

HOUSE JOURNAL No. 22

Thursday, September 24, 1998

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

Prayer was offered by Guest Chaplain, Representative Sidney Lovett.

O Thou who art the source of life in whom each of us live and move and have our being. We acknowledge the heritage of freedom which is ours. We also acknowledge that You judge men and nations by Your righteous will, that history is the arena where Your call for justice is heard or denied. Deliver us from whimpering, false alarms, imprecise strategies and collective mediocrity. Strengthen our passion for truth, clarity and service, that the citizens of our state may benefit. In a word, Lord, give us the home run desire and performance of McGuire and Sosa rather than settling for a base on balls. Amen.

Rep. Hill led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Julie Brown, Burnham, Cegelis, Robert Foster, Hansen, Healy, L'Heureux, McKinney and Paul Taylor, the day, illness.

Reps. Amidon, Avery, Burke, Clay, Dodge, Dunlap, Golding, Lefebvre, Lindblade, Morrill, Morris, Rowe, Simmons and William Williams, the day, important business.

INTRODUCTION OF GUESTS

Former N.H. Governor, Walter Peterson, guest of the House. Regina Baxter, guest of Rep. Lavoie. Judith Spang, guest of the Durham Delegation. Laurie Boyce, wife of Rep. Boyce. Janet Fortnam and Tom Veinote, guests of Rep. Francis David.

CONFEREE CHANGE

HB 1075-FN-A-L, implementing the Advancing Better Classrooms program to provide a constitutionally adequate public education to all the children of New Hampshire.

Rep. Jeb Bradley replaced Rep. Knowles.

REGULAR CALENDAR

Without objection, the Speaker ordered **CACR 44** to the first order of business on the day's Regular Calendar.

CACR 44, relating to clarifying the phrase "proportional and reasonable" in the constitution. Providing that to the extent local property taxes are used to fund an adequate education, tax rates

among different local taxing districts shall be proportional and reasonable if, utilizing real property valuations equalized throughout the state, the lowest tax rate utilized by any one local taxing district is not less than 50 percent of the highest tax rate utilized by any other local taxing district.
INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: The issues addressed by this CACR are interwoven with HB 1679 which has been recommended for interim study by the committee. The committee believes that separate study of this CACR is unnecessary. Vote 19-0.

Rep. Henderson spoke against.

The report failed.

Reps. Kurk and Burling moved Ought to Pass with Amendment and offered a floor amendment.

Floor Amendment (2454h)

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

RELATING TO: the state's duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state.

PROVIDING THAT: the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; in fulfillment of which, the state may require the cost of such education to be supported by taxes assessed by the political subdivisions of the state; such taxes shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education, and that all matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education.

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

I. That article 83 of the second part of the constitution be amended to read as follows:

[Art.] 83. [Encouragement of Literature, etc.; Control of Corporations, Monopolies, etc.; ***State's Duty to Assure the Opportunity for an Adequate Primary and Secondary Public Education; Taxes Imposed by Political Subdivisions.***] Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people: Provided, nevertheless, that no money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination. Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it. The size and functions of all corporations should be

so limited and regulated as to prohibit fictitious capitalization and provision should be made for the supervision and government thereof. Therefore, all just power possessed by the state is hereby granted to the general court to enact laws to prevent the operations within the state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against.

The state's duty to support public education shall be governed exclusively by the provisions of this paragraph. Judicial review and enforcement of such duty shall be restricted only to the provisions of this paragraph. It shall be the duty of the state to assure the opportunity for an adequate primary and secondary public education to all pupils in the state. The specific nature and means of fulfilling such duty shall be determined by statute, which shall be upheld if reasonably related to the fulfillment thereof. The state may require the cost of such education to be supported by taxes assessed by political subdivisions of the state, which shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate more than 5 percent higher than the average equalized rate necessary to support the total statewide cost of adequate primary and secondary public education, as determined by statute. All matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education, except as otherwise prescribed by statute in accordance with part 1, article 28-a of this constitution. Nothing in this article shall be construed to limit the amount the state or any political subdivision may expend for the purpose of education, or to deny, disparage, or infringe any other right of the people as set forth elsewhere in this constitution.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 1998.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 1998 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 1998 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the Constitution by adding a new paragraph which:

1. Limits local school property tax rates that the state may require for supporting adequate education to no more than 5 percent above the state average tax rate for such taxes; and

2. Defines the state's duty to support public education as the duty "to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; and

3. Prescribes that this duty will be carried out through laws passed by the legislature, subject to approval by the governor; and

4. Requires that such laws be upheld by the courts if they are reasonably related to fulfilling this duty; and

5. Permits the cost of such education to continue to be supported by local school property taxes which are reasonable and proportional throughout that part of the political subdivision in which they are collected; and

6. Authorizes local school districts to determine all matters pertaining to primary and secondary education, except such matters determined by state laws which provide funds for any newly-imposed requirements; and

7. Makes clear that this new paragraph is not intended to restrict amounts the state or any local district may spend for education, or to affect constitutional rights other than the state's duty to support public education; and that such new paragraph shall read as follows:

"The state's duty to support public education shall be governed exclusively by the provisions of this paragraph. Judicial review and enforcement of such duty shall be restricted only to the provisions of this paragraph. It shall be the duty of the state to assure the opportunity for an adequate primary and secondary public education to all pupils in the state. The specific nature and means of fulfilling such duty shall be determined by statute, which shall be upheld if reasonably related to the fulfillment thereof. The state may require the cost of such education to be supported by taxes assessed by political subdivisions of the state, which shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate more than 5 percent higher than the average equalized rate necessary to support the total statewide cost of adequate primary and secondary public education, as determined by statute. All matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education, except as otherwise prescribed by statute in accordance with part 1, article 28-a of this constitution. Nothing in this article shall be construed to limit the amount the state or any political subdivision may expend for the purpose of education, or to deny, disparage, or infringe any other right of the people as set forth elsewhere in this constitution?"

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 1998 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides:

1. That the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state.

2. The nature and means of fulfilling such duty shall be determined by statutory provisions, which shall be upheld if such statutes are reasonably related to fulfilling this duty.

3. That in fulfillment of this duty, the state may require the cost of such education to be supported by taxes assessed by the political subdivisions of the state.

4. That such taxes assessed in support of primary and secondary public education shall be reasonable and proportional throughout that part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education.

5. That all matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education.

Reps. Hess and Wheeler spoke in favor and yielded to questions

Reps. Leishman, Vachon, Melcher, Wallin, Allen, John Pratt, Jacobson, Mary Brown and Mirski spoke against.

Rep. Weyler spoke against and yielded to questions.

Rep. Cushing non-spoke against.

Reps. Linda Foster and Kurk spoke in favor.

Reps. Wheeler and Burling requested a roll call; sufficiently seconded.

The question being the adoption of the Kurk/Burling floor amendment.

YEAS 192 NAYS 156			
YEAS 192			
BELKNAP			
Bartlett, Gordon Boriso, Thomas Boyce, Robert Calvert, Alice			
Golden, Paul	Holbrook, Robert	Lawton, David	Lawton, Robert
Pilliod, James	Rosen, Ralph	Salatiello, Thomas	Thomas, John
Turner, Robert			
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene Cooper, Kipp	
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, JosephLyman, L. Randy	
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	Philbrick, Donald
CHESHIRE			
Doucette, Richard	Hunt, John	McNamara, Wanda	Metzger, Katherine
O'Connell, John Royce, H. Charles		Russell, Ronald Smith, Edwin	
Steere, Myron, III			

COOS			
Bradley, Paula	Davis, Perley	Guay, Lawrence	Hawkinson, Marie
Horton, Lynn	Mears, Edgar	Merrill, Gerald	Pratt, Leighton
St. Hilaire, Paul Tholl, John, Jr.			
GRAFTON			
Akins, Ralph	Eaton, Stephanie	Ham, Bonnie	LaMott, Paul
MacNeil, Allen	Teschner, Douglass	Trelfa, Richard	
HILLSBOROUGH			
Alukonis, David	Ameen, W.	Arnold, Thomas, Jr.	Baroody, Benjamin
Barry, William, III	Belvin, William	Bernier, Shannon	Brundige, Robert
Buckley, Raymond	Calawa, Leon, Jr.	Carney, Lauren	Chabot, Ernest
Chabot, Robert	Clegg, Robert, Jr.	Cote, Peter	D'Allesandro, Lou
Daigle, Robert	Daniels, Gary	Durham, Susan Dwyer, Paul, Sr.	
Dyer, Merton	Emerton, Lawrence, Sr.	Fields, Dennis	Flora, Kathleen
Foster, Joseph	Foster, Linda	Gage, Ruth	Gagnon, Eugene
Gosselin, Gerald	Goulet, Maurice	Haley, Robert	Herman, Keith
Holley, Sylvia	Hunter, Bruce	Jean, Loren	Johnson, Lionel
Kelley, Robert	Kurk, Neal	LaRose, Richard	Lessard, Rudy
Lozeau, Donnalee	Lynde, Harold	MacGillivray, Jeffrey	MacIntyre, Doris
McCarty, Winston	McDonald, James, Sr.	McGough, Tim	Mercer, Robert
Murphy, Robert	O'Hearn, Jane	O'Rourke, Thomas	Pepino, Leo
Piteri, Dawn	Reidy, Frank	Sargent, Maxwell	Searles, Stanley, Sr.
Tate, Joan	Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve
Welch, Donald	Wheeler, Robert	Williams, Carol	
MERRIMACK			
Adams, Stephen	Anderson, Eric	Chandler, Earle Crowell, Peter	
DeStefano, Stephen	Hess, David	Leber, William	Nichols, Avis
Pfaff, Terence	Whalley, Michael		
ROCKINGHAM			
Arndt, Janet	Belanger, Ronald	Blanchard, MaryAnn	Case, Margaret
Christie, Andrew, Jr.	Clark, Martha	Cote, Patricia	Dalrymple, Janeen

Dearborn, Bruce	Dowd, Sandra	Dowling, Patricia	Downing, Michael
Flanders, David	Flanders, John, Sr.	Francoeur, Sheila	Frechette, Joseph
Gleason, John	Henderson, Warren	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane	Klemm, Arthur, Jr.
Langley, Jane	Letourneau, Robert	Lovejoy, Marian	Major, Norman
Malcolm, Kenneth	McCarthy, John, Jr.	Micklon, Stephanie	Nowe, Ronald
O'Keefe, Patricia	Packard, Sherman	Pantelakos, Laura	Rabideau, Marie
Schanda, Frank	Stone, Joseph	Syracusa, Anthony	Tufts, J. Arthur
Verani, Giovanni	Welch, David	Woods, Deborah	
STRAFFORD			
Berube, Roger	Brennan, William	Cossette, Larry	DeChane, Marlene
Grassie, Anne	Kaen, Naida	Knowles, William	Lundborn, Raymond
McCann, William, Jr.	McKinley, Robert	Musler, George	Rogers, Rose Marie
Rollo, Michael	Spear, Barbara	Sullivan, Henry	Taylor, Kathleen
Torr, Ann	Torr, Franklin	Tsiros, William	Twardus, Joseph
Vincent, Francis	Wall, Janet		
SULLIVAN			
Burling, Peter	Ferland, Brenda	Leone, Richard	
NAYS 156			
BELKNAP			
Clark, Charles	Hurt, George	Rice, Thomas, Jr.	Veazey, John
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Meadar, David
Pratt, Irene	Pratt, John	Richardson, Barbara	Robertson, Timothy
Vogl, John			
COOS			
Moynihan, Wayne			

GRAFTON			
Alger, John	Almy, Susan	Below, Clifton	Copenhaver, Marion
Guaraldi, Lawrence	Guest, Robert	Hill, Richard	Hinman, Harry
Lovett, Sidney	Luker, Elsa	Mirski, Paul	Nordgren, Sharon
Phinney, William	Weber, Phil		
HILLSBOROUGH			
Allen, W. Gordon	Batula, Peter	Bergin, Peter	Boutin, David
Briefs, Geoffrey	Cardin, Lori	Carlson, Donald	Christiansen, Lars
Clemons, Jane	Cote, David	Dawe, Eileen	Desrosiers, William
Dokmo, Cynthia	Drabinowicz, A. Theresa	Fenton, James	Franks, Suzan
Haettenschwiller, Alphonse	Hall, Betty	Hart, Nick	Holt, David
Jean, Claudette	Konys, Christine	Leishman, Peter	Leonard, Peter
Letendre, Evelyn	Luebker, Bernard	Marcinkowski, Michael	Martin, Mary
McCarthy, William	McRae, Karen	Melcher, Harold	Messier, Irene
Milligan, Robert	Murch, George	Perkins, Paul	Peterson, Andrew
Riley, Frances	White, Donald	Wright, George	
MERRIMACK			
Brown, Mary	Burney, Carol	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Dunn, Miriam	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Hoadley, Elizabeth
Jacobson, Alf	Krueger, Patricia	Lamach, Bernard	Langer, Ray
Larrabee, David	Lavoie, Gerard	Lockwood, Robert	Marshall, Kenneth
Maxfield, Roy	Moore, Carol	Owen, Derek	Reardon, Tara
Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Beaulieu, Jon	Bishop, Franklin	Camm, Kevin
Carson, Gregory	Coes, Betsy	Cooney, Richard	Cushing, Robert
Dolan, Richard	Dunham, Vivian	Fesh, Robert	Flanagan, Natalie
Gibbons, Paul	Griffin, Mary	Heath, John	Hutchinson, Rebecca
Kobel, Rudolph	Langone, John	Mikowski, Walter	Moore, Benjamin

Norelli, Terie	Noyes, Richard Pitts, Jacqueline	Raynowska, Bernard
Rubin, George	Sabella, Norma Sapareto, Frank	Stickney, Nancy
Stritch, C. Donald	Varrell, Thomas Vaughn, Charles	Weare, Everett
Weyler, Kenneth		
STRAFFORD		
Bickford, David	Brown, George	Callaghan, Frank
		Estabrook, Iris
Hemon, Roland	Heon, Richard	Keans, Sandra
		Merrill, Amanda
Pelletier, Arthur	Smith, Marjorie	Snyder, Clair
		Vachon, Dennis
SULLIVAN		
Adler, Rudolf	Allison, David	Cloutier, John
		Donovan, Thomas
Flint, Gordon	Kibbey, David	Palmer, Lorraine
		Robb-Theroux, Amy
Schotanus, Merle	Wiggins, Celestine	

and the Kurk/Burling floor amendment was adopted.

Rep. Holt offered a floor amendment.

Floor Amendment (2448h)

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

RELATING TO: the state's duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state.

PROVIDING THAT: the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; in fulfillment of which, the state may require the cost of such education to be supported by taxes assessed by the political subdivisions of the state; such taxes shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education; that no political subdivision shall receive any additional state funding if such political subdivision enacts or maintains the enactment of any local laws, ordinances, rules, or regulations which are intended to or result in the restriction of reasonable economic growth or development within said political subdivision; and that all matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education.

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

I. That article 83 of the second part of the constitution be amended to read as follows:

[Art.] 83. [Encouragement of Literature, etc.; Control of Corporations, Monopolies, etc.; ***State's Duty to Assure the Opportunity for an Adequate Primary and Secondary Public Education; Taxes Imposed by Political Subdivisions; Effect of Local Restrictions on Reasonable Economic Growth and Development.***] Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people: Provided, nevertheless, that no money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination. Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it. The size and functions of all corporations should be so limited and regulated as to prohibit fictitious capitalization and provision should be made for the supervision and government thereof. Therefore, all just power possessed by the state is hereby granted to the general court to enact laws to prevent the operations within the state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against.

The state's duty to support public education shall be governed exclusively by the provisions of this paragraph. Judicial review and enforcement of such duty shall be restricted only to the provisions of this paragraph. It shall be the duty of the state to assure the opportunity for an adequate primary and secondary public education to all pupils in the state. The specific nature and means of fulfilling such duty shall be determined by statute, which shall be upheld if reasonably related to the fulfillment thereof. The state may require the cost of such education to be supported by taxes assessed by political subdivisions of the state, which shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate more than 5 percent higher than the average equalized rate necessary to support the total statewide cost of adequate primary and secondary public education, as determined by statute. All matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education, except as otherwise prescribed by statute in accordance with part 1, article 28-a of this constitution; and provided that no political subdivision, including a school district or an area served by separate school districts, shall receive any additional state funding if such political subdivision enacts or maintains the enactment of any local laws, ordinances, rules, or regulations of any kind which are intended to, or result in, the restriction of reasonable economic growth or development within said political subdivision as determined by statute. Nothing in this article shall be construed to limit the amount the state or any political subdivision may expend for the purpose of education, or to deny, disparage, or infringe any other right of the people as set forth elsewhere in this constitution.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 1998.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 1998 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 1998 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the Constitution by adding a new paragraph which:

1. Limits local school property tax rates that the state may require for supporting adequate education to no more than 5 percent above the state average tax rate for such taxes; and

2. Defines the state's duty to support public education as the duty "to assure the opportunity for an adequate primary and secondary public education to all pupils in the state;" and

3. Prescribes that this duty will be carried out through laws passed by the legislature, subject to approval by the governor; and

4. Requires that such laws be upheld by the courts if they are reasonably related to fulfilling this duty; and

5. Permits the cost of such education to continue to be supported by local school property taxes which are reasonable and proportional throughout that part of the political subdivision in which they are collected; and

6. Authorizes local school districts to determine all matters pertaining to primary and secondary education, except such matters determined by state laws which provide funds for any newly-imposed requirements; and

7. Provides that no political subdivision shall receive any additional state funding if such political subdivision enacts or maintains any laws, ordinances, rules, or regulations which restrict reasonable economic growth or development; and

8. Makes clear that this new paragraph is not intended to restrict amounts the state or any local district may spend for education, or to affect constitutional rights other than the state's duty to support public education?

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 1998 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides:

1. That the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state.

2. The nature and means of fulfilling such duty shall be determined by statutory provisions, which shall be upheld if such statutes are reasonably related to fulfilling this duty.

3. That in fulfillment of this duty, the state may require the cost of such education to be supported by taxes assessed by the political subdivisions of the state.

4. That such taxes assessed in support of primary and secondary public education shall be reasonable and proportional throughout that part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education.

5. That no political subdivision shall receive any additional state funding if such political subdivision enacts or maintains enactment of any local laws, ordinances, rules, or regulations of any kind which are intended to, or result in the restriction of reasonable economic growth or development within such political subdivision, as determined by statute.

Rep. Holt spoke in favor and yielded to questions.

The Holt floor amendment failed.

Rep. Weyler offered a floor amendment.

Floor Amendment (2452h)

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

RELATING TO: taxes imposed by political subdivisions in support of public education.

PROVIDING THAT: the state may require a part of the cost of primary and secondary public education to be supported by political subdivisions of the state, and that taxes imposed by a political subdivision in support of primary and secondary public education shall be proportional and reasonable only throughout that part of the city, town, or unincorporated place within such political subdivision from which they are collected.

Amend the resolution by replacing paragraph I with the following:

I. That part second of the constitution be amended by inserting after article 83 the following new article:

[Art.] 83-a. [Taxes Imposed by Political Subdivision in Support of Public Education.] The state may require a part of the cost of primary and secondary public education to be supported by political subdivisions of the state, and taxes imposed by political subdivisions of the state for support of primary and secondary public education shall be proportional and reasonable only throughout that

part of the city, town, or unincorporated place within such political subdivision from which they are collected.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending the constitution to provide that:

"The state may require a part of the cost of primary and secondary public education to be supported by political subdivisions of the state, and taxes imposed by political subdivisions of the state for support of primary and secondary public education shall be proportional and reasonable only throughout that part of the city, town, or unincorporated place within such political subdivision from which they are collected?"

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the state may require a part of the cost of primary and secondary public education to be supported by political subdivisions of the state, and taxes imposed by political subdivisions of the state for support of primary and secondary public education shall be proportional and reasonable only throughout that part of the city, town, or unincorporated place within such political subdivision from which they are collected.

Rep. Weyler spoke in favor.

Rep. Joseph Foster spoke against.

Rep. Mirski spoke in favor and yielded to questions.

Rep. Dickinson requested a roll call; sufficiently seconded.

The question being the adoption of the Weyler floor amendment.

YEAS 82 NAYS 257			
YEAS 82			
BELKNAP			
Bartlett, Gordon Clark, Charles	Holbrook, Robert	Hurt, George	
Lawton, David	Rice, Thomas, Jr.	Rosen, Ralph	Veazey, John
CARROLL			
Babson, David, Jr.	Cooper, Kipp	Dickinson, Howard, Jr.	Mock, Henry
Philbrick, Donald			
CHESHIRE			
None			

COOS			
St. Hilaire, Paul			
GRAFTON			
Akins, Ralph	Alger, John	Guaraldi, Lawrence	Ham, Bonnie
Hinman, Harry	Mirski, Paul	Phinney, William	Trelfa, Richard
Weber, Phil			
HILLSBOROUGH			
Arnold, Thomas, Jr.	Briefs, Geoffrey	Christiansen, Lars	Daniels, Gary
Desrosiers, William	Fenton, James	Herman, Keith	Holley, Sylvia
Holt, David	Jean, Loren	Kelley, Robert	Kurk, Neal
Letendre, Evelyn	Luebker, Bernard	Marcinkowski, Michael	McRae, Karen
Milligan, Robert	Murch, George	Pepino, Leo	Riley, Frances
White, Donald Wright, George			
MERRIMACK			
Adams, Stephen	Anderson, Eric	Krueger, Patricia	Langer, Ray
Leber, William Whittemore, James			
ROCKINGHAM			
Beaulieu, Jon	Belanger, Ronald	Bishop, FranklinCamm, Kevin	
Dalrymple, Janeen	Dolan, Richard	Dunham, Vivian	Fesh, Robert
Flanagan, Natalie	Flanders, David	Flanders, John, Sr.	Griffin, Mary
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Major, Norman
Mikowski, Walter	Noyes, Richard	Packard, Sherman	Rabideau, Marie
Raynowska, Bernard	Rubin, George	Sapareto, Frank	Stickney, Nancy
Stritch, C. Donald	Varrell, Thomas	Welch, David	Weyler, Kenneth
STRAFFORD			
Bickford, David			
SULLIVAN			
Adler, Rudolf Kibbey, David			
NAYS 257			
BELKNAP			

Boriso, Thomas	Calvert, Alice	Golden, Paul	Lawton, Robert
Pilliod, James	Salatiello, Thomas	Thomas, John	Turner, Robert
CARROLL			
Bradley, Jeb	Chandler, Gene	Howard, Godfrey	Kenney, Joseph
Lyman, L. Randy	MacDonald, Kenneth	Patten, Betsey	
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Doucette, Richard
Hunt, John	Lynch, Margaret	Lynott, Margaret	Manning, Joseph
McGuirk, Paul	McNamara, Wanda	Meader, David	Metzger, Katherine
O'Connell, John	Pratt, Irene	Pratt, John	Richardson, Barbara
Robertson, Timothy	Royce, H. Charles	Russell, Ronald	Smith, Edwin
Steere, Myron, III	Vogl, John		
COOS			
Bradley, Paula	Davis, Perley	Hawkinson, Marie	Horton, Lynn
Mears, Edgar	Merrill, Gerald	Moynihan, Wayne	Pratt, Leighton
Tholl, John, Jr.			
GRAFTON			
Almy, Susan	Below, Clifton	Copenhaver, Marion	Eaton, Stephanie
Guest, Robert	Hill, Richard	LaMott, Paul	Lovett, Sidney
Luker, Elsa	MacNeil, Allen	Nordgren, Sharon	Teschner, Douglass
HILLSBOROUGH			
Allen, W. Gordon	Alukonis, David	Ameen, W.	Baroody, Benjamin
Barry, William, III	Batula, Peter	Belvin, William	Bergin, Peter
Bernier, Shannon	Boutin, David	Brundige, Robert	Buckley, Raymond
Calawa, Leon, Jr.	Cardin, Lori	Carlson, Donald	Chabot, Ernest
Chabot, Robert	Clegg, Robert, Jr.	Clemons, Jane	Cote, David
Cote, Peter	D'Allesandro, Lou	Daigle, Robert	Dawe, Eileen
Dokmo, Cynthia	Drabinowicz, A. Theresa	Durham, Susan	Dwyer, Paul, Sr.
Dyer, Merton	Emerton, Lawrence, Sr.	Fields, Dennis	Flora, Kathleen
Foster, Joseph	Foster, Linda	Franks, Suzan	Gage, Ruth
Gagnon, Eugene	Ginsburg, Ruth	Gosselin, Gerald	Goulet, Maurice

Haettenschwiller, Alphonse	Haley, Robert	Hall, Betty	Hart, Nick
Hunter, Bruce	Jean, Claudette	Johnson, Lionel	Konys, Christine
LaRose, Richard	Leishman, Peter	Leonard, Peter	Lessard, Rudy
Lozeau, Donnalee	Lynde, Harold	MacGillivray, Jeffrey	MacIntyre, Doris
Martin, Mary	McCarthy, William	McCarty, Winston	McDonald, James, Sr.
McGough, Tim	Melcher, Harold	Mercer, Robert	Messier, Irene
Murphy, Robert	O'Hearn, Jane	O'Rourke, Thomas	Perkins, Paul
Peterson, Andrew	Piteri, Dawn	Reidy, Frank	Sargent, Maxwell
Searles, Stanley, Sr.	Tate, Joan	Thulander, O. Alan	Turgeon, Roland
Vaillancourt, Steve	Welch, Donald	Wheeler, Robert	Williams, Carol
MERRIMACK			
Burney, Carol	Chandler, Earle	Crosby, Toni	Crowell, Peter
Daneault, Gabriel	Davis, Francis	DeStefano, Stephen	Feuerstein, Martin
Fraser, Marilyn	French, Barbara	Gile, Mary	Hess, David
Hoadley, Elizabeth	Jacobson, Alf	Lamach, Bernard	Larrabee, David
Lavoie, Gerard	Lockwood, Robert	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Nichols, Avis	Owen, Derek	Pfaff, Terence
Reardon, Tara	Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Whalley, Michael	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Blanchard, MaryAnn	Case, Margaret
Christie, Andrew, Jr.	Clark, Martha	Coes, Betsy	Cooney, Richard
Cote, Patricia	Cushing, Robert	Dearborn, Bruce	Dowd, Sandra
Dowling, Patricia	Downing, Michael	Francoeur, Sheila	Frechette, Joseph
Gibbons, Paul	Gleason, John	Heath, John	Henderson, Warren
Hutchinson, Rebecca	Johnson, Robert	Kelley, Jane	Klemm, Arthur, Jr.
Langley, Jane	Langone, John	Letourneau, Robert	Lovejoy, Marian
Malcolm, Kenneth	McCarthy, John, Jr.	Micklon, Stephanie	Norelli, Terie
Nowe, Ronald	O'Keefe, Patricia	Pitts, Jacqueline	Sabella, Norma
Schanda, Frank	Stone, Joseph	Syracusa, Anthony	Tufts, J. Arthur
Vaughn, Charles	Verani, Giovanni	Weare, Everett	Woods, Deborah

STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
Cossette, Larry	DeChane, Marlene	Estabrook, Iris	Grassie, Anne
Hemon, Roland	Heon, Richard	Kaen, Naida	Keans, Sandra
Knowles, William	Lundborn, Raymond	McCann, William, Jr.	McKinley, Robert
Merrill, Amanda	Musler, George	Pelletier, Arthur	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Spear, Barbara
Sullivan, Henry	Taylor, Kathleen	Torr, Ann	Torr, Franklin
Tsiros, William	Twardus, Joseph	Vachon, Dennis	Vincent, Francis
Wall, Janet			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Flint, Gordon	Leone, Richard	Palmer, Lorraine
Robb-Theroux, Amy	Schotanus, Merle	Wiggins, Celestine	

and the Weyler floor amendment failed.

Rep. Vachon offered a floor amendment.

Floor Amendment(2432h)

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

RELATING TO: the collection of real estate taxes in support of public education.

PROVIDING THAT: in fulfilling its duty to support primary and secondary public education, the state may require the cost of such education to be supported by taxes assessed by the state and collected by political subdivisions of the state; that such taxes shall be equal in valuation and uniform in rate throughout the state, and that no political subdivision shall be required to collect real estate taxes at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education.

Amend the resolution by replacing paragraph I with the following:

I. That article 83 of the second part of the constitution be amended to read as follows:

[Art.] 83. [Encouragement of Literature, etc.; Control of Corporations, Monopolies, etc; State's Responsibility to Provide for Public Education; Delegation to Political Subdivisions.] Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the

sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people: Provided, nevertheless, that no money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination. Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it. The size and functions of all corporations should be so limited and regulated as to prohibit fictitious capitalization and provision should be made for the supervision and government thereof. Therefore, all just power possessed by the state is hereby granted to the general court to enact laws to prevent the operations within the state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against.

In fulfilling the state's duty to support public education, the state may require the cost of such education to be supported by taxes assessed by the state and collected by political subdivisions of the state. Such taxes shall be equal in valuation and uniform in rate throughout the state and no political subdivision shall be required to collect real estate taxes for this or any other purpose at a rate more than 5 percent higher than the average equalized rate necessary to support the total statewide cost of adequate primary and secondary public education, as determined by statute. Nothing in this article shall be construed to limit the amount the state or any political subdivision may expend for the purpose of public education.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending article 83 of the constitution to provide that:

"In fulfilling the state's duty to support public education, the state may require the cost of such education to be supported by taxes assessed by the state and collected by political subdivisions of the state. Such taxes shall be equal in valuation and uniform in rate throughout the state and no political subdivision shall be required to collect real estate taxes for this or any other purpose at a rate more than 5 percent higher than the average equalized rate necessary to support the total statewide cost of adequate primary and secondary public education, as determined by statute. Nothing in this article shall be construed to limit the amount the state or any political subdivision may expend for the purpose of public education?"

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides:

1. That the state may fulfill its duty to support primary and secondary public education by requiring the cost of such education to be supported by taxes assessed by the state and collected by political subdivisions of the state.
2. That such taxes assessed in support of primary and secondary education shall be equal in valuation and uniform in rate throughout the state, and

3. That no political subdivision shall be required to collect real estate taxes at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education.

Rep. Vachon spoke in favor.

Rep. Jeb Bradley spoke against.

On a division vote, 22 members having voted in the affirmative and 246 in the negative, the Vachon floor amendment failed.

Rep. Franks offered a floor amendment.

Floor Amendment (2425h)

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

RELATING TO: the state's responsibility to provide for full funding of foundation aid to education.

PROVIDING THAT: the general court shall ensure that sufficient funds are appropriated to provide for full funding of foundation aid to education.

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

I. That article 83 of the second part of the constitution be amended to read as follows:

[Art.] 83. [Encouragement of Literature, etc.; Control of Corporations, Monopolies, etc.; ***State's Responsibility to Provide For Full Funding of Foundation Aid to Education.***] Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people: Provided, nevertheless, that no money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination. Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it. The size and functions of all corporations should be so limited and regulated as to prohibit fictitious capitalization and provision should be made for the supervision and government thereof. Therefore, all just power possessed by the state is hereby granted to the general court to enact laws to prevent the operations within the state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against.

In furtherance of its obligation to cherish the interests of public schools, the general court shall, through the exercise of its power to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, and periodically review the same, ensure that sufficient funds are appropriated to provide for full funding of foundation aid to education.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 1998.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 1998 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 1998 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending article 83 of the constitution to include the following language: "In furtherance of its obligation to cherish the interests of public schools, the general court shall, through the exercise of its power to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, and periodically review the same, ensure that sufficient funds are appropriated to provide for full funding of foundation aid to education."

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 1998 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the general court shall ensure that sufficient funds are appropriated to fully fund foundation aid to education.

Reps. Franks and Boutin spoke in favor.

Rep. Alukonis spoke against.

Rep. Franks requested a Quorum Count. The Speaker declared a Quorum present.

Rep. Cardin requested a roll call; sufficiently seconded.

The question being the adoption of the Franks floor amendment.

YEAS 110 NAYS 197
YEAS 110

BELKNAP
Salatiello, Thomas
CARROLL
Dickinson, Howard, Jr. Kenney, Joseph
CHESHIRE
Bonneau, Sarah DePecol, Benjamin Doucette, Richard Lynch, Margaret
Lynott, Margaret Manning, Joseph McGuirk, Paul Meader, David
O'Connell, John Pratt, John Richardson, Barbara Robertson, Timothy
Russell, Ronald Vogl, John
COOS
Hawkinson, Marie Mears, Edgar
GRAFTON
Akins, Ralph Alger, John Below, Clifton Copenhaver, Marion
Guaraldi, Lawrence Guest, Robert Ham, Bonnie Lovett, Sidney
Phinney, William Trelfa, Richard Weber, Phil
HILLSBOROUGH
Allen, W. Gordon Barry, William, III Bergin, Peter Bernier, Shannon
Boutin, David Briefs, Geoffrey Buckley, Raymond Cardin, Lori
Clemons, Jane Cote, David Cote, Peter Daigle, Robert
Dawe, Eileen Drabinowicz, A. Theresa Foster, Joseph Franks, Suzan
Gage, Ruth Ginsburg, Ruth Jean, Claudette Konys, Christine
Lynde, Harold Martin, Mary McRae, Karen Mercer, Robert
Piteri, Dawn Reidy, Frank Riley, Frances Wright, George
MERRIMACK
Burney, Carol Dunn, Miriam Fraser, Marilyn French, Barbara
Gile, Mary Hager, Elizabeth Lockwood, Robert Owen, Derek
Seldin, Gloria St. Cyr, Gerard Wallin, Jean Whittemore, James
Yeaton, Charles
ROCKINGHAM
Arndt, Janet Belanger, Ronald Camm, Kevin Clark, Martha

Coes, Betsy	Cooney, Richard	Dalrymple, Janeen	Dolan, Richard
Downing, Michael	Flanders, David	Griffin, Mary	Hutchinson, Rebecca
Kelley, Jane	Klemm, Arthur, Jr.	Major, Norman	Malcolm, Kenneth
Micklon, Stephanie	Norelli, Terie	Pitts, Jacqueline	Sapareto, Frank
Schanda, Frank	Varrell, Thomas	Vaughn, Charles	Weyler, Kenneth
STRAFFORD			
Berube, Roger	Kaen, Naida	Pelletier, Arthur	Rollo, Michael
Sullivan, Henry	Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis
SULLIVAN			
Adler, Rudolf	Allison, David	Cloutier, John	Donovan, Thomas
Leone, Richard	Robb-Theroux, Amy	Wiggins, Celestine	
NAYS 197			
BELKNAP			
Bartlett, Gordon	Calvert, Alice	Clark, Charles	Golden, Paul
Hurt, George	Pilliod, James	Rosen, Ralph	Thomas, John
Turner, Robert			
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Howard, Godfrey	Lyman, L. Randy	MacDonald, Kenneth	Mock, Henry
Patten, Betsey	Philbrick, Donald		
CHESHIRE			
Champagne, Richard	Hunt, John	McNamara, Wanda	Royce, H. Charles
Smith, Edwin	Steere, Myron, III		
COOS			
Bradley, Paula	Davis, Perley	Guay, Lawrence	Horton, Lynn
Merrill, Gerald	Moynihan, Wayne	Pratt, Leighton	St. Hilaire, Paul
Tholl, John, Jr.			
GRAFTON			
Almy, Susan	Hill, Richard	LaMott, Paul	Luker, Elsa
MacNeil, Allen	Nordgren, Sharon	Teschner, Douglass	

HILLSBOROUGH			
Alukonis, David	Arnold, Thomas, Jr.	Baroody, Benjamin	Batula, Peter
Belvin, William	Brundige, Robert	Calawa, Leon, Jr.	Carlson, Donald
Chabot, Ernest	Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr.
D'Allesandro, Lou	Daniels, Gary	Dokmo, Cynthia	Durham, Susan
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Foster, Linda	Gagnon, Eugene	Gosselin, Gerald	Haettenschwiler, Alphonse
Hall, Betty	Hart, Nick	Herman, Keith	Holley, Sylvia
Jean, Loren	Johnson, Lionel	Kelley, Robert	Kurk, Neal
LaRose, Richard	Leishman, Peter	Leonard, Peter	Lessard, Rudy
Letendre, Evelyn	Lozeau, Donnalee	Luebker, Bernard	MacGillivray, Jeffrey
MacIntyre, Doris	Marcinkowski, Michael	McCarthy, William	McCarty, Winston
McGough, Tim	Melcher, Harold	Messier, Irene	Murch, George
Murphy, Robert	O'Hearn, Jane	O'Rourke, Thomas	Perkins, Paul
Peterson, Andrew	Sargent, Maxwell	Searles, Stanley, Sr.	Tate, Joan
Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve	Wheeler, Robert
White, Donald	Williams, Carol		
MERRIMACK			
Adams, Stephen	Anderson, Eric	Chandler, Earle	Crosby, Toni
Crowell, Peter	Daneault, Gabriel	Davis, Francis	DeStefano, Stephen
Feuerstein, Martin	Hess, David	Hoadley, Elizabeth	Jacobson, Alf
Krueger, Patricia	Langer, Ray	Larrabee, David	Lavoie, Gerard
Leber, William	Marshall, Kenneth	Maxfield, Roy	Nichols, Avis
Pfaff, Terence	Reardon, Tara	Whalley, Michael	
ROCKINGHAM			
Bishop, Franklin	Case, Margaret	Christie, Andrew, Jr.	Cote, Patricia
Cushing, Robert	Dearborn, Bruce	Dowd, Sandra	Dowling, Patricia
Dunham, Vivian	Fesh, Robert	Flanagan, Natalie	Flanders, John, Sr.
Francoeur, Sheila	Frechette, Joseph	Gibbons, Paul	Gleason, John
Heath, John	Henderson, Warren	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Langone, John

Letourneau, Robert	Lovejoy, Marian	McCarthy, John, Jr.	Mikowski, Walter
Nowe, Ronald	Noyes, Richard	Packard, Sherman	Rabideau, Marie
Raynowska, Bernard	Rubin, George	Sabella, Norma	Stickney, Nancy
Stone, Joseph	Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur
Verani, Giovanni	Weare, Everett	Welch, David	Woods, Deborah
STRAFFORD			
Bickford, David	Brown, George	Callaghan, Frank	Cossette, Larry
DeChane, Marlene	Estabrook, Iris	Grassie, Anne	Hemon, Roland
Heon, Richard	Keans, Sandra	Knowles, William	Lundborn, Raymond
McKinley, Robert	Merrill, Amanda	Snyder, Clair	Spear, Barbara
Torr, Ann	Torr, Franklin	Tsiros, William	Vincent, Francis
Wall, Janet			
SULLIVAN			
Burling, Peter	Ferland, Brenda	Flint, Gordon	Kibbey, David
Palmer, Lorraine	Schotanus, Merle		

and the Franks floor amendment failed.

Rep. Alger offered a floor amendment.

Floor Amendment (2434h)

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

RELATING TO: extending the deadline imposed by the New Hampshire supreme court on the general court regarding the method of funding public education.

PROVIDING THAT: notwithstanding that portion of the New Hampshire supreme court's decision in Claremont School District v. Governor, dated December 17, 1997, which imposed on the general court an end of the 1998 tax year deadline for creating and implementing a new system of funding public education, the deadline shall be extended to May 31, 2001 in order that the general court be given a reasonable time to effect an orderly transition to a new system of funding public education.

Amend the resolution by replacing paragraph I with the following:

I. That the second part of the constitution be amended by inserting after article 8 the following new article:

[Art.] 8-a. [Applicability of Supreme Court's Public School Funding Decision].
Notwithstanding that portion of the decision of the supreme court of this state in Claremont School District v. Governor, dated December 17, 1997, found in the New Hampshire Reports, volume 142,

page 462, which imposed on the general court the end of the 1998 tax year as a deadline for action, and in order that the general court be given a reasonable period of time to effect an orderly transition to a new system, the general court shall no later than May 31, 2001, create and implement a new system of funding public education.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending the constitution to provide that: Notwithstanding that portion of the decision of the supreme court of this state in Claremont School District v. Governor, dated December 17, 1997, found in the New Hampshire Reports, volume 142, page 462, which imposed on the general court the end of the 1998 tax year as a deadline for action, and so that the general court be given a reasonable period of time to effect an orderly transition to a new system, the general court shall, no later than May 31, 2001 create and implement a new system of funding public education?"

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that notwithstanding that portion of the New Hampshire supreme court's decision in Claremont School District v. Governor, dated December 17, 1997, which imposed on the general court an end of the 1998 tax year deadline for creating and implementing a new system of funding public education, the deadline shall be extended to May 31, 2001 in order that the general court be given a reasonable time to effect an orderly transition to a new system of funding public education.

Rep. Alger spoke in favor and withdrew his floor amendment.

RECESS

(Speaker Sytek in the Chair)

CACR 44 (CONT'D.)

Rep. Bickford offered a floor amendment.

Floor Amendment (2451h)

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

RELATING TO: the state's constitutional responsibility concerning the encouragement of literature and the sciences.

PROVIDING THAT: the legislature shall no longer have the constitutional duty to promote literature and the sciences.

Amend the resolution by replacing paragraph I with the following:

I. That article 83 of the second part of the constitution be amended to read as follows:

[Art.] 83. [***Money Raised by Taxation Used for Religious Schools or Sects Prohibited;*** Control of Corporations, Monopolies, etc.] [~~Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the~~

~~opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people: Provided, nevertheless, that]~~ No money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination. Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it. The size and functions of all corporations should be so limited and regulated as to prohibit fictitious capitalization and provision should be made for the supervision and government thereof. Therefore, all just power possessed by the state is hereby granted to the general court to enact laws to prevent the operations within the state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending article 83 of the constitution to provide that the legislature shall no longer have the constitutional duty to promote literature and the sciences?

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the legislature shall no longer have the constitutional duty to promote literature and the sciences.

Rep. Bickford spoke in favor.

Rep. Bickford requested a roll call; not sufficiently seconded.

The Bickford floor amendment failed.

Rep. Hemon offered a floor amendment.

Floor Amendment (2449h)

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

RELATING TO: sources of funding for public education.

PROVIDING THAT: property taxes shall not be used to fund public education.

Amend paragraph I of the resolution by replacing it with the following:

I. That article 5 of the second part of the constitution be amended to read as follows:

[Art.] 5 [Power to Make Laws, Elect Officers, Define Their Powers and Duties, Impose Fines and Assess Taxes; Prohibited from Authorizing Towns to Aid Certain Corporations.] And further, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties, or without, so as the same be not repugnant or contrary to this constitution, as they may judge for the benefit and welfare of this state, and for the governing and ordering thereof, and of the subjects of the same, for the necessary support and defense of the government thereof, and to name and settle biennially, or provide by fixed laws for the naming and settling, all civil officers within this state, such officers excepted, the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this state, and the forms of such oaths or affirmations as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and also to impose fines, mulcts, imprisonments, and other punishments, and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state; and upon all estates within the same, ***provided that property taxes shall not be used to fund public education;*** to be issued and disposed of by warrant, under the hand of the governor of this state for the time being, with the advice and consent of the council, for the public service, in the necessary defense and support of the government of this state, and the protection and preservation of the subjects thereof, according to such acts as are, or shall be, in force within the same; provided that the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation having for its object a dividend of profits or in any way aid the same by taking its stocks or bonds. For the purpose of encouraging conservation of the forest resources of the state, the general court may provide for special assessments, rates and taxes on growing wood and timber.

Amend paragraph IV of the resolution by replacing it with the following:

IV. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the Constitution to provide that property taxes shall not be used to fund public education?

AMENDED ANALYSIS

This constitutional amendment-concurrent resolution provides that property taxes shall not be used to fund public education.

Rep. Hemon spoke in favor.

Rep. Hemon requested a roll call; not sufficiently seconded.

On a division vote, 24 members having voted in the affirmative and 290 in the negative, the Hemon floor amendment (2449h) failed.

Rep. Hemon offered a second floor amendment.

Floor Amendment (2456h)

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

RELATING TO: the state's duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; sources of funding public education; and conflicting constitutional amendments adopted by the voters.

PROVIDING THAT: the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; in fulfillment of which, the state may require the cost of such education to be supported by taxes assessed by the political subdivisions of the state; such taxes shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education, and that all matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education; or, in the alternative, that property taxes shall not be used to fund education; and providing a means for resolving conflicts in constitutional amendments adopted by the voters.

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

I. That article 5 of the second part of the constitution be amended to read as follows:

[Art.] 5 [Power to Make Laws, Elect Officers, Define Their Powers and Duties, Impose Fines and Assess Taxes; Prohibited from Authorizing Towns to Aid Certain Corporations.] And further, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties, or without, so as the same be not repugnant or contrary to this constitution, as they may judge for the benefit and welfare of this state, and for the governing and ordering thereof, and of the subjects of the same, for the necessary support and defense of the government thereof, and to name and settle biennially, or provide by fixed laws for the naming and settling, all civil officers within this state, such officers excepted, the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this state, and the forms of such oaths or affirmations as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and also to impose fines, mulcts, imprisonments, and other punishments, and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state; and upon all estates within the same, ***provided that property taxes shall not be used to fund public education;*** to be issued and disposed of by warrant, under the hand of the governor of this state for the time being, with the advice and consent of the council, for the public service, in the necessary defense and support of the government of this state, and the protection and preservation of the subjects thereof, according to such acts as are, or shall be, in force within the same; provided that the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation having for its object a dividend of profits or in any way aid the same by taking its stocks or bonds. For the purpose of encouraging conservation of the forest resources of the state, the general court may provide for special assessments, rates and taxes on growing wood and timber.

II. That article 83 of the second part of the constitution be amended to read as follows:

[Art.] 83. [Encouragement of Literature, etc.; Control of Corporations, Monopolies, etc.; ***State's Duty to Assure the Opportunity for an Adequate Primary and Secondary Public Education; Taxes Imposed by Political Subdivisions.***] Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people: Provided, nevertheless, that no money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination. Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it. The size and functions of all corporations should be so limited and regulated as to prohibit fictitious capitalization and provision should be made for the supervision and government thereof. Therefore, all just power possessed by the state is hereby granted to the general court to enact laws to prevent the operations within the state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against.

The state's duty to support public education shall be governed exclusively by the provisions of this paragraph. Judicial review and enforcement of such duty shall be restricted only to the provisions of this paragraph. It shall be the duty of the state to assure the opportunity for an adequate primary and secondary public education to all pupils in the state. The specific nature and means of fulfilling such duty shall be determined by statute, which shall be upheld if reasonably related to the fulfillment thereof. The state may require the cost of such education to be supported by taxes assessed by political subdivisions of the state, which shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate more than 5 percent higher than the average equalized rate necessary to support the total statewide cost of adequate primary and secondary public education, as determined by statute. All matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education, except as otherwise prescribed by statute in accordance with part 1, article 28-a of this constitution. Nothing in this article shall be construed to limit the amount the state or any political subdivision may expend for the purpose of education, or to deny, disparage, or infringe any other right of the people as set forth elsewhere in this constitution.

III. That article 100 of the second part of the constitution be amended to read as follows:

[Art.] 100 [Alternate Methods of Proposing Amendments.] Amendments to this constitution may be proposed by the general court or by a constitutional convention selected as herein provided.

(a) The senate and house of representatives, voting separately, may propose amendments by a three-fifths vote of the entire membership of each house at any session.

(b) The general court, by an affirmative vote of a majority of all members of both houses voting separately, may at any time submit the question "Shall there be a convention to amend or revise the constitution?" to the qualified voters of the state. If the question of holding a convention is not submitted to the people at some time during any period of ten years, it shall be submitted by the secretary of state at the general election in the tenth year following the last submission. If a majority of the qualified voters voting on the question of holding a convention approves it, delegates shall be chosen at the next regular general election, or at such earlier time as the legislature may provide, in the same manner and proportion as the representatives to the general court are chosen. The delegates so chosen shall convene at such time as the legislature may direct and may recess from time to time and make such rules for the conduct of their convention as they may determine.

(c) The constitutional convention may propose amendments by a three-fifths vote of the entire membership of the convention.

Each constitutional amendment proposed by the general court or by a constitutional convention shall be submitted to the voters by written ballot at the next biennial November election and shall become a part of the Constitution only after approval by two-thirds of the qualified voters present and voting on the subject in the towns, wards, and unincorporated places. ***If constitutional amendments approved by 2/3's of the voters at an election conflict, the constitutional amendment which receives the most votes shall prevail.***

IV. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 1998.

V. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 1998 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 1998 session of the general court shall be approved.

VI. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the Constitution by adding a new paragraph which:

1. Limits local school property tax rates that the state may require for supporting adequate education to no more than 5 percent above the state average tax rate for such taxes; and
2. Defines the state's duty to support public education as the duty "to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; and
3. Prescribes that this duty will be carried out through laws passed by the legislature, subject to approval by the governor; and
4. Requires that such laws be upheld by the courts if they are reasonably related to fulfilling this duty; and
5. Permits the cost of such education to continue to be supported by local school property taxes which are reasonable and proportional throughout that part of the political subdivision in which they are collected; and

6. Authorizes local school districts to determine all matters pertaining to primary and secondary education, except such matters determined by state laws which provide funds for any newly-imposed requirements; and

7. Makes clear that this new paragraph is not intended to restrict amounts the state or any local district may spend for education, or to affect constitutional rights other than the state's duty to support public education; and that such new paragraph shall read as follows:

"The state's duty to support public education shall be governed exclusively by the provisions of this paragraph. Judicial review and enforcement of such duty shall be restricted only to the provisions of this paragraph. It shall be the duty of the state to assure the opportunity for an adequate primary and secondary public education to all pupils in the state. The specific nature and means of fulfilling such duty shall be determined by statute, which shall be upheld if reasonably related to the fulfillment thereof. The state may require the cost of such education to be supported by taxes assessed by political subdivisions of the state, which shall be reasonable and proportional throughout the part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate more than 5 percent higher than the average equalized rate necessary to support the total statewide cost of adequate primary and secondary public education, as determined by statute. All matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education, except as otherwise prescribed by statute in accordance with part 1, article 28-a of this constitution. Nothing in this article shall be construed to limit the amount the state or any political subdivision may expend for the purpose of education, or to deny, disparage, or infringe any other right of the people as set forth elsewhere in this constitution?"

VII. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the Constitution to provide that property taxes shall not be used to fund public education?

VIII. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending the constitution to provide that when constitutional amendments approved by 2/3's of the voters at an election conflict, the constitutional amendment which receives the most votes shall prevail?

IX. That the secretary of state shall print the questions to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the questions shall include 2 squares next to the questions allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 1998 General Court" shall be printed in bold type at the top of the ballot.

X. That a proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides:

1. That the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state.

2. The nature and means of fulfilling such duty shall be determined by statutory provisions, which shall be upheld if such statutes are reasonably related to fulfilling this duty.

3. That in fulfillment of this duty, the state may require the cost of such education to be supported by taxes assessed by the political subdivisions of the state.

4. That such taxes assessed in support of primary and secondary public education shall be reasonable and proportional throughout that part of the political subdivision in which they are collected, provided that no political subdivision shall be required to assess real estate taxes for such purpose at a rate in excess of 5 percent of the average equalized rate necessary to support the total statewide cost of an adequate primary and secondary public education.

5. That all matters pertaining to primary and secondary public education shall be determined by the legally constituted authority of the local district providing such education.

This constitutional amendment concurrent resolution also provides, in the alternative, that property taxes shall not be used to fund public education.

The constitutional amendment concurrent resolution provides a means for resolving conflicts in constitutional amendments adopted by the voters at an election.

Rep. Hemon spoke in favor.

On a division vote, 8 members having voted in the affirmative and 310 in the negative, the Hemon floor amendment (2456h) failed.

Rep. Martin offered a floor amendment.

Floor Amendment (2458h)

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

RELATING TO: the state's responsibility to provide support to parents in their duty to educate their children.

PROVIDING THAT: the general court shall ensure that sufficient funds are appropriated and expended to assure the opportunity for an adequate education to all children in the state.

Amend the resolution by replacing paragraph I with the following:

I. That part second of the constitution be amended by inserting after article 83 the following new article:

[Art.] 83-a. [Support of Parents and Children and Public Education.] The state and all forms of government exist solely on authority derived from the people and solely to enable the people to do collectively that which is not possible to accomplish individually to the benefit of the public good. The state's duty to cherish the interest of literature and the sciences, and all seminaries and public schools shall be governed exclusively by the provisions of this article. It shall be the duty of the state

to assure the opportunity for an adequate education to all children in the state. Beginning in fiscal year 2001 and in each year thereafter, in support of parents in their responsibility and duty to educate their children, the state shall appropriate and expend a reasonable stipend for each child. The amount of said stipend shall be determined by the general court, shall be issued annually to the parents in the name of the child, to be redeemable at whatever educational institution the parents may select. All matters pertaining to education shall be determined by the parents through their legally constituted authority except as otherwise provided by part 1, article 28-a of this constitution. Taxes imposed for support of education need be proportional and reasonable. Judicial review and enforcement of the state's duty shall be restricted only to the provisions of this paragraph.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending the constitution to provide that:

"The state and all forms of government exist solely on authority derived from the people and solely to enable the people to do collectively that which is not possible to accomplish individually to the benefit of the public good. The state's duty to cherish the interest of literature and the sciences, and all seminaries and public schools shall be governed exclusively by the provisions of this article. It shall be the duty of the state to assure the opportunity for an adequate education to all children in the state. Beginning in fiscal year 2001 and in each year thereafter, in support of parents in their responsibility and duty to educate their children, the state shall appropriate and expend a reasonable stipend for each child. The amount of said stipend shall be determined by the general court, shall be issued annually to the parents in the name of the child, to be redeemable at whatever educational institution the parents may select. All matters pertaining to education shall be determined by the parents through their legally constituted authority except as otherwise provided by part 1, article 28-a of this constitution. Taxes imposed for support of education need be proportional and reasonable. Judicial review and enforcement of the state's duty shall be restricted only to the provisions of this paragraph."

AMENDED ANALYSIS

This constitutional amendment-concurrent resolution provides that the general court shall fulfill its duty to fund public education through stipends to parents redeemable at educational institutions.

Rep. Martin spoke in favor.

Rep. Martin requested a roll call; sufficiently seconded.

The question being the adoption of the Martin floor amendment.

YEAS 44 NAYS 300			
YEAS 44			
BELKNAP			
Boyce, Robert	Clark, Charles	Hurt, George	Lawton, Robert

Rosen, Ralph			
CARROLL			
Dickinson, Howard, Jr. Mock, Henry			
CHESHIRE			
Hunt, John Russell, Ronald Steere, Myron, III			
COOS			
St. Hilaire, Paul			
GRAFTON			
Alger, John Guaraldi, Lawrence Mirski, Paul Weber, Phil			
HILLSBOROUGH			
Christiansen, Lars Daigle, Robert Daniels, Gary Fenton, James			
Holley, Sylvia Jean, Loren Luebker, Bernard Martin, Mary			
McRae, Karen Murch, George			
MERRIMACK			
Brown, Mary Feuerstein, Martin Krueger, Patricia Langer, Ray			
ROCKINGHAM			
Dolan, Richard Kane, Cecelia Mikowski, Walter Moore, Benjamin			
Nowe, Ronald Noyes, Richard Rabideau, Marie Sapareto, Frank			
Varrell, Thomas Weyler, Kenneth			
STRAFFORD			
Bickford, David Kaen, Naida			
SULLIVAN			
Adler, Rudolf Allison, David Kibbey, David			
NAYS 300			
BELKNAP			
Bartlett, Gordon Boriso, Thomas Calvert, Alice Golden, Paul			
Holbrook, Robert Lawton, David Pilliod, James Rice, Thomas, Jr.			
Salatiello, Thomas Thomas, John Turner, Robert Veazey, John			
CARROLL			
Babson, David, Jr. Bradley, Jeb Chandler, Gene Cooper, Kipp			

Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy	MacDonald, Kenneth
Patten, Betsey	Philbrick, Donald		
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Doucette, Richard
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	Metzger, Katherine	O'Connell, John	Pratt, Irene
Pratt, John	Richardson, Barbara	Robertson, Timothy	Royce, H. Charles
Smith, Edwin	Vogl, John		
COOS			
Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Davis, Perley
Guay, Lawrence	Hawkinson, Marie	Horton, Lynn	Mears, Edgar
Merrill, Gerald	Moynihan, Wayne	Pratt, Leighton	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Almy, Susan	Below, Clifton	Connolly, Steven
Copenhaver, Marion	Eaton, Stephanie	Guest, Robert	Ham, Bonnie
Hinman, Harry	LaMott, Paul	Lovett, Sidney	Luker, Elsa
MacNeil, Allen	Nordgren, Sharon	Phinney, William	Teschner, Douglass
Trelfa, Richard			
HILLSBOROUGH			
Allen, W. Gordon	Alukonis, David	Ameen, W.	Arnold, Thomas, Jr.
Baroody, Benjamin	Barry, William, III	Batula, Peter	Belvin, William
Bergin, Peter	Bernier, Shannon	Boutin, David	Brundige, Robert
Buckley, Raymond	Calawa, Leon, Jr.	Cardin, Lori	Carlson, Donald
Carney, Lauren	Chabot, Ernest	Chabot, Robert	Clegg, Robert, Jr.
Clemons, Jane	Cote, David	Cote, Peter	D'Allesandro, Lou
Dawe, Eileen	Desrosiers, William	Dokmo, Cynthia	Drabinowicz, A. Theresa
Durham, Susan	Dwyer, Paul, Sr.	Dyer, Merton	Emerton, Lawrence, Sr.
Fields, Dennis	Flora, Kathleen	Foster, Joseph	Foster, Linda
Franks, Suzan	Gage, Ruth	Gagnon, Eugene	Ginsburg, Ruth
Gosselin, Gerald	Goulet, Maurice	Haettenschwiller, Alphonse	Haley, Robert
Hall, Betty	Hart, Nick	Herman, Keith	Holt, David

Hunter, Bruce	Jean, Claudette	Johnson, Lionel	Kelley, Robert
Konys, Christine	Kurk, Neal	LaRose, Richard	Leishman, Peter
Leonard, Peter	Lessard, Rudy	Letendre, Evelyn	Lozeau, Donnalee
Lynde, Harold	MacGillivray, Jeffrey	MacIntyre, Doris	Marcinkowski, Michael
McCarthy, William	McCarty, Winston	McDonald, James, Sr.	McGough, Tim
Melcher, Harold	Mercer, Robert	Messier, Irene	Milligan, Robert
Murphy, Robert	O'Hearn, Jane	O'Rourke, Thomas	Pepino, Leo
Perkins, Paul	Peterson, Andrew	Piteri, Dawn	Reidy, Frank
Riley, Frances	Sargent, Maxwell	Searles, Stanley, Sr.	Tate, Joan
Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve	Welch, Donald
Wheeler, Robert	White, Donald	Williams, Carol	Wright, George
MERRIMACK			
Anderson, Eric	Burney, Carol	Chandler, Earle	Crosby, Toni
Crowell, Peter	Daneault, Gabriel	Davis, Francis	DeStefano, Stephen
Dunn, Miriam	Fraser, Marilyn	French, Barbara	Gile, Mary
Hager, Elizabeth	Hess, David	Hoadley, Elizabeth	Jacobson, Alf
Larrabee, David	Lavoie, Gerard	Leber, William	Lockwood, Robert
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Nichols, Avis
Owen, Derek	Pfaff, Terence	Reardon, Tara	Seldin, Gloria
St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane	Whalley, Michael
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Bishop, Franklin	Blanchard, MaryAnn	Camm, Kevin	Carson, Gregory
Case, Margaret	Clark, Martha	Coes, Betsy	Cooney, Richard
Cote, Patricia	Cushing, Robert	Dalrymple, Janeen	Dearborn, Bruce
Dowd, Sandra	Downing, Michael	Dunham, Vivian	Fesh, Robert
Flanagan, Natalie	Flanders, David	Flanders, John, Sr.	Francoeur, Sheila
Frechette, Joseph	Gibbons, Paul	Gleason, John	Griffin, Mary
Guthrie, Joseph	Heath, John	Henderson, Warren	Hutchinson, Rebecca
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane

Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Lovejoy, Marian	Major, Norman	Malcolm, Kenneth
McCarthy, John, Jr.	Micklon, Stephanie	Norelli, Terie	O'Keefe, Patricia
Packard, Sherman	Pantelakos, Laura	Raynowska, Bernard	Reardon, Neil
Rubin, George	Sabella, Norma	Schanda, Frank	Stickney, Nancy
Stone, Joseph	Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur
Vaughn, Charles	Weare, Everett	Welch, David	Woods, Deborah
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
Cossette, Larry	DeChane, Marlene	Estabrook, Iris	Hemon, Roland
Heon, Richard	Keans, Sandra	Knowles, William	Lundborn, Raymond
McCann, William, Jr.	McKinley, Robert	Merrill, Amanda	Musler, George
Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spear, Barbara	Sullivan, Henry	Taylor, Kathleen
Torr, Ann	Torr, Franklin	Tsiros, William	Twardus, Joseph
Vachon, Dennis	Vincent, Francis	Wall, Janet	
SULLIVAN			
Burling, Peter	Cloutier, John	Donovan, Thomas	Ferland, Brenda
Flint, Gordon	Leone, Richard	Palmer, Lorraine	Robb-Theroux, Amy
Schotanus, Merle	Wiggins, Celestine		

and the Martin floor amendment failed.

Rep. Hess spoke to the measure.

The question now being Ought to Pass with Amendment.

Reps. Vaughn, Lovett, Mirski, Sabella, Cushing, Below and Peterson spoke against.

Reps. Hess, Carson, Burling and Gene Chandler spoke in favor.

As required by the Constitution, a roll call was taken.

YEAS 192 NAYS 153
YEAS 192

BELKNAP
Boriso, Thomas Boyce, Robert Golden, Paul Holbrook, Robert
Lawton, David Lawton, Robert Pilliod, James Salatiello, Thomas
Thomas, John Turner, Robert
CARROLL
Babson, David, Jr. Bradley, Jeb Chandler, Gene Cooper, Kipp
Dickinson, Howard, Jr. Howard, Godfrey Kenney, Joseph Lyman, L. Randy
MacDonald, Kenneth Mock, Henry Patten, Betsey Philbrick, Donald
CHESHIRE
Doucette, Richard Hunt, John McNamara, Wanda Metzger, Katherine
O'Connell, John Royce, H. Charles Russell, Ronald Smith, Edwin
Steere, Myron, III
COOS
Bradley, Paula Coulombe, Henry Coulombe, Yvonne Davis, Perley
Guay, Lawrence Hawkinson, Marie Horton, Lynn Mears, Edgar
Merrill, Gerald Pratt, Leighton St. Hilaire, Paul Tholl, John, Jr.
GRAFTON
Akins, Ralph Eaton, Stephanie Ham, Bonnie LaMott, Paul
MacNeil, Allen Teschner, Douglass Trelfa, Richard
HILLSBOROUGH
Alukonis, David Ameen, W. Arnold, Thomas, Jr. Baroody, Benjamin
Barry, William, III Batula, Peter Belvin, William Bernier, Shannon
Brundige, Robert Buckley, Raymond Calawa, Leon, Jr. Carney, Lauren
Chabot, Ernest Chabot, Robert Clegg, Robert, Jr. Cote, Peter
D'Allesandro, Lou Daigle, Robert Daniels, Gary Durham, Susan
Dwyer, Paul, Sr. Dyer, Merton Emerton, Lawrence, Sr. Fenton, James
Fields, Dennis Flora, Kathleen Foster, Joseph Foster, Linda
Gage, Ruth Gagnon, Eugene Gosselin, Gerald Goulet, Maurice
Haley, Robert Herman, Keith Holley, Sylvia Hunter, Bruce
Jean, Loren Johnson, Lionel Kelley, Robert Kurk, Neal

LaRose, Richard	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
MacIntyre, Doris	McCarty, Winston	McDonald, James, Sr.	McGough, Tim
Mercer, Robert	Murphy, Robert	O'Hearn, Jane	O'Rourke, Thomas
Pepino, Leo	Piteri, Dawn	Reidy, Frank	Sargent, Maxwell
Searles, Stanley, Sr.	Tate, Joan	Thulander, O. Alan	Turgeon, Roland
Vaillancourt, Steve	Welch, Donald	Wheeler, Robert	Williams, Carol
MERRIMACK			
Anderson, Eric	Chandler, Earle	Crowell, Peter	DeStefano, Stephen
Hess, David	Leber, William	Nichols, Avis	Pfaff, Terence
Whalley, Michael			
ROCKINGHAM			
Arndt, Janet	Blanchard, MaryAnn	Carson, Gregory	Case, Margaret
Christie, Andrew, Jr.	Clark, Martha	Cote, Patricia	Dalrymple, Janeen
Dearborn, Bruce	Dowd, Sandra	Dowling, Patricia	Downing, Michael
Flanders, David	Flanders, John, Sr.	Francoeur, Sheila	Frechette, Joseph
Gleason, John	Henderson, Warren	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane	Klemm, Arthur, Jr.
Langley, Jane	Letourneau, Robert	Lovejoy, Marian	Major, Norman
Malcolm, Kenneth	McCarthy, John, Jr.	Micklon, Stephanie	Nowe, Ronald
Noyes, Richard	O'Keefe, Patricia	Packard, Sherman	Pantelakos, Laura
Pitts, Jacqueline	Rabideau, Marie	Reardon, Neil	Schanda, Frank
Stone, Joseph	Syracusa, Anthony	Tufts, J. Arthur	Welch, David
Woods, Deborah			
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Cossette, Larry
DeChane, Marlene	Kaen, Naida	Knowles, William	Lundborn, Raymond
McKinley, Robert	Musler, George	Rogers, Rose Marie	Rollo, Michael
Snyder, Clair	Spear, Barbara	Sullivan, Henry	Taylor, Kathleen
Torr, Ann	Torr, Franklin	Tsiros, William	Twardus, Joseph
Vincent, Francis			
SULLIVAN			

Burling, Peter	Ferland, Brenda	Leone, Richard	
NAYS 153			
BELKNAP			
Bartlett, Gordon	Calvert, Alice	Clark, Charles	Hurt, George
Rice, Thomas, Jr.	Rosen, Ralph		
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Meader, David
Pratt, Irene	Pratt, John	Richardson, Barbara	Robertson, Timothy
Vogl, John			
COOS			
Moynihan, Wayne			
GRAFTON			
Alger, John	Almy, Susan	Below, Clifton	Copenhaver, Marion
Guaraldi, Lawrence	Guest, Robert	Hinman, Harry	Lovett, Sidney
Luker, Elsa	Mirski, Paul	Nordgren, Sharon	Phinney, William
Weber, Phil			
HILLSBOROUGH			
Allen, W. Gordon	Bergin, Peter	Boutin, David	Cardin, Lori
Carlson, Donald	Christiansen, Lars	Clemons, Jane	Cote, David
Dawe, Eileen	Desrosiers, William	Dokmo, Cynthia	Drabinowicz, A. Theresa
Franks, Suzan	Ginsburg, Ruth	Haettenschwiller, Alphonse	Hall, Betty
Hart, Nick	Holt, David	Jean, Claudette	Konys, Christine
Leishman, Peter	Letendre, Evelyn	Luebker, Bernard	Lynde, Harold
Marcinkowski, Michael	Martin, Mary	McCarthy, William	McRae, Karen
Melcher, Harold	Messier, Irene	Milligan, Robert	Murch, George
Perkins, Paul	Peterson, Andrew	Riley, Frances	White, Donald
Wright, George			

MERRIMACK			
Brown, Mary	Burney, Carol	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Dunn, Miriam	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Hoadley, Elizabeth
Jacobson, Alf	Krueger, Patricia	Langer, Ray	Larrabee, David
Lavoie, Gerard	Lockwood, Robert	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Owen, Derek	Reardon, Tara	Seldin, Gloria
St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Camm, Kevin	Coes, Betsy	Cooney, Richard	Cushing, Robert
Dolan, Richard	Dunham, Vivian	Fesh, Robert	Flanagan, Natalie
Gibbons, Paul	Griffin, Mary	Guthrie, Joseph	Heath, John
Hutchinson, Rebecca	Kobel, Rudolph	Langone, John	Mikowski, Walter
Moore, Benjamin	Norelli, Terie	Raynowska, Bernard	Rubin, George
Sabella, Norma Sapareto, FrankStickney, NancyStritch, C. Donald			
Varrell, Thomas	Vaughn, Charles	Weare, Everett	Weyler, Kenneth
STRAFFORD			
Bickford, David	Callaghan, Frank	Estabrook, Iris	Hemon, Roland
Heon, Richard	Keans, Sandra	McCann, William, Jr.	Merrill, Amanda
Pelletier, Arthur	Smith, Marjorie	Vachon, Dennis	Wall, Janet
SULLIVAN			
Adler, Rudolf	Allison, David	Cloutier, John	Donovan, Thomas
Flint, Gordon	Kibbey, David	Palmer, Lorraine	Robb-Theroux, Amy
Schotanus, Merle	Wiggins, Celestine		

and the report failed, lacking the Constitutionally required three-fifths.

SUSPENSION OF RULES

Reps. Wheeler and Burling moved that the Rules be so far suspended as to permit the drafting and introduction of a House Bill legalizing action taken at a school district meeting in Exeter and a town meeting in Newmarket.

Reps. Henderson and Abbott spoke in favor.

Adopted by the necessary two-thirds.

RESOLUTION

Rep. Wheeler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1682, shall be by this resolution read a first and second time by the therein listed title.

Adopted.

INTRODUCTION OF HOUSE BILL

First and second reading

HB 1682, requiring registered child day care providers to perform state registry and criminal records checks of new staff members and other individuals who are responsible for the care of, or who are in regular contact with children. (Hutchinson, Rock 8; M. Smith, Straf 8)

SUSPENSION OF RULES

Reps. Wheeler and Burling moved that the Rules be so far suspended as to permit consideration at the present time of **HB 1682**, requiring registered child day care providers to perform state registry and criminal records checks of new staff members and other individuals who are responsible for the care of, or who are in regular contact with children.

Adopted by the necessary two-thirds.

CONSIDERATION OF HB 1682

HB 1682, requiring registered child day care providers to perform state registry and criminal records checks of new staff members and other individuals who are responsible for the care of, or who are in regular contact with children.

Rep. Pfaff moved Ought to Pass, spoke in favor and yielded to questions.

Rep. Marjorie Smith yielded to questions.

On a division vote, 235 members having voted in the affirmative and 62 in the negative, the motion was adopted.

SUSPENSION OF RULES

Reps. Wheeler and Burling moved that the Rules be so far suspended as to permit third reading and final passage at the present time of HB 1682.

Adopted by the necessary two-thirds.

MOTION ON HOUSE BILL 1682

Rep. Wheeler moved that **HB 1682**, requiring registered child day care providers to perform state registry and criminal records checks of new staff members and other individuals who are responsible for the care of, or who are in regular contact with children, be read a third time and passed.

Adopted.

Third reading and final passage

HB 1682, requiring registered child day care providers to perform state registry and criminal records checks of new staff members and other individuals who are responsible for the care of, or who are in regular contact with children.

COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL 1075

HB 1075-FN-A-L, implementing the Advancing Better Classrooms program to provide a constitutionally adequate public education to all the children of New Hampshire. (Report printed SJ 24, 9/24/98)

Reps. Burling and Peterson spoke in favor.

Rep. Lozeau spoke in favor and yielded to questions.

Adopted.

RESOLUTION

Rep. Wheeler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1683, shall be by this resolution read a first and second time by the therein listed title.

Adopted.

INTRODUCTION OF HOUSE BILL

First and second reading

HB 1683, ratifying the 1998 Newmarket town meeting and the 1998 annual Exeter Region Cooperative School District meeting. (Abbott, Rock 19; Henderson, Rock 20)

SUSPENSION OF RULES

Reps. Wheeler and Burling moved that the Rules be so far suspended as to permit consideration at the present time of **HB 1683**, ratifying the 1998 Newmarket town meeting and the 1998 annual Exeter Region Cooperative School District meeting.

Adopted by the necessary two-thirds.

CONSIDERATION OF HOUSE BILL 1683

HB 1683, ratifying the 1998 Newmarket town meeting and the 1998 annual Exeter Region Cooperative School District meeting.

Rep Henderson moved Ought to Pass and spoke in favor.

Adopted.

SUSPENSION OF RULES

Reps. Wheeler and Burling moved that the Rules be so far suspended as to permit third reading and final passage at the present time of HB 1683.

Adopted by the necessary two-thirds.

MOTION ON HOUSE BILL 1683

Rep. Wheeler moved that **HB 1683**, ratifying the 1998 Newmarket town meeting and the 1998 annual Exeter Region Cooperative School District meeting, be read a third time and passed.

Adopted.

Third reading and final passage

HB 1683, ratifying the 1998 Newmarket town meeting and the 1998 annual Exeter Region Cooperative School District meeting.

REGULAR CALENDAR (CONT'D.)

HB 1668-FN-A-L, establishing a personal income tax and a statewide school property tax to fund public education and making an appropriation therefor. REFER FOR INTERIM STUDY

Rep. David J. Alukonis for Finance: The information and data which the sponsors and other interested parties provided as part of the testimony on this proposal is both comprehensive and valuable. The committee believes it wise to continue consideration of this bill in order to make more complete its understanding of this information as well as of the impacts and issues relevant to enactment of the proposal. Vote 13-6.

Rep. Kurk spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Cooper moved that **HB 1668-FN-A-L**, establishing a personal income tax and a statewide school property tax to fund public education and making an appropriation therefor, be laid on the table.

On a division vote, 113 members having voted in the affirmative and 192 in the negative, the motion failed.

HB 1668 (CONT'D.)

Reps. Below, Hager and Sapareto spoke in favor and yielded to questions.

Reps. Manning, Patten and Henderson spoke against.

Rep. Lozeau requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 154 NAYS 154			
YEAS 154			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Doucette, Richard
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	O'Connell, John	Pratt, Irene	Pratt, John
Richardson, Barbara	Robertson, Timothy	Russell, Ronald Steere, Myron, III	
Vogl, John			
COOS			
Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Davis, Perley
Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne	
GRAFTON			
Almy, Susan	Below, Clifton	Copenhaver, Marion	Guest, Robert
Ham, Bonnie	Lovett, Sidney	Luker, Elsa	Nordgren, Sharon
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Cardin, Lori	Clemons, Jane
Daigle, Robert	Dawe, Eileen	Dokmo, CynthiaDrabinowicz, A. Theresa	
Dwyer, Paul, Sr.	Dyer, Merton	Foster, Joseph	Foster, Linda
Gage, Ruth	Ginsburg, Ruth	Gosselin, Gerald	Haettenschwiller, Alphonse
Haley, Robert	Hall, Betty	Hart, Nick	Jean, Claudette
Konys, Christine	Leishman, Peter	Lynde, Harold	Martin, Mary

McCarthy, William	Melcher, Harold	Messier, Irene	Murphy, Robert
Perkins, Paul	Peterson, Andrew	Reidy, Frank	Vaillancourt, Steve
Welch, Donald	Williams, Carol		
MERRIMACK			
Burney, Carol	Crosby, Toni	Crowell, Peter	Daneault, Gabriel
Davis, Francis	DeStefano, Stephen	Dunn, Miriam	Feuerstein, Martin
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Jacobson, Alf	Lockwood, Robert	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Owen, Derek	Reardon, Tara	Seldin, Gloria
St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Case, Margaret	Clark, Martha
Coes, Betsy	Cooney, Richard	Cushing, Robert	Dearborn, Bruce
Gibbons, Paul	Heath, John	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Kelley, Jane	Langone, John	Lovejoy, Marian
Micklon, Stephanie	Norelli, Terie	O'Keefe, Patricia	Pitts, Jacqueline
Rabideau, Marie	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Syracusa, Anthony	Tufts, J. Arthur	Vaughn, Charles	
STRAFFORD			
Berube, Roger	Bickford, David	Brown, George	Callaghan, Frank
DeChane, Marlene	Estabrook, Iris	Hemon, Roland	Heon, Richard
Kaen, Naida	Keans, Sandra	Knowles, William	Lundborn, Raymond
McCann, William, Jr.	Merrill, Amanda	Pelletier, Arthur	Rogers, Rose Marie
Smith, Marjorie	Snyder, Clair	Sullivan, Henry	Torr, Ann
Twardus, Joseph	Vachon, Dennis	Vincent, Francis	Wall, Janet
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Flint, Gordon	Kibbey, David	Leone, Richard
Palmer, Lorraine	Robb-Theroux, Amy	Schotanus, Merle	Wiggins, Celestine

NAYS 154			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Calvert, Alice	Clark, Charles
Golden, Paul	Holbrook, Robert	Lawton, David	Lawton, Robert
Pilliod, James	Rice, Thomas, Jr.	Rosen, Ralph	Salatiello, Thomas
Thomas, John	Turner, Robert		
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Hunt, John	McNamara, Wanda	Royce, H. Charles	Smith, Edwin
COOS			
Horton, Lynn	Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Alger, John	Eaton, Stephanie	Guaraldi, Lawrence
Hinman, Harry	MacNeil, Allen	Mirski, Paul	Phinney, William
Teschner, Douglass	Trelfa, Richard		
HILLSBOROUGH			
Arnold, Thomas, Jr.	Barry, William, III	Batula, Peter	Belvin, William
Bernier, Shannon	Brundige, Robert	Buckley, Raymond	Calawa, Leon, Jr.
Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr.	Cote, David
Cote, Peter	D'Allesandro, Lou	Daniels, Gary	Durham, Susan
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Goulet, Maurice	Herman, Keith	Holley, Sylvia	Jean, Loren
Johnson, Lionel	Kelley, Robert	Kurk, Neal	LaRose, Richard
Leonard, Peter	Letendre, Evelyn	Lozeau, Donnalee	Luebker, Bernard
MacGillivray, Jeffrey	MacIntyre, Doris	Marcinkowski, Michael	McCarty, Winston
McDonald, James, Sr.	McGough, Tim	McRae, Karen	Mercer, Robert
Milligan, Robert	Murch, George	O'Hearn, Jane	Pepino, Leo
Piteri, Dawn	Riley, Frances	Sargent, Maxwell	Tate, Joan

Thulander, O. Alan	Turgeon, Roland	Wheeler, Robert	White, Donald
Wright, George			
MERRIMACK			
Anderson, Eric	Chandler, Earle	Hess, David	Hoadley, Elizabeth
Krueger, Patricia	Langer, Ray	Larrabee, David	Leber, William
Nichols, Avis	Pfaff, Terence	Whalley, Michael	
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Cote, Patricia	Dolan, Richard
Dowd, Sandra	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Flanders, John, Sr.	Francoeur, Sheila
Gleason, John	Griffin, Mary	Henderson, Warren	Katsakiores, George
Katsakiores, Phyllis	Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane
Major, Norman	Malcolm, Kenneth	McCarthy, John, Jr.	Mikowski, Walter
Moore, Benjamin	Nowe, Ronald	Noyes, Richard	Raynowska, Bernard
Reardon, Neil	Stickney, Nancy	Stone, Joseph	Stritch, C. Donald
Varrell, Thomas	Weare, Everett	Welch, David	Weyler, Kenneth
Woods, Deborah			
STRAFFORD			
Brennan, William	Rollo, Michael	Spear, Barbara	Taylor, Kathleen
Torr, Franklin			
SULLIVAN			
Adler, Rudolf			

and the report failed.

Rep. Kurk moved Inexpedient to Legislate.

Reps. Below and Manning spoke against.

Rep. Burling spoke against and yielded to questions.

Rep. Lozeau requested a roll call; sufficiently seconded.

The question being the motion of Inexpedient to Legislate.

YEAS 143 NAYS 164			
YEAS 143			
BELKNAP			
Boriso, Thomas Boyce, Robert	Calvert, Alice	Clark, Charles	
Golden, Paul	Holbrook, Robert	Lawton, David	Lawton, Robert
Rice, Thomas, Jr.	Rosen, Ralph	Thomas, John	Turner, Robert
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Hunt, John	McNamara, Wanda	Royce, H. Charles	Smith, Edwin
COOS			
Horton, Lynn	Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Alger, John	Eaton, Stephanie	Guaraldi, Lawrence
Hinman, Harry	MacNeil, Allen	Mirski, Paul	Phinney, William
Teschner, Douglass	Trelfa, Richard		
HILLSBOROUGH			
Arnold, Thomas, Jr.	Batula, Peter	Belvin, William	Brundige, Robert
Calawa, Leon, Jr.	Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr.
Cote, David	D'Allesandro, Lou	Daniels, Gary	Dyer, Merton
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Goulet, Maurice	Herman, Keith	Holley, Sylvia	Jean, Loren
Kelley, Robert	Kurk, Neal	LaRose, Richard	Letendre, Evelyn
Lozeau, Donnalee	Luebker, Bernard	MacGillivray, Jeffrey	MacIntyre, Doris
Marcinkowski, Michael	McCarty, Winston	McGough, Tim	McRae, Karen
Mercer, Robert	Milligan, Robert	Murch, George	O'Hearn, Jane
Pepino, Leo	Peterson, Andrew	Piteri, Dawn	Riley, Frances
Sargent, Maxwell	Tate, Joan	Thulander, O. Alan	Wheeler, Robert

White, Donald	Wright, George		
MERRIMACK			
Anderson, Eric	Chandler, Earle	Hess, David	Hoadley, Elizabeth
Krueger, Patricia	Langer, Ray	Larrabee, David	Leber, William
Nichols, Avis	Pfaff, Terence	Whalley, Michael	
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Cote, Patricia	Dolan, Richard
Dowd, Sandra	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Flanders, John, Sr.	Francoeur, Sheila
Gleason, John	Griffin, Mary	Henderson, Warren	Katsakiores, George
Katsakiores, Phyllis	Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane
Major, Norman	Malcolm, Kenneth	McCarthy, John, Jr.	Mikowski, Walter
Moore, Benjamin	Nowe, Ronald	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Stickney, Nancy	Stone, Joseph	Varrell, Thomas
Weare, Everett	Welch, David	Weyler, Kenneth	Woods, Deborah
STRAFFORD			
Rollo, Michael	Spear, Barbara	Torr, Ann	Torr, Franklin
SULLIVAN			
Adler, Rudolf			
NAYS 164			
BELKNAP			
Pilliod, James	Salatiello, Thomas		
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Doucette, Richard
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	O'Connell, John	Pratt, Irene	Pratt, John
Richardson, Barbara	Robertson, Timothy	Russell, Ronald	Steere, Myron, III

Vogl, John			
COOS			
Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Davis, Perley
Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne	
GRAFTON			
Almy, Susan	Below, Clifton	Copenhaver, Marion	Guest, Robert
Ham, Bonnie	Lovett, Sidney	Luker, Elsa	Nordgren, Sharon
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Barry, William, III	Bernier, Shannon
Buckley, Raymond	Cardin, Lori	Clemons, Jane	Cote, Peter
Daigle, Robert	Dawe, Eileen	Dokmo, Cynthia	Drabinowicz, A. Theresa
Durham, Susan	Dwyer, Paul, Sr.	Foster, Joseph	Foster, Linda
Gage, Ruth	Ginsburg, Ruth	Gosselin, Gerald	Haettenschwiller, Alphonse
Haley, Robert	Hall, Betty	Hart, Nick	Jean, Claudette
Johnson, Lionel	Konys, Christine	Leishman, Peter	Leonard, Peter
Lynde, Harold	Martin, Mary	McCarthy, William	McDonald, James, Sr.
Melcher, Harold	Messier, Irene	Murphy, Robert	Perkins, Paul
Reidy, Frank	Turgeon, Roland	Vaillancourt, Steve	Welch, Donald
Williams, Carol			
MERRIMACK			
Burney, Carol	Crosby, Toni	Crowell, Peter	Daneault, Gabriel
Davis, Francis	DeStefano, Stephen	Dunn, Miriam	Feuerstein, Martin
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Jacobson, Alf	Lockwood, Robert	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Owen, Derek	Reardon, Tara	Seldin, Gloria
St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Case, Margaret	Clark, Martha
Coes, Betsy	Cooney, Richard	Cushing, Robert	Dearborn, Bruce
Gibbons, Paul	Heath, John	Hutchinson, Rebecca	Johnson, Robert

Kane, Cecelia	Kelley, Jane	Langone, John	Lovejoy, Marian
Micklon, Stephanie	Norelli, Terie	O'Keefe, Patricia	Pitts, Jacqueline
Sabella, Norma	Sapareto, Frank	Schanda, Frank	Stritch, C. Donald
Syracusa, Anthony	Tufts, J. Arthur	Vaughn, Charles	
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George
Callaghan, Frank	DeChane, Marlene	Estabrook, Iris	Hemon, Roland
Heon, Richard	Kaen, Naida	Keans, Sandra	Knowles, William
Lundborn, Raymond	McCann, William, Jr.	Merrill, Amanda	Pelletier, Arthur
Rogers, Rose Marie	Smith, Marjorie	Snyder, Clair	Sullivan, Henry
Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis	Vincent, Francis
Wall, Janet			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Flint, Gordon	Kibbey, David	Leone, Richard
Palmer, Lorraine	Robb-Theroux, Amy	Schotanus, Merle	Wiggins, Celestine

and the motion failed.

LAID ON THE TABLE

Rep. Hager moved that ***HB 1668-FN-A-L***, establishing a personal income tax and a statewide school property tax to fund public education and making an appropriation therefor, be laid on the table.

On a division vote, 193 members having voted in the affirmative and 109 in the negative, the motion was adopted.

MOTION TO LAY ON THE TABLE

Rep. Cooper moved that all remaining bills printed in the day's Regular Calendar be laid on the table.

Rep. Burling requested a roll call; sufficiently seconded.

YEAS 133 NAYS 163
YEAS 133

BELKNAP			
Boriso, Thomas Boyce, Robert	Calvert, Alice	Clark, Charles	
Holbrook, Robert	Lawton, David	Lawton, Robert	Pilliod, James
Rice, Thomas, Jr.	Rosen, Ralph	Turner, Robert	
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Manning, Joseph	McNamara, Wanda	Pratt, John	Steere, Myron, III
COOS			
Horton, Lynn	Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Alger, John	Eaton, Stephanie	Guaraldi, Lawrence
Hinman, Harry	MacNeil, Allen	Mirski, Paul	Phinney, William
Teschner, Douglass	Trelfa, Richard		
HILLSBOROUGH			
Arnold, Thomas, Jr.	Batula, Peter	Belvin, William	Brundige, Robert
Calawa, Leon, Jr.	Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr.
Daniels, Gary	Dokmo, Cynthia	Durham, Susan	Dyer, Merton
Fenton, James	Fields, Dennis	Goulet, Maurice	Haley, Robert
Herman, Keith	Holley, Sylvia	Jean, Loren	Johnson, Lionel
Kelley, Robert	LaRose, Richard	Leishman, Peter	Letendre, Evelyn
Luebker, Bernard	MacGillivray, Jeffrey	MacIntyre, Doris	Marcinkowski, Michael
McCarthy, William	McGough, Tim	McRae, Karen	Mercer, Robert
Milligan, Robert	Murch, George	O'Hearn, Jane	Pepino, Leo
Peterson, Andrew	Riley, Frances	Sargent, Maxwell	Thulander, O. Alan
Turgeon, Roland	Wheeler, Robert	White, Donald	Wright, George
MERRIMACK			
Chandler, Earle	Feuerstein, Martin	Hess, David	Hoadley, Elizabeth
Krueger, Patricia	Langer, Ray	Larrabee, David	Leber, William

Marshall, Kenneth	Nichols, Avis		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Cote, Patricia	Dearborn, Bruce
Dolan, Richard	Dowd, Sandra	Dowling, Patricia	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Francoeur, Sheila	Gleason, John
Griffin, Mary	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Langone, John	Major, Norman
Malcolm, Kenneth	McCarthy, John, Jr.	Moore, Benjamin	Raynowska, Bernard
Reardon, Neil	Sapareto, Frank	Stritch, C. Donald	Tufts, J. Arthur
Varrell, Thomas	Weare, Everett	Weyler, Kenneth	
STRAFFORD			
Spear, Barbara			
SULLIVAN			
Adler, Rudolf	Flint, Gordon	Leone, Richard	
NAYS 163			
BELKNAP			
Salatiello, Thomas	Thomas, John		
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Hunt, John
Lynch, Margaret	Lynott, Margaret	Meader, David	Pratt, Irene
Richardson, Barbara	Robertson, Timothy	Royce, H. Charles	Smith, Edwin
Vogl, John			
COOS			
Bradley, Paula	Coulombe, Henry	Coulombe, Yvonne	Davis, Perley
Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne	
GRAFTON			
Almy, Susan	Below, Clifton	Copenhaver, Marion	Guest, Robert

Ham, Bonnie	Lovett, Sidney	Luker, Elsa	Nordgren, Sharon
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Barry, William, III	Bernier, Shannon
Buckley, Raymond	Cardin, Lori	Clemons, Jane	Cote, David
Cote, Peter	D'Allesandro, Lou	Daigle, Robert	Drabinowicz, A. Theresa
Dwyer, Paul, Sr.	Emerton, Lawrence, Sr.	Flora, Kathleen	Foster, Joseph
Foster, Linda	Gage, Ruth	Ginsburg, Ruth	Gosselin, Gerald
Haettenschwiller, Alphonse	Hall, Betty	Hart, Nick	Jean, Claudette
Konys, Christine	Kurk, Neal	Leonard, Peter	Lozeau, Donnalee
Lynde, Harold	Martin, Mary	McCarty, Winston	McDonald, James, Sr.
Melcher, Harold	Messier, Irene	Murphy, Robert	Perkins, Paul
Piteri, Dawn	Reidy, Frank	Vaillancourt, Steve	Welch, Donald
Williams, Carol			
MERRIMACK			
Anderson, Eric	Burney, Carol	Crosby, Toni	Daneault, Gabriel
Davis, Francis	DeStefano, Stephen	Dunn, Miriam	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Jacobson, Alf
Lockwood, Robert	Moore, Carol	Owen, Derek	Pfaff, Terence
Reardon, Tara	Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Whalley, Michael	Whittemore, James	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Case, Margaret	Clark, Martha
Coes, Betsy	Cooney, Richard	Cushing, Robert	Downing, Michael
Gibbons, Paul	Heath, John	Henderson, Warren	Hutchinson, Rebecca
Kane, Cecelia	Kelley, Jane	Klemm, Arthur, Jr.	Lovejoy, Marian
Micklon, Stephanie	Mikowski, Walter	Nowe, Ronald	O'Keefe, Patricia
Pitts, Jacqueline	Rabideau, Marie	Sabella, Norma	Schanda, Frank
Stickney, Nancy	Stone, Joseph	Syracusa, Anthony	Vaughn, Charles
Welch, David Woods, Deborah			
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George

Callaghan, Frank	DeChane, Marlene	Estabrook, Iris	Hemon, Roland
Heon, Richard	Kaen, Naida	Keans, Sandra	Knowles, William
Lundborn, Raymond	McCann, William, Jr.	Merrill, Amanda	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Sullivan, Henry	Taylor, Kathleen	Torr, Ann	Torr, Franklin
Twardus, Joseph	Vachon, Dennis	Vincent, Francis	Wall, Janet
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Kibbey, David	Palmer, Lorraine	Robb-Theroux, Amy
Schotanus, Merle	Wiggins, Celestine		

and the motion failed.

REGULAR CALENDAR (CONT'D.)

HB 1669-FN-A-L, adding a capital gains tax to the interest and dividends tax, and designating all revenues from the interest and dividends tax for funding education. **INEXPEDIENT TO LEGISLATE**

Rep. David J. Alukonis for Finance: This bill adds a capital gains tax to the interest and dividends tax and provides that all revenues from the interest and dividends tax be deposited to a fund dedicated for the purposes of public education. There was very little support for this sort of tax to be imposed upon the citizens of New Hampshire. Additionally, consideration of any tax increases in order to finance additional appropriations for public education should be made during the normal budget deliberations impacting the year for which the appropriations will be made. Vote 17-2.

Adopted.

HB 1670-FN-A-L, relative to a statewide school tax on income for purposes of funding a constitutionally adequate education and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Charles L. Vaughn for Finance: The Finance Committee had before it two income tax bills relative to funding for a constitutionally adequate education. The committee felt only one bill needed to be studied and believes HB 1668-FN-A-L to be the better vehicle. Vote 16-3.

Rep. Jacobson spoke against and yielded to questions.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 209 NAYS 77

YEAS 209			
BELKNAP			
Boriso, Thomas Boyce, Robert	Calvert, Alice	Clark, Charles	
Holbrook, Robert	Lawton, David	Lawton, Robert	Pilliod, James
Rice, Thomas, Jr.	Rosen, Ralph	Salatiello, Thomas	Thomas, John
Turner, Robert			
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
DePecol, Benjamin	Hunt, John	McNamara, Wanda	Pratt, Irene
Royce, H. Charles	Smith, Edwin	Steere, Myron, III	
COOS			
Coulombe, Henry	Hawkinson, Marie	Horton, Lynn	Mears, Edgar
Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr.	
GRAFTON			
Akins, Ralph	Alger, John	Copenhaver, Marion	Eaton, Stephanie
Guaraldi, Lawrence	Guest, Robert	Hinman, Harry	Luker, Elsa
Mirski, Paul	Nordgren, Sharon	Phinney, William	Trelfa, Richard
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Barry, William, III	Batula, Peter
Belvin, William	Bernier, Shannon	Brundige, Robert	Buckley, Raymond
Calawa, Leon, Jr.	Cardin, Lori	Carlson, Donald	Christiansen, Lars
Clegg, Robert, Jr.	Clemons, Jane	Cote, David	Cote, Peter
D'Allesandro, Lou	Daigle, Robert	Daniels, Gary	Dokmo, Cynthia
Drabinowicz, A. Theresa	Durham, Susan	Dwyer, Paul, Sr.	Dyer, Merton
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Foster, Joseph	Foster, Linda	Gosselin, Gerald	Goulet, Maurice
Hall, Betty	Herman, Keith	Holley, Sylvia	Jean, Claudette

Jean, Loren	Johnson, Lionel	Konys, Christine	Kurk, Neal
Leishman, Peter	Leonard, Peter	Letendre, Evelyn	Lozeau, Donnalee
Luebker, Bernard	Lynde, Harold	MacGillivray, Jeffrey	MacIntyre, Doris
Marcinkowski, Michael	McCarty, Winston	McDonald, James, Sr.	McGough, Tim
McRae, Karen	Mercer, Robert	Milligan, Robert	Murch, George
O'Hearn, Jane	Peterson, Andrew	Riley, Frances	Sargent, Maxwell
Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve	Wheeler, Robert
White, Donald	Williams, Carol		
MERRIMACK			
Anderson, Eric	Chandler, Earle	Daneault, Gabriel	Davis, Francis
DeStefano, Stephen	Dunn, Miriam	Hess, David	Hoadley, Elizabeth
Krueger, Patricia	Langer, Ray	Larrabee, David	Leber, William
Marshall, Kenneth	Moore, Carol	Nichols, Avis	Reardon, Tara
Seldin, Gloria	Wallner, Mary Jane	Whalley, Michael	Whittemore, James
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Camm, Kevin	Carson, Gregory	Case, Margaret	Christie, Andrew, Jr.
Cote, Patricia	Cushing, Robert	Dearborn, Bruce	Dolan, Richard
Dowling, Patricia	Downing, Michael	Dunham, Vivian	Fesh, Robert
Flanagan, Natalie	Francoeur, Sheila	Griffin, Mary	Henderson, Warren
Hutchinson, Rebecca	Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Klemm, Arthur, Jr.	Kobel, Rudolph	Langley, Jane
Lovejoy, Marian	Major, Norman	Malcolm, Kenneth	Micklon, Stephanie
Mikowski, Walter	Moore, Benjamin	Nowe, Ronald	O'Keefe, Patricia
Pitts, Jacqueline	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Schanda, Frank	Stickney, Nancy	Stone, Joseph	Tufts, J. Arthur
Varrell, Thomas	Weare, Everett	Welch, David	Weyler, Kenneth
Woods, Deborah			
STRAFFORD			
Berube, Roger	Brennan, William	Callaghan, Frank	DeChane, Marlene
Estabrook, Iris	Knowles, William	Lundborn, Raymond	Pelletier, Arthur

Rollo, Michael	Spear, Barbara	Taylor, Kathleen	Torr, Ann
Torr, Franklin	Twardus, Joseph	Vincent, Francis	Wall, Janet
SULLIVAN			
Adler, Rudolf	Burling, Peter	Ferland, Brenda	Flint, Gordon
Leone, Richard	Palmer, Lorraine	Robb-Theroux, Amy	Wiggins, Celestine
NAYS 77			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	Meador, David	O'Connell, John	Pratt, John
Richardson, Barbara	Robertson, Timothy	Vogl, John	
COOS			
Bradley, Paula	Coulombe, Yvonne	Davis, Perley	Moynihan, Wayne
GRAFTON			
Almy, Susan	Below, Clifton	Ham, Bonnie	Lovett, Sidney
HILLSBOROUGH			
Arnold, Thomas, Jr.	Gage, Ruth	Ginsburg, Ruth	Haettenschwiller, Alphonse
Haley, Robert	Hart, Nick	Martin, Mary	McCarthy, William
Melcher, Harold	Messier, Irene	Murphy, Robert	Perkins, Paul
Reidy, Frank	Welch, Donald		
MERRIMACK			
Burney, Carol	Crosby, Toni	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Jacobson, Alf
Lockwood, Robert	Owen, Derek	St. Cyr, Gerard	Wallin, Jean
Yeaton, Charles			
ROCKINGHAM			
Blanchard, MaryAnn	Clark, Martha	Coes, Betsy	Cooney, Richard

Gibbons, Paul	Gleason, John	Heath, John	Johnson, Robert
Langone, John	Sabella, Norma	Sapareto, Frank	Stritch, C. Donald
Syracusa, Anthony	Vaughn, Charles		
STRAFFORD			
Bickford, David	Brown, George	Hemon, Roland	Heon, Richard
Kaen, Naida	Keans, Sandra	McCann, William, Jr.	Rogers, Rose Marie
Smith, Marjorie	Snyder, Clair	Sullivan, Henry	Vachon, Dennis
SULLIVAN			
Allison, David	Cloutier, John	Donovan, Thomas	Kibbey, David
Schotanus, Merle			

and the report was adopted.

HB 1671-FN-A-L, establishing a securities transfer excise tax to meet state obligations in funding education. INEXPEDIENT TO LEGISLATE

Rep. Avis B. Nichols for Finance: This bill establishes a securities excise tax to fund state education obligations. However, the tax can be easily avoided by locating or conducting transfers and sales out of state. The bill would also have a significant negative impact on the New Hampshire retirement system. Furthermore, the bill would discourage the expansion of the financial services industry in the state. For these reasons, the committee recommends the bill be voted inexpedient to legislate. Vote 19-0.

Reps. Hemon and McCann spoke against.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 250 NAYS 15			
YEAS 250			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Clark, Charles	Holbrook, Robert
Lawton, David	Lawton, Robert	Pilliod, James	Rice, Thomas, Jr.
Rosen, Ralph	Salatiello, Thomas	Thomas, John	Turner, Robert
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Cooper, Kipp	Dickinson, Howard, Jr.

Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy	Mock, Henry
Patten, Betsey	Philbrick, Donald		
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Hunt, John
Lynch, Margaret	Manning, Joseph	McNamara, Wanda	Meadar, David
O'Connell, John	Pratt, Irene	Richardson, Barbara	Robertson, Timothy
Royce, H. Charles	Smith, Edwin	Steere, Myron, III	Vogl, John
COOS			
Bradley, Paula	Davis, Perley	Horton, Lynn	Mears, Edgar
Merrill, Gerald	Moynihn, Wayne	Pratt, Leighton	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Below, Clifton
Copenhaver, Marion	Ham, Bonnie	Hinman, Harry	Lovett, Sidney
Luker, Elsa	Mirski, Paul	Nordgren, Sharon	Phinney, William
Trelfa, Richard			
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Arnold, Thomas, Jr.	Barry, William, III
Batula, Peter	Belvin, William	Bernier, Shannon	Brundige, Robert
Buckley, Raymond	Calawa, Leon, Jr.	Cardin, Lori	Carlson, Donald
Christiansen, Lars	Clegg, Robert, Jr.	Cote, David	Cote, Peter
D'Allesandro, Lou	Daigle, Robert	Daniels, Gary	Dokmo, Cynthia
Drabinowicz, A. Theresa	Durham, Susan	Dwyer, Paul, Sr.	Dyer, Merton
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Foster, Joseph	Foster, Linda	Gage, Ruth	Ginsburg, Ruth
Gosselin, Gerald	Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty
Hart, Nick	Herman, Keith	Holley, Sylvia	Jean, Claudette
Jean, Loren	Johnson, Lionel	Konys, Christine	Kurk, Neal
Leishman, Peter	Leonard, Peter	Letendre, Evelyn	Lozeau, DonnaLee
Luebker, Bernard	Lynde, Harold	MacGillivray, Jeffrey	MacIntyre, Doris
Martin, Mary	McCarty, Winston	McDonald, James, Sr.	McGough, Tim
McRae, Karen	Melcher, Harold	Mercer, Robert	Messier, Irene

Milligan, Robert	Murch, George	Murphy, Robert	O'Hearn, Jane
Perkins, Paul	Reidy, Frank	Riley, Frances	Sargent, Maxwell
Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve	Welch, Donald
Wheeler, Robert	White, Donald	Williams, Carol	Wright, George
MERRIMACK			
Anderson, Eric	Burney, Carol	Crosby, Toni	Daneault, Gabriel
Davis, Francis	DeStefano, Stephen	Dunn, Miriam	Feuerstein, Martin
French, Barbara	Hager, Elizabeth	Hess, David	Hoadley, Elizabeth
Jacobson, Alf	Krueger, Patricia	Langer, Ray	Larrabee, David
Leber, William	Lockwood, Robert	Marshall, Kenneth	Moore, Carol
Nichols, Avis	Reardon, Tara	Seldin, Gloria	Wallner, Mary Jane
Whalley, Michael	Whittemore, James		
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Blanchard, MaryAnn	Camm, Kevin	Carson, Gregory	Christie, Andrew, Jr.
Clark, Martha	Coes, Betsy	Cooney, Richard	Cushing, Robert
Dearborn, Bruce	Dolan, Richard	Dowling, Patricia	Downing, Michael
Dunham, Vivian	Fesh, Robert	Flanagan, Natalie	Francoeur, Sheila
Gibbons, Paul	Gleason, John	Griffin, Mary	Henderson, Warren
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Katsakiores, George
Katsakiores, Phyllis	Kelley, Jane	Klemm, Arthur, Jr.	Kobel, Rudolph
Langley, Jane	Langone, John	Major, Norman	Malcolm, Kenneth
Micklon, Stephanie	Mikowski, Walter	Moore, Benjamin	Nowe, Ronald
O'Keefe, Patricia	Pitts, Jacqueline	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Stickney, Nancy	Stone, Joseph	Stritch, C. Donald	Tufts, J. Arthur
Varrell, Thomas	Vaughn, Charles	Weare, Everett	Welch, David
Weyler, Kenneth	Woods, Deborah		
STRAFFORD			
Bickford, David	Brennan, William	Callaghan, Frank	Estabrook, Iris
Heon, Richard	Kaen, Naida	Keans, Sandra	Knowles, William

Lundborn, Raymond	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spear, Barbara	Sullivan, Henry	Taylor, Kathleen
Torr, Ann	Torr, Franklin	Wall, Janet	
SULLIVAN			
Adler, Rudolf	Allison, David	Burling, Peter	Cloutier, John
Ferland, Brenda	Flint, Gordon	Kibbey, David	Leone, Richard
Palmer, Lorraine	Robb-Theroux, Amy	Schotanus, Merle	Wiggins, Celestine
NAYS 15			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
None			
COOS			
None			
GRAFTON			
Guest, Robert			
HILLSBOROUGH			
Haley, Robert	McCarthy, William		
MERRIMACK			
St. Cyr, Gerard Yeaton, Charles			
ROCKINGHAM			
Heath, John	Syracusa, Anthony		
STRAFFORD			
Brown, George	DeChane, Marlene	Hemon, Roland	McCann, William, Jr.
Pelletier, Arthur	Twardus, Joseph	Vachon, Dennis	
SULLIVAN			
Donovan, Thomas			

and the report was adopted.

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

HB 1674-FN-A-L, establishing a proportional statewide property tax to provide equal per student funding for state-mandated education and funding for kindergarten and making an appropriation therefor. REFER FOR INTERIM STUDY

Rep. Avis B. Nichols for Finance: This bill establishes a proportional statewide property tax to provide funding for state-mandated education and funding for kindergarten. The committee felt the bill should be studied along with certain other proposals for funding education. Vote 14-5.

Rep. Kurk spoke against and yielded to questions.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 121 NAYS 142			
YEAS 121			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Lynch, Margaret
Manning, Joseph	Meador, David	Pratt, Irene	Richardson, Barbara
Robertson, Timothy	Steere, Myron, III	Vogl, John	
COOS			
Bradley, Paula	Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne
GRAFTON			
Almy, Susan	Copenhaver, Marion	Guest, Robert	Ham, Bonnie
Lovett, Sidney	Luker, Elsa	Nordgren, Sharon	
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Barry, William, III	Bernier, Shannon
Buckley, Raymond	Cardin, Lori	Carlson, Donald	Clemons, Jane

Cote, Peter	Daigle, Robert	Dokmo, Cynthia	Drabinowicz, A. Theresa
Dwyer, Paul, Sr.	Foster, Joseph	Foster, Linda	Ginsburg, Ruth
Haettenschwiller, Alphonse	Haley, Robert	Hall, Betty	Jean, Claudette
Johnson, Lionel	Konys, Christine	Leishman, Peter	Leonard, Peter
Lynde, Harold	Martin, Mary	McCarthy, William	Melcher, Harold
Messier, Irene	Murphy, Robert	Turgeon, Roland	Vaillancourt, Steve
Welch, Donald	Williams, Carol		
MERRIMACK			
Burney, Carol	Crosby, Toni	Dunn, Miriam	Feuerstein, Martin
French, Barbara	Gile, Mary	Hager, Elizabeth	Lockwood, Robert
Moore, Carol	Reardon, Tara	Seldin, Gloria	St. Cyr, Gerard
Wallin, Jean	Wallner, Mary Jane	Whittemore, James	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Clark, Martha	Coes, Betsy	Cooney, Richard
Cushing, Robert	Dolan, Richard	Gibbons, Paul	Heath, John
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Micklon, Stephanie	O'Keefe, Patricia	Pitts, Jacqueline	Sabella, Norma
Sapareto, Frank	Schanda, Frank	Weyler, Kenneth	
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	Callaghan, Frank
DeChane, Marlene	Estabrook, Iris	Hemon, Roland	Heon, Richard
Knowles, William	Lundborn, Raymond	Merrill, Amanda	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Sullivan, Henry	Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis
Wall, Janet			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Kibbey, David	Palmer, Lorraine	Robb-Theroux, Amy
Wiggins, Celestine			
NAYS 142			

BELKNAP			
Boriso, Thomas	Boyce, Robert	Clark, Charles	Holbrook, Robert
Lawton, David	Lawton, Robert	Pilliod, James	Rice, Thomas, Jr.
Rosen, Ralph	Salatiello, Thomas	Thomas, John	Turner, Robert
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Hunt, John	McNamara, Wanda	O'Connell, John	Royce, H. Charles
Smith, Edwin			
COOS			
Davis, Perley	Horton, Lynn	Merrill, Gerald	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Alger, John	Guaraldi, Lawrence	Hinman, Harry
Mirski, Paul	Phinney, William	Trelfa, Richard	
HILLSBOROUGH			
Arnold, Thomas, Jr.	Batula, Peter	Belvin, William	Brundige, Robert
Calawa, Leon, Jr.	Christiansen, Lars	Clegg, Robert, Jr.	Cote, David
D'Allesandro, Lou	Daniels, Gary	Durham, Susan	Dyer, Merton
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Gage, Ruth	Goulet, Maurice	Hart, Nick	Herman, Keith
Holley, Sylvia	Jean, Loren	Kurk, Neal	Letendre, Evelyn
Lozeau, Donnalee	Luebker, Bernard	MacGillivray, Jeffrey	MacIntyre, Doris
McCarty, Winston	McDonald, James, Sr.	McGough, Tim	McRae, Karen
Mercer, Robert	Milligan, Robert	Murch, George	O'Hearn, Jane
Perkins, Paul	Sargent, Maxwell	Thulander, O. Alan	Wheeler, Robert
White, Donald			
MERRIMACK			
Anderson, Eric	Daneault, Gabriel	Davis, Francis	DeStefano, Stephen
Hess, David	Hoadley, Elizabeth	Jacobson, Alf	Krueger, Patricia

Langer, Ray	Larrabee, David	Leber, William	Marshall, Kenneth
Nichols, Avis	Whalley, Michael		
ROCKINGHAM			
Arndt, Janet	Belanger, Ronald	Blanchard, MaryAnn	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Dearborn, Bruce	Dowling, Patricia
Downing, Michael	Dunham, Vivian	Fesh, Robert	Flanagan, Natalie
Francoeur, Sheila	Gleason, John	Griffin, Mary	Henderson, Warren
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane
Langone, John	Major, Norman	Malcolm, Kenneth	Mikowski, Walter
Moore, Benjamin	Nowe, Ronald	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Stickney, Nancy	Stone, Joseph	Stritch, C. Donald
Syracusa, Anthony	Tufts, J. Arthur	Varrell, Thomas	Vaughn, Charles
Weare, Everett	Welch, David	Woods, Deborah	
STRAFFORD			
Kaen, Naida	Keans, Sandra	Spear, Barbara	Torr, Ann
Torr, Franklin			
SULLIVAN			
Adler, Rudolf	Flint, Gordon	Leone, Richard	Schotanus, Merle

and the report failed.

Rep. Kurk moved Inexpedient to Legislate.

Rep. Wheeler requested a roll call; sufficiently seconded.

YEAS 158 NAYS 105

YEAS 158			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Clark, Charles	Holbrook, Robert
Lawton, David	Lawton, Robert	Pilliod, James	Rice, Thomas, Jr.
Rosen, Ralph	Salatiello, Thomas	Thomas, John	Turner, Robert
CARROLL			

Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Hunt, John	McNamara, Wanda	O'Connell, John	Royce, H. Charles
Smith, Edwin	Steere, Myron, III		
COOS			
Davis, Perley	Horton, Lynn	Merrill, Gerald	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Alger, John	Guaraldi, Lawrence	Hinman, Harry
Mirski, Paul	Phinney, William	Trelfa, Richard	
HILLSBOROUGH			
Arnold, Thomas, Jr.	Barry, William, III	Batula, Peter	Belvin, William
Brundige, Robert	Buckley, Raymond	Calawa, Leon, Jr.	Carlson, Donald
Christiansen, Lars	Clegg, Robert, Jr.	Clemons, Jane	Cote, David
Cote, Peter	D'Allesandro, Lou	Daniels, Gary	Dokmo, Cynthia
Durham, Susan	Dyer, Merton	Emerton, Lawrence, Sr.	Fenton, James
Fields, Dennis	Flora, Kathleen	Foster, Linda	Goulet, Maurice
Haley, Robert	Herman, Keith	Holley, Sylvia	Jean, Loren
Johnson, Lionel	Kurk, Neal	Leishman, Peter	Letendre, Evelyn
Lozeau, Donnalee	Luebker, Bernard	MacGillivray, Jeffrey	MacIntyre, Doris
McCarty, Winston	McDonald, James, Sr.	McGough, Tim	McRae, Karen
Mercer, Robert	Milligan, Robert	Murch, George	O'Hearn, Jane
Sargent, Maxwell	Thulander, O. Alan	Turgeon, Roland	Wheeler, Robert
White, Donald			
MERRIMACK			
Anderson, Eric	Daneault, Gabriel	Davis, Francis	DeStefano, Stephen
Hess, David	Hoadley, Elizabeth	Jacobson, Alf	Krueger, Patricia
Langer, Ray	Larrabee, David	Leber, William	Marshall, Kenneth
Nichols, Avis	Reardon, Tara	Whalley, Michael	
ROCKINGHAM			

Arndt, Janet	Belanger, Ronald	Blanchard, MaryAnn	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Dearborn, Bruce	Dolan, Richard
Dowling, Patricia	Downing, Michael	Dunham, Vivian	Fesh, Robert
Flanagan, Natalie	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Griffin, Mary	Henderson, Warren	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Langone, John
Major, Norman	Malcolm, Kenneth	Mikowski, Walter	Moore, Benjamin
Nowe, Ronald	O'Keefe, Patricia	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Stickney, Nancy	Stone, Joseph	Stritch, C. Donald
Syracusa, Anthony	Tufts, J. Arthur	Varrell, Thomas	Vaughn, Charles
Weare, Everett	Welch, David	Weyler, Kenneth	Woods, Deborah
STRAFFORD			
Callaghan, Frank	Kaen, Naida	Spear, Barbara	Taylor, Kathleen
Torr, Ann	Torr, Franklin		
SULLIVAN			
Adler, Rudolf	Flint, Gordon	Leone, Richard	Schotanus, Merle
NAYS 105			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
Bonneau, Sarah	Champagne, Richard	DePecol, Benjamin	Lynch, Margaret
Manning, Joseph	Meador, David	Pratt, Irene	Richardson, Barbara
Robertson, Timothy	Vogl, John		
COOS			
Bradley, Paula	Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne
GRAFTON			
Almy, Susan	Copenhaver, Marion	Guest, Robert	Ham, Bonnie
Lovett, Sidney	Luker, Elsa	Nordgren, Sharon	

HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Bernier, Shannon	Cardin, Lori
Daigle, Robert	Drabinowicz, A. Theresa	Dwyer, Paul, Sr.	Foster, Joseph
Gage, Ruth	Ginsburg, Ruth	Haettenschwiller, Alphonse	Hall, Betty
Hart, Nick	Jean, Claudette	Konys, Christine	Leonard, Peter
Lynde, Harold	Martin, Mary	McCarthy, William	Melcher, Harold
Messier, Irene	Murphy, Robert	Perkins, Paul	Vaillancourt, Steve
Welch, Donald	Williams, Carol		
MERRIMACK			
Burney, Carol	Crosby, Toni	Dunn, Miriam	Feuerstein, Martin
French, Barbara	Gile, Mary	Hager, Elizabeth	Lockwood, Robert
Moore, Carol	Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Clark, Martha	Coes, Betsy	Cooney, Richard
Cushing, Robert	Heath, John	Hutchinson, Rebecca	Kane, Cecelia
Kelley, Jane	Micklon, Stephanie	Pitts, Jacqueline	Sabella, Norma
Sapareto, Frank	Schanda, Frank		
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	DeChane, Marlene
Estabrook, Iris	Hemon, Roland	Heon, Richard	Keans, Sandra
Knowles, William	Lundborn, Raymond	Merrill, Amanda	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Sullivan, Henry	Twardus, Joseph	Vachon, Dennis	Wall, Janet
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Kibbey, David	Palmer, Lorraine	Robb-Theroux, Amy
Wiggins, Celestine			

and the motion was adopted.

CLERK'S NOTE

When less than two-thirds of the elected membership is present, Part II, Article 20 of the state constitution requires the assent of two-thirds of those present and voting to take any action.

REGULAR CALENDAR (CONT'D.)

HB 1675-FN-A-L, establishing a referendum for a new taxation plan to fund public education.
INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: This bill would establish a procedure whereby the legislature may submit a question regarding the imposition of a statewide tax for funding education to the vote of the people by ballot. It would additionally allow the voters an opportunity to select an alternative tax plan to the tax designated by the legislature. In light of the Finance Committee's action on CACR 45 and numerous other Claremont-related bills, the committee feels that this proposal is not needed. Additionally, serious concerns were raised regarding the understandability and simplicity of the questions as they would be placed on the ballot. Vote 19-0.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 218 NAYS 40			
YEAS 218			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Clark, Charles	Holbrook, Robert
Lawton, David	Lawton, Robert	Pilliod, James	Rice, Thomas, Jr.
Rosen, Ralph	Salatiello, Thomas	Thomas, John	Turner, Robert
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Champagne, Richard	DePecol, Benjamin	Hunt, John	Lynch, Margaret
McNamara, Wanda	Pratt, Irene	Richardson, Barbara	Robertson, Timothy
Royce, H. Charles	Smith, Edwin	Steere, Myron, III	Vogl, John
COOS			
Davis, Perley	Hawkinson, Marie	Horton, Lynn	Mears, Edgar
Merrill, Gerald	Moynihhan, Wayne	Tholl, John, Jr.	

GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Guaraldi, Lawrence
Hinman, Harry	Mirski, Paul	Nordgren, Sharon	Phinney, William
Trelfa, Richard			
HILLSBOROUGH			
Ameen, W.	Arnold, Thomas, Jr.	Barry, William, III	Batula, Peter
Belvin, William	Bernier, Shannon	Brundige, Robert	Buckley, Raymond
Calawa, Leon, Jr.	Cardin, Lori	Carlson, Donald	Christiansen, Lars
Clegg, Robert, Jr.	Cote, Peter	D'Allesandro, Lou	Daigle, Robert
Daniels, Gary	Dokmo, Cynthia	Drabinowicz, A. Theresa	Durham, Susan
Dwyer, Paul, Sr.	Dyer, Merton	Emerton, Lawrence, Sr.	Fenton, James
Fields, Dennis	Flora, Kathleen	Foster, Joseph	Foster, Linda
Ginsburg, Ruth	Goulet, Maurice	Hart, Nick	Herman, Keith
Holley, Sylvia	Jean, Claudette	Jean, Loren	Johnson, Lionel
Kurk, Neal	Leishman, Peter	Leonard, Peter	Letendre, Evelyn
Lozeau, DonnaLee	Luebker, Bernard	Lynde, Harold	MacGillivray, Jeffrey
MacIntyre, Doris	Martin, Mary	McCarthy, William	McCarty, Winston
McGough, Tim	McRae, Karen	Mercer, Robert	Messier, Irene
Milligan, Robert	Murch, George	O'Hearn, Jane	Perkins, Paul
Sargent, Maxwell	Thulander, O. Alan	Turgeon, Roland	Vaillancourt, Steve
Wheeler, Robert	White, Donald	Williams, Carol	
MERRIMACK			
Anderson, Eric	Burney, Carol	Crosby, Toni	Daneault, Gabriel
Davis, Francis	DeStefano, Stephen	Dunn, Miriam	French, Barbara
Gile, Mary	Hess, David	Hoadley, Elizabeth	Krueger, Patricia
Langer, Ray	Larrabee, David	Leber, William	Lockwood, Robert
Marshall, Kenneth	Moore, Carol	Nichols, Avis	Reardon, Tara
Seldin, Gloria	St. Cyr, Gerard	Wallner, Mary Jane	Whalley, Michael
ROCKINGHAM			
Arndt, Janet	Belanger, Ronald	Blanchard, MaryAnn	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Cooney, Richard	Cushing, Robert

Dearborn, Bruce	Dolan, Richard	Dowling, Patricia	Downing, Michael
Dunham, Vivian	Fesh, Robert	Flanagan, Natalie	Francoeur, Sheila
Gibbons, Paul	Gleason, John	Griffin, Mary	Henderson, Warren
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Katsakiores, George
Katsakiores, Phyllis	Kelley, Jane	Kobel, Rudolph	Langley, Jane
Langone, John	Major, Norman	Malcolm, Kenneth	Micklon, Stephanie
Mikowski, Walter	Moore, Benjamin	Nowe, Ronald	O'Keefe, Patricia
Pitts, Jacqueline	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Sapareto, Frank	Schanda, Frank	Stickney, Nancy	Stone, Joseph
Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur	Varrell, Thomas
Vaughn, Charles	Weare, Everett	Welch, David	Weyler, Kenneth
Woods, Deborah			
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	DeChane, Marlene
Heon, Richard	Keans, Sandra	Knowles, William	Lundborn, Raymond
Merrill, Amanda	Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Spear, Barbara	Taylor, Kathleen	Torr, Ann
Torr, Franklin	Twardus, Joseph	Wall, Janet	
SULLIVAN			
Adler, Rudolf	Burling, Peter	Cloutier, John	Ferland, Brenda
Flint, Gordon	Leone, Richard	Palmer, Lorraine	Schotanus, Merle
NAYS 40			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
Manning, Joseph	Meader, David	O'Connell, John	
COOS			
Bradley, Paula			

GRAFTON			
Copenhaver, Marion	Guest, Robert	Ham, Bonnie	Lovett, Sidney
Luker, Elsa			
HILLSBOROUGH			
Allen, W. Gordon	Clemons, Jane	Cote, David	Gage, Ruth
Haettenschwiller, Alphonse	Hall, Betty	Konys, Christine	McDonald, James, Sr.
Melcher, Harold			
Murphy, Robert			
MERRIMACK			
Feuerstein, Martin	Hager, Elizabeth	Wallin, Jean	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Clark, Martha	Heath, John	Sabella, Norma
STRAFFORD			
Callaghan, Frank	Estabrook, Iris	Hemon, Roland	Kaen, Naida
Snyder, Clair	Sullivan, Henry	Vachon, Dennis	
SULLIVAN			
Allison, David	Donovan, Thomas	Kibbey, David	Robb-Theroux, Amy
Wiggins, Celestine			

and the report was adopted by the necessary two-thirds.

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. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: This bill proposes that local property taxes owed by business, industrial and public utility properties be paid to the state and redistributed to municipalities on a per pupil basis to fund a constitutionally adequate education. The redistribution would require property tax increases on residential property owners in many communities and discourage business development. The committee believes both consequences are undesirable. Vote 19-0.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 253 NAYS 5
YEAS 253

BELKNAP
Boriso, Thomas Boyce, Robert Clark, Charles Holbrook, Robert
Lawton, David Lawton, Robert Pilliod, James Rice, Thomas, Jr.
Rosen, Ralph Salatiello, Thomas Thomas, John Turner, Robert
CARROLL
Babson, David, Jr. Bradley, Jeb Chandler, Gene Cooper, Kipp
Dickinson, Howard, Jr. Howard, Godfrey Kenney, Joseph Lyman, L. Randy
Mock, Henry Patten, Betsey Philbrick, Donald
CHESHIRE
Champagne, Richard DePecol, Benjamin Hunt, John Lynch, Margaret
Manning, Joseph McNamara, Wanda Meader, David O'Connell, John
Pratt, Irene Richardson, Barbara Robertson, Timothy Royce, H. Charles
Smith, Edwin Steere, Myron, III Vogl, John
COOS
Bradley, Paula Davis, Perley Hawkinson, Marie Horton, Lynn
Mears, Edgar Merrill, Gerald Moynihan, Wayne Tholl, John, Jr.
GRAFTON
Akins, Ralph Alger, John Almy, Susan Copenhaver, Marion
Guaraldi, Lawrence Guest, Robert Ham, Bonnie Hinman, Harry
Lovett, Sidney Luker, Elsa Mirski, Paul Nordgren, Sharon
Phinney, William Trelfa, Richard
HILLSBOROUGH
Allen, W. Gordon Ameen, W. Arnold, Thomas, Jr. Barry, William, III
Batula, Peter Belvin, William Bernier, Shannon Brundige, Robert
Buckley, Raymond Calawa, Leon, Jr. Cardin, Lori Carlson, Donald
Christiansen, Lars Clegg, Robert, Jr. Clemons, Jane Cote, David
Cote, Peter D'Allesandro, Lou Daigle, Robert Daniels, Gary
Dokmo, Cynthia Drabinowicz, A. Theresa Durham, Susan Dwyer, Paul, Sr.
Dyer, Merton Emerton, Lawrence, Sr. Fenton, James Fields, Dennis
Flora, Kathleen Foster, Joseph Foster, Linda Gage, Ruth

Ginsburg, Ruth	Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty
Hart, Nick	Herman, Keith	Holley, Sylvia	Jean, Claudette
Jean, Loren	Johnson, Lionel	Konys, Christine	Kurk, Neal
Leishman, Peter	Leonard, Peter	Letendre, Evelyn	Lozeau, Donnalee
Luebkert, Bernard	Lynde, Harold	MacGillivray, Jeffrey	MacIntyre, Doris
Martin, Mary	McCarthy, William	McCarty, Winston	McDonald, James, Sr.
McGough, Tim	McRae, Karen	Melcher, Harold	Mercer, Robert
Messier, Irene	Milligan, Robert	Murch, George	Murphy, Robert
O'Hearn, Jane	Perkins, Paul	Sargent, Maxwell	Thulander, O. Alan
Turgeon, Roland	Vaillancourt, Steve	Wheeler, Robert	White, Donald
Williams, Carol			
MERRIMACK			
Anderson, Eric	Burney, Carol	Crosby, Toni	Daneault, Gabriel
Davis, Francis	DeStefano, Stephen	Dunn, Miriam	Feuerstein, Martin
Gile, Mary	Hager, Elizabeth	Hess, David	Hoadley, Elizabeth
Krueger, Patricia	Langer, Ray	Larrabee, David	Leber, William
Lockwood, Robert	Marshall, Kenneth	Moore, Carol	Nichols, Avis
Reardon, Tara	Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Whalley, Michael	Whittemore, James	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Belanger, Ronald	Blanchard, MaryAnn
Camm, Kevin	Carson, Gregory	Christie, Andrew, Jr.	Clark, Martha
Cooney, Richard	Cushing, Robert	Dearborn, Bruce	Dolan, Richard
Dowling, Patricia	Downing, Michael	Dunham, Vivian	Fesh, Robert
Flanagan, Natalie	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Griffin, Mary	Heath, John	Henderson, Warren	Hutchinson, Rebecca
Johnson, Robert	Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Kobel, Rudolph	Langley, Jane	Langone, John
Major, Norman	Malcolm, Kenneth	Micklon, Stephanie	Mikowski, Walter
Moore, Benjamin	Nowe, Ronald	O'Keefe, Patricia	Pitts, Jacqueline
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Sabella, Norma

Sapareto, Frank	Schanda, Frank	Stickney, Nancy	Stone, Joseph
Stritch, C. Donald	Syracusa, Anthony	Tufts, J. Arthur	Varrell, Thomas
Vaughn, Charles	Weare, Everett	Welch, David	Weyler, Kenneth
Woods, Deborah			
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	Callaghan, Frank
DeChane, Marlene	Estabrook, Iris	Heon, Richard	Kaen, Naida
Keans, Sandra	Knowles, William	Lundborn, Raymond	Merrill, Amanda
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spear, Barbara	Taylor, Kathleen	Torr, Ann	Torr, Franklin
Twardus, Joseph	Wall, Janet		
SULLIVAN			
Adler, Rudolf	Allison, David	Burling, Peter	Cloutier, John
Donovan, Thomas	Ferland, Brenda	Flint, Gordon	Kibbey, David
Leone, Richard	Palmer, Lorraine	Robb-Theroux, Amy	Schotanus, Merle
Wiggins, Celestine			
NAYS 5			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
None			
COOS			
None			
GRAFTON			
None			
HILLSBOROUGH			
None			
MERRIMACK			

French, Barbara
ROCKINGHAM
None
STRAFFORD
Hemon, Roland Pelletier, Arthur Sullivan, Henry Vachon, Dennis
SULLIVAN
None

and the report was adopted by the necessary two-thirds..

MOTION TO LAY ON THE TABLE

Rep. Cooper moved that all remaining bills printed in the day's Regular Calendar be laid on the table.

On a division vote, 102 members having voted in the affirmative and 156 in the negative, the motion failed.

REGULAR CALENDAR (CONT'D.)

HB 1679-FN-A-L, relative to local property taxation and state aid to support public education.
REFER FOR INTERIM STUDY

Rep. Charles L. Vaughn for Finance: This bill is a property tax-based funding plan to address the Supreme Court's decision in Claremont II. Its proponents have offered amendments and provided data that merit additional study. Vote 17-3.

Rep. Kurk spoke against.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 121 NAYS 137
YEAS 121
BELKNAP
Salatiello, Thomas
CARROLL
None

CHESHIRE			
Champagne, Richard	DePecol, Benjamin	Lynch, Margaret	Manning, Joseph
Meador, David	O'Connell, John	Pratt, Irene	Richardson, Barbara
Robertson, Timothy	Vogl, John		
COOS			
Bradley, Paula	Hawkinson, Marie	Mears, Edgar	Moynihan, Wayne
GRAFTON			
Almy, Susan	Copenhaver, Marion	Guest, Robert	Lovett, Sidney
Luker, Elsa	Nordgren, Sharon		
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Barry, William, III	Bernier, Shannon
Buckley, Raymond	Cardin, Lori	Carlson, Donald	Clemons, Jane
Cote, Peter	Daigle, Robert	Dokmo, Cynthia	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
Martin, Mary	McCarthy, William	Melcher, Harold	Messier, Irene
Murphy, Robert	Perkins, Paul	Vaillancourt, Steve	Williams, Carol
MERRIMACK			
Burney, Carol	Crosby, Toni	DeStefano, Stephen	Dunn, Miriam
French, Barbara	Gile, Mary	Hager, Elizabeth	Hess, David
Lockwood, Robert	Moore, Carol	Reardon, Tara	Seldin, Gloria
St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Blanchard, MaryAnn	Clark, Martha
Cooney, Richard	Cushing, Robert	Dolan, Richard	Gibbons, Paul
Heath, John	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Kelley, Jane	Micklon, Stephanie	O'Keefe, Patricia	Pitts, Jacqueline
Sabella, Norma	Sapareto, Frank	Schanda, Frank	Vaughn, Charles
Weyler, Kenneth			

STRAFFORD			
Brennan, William	Brown, George	Callaghan, Frank	DeChane, Marlene
Hemon, Roland	Heon, Richard	Kaen, Naida	Keans, Sandra
Knowles, William	Lundborn, Raymond	Merrill, Amanda	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Sullivan, Henry	Taylor, Kathleen	Twardus, Joseph	Wall, Janet
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Kibbey, David	Palmer, Lorraine	Robb-Theroux, Amy
Schotanus, Merle	Wiggins, Celestine		
NAYS 137			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Clark, Charles	Holbrook, Robert
Lawton, David	Lawton, Robert	Pilliod, James	Rice, Thomas, Jr.
Rosen, Ralph	Thomas, John	Turner, Robert	
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Hunt, John	McNamara, Wanda	Royce, H. Charles	Smith, Edwin
Steere, Myron, III			
COOS			
Davis, Perley	Horton, Lynn	Merrill, Gerald	Tholl, John, Jr.
GRAFTON			
Akins, Ralph	Alger, John	Guaraldi, Lawrence	Ham, Bonnie
Hinman, Harry	Mirski, Paul	Phinney, William	Trelfa, Richard
HILLSBOROUGH			
Arnold, Thomas, Jr.	Batula, Peter	Belvin, William	Brundige, Robert
Calawa, Leon, Jr.	Christiansen, Lars	Clegg, Robert, Jr.	Cote, David

D'Allesandro, Lou	Daniels, Gary	Durham, Susan	Dyer, Merton
Emerton, Lawrence, Sr.	Fenton, James	Fields, Dennis	Flora, Kathleen
Goulet, Maurice	Herman, Keith	Holley, Sylvia	Jean, Loren
Johnson, Lionel	Kurk, Neal	Letendre, Evelyn	Lozeau, Donnalee
Luebker, Bernard	Lynde, Harold	MacGillivray, Jeffrey	MacIntyre, Doris
McCarty, Winston	McDonald, James, Sr.	McGough, Tim	McRae, Karen
Mercer, Robert	Milligan, Robert	Murch, George	O'Hearn, Jane
Sargent, Maxwell	Thulander, O. Alan	Turgeon, Roland	Wheeler, Robert
White, Donald			
MERRIMACK			
Anderson, Eric	Daneault, Gabriel	Davis, Francis	Feuerstein, Martin
Hoadley, Elizabeth	Krueger, Patricia	Langer, Ray	Larrabee, David
Leber, William	Marshall, Kenneth	Nichols, Avis	Whalley, Michael
ROCKINGHAM			
Arndt, Janet	Camm, Kevin	Carson, Gregory	Christie, Andrew, Jr.
Dearborn, Bruce	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Francoeur, Sheila	Gleason, John
Griffin, Mary	Henderson, Warren	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Langone, John	Major, Norman
Malcolm, Kenneth	Mikowski, Walter	Moore, Benjamin	Nowe, Ronald
Noyes, Richard	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Stickney, Nancy	Stone, Joseph	Stritch, C. Donald	Syracusa, Anthony
Tufts, J. Arthur	Varrell, Thomas	Weare, Everett	Welch, David
Woods, Deborah			
STRAFFORD			
Bickford, David	Spear, Barbara	Torr, Ann	Torr, Franklin
Vachon, Dennis			
SULLIVAN			
Adler, Rudolf	Flint, Gordon	Leone, Richard	

and the report failed, lacking the necessary two-thirds.

LAID ON THE TABLE

Rep. Kurk moved that ***HB 1679-FN-A-L***, relative to local property taxation and state aid to support public education, be laid on the table.

Adopted by the necessary two-thirds.

REGULAR CALENDAR (CONT'D.)

HB 1681-FN-A, increasing the tobacco tax on all tobacco products and designating the increase in revenue for the advancing better classrooms program. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: This bill proposes to increase the rate of the tax on tobacco products in order to finance the Governor's ABC plan. Given that, pursuant to passage of either HB 1075 or CACR 45, additional appropriations for education will not take place until at least fiscal year 2000, there is no need to raise additional revenues at this time. Consideration of any tax increases, as well as budget reductions, in order to finance additional appropriations for primary and secondary education should be considered during the normal budget cycle in the next session of the legislature. Vote 12-9.

Rep. Buckley spoke against and yielded to questions.

Rep. Burling spoke against.

Rep. Mock spoke in favor.

Rep. Wheeler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 126 NAYS 126			
YEAS 126			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Holbrook, Robert	Rice, Thomas, Jr.
Thomas, John	Turner, Robert		
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Hunt, John	McNamara, Wanda	Royce, H. Charles	Smith, Edwin

Steere, Myron, III			
COOS			
Davis, Perley	Horton, Lynn	Mears, Edgar	Merrill, Gerald
Tholl, John, Jr.			
GRAFTON			
Alger, John	Guaraldi, Lawrence	Hinman, Harry	Mirski, Paul
Phinney, William	Trelfa, Richard		
HILLSBOROUGH			
Arnold, Thomas, Jr.	Batula, Peter	Brundige, Robert	Calawa, Leon, Jr.
Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr.	Clemons, Jane
Daniels, Gary	Drabinowicz, A. Theresa	Dyer, Merton	Fenton, James
Fields, Dennis	Flora, Kathleen	Goulet, Maurice	Herman, Keith
Holley, Sylvia	Jean, Loren	Kurk, Neal	Letendre, Evelyn
Lozeau, Donnalee	Luebkert, Bernard	MacGillivray, Jeffrey	MacIntyre, Doris
McCarthy, William	McCarty, Winston	McGough, Tim	McRae, Karen
Mercer, Robert	Milligan, Robert	Murch, George	O'Hearn, Jane
Sargent, Maxwell	Thulander, O. Alan	Wheeler, Robert	White, Donald
MERRIMACK			
Anderson, Eric	Daneault, Gabriel	Hess, David	Hoadley, Elizabeth
Krueger, Patricia	Langer, Ray	Larrabee, David	Leber, William
Marshall, Kenneth	Nichols, Avis	Whalley, Michael	
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Cooney, Richard	Dearborn, Bruce
Dolan, Richard	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Griffin, Mary	Henderson, Warren	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langone, John	Major, Norman
Malcolm, Kenneth	Mikowski, Walter	Moore, Benjamin	Nowe, Ronald
Noyes, Richard	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Sapareto, Frank	Stickney, Nancy	Stone, Joseph	Stritch, C. Donald

Varrell, Thomas Weare, Everett	Welch, David	Weyler, Kenneth	
Woods, Deborah			
STRAFFORD			
Torr, Franklin			
SULLIVAN			
Adler, Rudolf	Ferland, Brenda	Leone, Richard	Schotanus, Merle
NAYS 126			
BELKNAP			
Pilliod, James	Rosen, Ralph	Salatiello, Thomas	
CARROLL			
None			
CHESHIRE			
Champagne, Richard	DePecol, Benjamin	Lynch, Margaret	Manning, Joseph
O'Connell, John	Pratt, Irene	Richardson, Barbara	Robertson, Timothy
Vogl, John			
COOS			
Bradley, Paula	Hawkinson, Marie	Moynihan, Wayne	
GRAFTON			
Akins, Ralph	Almy, Susan	Copenhaver, Marion	Guest, Robert
Ham, Bonnie	Lovett, Sidney	Luker, Elsa	Nordgren, Sharon
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Barry, William, III	Belvin, William
Bernier, Shannon	Buckley, Raymond	Cardin, Lori	Cote, David
Cote, Peter	D'Allesandro, Lou	Daigle, Robert	Dokmo, Cynthia
Durham, Susan	Dwyer, Paul, Sr.	Emerton, Lawrence, Sr.	Foster, Joseph
Foster, Linda	Gage, Ruth	Ginsburg, Ruth	Haettenschwiller, Alphonse
Hall, Betty	Jean, Claudette	Johnson, Lionel	Konys, Christine
Leishman, Peter	Leonard, Peter	Lynde, Harold	Martin, Mary
McDonald, James, Sr.	Melcher, Harold	Messier, Irene	Murphy, Robert
Perkins, Paul	Turgeon, Roland	Vaillancourt, Steve	Williams, Carol

MERRIMACK			
Burney, Carol	Crosby, Toni	Davis, Francis	DeStefano, Stephen
Dunn, Miriam	Feuerstein, Martin	French, Barbara	Gile, Mary
Hager, Elizabeth	Lockwood, Robert	Moore, Carol	Reardon, Tara
Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean	Wallner, Mary Jane
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Blanchard, MaryAnn	Clark, Martha	Cushing, Robert	Heath, John
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Langley, Jane	Micklon, Stephanie	O'Keefe, Patricia	Pitts, Jacqueline
Sabella, Norma	Schanda, Frank	Syracusa, Anthony	Tufts, J. Arthur
Vaughn, Charles			
STRAFFORD			
Brennan, William	Brown, George	Callaghan, Frank	DeChane, Marlene
Hemon, Roland	Heon, Richard	Kaen, Naida	Keans, Sandra
Knowles, William	Lundborn, Raymond	Merrill, Amanda	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spear, Barbara	Sullivan, Henry	Taylor, Kathleen	Torr, Ann
Twardus, Joseph	Vachon, Dennis	Wall, Janet	
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Flint, Gordon	Kibbey, David	Palmer, Lorraine	Robb-Theroux, Amy
Wiggins, Celestine			

and the report failed, lacking the necessary two-thirds.

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

Rep. Burling moved Ought to Pass and requested a roll call; sufficiently seconded.

YEAS 127 NAYS 125
YEAS 127

BELKNAP			
Pilliod, James	Rosen, Ralph	Salatiello, Thomas	
CARROLL			
None			
CHESHIRE			
Champagne, Richard	DePecol, Benjamin	Lynch, Margaret	Manning, Joseph
O'Connell, John	Pratt, Irene	Richardson, Barbara	Robertson, Timothy
Vogl, John			
COOS			
Bradley, Paula	Hawkinson, Marie	Moynihan, Wayne	
GRAFTON			
Akins, Ralph	Almy, Susan	Copenhaver, Marion	Guest, Robert
Ham, Bonnie	Lovett, Sidney	Luker, Elsa	Nordgren, Sharon
HILLSBOROUGH			
Allen, W. Gordon	Ameen, W.	Barry, William, III	Belvin, William
Bernier, Shannon	Buckley, Raymond	Cardin, Lori	Cote, David
Cote, Peter	D'Allesandro, Lou	Daigle, Robert	Dokmo, Cynthia
Durham, Susan	Dwyer, Paul, Sr.	Emerton, Lawrence, Sr.	Foster, Joseph
Foster, Linda	Gage, Ruth	Ginsburg, Ruth	Haettenschwiller, Alphonse
Hall, Betty	Jean, Claudette	Johnson, Lionel	Konys, Christine
Leishman, Peter	Leonard, Peter	Lynde, Harold	Martin, Mary
McDonald, James, Sr.	Melcher, Harold	Messier, Irene	Murphy, Robert
Perkins, Paul	Turgeon, Roland	Vaillancourt, Steve	Williams, Carol
MERRIMACK			
Burney, Carol	Crosby, Toni	Daneault, Gabriel	Davis, Francis
DeStefano, Stephen	Dunn, Miriam	Feuerstein, Martin	French, Barbara
Gile, Mary	Hager, Elizabeth	Lockwood, Robert	Moore, Carol
Reardon, Tara	Seldin, Gloria	St. Cyr, Gerard	Wallin, Jean
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Blanchard, MaryAnn	Clark, Martha	Cushing, Robert	Dearborn, Bruce

Heath, John	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Kelley, Jane	Langley, Jane	Micklon, Stephanie	O'Keefe, Patricia
Pitts, Jacqueline	Sabella, Norma	Schanda, Frank	Syracusa, Anthony
Tufts, J. Arthur	Vaughn, Charles		
STRAFFORD			
Brennan, William	Brown, George	Callaghan, Frank	DeChane, Marlene
Hemon, Roland	Heon, Richard	Kaen, Naida	Keans, Sandra
Knowles, William	Lundborn, Raymond	Merrill, Amanda	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spear, Barbara	Sullivan, Henry	Taylor, Kathleen	Torr, Ann
Twardus, Joseph	Vachon, Dennis	Wall, Janet	
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Flint, Gordon	Palmer, Lorraine	Robb-Theroux, Amy	Wiggins, Celestine
NAYS 125			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Holbrook, Robert	Rice, Thomas, Jr.
Thomas, John	Turner, Robert		
CARROLL			
Babson, David, Jr.	Bradley, Jeb	Chandler, Gene	Cooper, Kipp
Dickinson, Howard, Jr.	Howard, Godfrey	Kenney, Joseph	Lyman, L. Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Hunt, John	McNamara, Wanda	Royce, H. Charles	Smith, Edwin
Steere, Myron, III			
COOS			
Davis, Perley	Horton, Lynn	Mears, Edgar	Merrill, Gerald
Tholl, John, Jr.			
GRAFTON			
Alger, John	Guaraldi, Lawrence	Hinman, Harry	Mirski, Paul

Phinney, William	Trelfa, Richard		
HILLSBOROUGH			
Arnold, Thomas, Jr.	Batula, Peter	Brundige, Robert	Calawa, Leon, Jr.
Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr.	Clemons, Jane
Daniels, Gary	Drabinowicz, A. Theresa	Dyer, Merton	Fenton, James
Fields, Dennis	Flora, Kathleen	Goulet, Maurice	Herman, Keith
Holley, Sylvia	Jean, Loren	Kurk, Neal	Letendre, Evelyn
Lozeau, DonnaLee	Luebker, Bernard	MacGillivray, Jeffrey	MacIntyre, Doris
McCarthy, William	McCarty, Winston	McGough, Tim	McRae, Karen
Mercer, Robert	Milligan, Robert	Murch, George	O'Hearn, Jane
Sargent, Maxwell	Thulander, O. Alan	Wheeler, Robert	White, Donald
MERRIMACK			
Anderson, Eric	Hess, David	Hoadley, Elizabeth	Krueger, Patricia
Langer, Ray	Larrabee, David	Leber, William	Marshall, Kenneth
Nichols, Avis	Whalley, Michael		
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Belanger, Ronald	Camm, Kevin
Carson, Gregory	Christie, Andrew, Jr.	Cooney, Richard	Dolan, Richard
Dowling, Patricia	Downing, Michael	Dunham, Vivian	Fesh, Robert
Flanagan, Natalie	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Griffin, Mary	Henderson, Warren	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langone, John	Major, Norman	Malcolm, Kenneth
Mikowski, Walter	Moore, Benjamin	Nowe, Ronald	Noyes, Richard
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Sapareto, Frank
Stickney, Nancy	Stone, Joseph	Stritch, C. Donald	Varrell, Thomas
Weare, Everett	Welch, David	Weyler, Kenneth	Woods, Deborah
STRAFFORD			
Torr, Franklin			
SULLIVAN			
Adler, Rudolf	Ferland, Brenda	Kibbey, David	Leone, Richard
Schotanus, Merle			

and the motion failed, lacking the necessary two-thirds.

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

LAID ON THE TABLE

Rep. Kurk moved that ***HB 1681-FN-A***, increasing the tobacco tax on all tobacco products and designating the increase in revenue for the advancing better classrooms program, be laid on the table.

Adopted by the necessary two-thirds.

SENATE MESSAGE

CONCURRENCE

HB 1682, requiring registered child day care providers to perform state registry and criminal records checks of new staff members and other individuals who are responsible for the care of, or who are in regular contact with children.

HB 1683, ratifying the 1998 Newmarket town meeting and the 1998 annual Exeter Region Cooperative School District meeting.

The Finance Committee offered the following:

HOUSE RESOLUTION NO. 60

AFFIRMING REVENUE ESTIMATES FOR FISCAL YEARS 1998 AND 1999.

Whereas, the House Finance Committee has considered what the unrestricted revenue estimates should be for fiscal years 1998 and 1999 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 1998 and 1999.

	(A)	(B)	(C)	(D)	(E)	(F)
	FY1998			FY1999		
GENERAL FUNDS:	Official Committee		Official Committee			
(Dollars in Millions)	Estimate	Estimate	Variance	Estimate	Estimate	Variance
Business Profits Tax \$0.000	\$187.900		\$167.577	(\$20.323)	\$201.000	\$201.000
Business Enterprise Tax	37.000	73.591	36.591	39.000	39.000	0.000

Meals & Rooms Tax	122.700	127.535	4.835	129.600	134.122	4.522
Liquor Sales	70.700	74.064	3.364	73.200	75.000	1.800
Interest & Dividends Tax	55.000	61.929	6.929	58.000	61.929	3.929
Insurance Tax	54.400	54.657	0.257	56.600	56.600	0.000
Tobacco Tax	72.100	76.128	4.028	72.700	75.280	2.580
Other	39.000	45.199	6.199	39.000	39.000	0.000
Communications Tax	43.500	40.471	(3.029)	46.100	42.275	(3.825)
Estate & Legacy Tax	37.400	43.274	5.874	37.700	40.200	2.500
Real Estate Transfer Tax	38.000	43.772	5.772	38.700	45.000	6.300
Court Fines & Fees	19.900	20.733	0.833	19.900	20.875	0.975
Utility Tax	18.000	17.731	(0.269)	18.000	18.000	0.000
Securities Revenue	18.500	20.522	2.022	19.000	18.000	(1.000)
Board & Care Revenue	14.300	12.966	(1.334)	14.300	14.300	0.000
Beer Tax	11.100	11.442	0.342	11.100	11.500	0.400
Horse Racing	2.650	2.238	(0.412)	2.650	2.158	(0.492)
Dog Racing	1.600	1.011	(0.589)	1.600	1.004	(0.596)
TOTAL STATE SOURCES		\$843.750		\$894.840	\$51.090	\$878.150
		\$17.093				\$895.243

(A) (B) (C) (D) (E) (F)

FY1998 FY1999

GENERAL FUNDS: Official Committee Official Committee

(Dollars in Millions) Estimate Estimate Variance Estimate Estimate Variance

Medicaid Enhancements:

Board and Care \$25.000 \$25.000 \$0.000 \$25.000 \$25.000 \$0.000

Uncompensated Care Pool 51.400 51.706 0.306 52.900 52.900 0.000

Total Medicaid Enhancements 76.400 76.706 0.306 77.900 77.900 0.000

TOTAL GENERAL FUND	\$920.150	\$971.546	\$51.396	\$956.050	\$973.143
	\$17.093				

HHS-Third Party \$4.200 \$0.000 (\$4.200) \$5.000 \$0.000 (\$5.000)

Reimbursements

HIGHWAY FUNDS:

(Dollars in Millions)

Road Toll	\$113.506	\$116.756	\$3.250	\$116.911	\$116.911	\$0.000
Motor Vehicle Fees	63.838	64.452	0.614	65.753	65.753	0.000
Miscellaneous	11.356	9.263	(2.093)	11.736	11.736	0.000
TOTAL HIGHWAY FUNDS	\$188.700	\$190.471	\$1.771	\$194.400	\$194.400	\$0.000

FISH & GAME FUNDS:

(Dollars in Millions)

Fish & Game Licenses	\$6.354	\$6.580	\$0.226	\$6.354	\$6.354	\$0.000
Miscellaneous	0.967	1.343	0.376	0.975	0.975	0.000
TOTAL FISH & GAME	\$7.321	\$7.923	\$0.602	\$7.329	\$7.329	\$0.000

FUNDS

SWEEPSTAKES FUNDS:

Dollars in Millions

Sweepstakes Revenue	\$55.000	\$57.505	\$2.505	\$56.000	\$56.000	\$0.000
TOTAL SWEEPSTAKES	\$55.000	\$57.505	\$2.505	\$56.000	\$56.000	\$0.000

Rep. Weyler spoke in favor.

Adopted and ordered to third reading by the necessary two-thirds.

SUSPENSION OF RULES

Rep. Alger moved that the rules be so far suspended as to permit introduction and consideration at the present time of **CACR 52** relating to extending the deadline imposed by the New Hampshire supreme court on the general court regarding the method of funding public education. Providing that notwithstanding that portion of the New Hampshire supreme court's decision in Claremont School District v. Governor, dated December 17, 1997, which imposed on the general court an end of the

1998 tax year deadline for creating and implementing a new system of funding public education, the deadline shall be extended to May 31, 2001 in order that the general court be given a reasonable time to effect an orderly transition to a new system of funding public education.

On a division vote, 93 members having voted in the affirmative and 140 in the negative, the motion failed lacking the necessary two-thirds.

MOTION TO DISPOSE OF OUTSTANDING BILLS

Reps. Wheeler and Burling moved that all bills not acted on as of this day, excluding those requiring Enrolled Bill Amendments, shall be indefinitely postponed.

Rep. Burling requested that the question be divided. The Speaker ruled the question was divisible.

The question now being to indefinitely postpone those bills laid on the table.

HB 1577-FN-A, relative to campaign finance expenditure and contribution reform.

HB 1668-FN-A-L, establishing a personal income tax and a statewide school property tax to fund public education and making an appropriation therefor.

HB 1679-FN-A-L, relative to local property taxation and state aid to support public education.

HB 1681-FN-A, increasing the tobacco tax on all tobacco products and designating the increase in revenue for the advancing better classrooms program.

Rep. Wallin requested a roll call; not sufficiently seconded.

On a division vote, 121 members having voted in the affirmative and 112 in the negative, the motion failed lacking the necessary two-thirds. The bills remained laid on the table.

The question now being to indefinitely postpone the remainder of those bills not acted on as of this day, excluding those requiring Enrolled Bill Amendments.

HB 385, relative to reporting and registration requirements for lobbyists and employees of lobbyists.

HB 583, relative to felonious disarming of a law enforcement officer.

HB 749, relative to disability retirement benefits for retirement system members permanently incapacitated for duty.

HB 1236, relative to limitations on the amendment of warrant articles in official ballot voting.

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

HB 1541, creating a position in the insurance department.

HB 1545, increasing the salaries and changing the terms of office of the labor commissioner and the deputy labor commissioner.

SB 73, providing the telecommunications poles and lines be subject to the property tax.

SB 312, relative to the health care transition fund.

SB 353, relative to official ballot procedures.

SB 491-FN, relative to residential care facilities.

CACR 44, relating to clarifying the phrase "proportional and reasonable" in the constitution. Providing that: to the extent local property taxes are used to fund an adequate education, tax rates among different local taxing districts shall be proportional and reasonable if, utilizing real property valuations equalized throughout the state, the lowest tax rate utilized by any one local taxing district is not less than 50 percent of the highest tax rate utilized by any other local taxing district.

CACR 45, relating to the state's responsibility to provide to all citizens the opportunity for a public education. Providing that the general court shall have the exclusive authority to determine the content, extent, and funding of a public education and that the state may fulfill its responsibility to provide to all citizens the opportunity for a public education by exercising its power to levy assessments, rates, and taxes, or by delegating this power, in whole or part, to a political subdivision, provided that upon delegation, such assessments, rates, and taxes are proportional and reasonable throughout the state or the political subdivision in which they are imposed.

Adopted by the necessary two-thirds.

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 at the call of the Chair.

Adopted by the necessary two-thirds.

LATE SESSION

Third reading and final passage

HR 60, affirming revenue estimates for fiscal years 1998 and 1999.

UNANIMOUS CONSENT

Reps. D'Allesandro and Flora addressed the House.

Rep. Burling moved that the remarks made by Rep. Flora be printed in the Journal.

Adopted without objection.

Rep. Flora: Thank you, Madam Speaker. Esteemed members of the House, this is the last day of the 1998 session and it has been a contentious day. I would hope that we could put contention aside now because it is the last day of the 1998 session whether it is at the call of the chair or whoever. It is a

session in which you have served all of us as the Honorable Speaker of the House and I would like to take a moment now to say, "Thank you." Throughout all that has confronted us in the past two years, Madam Speaker, you have been fair. You have handled the most volatile issues with grace and with dignity. You have had the conviction to lead and you have had the courage and personal strength to compromise when compromise was very, very difficult. I know I have just completed my first two years here but I believe I can speak for every member in this body when I say, "Thank you." Thank you for the hours and hours you have worked, thank you for your leadership and thank you for your outstanding personal character. Madam Speaker, you have served the citizens of our great state with uncommon diplomacy and, indeed, you have served us all well.

ENROLLED BILL AMENDMENTS

HB 1075-FN-A-L, defining a constitutionally adequate public education, providing additional funding for education aid and/or property tax relief and relative to teacher renomination and the application of teacher professional performance standards.

Amendment (2462-EBA)

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

AN ACT defining an adequate public education and providing additional funding for education aid and/or property tax relief.

Adopted by the necessary two-thirds.

HB 1682, requiring registered child day care providers to perform state registry and criminal records checks of new staff members and other individuals who are responsible for the care of, or who are in regular contact with children.

Amendment (2463-EBA)

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

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

170-E:7 State Registry and Criminal Records Check; Revocation of Registration and Withholding

Adopted by the necessary two-thirds.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1075, 1682 and 1683.

Rep. Nowe, Sen. Fraser for the Committee

ADJOURNMENT

Rep. Wheeler moved that the House adjourn to the call of the Chair.

Adopted by the necessary two-thirds.

The House adjourned at 6:40 p.m.

Attested by

Karen O. Wadsworth

Clerk of the House