanley, Sr.	Thulander, O. Alan
Turgeon, Roland	Vaillancourt, Steve	Welch, Donald	Wheeler, Robert
Wright, George			

MERRIMACK

Burney, Carol	Chandler, Earle	Daneault, Gabriel	Davis, Francis
DeStefano, Stephen	Feuerstein, Martin	French, Barbara	Hager, Elizabeth
Hoadley, Elizabeth	Jacobson, Alf	Lamach, Bernard	Lockwood, Robert
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Morrill, Olive
Owen, Derek	Pfaff, Terence	Reardon, Tara	Rogers, Katherine
St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Carson, Gregory	Case, Margaret	Christie, Andrew, Jr.
Clark, Martha	Coes, Betsy	Dearborn, Bruce	Downing, Michael
Flanagan, Natalie	Francoeur, Sheila	Frechette, Joseph	Guthrie, Joseph
Heath, John	Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Kobel, Rudolph	Langone, John	Lovejoy, Marian
Malcolm, Kenneth	McCarthy, John, Jr.	Micklon, Stephanie	Morris, Debbie
Norelli, Terie	Nowe, Ronald	Pantelakos, Laura	Pitts, Jacqueline
Rabideau, Marie	Sabella, Norma	Schanda, Frank	Stone, Joseph
Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur	Varrell, Thomas
Vaughn, Charles	Weatherspoon, Jackie	Welch, David	

STRAFFORD

Berube, Roger	Bickford, David	Brown, George	Brown, Julie
Callaghan, Frank	Cossette, Larry	Dunlap, Patricia	Estabrook, Iris
Grassie, Anne	Hemon, Roland	Kaen, Naida	Keans, Sandra
Knowles, William	McKinley, Robert	Merrill, Amanda	Merritt, Deborah
Musler, George	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie

Snyder, Clair	Spear, Barbara	Sullivan, Henry	Taylor, Kathleen
Torr, Ann	Torr, Franklin	Tsiros, William	Vincent, Francis
Wall, Janet			

SULLIVAN

Adler, Rudolf	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Flint, Gordon	Lindblade, Eric	Palmer, Lorraine
Robb-Theroux, Amy	Schotanus, Merle	Wiggins, Celestine	

NAYS 85

BELKNAP

Boyce, Robert	Laflam, Robert	Lawton, David	Rice, Thomas, Jr.
Turner, Robert			

CARROLL

Kenney, Joseph	Patten, Betsey	Philbrick, Donald

CHESHIRE

Lynott, Margaret	Manning, Joseph	Steere, Myron, III

COOS

Merrill, Gerald	St. Hilaire, Paul	Tholl, John, Jr.

GRAFTON

Hinman, Harry	Mirski, Paul	Phinney, William	Root, John

HILLSBOROUGH

Ameen, W.	Brundige, Robert	Burke, M. Virginia	Carlson, Donald
Cote, Peter	Daigle, Robert	Dwyer, Paul, Sr.	Flora, Kathleen
Holley, Sylvia	Jean, Loren	Kelley, Robert	Lefebvre, Roland
Leishman, Peter	Lessard, Rudy	Marcinkowski, Michael	Martin, Mary
McCarthy, William	McGough, Tim	McRae, Karen	Milligan, Robert
Mittelman, David	Murphy, Robert	Reidy, Frank	Riley, Frances
White, Donald			

MERRIMACK

Anderson, Eric	Brown, Mary	Colburn, Thomas	Fraser, Marilyn
Langer, Ray	Leber, William	Seldin, Gloria	

ROCKINGHAM

Beaulieu, Jon	Belanger, Ronald	Camm, Kevin	Cooney, Richard

Cushing, Robert	Dalrymple, Janeen	Dodge, Robert	Dolan, Richard
Dowling, Patricia	Dunham, Vivian	Fesh, Robert	Flanders, David
Gibbons, Paul	Gleason, John	Griffin, Mary	Katsakiores, George
Katsakiores, Phyllis	Kelley, Jane	Langley, Jane	Letourneau, Robert
McKinney, Betsy	Mikowlski, Walter	Noyes, Richard	Packard, Sherman
Raynowska, Bernard	Sapareto, Frank	Stickney, Nancy	Weyler, Kenneth

STRAFFORD

Brennan, William	DeChane, Marlene	Heon, Richard	McCann, William, Jr.
Pelletier, Arthur	Twardus, Joseph		

SULLIVAN

Leone, Richard

and the report was adopted.

Rep. O'Connell did not vote and wished to be recorded in favor.

HB 1371, requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement. OUGHT TO PASS WITH AMENDMENT

Rep. Julie M. Brown for Judiciary and Family Law**:** This legislation provides for the entry of standardized data for children and parents for use in child support enforcement. Vote 11-2.

Amendment (0861h)

Amend the bill by replacing section 5 with the following:

5 Effective Date.

I. Section 2 of this act shall take effect October 1, 1998 at 12:01 a.m.

II. The remainder of this act shall take effect January 1, 1999.

Adopted.

Rep. Kurk offered a floor amendment.

Floor Amendment (0978h)

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

3 Revocation and Denial of License; Applicability Revised. Amend RSA 161-B:11, VI-a to read as follows:

VI-a. The social security number of any applicant for a professional license, [~~commercial~~] driver's license, occupational license, or marriage license shall be recorded on the

application, provided that if the use of [~~a number other than~~] the social security number is allowed ***to appear on the face of the license,*** the applicant shall be so advised. Any application required by this section to contain a social security number shall be confidential and not subject to the right to know law. The use of such number shall be limited to proceedings or actions to establish paternity or to establish or enforce support and shall only be provided to or entered in any out-of-state or federal data base for those cases for which the department is providing services.

4 Social Security Numbers; Driver's License Application Form; Requirements. Amend RSA263:40-a, I and II to read as follows:

I. [~~The application form for a driver's license or a renewal of a driver's license may request the social security number of the applicant. An applicant for a renewal of a driver's license who is a resident of New Hampshire shall be given the opportunity to determine whether to provide the social security number.~~] ***The social security number of any applicant for a driver's license or a renewal of a driver's license shall be recorded on the application but shall not appear on the driver's license.*** The application form shall include [~~a box to check off if the applicant does not wish to provide his or her social security number pursuant to this paragraph, a box to check off if the applicant does not wish to have his or her social security number appear on the license, and~~] a box to check off if the applicant does not wish to have his or her computerized image, likeness, or photograph retained in the records of the department of safety. ***Any application required by this section to contain a social security number shall be confidential and not subject to the right to know law. The use of such number shall be limited to proceedings or actions to establish paternity or to establish or enforce support and shall only be provided or entered in any out-of-state or federal data base for those cases for which the department of health and human services is providing services.***

II. An applicant for a driver's license who has established residency as provided in RSA263:35 shall provide his ***or her*** social security number in the application. [~~The social security number shall be retained in the department's records unless the applicant obtains a waiver pursuant to paragraph I.~~]

5 Effective Date.

I. Section 2 of this act shall take effect October 1, 1998 at 12:01 a.m.

II. The remainder of this act shall take effect January 1, 1999.

AMENDED ANALYSIS

This bill provides for the entry of standardized data for children and parents in the state case registry and provides that social security numbers shall not appear on a driver's license, professional license, occupational license, or marriage license unless the applicant is so advised.

Rep. Kurk spoke in favor and yielded to questions.

Rep. John McCarthy spoke in favor.

Adopted.

Report adopted and ordered to third reading.

HB 1445-FN, relative to nonpublic sessions and relative to attorneys in certain proceedings. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary and Family Law**:** This is a change in the right to know law. It adds the word "private" to the current statute while never defining who is referred to. For municipalities it becomes a problem because often non-public sessions are used to discuss employees who are being disciplined without the infraction becoming the object of gossip in the community. The 3rd section adds court hearings to the right to know. The committee believes that is not a good idea, especially in cases of juveniles, incompetency hearings and civil commitments. Vote 15-0.

Rep. McCann spoke against and yielded to questions.

Rep. Moynihan spoke in favor.

On a division vote, 266 members having voted in the affirmative and 21 in the negative, the report was adopted.

HB 1565-FN-A, establishing a joint legislative fiduciary oversight committee and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Peter F. Bergin for Judiciary and Family Law**:** Testimony was given that as a result of the Fairbanks investigation it was revealed that most fiduciaries are not lawyers and are not under the same conduct or rules. It was also stated that there are thousands of trusts that are inter vivos which assures privacy and as a result lack court oversight. However, uniform bonding and accounting procedures now exist. In addition, RSA 506:7 was enacted to bring the court eyes to look at judiciary responsibility. If the legislature took on the oversight responsibility it would be costly and inefficient, cut into privacy issues and cause separation of power problems. Vote 15-0.

Rep. Jacobson spoke against and yielded to questions.

Rep. Bergin spoke in favor.

On a division vote, 196 members having voted in the affirmative and 80 in the negative, the report was adopted.

HB 1107-L, relative to the rate setting duties of the department of revenue administration. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Local and Regulated Revenues**:** The committee was unanimous that this legislation was not only unnecessary but was also ill-advised and could penalize the local property tax-rate process. The checks and balances of the present system were preferred over any changes. Vote 15-0.

Rep. Dodge spoke against and yielded to questions.

Rep. Noyes spoke in favor.

On a division vote, 226 members having voted in the affirmative and 50 in the negative, the report was adopted.

HB 1136, changing the appointing authority for board of tax and land appeals members from the supreme court to the governor and council. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Local and Regulated Revenues**:** This bill would have changed the appointing authority for the board of tax and land appeals from the Supreme Court to the Governor and Council. Almost all of the testimony on this bill was in support of no change. The system is working well and no need was seen to make any changes. Vote 15-0.

Adopted.

COMMITTEE REPORTS

CONSENT CALENDAR

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

HB 1344-FN, relative to state employees receiving workers' compensation benefits, removed by Rep. McCann.

HB 1377-FN, establishing a state commission on the status of men, removed by Rep. Bickford.

HB 1545-FN, increasing the salaries and changing the terms of office of the labor commissioner and the deputy labor commissioner, removed by Rep. Kurk.

HB 1617-FN-L, requiring all state agencies to include in its budget request the cost for maintaining state-owned buildings based upon a formula and requiring the department of administrative services to maintain state-owned buildings, removed by Rep. McCann.

Consent Calendar adopted.

SB 428-FN, relative to firearm lock boxes in state facilities. OUGHT TO PASS

Rep. Herbert R. Hansen for Criminal Justice and Public Safety**:** Currently, warning signs are posted visibly at each court location and each state facility indicating that firearms are not permitted in the facility. In many of the locations, lock boxes to store the weapons in are available but only to law enforcement and government employees. Members of the public are informed that they must make their own arrangements to leave the weapon someplace outside the facility they are visiting. Many times the only place available is their vehicle which may not be a very secure or safe place to leave the firearm particularly if observed doing so. The committee felt that the same lock box privilege afforded to state and law enforcement personnel should be made available to members of the general public who legitimately have the right to carry. Vote 13-0.

Referred to Finance.

HB 605-FN-L, relative to procedures regarding delinquent children under RSA 169-B. REFER FOR INTERIM STUDY

Rep. Frances L. Riley for Finance: This bill addresses an issue of such magnitude and complexity with reference to delinquent children, and the information still coming to the Committee raised so

many additional questions, that in the interest of fairness to all concerned it was determined the bill required further study. Vote 15-0.

HB 606-FN-L, relative to procedures regarding children in need of services under RSA 169-D. REFER FOR INTERIM STUDY

Rep. Frances L. Riley for Finance**:** This bill addresses issues closely allied with HB 605. It was the unanimous recommendation that both bills be studied together. Vote 15-0.

HB 1106-FN, relative to special deer permits. OUGHT TO PASS

Rep. Margaret A. Lynch for Finance**:** This bill authorizes the Director of Fish and Game to charge a fee not to exceed $10 for all applications for special deer permits. Past experience has indicated that we can expect approximately 1400 applications to the lottery for a special deer permit and therefore we can expect a positive impact of $14,000. Vote 15-0.

HB 1205-FN, making technical corrections to the securities laws. OUGHT TO PASS

Rep. Arthur P. Klemm, Jr. for Finance**:** This bill makes technical corrections to the securities law. Part of the change allows for an annual registration fee which will increase the state general fund revenues by $40,000 annually. Vote 16-0.

HB 1210-FN, relative to the licensing rate for beverage manufacturers. OUGHT TO PASS

Rep. Robert G. Holbrook for Finance**:** This bill changes the beverage manufacturers' license fee for small beverage producers to $1200, leaving the license fee of $1692 for producers of over 15,000 barrels per year. Estimated loss of revenue is less than $3,450. Vote 16-0.

HB 1224, requiring the department of environmental services to test sludge or biosolids to be used for land application and assessing fees to sludge quality certification holders. OUGHT TO PASS

Rep. Arthur P. Klemm, Jr. for Finance**:** This bill puts into statute a pilot project we passed last year which required the Department of Environmental Services to implement a program of random on-site inspection of samples of sludge or biosolids to be used for land application. The program will be paid by fees imposed on the eleven wastewater treatment facilities in-state and eleven facilities from out of state which are certified to land apply in New Hampshire the sludge they generate. The amount of the fee is set at $500 per facility. Vote 16-0.

HB 1259-FN, relative to salary differentials for certain state employees of the New Hampshire Hospital. OUGHT TO PASS

Rep. Mary Jane Wallner for Finance**:** This bill provides a $5 per week pay differential for security employees, pharmacists and dietitians employed at the New Hampshire Hospital. Fourteen employees will be eligible for the differential. The cost is approximately $4,000 per year and will be covered by the existing budget. Vote 17-0.

HB 1290-FN, relative to the authority of the state fire marshal. OUGHT TO PASS

Rep. Margaret A. Lynch for Finance**:** This bill updates the authority of the State Fire Marshal to correct fire safety hazards. It does not increase the responsibilities of the Fire Marshal's office. However, it does add a criminal penalty, a violation or misdemeanor, as a result of non-compliance.

A fiscal impact may be felt in the event of Judicial Council involvement in the assignment of a public defender or assigned council. Vote 16-0.

HB 1291-FN, relative to management of the state ski areas at Mount Sunapee and Cannon Mountain. OUGHT TO PASS

Rep. Frances L. Riley for Finance**:** This bill modifies the existing law regarding leasing the state-owned ski areas. It allows for the leasing of one but not necessarily both of the areas and makes a number of other changes, none of which have any current fiscal impact. Vote 15-2.

HB 1297-FN-A, establishing a program of integrated pest management and continually appropriating an integrated pest management fund. OUGHT TO PASS

Rep. Robert L. Wheeler for Finance**:** The Committee felt that given the multi-tiered registration form and the creation of integrated pest management program that a fund be created specifically for the program and that it be continually appropriated and non-lapsing. The Commissioner shall report to the Environment and Agriculture Committee on the action from the fund by October 1st of each year. The bill requires that 10% of the approximately $400,000 received in product registration fees be placed in the fund annually. Vote 14-2.

HB 1334-FN, establishing the position of deputy adjutant general. OUGHT TO PASS WITH AMENDMENT

Rep. Margaret A. Lynch for Finance**:** This bill establishes a Deputy Adjutant General position and outlines the tenure of office and the responsibilities of the office. There is no fiscal impact on the General Fund as the Office of Adjutant General has stated that the additional costs can be absorbed within existing agency funds. The Finance amendment allows the agency the ability to transfer funds within the sums appropriated for fiscal year 1999 to cover the costs of the position authorized by this act. Vote 14-2.

Amendment (0977h)

Amend the bill by replacing section 3 with the following:

3 Cost of Position; Transfers Authorized. Notwithstanding any other provision of law to the contrary, the adjutant general is authorized to transfer within the sums appropriated by 1997, 350 for fiscal year 1999 to the adjutant general the amount necessary to cover the costs for the position authorized by this act.

4 Effective Date. This act shall take effect July 1, 1998.

HB 1402-FN, allowing the members of the general court dental insurance and relative to excess appropriations for state employee health insurance benefits for fiscal year 1998. OUGHT TO PASS

Rep. Arthur P. Klemm, Jr. for Finance**:** This bill allows members of the General Court to participate at their own expense in a group dental insurance program. The bill also requires the Department of Administrative Services and the judicial and legislative branches to transfer any excess appropriations for employee health insurance benefits for fiscal year 1998 to the employee benefit adjustment account. This will transfer $404,178 on June 30, 1998, because of the rate saving on the current state health insurance contract. Vote 16-0.

HB 1409-FN, relative to licenses for taking lobster and crab. OUGHT TO PASS

Rep. Margaret A. Lynch for Finance**:** This bill establishes new categories of lobster and crab licenses. It differentiates between the size of the commercial endeavor; it sets up a category of super commercial license (a take of 12,000 lbs. of lobster/crab) at a license fee of $300; a limited commercial license will carry a fee of $103. A non-commercial license, which covers up to five traps for the lobsters/crabs that are not for re-sale, is $35. The commercial fishermen are in agreement with these changes. There should be a $14,000 positive impact on state income. Vote 15-0.

HB 1422-FN, changing unemployment compensation benefits. OUGHT TO PASS WITH AMENDMENT

Rep. Franklin G. Torr for Finance**:** This bill raises benefit levels and adjusts the level at which employers receive reductions to their contribution rate. The fund now has a balance of $276,000,000. This bill was requested by the Department of Employment Security. The amendment makes a technical correction. Vote 15-1.

Amendment (0987h)

Amend RSA 282-A:25, I as inserted by section 2 of the bill by replacing it with the following:

I. The maximum weekly benefit amount and maximum benefits payable to an eligible individual in any benefit year shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than 1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$ 2,800	$ 32	$ 832
3,100	35	910
3,400	39	1,014
3,900	45	1,170
4,200	48	1,248
4,500	52	1,352
4,800	55	1,430
5,100	59	1,534
5,600	64	1,664
6,100	69	1,794
6,600	75	1,950

7,000	80	2,080
7,400	83	2,158
7,800	88	2,288
8,200	92	2,392
8,600	96	2,496
9,000	101	2,626
9,500	105	2,730
10,000	110	2,860
10,500	115	2,990
11,000	119	3,094
11,500	123	3,198
12,200	131	3,406
12,900	136	3,536
13,600	141	3,666
14,300	146	3,796
15,000	[~~151~~] ***153***	[~~3,926~~] ***3,978***
15,700	[~~156~~] ***160***	[~~4,056~~] ***4.160***
16,400	[~~161~~] ***167***	[~~4,186~~] ***4,342***
17,100	[166] ***174***	[~~4,316~~] ***4,524***
17,800	[~~171~~] ***181***	[~~4,446~~] ***4,706***
18,500	[178] ***189***	[~~4,628~~] ***4,914***
[~~19,200~~] ***19,500***	[~~185~~] ***199***	[~~4,810~~] ***5,174***
[~~19,900~~]	[~~193~~]	[~~5,018~~]
20,500	[~~197~~] ***209***	[~~5,122~~] ***5,434***
21,500	[~~207~~] ***219***	[~~5,382~~] ***5,694***

22,500	[~~217~~] ***229***	[~~5,642~~] ***5,954***
23,500	[~~226~~] ***240***	[~~5,876~~] ***6,240***
24,500	[~~236~~] ***250***	[~~6,136~~] ***6,500***
25,500	[~~246~~] ***260***	[~~6,396~~] ***6,760***
26,500	[~~255~~] ***270***	[~~6,630~~] ***7,020***
27,500	[~~266~~] ***280***	[~~6,916~~] ***7,280***
28,500	[~~275~~] ***290***	[~~7,150~~] ***7,540***
29,500	***301***	***7,826***

HB 1517-FN-A-L, establishing a fund for maintaining, dredging, and improving harbors in New Hampshire. OUGHT TO PASS WITH AMENDMENT

Rep. Franklin G. Torr for Finance**:** This bill sets up a non-lapsing dredging fund to be utilized to maintain harbors in New Hampshire. There is no cost in the bill and funding would occur in the next operating budget. The amendment changes the effective date to July 1, 1999. Vote 17-0.

Amendment (0984h)

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

AN ACT establishing a fund for dredging to maintain harbors in New Hampshire.

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect July 1, 1999.

HB 1575-FN, relative to highway modifications on lands acquired through the land conservation investment program. OUGHT TO PASS

Rep. Arthur P. Klemm, Jr. for Finance**:** This bill allows the Department of Transportation to obtain for state highway purposes interests in land currently held in public trust by the Council on Resources and Development in the Land Conservation Investment Program. The funds for this program would come out of the existing budget, and there would be no increase in expenditures. Vote 16-0.

HB 1630-FN, relative to the transportation of high level radioactive waste. OUGHT TO PASS

Rep. Margaret A. Lynch for Finance**:** This bill is in response to pending federal legislation creating a temporary repository in Nevada for class C radioactive waste. This is especially timely in light of the closing of Maine Yankee. The bill provides for a permitting process established through the Department of Safety relative to the transportation of high level radioactive waste by highway, water or rail within the borders of New Hampshire. The specifics of the bill are in compliance with

federal rules and the Motor Carrier Act. The cost of the program will be covered by the permit fees. Vote 17-0.

HB 1642-FN, relative to changing the environmental laboratory certification program administered by the department of environmental services to an accreditation program. OUGHT TO PASS

Rep. Franklin G. Torr for Finance**:** This bill changes the water testing laboratory certification program administered by the Department of Environmental Services to an accreditation program which has national standards approved by the National Environmental Laboratory Accreditation Conference. Dues collected from the program will be deposited in a revolving fund account. The fees established will cover the cost of the program. Vote 17-0.

SB 302-FN-L, naming certain portions of U.S. Route 3 after Trooper Leslie Lord and Trooper Scott Phillips and naming a portion of New Hampshire Route 28 after Officer Jeremy Charron. OUGHT TO PASS

Rep. John E. Tholl, Jr. for Public Works and Highways**:** This bill names certain portions of U.S. Route 3 after Troopers Leslie Lord and Scott Phillips, and a segment of NH Route 28 after police officer Jeremy Charron. The committee felt that this is an appropriate means of permanently recognizing the sacrifice that these officers made in their service to the citizens of the state of New Hampshire and their communities Vote 18-0.

SB 303 FN-L, changing the name of Blue Mountain to Bunnell Mountain. OUGHT TO PASS

Rep. Gerald P. Merrill for Public Works and Highways**:** This bill changes the name of Blue Mountain in Columbia, NH to Bunnell Mountain to honor the memory of Vickie Bunnell whose life was dedicated to the people and environment of the North Country. This is the first step in this exercise as federal approval will still be necessary, but passage of this bill will show the state's commitment, hopefully making the federal approval move faster. Vote 18-0.

SB 305-FN, naming the bridge over the Souhegan River on the F.E. Everett turnpike in the town of Merrimack, New Hampshire, Merrill's Marauders bridge. OUGHT TO PASS

Rep. John P. Gleason for Public Works and Highways**:** The committee felt that it is most appropriate to name the bridge over the Souhegan River on the F.E. Everett turnpike in the town of Merrimack, NH, Merrill's Marauders bridge. The committee recognized from very impressive historic World War II testimony the significant military presence and operation of General Frank D. Merrill's Marauders in Southeast Asia during WWII. A number of living and deceased New Hampshire citizens served with General Merrill during his epic operation Vote 18-0.

SB 307, relative to the display of the POW-MIA flag. OUGHT TO PASS

Rep. Robert J. Letourneau for State-Federal Relations and Veterans Affairs**:** This bill honors all those who have served the United States during times of conflict and are listed as POW or MIA. We as a state now have this opportunity to extend this recognition whenever the flag of the United States is flown over the State House. Vote 12-0.

regular calendar

HB 1234-FN, establishing an office of volunteerism. OUGHT TO PASS

Rep. O. Alan Thulander for Finance**:** This bill, the result of a 1997 study committee, recognizes that volunteerism is one of the foundation pieces of our state. The intent is the promotion of volunteerism and community service, the provision of assistance in the creation and maintenance of volunteer programs for political subdivisions. It would create as a resource information and coordination for programs across the state. There is no budget effect in FY 98; and the initiative would be subject to full budget review in the next biennium. Vote 9-6.

Adopted and ordered to third reading.

HB 1300, relative to the revenue stabilization reserve account. OUGHT TO PASS WITH AMENDMENT

Rep. Arthur P. Klemm, Jr. for Finance**:** This bill was recommitted to Finance. The new amendment divides any surplus at the end of the biennium 50/50 between the Rainy Day Fund and the Health Care Fund (the new name of the Health Care Transition Fund). The cap on the Rainy Day Fund is raised from 5% to 10% of the actual general fund revenues, and the Health Care Fund is capped at $100,000,000. This amendment would put more of any surplus into the Rainy Day Fund and the Health Care Fund than the current law Vote 12-5.

Amendment (1037h)

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

AN ACT relative to the revenue stabilization reserve account and the health care transition fund.

Amend the bill by replacing section 1 with the following:

1 Budget and Appropriations; Deficit Control; Revenue Stabilization Reserve Account; Transfer of Surplus. Amend RSA 9:13-e, II to read as follows:

II. There is hereby established within the general fund general ledger a revenue stabilization reserve account. At the close of each fiscal biennium, any surplus, as determined by the official audit performed pursuant to RSA 21-I:8, I(h) shall be transferred by the comptroller ***in the following manner: 50 percent*** to a special nonlapsing revenue stabilization reserve account ***and 50 percent to the health care fund established pursuant to RSA 167:70***; provided, however, that in any single fiscal year ***the total of*** such [~~transfer~~]***transfers*** shall not exceed 1/2 of the ***total*** potential maximum [~~balance~~]***balances*** allowable under paragraph V ***and RSA 167:74, III***. The comptroller is hereby directed to establish [~~said~~]***the*** revenue stabilization reserve account in which to deposit [~~all~~]***any*** money received from [~~any~~]***a*** general fund operating budget surplus. The state treasurer shall invest funds in this account as authorized by RSA 6:8. The interest so earned shall be deposited as unrestricted general fund revenue.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 6:

3 Public Assistance; Health Care Transition Fund Changed to Health Care Fund. Amend the subdivision heading following RSA 167:68 to read as follows:

Health Care [~~Transition~~] Fund

4 Public Assistance; Health Care Transition Fund Changed to Health Care Fund. Amend RSA 167:69-70 to read as follows:

167:69 Definitions. In this subdivision:

I. "Commissioner" means the commissioner of health and human services.

II. "Department" means the New Hampshire department of health and human services.

III. "Fund" means the health care [~~transition~~] fund established in RSA167:70.

167:70 Health Care [~~Transition~~] Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the health care [~~transition~~] fund.

II. The state treasurer shall invest and reinvest the assets of the fund in accordance with law, and the principal assets and accumulated income in the fund shall be nonlapsing.

5 Public Assistance; Health Care Transition Fund Changed to Health Care Fund; $100,000,000 Fund Maximum. Amend RSA 167:73-74 to read as follows:

167:73 Annual Health Care Initiatives Budget. Appropriations from the health care [~~transition~~] fund shall be consistent with the purposes of the fund. Any funds not obligated shall lapse to the health care [~~transition~~] fund.

167:74 Fund Limitations.

I. Health care initiatives as established in RSA 167:71 shall be available for a limited time period which shall not exceed 4 years.

II. The health care [~~transition~~] fund shall fund:

(a) Coverage for those groups established in RSA 167:68, I(a), (b), (c), (d), and (e) for those recipients who have incomes between 170 percent and 185 percent of the federal poverty level.

(b) Primary preventive health services under RSA 126-A:10-e.

(c) Health care grants, which are intended to support community-based health care initiatives, as established in RSA 167:71, necessary to promote access, improve the quality of health care services, evaluate service delivery and cost models, or improve the purchasing and cost effective utilization of health care services.

III. At the end of the fiscal biennium, all principal assets in the fund in excess of $100,000,000 shall be transferred to the revenue stabilization reserve account.

AMENDED ANALYSIS

This bill requires that a balance in excess of an amount equal to 10 percent of the actual general fund unrestricted revenues for the most recently completed fiscal year in the revenue stabilization reserve account shall be transferred to the general fund surplus account. Current law requires such transfer when the amount is equal to 5 percent. This bill changes the name of the health care transition fund to the health care fund. This bill also provides that a budget surplus shall be transferred to the revenue stabilization reserve account and the health care fund, and places a limit on the principal assets in the health care fund at $100,000,000.

Adopted.

Report adopted and ordered to third reading.

HB 1304-FN, relative to the qualifications and compensation of division directors of the department of environmental services. OUGHT TO PASS

Rep. Margaret A. Lynch for Finance**:** This bill places all three directors of the Department of Environmental Services within the same labor grade. In reality the only added expenditure will be for the incumbent Director of Air Resources, who will be moved from maximum in Group N to maximum in Group P. The incumbent Director of Waste Management is currently paid at Group P pursuant to RSA 94:3-b, which allows a salary adjustment for recruitment or retention purposes. The bill also changes the required qualification for a nominee for the position of Director of Waste Management to "be qualified by reason of education and experience." The fiscal note on this bill is $15,514 for salary adjustment and benefits. Vote 14-3.

Adopted and ordered to third reading.

Rep. MacGillivray declared a conflict of interest and did not participate.

HB 1339-FN, regulating the sale by mail of liquor, wine, and beer. OUGHT TO PASS WITH AMENDMENT

Rep. Mary E. Brown for Finance**:** This bill requires direct shippers of liquor, wine and beer to obtain a permit for a fee of $228 from the Liquor Commission, and to pay a fee to the Liquor Commission for each shipment made. There are no new positions created by this bill. Direct shippers will be able to ship alcoholic beverages to New Hampshire citizens, providing that the delivery person obtains a signature and proof of age over twenty-one. The direct shipment fee is 25% of the retail price of liquor and wine and a $.30 per gallon fee for beer. Additional revenue is unknown but may be as much as $61,000. Vote 9-8.

Amendment (0986h)

Amend the bill by replacing section 11 with the following:

11 Effective Date. This act shall take effect July 1, 1998.

Adopted.

Report adopted and ordered to third reading.

special order

Rep. Kurk moved that ***HB 1389-FN-L,*** relative to agreements for telecommunications related uses of the state highway system, be made a Special Order for Wednesday, March 25, 1998 in regular calendar order.

Adopted.

Rep. Joseph Foster declared a conflict of interest and did not participate.

regular calendar (cont'd.)

HB 1639-A-L, relative to the highway and bridge betterment program and making an appropriation therefor. OUGHT TO PASS

Rep. Marie C. Hawkinson for Finance**:** The state highway fund has realized $8 to $10 million more in revenues than anticipated from the diesel tax since we have moved to taxing diesel fuel at the pump. This bill adds approximately $6 million of this additional revenue annually to the highway and bridge betterment program. There is no impact on the general fund. Vote 16-0.

Report adopted and ordered to third reading.

special orders

Without objection, the Speaker made the bills removed from the day's Consent Calendar Special Orders for the first order of business on Wednesday, March 25, 1998.

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, March 25, 1998 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 1341, relative to temporary seasonal docks on lakes and ponds.

HB 1659, prohibiting the use of eminent domain powers by public utilities to take private property for the construction and operation of electric generating plants.

HB 1196, relative to coordinating and compiling studies and establishing a lead education program concerning the effects of lead on water birds and other wildlife.

HB 1178, relative to automobile leasing.

HB 1529, reinstating the corporate charters of Hampstead Garage, Inc., Shannon Ridge Development, Inc., and Raycor Corporation and establishing a committee to study the process for reinstating a corporate charter.

HB 1371, requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement.

HB 1106-FN, relative to special deer permits.

HB 1205-FN, making technical corrections to the securities laws.

HB 1210-FN**,** relative to the licensing rate for beverage manufacturers.

HB 1224, requiring the department of environmental services to test sludge or biosolids to be used for land application and assessing fees to sludge quality certification holders.

HB 1259-FN, relative to the salaries of security employees of certain state institutions.

HB 1290-FN, relative to the authority of the state fire marshal.

HB 1291-FN, relative to management of the state ski areas at Mount Sunapee and Cannon Mountain.

HB 1297-FN-A, establishing a program of integrated pest management and continually appropriating an integrated pest management fund.

HB 1334-FN, establishing the position of deputy adjutant general.

HB 1402-FN, allowing the members of the general court dental insurance and relative to excess appropriations for state employee health insurance benefits for fiscal year 1998.

HB 1409-FN, relative to licenses for taking lobster and crab.

HB 1422-FN, changing unemployment compensation benefits.

HB 1517-FN-A-L, establishing a fund for dredging to maintain harbors in New Hampshire.

HB 1575-FN, relative to highway modifications on lands acquired through the land conservation investment program.

HB 1630-FN, relative to the transportation of high level radioactive waste.

HB 1642-FN, relative to changing the environmental laboratory certification program administered by the department of environmental services to an accreditation program.

SB 302-FN-L, naming certain portions of U.S. Route 3 after Trooper Leslie Lord and Trooper Scott Phillips and naming a portion of New Hampshire Route 28 after Officer Jeremy Charron.

SB 303-FN-L, changing the name of Blue Mountain to Bunnell Mountain.

SB 305-FN, naming the bridge over the Souhegan River on the F.E. Everett turnpike in the town of Merrimack, New Hampshire, Merrill's Marauders bridge.

SB 307, relative to the display of the POW-MIA flag.

HB 1234-FN, establishing an office of volunteerism.

HB 1300, relative to the revenue stabilization reserve account and the health care transition fund.

HB 1304-FN, relative to the qualifications and compensation of division directors of the department of environmental services.

HB 1339-FN, regulating the sale by mail of liquor, wine, and beer.

HB 1639-A-L, relative to the highway and bridge betterment program and making an appropriation therefor.

remarks

Rep. Letourneau moved that the remarks made by Rep. Lozeau on ***HB 1025,*** relative to capital murder, first degree murder, and second degree murder on March 12, 1998 be printed in the Journal.

Adopted.

Rep. Lozeau: Thank you, Madam Speaker. Let me start by telling you that I don't for one instant think that anything that any of us could say up here could change our overall feeling as it relates to the death penalty. It is what I like to call an "inney." It is something that you have to decide inside. Whether you can logically explain it or not, that's how it is.

When we looked at the death penalty this year, we thought that what we should do is take a comprehensive approach. Some of the crimes that you have heard talked about today relative to Colebrook and the Buchanan case and some of the others that we have all heard about had a little fervor going sometime ago. We were concerned that many people might get involved by choosing what they felt was more heinous than the other and that we would have multiple bills each dealing with separate pieces. Maybe the best way to handle that is to take one and take a comprehensive approach to say, "this is the 90s, here is our capital murder statute, what are the appropriate things to change?" We've done that. In 1990, I stood before this House, having been a member of the Judiciary Committee, and I asked the House to vote against the expansion of the death penalty as it related to two new crimes: one was rape and one was drug crimes. I did it for the very reasons I started to talk about, and that is I don't want to see us, year after year, choose a crime that we have now determined is just more awful than the other one and tag it on. That is not what capital punishment is about. It is about talking about the whole picture. How it effects everything across the board. The bill before you today has done that. The bill before you today talks about things that we haven't talked about before. There weren't a lot of people thinking about people who blow up buildings. Serial murders, they weren't here in New Hampshire. That was the Son of Sam and California. Those were those people. The question is, we have a death penalty and should that death penalty include crimes that we believe rise to the level of heinousness. You have heard the list a lot of times today - multiple murders, serial killers, children under 13, witnesses and informers. But, what I am very concerned about is legislative intent. I don't know how many of you have gone to Superior Court and watched two lawyers argue over what the legislature intended when they passed a law, but I have. Based on my personality, it is exceptionally difficult to sit on the back bench in the courtroom and not be able to jump up and go, "Oh no, I was there that's not what we talked about."

But lawyers do look, both sides look, and so I think it is really important today, based on all the red flags we've all heard for months now, to make sure that we are clear. What is clear is the addition of serious bodily injury. That is what we hear a lot about. We're saying that's the fight, the broken finger, the gangrene, the eyeball - we've heard them all. What's important to remember here is that every crime, no matter what it is, whether it is capital murder, first degree - any crime at all within the criminal code has two parts. Those two parts are the act, what you did, and your mental state. They have talked about mens rea, that is a Latin term and frankly I didn't really remember much of my Latin from high school, so I had to look it up. It comes from "an evil mind," that's what it means. It means what you intended when you did it. The cases that have been raised are not to be determined on the act, but are to be determined on the intent. You have to intend the serious bodily injury and you have to intend the death. Now, we have not had a rash of capital crime, capital prosecutions in this state. We all know that. 1939 was the last death. We have somebody currently charged now. But we have had cases that may have risen to that level. Pam Smart, there is a case we all recall. Based on the existing law without this addition, she would have fallen under this. But our prosecutors used their discretion and chose not to charge in that case on capital murder. Now, the Buchanan case, the rape and death of a six year old. Do you remember what the papers were talking about? How they were demanding that we string this guy up on the front lawn? That everybody watch because of what an awful man he was and what he did? Then the Attorney General didn't charge as capital murder and people were outraged. They were demanding that that be different. But you know what, the Attorney General was in a position that nobody else in this state was in. He knew the evidence and he knew what he had and since then we have all learned some of that evidence and we know that he used his discretion appropriately. I believe that to be the case. I believe it will continue to be the case.

The other piece of this that can make us stop and pause and wonder about "are we doing the right thing" is that poor get-away car driver. We're worried about the person that wasn't really involved and didn't really know. Well, felony murder, which you have heard about, that has been removed from the bill and accomplice are two separate things. So we don't have to talk about felony murder because it is not here. But, we do have to talk about accomplices. As I said, I think it is so important that I actually wrote down what I wanted to say as it relates to this piece. You can't be an accomplice to an unintended act because accomplice requires that you act with a purpose, that the crime be committed. When we adopted our criminal code and it went into effect in 1973, accomplice liability was in it. It applies to every crime. That is not new in the bill before you. It has always applied. We all know we stated it in the purpose as we opened the bill, but it still applies. What is before you today, ladies and gentlemen, is what I believe is an appropriate expansion of our death penalty, limited on things that should be included. What is missing from the debate that I've been concerned about is just plain common sense. Before you heard about the broken finger and some of the other things that you have heard about, did you think they would be up for capital murder? Of course you didn't. And, neither would a prosecutor charge and neither would a jury of twelve convict. Our system is a good system. We should have faith in the system and we should continue to believe that we will carry forward in a reasonable and a responsible manner. I feel confident in supporting this bill as Ought to Pass as Amended and I will choose to vote that way. Thank you.

Clerk's note: The remarks made by Rep. Lozeau are printed here for the benefit of the members. In the Permanent Journal they will appear in the Journal of March 12th.

reconsideration

Having voted on the prevailing side, Rep. Royce moved that the House reconsider its action whereby it ordered to third reading ***HB 1341,*** relative to temporary seasonal docks on lakes and ponds, and spoke against.

Rep. Lovett spoke in favor.

Reconsideration failed.

unanimous consent

Reps. Hart and Mirski addressed the House.

RECESS MOTION

Rep. Wheeler moved that the House stand in recess for the purpose of introduction of bills, enrolled bill amendments and enrolled bill reports only.

Adopted.

The House recessed at 5:15 p.m.

RECESS

bills signed by the governor

Chap. 4, ***HB 648,*** establishing a local option fee for local or regional transportation improvements. (eff. 7/17/98)

Chap. 5, ***SB 96,*** relative to the priority of charges in probate of estates. (eff. 1/1/99)