

HOUSE RECORD

First Year of the 156th Session of the General Court

Calendar and Journal of the 1999 Session

Vol. 21 Concord N.H.

Wednesday, February 10, 1999

No. 18

HOUSE JOURNAL No. 4 (cont.)

Thursday, January 28, 1999

(Rep. Buckley in the Chair)

senate message

concurrence

HB 111-L, relative to the validity and enforceability of certain obligations and indebtedness of municipalities and allowing school districts and towns to hold special meetings to address issues raised by resolution of the Claremont lawsuit.

HB 234-FN-A, relative to state matching funds for Federal Emergency Management Agency disaster assistance grants, and making appropriations therefor.

HB 344-L, relative to voting in official ballot school districts.

RESOLUTION

Rep. Vaillancourt offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 391 through 399 and 401 through 411, House Joint Resolution numbered 5 and Constitutional Amendment Concurrent Resolutions numbered 11 through 13, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS, HJR and CACRs

First, second reading and referral

HB 391, establishing a village plan alternative in zoning and land use planning laws. (Mirski, Graf 12; M. Fuller Clark, Rock 36: Municipal and County Government)

HB 392, relative to exemptions from required child immunizations. (Richardson, Ches 12; Peterson, Hills 8; Norelli, Rock 31; Hunt, Ches 10; Bradley, Carr 8: Health, Human Services and Elderly Affairs)

HB 393-FN-A, establishing a sunset review process for state agencies and making an appropriation therefor. (Mirski, Graf 12; Scanlan, Graf 11: Legislative Administration)

HB 394-L, enabling towns, cities, and village districts to assess property taxes for certain services on charitable organizations. (Dickinson, Carr 2; Bickford, Straf 1; Mock, Carr 3; J. Phinizy, Sull 7: Municipal and County Government)

HB 395-FN-A, establishing a pilot program of matching grants and optional local tax exemptions to preserve historic agricultural structures in New Hampshire and making an appropriation therefor. (Thulander, Hills 6; M. Fuller Clark, Rock 36: Environment and Agriculture)

HB 396, establishing April 6 of each year as New Hampshire Tartan Day. (Avery, Ches 8; McGough, Hills 18; M. Fuller Clark, Rock 36; K. MacDonald, Carr 7; Johnson, Dist 3; Gordon, Dist 2; Wheeler, Dist 21; Larsen, Dist 15: Executive Departments and Administration)

HB 397, establishing a 4-year term for the commissioner of the department of corrections. (Burling, Sull 1: Executive Departments and Administration)

HB 398, relative to prayer in the public schools. (M. Nowe, Rock 4; G. Katsakiores, Rock 13, R. Nowe, Rock 3; Rose, Ches 13; LaPorte, Hills 39; Brown, Dist 17; Francoeur, Dist 14; Krueger, Dist 16: Education)

HB 399, allowing the secretary of state to have flexibility in moving the date of New Hampshire's presidential primary. (Splaine, Rock 34; Flanagan, Rock 14: Election Law)

HB 401, relative to the International Trade Corridor and Border Crossing Planning and Development Program. (Guay, Coos 6: Public Works and Highways)

HB 402, establishing a commission to study the use of a surcharge to promote the use of renewable energy sources. (Gilmore, Straf 11; Bradley, Carr 8; Norelli, Rock 31: Science, Technology and Energy)

HB 403, relative to speed limits on Turtle Town Pond in Concord. (T. Reardon, Merr 23; Larsen, Dist 15: Transportation)

HB 404, establishing a committee to study the implementation of a means-testing grant program within the university system of New Hampshire. (Hinman, Graf 7; Rollo, Straf 10; MacNeil, Graf 7; Scanlan, Graf 11: Education)

HB 405-FN, relative to the definition of "placement cost" with regard to services for children, youth, and families provided by the department of health and human services. (Wallner, Merr 24; Gile, Merr 16; Seldin, Merr 17: Children and Family Law)

HB 406-FN-L, relative to certain private rail lines. (R. McKinley, Straf 2: Public Works and Highways)

HB 407, relative to unsolicited telephone sales by competitive telephone and electricity providers. (MacGillivray, Hills 21: Science, Technology and Energy)

HB 408, relative to drug formularies under managed care entities. (Taylor, Straf 11: Commerce)

HB 409, establishing a committee to study transportation of bulk unpackaged food products for livestock and human consumption. (Scanlan, Graf 11: Transportation)

HB 410, relative to the enforcement authority of the department of environmental services. (Musler, Straf 6: Environment and Agriculture)

HB 411, requiring ballot clerks to verify the identity of persons receiving ballots by requesting an identification card. (M. Nowe, Rock 4; R. Nowe, Rock 3; Soltani, Merr 10; G.Katsakiores, Rock 13: Election Law)

HJR 5, requiring the attorney general to bring suit or to join with other states bringing suit against the United States Government for violating the United States Constitution and the New Hampshire constitution by enacting a military firearms ban. (Mirski, Graf 12: Judiciary)

CACR 11, relating to the use of lottery revenues for educational purposes. Providing that lottery revenues be distributed directly to the governing body of the city or town. (Varrell, Rock 9; Guay, Coos 6; Lyman, Carr 5; Alger, Graf 9; Brown, Dist 17: Finance)

CACR 12, relating to a 4-year term for the office of governor. Providing that beginning in the year 2002, the governor shall be elected every 4 years. (Burling, Sull 1: Election Law)

CACR 13, relating to the administrative office of the courts. Providing that there shall be an independent administrative office of the courts; that rulemaking authority shall be transferred from the chief justice of the supreme court to the administrative office of the courts; and that the actions of the administrative office of the courts shall be subject to the approval of the legislature. (Mirski, Graf 12: Judiciary)

RECESS

(Rep. Lozeau in the Chair)

RESOLUTION

Rep. Henderson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 412 through 447 and House Resolution numbered 9, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS and HR

First, second reading and referral

HB 412-FN, relative to the state treasurer and increasing the limit on state indebtedness. (Dyer, Hills 8: Executive Departments and Administration)

HB 413-FN-A, relative to the renovation of regional vocational education centers, and making an appropriation therefor. (O'Hearn, Hills 26; LaRose, Hills 27; Philbrick, Carr 4; Blaisdell, Dist 10; Larsen, Dist 15: Public Works and Highways)

HB 414-FN, relative to the salary of the executive director of fish and game. (MacNeil, Graf 7; Mock, Carr 3; Lessard, Hills 23; L'Heureux, Hills 18: Executive Departments and Administration)

HB 415-FN, establishing a registry for brain and spinal cord injuries. (Boyce, Belk 5; Hollingworth, Dist 23: Health, Human Services and Elderly Affairs)

HB 416-FN-L, transferring control of all rest areas on state ways to the city or town in which each rest area is situated. (Rubin, Rock 25: Public Works and Highways)

HB 417-FN-A, relative to the rehabilitation of the Walker building at New Hampshire hospital and making an appropriation therefor. (Calawa, Hills 17; M. Fuller Clark, Rock 36; Whittemore, Merr 13; Larsen, Dist 15: Public Works and Highways)

HB 418, relative to accounts and reporting dates of certain funds in the fish and game department. (Abbott, Rock 19: Wildlife and Marine Resources)

HB 419-FN, repealing the certificate of need law. (Wendelboe, Belk 2; Roberge, Dist 9: Health, Human Services and Elderly Affairs)

HB 420, relative to orders for spousal support in domestic relations cases. (Bickford, Straf 1: Children and Family Law)

HB 421, relative to penalty provisions for the law regarding exotic aquatic weeds. (Cooney, Rock 26; Dickinson, Carr 2; French, Merr 3: Resources, Recreation and Development)

HB 422, relative to advertising by rent-to-own businesses. (Splaine, Rock 34: Commerce)

HB 423, relative to advertisements for sweepstakes and gambling. (Splaine, Rock 34: Criminal Justice and Public Safety)

HB 424, relative to fire protection and warning devices. (Splaine, Rock 34: Criminal Justice and Public Safety)

HB 425, relative to the placement of public utility wires. (Splaine, Rock 34; M. Fuller Clark, Rock 36; Pantelakos, Rock 30: Municipal and County Government)

HB 426, relative to clean indoor air in state buildings. (Bradley, Carr 8; MacGillivray, Hills 21; Russman, Dist 19: Science, Technology and Energy)

HB 427, relative to the laws requiring a prescription to possess hypodermic needles and modifying the drug paraphernalia laws applying to syringes. (Splaine, Rock 34; C. Kane, Rock 32; O'Keefe, Rock 21; Copenhaver, Graf 10; DeChane, Straf 6: Criminal Justice and Public Safety)

HB 428, relative to school administrative units. (Rabideau, Rock 16: Education)

HB 429, prohibiting mortgage foreclosures or demands of mortgages during an economic emergency declared by the governor. (Gilman, Graf 1: Commerce)

HB 430, requiring anyone operating windshield wipers to also have on headlights. (Avery, Ches 8; Dickinson, Carr 2: Transportation)

HB 431, establishing a committee to study methods and processes necessary to retain the traditional uses of White Mountain National Forest land. (Gilman, Graf 1; Corbin, Rock 25; Wendelboe, Belk 2; Boyce, Belk 5; Marple, Merr 11: Resources, Recreation and Development)

HB 432, requiring persons under 18 who complete a driver's education course to also do practice driving with a parent or guardian. (Gleason, Rock 13; Pilliod, Belk 3; G. Katsakiores, Rock 13; Christie, Rock 22; Russman, Dist 19; J. King, Dist. 18: Transportation)

HB 433, relative to moorings on public waters. (E. Smith, Ches 6; Patten, Carr 9; Kibbey, Sull 4: Resources, Recreation and Development)

HB 434, providing that health care providers shall determine the appropriate course of patient treatment. (Hess, Merr 11; Pilliod, Belk 3; M. Fuller Clark, Rock 36; Wheeler, Dist 21; McCarley, Dist 6: Commerce)

HB 435, relative to the mail order and catalog business. (K. Herman, Hills 13: Commerce)

HB 436-L, relative to uncompensated public service by prisoners. (Heon, Straf 14: Criminal Justice and Public Safety)

HB 437, establishing a study committee on state reimbursement of municipalities for emergency responses along interstate highways. (Salatiello, Belk 2: Criminal Justice and Public Safety)

HB 438, relative to certain changes to the membership of the advisory committee on child care. (Grassie, Straf 19; Gile, Merr 16; J. Brown, Straf 17; Estabrook, Straf 8; McCarley, Dist 6: Children and Family Law)

HB 439, relative to exemptions from the safe drinking water act. (Moran, Hills 15; Goulet, Hills 15; Roberge, Dist 9: Resources, Recreation and Development)

HB 440, relative to access to copies of patient medical records. (Soltani, Merr 10; Curran, Hills 9; Withee, Hills 15; Marple, Merr 11: Health, Human Services and Elderly Affairs)

HB 441, relative to a mother's right to breast-feed. (M. Fuller Clark, Rock 36; T. Reardon, Merr 23; Rabideau, Rock 16; Gile, Merr 16; Keans, Straf 16; Wheeler, Dist 21: Children and Family Law)

HB 442, relative to charitable gift annuities. (Hunt, Ches 10: Commerce)

HB 443, allowing certain beverage manufacturers to distribute products directly to retailers. (Hunt, Ches 10: Commerce)

HB 444, relative to establishing a study committee to review reestablishing passenger rail service on the Eastern Line between Newburyport, Massachusetts and Kittery, Maine. (M. Fuller Clark, Rock 36; Langley, Rock 24; Kelley, Rock 22; Shultis, Rock 33; Splaine, Rock 34: Transportation)

HB 445, relative to straight ticket voting procedures. (Arndt, Rock 27; Langley, Rock 24: Election Law)

HB 446-L, subjecting certain land in the town of Newport to local land use regulations. (Wiggins, Sull 4; Flint, Sull 4; Kibbey, Sull 4; J. Phinizy, Sull 7; Tuthill, Sull 5; Disnard, Dist 8; Russman, Dist 19: Municipal and County Government)

HB 447, repealing the laws prohibiting certain promotional games. (Dalianis, Hills 35; Clegg, Hills 23: Criminal Justice and Public Safety)

HR 9, encouraging the use of funds from timber sales of White Mountain National Forest timber to be exclusively for maintenance, upgrading, and funding of the White Mountain National Forest and its facilities. (Gilman, Graf 1; Corbin, Rock 25; Wendelboe, Belk 2; Boyce, Belk 5; Marple, Merr 11: Resources, Recreation and Development)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 111, 234 and 344.

Rep. Lozeau, Sen. Disnard for the Committee

RECESS

(Rep. Leone in the Chair)

RESOLUTION

Rep. Young offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 448 through 478, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 448, relative to the board of dental examiners and the regulation of dentists and dental hygienists. (Dyer, Hills 8; J. King, Dist 18; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 449-FN, requiring boating safety education. (Whalley, Merr 5; E. Smith, Ches 6; Mercer, Hills 27; Letourneau, Rock 13; Fraser, Dist 4; Wheeler, Dist 21; Johnson, Dist 3; Hollingworth, Dist 23: Resources, Recreation and Development)

HB 450, prohibiting a prepayment penalty on a second mortgage home loan which has been in existence for 4 years. (Copenhaver, Graf 10: Commerce)

HB 451, relative to payments of first and second home mortgages. (Copenhaver, Graf 10; J. Pratt, Ches 2: Commerce)

HB 452, relative to patients' rights. (Alger, Graf 9; Copenhaver, Graf 10; L. Foster, Hills 10; Wheeler, Dist 21; Krueger, Dist 16: Health, Human Services and Elderly Affairs)

HB 453, requiring certain vehicles that transport children to school or school-related activities to meet the minimum safety standards for school buses. (LaPorte, Hills 39: Transportation)

HB 454, relative to tuition waivers for veterans at state institutions of higher learning. (E. Gagnon, Hills 48: Education)

HB 455-FN-L, designating all tobacco-related funds to be used exclusively to supplement state aid to public education. (Franks, Hills 26; Scanlan, Graf 11; Klemm, Dist 22: Finance)

HB 456, establishing a committee to study issues relating to the deaf community in NewHampshire. (Burnham, Ches 8; Emerton, Hills 7; Copenhaver, Graf 10; Batula, Hills 18; Keans, Straf 16; Squires, Dist 12; D'Allesandro, Dist 20; Larsen, Dist 15: Health, Human Services and Elderly Affairs)

HB 457, extending the committee to study electric rate reduction financing. (Bradley, Carr 8; MacGillivray, Hills 21; Gilmore, Straf 11; Below, Dist 5; F. King, Dist 1; Hollingworth, Dist 23; Fraser, Dist 4: Science, Technology and Energy)

HB 458, relative to voter qualifications. (Rodrigue, Coos 7: Election Law)

HB 459, removing the requirement for continuing education for renewal of a professional engineer's license. (Vaillancourt, Hills 44; Kelley, Rock 22: Executive Departments and Administration)

HB 460, relative to adoption and final approval of master plans for municipalities. (DiFruscia, Rock 27: Municipal and County Government)

HB 461-L, relative to inclusion of conservation, preservation, and local water resources management provisions in local master plans. (DiFruscia, Rock 27: Municipal and County Government)

HB 462, relative to public/private partnership projects in the department of transportation. (R.Nowe, Rock 3; G. Katsakiores, Rock 13; Gleason, Rock 13; Brown, Dist 17; Klemm, Dist 22: Public Works and Highways)

HB 463-L, relative to local regulation of junk yards. (Soltani, Merr. 10; Dokmo, Hills 14; G. Brown, Straf 17; Withee, Hills 15; Curran, Hills 9: Public Works and Highways)

HB 464, relative to economic development and retention rates and special contracts. (MacGillivray, Hills 21; Norelli, Rock 31; Thomas, Belk 3; Lynde, Hills 24; Bradley, Carr 8; F. King, Dist 1; Johnson, Dist 3: Science, Technology and Energy)

HB 465, prohibiting the application of the doctrine of adverse possession or prescription when boundary lines can be proven by a preponderance of the evidence. (Bickford, Straf 1: Judiciary)

HB 466, establishing a commission to study education options in school districts not maintaining a high school. (Stone, Rock 7; R. Hutchinson, Rock 8; L. Jean, Hills 17; Boyce, Belk 5; J. King, Dist 18; Fraser, Dist 4; Brown, Dist 17: Education)

HB 467, establishing a committee to study the ability of the legislature to obtain accurate testimony. (Kennedy, Merr 7: Legislative Administration)

HB 468, relative to the home rule powers of municipalities. (Stone, Rock 7; Fraser, Merr 21; Burling, Sull 1; V. Clark, Rock 17; Cohen, Dist 24; D'Allesandro, Dist 20: Municipal and County Government)

HB 469, raising the medical payments coverage under automobile insurance policies. (DePecol, Ches 14: Commerce)

HB 470, relative to settlement of personal actions. (DePecol, Ches 14: Judiciary)

HB 471, exempting family owned and operated businesses from certain requirements in the workers' compensation act relative to safety programs. (Gilman, Graf 1: Labor, Industrial and Rehabilitative Services)

HB 472, relative to establishing metal limits on land-applied sludge. (Owen, Merr 6: Environment and Agriculture)

HB 473, relative to small group health insurance. (K. Herman, Hills 13: Commerce)

HB 474-FN, relative to the annual audit of New Hampshire retirement system funds. (Dyer, Hills 8; J. King, Dist 18: Executive Departments and Administration)

HB 475-FN-A, appropriating a portion of tobacco settlement moneys to fund the activities of the emergency shelter and homeless coordination commission. (Moriarty, Hills 18; Young, Sull 6: Finance)

HB 476, establishing a committee to study the feasibility of allowing state and local government part-time employees to participate in their employer's group insurance coverage. (Garrish, Hills 37; Mears, Coos 7; Wheeler, Dist 21: Executive Departments and Administration)

HB 477-FN, changing certain requirements for temporary plates on motor vehicles. (Soltani, Merr 10: Transportation)

HB 478, prohibiting smoking in all areas of prisons. (K. Herman, Hills 13: Criminal Justice and Public Safety)

RECESS

(Rep. Durham in the Chair)

RESOLUTION

Rep. Henderson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 479 through 503, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 479-A, making a capital appropriation for siting and design of a new Merrimack district courthouse. (Brundige, Hills 18; Batula, Hills 18; Milligan, Hills 18; Calawa, Hills 17; Roberge, Dist 9: Public Works and Highways)

HB 480, relative to the taking of sand eels. (Weare, Rock 21; O'Keefe, Rock 21: Wildlife and Marine Resources)

HB 481-FN, relative to penalties for unlicensed practice of regulated occupations and professions. (Mirski, Graf 12: Executive Departments and Administration)

HB 482, relative to a study of tolls on the turnpike system. (Bradley, Carr 8; Arthur, Hills 18; MacGillivray, Hills 21: Public Works and Highways)

HB 483-FN-L, relative to restricting the authority of the state board of education to adopt minimum standards for public school approval. (Weyler, Rock 18; Alger, Graf 9; Bruno, Hills 4; Brown, Dist 17; Krueger, Dist 16: Education)

HB 484, relative to the registration of alternative providers of naturopathic care. (Dyer, Hills 8: Executive Departments and Administration)

HB 485-FN, relative to the calculation of unemployment compensation benefits. (Turner, Belk 7: Labor, Industrial and Rehabilitative Services)

HB 486-FN-A, relative to the physician effectiveness program. (Pilliod, Belk 3; Hollingworth, Dist 23; Squires, Dist 12: Health, Human Services and Elderly Affairs)

HB 487, relative to the adoption of bonds or notes in certain school districts and municipalities. (Estabrook, Straf 8; Dokmo, Hills 14; Lynch, Ches 19; Leishman, Hills 13; Allison, Sull 10; Cohen, Dist 24: Education)

HB 488, relative to the definition of certain disabilities in the provision of special education services. (M. Fuller Clark, Rock 36; P. Dowling, Rock 13: Education)

HB 489-FN-A, exempting certain transfers to or from a revocable trust from the real estate transfer tax. (T. Reardon, Merr 23; Gordon, Dist 2: Finance)

HB 490, enabling cities to permit the mayor to vote at city council meetings. (Gilmore, Straf 11; Taylor, Straf 11; Wheeler, Dist 21: Municipal and County Government)

HB 491, requiring the department of safety to conduct all qualifying examinations of individuals seeking driver's licenses. (Gleason, Rock 13; Pilliod, Belk 3; L'Heureux, Hills 18; Milligan, Hills 18; J. King, Dist 18: Transportation)

HB 492-FN-A-L, reducing the state bond guarantee limit for wastewater projects. (Royce, Ches 9: Finance)

HB 493-FN, relative to alteration of sample ballots. (Burling, Sull 1; Buckley, Hills 44; Trombly, Dist 7: Election Law)

HB 494-FN-A, making an appropriation to the department of cultural resources for the purpose of funding participation of the state in the Smithsonian Festival of American Folklife. (Alukonis, Hills 23; Avery, Ches 8; Flanagan, Rock 14; M.Fuller Clark, Rock 36; Johnson, Dist 3; Klemm, Dist 22; Larsen, Dist 15: Finance)

HB 495-FN-A, relative to reauthorizing the motor oil discharge cleanup fund and increasing the fuel oil discharge cleanup fund fee. (Holbrook, Belk 7: Finance)

HB 496-FN-L, relative to increasing the minimum number of hours required for novice drivers enrolled in driver's education programs. (Gleason, Rock 13; Pilliod, Belk 3; G. Katsakiores, Rock 13; Milligan, Hills 18; Cloutier, Sull 8; Pignatelli, Dist 13: Transportation)

HB 497-FN-A, relative to family literacy planning grants and making an appropriation therefor. (Gile, Merr 16; Wallner, Merr 24; Seldin, Merr 17; Durham, Hills 22: Education)

HB 498-FN, establishing a special education catastrophic aid fund. (O'Hearn, Hills 26: Education)

HB 499-FN, relative to payment by the state of the cost of medical insurance benefits for certain New Hampshire retirement system members. (Soltani, Merr 10: Executive Departments and Administration)

HB 501-FN-A, relative to the repair of a certain covered railroad bridge in Contoocook village in the town of Hopkinton, and making an appropriation therefor. (Kennedy, Merr 7; Larsen, Dist 15: Public Works and Highways)

HB 502-FN, subjecting all rules promulgated and administrative actions taken by lower courts to review and approval by the legislature. (Mirski, Graf 12: Judiciary)

HB 503-FN-L, relative to the authorized regional enrollment area agreement in Conway. (Howard, Carr 10: Education)

RECESS

(Rep. Chandler in the Chair)

Pursuant to Part II, Article 73 of the New Hampshire Constitution and RSA 91:3:

RESOLUTION

Rep. Whalley offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Address numbered 1, shall be by this resolution read a first and second time by the therein listed title, sent for printing, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF HOUSE ADDRESS

First, second reading and referral

HA 1, for the removal of David A. Brock, chief justice of the New Hampshire supreme court from his said office. (Mirski, Graf 12; Brown, Dist 17: Joint Committee on Address)

RESOLUTION

Rep. Whalley offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 504 through 555, House Concurrent Resolutions numbered 8 and 9 and Constitutional Amendment Concurrent Resolutions numbered 14 and 15, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS, HCRs and CACRs

First, second reading and referral

HB 504, establishing a sludge advisory board and relative to sludge quality standards. (Melcher, Hills 11; McRae, Hills 7; Robb-Theroux, Sull 9; Babson, Carr 5; Leishman, Hills 13: Environment and Agriculture)

HB 505-FN, establishing a special license plate for veterans. (Heon, Straf 14; R. Berube, Straf 14; Cossette, Straf 19; D'Allesandro, Dist 20; McCarley, Dist 6: Transportation)

HB 506-FN-L, relative to voter registration. (J. Pratt, Ches 2: Election Law)

HB 507-L, relative to the taxability of certain appurtenant land to a taxable building. (Foster, Hills 10; Stone, Rock 7; V. Clark, Rock 17: Municipal and County Government)

HB 508, relative to the nude photography of 16 and 17 year old subjects. (Packard, Rock 29: Criminal Justice and Public Safety)

HB 509, relative to requirements in order to obtain a private detective license. (Avery, Ches 8: Criminal Justice and Public Safety)

HB 510-FN, relative to monitoring aerial spraying of herbicides. (B. Hall, Hills 20; Owen, Merr 6: Environment and Agriculture)

HB 511, relative to the sale of certain mixed or prepared alcohol products. (Dickinson, Carr 2; Johnson, Dist 3: Commerce)

HB 512, relative to limiting work hours for 16 and 17-year old persons enrolled in school. (Pitts, Rock 35: Labor, Industrial and Rehabilitative Services)

HB 513, relative to approved permissible fireworks. (Hunter, Hills 7; Mikowski, Rock 29: Criminal Justice and Public Safety)

HB 514-L, establishing open enrollment provisions in the school districts of the state. (Hunt, Ches 10: Education)

HB 515, extending the indemnification of persons providing clinical services to the department of health and human services. (Dyer, Hills 8; Fraser, Dist 4; McCarley, Dist 6: Judiciary)

HB 516, exempting the New Hampshire retirement system from rulemaking for procedures concerning the retirement fund investment objectives and guidelines. (Dyer, Hills 8; J. King, Dist 18: Executive Departments and Administration)

HB 517, relative to insurance coverage for alcoholism treatment. (Taylor, Straf 11; M. Fuller Clark, Rock 36; Konys, Hills 33: Commerce)

HB 518-FN-L, relative to a joint maintenance agreement to build a single high school involving the towns of Northwood, Nottingham, and Strafford. (R. Johnson, Rock 1; Case, Rock 2; Brown, Dist 17; Wheeler, Dist 21; Fraser, Dist 4; McCarley, Dist 6: Education)

HB 519-L, relative to the liability of governmental units for personal injury or property damage arising out of police pursuit of individuals or vehicles operated by such individuals. (L. Jean, Hills 17: Judiciary)

HB 520, relative to an open season for chukar partridge. (Rogers, Straf 15: Wildlife and Marine Resources)

HB 521-L, exempting initial bond issues from the 10 percent limitation on exceeding appropriations recommended by the budget committee. (Cooney, Rock 26; Major, Rock 16; B. Hall, Hills 20: Municipal and County Government)

HB 522, relative to the public's access to sex offender registry information. (Brothers, Graf 6: Criminal Justice and Public Safety)

HB 523, relative to the terms of office of county officers. (E. Smith, Ches 6; Rabideau, Rock 16; Roberts, Ches 4; Calawa, Hills 17: Municipal and County Government)

HB 524, increasing the membership on the board of professional engineers. (Alger, Graf 9; Dickinson, Carr 2; Roberge, Dist 9; Johnson, Dist 3: Executive Departments and Administration)

HB 525-FN, relative to prisoner of war license plates. (M. Downing, Rock 26; J. McDonald, Hills 41; Fortnam, Merr 12; D'Allesandro, Dist 20; J. King, Dist 18; Wheeler, Dist 21: Transportation)

HB 526, limiting fees charged by financial institutions for use of electronic customer service terminals. (A. Pelletier, Straf 12; Fraser, Merr 21; Foster, Hills 10; Franks, Hills 26; Garrish, Hills 37: Commerce)

HB 527, relative to the duties of the public utilities commission. (Bradley, Carr 8: Science, Technology and Energy)

HB 528, adding penalty provisions to the unfair claim settlement practices by insurers law. (Keans, Straf 16; J. Brown, Straf 17: Commerce)

HB 529, requiring all postsecondary institutions to report all assaults to local police departments. (Gilman, Graf 1: Education)

HB 530, establishing a committee to review the policies and procedures of the joint health council. (Copenhaver, Graf 10: Health, Human Services and Elderly Affairs)

HB 531, allowing a governing body to grant a veteran's exemption in certain circumstances. (Salatiello, Belk 2: Municipal and County Government)

HB 532, establishing a commission to study early childhood education. (Kurk, Hills 5; O'Hearn, Hills 26; Estabrook, Straf 8; Pilliod, Belk 3; McCarley, Dist 6: Education)

HB 533-FN, changing the composition of the liquor commission. (Burling, Sull 1: Executive Departments and Administration)

HB 534, eliminating party designations in the election of party officers. (Rollo, Straf 10: Election Law)

HB 535, establishing a committee to study the creation of a department of natural resources. (M. Fuller Clark, Rock 36; Langley, Rock 24; Scanlan, Graf 11; Dickinson, Carr 2; McCarley, Dist 6; Disnard, Dist 8; Russman, Dist 19; Johnson, Dist 3; Cohen, Dist 24: Executive Departments and Administration)

HB 536, authorizing municipalities to exempt from the local property tax personal property employed in the generation and production of electric power. (Bradley, Carr 8; Thomas, Belk 3; Below, Dist 5; F. King, Dist 1; Hollingworth, Dist 23: Municipal and County Government)

HB 537, relative to background checks for firearms purchases. (Pepino, Hills 40; Hunter, Hills 7; Tholl, Coos 5; Dickinson, Carr 2; Varrell, Rock 9; Cohen, Dist 24; D'Allesandro, Dist 20; Russman, Dist 19: Criminal Justice and Public Safety)

HB 538, establishing a committee to study the new construction and repair of New Hampshire commemorative monuments at certain Civil War battle sites. (Letourneau, Rock 13; Packard, Rock 29; Knowles, Straf 11; Foster, Hills 10;: State-Federal Relations and Veterans Affairs)

HB 539-FN, relative to public access to Squam Lake. (Mirski, Graf 12; Krueger, Dist 16: Resources, Recreation and Development)

HB 540, relative to court diversion programs. (McRae, Hills 7; Keans, Straf 16: Children and Family Law)

HB 541, establishing a committee to study the upgrade of Routes 11 and 140. (Leone, Sull 2; Whittemore, Merr 13; Leber, Merr 1; Cloutier, Sull 8; Spear, Straf 3; Disnard, Dist 8; Fraser, Dist 4; Trombly, Dist 7; McCarley, Dist 6: Public Works and Highways)

HB 542-FN-A, relative to the rate of and exemptions from the legacies and succession tax. (McGuirk, Ches 1; Mock, Carr 3; Almy, Graf 14; Foster, Hills 10; Melcher, Hills 11; Disnard, Dist 8; Brown, Dist 17: Finance)

HB 543, relative to fill and dredge permits for breakwaters. (D. Lawton, Belk 1; Cooney, Rock 26: Resources, Recreation and Development)

HB 544, relative to limitations on landowner liability. (Eaton, Graf 1; Schanda, Rock 19; McGough, Hills 18; Gordon, Dist 2; Francoeur, Dist 14; F. King, Dist 1: Judiciary)

HB 545-FN, relative to ambulatory surgical facilities. (Wendelboe, Belk 2; Pilliod, Belk 3; Batula, Hills 18; Russell, Ches 15; M. Fuller Clark, Rock 36; Roberge, Dist 9; D'Allesandro, Dist 20: Health, Human Services and Elderly Affairs)

HB 546-FN-A, providing partial funding to support research monitoring groundwater at reclamation sites that have had sludge applied. (Robb-Theroux, Sull 9; Melcher, Hills 11; Russman, Dist 19; Krueger, Dist 16; Fernald, Dist 11: Resources, Recreation and Development)

HB 547-L, changing the state primary election day to the first Saturday after Labor Day. (M. Fuller Clark, Rock 36; Splaine, Rock 34; Flanagan, Rock 14; Buckley, Hills 44: Election Law)

HB 548-A, making a capital appropriation for the construction of the Plaistow district courthouse. (Major, Rock 16; Varrell, Rock 9; Flanagan, Rock 14; Welch, Rock 18; Beaulieu, Rock 11; Russman, Dist 19; Hollingworth, Dist 23: Public Works and Highways)

HB 549-L, relative to the minimum vote required for bond issues by municipalities. (Sabella, Rock 13; Estabrook, Straf 8: Municipal and County Government)

HB 550-L, relative to the date town reports must be made available in towns which have adopted the official ballot referenda form of meeting. (Lynde, Hills 24: Municipal and County Government)

HB 551, relative to employers who are subject to state law against discrimination. (Soltani, Merr 10; Curran, Hills 9: Judiciary)

HB 552, relative to the issuance of crossbow permits to persons with a permanent physical disability. (Cobb, Graf 5: Wildlife and Marine Resources)

HB 553-FN-A, establishing a commission on the status of men, and making an appropriation therefor. (Bickford, Straf 1; Jacobson, Merr 2; Dickinson, Carr 2: Executive Departments and Administration)

HB 554, relative to driver education reciprocity. (Major, Rock 16; Mosher, Hills 30: Transportation)

HB 555, relative to representation of a child during child interviews. (Mirski, Graf 12: Children and Family Law)

HCR 8, urging nonimplementation of the articles of the Kyoto Protocol on global climate change. (L. Jean, Hills 17: State-Federal Relations and Veterans Affairs)

HCR 9, encouraging greater health care choices for senior citizens throughout New Hampshire. (Howard, Carr 10; Emerton, Hills 7; Johnson, Dist 3; F.King, Dist 1: State-Federal Relations and Veterans Affairs)

CACR 14, relating to increasing the executive council membership and the number of executive council districts. Providing that the executive council shall be increased from 5 to 10 members, and the number of executive council districts shall be increased from 5 to 10. (G. Brown, Straf 17; Avery, Ches 8: Election Law)

CACR 15, relating to the establishment of an indirect initiative petition process. Provided that proposed laws may be submitted to the legislature by citizen petition. (Cloutier, Sull 8; B. Hall, Hills 20: Legislative Administration)

RECESS

(Rep. Nordgren in the Chair)

RESOLUTION

Rep. Konys offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 556 through 580, House Concurrent Resolution numbered 10, House Joint Resolution numbered 6 and Constitutional Amendment Concurrent Resolutions numbered 21 and 22, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS, HCR, HJR and CACRs

First, second reading and referral

HB 556-FN, relative to transporting hazardous waste. (Musler, Straf 6: Environment and Agriculture)

HB 557-FN, relative to hazardous waste permitting and container identification. (Musler, Straf 6: Environment and Agriculture)

HB 558-FN, relative to solid waste management. (Musler, Straf 6: Environment and Agriculture)

HB 559-FN-A, authorizing vanity plates or decals for OHRV registrations. (Mock, Carr 3: Transportation)

HB 560-FN, relative to the suspension or revocation of youth operators' licenses. (Lyman, Carr 5; Christie, Rock 22; Schanda, Rock 19; Sargent, Hills 3: Transportation)

HB 561-FN, reducing lab analysis fees of chemical analyses of water. (Royce, Ches 9: Resources, Recreation and Development)

HB 562, relative to the date of decision for appeals of zoning matters. (K. Marshall, Merr 4; Trombly, Dist 7; Below, Dist 5: Municipal and County Government)

HB 563, relative to names of limited liability partnerships and companies. (Flanagan, Rock 14: Commerce)

HB 564-FN-L, repealing the authority of the chief justice of the supreme court to assign superior court judges to hear cases in the district court, and reducing the judicial branch budget for jury trials in the district courts. (Pepino, Hills 40; Hunter, Hills 7; Lyman, Carr 5; Roberge, Dist 9: Judiciary)

HB 565, relative to the disclosure of certain information by the department of health and human services and relative to the disclosure of the identity of a person filing a report of child abuse or neglect. (Wendelboe, Belk 2: Children and Family Law)

HB 566, relative to the supervision of the driver education program. (Gleason, Rock 13; Pilliod, Belk 3; Milligan, Hills 18; Cloutier, Sull 8; Gordon, Dist 2; J. King, Dist 18: Transportation)

HB 567, encouraging alternative dispute resolution in certain domestic relations and CHINS proceedings. (Ham, Graf 4: Children and Family Law)

HB 568, establishing a review panel to review judicial officers. (Soltani, Merr 10; Marple, Merr 11; Christiansen, Hills 23; Roberge, Dist 9: Judiciary)

HB 569, relative to the tax credit for service-connected total disability. (Milligan, Hills 18; Calawa, Hills 17; Rubin, Rock 25: Municipal and County Government)

HB 570, restricting a presiding judge's authority to interrupt jury deliberations. (McCarthy, Hills 41: Judiciary)

HB 571, relative to joint legal and physical custody of children. (Bickford, Straf 1: Children and Family Law)

HB 572-FN-A, relative to the apportionment provisions of the business profits tax. (Mercer, Hills 27; Bradley, Carr 8; Alukonis, Hills 23; Vaughn, Rock 35; Johnson, Dist 3: Finance)

HB 573, clarifying the status of class VI highways. (Chandler, Carr 1; Brundige, Hills 18; Gordon, Dist 2: Public Works and Highways)

HB 574-FN-A, establishing a fisheries habitat stamp required for persons obtaining a fishing license and continually appropriating the funds for fisheries habitats. (Abbott, Rock 19; L'Heureux, Hills 18; Blaisdell, Ches 19; Disnard, Dist 8: Wildlife and Marine Resources)

HB 575, limiting railroad liability for passenger and tourist rail service. (G. Katsakiores, Rock 13; Whittemore, Merr 13; Akins, Graf 14; R. Nowe, Rock 3; Peter Cote, Hills 32; Russman, Dist 19; Cohen, Dist 24: Judiciary)

HB 576-FN-A, establishing additional staff positions for child impact seminars, and making an appropriation therefor. (Wallner, Merr 24; C. Moore, Merr 19; Hollingworth, Dist 23; Russman, Dist 19; Cohen, Dist 24: Children and Family Law)

HB 577, relative to the power of a school district to expend catastrophic special education funds. (O'Hearn, Hills 26; Belvin, Hills 14; Gordon, Dist 2; Johnson, Dist 3; Squires, Dist 12: Education)

HB 578, relative to a recovery against a third party related to a workers' compensation claim. (Keans, Straf 16; Cohen, Dist 24: Labor, Industrial and Rehabilitative Services)

HB 579-FN, relative to eligibility for unemployment benefits for certain persons commensurate with their attachment to the workforce. (R. Hutchinson, Rock 8; M. Fuller Clark, Rock 36; Keans, Straf 16; Trombly, Dist 7; F. King, Dist 1: Labor, Industrial and Rehabilitative Services)

HB 580-FN-A-L, creating a new tourism district and making an appropriation therefor. (Avery, Ches 8; J. Pratt, Ches 2; Burling, Sull 1; Roberts, Ches 4; Johnson, Dist 3; Disnard, Dist 8; Blaisdell, Ches 10: Resources, Recreation and Development)

HCR 10, requesting Congress to give priority to preserving Social Security and ensuring that it continues as universal and mandatory for all workers. (Burling, Sull 1: State-Federal Relations and Veterans Affairs)

HJR 6, encouraging the revitalization of the northern rail line from Concord to Lebanon. (G. Katsakiores, Rock 13; Whittemore, Merr 13; Akins, Graf14; R. Nowe, Rock 3; Peter Cote, Hills 32; Russman, Dist 19; Cohen, Dist 24: Transportation)

CACR 21, relative to gender neutral language in the constitution. Providing that all references to persons in part 2 of the constitution shall be gender neutral. (Gilmore, Straf 11; Splaine, Rock 34; Bradley, Carr 8; Wheeler, Dist 21; Hollingworth, Dist 23: Executive Departments and Administration)

CACR 22, relative to 7-year terms for state judges. Providing that all state judges appointed on or after January 1, 2001 be commissioned for 7-year terms, which may be renewed. (Hunter, Hills 7; Welch, Rock 18; Pepino, Hills 40; Buckley, Hills 44; Roberge, Dist 9: Judiciary)

RECESS

(Rep. Chandler in the Chair)

RESOLUTION

Rep. Whalley offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 581 through 599, 601 and 602 and House Joint Resolutions numbered 7 and 8, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS and HJR

First, second reading and referral

HB 581-L, relative to deposits on water meters. (Bradley, Carr 8; Johnson, Dist 3: Science, Technology and Energy)

HB 582, eliminating the funding of athletic scholarships by institutions within the university system of New Hampshire. (Rosen, Belk 7; Johnson, Dist 3: Education)

HB 583, extending the reporting date for the committee studying the issue of updating New Hampshire laws related to fences. (Patten, Carr 9; Philbrick, Carr 4; K. Marshall, Merr 4; Owen, Merr 6: Municipal and County Government)

HB 584-FN, relative to administrative license suspensions. (Letourneau, Rock 13; Packard, Rock 29; Christie, Rock 22; Harmon, Graf 8; Roberge, Dist 9: Criminal Justice and Public Safety)

HB 585, relative to preserving the use of state park lands for their original purposes. (Wiggins, Sull 4; Sapareto, Rock 13; Flint, Sull 4; Jacobson, Merr 2; Leone, Sull 2; Disnard, Dist 8: Resources, Recreation and Development)

HB 586, clarifying certain terms relative to the practice of chiropractic. (Robb-Theroux, Sull 9; R. Nowe, Rock 3; Bradley, Carr 8; Ruffner, Rock 25; Cohen, Dist 24: Executive Departments and Administration)

HB 587, relative to form of records of property with registers of deeds. (Keans, Straf 16: Municipal and County Government)

HB 588-FN-L, relative to county expenditures for children at the youth development center. (Wallin, Merr 15; Bartlett, Belk 6; Richardson, Ches 12: Children and Family Law)

HB 589-FN-L, mandating a cap on municipal registration fees for recreational vehicles. (Fenton, Hills 24: Transportation)

HB 590-L, relative to the use by a school district of proceeds from an educational trust fund. (Christiansen, Hills 23: Education)

HB 591-FN, permitting certain village districts to become eligible for state highway aid apportionment. (Philbrick, Carr 4: Public Works and Highways)

HB 592, creating a study committee regarding requirements for and usage of methyl t-butyl ether. (MacGillivray, Hills 21; Norelli, Rock 31; Kaen, Straf 7; D. White, Hills 25: Science, Technology and Energy)

HB 593-FN-L, relative to the classification of class VI roads which have been maintained by a town. (MacGillivray, Hills 21: Public Works and Highways)

HB 594, prohibiting the introduction of zebra mussels and other exotic aquatic animals in New Hampshire. (Cooney, Rock 26; Dickinson, Carr 2; French, Merr 03: Resources, Recreation and Development)

HB 595-L, enabling municipalities to grant the elderly property tax exemption to an additional person in a household. (Akins, Graf 14: Municipal and County Government)

HB 596, making technical corrections to certain laws administered by the department of revenue administration. (Alukonis, Hills 23: Finance)

HB 597-FN-A, making an appropriation to install certain safety equipment in residential care facilities. (Dyer, Hills 8; J. King, Dist 18: Health, Human Services and Elderly Affairs)

HB 598-FN, relative to the licensure of x-ray technicians. (Rubin, Rock 25: Executive Departments and Administration)

HB 599-FN-A, relative to initiating a centralized voter checklist and making an appropriation therefor. (Buckley, Hills 44; Clemons, Hills 31; Arndt, Rock 27; Arnold, Hills 20; Trombly, Dist 7; Krueger, Dist 16: Executive Departments and Administration)

HB 601, allowing the assistant commissioner of corrections to act on behalf of the commissioner in the commissioner's absence, establishing a term of appointment for the commissioner of corrections, and correcting out-of-date references and phraseology pertaining to the department of corrections. (Lozeau, Hills 30; Christie, Rock 22: Executive Departments and Administration)

HB 602-FN, establishing the office of the health insurance consumer advocate. (Hunt, Ches 10; Fraser, Dist 4: Commerce)

HJR 7, supporting the continued management of the White Mountain National Forest for multiple uses as a part of the National Forest System. (Guay, Coos 6; Chandler, Carr 1; Dickinson, Carr 2; Glines, Coos 6; F. King, Dist 1; Russman, Dist 19; Johnson, Dist 3; Gordon, Dist 2: State-Federal Relations and Veterans Affairs)

HJR 8, urging the Federal Energy Regulatory Commission to change the structure of the New England Individual Service Organization (ISO). (Gilmore, Straf 11; Below, Dist 5: Science, Technology and Energy)

RECESS

(Speaker Sytek in the Chair)

Rep. Whalley moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 5

Wednesday, February 10, 1999

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

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

Prayer was offered by Guest Chaplain, Reverend Lynn Johnson, Pastor of the West Rumney Community Church.

God of eternity, God of this moment, You have shaped and molded our history and You hold our future. Renew our awareness of Your presence and renew our commitment to the compassion, the love and the unity that are hallmarks of Your presence. Remind us anew of Your power and make us defenders of the powerless. Remind us once more of Your love, and make us willing to act as brothers and sisters of all whom You have created. Remind us, in all our moments, of Your presence, and may we be aware that our lives and our actions are within Your sacred sight. May Your spirit of love and care bind us to those who are ill, hurt and in mourning. May our care for them become part of Your loving embrace which holds them. Amen.

Rep. David Lawton led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Allison, Avery, Julie Brown, Patricia Cote, Courchesne, Crowell, Densmore, Golden, Langer, Benjamin Moore, Moriarty, Mosher, Nolan-Piteri, St. Hilaire and Turgeon, the day, illness.

Reps. Bartlett, Carlson, Carson, Copenhaver, Flint, Fraser, Griffin, Picconi, Priestley and Weatherspoon, the day, important business.

Reps. Hunt and Haley, the day, death in the family.

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

INTRODUCTION OF GUESTS

Barbara Brewster, guest of Rep. Brewster. Former NH Rep. Richard Trelfa and Mrs. Trelfa, guests of Reps. Franks and Musler. Aaron Bickford, son of Rep. Bickford.

special guests

The New Hampshire Class I state girl's soccer championship team from Souhegan High School in Amherst, guests of the House.

house resolution no. 10

affirming revenue estimates for fiscal year 1999.

Whereas, the House Finance Committee has considered what the unrestricted revenue estimates should be for fiscal year 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 year 1999.

Committee estimates are based on current rates.

	(A)	(B)	(C)
FY 1999			
GENERAL FUNDS:	Official	Committee	
<u>(Dollars in Millions)</u>	<u>Estimate</u>	<u>Estimate</u>	<u>Variance</u>
Business Profits Tax	\$201.000	\$201.000	\$ - 0 -
Business Enterprise Tax	39.000	39.000	- 0 -
Meals & Rooms Tax	129.600	135.600	6.000
Liquor Sales	73.200	77.300	4.100
Interest & Dividends Tax	58.000	65.000	7.000
Insurance Tax	56.600	56.600	- 0 -
Tobacco Tax	72.700	75.000	2.300
Other	39.000	43.300	4.300
Communications Tax	46.100	45.000	(1.100)

Estate & Legacy Tax	37.700	46.000	8.300
Real Estate Transfer Tax	38.700	52.000	13.300
Court Fines & Fees	19.900	21.500	1.600
Utility Tax	18.000	18.000	- 0 -
Securities Revenue	19.000	20.000	1.000
Board & Care Revenue	14.300	14.300	- 0 -
Beer Tax	11.100	11.500	0.400
Horse Racing	2.650	2.000	(0.650)
<u>Dog Racing</u>	<u>1.600</u>	<u>.900</u>	<u>(0.700)</u>
<u>TOTAL STATE SOURCES</u>	<u>\$878.150</u>	<u>\$924.000</u>	<u>\$45.850</u>
	(A)	(B)	(C)
<u>FY 1999</u>			
GENERAL FUNDS:	Official	Committee	
<u>(Dollars in Millions)</u>	<u>Estimate</u>	<u>Estimate</u>	<u>Variance</u>
Medicaid Enhancements:			
Board and Care	\$25.000	\$25.000	\$ - 0 -
Uncompensated Care Pool	<u>52.900</u>	<u>52.100</u>	<u>(.800)</u>
<u>Total Medicaid Enhancements</u>	<u>77.900</u>	<u>77.100</u>	<u>(.800)</u>
<u>TOTAL GENERAL FUND</u>	<u>\$956.050</u>	<u>\$1,001.100</u>	<u>45.050</u>
HHS-Third Party	\$5.000	- 0 -	(5.000)
Reimbursements			
HIGHWAY FUNDS:			
<u>(Dollars in Millions)</u>			
Road Toll	\$116.911	\$116.911	\$- 0 -
Motor Vehicle Fees	65.753	65.753	- 0 -
<u>Miscellaneous</u>	<u>11.736</u>	<u>10.172</u>	<u>(1.564)</u>
TOTAL HIGHWAY FUNDS	\$194.400	\$192.836	\$(1.564)
FISH & GAME FUNDS:			
<u>(Dollars in Millions)</u>			

Fish & Game Licenses	\$6.354	\$6.354	- 0 -
<u>Miscellaneous</u>	<u>0.975</u>	<u>0.975</u>	<u>- 0 -</u>
<u>TOTAL FISH & GAME FUNDS</u>	<u>\$7.329</u>	<u>\$7.329</u>	<u>- 0 -</u>
<u>SWEEPSTAKES FUNDS:</u>			
<u>Dollars in Millions</u>			
<u>Sweepstakes Revenue</u>	<u>\$56.000</u>	<u>\$61.000</u>	<u>\$5.000</u>
<u>TOTAL SWEEPSTAKES</u>	<u>\$56.000</u>	<u>\$61.000</u>	<u>\$5.000</u>

Rep. Alukonis moved that the House adopt HR 10.

Rep. Alukonis spoke in favor and yielded to questions.

Adopted.

laid on the table

Rep. Alukonis moved that **HR 10**, affirming revenue estimates for fiscal year 1999, be laid on the table.

Adopted.

COMMITTEE REPORTS

CONSENT CALENDAR

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

HB 101, establishing an educational commission to ensure the right of each child to an equal and adequate education, removed by Rep. DiFruscia.

HB 296-FN-L, consolidating the number of school administrative units to one in each county, removed by Rep. Rubin.

Consent Calendar adopted.

HB 81, establishing a committee to study the structure of the school administrative unit system in New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Marie Rabideau for Education: This bill would establish another SAU study committee. There have been 12 SAU studies completed since 1962, seven of which took place since 1990. The findings of these past studies are on file and available to those who wish to research the topic. The committee felt that there was insufficient evidence warranting a new study when others had taken place so recently. Vote 17-0.

HB 95-L, relative to the establishment of educational programs for academically gifted pupils
INEXPEDIENT TO LEGISLATE

Rep. Charles Yeaton for Education: This legislation has the laudable intention of focusing efforts on gifted students. However, a program developed by the State Board of Education could make it difficult for districts, which now operate or are establishing programs for their own gifted students. Local school districts meet the unique needs of these students. Also, there is no commonly accepted definition of a gifted student. Vote 13-0.

HB 231, relative to approval of applications in the charter schools pilot program. OUGHT TO PASS

Rep. Susan B. Durham for Education: This is a technical change, to remove material which was inadvertently left in last year in a committee of conference. Language is removed from the original charter school legislation limiting charter schools to two per executive council district. This language clarifies the intent to remove barriers that make charter schools difficult to initiate. Vote 13-0.

HB 273-FN-L, relative to annual grants for school building aid. RE-REFER TO COMMITTEE

Rep. Robert E. McKinley for Education: This legislation addresses possible existing inequities related to school building aid. The committee feels it would be more appropriate to address this issue in depth, after the funding mechanisms related to the Claremont II requirements are finalized. Vote 18-0.

HB 295-FN-L, relative to alternative kindergarten programs in cooperative school districts. OUGHT TO PASS WITH AMENDMENT

Rep. Clair A. Snyder for Education: This bill clarifies the opportunity to cooperative school districts to offer kindergarten programs in public and non-public, non-sectarian schools or facilities. All other conditions are contained in the original kindergarten bill. The amendment corrects a grammatical error. Vote 18-0.

Amendment (0047h)

Amend RSA 198:15-l, II (c) as inserted by section 1 of the bill by replacing it with the following:

(c) To operate an alternative kindergarten program, in a cooperative school district, that contains a combination of programming from public and nonpublic, non-sectarian schools or facilities, subject to the approval of the cooperative school board under RSA 195.

Amend RSA 198:15-n, IV (a) as inserted by section 2 of the bill by replacing it with the following:

(a) A description of the alternative kindergarten program, ***which may include a combination of programming from public and nonpublic, non-sectarian schools or facilities.***

AMENDED ANALYSIS

This bill clarifies that cooperative school districts may operate an alternative kindergarten program which may contain a combination of public and nonpublic, non-sectarian programs or facilities.

HB 60, relative to meetings of the ballot law commission OUGHT TO PASS

Rep. Mary Lou Nowe for Election Law: The committee unanimously supported the need for three (3) members to be physically present at all ballot law commission meetings. Under this bill communication by telephone or electronic means would not be allowed as it has been in the past. Vote 16-0.

HB 227, establishing a committee to study the maintenance of voter checklists. OUGHT TO PASS

Rep. Janet S. Arndt for Election Law: The committee unanimously supports the study of the maintenance and integrity of the voter checklists. Procedures related to the 10-year verification and periodic removal of voters from the checklist will also be examined. It was brought to the committee's attention that these procedures were not always followed. The study committee will recommend legislation to correct the problems areas. Vote 14-0.

HB 228, clarifying permissible political expenditures. OUGHT TO PASS

Rep. Raymond Buckley for Election Law: This bill clarifies when a person is a candidate for the purpose of the voluntary expenditure limit for major office. The bill specifies that any expenditure made after January 1st of the election year shall be counted against the limit. Vote 17-0.

HB 284-L, relative to recount procedures in school districts. OUGHT TO PASS WITH AMENDMENT

Rep. Lynn C. Horton for Election Law: This sets up recount procedures for school districts. Tie votes and recounts shall be handled in the same manner as they are in town elections Vote 12-0.

Amendment (0028h)

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

1 School District Elections; Post-Election Procedure; Tie Votes and Recounts; Questions.
Amend the introductory paragraph of RSA 671:32 to read as follows:

Tie votes and recounts in school district elections shall be handled in the same manner as in town elections as provided in ***RSA 40:4-c and 40:4-d and in*** RSA 669:30-669:36, except as specified herein:

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

HB 96, establishing an age limit for appointment of retired justices to serve as temporary supreme court justices. INEXPEDIENT TO LEGISLATE

Rep. Rep. Tony F. Soltani for Judiciary: The bill seeks to reconcile the apparent inconsistency between the constitutional age limit on judges and the law which has been interpreted to permit the selection of a retired justice, over the age of 70, to preside over individual cases. The clerk of the supreme court submitted testimony which indicates that where the constitution is silent, the legislature may exercise its prerogative. In this light, it is inexpedient to make a valuable and free resource unavailable for service. Vote 14-0.

HB 62-L, relative to the definition of an abutter for planning and zoning notification purposes. INEXPEDIENT TO LEGISLATE

Rep. Linda T. Foster for Municipal and County Government: The committee believes that the current definition of abutter for notification purposes in local land use board proceedings is both adequate and appropriate. Moreover, if any municipality wishes to enact a more stringent definition, it may do so in its own regulations. Vote 13-0.

HB 71-FN-L, relative to authorizing agreements for the determination of each municipality's share of county costs. RE-REFER TO COMMITTEE

Rep. Richard C. Leone for Municipal and County Government: The committee agreed that the subject of determining each municipalities' share of county taxes needed further study. For example, the question as to whether it would be feasible to offer enabling legislation to allow the county delegation to enter into articles of agreement similar to those used by consolidated school districts would need much dialogue and review. Vote 14-0.

HB 77, relative to the Melendy Pond Authority of Brookline, New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill seeks to "legalize" the Melendy Pond Authority in the town of Brookline. This authority was established, without the required state approval, by the town more than fifty years ago. It supervises what was originally the "town forest" and is now an area of summer camps. Private individuals own the camps, which are located on lots leased from the authority. The New Hampshire Supreme Court recently decided a case involving this area. Because of this opinion, the town and authority have recently asked the Committee to suspend further action on this bill. The Committee believes that this bill as presented is inadequate to deal with this situation, particularly considering the potential implications of the court opinion. Vote 16-0.

HB 207-FN-A, directing the office of state planning to conduct a study of the effects of sprawl in the state and making an appropriation therefor. OUGHT TO PASS

Rep. Robert W. Brundige for Municipal and County Government: This bill appropriates funds to conduct a study of the effects of sprawl in the state. This study will determine how to protect and preserve New Hampshire's historic and rural character in the face of development pressures. Vote 14-0.

HB 217-L, relative to conditions on net income for an elderly exemption from property taxes. INEXPEDIENT TO LEGISLATE

Rep. Thomas E. P. Rice for Municipal and County Government: This bill calls for giving an exemption to Medicare insurance recipients that is not available to persons covered under other forms of insurance. This has the effect of discriminating against those other insurance payers and is therefore not equitable. Vote 14-0.

HB 247, relative to voting by secret ballot at town meetings. INEXPEDIENT TO LEGISLATE

Rep. Betsey L. Patten for Municipal and County Government: The committee felt this legislation was unnecessary. RSA 40:4 1 states that the moderator shall "preside at the town meeting. . . and may prescribe rules of proceedings." This indicates that the moderator already has the ability to call for a

secret ballot at his/her discretion, with the provision that those rules may be altered by the town meeting. Vote 13-0.

HB 285, providing that equalized value of property in small towns be calculated as a multi-year average. RE-REFER TO COMMITTEE

Rep. Anthony F. Simon for Municipal and County Government: This bill seeks to address the problem of spikes and dips in property valuation in towns with a population of less than 5,000 by requiring that valuations be equalized by calculating that value as an average of town valuation for the most recent three years. The sponsor has requested re-referral pending our solution of the Claremont II situation and the Department of Revenue Administration has expressed serious concern regarding several effects of the bill. The Committee believes that this proposal is worthy of further consideration however. Vote 15-1.

HB 332, establishing a committee to study the relationship between Plymouth state college and the town of Plymouth. INEXPEDIENT TO LEGISLATE

Rep. Paul A. McGuirk for Municipal and County Government: This bill is well intended. However, the issue of tax-exempt status of the university system properties is one the Municipal and County Government Committee has previously studied extensively. The Committee would urge host communities to open dialogue directly with appropriate officials to achieve some consensus. Vote 15-0.

HB 59-FN, relative to upgrading a portion of U.S. Route 3. INEXPEDIENT TO LEGISLATE

Rep. Bernard J. Raynowska for Public Works and Highways: The study has been done by the Department of Transportation. The 10 year plan already includes sections that would be included with this bill. The sponsor agreed to report this bill Inexpedient to Legislate. Vote 19-0.

HB 86-A, making a capital appropriation for renovation of the Sawyer House at the Daniel Webster Birthplace in the city of Franklin. RE-REFER TO COMMITTEE

Rep. Paul I. LaMott for Public Works and Highways: This bill will allow further effort on behalf of the committee to establish possible joint effort of private sector, Department of Resources and Economic Development and local funding. There are other properties under the stewardship of DRED that currently have private sponsors. The committee is in hope of finding a way to make the Webster birthplace more prominent and receive the attention that it rightly deserves. The sponsors have agreed to facilitate an effort to coordinate this effort with other interested parties. Vote 18-0.

HB 257-FN-A, to construct a noise barrier along a portion of I-95 and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Bernard J. Raynowska for Public Works and Highways: The Department of Transportation has already started the work with the residents in the area addressed by this bill. The committee has been assured that all parties are very happy and the funding is coming from current DOT budgets. Vote 17-0.

HB 93, permitting a dam to be constructed on Rand Pond in Goshen. OUGHT TO PASS

Rep. MaryAnn N. Blanchard for Resources, Recreation and Development: Both legislative authorization and a dam permit from Department of Environmental Services is required to construct

a new dam or rebuild a dam on a great pond. This bill is merely the legislative or first step in the process. If the town wishes to proceed with construction, it will need to obtain all pertinent permits from DES for dam construction and wetland disturbance. All the testimony and the DES supported this bill. Vote 13-0.

HB 248, relative to the Monadnock advisory commission. OUGHT TO PASS WITH AMENDMENT

Rep. H. Charles Royce for Resources, Recreation and Development: This bill as amended is a common sense approach to allow the Monadnock Advisory Commission to accept gifts, donations, or grants to be used exclusively to further the purposes of the commission formed under RSA 227-D. Since 1975, when the commission was formed by the legislature, it has had many offers of donations to be used exclusively on Mt. Monadnock and its environs. (Gap Mt. And Little Monadnock). This bill also sets the stage for the commission to apply for tax exempt status with the IRS for all gifts and donations to the commission. Vote 13-0.

Amendment (0019h)

Amend 227-D:5-a as inserted by section 1 of the bill by replacing it with the following:

227-D:5-a Acceptance of Gifts. The commission may accept any gifts, donations, or grants from any source whatsoever, provided said gifts, donations or grants so received shall be used exclusively to further the purposes of this chapter.

HB 249, relative to the membership of the rivers management advisory committee. OUGHT TO PASS

Rep. MaryAnn N. Blanchard for Resources, Recreation and Development: This bill adds a member to the Rivers Management Advisory Committee to be nominated by the New Hampshire Farm Bureau Federation. With the present level of development pressure and non-point pollution concerns, it seems reasonable to have voting representation for agriculture on the RMAC. Including an agricultural representative may also alleviate some of the apprehensions of those in the farm community regarding the impact on their livelihood of some of the policies and practices of the RMAC. Vote 13-0.

HB 57, relative to visiting traps. INEXPEDIENT TO LEGISLATE

Rep. Richard E. Fletcher for Wildlife and Marine Resources: After hearing all testimony with no opposition to the law as it now exists, the committee recommended that this bill be Inexpedient to Legislate. Vote 15-1.

HB 73, extending the reporting date of the commission to study the effects of and jurisdiction over alternative agricultural products. OUGHT TO PASS

Rep. William R. Phinney for Wildlife and Marine Resources: This was a bill that went to interim study from last session. After several meetings held over the summer months and the changing of the 800 series of rules by the Fish and Game Department, it was agreed by all parties involved to extend the reporting date for the two years (2000), to see if the new rules drafted by Fish and Game would solve the situation. Vote 16-0.

HB 219, banning certain uses of artificial light to take wildlife. INEXPEDIENT TO LEGISLATE

Rep. Rose Marie Rogers for Wildlife and Marine Resources: This bill as introduced appears to remedy one isolated incident. Its impact would limit important recreational opportunities to view wildlife, put legitimate shining at risk and would affect (as an unintended consequence) the summer loon survey in the Lakes Region. Vote 19-0.

HB 280-FN, establishing a point system for the annual moose permit lottery. RE-REFER TO COMMITTEE

Rep. Robert J. L'Heureux for Wildlife and Marine Resources: After extensive testimony from constituents, fish and game club and sportsmen, the committee felt the bill had merit and should be studied further. Vote 19-0.

REGULAR CALENDAR

CACR 8, relating to legislative review of any broad-based tax enacted after January 1, 1999. Providing that any broad-based tax enacted after January 1, 1999 shall be subject to legislative review every 2 years. INEXPEDIENT TO LEGISLATE

Rep. Susan W. Almy for Finance: This bill provided for a well-intended review of broad-based taxes. However, a biennial repeal of such taxes used as the primary source of education funding in the state would put a severe burden of uncertainty on our school districts, and force future legislators to devote time to reviewing the issue whether or not there is a felt need to do so. The committee believes the needed protection exists in the ability of any legislator to put in a bill each biennium to repeal any tax. Vote 18-0.

Adopted.

CACR 9, relating to certain statewide taxes dedicated to funding public education. Providing that all revenues raised by a state income tax, statewide property tax, sales tax, or gross receipts tax shall be dedicated to funding public education. INEXPEDIENT TO LEGISLATE

Rep. Susan W. Almy for Finance: The committee may well want to dedicate the funding source passed for the Claremont solution using a CACR. Two CACR's were received for this purpose, and CACR 10 has been held because it focuses more closely on a single revenue source. Vote 24-1.

Adopted.

HB 105, requiring legislative review and reauthorization of any state broad-based tax every 2 years. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: This bill required legislative review and possible reauthorization of any state-imposed broad-based tax adopted on or after January 1, 1999. Any tax not re-authorized would be automatically repealed two years following its effective date. This bill, while well intentioned, is unnecessary as stand-alone legislation. To the extent thought appropriate, these concepts could be included in any final Claremont educational bill. Vote 18-0.

Adopted.

HB 106-L, replacing temporarily the rate of the annual school tax with a rate to be set by the commissioner of the department of revenue administration and repealing the provision of the tobacco

tax chapter that prohibits a direct state tax as long as the tobacco tax is in effect. INEXPEDIENT TO LEGISLATE

Rep. O. Alan Thulander for Finance: This bill would replace the current state school property tax rate of \$3.50 with a rate to be determined by the Commissioner of Revenue Administration. It also repeals RSA 78:20 which prohibits a direct state property tax as long as a tobacco tax is in effect. Since both of these issues must be addressed should a state-wide property tax be proposed as part of the Claremont solution, the bill was deemed unnecessary. Vote 24-0.

Rep. Alger spoke against.

Rep. Thulander spoke in favor.

Adopted.

HB 107-FN-A, establishing a tax review and adjustment study commission and making an appropriation therefor. RE-REFER TO COMMITTEE

Rep. William S. Belvin for Finance: The bill's purpose is to form a commission to study the impact of any school funding decisions made by April 1, 1999 on the balance of the existing state tax structure. The study and recommendations include an interim report on December 1, 1999 and a final report on April 1, 2000. \$50,000 is appropriated to fund the commission's work. The study's focus is on who pays which tax and its impact on the economy, jobs, family and community.

The bill has merit in that there will almost certainly be unintended consequences of our Claremont funding choices, as well as clarifications and adjustments. The bill may be a good vehicle to deal with such issues. However the bill's tight timing does not allow Claremont repercussions to be sufficiently developed or fully understood. Consequently the committee unanimously voted for re-refer. Vote 18-0.

Adopted.

HB 110-FN-L, authorizing each town and city to determine its methods of raising revenue to fulfill its obligation to fund public elementary and secondary education. INEXPEDIENT TO LEGISLATE

Rep. Steve Vaillancourt for Finance: While the committee appreciates the efforts of the sponsors to provide local communities with maximum control over their revenue sources, constitutional problems could arise. If, for example, each city and town chose to continue to use a local property tax to fund education, the Court's proportional requirement would not be met. Beyond the constitutional question, the committee fears that this method of raising revenue would leave us with a confusing mix of taxes in any given area. For example, Manchester could have an income tax, Bedford a sales tax, Londonderry an increased gasoline tax, and Derry a consumption tax, etc. Additionally, there's a real danger that this system would pit town against town. A shopping hub, for example, could conceivably raise necessary money by implementing a sales tax which would be assessed to not only its own citizens but also to those of surrounding towns which might have to use a property tax. The resulting double or triple taxation would be unfair. Vote 18-0.

Rep. Mirski spoke against.

Reps. Vaillancourt and Burling spoke in favor.

Rep. Alger moved Re-commit to Committee.

Rep. Kurk spoke against.

Rep. Alger requested a roll call; sufficiently seconded.

The question being the motion to Re-commit to Committee.

YEAS 50 NAYS 302			
YEAS 50			
BELKNAP			
Boyce, Robert	Johnson, James	Rice, Thomas	Rosen, Ralph
Wendelboe, Francine			
CARROLL			
Babson, David, Jr	Dickinson, Howard	Howard, Godfrey	Torressen, Gary
CHESHIRE			
None			
COOS			
Pratt, Leighton			
GRAFTON			
Alger, John	Brothers, Richard	Cobb, John	Gilman, G Michael
Hall, David	Harmon, Hobart	Hinman, Harry	MacNeil, Allen
Mirski, Paul	Phinney, William	Weber, Phil	
HILLSBOROUGH			
Beaupre, Roland	Christiansen, Lars	Desmarais, Vivian	Fenton, James
Hall, Betty	Jean, Loren	Lefebvre, Roland	Leishman, Peter
Martel, Andre	Martin, Mary	McRae, Karen	Wall, Nancy
White, Donald			
MERRIMACK			
Kennedy, Richard	Marple, Richard	Soltani, Tony	
ROCKINGHAM			
Beaulieu, Jon	Clark, Vivian	Dalrymple, Janeen	Dolan, Richard

Langley, Jane	Mikowski, Walter	Quandt, Marshall	Raynowska, Bernard
Sapareto, Frank	Stickney, Nancy	Varrell, Thomas	Weyler, Kenneth
STRAFFORD			
Bickford, David			
SULLIVAN			
None			
NAYS 302			
BELKNAP			
Boriso, Thomas	Czech, Stanley	Holbrook, Robert	Lawton, David
Lawton, Robert	Millham, Alida	Pilliod, James	Salatiello, Thomas
Thomas, John	Turner, Robert	Wood, Jane	
CARROLL			
Bradley, Jeb	Chandler, Gene	Kenney, Joseph	Lyman, L Randy
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	Philbrick, Donald
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin
Doucette, Richard	Lerandean, Alfred	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	McGuirk, Paul	Meador, David	Mitchell, McKim
Pratt, Irene	Pratt, John	Richardson, Barbara	Roberts, William
Robertson, Timothy	Rose, William	Royce, H Charles	Russell, Ronald
Smith, Edwin	Zerba, Roger		
COOS			
Davis, Perley	Glines, Sara	Guay, Lawrence	Hawkinson, Marie
Horton, Lynn	Landers, Dana	Mears, Edgar	Merrill, Gerald
Rodrigue, Robert	Tholl, John, Jr		
GRAFTON			
Akins, Ralph	Almy, Susan	Dudley, Terri	Eaton, Stephanie
Guest, Robert	Johnson, Gary	LaMott, Paul	Marshall, Gene
Nordgren, Sharon	Scanlan, David	Solow, Martha	Ward, Brien
HILLSBOROUGH			

Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr
Arthur, Rose	Baroody, Benjamin	Batula, Peter	Belvin, William
Bergeron, Lucien	Bergin, Peter	Brundige, Robert	Bruno, Pierre
Buckley, Raymond	Burkush, James	Calawa, Leon, Jr	Chabot, Robert
Clegg, Robert, Jr	Clemons, Jane	Cote, David	Cote, Peter
Coughlin, Pamela	Craig, James	Curran, James	Daigle, Robert
Dalianis, Griffin	Daniels, Gary	Desrosiers, William	Dokmo, Cynthia
Drabinowicz, A	Durham, Susan	Dwyer, Paul, Sr	Dyer, Merton
Emerton, Lawrence	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Ford, Nancy	Foster, Linda	Franks, Suzan	Gagnon, Eugene
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Goulet, Maurice	Haettenschwiller, Alphonse	Hansen, Herbert	Herman, Keith
Herman, Richard	Holley, Sylvia	Hunter, Bruce	Johnson, Lionel
Keye, Harvey	Konys, Christine	Kurk, Neal	L'Heureux, Robert
LaPorte, George	LaRose, Richard	Lasky, Bette	Leonard, Peter
Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold	MacGillivray, Jeffrey
McCarthy, William	McCarty, Winston	McDonald, James, Sr	McDonough-Wallace, Alice
McGough, Tim	Melcher, Harold	Mendenhall, Leslie	Mercer, Robert
Messier, Irene	Milligan, Robert	Moran, Edward	Murphy, Robert
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Perkins, Paul	Peterson, Andrew	Reeves, Sandra
Reidy, Frank	Rowe, Robert	Sarette, John	Sargent, Maxwell
Thulander, O Alan	Vaillancourt, Steve	White, John	Williams, Carol
Withee, Dennis			

MERRIMACK

Anderson, Eric	Bouchard, Candace	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fortnam, Janet
French, Barbara	Gile, Mary	Hager, Elizabeth	Hess, David
Hoadley, Elizabeth	Jacobson, Alf	Lavoie, Gerard	Leber, William
Lockwood, Priscilla	Marshall, Kenneth	Maxfield, Roy	Moore, Carol

Nichols, Avis	Owen, Derek	Potter, Frances	Poulin, Dave
Reardon, Tara	Rodd, Beth	Seldin, Gloria	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whalley, Michael
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Belanger, Ronald	Bishop, Franklin
Blanchard, MaryAnn	Bridle, Russell	Case, Margaret	Christie, Andrew, Jr
Clark, Martha	Cooney, Richard	Cox, Russell	Dearborn, Bruce
DiFruscia, Anthony	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John, Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Grant, Kenneth
Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane
Kobel, Rudolph	Langone, John	Letourneau, Robert	Lovejoy, Marian
Major, Norman	McKinney, Betsy	Morse, Charles	Norelli, Terie
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	O'Keefe, Patricia
O'Neil, Michael	Packard, Sherman	Pantelakos, Laura	Pitts, Jacqueline
Putnam, Ed, II	Rabideau, Marie	Reardon, Neil	Rubin, George
Ruffner, Walter	Sabella, Norma	Schanda, Frank	Shelton, Richard
Shultis, Elizabeth	Splaine, James	Stone, Joseph	Stritch, C Donald
Tufts, J Arthur	Vaughn, Charles	Verani, Giovanni	Weare, Everett
Welch, David	Whittier, John	Zolla, William	
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
Cossette, Larry	DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia
Estabrook, Iris	Gilmore, Gary	Grassie, Anne	Heon, Richard
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Lent, Donald	Lundborn, Raymond	McKinley, Robert	Musler, George
Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Spear, Barbara	Taylor, Kathleen
Torr, Franklin	Twardus, Joseph	Vachon, Dennis	Vincent, Francis

Wall, Janet	Woods, Phyllis		
SULLIVAN			
Burling, Peter	Cloutier, John	Donovan, Thomas, Jr	Jones, Constance
Kibbey, David	Leone, Richard	Phinizy, James	Robb-Theroux, Amy
Tuthill, John	Wiggins, Celestine	Young, David	

and the motion failed.

Rep. Larrabee did not vote and wished to be recorded in favor.

motion to lay on the table

Rep. Mirski moved that ***HB 110-FN-L***, authorizing each town and city to determine its methods of raising revenue to fulfill its obligation to fund public elementary and secondary education be laid on the table.

The motion failed.

The question now being the adoption of the committee report.

Adopted.

motion to special order

Rep. Bradley moved that ***HB 114-FN-A-L***, establishing a local property tax education homestead allowance against school taxes on residential real estate, establishing a fund to reimburse municipalities for such exemptions, and making an appropriation therefor, be made a Special Order for Tuesday, February 16, 1999 in the Regular Calendar order.

Reps. Kurk and Nordgren spoke in favor.

Adopted.

regular calendar (cont)

HB 115-FN-L, relative to an interim plan authorizing an annual tax for the support of a minimally adequate education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: The bill sets up an interim school funding plan for a year by establishing an adequate education as completion of 4th grade, setting school tax assessment at 3.50 per \$1000. It would cost \$357,987,211, derived by multiplying 65,276 students by cost per pupil of \$5,482. The committee applauds the sponsor's effort at a temporary solution to funding an adequate education. Nonetheless, the committee wishes to meet the Supreme Court's requirement for all grades, K-12 and avoid continuing litigation. Vote 22-3.

Adopted.

HB 118-FN-A-L, dedicating revenues resulting from future increases in the meals and rooms tax for purposes of funding public education. INEXPEDIENT TO LEGISLATE

Rep. Franklin G. Torr for Finance: This bill would dedicate any increase in the meals and rooms tax to funding primary and secondary education. Legislation in 1993, SB 170, Chapter 352, has a provision to distribute revenue from the meals and rooms tax, sixty percent to the state and forty percent to cities and towns by a progression formula. The committee did not want to interfere with this distribution formula nor is there anticipation of a meals and rooms tax increase. Vote 25-0.

Adopted.

HB 119-FN-A, establishing a 3 percent sales tax. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: The committee appreciates the sponsor's efforts in bringing forward a proposal for a straightforward sales tax levied at a rate of 3% to fund public education. However, as it labors to reduce the total number of education funding bills currently under consideration, the committee has found that an alternative tax proposal (HB 116, a consumption tax) provides a preferred and more comprehensive vehicle for further consideration. Additionally, as a "stand alone" proposal, the plan would not solve our current crisis in that imposition of the tax would only generate \$295.6 million. Unless the bill's proposed tax rate is at least doubled (6%), or trebled (9%) (a prospect that the committee does not endorse), this proposal must only be considered in concert with other funding proposals. That task is more effectively achieved in HB 116. Vote 25-0.

Adopted.

HB 120-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. Jeffrey C. MacGillivray for Finance: After lengthy discussion with the sponsor on both the original bill and a proposed amendment, the committee concluded that it would prefer to use HB 109 as a vehicle for any income taxation legislation. Therefore, this bill is no longer necessary. We thank the sponsor for his time and his suggestions, which we will consider in conjunction with other income tax proposals. Vote.22-1.

Rep. Phinizy spoke against.

Rep. Jacobson spoke against and yielded to questions.

Reps. MacGillivray and Alukonis spoke in favor.

Rep. Lyman requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 211 NAYS 141
YEAS 211

BELKNAP			
Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Lawton, David	Lawton, Robert	Rosen, Ralph	Salatiello, Thomas
Thomas, John	Turner, Robert	Wendelboe, Francine	
CARROLL			
Chandler, Gene	Dickinson, Howard	Howard, Godfrey	Kenney, Joseph
Lyman, L Randy	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Torressen, Gary			
CHESHIRE			
Burnham, Daniel	Lerandeau, Alfred	Roberts, William	Rose, William
Royce, H Charles	Smith, Edwin		
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Horton, Lynn
Mears, Edgar	Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Cobb, John	Eaton, Stephanie	Gilman, G Michael	Harmon, Hobart
Hinman, Harry	Johnson, Gary	LaMott, Paul	MacNeil, Allen
Marshall, Gene	Mirski, Paul	Scanlan, David	Ward, Brien
Weber, Phil			
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Baroody, Benjamin	Batula, Peter
Beaupre, Roland	Belvin, William	Brundige, Robert	Buckley, Raymond
Burkush, James	Calawa, Leon, Jr	Chabot, Robert	Christiansen, Lars
Clegg, Robert, Jr	Clemons, Jane	Cote, David	Cote, Peter
Coughlin, Pamela	Curran, James	Dalianis, Griffin	Daniels, Gary
Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia	Drabinowicz, A
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Goley, Jeffrey	Gorman, Mary

Goulet, Maurice	Haettenschwiller, Alphonse	Hansen, Herbert	Herman, Keith
Holley, Sylvia	Hunter, Bruce	Jean, Loren	Johnson, Lionel
Kurk, Neal	L'Heureux, Robert	LaPorte, George	LaRose, Richard
Lefebvre, Roland	Leishman, Peter	Leonard, Peter	Lessard, Rudy
Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre	McCarty, Winston
McDonough-Wallace, Alice	McGough, Tim	Mendenhall, Leslie	Mercer, Robert
Milligan, Robert	Moran, Edward	O'Connell, Timothy	O'Hearn, Jane
Ouellette, Dean	Pappas, Marc	Pepino, Leo	Peterson, Andrew
Reeves, Sandra	Rowe, Robert	Sarette, John	Sargent, Maxwell
Thulander, O Alan	Vaillancourt, Steve	Wall, Nancy	White, Donald
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Davis, Francis	Feuerstein, Martin	Fortnam, Janet
Hess, David	Hoadley, Elizabeth	Kennedy, Richard	Lavoie, Gerard
Leber, William	Marple, Richard	Nichols, Avis	Potter, Frances
Poulin, Dave	Soltani, Tony	Whalley, Michael	
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Case, Margaret	Christie, Andrew, Jr	Cox, Russell
Dalrymple, Janeen	DiFruscia, Anthony	Dowling, Patricia	Downing, Michael
Dunham, Vivian	Fesh, Robert	Flanagan, Natalie	Flanders, David
Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Grant, Kenneth	Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Letourneau, Robert	Major, Norman	McKinney, Betsy	Mikowski, Walter
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
O'Neil, Michael	Packard, Sherman	Putnam, Ed, II	Quandt, Marshall
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Rubin, George
Ruffner, Walter	Sapareto, Frank	Stickney, Nancy	Stone, Joseph
Tufts, J Arthur	Varrell, Thomas	Verani, Giovanni	Weare, Everett

Welch, David	Weyler, Kenneth	Whittier, John	Zolla, William
STRAFFORD			
Cossette, Larry	Estabrook, Iris	Johnson, Nancy	Kaen, Naida
McKinley, Robert	Musler, George	Torr, Franklin	Tsiros, William
Vincent, Francis	Woods, Phyllis		
SULLIVAN			
Cloutier, John	Young, David		
NAYS 141			
BELKNAP			
Johnson, James	Millham, Alida	Pilliod, James	Rice, Thomas
Wood, Jane			
CARROLL			
Babson, David, Jr	Philbrick, Donald		
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	DePecol, Benjamin	Doucette, Richard
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, Irene	Pratt, John
Richardson, Barbara	Robertson, Timothy	Russell, Ronald	Zerba, Roger
COOS			
Glines, Sara	Landers, Dana	Rodrigue, Robert	
GRAFTON			
Dudley, Terri	Guest, Robert	Hall, David	Nordgren, Sharon
Phinney, William	Solow, Martha		
HILLSBOROUGH			
Ahern, Richard	Arnold, Thomas, Jr	Arthur, Rose	Bergeron, Lucien
Bergin, Peter	Bruno, Pierre	Craig, James	Daigle, Robert
Dwyer, Paul, Sr	Franks, Suzan	Garrish, Linda	Ginsburg, Ruth
Hall, Betty	Herman, Richard	Keye, Harvey	Konys, Christine
Lasky, Bette	Lynde, Harold	Martin, Mary	McCarthy, William

McDonald, James, Sr	McRae, Karen	Melcher, Harold	Messier, Irene
Murphy, Robert	Perkins, Paul	Reidy, Frank	White, John
Williams, Carol			
MERRIMACK			
Bouchard, Candace	Chase, George	Crosby, Toni	Daneault, Gabriel
French, Barbara	Gile, Mary	Hager, Elizabeth	Jacobson, Alf
Lockwood, Priscilla	Marshall, Kenneth	Maxfield, Roy	Moore, Carol
Owen, Derek	Reardon, Tara	Rodd, Beth	Seldin, Gloria
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Clark, Vivian
Cooney, Richard	Dearborn, Bruce	Dolan, Richard	Kane, Cecelia
Kelley, Jane	Langley, Jane	Langone, John	Lovejoy, Marian
Norelli, Terie	O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline
Sabella, Norma	Schanda, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Stritch, C Donald	Vaughn, Charles	
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George
Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia
Grassie, Anne	Heon, Richard	Keans, Sandra	Knowles, William
Lent, Donald	Lundborn, Raymond	Pelletier, Arthur	Pelletier, Marsha
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Spear, Barbara	Taylor, Kathleen	Twardus, Joseph
Vachon, Dennis	Wall, Janet		
SULLIVAN			
Burling, Peter	Donovan, Thomas, Jr	Jones, Constance	Kibbey, David
Leone, Richard	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine			

and the report was adopted.

Rep. Dudley voted nay and intended to vote yea.

Rep. Larrabee did not vote and wished to be recorded in favor.

HB 121-FN-A-L, relating to the funding of education through the establishment of video lotteries at racetracks and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance: Licensed video lottery machines and gaming are authorized by this bill for installation and use at the state's four existing pari-mutuel racetracks. No other locations are authorized. Local communities must adopt the bill's provisions to establish these video lottery sites. The financial provisions place education funding last after distributions to support the racing industry and affiliated organizations. The fiscal note shows the net education funds from 2,000 machines to be \$29.2 million. This figure might increase if the revenue per machine and number of authorized machines expand beyond the current estimate.

A majority of the committee believes that the potential social costs and consequences of expanded gambling were not adequately taken into account. The bill was opposed by the NH Attorney General and the Chiefs of Police among others who pointed out the potential for increased crime related to this form of gambling.

There are other financial concerns, too. Existing businesses, such as restaurants that already pay meals tax, might suffer as consumers' discretionary spending moves toward video lotteries and away from existing businesses. It is also clear that Massachusetts would be much more likely to establish similar video lotteries to keep their residents' money at home.

The creation of four sanctioned monopolies to the exclusion of any other potential licenses or applicants would injure competition and is unfair. Finally, any incremental gambling legislation should give primacy to generating education revenue as its first objective, not last Vote 19-6.

Adopted.

motion to indefinitely postpone

Rep. Boyce moved that **HB 121-FN-A-L**, relating to the funding of education through the establishment of video lotteries at racetracks and making an appropriation therefor, be indefinitely postponed.

Clerk's note: At this point, Rep. Wallin moved to table the pending question, and that motion was adopted on a division vote. However, since the pending question was Rep. Boyce's motion to indefinitely postpone HB 121, the motion to table is not permitted under the rules of the House. Without objection the motion to table and the resulting division vote were removed from the record of the day's proceedings.

Rep. Boyce withdrew his motion.

regular calendar (cont)

HB 122-FN-A-L, establishing a 3 percent personal income tax on income earned in New Hampshire to fund public education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Norman L. Major for Finance: This bill establishes a 3 percent tax on income earned in New Hampshire as another source of funding for education and also establishes a dedicated education trust fund to hold all sweepstakes proceeds, income tax revenues and all other appropriated funds for education. There are some good ideas in this bill, but the committee believes that if an income tax is to go forward, the proposal in HB 109 is a better approach. Vote 23-0.

Adopted.

HB 123-FN-A-L, establishing a statewide flat property tax as a source of funding for public education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Jeffrey C. MacGillivray for Finance: This bill to establish a statewide property tax contains many good and valuable ideas; the committee thanks its sponsor. The committee has chosen to keep HB 108, a bill with more provisions and with more sponsors, as a vehicle for a statewide property tax. Therefore, HB 123 can be reported inexpedient to legislate. Vote 25-0.

Adopted.

HB 124-FN-A-L, establishing a one percent personal income tax to fund public education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance: This bill establishes a one percent personal income tax as a funding source for education, which would be added to Sweepstakes and other general fund revenues. These monies would be deposited in a newly created and dedicated education fund, for distribution to school districts. The interest and dividends tax is repealed. After deductions and adjustments, the revised fiscal note shows a net amount of \$52 million would be raised. The bill also establishes an education adequacy grant process based on \$5,000 per elementary and high school student which would appropriate \$1.076 billion in FY 2001. This amount would grow each year thereafter.

The bill does not yield a Claremont solution due to the large differences in revenue and appropriation, so the committee chose to use other bills to carry forward income tax proposals. However, the bill has raised a useful discussion of the potential cross border (NH and MA) treatment of income taxes, which may be applied to other legislation. Vote 22-3.

Reps. William McCarthy and Robertson spoke against.

Rep. Belvin spoke in favor and yielded to questions.

Rep. McCarthy requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 241 NAYS 113
YEAS 241
BELKNAP

Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Johnson, James	Lawton, David	Lawton, Robert	Millham, Alida
Pilliod, James	Rice, Thomas	Rosen, Ralph	Salatiello, Thomas
Thomas, John	Turner, Robert	Wendelboe, Francine	
CARROLL			
Bradley, Jeb	Chandler, Gene	Dickinson, Howard	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth	Mock, Henry
Patten, Betsey	Philbrick, Donald	Torressen, Gary	
CHESHIRE			
Burnham, Daniel	Lerandeau, Alfred	Pratt, Irene	Roberts, William
Rose, William	Royce, H Charles	Smith, Edwin	
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Horton, Lynn
Mears, Edgar	Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Cobb, John	Dudley, Terri	Eaton, Stephanie	Gilman, G Michael
Hall, David	Ham, Bonnie	Harmon, Hobart	Hinman, Harry
LaMott, Paul	MacNeil, Allen	Marshall, Gene	Mirski, Paul
Phinney, William	Scanlan, David	Ward, Brien	Weber, Phil
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr
Baroody, Benjamin	Batula, Peter	Beaupre, Roland	Belvin, William
Bergin, Peter	Brundige, Robert	Calawa, Leon, Jr	Chabot, Robert
Christiansen, Lars	Clegg, Robert, Jr	Clemons, Jane	Cote, David
Cote, Peter	Coughlin, Pamela	Curran, James	Dalianis, Griffin
Daniels, Gary	Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia
Drabinowicz, A	Durham, Susan	Dyer, Merton	Emerton, Lawrence
Fenton, James	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Ford, Nancy	Foster, Linda	Gagnon, Eugene	Gorman, Mary
Goulet, Maurice	Hall, Betty	Hansen, Herbert	Herman, Keith

Holley, Sylvia	Hunter, Bruce	Jean, Loren	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Leishman, Peter	Leonard, Peter
Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre
McCarty, Winston	McGough, Tim	Melcher, Harold	Mendenhall, Leslie
Mercer, Robert	Milligan, Robert	Moran, Edward	O'Connell, Timothy
O'Hearn, Jane	Ouellette, Dean	Pappas, Marc	Pepino, Leo
Perkins, Paul	Peterson, Andrew	Reeves, Sandra	Rowe, Robert
Sargent, Maxwell	Thulander, O Alan	Vaillancourt, Steve	Wall, Nancy
White, Donald	Withee, Dennis		
MERRIMACK			
Anderson, Eric	Chase, George	Daneault, Gabriel	Davis, Francis
Feuerstein, Martin	Gile, Mary	Hess, David	Hoadley, Elizabeth
Kennedy, Richard	Larrabee, David, Sr	Lavoie, Gerard	Leber, William
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Nichols, Avis
Poulin, Dave	Rodd, Beth	Seldin, Gloria	Soltani, Tony
Whalley, Michael			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Case, Margaret	Christie, Andrew, Jr	Clark, Vivian	Cooney, Richard
Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony
Dolan, Richard	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John, Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Grant, Kenneth
Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langone, John
Letourneau, Robert	Major, Norman	McKinney, Betsy	Mikowski, Walter
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
O'Neil, Michael	Packard, Sherman	Pitts, Jacqueline	Putnam, Ed, II
Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Sapareto, Frank	Schanda, Frank
Stickney, Nancy	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur

Varrell, Thomas	Vaughn, Charles	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	Zolla, William
STRAFFORD			
Berube, Roger	Callaghan, Frank	Cossette, Larry	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Kaen, Naida	Knowles, William
McKinley, Robert	Musler, George	Rogers, Rose Marie	Rollo, Michael
Spear, Barbara	Torr, Franklin	Tsiros, William	Vincent, Francis
Wall, Janet	Woods, Phyllis		
SULLIVAN			
Jones, Constance	Kibbey, David	Robb-Theroux, Amy	
NAYS 113			
BELKNAP			
Wood, Jane			
CARROLL			
Babson, David, Jr			
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	DePecol, Benjamin	Doucette, Richard
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, John	Richardson, Barbara
Robertson, Timothy	Russell, Ronald	Zerba, Roger	
COOS			
Glines, Sara	Landers, Dana	Rodrigue, Robert	
GRAFTON			
Guest, Robert	Johnson, Gary	Nordgren, Sharon	Solow, Martha
HILLSBOROUGH			
Arthur, Rose	Bergeron, Lucien	Bruno, Pierre	Buckley, Raymond
Burkush, James	Craig, James	Daigle, Robert	Dwyer, Paul, Sr
Franks, Suzan	Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey

Haettenschwiller, Alphonse	Herman, Richard	Johnson, Lionel	Keye, Harvey
Konys, Christine	LaPorte, George	Lasky, Bette	Lefebvre, Roland
Lynde, Harold	Martin, Mary	McCarthy, William	McDonald, James, Sr
McDonough-Wallace, Alice	McRae, Karen	Messier, Irene	Murphy, Robert
Reidy, Frank	Sarette, John	Simon, Anthony	White, John
Williams, Carol			
MERRIMACK			
Bouchard, Candace	Crosby, Toni	Fortnam, Janet	French, Barbara
Hager, Elizabeth	Jacobson, Alf	Lockwood, Priscilla	Moore, Carol
Owen, Derek	Potter, Frances	Reardon, Tara	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Clark, Martha
Kane, Cecelia	Kelley, Jane	Langley, Jane	Lovejoy, Marian
Norelli, Terie	O'Keefe, Patricia	Sabella, Norma	Shelton, Richard
Shultis, Elizabeth	Splaine, James		
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	DeChane, Marlene
Gilmore, Gary	Grassie, Anne	Heon, Richard	Johnson, Nancy
Keans, Sandra	Lent, Donald	Lundborn, Raymond	Pelletier, Arthur
Pelletier, Marsha	Smith, Marjorie	Snyder, Clair	Spang, Judith
Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis	
SULLIVAN			
Cloutier, John	Donovan, Thomas, Jr	Leone, Richard	Phinizy, James
Tuthill, John	Wiggins, Celestine		

and the report was adopted.

Rep. David Young did not vote and wished to be recorded in favor.

RECESS

(Speaker Sytek in the Chair)

HB 269-L, relative to the disbursement of foundation aid. INEXPEDIENT TO LEGISLATE

Rep. Susan B. Durham for Education: This bill would require that foundation aid be paid directly to the treasurer of a city or town. The resolution to the Claremont II decision will change foundation aid as we know it. The distribution method for local school aid will be, therefore, addressed in the Claremont solution. This bill is not needed. Vote 16-2.

Adopted.

CACR 3, relating to requiring that the attorney general be elected by the legislature. Providing that the attorney general be chosen by joint ballot of the senators and representatives. INEXPEDIENT TO LEGISLATE

Rep. Lynn C. Horton for Election Law: The committee believes that the attorney general would spend too much of his time trying to get elected instead of doing his job Vote 17-0.

Adopted.

CACR 4, relating to the election of the attorney general by the people. Providing that the attorney general shall be elected by the people every 2 years in the state general election. INEXPEDIENT TO LEGISLATE

Rep. Lynn C. Horton for Election Law: The committee found that this same bill has been turned down by the House 7 times in the past few years. It makes the office too political. Vote 17-0.

Rep. Kennedy spoke against.

Rep. Arndt spoke in favor.

On a division vote, 276 members having voted in the affirmative and 35 in the negative, the report was adopted.

Rep. Withee did not vote and wished to be recorded in favor.

CACR 5, relating to: voting and elective rights of incarcerated felons. Providing that no felon, from the time of conviction until final discharge of sentence, shall vote in an election, become a candidate, or hold public office. RE-REFER TO COMMITTEE

Rep. Janet S. Arndt for Election Law: This CACR adds felon to the reasons for removing the right to vote in New Hampshire. The committee felt that more study was needed before making this change. Vote 17-0.

Adopted.

HB 74, relative to absentee voter lists. INEXPEDIENT TO LEGISLATE

Rep. Christine M. Konys for Election Law: The committee felt that further restricting the public's right to know of those voters who requested absentee ballots would not stand up in court and would be a bad policy to institute. Vote 12-6.

Adopted.

HB 76, relative to voter checkout and depositing ballots. INEXPEDIENT TO LEGISLATE

Rep. Natalie S. Flanagan for Election Law: The committee believes that the laws should be uniform all over the state and checkout procedures should continue to be used where there are paper ballots. Vote 14-3.

Adopted.

HB 240, prohibiting the reintroduction of wolf populations to the state of New Hampshire.
MAJORITY: OUGHT TO PASS MINORITY: INEXPEDIENT TO LEGISLATE

Rep. Richard E. Fletcher for the Majority of Wildlife and Marine Resources: The proponents of this bill are opposed to the re-introduction of wolves to New Hampshire, not opposed to the wolf returning to New Hampshire naturally. Much discussion and debate has been held on this issue as recently as last fall's program at the AMC (Appalachian Mountain Club) Headquarters in Pinkham Notch. The owners of the public land in the North Country that would be the location of any re-introduction effort as well as the majority of North Country citizens are opposed to wolf re-introduction as evidenced by the more than 2,000 signatures gathered in support of this bill. The New Hampshire Fish and Game Department, the Fish and Game Commission, New Hampshire Farm Bureau, New Hampshire Timberland Owners, New Hampshire Wildlife Federation, and many sporting clubs all testified in support of HB 240. Naturally return, fine. Artificially re-introduced, no. Vote 12-7.

Rep. Dennis F. Abbott for the Minority of Wildlife and Marine Resources: This bill is truly unnecessary legislation. The fact that the Endangered Species Act requires the feasibility of re-introducing wolves to the northeast be explored is not cause to enact policy when no program or action is proposed. Passing this legislation only precludes our state agencies from participating in the debate. While agreeing that we may not have the necessary habitat nor the social conditions to support their presence, it is important that we maintain a dialogue with those interested parties and not be viewed as being closed minded. Additionally, testimony offered indicated that their presence would not interfere with current forestry practices while, in fact, timber harvesting creates habitat preferred by wolves and other animals. At the very least we should cast aside our fears and misconceptions and no longer be intimidated by an idea and allow the process of discussion to proceed when and if an action of some type is actually proposed.

Rep. Abbott spoke against and yielded to questions.

Rep. McKinney spoke in favor and yielded to questions.

Rep. Herman requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 223 NAYS 115

YEAS 223			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Lawton, David	Lawton, Robert	Millham, Alida	Pilliod, James
Rice, Thomas	Thomas, John	Turner, Robert	Wendelboe, Francine
CARROLL			
Babson, David, Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth	Mock, Henry
Patten, Betsey	Philbrick, Donald	Torressen, Gary	
CHESHIRE			
DePecol, Benjamin	Lerandeau, Alfred	Lynch, Margaret	Meadar, David
Pratt, Irene	Roberts, William	Rose, William	Royce, H Charles
Smith, Edwin	Zerba, Roger		
COOS			
Davis, Perley	Glines, Sara	Guay, Lawrence	Horton, Lynn
Landers, Dana	Mears, Edgar	Merrill, Gerald	Pratt, Leighton
Rodrigue, Robert	Tholl, John, Jr		
GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Hall, David	Ham, Bonnie
Harmon, Hobart	Hinman, Harry	LaMott, Paul	MacNeil, Allen
Marshall, Gene	Mirski, Paul	Phinney, William	Scanlan, David
Solow, Martha	Ward, Brien	Weber, Phil	
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Baroody, Benjamin
Batula, Peter	Beaupre, Roland	Belvin, William	Bergeron, Lucien
Brundige, Robert	Bruno, Pierre	Calawa, Leon, Jr	Christiansen, Lars
Clegg, Robert, Jr	Cote, Peter	Daigle, Robert	Dalianis, Griffin
Daniels, Gary	Desmarais, Vivian	Dokmo, Cynthia	Durham, Susan

Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Foster, Linda
Franks, Suzan	Gagnon, Eugene	Ginsburg, Ruth	Goulet, Maurice
Herman, Keith	Holley, Sylvia	Hunter, Bruce	Jean, Loren
Johnson, Lionel	Kurk, Neal	L'Heureux, Robert	LaPorte, George
LaRose, Richard	Lefebvre, Roland	Leonard, Peter	Lessard, Rudy
Lozeau, Donnalee	MacGillivray, Jeffrey	McCarty, Winston	McGough, Tim
McRae, Karen	Melcher, Harold	Mercer, Robert	Messier, Irene
Milligan, Robert	O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Rowe, Robert
Sarette, John	Sargent, Maxwell	Tate, Joan	Thulander, O Alan
Wall, Nancy	White, Donald	Withee, Dennis	
MERRIMACK			
Anderson, Eric	Davis, Francis	Feuerstein, Martin	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Kennedy, Richard	Lavoie, Gerard
Leber, William	Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth
Maxfield, Roy	Nichols, Avis	Poulin, Dave	Whalley, Michael
Whittemore, James			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Case, Margaret	Christie, Andrew, Jr	Clark, Vivian
Cooney, Richard	Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce
DiFruscia, Anthony	Dolan, Richard	Dowling, Patricia	Downing, Michael
Dunham, Vivian	Fesh, Robert	Flanagan, Natalie	Flanders, David
Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Grant, Kenneth	Hamel, Albert	Henderson, Warren	Hutchinson, Karen
Hutchinson, Rebecca	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Langone, John	Letourneau, Robert
Lovejoy, Marian	Major, Norman	McKinney, Betsy	Mikowski, Walter
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie

Reardon, Neil	Rubin, George	Ruffner, Walter	Stickney, Nancy
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas
Verani, Giovanni	Weare, Everett	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		
STRAFFORD			
Cossette, Larry	Domingo, Baldwin	McKinley, Robert	Musler, George
Rollo, Michael	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
Tsiros, William	Wall, Janet	Woods, Phyllis	
SULLIVAN			
Burling, Peter	Jones, Constance	Leone, Richard	Young, David
NAYS 115			
BELKNAP			
Johnson, James	Rosen, Ralph	Salatiello, Thomas	Wood, Jane
CARROLL			
Howard, Godfrey			
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Doucette, Richard
Lynott, Margaret	Manning, Joseph	Mitchell, McKim	Pratt, John
Richardson, Barbara	Robertson, Timothy	Russell, Ronald	
COOS			
Hawkinson, Marie			
GRAFTON			
Almy, Susan	Cobb, John	Guest, Robert	Johnson, Gary
Nordgren, Sharon			
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Buckley, Raymond	Burkush, James
Chabot, Robert	Clemons, Jane	Cote, David	Curran, James
Drabinowicz, A	Fields, Dennis	Garrish, Linda	Goley, Jeffrey
Gorman, Mary	Hall, Betty	Herman, Richard	Keye, Harvey

Konys, Christine	Lasky, Bette	Leishman, Peter	Lynde, Harold
Martel, Andre	Martin, Mary	McCarthy, William	McDonald, James, Sr
Mendenhall, Leslie	Murphy, Robert	Perkins, Paul	Reidy, Frank
Simon, Anthony	Vaillancourt, Steve	White, John	Williams, Carol
MERRIMACK			
Bouchard, Candace	Chase, George	Crosby, Toni	Daneault, Gabriel
Fortnam, Janet	French, Barbara	Gile, Mary	Jacobson, Alf
Larrabee, David, Sr	Moore, Carol	Owen, Derek	Potter, Frances
Reardon, Tara	Rodd, Beth	Seldin, Gloria	Soltani, Tony
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Kane, Cecelia
Kelley, Jane	Norelli, Terie	O'Keefe, Patricia	Pitts, Jacqueline
Raynowska, Bernard	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Shultis, Elizabetth	Splaine, James	Vaughn, Charles
STRAFFORD			
Brennan, William	Brown, George	Dunlap, Patricia	Estabrook, Iris
Gilmore, Gary	Heon, Richard	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Lent, Donald	Pelletier, Arthur	Pelletier, Marsha
Rogers, Rose Marie	Smith, Marjorie	Snyder, Clair	Spang, Judith
Twardus, Joseph	Vachon, Dennis		
SULLIVAN			
Cloutier, John	Donovan, Thomas, Jr	Phinizy, James	Robb-Theroux, Amy
Tuthill, John	Wiggins, Celestine		

and the majority report was adopted.

Ordered to third reading.

HJR 1, requesting that the federal government prohibit the U.S. Fish and Wildlife Service or other federal agency from introducing wolf populations to the northeastern United States, especially New Hampshire. OUGHT TO PASS

Rep. Allen K. MacNeil for Wildlife and Marine Resources: Since the majority of the committee followed the recommendations of the New Hampshire Fish and Game Department, Fish and Game Commission, New Hampshire Wildlife Federation, and others in recommending HB 240 Ought to Pass, it naturally follows to support a resolution letting the federal government know our stand on the wolf re-introduction issue. Vote 12-7.

Adopted and ordered to third reading.

HB 101, establishing an educational commission to ensure the right of each child to an equal and adequate education. INEXPEDIENT TO LEGISLATE

Rep. Elizabeth Hoadley for Education: To establish an educational commission at this time is not well timed. Members of this committee believe a sound definition of an "adequate" education is already in law. The House is currently working on issues of costing and funding. This legislation requires a report date of November 1, 1999. There is no reason to believe the court would look favorably on extending the April 1, 1999 deadline. Vote 17-0.

Rep. DiFruscia spoke against and yielded to questions.

Rep. Hoadley spoke in favor and yielded to questions.

motion to lay on the table

Rep. Belanger moved that **HB 101**, establishing an educational commission to ensure the right of each child to an equal and adequate education be laid on the table.

The motion failed.

The question now being the adoption of the report.

Adopted.

regular calendar (cont)

HB 296-FN-L, consolidating the number of school administrative units to one in each county. INEXPEDIENT TO LEGISLATE

Rep. Brien Ward for Education: This bill would eliminate local control of school administrative units (SAU's). The number of school administrative units (SAU's) would decrease from 79 to 10. The estimated fiscal note cost to implement this bill would be \$26.5 million in fiscal year 1999 from the state general fund expenditures. The trend for school districts is to keep control of their schools at a local level. Consolidating SAU's is contrary to needs and testimony we have heard over the years regarding SAU's. Vote 18-0.

motion to special order

Rep. Rubin moved that **HB 296-FN-L**, consolidating the number of school administrative units to one in each county, be made a Special Order for Tuesday, February 16, 1999 in the Regular Calendar order and spoke in favor.

Rep. O'Hearn spoke against and yielded to questions.

Rep. Rubin requested a roll call; sufficiently seconded.

The question being the motion to Special Order.

YEAS 65 NAYS 269			
YEAS 65			
BELKNAP			
Turner, Robert	Wendelboe, Francine		
CARROLL			
Babson, David, Jr	Dickinson, Howard	Lyman, L Randy	MacDonald, Kenneth
CHESHIRE			
Pratt, John	Rose, William		
COOS			
Pratt, Leighton	Rodrigue, Robert		
GRAFTON			
Brothers, Richard	Harmon, Hobart	Mirski, Paul	Scanlan, David
Weber, Phil			
HILLSBOROUGH			
Beaupre, Roland	Bergeron, Lucien	Christiansen, Lars	Cote, David
Daniels, Gary	Fenton, James	Gorman, Mary	Goulet, Maurice
Holley, Sylvia	Hunter, Bruce	Jean, Loren	L'Heureux, Robert
Lynde, Harold	McRae, Karen	Messier, Irene	Tate, Joan
Wall, Nancy	White, Donald	Withee, Dennis	
MERRIMACK			
Jacobson, Alf	Lavoie, Gerard	Leber, William	Marple, Richard
ROCKINGHAM			
Beaulieu, Jon	Bishop, Franklin	Bridle, Russell	DiFruscia, Anthony
Dolan, Richard	Fesh, Robert	Flanagan, Natalie	Flanders, David
Hutchinson, Karen	Katsakiores, George	Langley, Jane	Mikowski, Walter
O'Keefe, Patricia	Pitts, Jacqueline	Putnam, Ed, II	Quandt, Marshall
Rubin, George	Varrell, Thomas	Vaughn, Charles	Weare, Everett

Weyler, Kenneth	Whittier, John	Zolla, William	
STRAFFORD			
Gilmore, Gary	Heon, Richard	Vachon, Dennis	
SULLIVAN			
Young, David			
NAYS 269			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Johnson, James	Lawton, David	Lawton, Robert	Millham, Alida
Pilliod, James	Rice, Thomas	Rosen, Ralph	Salatiello, Thomas
Thomas, John	Wood, Jane		
CARROLL			
Bradley, Jeb	Chandler, Gene	Howard, Godfrey	Kenney, Joseph
Mock, Henry	Patten, Betsey	Philbrick, Donald	Torressen, Gary
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin
Doucette, Richard	Lerandean, Alfred	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	Meader, David	Mitchell, McKim	Pratt, Irene
Richardson, Barbara	Roberts, William	Robertson, Timothy	Royce, H Charles
Russell, Ronald	Smith, Edwin	Zerba, Roger	
COOS			
Davis, Perley	Glines, Sara	Guay, Lawrence	Hawkinson, Marie
Horton, Lynn	Landers, Dana	Mears, Edgar	Merrill, Gerald
Tholl, John, Jr			
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Cobb, John
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	Hall, David
Ham, Bonnie	Hinman, Harry	Johnson, Gary	LaMott, Paul
MacNeil, Allen	Marshall, Gene	Nordgren, Sharon	Phinney, William

Solow, Martha	Ward, Brien		
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr
Arthur, Rose	Baroody, Benjamin	Batula, Peter	Belvin, William
Brundige, Robert	Bruno, Pierre	Buckley, Raymond	Burkush, James
Calawa, Leon, Jr	Chabot, Robert	Clegg, Robert, Jr	Clemons, Jane
Cote, Peter	Curran, James	Daigle, Robert	Dalianis, Griffin
Desmarais, Vivian	Dokmo, Cynthia	Drabinowicz, A	Durham, Susan
Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence	Fields, Dennis
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Foster, Linda
Franks, Suzan	Gagnon, Eugene	Garrish, Linda	Ginsburg, Ruth
Goley, Jeffrey	Hall, Betty	Herman, Keith	Herman, Richard
Johnson, Lionel	Keye, Harvey	Konys, Christine	Kurk, Neal
LaPorte, George	LaRose, Richard	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Leonard, Peter	Lessard, Rudy	Lozeau, Donnalee
MacGillivray, Jeffrey	Martel, Andre	Martin, Mary	McCarthy, William
McCarty, Winston	McDonald, James, Sr	McGough, Tim	Melcher, Harold
Mendenhall, Leslie	Mercer, Robert	Milligan, Robert	Murphy, Robert
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pepino, Leo
Perkins, Paul	Peterson, Andrew	Reeves, Sandra	Reidy, Frank
Rowe, Robert	Sarette, John	Sargent, Maxwell	Simon, Anthony
Thulander, O Alan	Vaillancourt, Steve	White, John	Williams, Carol
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fortnam, Janet
French, Barbara	Hager, Elizabeth	Hess, David	Hoadley, Elizabeth
Larrabee, David, Sr	Lockwood, Priscilla	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Nichols, Avis	Owen, Derek	Potter, Frances
Poulin, Dave	Reardon, Tara	Rodd, Beth	Seldin, Gloria
Soltani, Tony	St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean
Wallner, Mary Jane	Whalley, Michael	Whittemore, James	Yeaton, Charles

ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Belanger, Ronald	Blanchard, MaryAnn
Case, Margaret	Christie, Andrew, Jr	Clark, Martha	Clark, Vivian
Cooney, Richard	Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce
Dowling, Patricia	Downing, Michael	Dunham, Vivian	Flanders, John, Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Grant, Kenneth
Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Katsakiores, Phyllis	Kelley, Jane	Kobel, Rudolph
Langone, John	Letourneau, Robert	Lovejoy, Marian	Major, Norman
McKinney, Betsy	Morse, Charles	Norelli, Terie	Nowe, Mary Lou
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Raynowska, Bernard
Reardon, Neil	Ruffner, Walter	Sabella, Norma	Sapareto, Frank
Schanda, Frank	Shelton, Richard	Shultis, Elizabetth	Splaine, James
Stickney, Nancy	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur
Verani, Giovanni	Welch, David		
STRAFFORD			
Brennan, William	Brown, George	Cossette, Larry	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Lent, Donald	McKinley, Robert	Musler, George
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spang, Judith	Spear, Barbara
Taylor, Kathleen	Torr, Franklin	Tsiros, William	Twardus, Joseph
Wall, Janet	Woods, Phyllis		
SULLIVAN			
Burling, Peter	Cloutier, John	Donovan, Thomas, Jr	Jones, Constance
Leone, Richard	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine			

and the motion failed.

Report adopted.

RESOLUTION

Rep. Chandler 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 Thursday, February 11, 1999 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 231, relative to approval of applications in the charter schools pilot program.

HB 295-FN-L, relative to alternative kindergarten programs in cooperative school districts.

HB 60, relative to meetings of the ballot law commission.

HB 227, establishing a committee to study the maintenance of voter checklists.

HB 228, clarifying permissible political expenditures.

HB 284-L, relative to recount procedures in school districts.

HB 207-FN-A, directing the office of state planning to conduct a study of the effects of sprawl in the state and making an appropriation therefor.

HB 93, permitting a dam to be constructed on Rand Pond in Goshen.

HB 248, relative to the Monadnock advisory commission.

HB 249, relative to the membership of the rivers management advisory committee.

HB 73, extending the reporting date of the commission to study the effects of and jurisdiction over alternative agricultural products.

HB 240, prohibiting the reintroduction of wolf populations to the state of New Hampshire.

HJR 1, requesting that the federal government prohibit the U.S. Fish and Wildlife Service or other federal agency from introducing wolf populations to the northeastern United States, especially New Hampshire.

RECESS MOTION

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

Adopted.

The House recessed at 2:50 p.m.

RECESS

(Rep. Herman in the Chair)

RESOLUTION

Rep. Guay offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 603 through 612 and House Joint Resolution numbered 9, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS and HJR

First, second reading and referral

HB 603, relative to the performance audit and oversight committee. (Lozeau, Hills 30; Kurk, Hills 5; Lynch, Ches 19; J. King, Dist 18; Russman, Dist 19: Legislative Administration)

HB 604, relative to filling a vacancy in the office of county commissioner. (M. Whalley, Merr 5: Municipal and County Government)

HB 605-FN, affirming sovereign immunity as it relates to the state's computers and computer software and programs and granting the state board of claims jurisdiction over claims against the state arising out of computer-related problems. (N. Kaen, Straf 7; Kurk, Hills 5; Dokmo, Hills 14; MacGillivray, Hills 21; Peterson, Hills 8; F. King, Dist 1; Johnson, Dist 3; Below, Dist 5: Judiciary)

HB 606-FN, relative to compensation for law enforcement officers who are injured in the line of duty. (Ham, Graf 4: Labor, Industrial and Rehabilitative Services)

HB 607, relative to the contents of the certificate of divorce. (Bickford, Straf 1: Children and Family Law)

HB 608-FN-A, establishing a New Hampshire emergency management response and recovery fund and making an appropriation therefor. (Alger, Graf 9; Weyler, Rock 18: Finance)

HB 609, relative to construction of a sewer force main through a state land conservation easement. (Flint, Sull 4; Allison, Sull 10; Donovan, Sull 11; Leone, Sull 2; Disnard, Dist 8: Public Works and Highways)

HB 610-FN-A-L, prohibiting the use of wheeled OHRVs on trails maintained by the bureau of trails during the winter. (Christiansen, Hills 23: Transportation)

HB 611, relative to performance standards for telephone companies providing noncompetitive services. (MacGillivray, Hills 21; Norelli, Rock 31: Science, Technology and Energy)

HB 612-FN, relative to compensation paid to jurors. (MacGillivray, Hills 21; D. White, Hills 25: Judiciary)

HJR 9, urging the United States Congress and federal Environmental Protection Agency to eliminate federal requirements for oxygenate additives for gasoline. (MacGillivray, Hills 21; D. White, Hills 25; N. Kaen, Straf 7: Science, Technology and Energy)

RECESS