HOUSE RECORD

First Year of the 156th Session of the General Court

Calendar and Journal of the 1999 Session

Vol. 21 Concord N.H. Thursday, March 25, 1999 No. 33

HOUSE JOURNAL No. 9 (cont.)

Thursday, March 18, 1999

(Rep. Chandler in the Chair)

The Committee on Enrolled Bills has examined and found correctly Enrolled House bill numbered 54.

Rep. Nowe. Sen. D'Allesandro for the Committee

RECESS

(Rep. Whalley in the Chair)

RESOLUTION

Rep. John Flanders offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 736 and House Concurrent Resolution numbered 12, 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 BILL and HCR

First, second reading and referral

HB 736, ratifying the 1999 Allenstown annual town meeting. (Daneault, Merr 12; Lavoie, Merr 12; F. Davis, Merr 12; Fortnam, Merr 12: Municipal and County Government)

HCR 12, urging the United States Congress to enact legislation which prohibits the federal government from recouping state tobacco settlement funds. (M. Smith, Straf 8; Kurk, Hills 5; Emerton, Hills 7; Burling, Sull 1; Chandler, Carr 1: Finance)

RECESS

(Speaker Sytek in the Chair)

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 10

Thursday, March 25, 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 podium for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Reverend Bradley J. Bergfalk from the Concord Covenant Church.

God of order over the big and little things of our lives, help us to discriminate between that which we should rush and that which takes time. Give us the courage to recognize when part of the confusion we face is brought on by our own inability to prioritize that which is important over that which is trivial. Help us place the significant and insignificant in their rightful places so we may live today with a sense of freedom we have never experienced before. Oh, and Lord, this holds true for the work we embark on here today. Amen.

Rep. Gile led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. David Cote, Courchesne, DePecol, Drabinowicz, Durham, Fenton, Eugene Gagnon, Golden, McRae, Searles and Carol Williams, the day, illness.

Reps. Bishop, Peter Cote, Doucette, Eaton, David Flanders, Paul Gagnon, Goley, Claudette Jean, Mendenhall, Musler, Nordgren, O'Keefe, Marsha Pelletier, Nolan-Piteri, Edwin Smith, Tsiros, Weatherspoon and Zerba, the day, important business.

Reps. Fields, McColgan and Whittier, the day, death in the family.

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

INTRODUCTION OF GUESTS

Barbara Brewster, wife of Rep. Brewster. Aimee Lynn and Amanda Merrill, granddaughters of Rep. Merrill. Lynda Horsley, guest of Rep. Hunt. Ric Franks, husband of Rep. Franks. Polly Curran, wife of Rep. Curran. Robert Hull, brother of Rep. Richardson.

special guests

The boys soccer team from Belmont High School and the Nashua High School girls basketball team, guests of the House.

suspension of rules

Reps. Chandler and Burling moved that the Rules be so far suspended as to permit consideration at the present time, without the required notice, of ***HB 734-FN-L,*** relative to establishing a voluntary school contribution program in support of local school districts.

Adopted by the necessary two-thirds.

consideration of hb 734

HB 734, relative to establishing a voluntary school contribution program in support of local school districts. OUGHT TO PASS WITH AMENDMENT

Rep. David W. Hess for Municipal and County Government**:** This bill, as amended, reflects the collective, collaborative effort of the House leadership and the House Democratic leadership to address two of the most serious uncertainties which our schools and teachers will face if the April 1 Claremont II deadline approaches and passes without adoption of a final legislative response. Section 1 of the bill authorizes state guarantees for "TANs" – (tax anticipation notes) which a number of our municipalities may have to issue in order to cover the costs of public education for the remainder of this school year. This bill enables all municipalities to obtain such a state guarantee if they can demonstrate a compelling need for that guarantee to both the Legislative Fiscal Committee and the Governor and Council. Section 2 of the bill extends the statutory deadline by which school districts must provide their teachers with non-renewal notices as a result of the uncertainty arising out of Claremont II from April 15, 1999 to May 15, 1999. This section, however, applies only to those school districts which do not have a specific, non-renewal notice date in their collective bargaining agreements with teachers. It also applies only to calendar year 1999. With the agreement of the prime sponsor, that portion of the original bill authorizing municipalities to accept and spend voluntary contributions for public education in lieu of school taxes has been retained by this Committee for further study and refinement. The Committee expects to report it out in amended form later in the session. Vote 18-0.

Amendment (0543h)

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

AN ACT relative to state guarantees of tax anticipation notes issued by municipalities; and relative to teacher non-renewals for the 1999-2000 school year.

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

1 State Guarantee.

I. Any municipality faced with a compelling need to borrow in anticipation of taxes may petition the fiscal committee for a state guarantee of the principal and interest thereon of such tax anticipation notes. The state guarantee shall then be limited to the amount approved by the legislative fiscal committee and by the governor and council. Notwithstanding the provisions of RSA 33:7 and in view of the general public benefits expected to be derived from the uninterrupted operation of local government, the fiscal committee and the governor and council may award a state guarantee of the principal and interest thereon of tax anticipation notes. The full faith and credit of the state shall be pledged for any such guarantees of principal and interest. The governor, with the advice and consent of the council, is authorized to draw a warrant for such a sum out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed note by an endorsement signed by the state treasurer.

II. In connection with the award of a state guarantee, the fiscal committee and the governor and council may impose such terms and conditions as they may deem appropriate concerning the notes and reimbursement to the state. Such terms and conditions shall be contained in an agreement between the state and the municipality, to be executed on behalf of the state by the governor and the state treasurer and on behalf of the municipality by its duly authorized treasurer or finance director.

2 Notice Provisions; Temporary Suspension. For the 1999-2000 school year, the provisions of RSA 189:14-a are hereby suspended only as such provisions may be applied to school districts with no specific non-renewal notice date in the existing teacher's contract. This suspension is limited to those decisions to non-renew teachers resulting from uncertainty as to the level of state funding for education. The suspension set forth in this section shall terminate on May 15, 1999.

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

AMENDED ANALYSIS

The bill also allows municipalities to petition the legislative fiscal committee and the governor and council, based upon a compelling need, for state guarantees on tax anticipation notes.

The bill also specifies that the provisions of RSA 189:14-a relative to notice of teacher non-renewals resulting from uncertainty as to the level of state funding for education shall be temporarily suspended.

Adopted.

Rep. Hess spoke in favor and yielded to questions.

Rep. Burling spoke in favor.

Adopted.

suspension of rules

Reps. Chandler and Burling moved that the Rules be so far suspended as to permit third reading and final passage at the present time of ***HB 734-FN-L,*** relative to relative to state guarantees of tax anticipation notes issued by municipalities; and relative to teacher non-renewals for the 1999-2000 school year.

Adopted by the necessary two-thirds.

motion on HB 734

Rep. Chandler moved that ***HB 734-FN-L,*** relative to relative to state guarantees of tax anticipation notes issued by municipalities; and relative to teacher non-renewals for the 1999-2000 school year, be read a third time and passed.

Adopted.

Third reading and final passage

HB 734-FN-L, relative to establishing a voluntary school contribution program in support of local school districts.

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 436-L, relative to uncompensated public service by prisoners, removed by Rep. Heon.

HB 708-FN-L, transferring the county attorneys' offices and the county sheriffs' offices to the department of justice and the unified court system, respectively, removed by Rep. Jacobson.

Consent Calendar adopted.

HB 441, relative to a mother's right to breast-feed. OUGHT TO PASS WITH AMENDMENT

Rep. Thomas I. Arnold, Jr. for Children and Family Law**:** After exhaustive discussion of breast feeding of children, this committee amended the complex bill to a simple statement that breastfeeding does not constitute indecent exposure and that restricting the right of a mother to breastfeed her child is discriminatory. Vote 13-0.

Amendment (0415h)

Amend the bill by replacing section 2 with the following:

2 New Section; Breast-feeding. Amend RSA 132 by inserting after section 10-c the following new section:

132:10-d Breast-feeding. Breast-feeding a child does not constitute an act of indecent exposure and to restrict or limit the right of a mother to breast-feed her child is discriminatory.

AMENDED ANALYSIS

This bill sets forth the right of a mother to breast-feed her child in public.

HB 567, encouraging alternative dispute resolution in certain domestic relations and CHINS proceedings. INEXPEDIENT TO LEGISLATE

Rep. Patricia A. Dowling for Children and Family Law**:** The committee believes this bill to be unnecessary because judges are now encouraging alternative methods of dispute resolution. The committee has in its possession other bill(s) which encompass this subject. Vote 12-0.

HB 571, relative to joint legal and physical custody of children. RE-REFER TO COMMITTEE

Rep. Edward P. Moran for Children and Family Law**:** The committee decided that since the bill deals with the spectrum of parental responsibilities, given the issues involved, it would be prudent to have an extended time frame to work on the bill. Vote 13-0.

HB 607, relative to the contents of the certificate of divorce. INEXPEDIENT TO LEGISLATE

Rep. Laura C. Pantelakos for Children and Family Law**:** The committee felt it would be very hard to determine the exact number of hours a child spends with each parent. Also it would be very costly for the courts to keep these statistics. Vote 12-0.

HB 628, relative to the relocation of the principal residence of a child. RE-REFER TO COMMITTEE

Rep. David A. Bickford for Children and Family Law**:** The committee chose to study this bill along with HB 571. The bills deal with joint custody and relocating children. Vote 13-0.

HB 56, establishing a procedure for reinstating corporate charters that have been expired for more than 3 years. OUGHT TO PASS

Rep. Tara G. Reardon for Commerce**:** This bill establishes a procedure by which the Office of the Secretary of State can reinstate corporate charters that have expired. In the absence of this procedure, only the Legislature can accomplish the reinstatement. Vote 17-0.

HB 82, establishing a committee to study financial arrangements among hospitals, physicians, and insurance companies. OUGHT TO PASS

Rep. Martha Fuller Clark for Commerce**:** The support for this study committee was unanimous both in the public hearing and on the committee. In this area of constantly changing health care services and policy, it is essential to clarify the Legislature's understanding of the interrelationship, financial and otherwise, among hospitals, physicians and insurance companies. Public testimony urged the study committee to look specifically at four separate areas of concern: 1) study hospital endowments and reserves from 1992 to the present; 2) uncompensated care; 3) profit and loss by reimbursement from medicaid, indemnity and self-pay; and 4) the feasibility of disclosure of service charges for self-pay. Vote 16-0.

HB 205, relative to the requirement for posting of bond by an applicant for a writ of replevin. OUGHT TO PASS WITH AMENDMENT

Rep. Tara G. Reardon for Commerce**:** This bill updates the current law regarding a writ of replevin and security therefor. The prior requirement for posting a bond, which is difficult and expensive to obtain, is being replaced by other forms of security acceptable to the court. Vote 18-0.

Amendment (0283h)

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

1 Sureties in Replevin Cases. Amend RSA 536-A:7 to read as follows:

536-A:7 [~~Bond~~] ***Security***.

I. A writ of replevin shall not issue at any stage of the proceedings until the applicant has filed with the court a written undertaking executed by the applicant and ***secured*** by ***a proper assignment or conveyance of*** one or more sufficient [~~sureties~~] ***securities***, approved by the court, in an amount of double the value of the property, as determined by the court, to prosecute [~~his~~] ***the applicant's*** action to completion and, alternatively, for the return of the property to the defendant, if return thereof be ordered, and for the payment to the defendant of any sum as may from any cause arising out of the action be recovered against the applicant.

II. For purposes of this section, securities may include, but shall not be limited to, bonds, letters of credit, security interests, or cash in a form and amount acceptable to the court.

2 Sureties in Replevin Cases; Retention of Property Upon Filing Security. Amend RSA536-A:14 to read as follows:

536-A:14 Retention of Property Upon Filing [~~Bond~~] ***Security***.

I. At any time prior to the hearing of the order to show cause, or before the delivery of the property to the plaintiff, the defendant may require the return thereof upon filing with the court a written undertaking executed by ***the defendant and secured by a proper assignment or conveyance of*** one or more sufficient [~~sureties~~] ***securities***, approved by the court, to the effect that [~~they are~~] ***the defendant shall be*** bound in double the value of the property, as stated in the verified complaint of the applicant, or as determined by the court, for the delivery thereof to the applicant and for the payment to [~~him~~]***the applicant*** of such sum as may for any cause be recovered against the defendant. At the time of filing such undertaking, the defendant shall serve upon the applicant or [~~his~~] ***the applicant's*** attorney a notice of filing of such undertaking, to which a copy of such undertaking shall be attached, and shall cause proof of service thereof to be filed with the court. If such undertaking be filed prior to hearing of the order to show cause, proceedings thereunder shall terminate, unless exception is taken to the [~~sureties~~] ***adequacy or sufficiency of the securities***. If, at the time of filing of such undertaking, the property shall be in the custody of the levying officer, such property shall be redelivered to the defendant [~~five~~] ***5*** days after service of notice of filing such undertaking unless objected to by the applicant or [~~his~~] ***the applicant's*** attorney.

II. For purposes of this section, securities may include, but shall not be limited to, bonds, letters of credit, security interests, or cash in a form and amount acceptable to the court.

HB 330, relative to changing the name of the lienholder or mortgage holder on title insurance when refinancing a home. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce**:** The intent of this bill was to restrict fees for title insurance when refinancing a home. However, as title insurance does not look to the future, but rather to the past, the committee felt that this bill would offer no protection to the lender. The secondary market is an important feature in today's financing market and secondary markets require new title insurance. Vote 16-0.

HB 339, requiring consumer reporting agencies to provide annually to the consumer a free copy, upon request, of a consumer report. INEXPEDIENT TO LEGISLATE

Rep. Toni M. Crosby for Commerce**:** Credit bureaus currently provide free credit reports to consumers who are on welfare, are victims of fraud, who are unemployed and who have been denied credit within the past sixty days. The committee feels that $8.00 is a reasonable amount for credit bureaus to charge consumers for their credit reports under normal circumstances. Vote 15-0.

HB 351, relative to liability for property taxes on manufactured housing when the manufactured housing is moved. INEXPEDIENT TO LEGISLATE

Rep. Dennis P. Vachon for Commerce**:** The committee is reluctant to place reporting requirements on the owners of manufactured housing parks with respect to manufactured housing units they do not own and for which the park owner should not incur any liability for real estate taxes. Vote 15-0.

HB 372, amending the bond issuing powers of the business finance authority. INEXPEDIENT TO LEGISLATE

Rep. James C. Curran for Commerce**:** This bill involves the financial relationship and interaction among the Business Finance Authority (BFA), the New Hampshire Higher Educational and Health Facilities Authority (NHHEHFA) and the New Hampshire Higher Education Loan Corporation (NHHELCO). The BFA sought authorization to issue bonds for student loan programs, an authority now reserved to NHHEHFA. NHHELCO, which uses the proceeds of NHHEHFA bond sales to make student loans, expressed its neutrality as to the merits of the change, while NHHEHFA was opposed. The underlying issue of importance to the BFA was the loss of bond issuance fees it experiences when it allocates tax-exempt bond volume cap to NHHEHFA for student loan programs. After discussion and at the committee's urging, the three parties agreed on a formula whereby BFA will increase cap volume allocation for student loan bonds from $25 million to $45 million in return for a small fee. In view of this new arrangement, the bill is now unnecessary. Vote 12-0.

HB 422, relative to advertising by rent-to-own businesses. OUGHT TO PASS WITH AMENDMENT

Rep. Dennis P. Vachon for Commerce**:** The amendment addresses the sponsor's concerns that certain rent-to-own advertising was avoiding the disclosure requirements of RSA 358-P through a dubious interpretation of the language by clarifying that the statute applies to each advertising, which refers to initial and final payments as well as possible payments, and with respect to any item not just a specific item. Vote 12-2.

Amendment (0359h)

Amend the bill by replacing section 1 with the following:

1 Trade and Commerce; Rent-to-Own Agreement Act; Advertising; Dollar Amount of Periodic Payment Deleted. Amend RSA 358-P:5 to read as follows:

358-P:5 Advertising.

I. If an advertisement for a rent-to-own agreement refers to or states the dollar amount of [~~a periodic payment for a specific~~] ***an initial, periodic, or final payment for any*** item and refers to or states the right to acquire ownership of the item, then for such item the advertisement shall also clearly and conspicuously state the following:

(a) That the transaction advertised is a rent-to-own agreement.

(b) The total number and total amount of periodic payments necessary to acquire ownership.

(c) That the consumer acquires no ownership rights unless the total amount necessary to acquire ownership is paid.

II. Any owner or personnel of any medium in which an advertisement appears or through which it is disseminated shall not be liable under this section.

III. The provisions of paragraph I of this section shall not apply to an advertisement which does not refer to or state the amount of any payment, or which is published in the yellow pages of a telephone directory or in any similar directory of business.

IV. Every item displayed or offered under a rent-to-own agreement shall bear a tag or card that clearly and conspicuously indicates in Arabic numerals each of the following:

(a) The cash price of the item.

(b) The amount of the periodic payment.

(c) The total number and total dollar amount of periodic payments necessary to acquire ownership.

AMENDED ANALYSIS

This bill expands the restrictions on advertising by rent-to-own businesses to include advertisements that refer to a dollar amount of an initial, periodic, or final payment.

HB 517, relative to insurance coverage for alcoholism treatment. INEXPEDIENT TO LEGISLATE

Rep. Keith R. Herman for Commerce**:** The sponsor testified at the public hearing that the issues contained in this bill are better addressed in another piece of legislation. In addition, treating alcoholism as a separate disease from all other diseases goes against the intent of the sponsor. The sponsor requested this bill be withdrawn. Vote 13-0.

HB 638-FN, authorizing a limited license for certain travel agents. OUGHT TO PASS

Rep. Stephen G. Avery for Commerce**:** This bill authorizes the insurance commissioner to issue a limited license to ticket selling travel agents and other representatives of common carriers to sell travel insurance policies to their customers. These are short-term nonrenewable policies that include accident, baggage insurance and cancellation coverage. Current law requires the travel agents to take the same test that all insurance agents must take. Vote 13-0.

CACR 24, relating to county attorneys. Providing that county attorney positions be abolished. INEXPEDIENT TO LEGISLATE

Rep. Timothy N. Robertson for Criminal Justice and Public Safety**:** The only testimony in favor of the bill was from the sponsor. Basically, this bill would be a start to abolishing county government beginning with the county attorney. Each county has a unique personality and point of view and the

committee seemed to be in favor of maintaining this. There is no body of information that would indicate what effects wholesale or even partial dismantling of county government might have. Vote 12-0.

HB 713-FN, relative to penalties for multiple DWI offenses. RE-REFER TO COMMITTEE

Rep. Frank M. Schanda for Criminal Justice and Public Safety: This bill revises the penalties for repeat DWI offenders to include interlock systems on car ignitions and home detention for motor vehicle offenses involving alcohol. The committee and sponsor agreed that this bill needed additional work. Vote 15-0.

HB 729, adding social clubs recognized by the Internal Revenue Service to the definition of "charitable organization" for purposes of the laws governing raffles. OUGHT TO PASS

Rep. Robert M. Fesh for Criminal Justice and Public Safety**:** This bill adds social clubs as recognized by the Internal Revenue Service to the definition of "Charitable organization" for purposes of the laws governing raffles. It will allow fish and game clubs to conduct raffles that have been in existence for at least 2 years and are organized under the laws of this state. Vote 13-0.

HB 311-FN-A, relative to grants made under the New Hampshire incentive program and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Warren Henderson for Education**:** As amended, this bill makes part-time students who are state residents eligible to receive certain education grants. Part-time students, including those holding down jobs and those raising families, are often among those most needing assistance. Including them among those eligible to receive education grants seems to be a matter of simple equity. The bill also increases state funds available to the grant program by $750,000 in fiscal year 2000 and again in fiscal year 2001. The amendment allows the Post Secondary Commission to determine who shall receive the grant without specifying what level of the post-secondary institution the applicant is attending. Vote 15-0.

Amendment (0326h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; New Hampshire Incentive Grant Program; Eligibility of Part-Time Students. Amend RSA 188-D:13 by inserting after paragraph VII the following new paragraph:

VIII. Part-time students who are residents of this state and who have satisfied the application requirements established by the postsecondary education commission shall be eligible to receive grants in accordance with the provisions of this section.

AMENDED ANALYSIS

This bill permits part-time students to be eligible for grants made under the New Hampshire incentive grant program and increases the appropriation to the program for the fiscal years ending June 30, 2000 and June 30, 2001.

Referred to Finance.

HB 404, establishing a committee to study the implementation of a means-testing grant program within the university system of New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Clair A. Snyder for Education**:** This bill would establish a committee to study the implementation of a means-testing grant program within the university system of New Hampshire. Since many students rely on loans, they graduate with large debt. This happens even when USNH awards approximately $25 million in financial aid. Only if state aid were increased would money be available to lessen the student's debt at graduation. The committee objected to the study because the duty to analyze the financial and economic impact to means test a grant formula should be addressed to the Legislative University Oversight Committee. Vote 12-0.

HB 428, relative to school administrative units. OUGHT TO PASS WITH AMENDMENT

Rep. John Alger for Education**:** This bill was necessary to clarify the requirement for a public hearing on plans for organization of an SAU. The committee amended the bill to require notice of any public hearing at least 14 days ahead of the meeting. Vote 16-0.

Amendment (0278h)

Amend RSA 194-C:2, VI as inserted by section 1 of the bill by replacing it with the following:

VI. In accordance with RSA 194-C:2, III(e) and V(b), the planning committee shall submit a copy of the proposed plan to the several school districts within the existing school administrative unit and shall hold [~~a~~] ***at least one*** public hearing [~~at least 60 days~~] ***no less than 14 days*** prior to submission to the state board. Within 60 days, the state board of education shall review the proposed plan for administrative structure to determine whether or not the proposed plan contains the services described in RSA 194-C:4. Each plan shall also include an educational and fiscal analysis of the impact on all remaining districts and the disposition of school administrative unit assets. If, in the opinion of the state board, all services have been properly addressed, the state board shall recommend for or against its adoption. If, in the opinion of the state board, all services have not been properly addressed, the deficiencies shall be noted and the plan shall be promptly returned for revision. When the plan is resubmitted, the state board of education shall promptly return the plan and make a recommendation for or against its adoption. This recommendation shall be reported to the legislative body of the district. The state board shall not have veto power over any plan once it is resubmitted to the state board by the planning committee.

AMENDED ANALYSIS

This bill replaces the requirement that a public hearing on the plan to form a school administrative unit be held at least 60 days prior to the planning committee's submission of the plan to the state board of education with a requirement that the planning committee hold a hearing no less than 14 days prior to submission of the plan. The bill also makes a technical correction to the law relating to voting by members of the joint board of school administrative units by correcting a cross-reference to a repealed provision of law.

This bill is a request of the department of education.

HB 488, relative to the definition of certain disabilities in the provision of special education services. OUGHT TO PASS WITH AMENDMENT

Rep. Susan B. Durham for Education**:** As amended, this bill expands, to age nine, the age for the category "developmentally delayed" and therefore, the word "pre-school" needed to be eliminated.

Some children catch up on the developmental delays and would not need continued special education. This legislation is compliant with IDEA. Vote 15-0.

Amendment (0370h)

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

AN ACT relative to the definition of a developmentally delayed child in the provision of special education services.

Amend the bill by replacing section 1 with the following:

1 Special Education; Definition of "Developmentally Delayed Child." Amend RSA 186-C:2, I-a to read as follows:

I-a. "Developmentally delayed child" means a [~~preschool~~] child between 3 and [~~5~~] ***9*** years of age, who, because of impairments in development, needs special education or special education and educationally related services, may be identified as being developmentally delayed provided that such a child must first be determined to have an educationally disabling condition as defined in RSA 186-C:2, I.

AMENDED ANALYSIS

This bill expands the definition of a developmentally delayed child to include children aged 3 through 9 years.

Referred to Finance.

HB 590-L, relative to the use by a school district of proceeds from an educational trust fund. INEXPEDIENT TO LEGISLATE

Rep. Elizabeth K. Hoadley for Education**:** The committee believes it would be difficult (and nearly impossible) to legislate the distribution of funds from all the various educational trust funds throughout this state. Local districts, which may benefit from trust funds, need to work proactively with fund trustees to minimize any problems connected with the distribution of those funds. Vote 15-0.

HB 211-FN-A-L, relative to intergenerational homeshare programs and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Lawrence A. Emerton for Health, Human Services and Elderly Affairs**:** This proposed program, which was passed by the House in 1998, has received federal approval from HCFA and will be considered for future statewide implementation by the Health and Human Services Department. The sponsor and prime mover, hopes to start a pilot program in her city, independent of a Department sponsored initiative. The committee feels that this is a program that should soon be a part of New Hampshire's long term care initiative. Vote 17-0.

HB 264, relative to persons who die in nursing homes. INEXPEDIENT TO LEGISLATE

Rep. Martin Feuerstein for Health, Human Services and Elderly Affairs**:** It is the sense of the committee that nursing home operators have guidelines to deal with deceased persons. It also felt

that it is inappropriate for us to legislate procedure in the event of death of a resident in a nursing home. Vote 17-0.

HB 456, establishing a committee to study issues relating to the deaf community in New Hampshire. OUGHT TO PASS WITH AMENDMENT

Rep. Daniel M. Burnham for Health, Human Services and Elderly Affairs**:** This bill establishes a committee to study a wide range of issues relating to the deaf community in New Hampshire including interpreter standards, methods for better statewide coordination of programs and services for deaf persons, and the quality of education for deaf children in the state. After hearing from an impressive cross-section of the deaf community, the committee believes the study is both important and timely. Vote 17-0.

Amendment (0394h)

Amend subparagraph I (b) as inserted by section 2 of the bill to read as follows:

(b) Five members of the senate, of whom 2 shall be from the public institutions, health and human services committee, 2 shall be from the education committee, and one shall be from another senate standing committee, appointed by the president of the senate.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall review existing state law relating to the rights of deaf citizens in the state with the intent of proposing new legislation or amendments to existing laws, for introduction in the 2000 legislative session, which will assist or improve the abilities of NewHampshire deaf citizens to lead a more meaningful and productive life. The committee's duties shall include:

I. Studying the advantages and disadvantages of recognizing American sign language as the primary language of the New Hampshire deaf community.

II. The adoption of the deaf children's bill of rights into law in New Hampshire.

III. Exploring the quality of education for New Hampshire's deaf children and options for improvement, including, but not limited to, magnet schools or residential school for deaf students.

IV. The establishment of a licensure program including licensing standards and qualifications for sign language interpreters.

V. State funding to improve the availability and efficiency of interpreter referral services statewide.

VI. Studying possible revisions to RSA 521-A, relative to interpreters for the deaf.

VII. The development of guidelines for sign language interpreters working in educational settings.

VIII. Any other issues deemed relevant by the committee.

Amend the bill by replacing section 6 with the following:

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

HB 486-FN-A, relative to the physician effectiveness program. OUGHT TO PASS WITH AMENDMENT

Rep. James P. Pilliod for Health, Human Services and Elderly Affairs**:** This bill, as amended, was discussed by the committee and realizing the value of this self-funded program which monitors physicians who are at risk for substance abuse and addiction, voted to approve the legislation as amended. Vote 19-0.

Amendment (0213h)

Amend RSA 329:13-b as inserted by section 1 of the bill by replacing it with the following:

329:13-b Physician Effectiveness Program.

I. Any physician peer review committee may report relevant facts to the board relating to the acts of any physician in this state if it has knowledge relating to the physician which, in the opinion of the physician peer review committee, might provide grounds for disciplinary action as specified in RSA 329:17.

II. Any committee of a professional society comprised primarily of physicians, its staff, or any district or local intervenor participating in a program established to aid physicians impaired or potentially impaired by mental or physical illness including substance abuse may report in writing to the board the name of a physician whose ability to practice medicine safely is impaired or could reasonably be expected to become impaired if the condition is allowed to progress together with the pertinent information relating to the physician's impairment. The board may report to any committee of such professional society or the society's designated staff information which it may receive with regard to any physician who may be impaired by a mental or physical illness including substance abuse.

III. Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with a physician effectiveness peer review committee, shall be confidential and are not to be considered open records unless the affected physician so requests; provided, however, the board may disclose this confidential information only:

(a) In a disciplinary hearing before the board or in a subsequent trial or appeal of a board action or order;

(b) To the physician licensing or disciplinary authorities of other jurisdictions; or

(c) Pursuant to an order of a court of competent jurisdiction.

IV.(a) No employee or member of the board, peer review committee member, medical organization committee member, medical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired physician shall by reason of furnishing such information be liable for damages to any person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or

recommendations made by such board, committee, or staff unless the person is found to have acted recklessly or wantonly.

V.(a) The board may contract with other organizations to operate the physician effectiveness program for physicians who are impaired or potentially impaired because of mental or physical illness including substance abuse. This program shall be available to all physicians licensed in this state, all physicians seeking licensure in this state, and all resident physicians in training, and shall include, but shall not be limited to, education, intervention, ongoing care or treatment, and post-treatment monitoring.

(b) The board shall allocate $10 from each physician annual license renewal fee it collects to provide funding for the physician effectiveness program as set forth in subparagraph V(a).

VI. Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the physician's individual record in the board's office. A physician or authorized representative shall be entitled on request to examine the physician's peer review or the organization committee report submitted to the board and to place into the record a statement of reasonable length of the physician's view with respect to any information existing in the report.

Referred to Finance.

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. INEXPEDIENT TO LEGISLATE

Rep. Peter F. Bergin for Judiciary**:** This bill would prohibit the chief justice of the supreme court from temporarily assigning a supreme court justice to assist the superior court and the superior court to assist the district court whenever a backlog in the lower court required such action. Over the years the arrangement has worked well and at no cost to the state. It would also diminish funding for district court jury trials which a number of people testified against. Vote 15-0.

HB 65, relative to dates of meetings for local political subdivisions which have adopted the official ballot. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government**:** This bill was submitted to allow charter towns which have enacted SB-2, particularly the Town of Hooksett, to adopt a May town meeting date. On March 9th the Town of Hooksett amended its charter so as to make this bill moot. Vote 16-0.

HB 208-FN, establishing a coordinated and comprehensive effort by state agencies for economic growth, resource protection, and planning policy to deter sprawl. OUGHT TO PASS

Rep. Linda T. Foster for Municipal and County Government**:** This bill establishes a coordinated and comprehensive effort by state agencies for economic growth, resource protection, and planning policy to deter sprawl. It ensures that the provisions of the Governor's Executive Order relative to sprawl become permanent and ongoing. The Committee unanimously believes that this policy will aid in improving New Hampshire's quality of life, not only for present but also for future generations. Vote 14-0.

HB 232, permitting town trustees to invest capital reserve funds in mutual funds. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government**:** This bill would have allowed towns to invest capital reserves in mutual funds. The Committee feels that the risk inherent in such funds is too great for public funds. Additionally, a state regulatory process would have to be established to rate mutual funds for safety and soundness, and there appears to be no state agency currently with the expertise to do so. Vote 16-0.

HB 327-L, allowing municipal treasurers to enter into lease agreements for equipment. OUGHT TO PASS WITH AMENDMENT

Rep. Anthony F. Simon for Municipal and County Government**:** This bill clarifies some existing confusion by specifically allowing municipalities to enter into lease agreements for the use and ownership of equipment. Lease agreements that contain "non-appropriation" clauses will not be regarded as long term debt and may be approved by majority vote. Vote 15-0.

Amendment (0405h)

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

AN ACT allowing municipal governing bodies to enter into lease agreements for equipment.

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

1 New Section; Lease Agreements for Equipment. Amend RSA 33 by inserting after section 7-d the following new section:

33:7-e Lease Agreements of Equipment. The governing body may enter into leases of equipment as required by the municipality. Appropriations to fund lease agreements with nonappropriation clauses may be approved by a simple majority vote of the legislative body. Lease agreements with nonappropriation clauses shall not be treated as debt under RSA 33:4-a. For the purposes of this section, "lease" shall include lease-purchase, sale and lease back, installment sale, or other similar agreement to acquire use or ownership of such equipment as is from time to time required by the municipality.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows a municipality's governing body to enter into lease agreements for equipment as required by the municipality. Appropriations to fund lease agreements with nonappropriation clauses may be approved by a simple majority vote of the legislative body.

HB 328-L, allowing municipalities to enter into agreements to purchase goods and services with credit cards. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government**:** This bill is not necessary because our municipalities already have the authority to, and do, use credit cards. The Department of Revenue Administration does not regard the use of credit cards as creating long-term debt. Vote 15-0.

HB 394-L, enabling towns, cities, and village districts to assess property taxes for certain services on charitable organizations. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government**:** This bill would have permitted municipalities to withdraw the charitable exemption from selected charitable organizations. It was introduced as a result of an ongoing dispute regarding the payment of fire protection costs in the Town of Conway. The Committee is convinced that there are serious constitutional problems with this bill. Additionally, there are serious public policy questions involved in allowing the discretionary, selective removal of the charitable exemption from otherwise qualified organizations. Finally, this appears to be a local problem, which does not require legislative action. Vote 15-0.

HB 425, relative to the placement of public utility wires. INEXPEDIENT TO LEGISLATE

Rep. Thomas E. P. Rice for Municipal and County Government**:** This bill would force the rate payers in an entire service area of electric, phone, cable, etc. to pay for putting wires underground due to the action of a single community. It would also result in much billing confusion because these service areas do not coincide. Vote 15-0.

HB 641-L, clarifying the value of public utility property for property tax purposes. RE-REFER TO COMMITTEE

Rep. Elizabeth S. Hager for Municipal and County Government**:** The Committee, the sponsor, and all interested parties unanimously agree that this bill should be re-referred, particularly with the uncertainty over the legislative response to Claremont II. Vote 15-0.

HB 663-L, authorizing the granting of abatements to persons whose children are enrolled in schools other than the local public schools. INEXPEDIENT TO LEGISLATE

Reps. Priscilla P. Lockwood and David W. Hess for Municipal and County Government**:** This bill would authorize towns to grant real estate tax abatements of up to one thousand dollars where the taxpayer enrolls a child in "approved schools" other than the local public schools. The Committee felt that the support of public education by taxes is a separate and distinct issue from personal choice, and that the responsibility of paying for public education should be shared by all. The Committee also was warned about the difficulty and expense that would be encountered by towns in administering such a proposal, and noted that such legislation would discriminate against residents, such as renters, who do not directly pay property taxes Vote 15-0.

HB 664, establishing a study committee on rights of ownership to cemetery plots. OUGHT TO PASS

Rep. Marilyn A. Fraser for Municipal and County Government**:** This is a simple, straightforward bill which establishes a committee to study ways to update, clarify, and otherwise improve the laws of the State regarding rights of ownership to cemetery plots. The committee concluded that there are serious issues in this area that need to be resolved. Vote 15-0.

HB 709-FN-A-L, relative to the railroad tax. OUGHT TO PASS

Rep. Betsey L. Patten for Municipal and County Government**:** This bill clarifies the tax treatment of railroad companies that operate on state-owned railroad corridors and provides a share of the revenues from these operations to the twenty-eight towns and cities on the four railroad corridors. The remaining revenue is paid to the special railroad fund (RSA 228:68-69) which provides for the maintenance and repair of the railroad lines. Vote 15-0.

Referred to Finance.

HB 444, relative to establishing a study committee to review reestablishing passenger rail service on the Eastern Line between Newburyport, Massachusetts and Kittery, Maine. OUGHT TO PASS WITH AMENDMENT

Rep. George N. Katsakiores for Transportation**:** The amendment to this bill moves the reporting date to November 1, 2000. This bill essentially complements other efforts ongoing across the country and in the state of New Hampshire as to the intermodel transportation systems authorized by the T-21 authorization bill passed by Congress in 1998. Vote 20-0.

Amendment (0375h)

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2000.

HJR 6, encouraging the revitalization of the northern rail line from Concord to Lebanon. OUGHT TO PASS

Rep. George N. Katsakiores for Transportation**:** This resolution addresses the national railroad revitalization of passenger and freight rail services movement. The resolution primarily alerts all interested parties in the desire to begin the process that eventually will result in the revitalization of the northern rail line from Concord to Lebanon. The rapid growth of New Hampshire's economy and population alone, with the expansion of the state's recreation activities, merits our attention to the infrastructure needs. Vote 20-0.

HB 298-FN, relative to the authority of the executive director of fish and game to prevent damage to commercial agricultural crops through wildlife reduction or management. INEXPEDIENT TO LEGISLATE

Rep. Rose Marie Rogers for Wildlife and Marine Resources**:** This bill regarding the prevention of game damage was related to a more comprehensive bill, HB 704-FN-A. The committee decided to incorporate this bill in HB 704-FN-A and rendered HB 298-FN Inexpedient to Legislate. Vote 12-0.

REGULAR CALENDAR

HB 221, allowing milk products known to contain the genetically produced bovine somatotropin growth hormone to be so labeled. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: RE-REFER TO COMMITTEE.

Rep. Tim S. McGough for the Majority of Commerce**:** This bill, as introduced, would permit producers and distributors of milk and milk products to label them with regard to content or use of bovine somatotropin growth hormone. The committee finds that this issue has been considered and examined at length and defeated in 1995, 1996 and 1997 House Sessions. Under new FDA guidelines, producers of milk products can now conspicuously label their products are rBST free. Therefore, this legislation is unnecessary. If additional new information becomes available, the committee will certainly examine it with respect to any new legislation. Vote 10-8.

Rep. Linda L. Garrish for the Minority of Commerce**:** Despite the FDA's approval of voluntary labeling of milk products from cows, known not to have been treated with genetically engineered bovine somatotropin growth hormone, known as rBST, labeling as such is inconsistent. Many consumers, particularly parents of infants and young children who are dependent upon the essential nutrients provided by milk products, continue to seek clearer, consistent and more accessible labeling. rBST, currently non-detectable in milk but known to increase IGF-1 levels, which however, by an ability to affect cell growth, may be linked to cancer. Use of rBST continues to be banned in Canada, Australia, New Zealand and Europe Union countries. Scientists also continue to study the potential health risks to both cows and humans. Their research is often conflicting within and outside of the industry. Therefore, we believe further in-depth study and review of current research and past Commerce Committee testimony is necessary.

Rep. Garrish spoke against.

Reps. Curran and Keans spoke against and yielded to questions.

Reps. Scanlan and Hunt spoke in favor and yielded to questions.

Rep. Vivian Clark spoke in favor.

Rep. Garrish requested a roll call; sufficiently seconded.

The question being the adoption of the Majority report.

YEAS 230 NAYS 122 **YEAS 230** **BELKNAP**			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Lawton, Robert
Millham, Alida	Pilliod, James	Rice, Thomas	Rosen, Ralph
Thomas, John	Turner, Robert	Wendelboe, Francine	
CARROLL			
Babson, David, Jr	Chandler, Gene	Dickinson, Howard	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth	Mock, Henry
Patten, Betsey	Philbrick, Donald	Sullivan, P Judith	Torressen, Gary
CHESHIRE			
Avery, Stephen	Hunt, John	Manning, Joseph	Roberts, William
Rose, William	Royce, H Charles		
COOS			

Davis, Perley	Guay, Lawrence	Horton, Lynn	Merrill, Gerald
Pratt, Leighton	Tholl, John, Jr	Woodward, David	
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Cobb, John	Dudley, Terri	Gilman, G Michael	Guest, Robert
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	Marshall, Gene
Mirski, Paul	Phinney, William	Picconi, Al	Scanlan, David
Ward, Brien	Weber, Phil		
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr
Arthur, Rose	Batula, Peter	Beaupre, Roland	Belvin, William
Bergin, Peter	Brundige, Robert	Bruno, Pierre	Calawa, Leon, Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr
Coughlin, Pamela	Craig, James	Daigle, Robert	Dalianis, Griffin
Daniels, Gary	Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia
Dyer, Merton	Emerton, Lawrence	Fletcher, Richard	Flora, Kathleen
Foster, Linda	Franks, Suzan	Goulet, Maurice	Haettenschwiller, Alphonse
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Hunter, Bruce
Jean, Loren	Kurk, Neal	L'Heureux, Robert	LaRose, Richard
Leishman, Peter	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	McCarty, Winston	McGough, Tim	Melcher, Harold
Mercer, Robert	Milligan, Robert	Moran, Edward	Mosher, William
Murphy, Robert	O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean
Pappas, Marc	Pepino, Leo	Peterson, Andrew	Reeves, Sandra
Rowe, Robert	Sarette, John	Sargent, Maxwell	Simon, Anthony
Tate, Joan	Thulander, O Alan	Wall, Nancy	White, Donald
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Brewster, Richard	Crosby, Toni	Davis, Francis
Feuerstein, Martin	Hess, David	Hoadley, Elizabeth	Jacobson, Alf

Kennedy, Richard	Langer, Ray	Larrabee, David, Sr	Lavoie, Gerard
Leber, William	Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth
Maxfield, Roy	Nichols, Avis	Poulin, Dave	Soltani, Tony
Whalley, Michael	Whittemore, James		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	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, John, Sr	Francoeur, Sheila
Gibbons, Paul	Gleason, John	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Karen	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Lovejoy, Marian	Major, Norman	McKinney, Betsy
Mikowlski, Walter	Moore, Benjamin	Morse, Charles	Nowe, Mary Lou
Nowe, Ronald	Noyes, Richard	O'Neil, Michael	Packard, Sherman
Priestley, Anne	Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie
Raynowska, Bernard	Reardon, Neil	Rubin, George	Ruffner, Walter
Sapareto, Frank	Schanda, Frank	Shelton, Richard	Stickney, Nancy
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas
Weare, Everett	Welch, David	Weyler, Kenneth	Zolla, William
STRAFFORD			
Berube, Roger	Bickford, David	Callaghan, Frank	Cossette, Larry
Knowles, William	McKinley, Robert	Spear, Barbara	Taylor, Kathleen
Torr, Franklin	Vincent, Francis	Wall, Janet	
SULLIVAN			
Burling, Peter	Flint, Gordon, Sr	Jones, Constance	Kibbey, David
Leone, Richard	Young, David		
NAYS 122			
BELKNAP			

Salatiello, Thomas	Wood, Jane		
CARROLL			
Bradley, Jeb			
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lerandeau, Alfred
Lynch, Margaret	Lynott, Margaret	McGuirk, Paul	Meader, David
Mitchell, McKim	Pratt, Irene	Pratt, John	Richardson, Barbara
Riley, William	Robertson, Timothy	Russell, Ronald	
COOS			
Glines, Sara	Hawkinson, Marie	Landers, Dana	Mears, Edgar
Rodrigue, Robert			
GRAFTON			
Copenhaver, Marion	Densmore, Jessica	Hall, David	Johnson, Gary
Solow, Martha			
HILLSBOROUGH			
Baroody, Benjamin	Bergeron, Lucien	Buckley, Raymond	Burkush, James
Clemons, Jane	Curran, James	Dwyer, Paul, Sr	Ford, Nancy
Garrish, Linda	Ginsburg, Ruth	Gorman, Mary	Haley, Robert
Hall, Betty	Herman, Richard	Johnson, Lionel	Keye, Harvey
Konys, Christine	LaPorte, George	Lasky, Bette	Lefebvre, Roland
Leonard, Peter	Lynde, Harold	Martin, Mary	McCarthy, William
McDonald, James, Sr	McDonough-Wallace, Alice	Messier, Irene	Moriarty, Mary
Perkins, Paul	Reidy, Frank	Turgeon, Roland	Vaillancourt, Steve
White, John			
MERRIMACK			
Bouchard, Candace	Chase, George	Daneault, Gabriel	Fortnam, Janet
Fraser, Marilyn	French, Barbara	Gile, Mary	Moore, Carol
Owen, Derek	Potter, Frances	Reardon, Tara	Rodd, Beth
Seldin, Gloria	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Yeaton, Charles			

ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Grant, Kenneth
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Norelli, Terie
Pantelakos, Laura	Pitts, Jacqueline	Sabella, Norma	Splaine, James
Vaughn, Charles			
STRAFFORD			
Brennan, William	Brown, George	Brown, Julie	DeChane, Marlene
Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Grassie, Anne	Heon, Richard	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Lent, Donald	Lundborn, Raymond	Pelletier, Arthur
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Twardus, Joseph	Vachon, Dennis	Woods, Phyllis
SULLIVAN			
Allison, David	Cloutier, John	Donovan, Thomas, Jr	Phinizy, James
Robb-Theroux, Amy	Tuthill, John	Wiggins, Celestine	

and the Majority report was adopted.

HB 319-FN, relative to mandatory automobile insurance. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce**:** While the committee feels it would be beneficial for all New Hampshire motorists to be insured, it is a fundamental fallacy that by mandating coverage the percentage of uninsured motorists would decrease and the cost of insurance would go down. Comparisons with other states consistently show New Hampshire with one of the lowest percentages of uninsured drivers. Comparisons also show that the cost of insurance in New Hampshire continues to be lower than in neighboring states. The committee believes that to impose mandatory insurance would be a financial hardship on those least able to afford it and would not produce any positive tangible results. Vote 15-1.

Adopted.

HB 497-FN-A, relative to family literacy planning grants and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Iris Estabrook for Education**:** This bill makes an appropriation to match federal funds available to plan and implement a statewide family literacy initiative under the Even Start Family Literacy Program. The committee believes this is a highly effective program, which lays the foundation for school readiness. The amendment changed this bill from a study bill to a bill to implement a program that is working with positive results. Vote 16-0.

Amendment (0373h)

Amend the bill by replacing section 1 with the following:

1 Purpose; Family Literacy Planning Program Grants; Eligibility for Federal Funds. The purpose of the family literacy planning program is to enable states to study, plan, and implement statewide family literacy initiatives under the Even Start Family Literacy Program. Family literacy includes the components of interactive literacy activities between parent and child, parent training with the goal of enabling the parent to be the child's primary teacher and a full partner in the child's education, parent literacy training, and early childhood education. By making an appropriation of $50,000, New Hampshire is eligible for an additional $100,000 in federal money to plan and implement a comprehensive statewide family literacy initiative which would be conducted through a consortium of state, local, and other institutions, organizations, and agencies.

AMENDED ANALYSIS

This bill makes an appropriation to the department of education enabling New Hampshire to access additional federal moneys for the purpose of planning and implementing statewide family literacy initiatives.

Adopted.

Report adopted and referred to Finance.

HCR 3, urging the federal government to fund 100 percent of the total cost of special education programs and services nationwide INEXPEDIENT TO LEGISLATE

Rep. Charles B. Yeaton for Education**:** There is another resolution, HCR 6, which urges the federal government to fulfill its promise to fund special education costs at 40% of the average per pupil cost. That resolution is an appropriate request. If special education costs were funded at 100% by the federal government, it would take away any incentives to keep such costs down to a reasonable level and create federal government control over New Hampshire education. Vote 12-4.

On a division vote, 222 members having voted in the affirmative and 118 in the negative, the report was adopted.

HB 64, relative to changes of registration for undeclared voters. OUGHT TO PASS

Rep. Michael S. Rollo for Election Law**:** This bill creates an even field for all voters. At this time, undeclared voters may register with a party, vote and then switch back to their undeclared status. However, registered Democrats and Republicans must wait to switch party affiliation. It was the opinion of the majority of the committee that this was unfair to citizens who wish to vote in their party's primaries and choose their parties candidates. Vote 12-6.

Reps. Brewster and Gilmore spoke against and yielded to questions.

Reps. Rollo and Konys spoke in favor and yielded to questions.

Rep. Jacobson spoke against.

Rep. Clegg spoke in favor.

Rep. Kaen requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 204 NAYS 147			
YEAS 204			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Lawton, Robert
Rosen, Ralph	Thomas, John	Turner, Robert	
CARROLL			
Babson, David, Jr	Chandler, Gene	Kenney, Joseph	Lyman, L Randy
Mock, Henry	Patten, Betsey	Sullivan, P Judith	Torressen, Gary
CHESHIRE			
Batchelder, Robert	Burnham, Daniel	Lerandeau, Alfred	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Riley, William
Roberts, William	Robertson, Timothy	Royce, H Charles	Russell, Ronald
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Horton, Lynn
Mears, Edgar	Merrill, Gerald	Pratt, Leighton	Rodrigue, Robert
Tholl, John, Jr	Woodward, David		
GRAFTON			
Alger, John	Copenhaver, Marion	Gilman, G Michael	Guest, Robert
Hall, David	Harmon, Hobart	Mirski, Paul	Solow, Martha
Ward, Brien			
HILLSBOROUGH			
Alukonis, David	Arnold, Thomas, Jr	Batula, Peter	Bergin, Peter
Brundige, Robert	Bruno, Pierre	Buckley, Raymond	Burkush, James
Calawa, Leon, Jr	Christiansen, Lars	Clegg, Robert, Jr	Clemons, Jane
Coughlin, Pamela	Curran, James	Dalianis, Griffin	Daniels, Gary
Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence	Fletcher, Richard
Flora, Kathleen	Ford, Nancy	Franks, Suzan	Garrish, Linda

Goulet, Maurice	Haettenschwiller, Alphonse	Haley, Robert	Jean, Loren
Keye, Harvey	Konys, Christine	Kurk, Neal	Lasky, Bette
Leonard, Peter	Lessard, Rudy	Lozeau, Donnalee	McCarthy, William
McCarty, Winston	McGough, Tim	Mercer, Robert	Milligan, Robert
Moriarty, Mary	Mosher, William	Murphy, Robert	O'Connell, Timothy
O'Hearn, Jane	Pappas, Marc	Pepino, Leo	Reidy, Frank
Rowe, Robert	Sarette, John	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Wall, Nancy	White, Donald	
MERRIMACK			
Anderson, Eric	Daneault, Gabriel	French, Barbara	Hager, Elizabeth
Hoadley, Elizabeth	Larrabee, David, Sr	Leber, William	Lockwood, Priscilla
Marshall, Kenneth	Maxfield, Roy	Nichols, Avis	Poulin, Dave
Reardon, Tara	Seldin, Gloria	Soltani, Tony	Wallin, Jean
Wallner, Mary Jane	Whalley, Michael		
ROCKINGHAM			
Arndt, Janet	Blanchard, MaryAnn	Bridle, Russell	Case, Margaret
Christie, Andrew, Jr	Clark, Martha	Clark, Vivian	Cooney, Richard
Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony	Dolan, Richard
Dowling, Patricia	Fesh, Robert	Flanders, John, Sr	Gleason, John
Grant, Kenneth	Griffin, Mary	Hamel, Albert	Henderson, Warren
Hutchinson, Karen	Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane
Kobel, Rudolph	Langone, John	Letourneau, Robert	Major, Norman
McKinney, Betsy	Moore, Benjamin	Norelli, Terie	Nowe, Mary Lou
Nowe, Ronald	Noyes, Richard	O'Neil, Michael	Packard, Sherman
Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie	Ruffner, Walter
Sabella, Norma	Schanda, Frank	Shelton, Richard	Splaine, James
Stickney, Nancy	Stone, Joseph	Tufts, J Arthur	Varrell, Thomas
Welch, David	Weyler, Kenneth	Zolla, William	
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Brown, Julie

Cossette, Larry	DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia
Estabrook, Iris	Grassie, Anne	Heon, Richard	Keans, Sandra
Lent, Donald	Lundborn, Raymond	McKinley, Robert	Pelletier, Arthur
Rollo, Michael	Smith, Marjorie	Spang, Judith	Spear, Barbara
Torr, Franklin	Twardus, Joseph	Vachon, Dennis	Vincent, Francis
SULLIVAN			
Allison, David	Burling, Peter	Donovan, Thomas, Jr	Kibbey, David
Wiggins, Celestine	Young, David		
NAYS 147 **BELKNAP**			
Millham, Alida	Pilliod, James	Rice, Thomas	Salatiello, Thomas
Wendelboe, Francine	Wood, Jane		
CARROLL			
Bradley, Jeb	Dickinson, Howard	Howard, Godfrey	Philbrick, Donald
CHESHIRE			
Avery, Stephen	Blaisdell, Michael	Meader, David	Mitchell, McKim
Pratt, Irene	Pratt, John	Richardson, Barbara	Rose, William
COOS			
Glines, Sara	Landers, Dana		
GRAFTON			
Akins, Ralph	Almy, Susan	Brothers, Richard	Cobb, John
Densmore, Jessica	Dudley, Terri	Ham, Bonnie	Hinman, Harry
Johnson, Gary	Marshall, Gene	Phinney, William	Picconi, Al
Scanlan, David	Weber, Phil		
HILLSBOROUGH			
Ahern, Richard	Andrews, Frederick	Arthur, Rose	Baroody, Benjamin
Beaupre, Roland	Belvin, William	Bergeron, Lucien	Carlson, Donald
Chabot, Robert	Craig, James	Daigle, Robert	Dawe, Eileen
Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia	Foster, Linda
Ginsburg, Ruth	Gorman, Mary	Hall, Betty	Hansen, Herbert

Herman, Keith	Herman, Richard	Holley, Sylvia	Hunter, Bruce
Johnson, Lionel	L'Heureux, Robert	LaPorte, George	LaRose, Richard
Lefebvre, Roland	Leishman, Peter	Lynde, Harold	MacGillivray, Jeffrey
Martel, Andre	Martin, Mary	McDonald, James, Sr	McDonough-Wallace, Alice
Melcher, Harold	Messier, Irene	Moran, Edward	Ouellette, Dean
Perkins, Paul	Peterson, Andrew	Reeves, Sandra	Simon, Anthony
Turgeon, Roland	Vaillancourt, Steve	White, John	Withee, Dennis
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
Gile, Mary	Hess, David	Jacobson, Alf	Kennedy, Richard
Langer, Ray	Lavoie, Gerard	Marple, Richard	Moore, Carol
Owen, Derek	Potter, Frances	Rodd, Beth	Virtue, Carolyn
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Beaulieu, Jon	Belanger, Ronald	Cox, Russell
Downing, Michael	Dunham, Vivian	Flanagan, Natalie	Francoeur, Sheila
Gibbons, Paul	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Langley, Jane	Lovejoy, Marian	Mikowlski, Walter	Morse, Charles
Pitts, Jacqueline	Priestley, Anne	Raynowska, Bernard	Reardon, Neil
Rubin, George	Sapareto, Frank	Stritch, C Donald	Vaughn, Charles
Weare, Everett			
STRAFFORD			
Bickford, David	Callaghan, Frank	Gilmore, Gary	Johnson, Nancy
Kaen, Naida	Knowles, William	Rogers, Rose Marie	Snyder, Clair
Taylor, Kathleen	Wall, Janet	Woods, Phyllis	
SULLIVAN			
Cloutier, John	Flint, Gordon, Sr	Jones, Constance	Leone, Richard
Phinizy, James	Robb-Theroux, Amy	Tuthill, John	

and the report was adopted.

Ordered to third reading.

RECESS

(Speaker Sytek in the Chair)

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 737, 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 BILL

First, second reading and referral

HB 737, declaring the New Hampshire supreme court's Claremont II decision to be an unconstitutional violation of the separation of powers mandate under part I, article 37 of the New Hampshire constitution.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 12, 14, 16, 17, 19, 21, 26, 35 through 37, 40 through 43, 45, 60, 65, 74, 89, 91, 92, 99, 101, 107, 113, 115, 117 through 119, 140, 155, 161 and 180, shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 12-FN-A, relative to the World War II memorial campaign and making an appropriation therefor. (State-Federal Relations and Veterans Affairs)

SB 14, establishing a committee to study the impact of federal welfare reform on the cities and towns of New Hampshire. (Health, Human Services and Elderly Affairs)

SB 16, relative to revocation of wills by divorce. (Judiciary)

SB 17, relative to funeral arrangements. Health, Human Services and Elderly Affairs)

SB 19, extending the reporting date of the state substance abuse treatment delivery system committee. (Health, Human Services and Elderly Affairs)

SB 21, relative to domestic animals. (Executive Departments and Administration)

SB 26, establishing a committee to study trustee process. (Judiciary)

SB 35, establishing a study committee to investigate motor vehicle inspection requirements. (Transportation)

SB 36-FN-A, relative to salary increases for care providers for persons with developmental and acquired disabilities and making an appropriation therefor. (Finance)

SB 37-FN, relative to fees for testing of domestic animals for disease. (Finance)

SB 40, relative to the health care fund. (Finance)

SB 41, correcting a reference in provisions relating to hunting and fishing licenses for members of the armed services. (Wildlife and Marine Resources)

SB 42-L, establishing a committee to study safety improvements at the U.S. Route 1, traffic circle in the city of Portsmouth. (Public Works and Highways)

SB 43, creating a commission to research making Hilton Park in the city of Dover property of that city. (Public Works and Highways)

SB 45-FN-A, allowing a waiver of interest for the time period of an extension of the date of payment of the legacies and successions tax. (Finance)

SB 60, establishing a committee to study the licensure of radiographers and radiologic technicians. (Executive Departments and Administration)

SB 65, establishing a study committee to review field activities conducted by the department of health and human services relative to children, youth and families. (Children and Family Law)

SB 74, relative to the rule making authority of the real estate commission concerning practices relating to certain dwellings. (Executive Departments and Administration)

SB 89-L, relative to library trustees. (Municipal and County Government)

SB 91, designating segments of the Cold River as protected under the rivers management and protection program. (Resources, Recreation and Development)

SB 92-FN, relative to education grants funded by the companion animal neutering fund. (Environment and Agriculture)

SB 99, allowing the same interest rates and charges on small loans under $1,500 as is allowed on small loans over $1,500. (Commerce)

SB 101, relative to landlord-tenant obligations. (Judiciary)

SB 107, relative to fees for examination of domestic societies and foreign societies. (Commerce)

SB 113, establishing a division of travel and tourism development within the department of resources and economic development. (Executive Departments and Administration)

SB 115, relative to participation by certain judges in the state employee group health and dental insurance programs. (Executive Departments and Administraton)

SB 117, relative to the duties of the board of trustees of the community-technical college system. (Education)

SB 118, relative to requirements for retail installment contracts for motor vehicle sales. (Commerce)

SB 119, relative to the withdrawal of a pupil from school. (Education)

SB 140, relative to ear and body piercing. (Health, Human Services and Elderly Affairs)

SB 155, relative to the naming of certain bridges in the city of Concord. (Public Works and Highways)

SB 161-L, relative to amending the contributory pension system for employees of the city of Manchester. (Municipal and County Government)

SB 180, establishing a committee to study the improvement of employment opportunities offered by the state of New Hampshire for persons with disabilities. (Labor, Industrial and Rehabilitative Services)

senate message

concurrence

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

HB 248, relative to the Monadnock advisory commission.

regular calendar (cont'd.)

HB 271, relative to recounts. INEXPEDIENT TO LEGISLATE

Rep. Raymond Buckley for Election Law**:** This bill would require the Secretary of State to name recount teams of opposite parties. The committee feels the intent of HB271 has great merit but after discussions with the Secretary of State feels the bill is now unnecessary. The Secretary of State has given assurances to the committee that a greater effort will be made to provide increased training and understanding of the role of the team members in a recount. Vote 13-2.

Adopted.

HB 381, prohibiting any candidate from receiving the nomination of more than one party. OUGHT TO PASS

Rep. Robert J. Letourneau for Election Law**:** The provisions of this bill allow the candidate to accept the nomination of only one party. It provides a level playing field for all candidates during primary elections. Vote 14-3.

Reps. Dickinson and Hall spoke against and yielded to questions.

Reps. Alger and Scanlan spoke against.

Reps. Buckley and Lozeau spoke in favor and yielded to questions.

Rep. Lozeau requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 243 NAYS 102			
YEAS 243			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Lawton, Robert	Millham, Alida	Rice, Thomas	Rosen, Ralph
Salatiello, Thomas	Thomas, John	Turner, Robert	Wendelboe, Francine
Wood, Jane			
CARROLL			
Chandler, Gene	Kenney, Joseph	Mock, Henry	Patten, Betsey
Torressen, Gary			
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Hunt, John
Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret	McGuirk, Paul
Meader, David	Mitchell, McKim	Pratt, John	Richardson, Barbara
Roberts, William	Robertson, Timothy	Royce, H Charles	Russell, Ronald
COOS			
Davis, Perley	Glines, Sara	Guay, Lawrence	Hawkinson, Marie
Horton, Lynn	Landers, Dana	Mears, Edgar	Merrill, Gerald
Rodrigue, Robert	Tholl, John, Jr	Woodward, David	
GRAFTON			
Akins, Ralph	Almy, Susan	Brothers, Richard	Copenhaver, Marion
Gilman, G Michael	Guest, Robert	Hall, David	Johnson, Gary
Marshall, Gene	Phinney, William	Picconi, Al	Solow, Martha
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr

Arthur, Rose	Baroody, Benjamin	Batula, Peter	Bergeron, Lucien
Bergin, Peter	Brundige, Robert	Buckley, Raymond	Burkush, James
Calawa, Leon, Jr	Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr
Clemons, Jane	Coughlin, Pamela	Curran, James	Daigle, Robert
Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian	Desrosiers, William
Dokmo, Cynthia	Dwyer, Paul, Sr	Dyer, Merton	Fletcher, Richard
Flora, Kathleen	Ford, Nancy	Foster, Linda	Franks, Suzan
Garrish, Linda	Ginsburg, Ruth	Gorman, Mary	Goulet, Maurice
Haettenschwiller, Alphonse	Hansen, Herbert	Herman, Keith	Herman, Richard
Holley, Sylvia	Johnson, Lionel	Keye, Harvey	Konys, Christine
Kurk, Neal	L'Heureux, Robert	LaPorte, George	LaRose, Richard
Lasky, Bette	Leishman, Peter	Lessard, Rudy	Lozeau, Donnalee
Lynde, Harold	MacGillivray, Jeffrey	McCarthy, William	McCarty, Winston
McDonald, James, Sr	McDonough-Wallace, Alice	McGough, Tim	Mercer, Robert
Milligan, Robert	Moriarty, Mary	Mosher, William	O'Hearn, Jane
Reeves, Sandra	Reidy, Frank	Rowe, Robert	Sarette, John
Sargent, Maxwell	Simon, Anthony	Tate, Joan	Thulander, O Alan
Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy	White, Donald
White, John			
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Brewster, Richard	Chase, George
Crosby, Toni	Daneault, Gabriel	Davis, Francis	Fortnam, Janet
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Langer, Ray	Larrabee, David, Sr
Leber, William	Moore, Carol	Nichols, Avis	Potter, Frances
Poulin, Dave	Reardon, Tara	Rodd, Beth	Seldin, Gloria
Virtue, Carolyn	Wallner, Mary Jane	Whalley, Michael	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Bridle, Russell	Case, Margaret
Christie, Andrew, Jr	Clark, Martha	Cooney, Richard	Dalrymple, Janeen

Dearborn, Bruce	Dowling, Patricia	Downing, Michael	Fesh, Robert
Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Griffin, Mary	Henderson, Warren	Hutchinson, Karen	Hutchinson, Rebecca
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane
Letourneau, Robert	Morse, Charles	Norelli, Terie	Nowe, Mary Lou
Nowe, Ronald	Noyes, Richard	O'Neil, Michael	Packard, Sherman
Pantelakos, Laura	Pitts, Jacqueline	Ruffner, Walter	Sabella, Norma
Sapareto, Frank	Schanda, Frank	Shelton, Richard	Splaine, James
Stone, Joseph	Tufts, J Arthur	Verani, Giovanni	Weare, Everett
Welch, David	Zolla, William		
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
Cossette, Larry	DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris
Grassie, Anne	Heon, Richard	Johnson, Nancy	Knowles, William
Lent, Donald	Lundborn, Raymond	Pelletier, Arthur	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Spang, Judith
Taylor, Kathleen	Torr, Franklin	Twardus, Joseph	Vachon, Dennis
Vincent, Francis	Wall, Janet	Woods, Phyllis	
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Kibbey, David
Phinizy, James	Robb-Theroux, Amy	Wiggins, Celestine	Young, David
NAYS 102 **BELKNAP**			
Bartlett, Gordon	Johnson, James	Lawton, David	
CARROLL			
Babson, David, Jr	Bradley, Jeb	Dickinson, Howard	Howard, Godfrey
Lyman, L Randy	MacDonald, Kenneth	Philbrick, Donald	Sullivan, P Judith
CHESHIRE			
Avery, Stephen	Manning, Joseph	Riley, William	Rose, William
COOS			

Pratt, Leighton			
GRAFTON			
Alger, John	Cobb, John	Densmore, Jessica	Dudley, Terri
Harmon, Hobart	Hinman, Harry	Mirski, Paul	Scanlan, David
Ward, Brien	Weber, Phil		
HILLSBOROUGH			
Beaupre, Roland	Belvin, William	Bruno, Pierre	Carlson, Donald
Dawe, Eileen	Emerton, Lawrence	Hall, Betty	Hunter, Bruce
Jean, Loren	Lefebvre, Roland	Martel, Andre	Martin, Mary
Melcher, Harold	Messier, Irene	Murphy, Robert	O'Connell, Timothy
Ouellette, Dean	Pepino, Leo	Perkins, Paul	Peterson, Andrew
Withee, Dennis			
MERRIMACK			
Feuerstein, Martin	Jacobson, Alf	Kennedy, Richard	Lavoie, Gerard
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Owen, Derek	Wallin, Jean	Whittemore, James	
ROCKINGHAM			
Beaulieu, Jon	Belanger, Ronald	Clark, Vivian	Corbin, C David
Cox, Russell	DiFruscia, Anthony	Dolan, Richard	Flanagan, Natalie
Grant, Kenneth	Hamel, Albert	Johnson, Robert	Kobel, Rudolph
Langley, Jane	Langone, John	Lovejoy, Marian	Major, Norman
McKinney, Betsy	Mikowlski, Walter	Moore, Benjamin	Priestley, Anne
Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Rubin, George	Stickney, Nancy	Stritch, C Donald
Varrell, Thomas	Vaughn, Charles	Weyler, Kenneth	
STRAFFORD			
Bickford, David	Brown, Julie	Dunlap, Patricia	Gilmore, Gary
Kaen, Naida	Keans, Sandra	McKinley, Robert	Spear, Barbara
SULLIVAN			
Donovan, Thomas, Jr	Flint, Gordon, Sr	Jones, Constance	Leone, Richard

Tuthill, John			

and the report was adopted.

Ordered to third reading.

HB 445, relative to straight ticket voting procedures. OUGHT TO PASS

Rep. Lynn C. Horton for Election Law**:** Since there has been confusion about straight ticket voting, the committee has decided that it be made clear to all voters that if they check the straight ticket box, they cannot go any further. If they do not check the straight ticket box, they may vote for each candidate on the ballot. Vote 13-4.

Rep. Vaillancourt spoke against.

Reps. Horton and Young spoke in favor and yielded to questions.

Rep. Chandler requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 170 NAYS 172 **YEAS 170** **BELKNAP**			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Lawton, Robert
Millham, Alida	Rice, Thomas	Rosen, Ralph	Thomas, John
Turner, Robert	Wendelboe, Francine		
CARROLL			
Babson, David, Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth
Mock, Henry	Patten, Betsey	Philbrick, Donald	Torressen, Gary
CHESHIRE			
Hunt, John	Lerandeau, Alfred	Manning, Joseph	Meader, David
Roberts, William	Royce, H Charles		
COOS			
Guay, Lawrence	Horton, Lynn	Mears, Edgar	Merrill, Gerald

Pratt, Leighton	Tholl, John, Jr	Woodward, David	
GRAFTON			
Brothers, Richard	Cobb, John	Gilman, G Michael	Hall, David
Harmon, Hobart	Marshall, Gene	Mirski, Paul	Picconi, Al
Scanlan, David	Weber, Phil		
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Belvin, William	Brundige, Robert	Bruno, Pierre	Calawa, Leon, Jr
Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr	Clemons, Jane
Coughlin, Pamela	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Desmarais, Vivian	Desrosiers, William	Dwyer, Paul, Sr	Dyer, Merton
Emerton, Lawrence	Fletcher, Richard	Flora, Kathleen	Franks, Suzan
Goulet, Maurice	Hansen, Herbert	Herman, Keith	Holley, Sylvia
Hunter, Bruce	Jean, Loren	L'Heureux, Robert	LaRose, Richard
Lessard, Rudy	Lozeau, Donnalee	McCarthy, William	McCarty, Winston
McGough, Tim	Mercer, Robert	Milligan, Robert	Mosher, William
O'Hearn, Jane	Ouellette, Dean	Peterson, Andrew	Reeves, Sandra
Sargent, Maxwell	Tate, Joan	Thulander, O Alan	Wall, Nancy
White, Donald	Withee, Dennis		
MERRIMACK			
Brewster, Richard	Daneault, Gabriel	Feuerstein, Martin	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Larrabee, David, Sr	Leber, William
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Nichols, Avis	Poulin, Dave	Whalley, Michael	
ROCKINGHAM			
Arndt, Janet	Bridle, Russell	Christie, Andrew, Jr	Cooney, Richard
Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony	Dolan, Richard
Dowling, Patricia	Fesh, Robert	Flanders, John, Sr	Gibbons, Paul
Gleason, John	Grant, Kenneth	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Karen	Kane, Cecelia	Katsakiores, George

Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Letourneau, Robert
Major, Norman	McKinney, Betsy	Mikowlski, Walter	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
O'Neil, Michael	Packard, Sherman	Quandt, Marshall	Rabideau, Marie
Raynowska, Bernard	Ruffner, Walter	Sabella, Norma	Schanda, Frank
Stickney, Nancy	Stone, Joseph	Tufts, J Arthur	Verani, Giovanni
Weare, Everett	Welch, David	Zolla, William	
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Cossette, Larry
Spear, Barbara	Torr, Franklin	Twardus, Joseph	
SULLIVAN			
Leone, Richard	Young, David		
NAYS 172 **BELKNAP**			
Salatiello, Thomas	Wood, Jane		
CARROLL			
Sullivan, P Judith			
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
Lynch, Margaret	Lynott, Margaret	McGuirk, Paul	Mitchell, McKim
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Rose, William	Russell, Ronald		
COOS			
Davis, Perley	Hawkinson, Marie	Landers, Dana	Rodrigue, Robert
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Copenhaver, Marion
Densmore, Jessica	Dudley, Terri	Guest, Robert	Hinman, Harry
Johnson, Gary	Phinney, William	Solow, Martha	Ward, Brien
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Beaupre, Roland

Bergeron, Lucien	Bergin, Peter	Buckley, Raymond	Burkush, James
Carlson, Donald	Curran, James	Daigle, Robert	Dokmo, Cynthia
Ford, Nancy	Foster, Linda	Garrish, Linda	Ginsburg, Ruth
Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard
Johnson, Lionel	Keye, Harvey	Konys, Christine	Kurk, Neal
LaPorte, George	Lasky, Bette	Lefebvre, Roland	Leishman, Peter
Lynde, Harold	MacGillivray, Jeffrey	Martel, Andre	Martin, Mary
McDonald, James, Sr	McDonough-Wallace, Alice	Melcher, Harold	Messier, Irene
Moriarty, Mary	Murphy, Robert	O'Connell, Timothy	Pepino, Leo
Perkins, Paul	Reidy, Frank	Rowe, Robert	Sarette, John
Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve	White, John
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Chase, George	Crosby, Toni
Davis, Francis	Fortnam, Janet	Fraser, Marilyn	French, Barbara
Gile, Mary	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Lavoie, Gerard	Moore, Carol	Owen, Derek	Potter, Frances
Reardon, Tara	Seldin, Gloria	Virtue, Carolyn	Wallin, Jean
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Beaulieu, Jon	Belanger, Ronald	Blanchard, MaryAnn
Case, Margaret	Clark, Martha	Clark, Vivian	Cox, Russell
Downing, Michael	Flanagan, Natalie	Francoeur, Sheila	Hutchinson, Rebecca
Johnson, Robert	Kelley, Jane	Langone, John	Lovejoy, Marian
Norelli, Terie	Pantelakos, Laura	Pitts, Jacqueline	Priestley, Anne
Putnam, Ed, II	Reardon, Neil	Rubin, George	Sapareto, Frank
Shelton, Richard	Splaine, James	Stritch, C Donald	Varrell, Thomas
Vaughn, Charles	Weyler, Kenneth		
STRAFFORD			
Bickford, David	Brown, Julie	Callaghan, Frank	DeChane, Marlene
Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary

Heon, Richard	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Lent, Donald	Lundborn, Raymond	McKinley, Robert
Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Vachon, Dennis
Vincent, Francis	Wall, Janet	Woods, Phyllis	
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Jones, Constance	Kibbey, David	Phinizy, James
Robb-Theroux, Amy	Tuthill, John	Wiggins, Celestine	

and the report failed.

Rep. Burling moved Re-commit to Committee and spoke in favor.

On a division vote, 221 members having voted in the affirmative and 121 in the negative, the motion was adopted.

HB 277-FN, relative to health benefits and compensation to pari-mutuel commission-appointed veterinarians. INEXPEDIENT TO LEGISLATE

Rep. Sylvia A. Holley for Executive Departments and Administration**:** This bill seeks state employee benefits for two full time contract veterinarians who work at the Hinsdale and Seabrook racetracks, respectively. However, these individuals are paid by the track associations – not the state, and the pari-mutuel commission director testified that the governor and council set and approved the veterinarian salaries at a higher level than normal to compensate for the lack of benefits. Therefore, the committee felt that these individuals do not qualify for state employee benefits. Vote 11-3.

Adopted.

HB 299, establishing a bill of rights for pregnant women. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Francine Wendelboe for the Majority of Health, Human Services and Elderly Affairs**:** The sponsor's intent is very laudable, pregnant women should have available to them the information discussed in HB 299. However, the committee clearly felt that the issue can more appropriately be addressed through non-legislative measures. The Foundation for Healthy Communities, in light of the concerns in this legislation, is conducting a statewide collaborative initiative to use feedback to improve care for mothers and newborns. Vote 18-1.

Rep. Janeen Dalrymple for the Minority of Health, Human Services and Elderly Affairs**:** The intent of this bill will ensure consistent dissemination of information related to childbirth practices, choices, statistics and definitions associated with the uniqueness of pregnancy and childbirth.

Rep. Emerton moved Re-Commit to Committee and spoke in favor.

Adopted.

HB 549-L, relative to the minimum vote required for bond issues by municipalities. OUGHT TO PASS WITH AMENDMENT

Rep. Linda T. Foster for Municipal and County Government**:** The majority of the Committee believes that a three-fifths or sixty per cent requirement to pass a bond issue is a good compromise between the current requirement of two-thirds and a simple majority of fifty per cent. Sixty per cent is still a super majority, underlining the principle that more than a simple majority should be required for long term debt. This percentage also recognizes practical experience and common sense. The majority believes that this change reflects and protects the idea of majority rule in both Senate Bill 2 and non-Senate Bill 2 districts. The amendment changes the effective date to January 1, 2000, which ensures that no community would be able to consider or reconsider this year's bond issue under the new requirement Vote 9-6.

Amendment (0430h)

Amend the bill by replacing section 10 with the following:

10 Effective Date. This act shall take effect January 1, 2000.

On a division vote, 255 members having voted in the affirmative and 65 in the negative, the amendment was adopted.

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

Reps. Brundige, Jacobson and Rice spoke against.

Rep. Foster requested a Quorum count. The Speaker declared a quorum was present.

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

Rep. Brundige requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 160 NAYS 176 **YEAS 160** **BELKNAP**			
Salatiello, Thomas	Turner, Robert	Wood, Jane	
CARROLL			
Bradley, Jeb	Kenney, Joseph		
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lynch, Margaret

Manning, Joseph	McGuirk, Paul	Meader, David	Mitchell, McKim
Pratt, John	Riley, William	Robertson, Timothy	Russell, Ronald
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Landers, Dana
Mears, Edgar	Pratt, Leighton	Rodrigue, Robert	Woodward, David
GRAFTON			
Akins, Ralph	Almy, Susan	Copenhaver, Marion	Densmore, Jessica
Guest, Robert	Johnson, Gary	Picconi, Al	Solow, Martha
HILLSBOROUGH			
Ahern, Richard	Bergeron, Lucien	Bergin, Peter	Buckley, Raymond
Burkush, James	Chabot, Robert	Clemons, Jane	Coughlin, Pamela
Curran, James	Daigle, Robert	Dokmo, Cynthia	Dwyer, Paul, Sr
Dyer, Merton	Foster, Linda	Franks, Suzan	Garrish, Linda
Ginsburg, Ruth	Gorman, Mary	Haettenschwiller, Alphonse Hall, Betty	
Herman, Richard	Johnson, Lionel	Keye, Harvey	Konys, Christine
L'Heureux, Robert	Lasky, Bette	Leishman, Peter	Lozeau, Donnalee
Lynde, Harold	McCarty, Winston	McDonough-Wallace, Alice	Melcher, Harold
Mercer, Robert	Messier, Irene	Moriarty, Mary	Murphy, Robert
O'Hearn, Jane	Perkins, Paul	Reidy, Frank	Rowe, Robert
Sargent, Maxwell	Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve
White, John			
MERRIMACK			
Brewster, Richard	Chase, George	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Hess, David
Hoadley, Elizabeth	Larrabee, David, Sr	Moore, Carol	Nichols, Avis
Owen, Derek	Potter, Frances	Reardon, Tara	Seldin, Gloria
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Case, Margaret

Clark, Martha	Cooney, Richard	Dearborn, Bruce	Dowling, Patricia
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Henderson, Warren
Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane	Langone, John
Lovejoy, Marian	Norelli, Terie	Nowe, Mary Lou	Nowe, Ronald
Noyes, Richard	Pantelakos, Laura	Pitts, Jacqueline	Sabella, Norma
Sapareto, Frank	Splaine, James	Tufts, J Arthur	Vaughn, Charles
STRAFFORD			
Brennan, William	Brown, George	DeChane, Marlene	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Heon, Richard
Johnson, Nancy	Keans, Sandra	Knowles, William	Lent, Donald
Lundborn, Raymond	Pelletier, Arthur	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis
Vincent, Francis			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Leone, Richard	Phinizy, James	Tuthill, John
Wiggins, Celestine			
NAYS 176 **BELKNAP**			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Lawton, Robert
Millham, Alida	Rice, Thomas	Rosen, Ralph	Thomas, John
Wendelboe, Francine			
CARROLL			
Babson, David, Jr	Dickinson, Howard	Howard, Godfrey	Lyman, L Randy
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	Philbrick, Donald
Sullivan, P Judith	Torressen, Gary		
CHESHIRE			
Hunt, John	Lerandeau, Alfred	Lynott, Margaret	Richardson, Barbara
Roberts, William	Rose, William	Royce, H Charles	

COOS			
Horton, Lynn	Merrill, Gerald	Tholl, John, Jr	
GRAFTON			
Alger, John	Brothers, Richard	Cobb, John	Dudley, Terri
Gilman, G Michael	Hall, David	Harmon, Hobart	Hinman, Harry
Marshall, Gene	Mirski, Paul	Phinney, William	Scanlan, David
Ward, Brien	Weber, Phil		
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Arthur, Rose
Batula, Peter	Beaupre, Roland	Belvin, William	Brundige, Robert
Bruno, Pierre	Calawa, Leon, Jr	Carlson, Donald	Christiansen, Lars
Clegg, Robert, Jr	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Desmarais, Vivian	Desrosiers, William	Emerton, Lawrence	Fletcher, Richard
Flora, Kathleen	Ford, Nancy	Goulet, Maurice	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Hunter, Bruce	Jean, Loren
Kurk, Neal	LaPorte, George	LaRose, Richard	Lefebvre, Roland
Lessard, Rudy	MacGillivray, Jeffrey	Martel, Andre	Martin, Mary
McCarthy, William	McDonald, James, Sr	McGough, Tim	Milligan, Robert
Mosher, William	O'Connell, Timothy	Ouellette, Dean	Pepino, Leo
Peterson, Andrew	Reeves, Sandra	Sarette, John	Tate, Joan
Thulander, O Alan	Wall, Nancy	White, Donald	Withee, Dennis
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Jacobson, Alf	Kennedy, Richard
Langer, Ray	Lavoie, Gerard	Leber, William	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Poulin, Dave
Whalley, Michael	Whittemore, James		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Christie, Andrew, Jr
Clark, Vivian	Corbin, C David	Cox, Russell	Dalrymple, Janeen
DiFruscia, Anthony	Dolan, Richard	Downing, Michael	Fesh, Robert
Flanagan, Natalie	Flanders, John, Sr	Grant, Kenneth	Griffin, Mary

Hamel, Albert	Hutchinson, Karen	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Letourneau, Robert
Major, Norman	McKinney, Betsy	Mikowlski, Walter	Morse, Charles
O'Neil, Michael	Packard, Sherman	Priestley, Anne	Putnam, Ed, II
Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Schanda, Frank	Shelton, Richard
Stickney, Nancy	Stone, Joseph	Stritch, C Donald	Varrell, Thomas
Verani, Giovanni	Weare, Everett	Welch, David	Weyler, Kenneth
Zolla, William			
STRAFFORD			
Berube, Roger	Bickford, David	Brown, Julie	Cossette, Larry
Kaen, Naida	McKinley, Robert	Rollo, Michael	Spear, Barbara
Torr, Franklin	Wall, Janet	Woods, Phyllis	
SULLIVAN			
Jones, Constance	Kibbey, David	Young, David	

and the report failed.

Rep. Hess moved Re-commit to Committee and spoke in favor.

Rep. Langer requested a roll call; sufficiently seconded.

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

YEAS 168 NAYS 169			
YEAS 168			
BELKNAP			
Salatiello, Thomas	Thomas, John	Turner, Robert	Wood, Jane
CARROLL			
Bradley, Jeb	Chandler, Gene	Patten, Betsey	
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lerandeau, Alfred
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul

Meader, David	Mitchell, McKim	Pratt, John	Richardson, Barbara
Riley, William	Robertson, Timothy	Russell, Ronald	
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Landers, Dana
Mears, Edgar	Pratt, Leighton	Rodrigue, Robert	Woodward, David
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Johnson, Gary	Picconi, Al	Scanlan, David	Solow, Martha
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Belvin, William	Bergeron, Lucien
Buckley, Raymond	Burkush, James	Chabot, Robert	Clemons, Jane
Curran, James	Daigle, Robert	Desmarais, Vivian	Dokmo, Cynthia
Flora, Kathleen	Ford, Nancy	Foster, Linda	Franks, Suzan
Garrish, Linda	Ginsburg, Ruth	Gorman, Mary	Haettenschwiller, Alphonse
Hall, Betty	Johnson, Lionel	Keye, Harvey	Konys, Christine
L'Heureux, Robert	LaPorte, George	Lasky, Bette	Leishman, Peter
Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold	McCarthy, William
McCarty, Winston	Melcher, Harold	Mercer, Robert	Messier, Irene
Milligan, Robert	Moriarty, Mary	Murphy, Robert	O'Hearn, Jane
Perkins, Paul	Reidy, Frank	Rowe, Robert	Sargent, Maxwell
Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve	White, John
MERRIMACK			
Anderson, Eric	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fortnam, Janet
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Moore, Carol	Nichols, Avis
Owen, Derek	Potter, Frances	Reardon, Tara	Seldin, Gloria
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whalley, Michael
Yeaton, Charles			
ROCKINGHAM			

Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Case, Margaret
Clark, Martha	Cooney, Richard	Dearborn, Bruce	Dowling, Patricia
Gibbons, Paul	Gleason, John	Henderson, Warren	Hutchinson, Rebecca
Johnson, Robert	Kane, Cecelia	Kelley, Jane	Langone, John
Lovejoy, Marian	Norelli, Terie	Noyes, Richard	Pantelakos, Laura
Sabella, Norma	Sapareto, Frank	Splaine, James	Tufts, J Arthur
STRAFFORD			
Brennan, William	Brown, George	Brown, Julie	DeChane, Marlene
Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Heon, Richard	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Lent, Donald	Lundborn, Raymond	Pelletier, Arthur
Smith, Marjorie	Snyder, Clair	Spang, Judith	Spear, Barbara
Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis	Vincent, Francis
Wall, Janet			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Leone, Richard	Wiggins, Celestine	Young, David
NAYS 169 **BELKNAP**			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Lawton, Robert
Millham, Alida	Rice, Thomas	Rosen, Ralph	Wendelboe, Francine
CARROLL			
Babson, David, Jr	Dickinson, Howard	Howard, Godfrey	Kenney, Joseph
Lyman, L Randy	MacDonald, Kenneth	Mock, Henry	Philbrick, Donald
Sullivan, P Judith	Torressen, Gary		
CHESHIRE			
Hunt, John	Roberts, William	Rose, William	Royce, H Charles
COOS			
Horton, Lynn	Merrill, Gerald	Tholl, John, Jr	

GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Gilman, G Michael	Hall, David	Harmon, Hobart
Hinman, Harry	Marshall, Gene	Mirski, Paul	Phinney, William
Ward, Brien	Weber, Phil		
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Beaupre, Roland	Bergin, Peter	Brundige, Robert	Bruno, Pierre
Calawa, Leon, Jr	Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr
Coughlin, Pamela	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Desrosiers, William	Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence
Fletcher, Richard	Goulet, Maurice	Hansen, Herbert	Herman, Keith
Herman, Richard	Holley, Sylvia	Hunter, Bruce	Jean, Loren
Kurk, Neal	LaRose, Richard	Lefebvre, Roland	MacGillivray, Jeffrey
Martel, Andre	Martin, Mary	McDonald, James, Sr	McDonough-Wallace, Alice
McGough, Tim	Mosher, William	O'Connell, Timothy	Ouellette, Dean
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Sarette, John
Tate, Joan	Thulander, O Alan	Wall, Nancy	White, Donald
Withee, Dennis			
MERRIMACK			
Bouchard, Candace	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Larrabee, David, Sr	Lavoie, Gerard	Leber, William	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Poulin, Dave
Whittemore, James			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Christie, Andrew, Jr
Clark, Vivian	Corbin, C David	Cox, Russell	Dalrymple, Janeen
DiFruscia, Anthony	Dolan, Richard	Downing, Michael	Fesh, Robert
Flanagan, Natalie	Flanders, John, Sr	Francoeur, Sheila	Grant, Kenneth
Griffin, Mary	Hamel, Albert	Hutchinson, Karen	Katsakiores, George

Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Letourneau, Robert
Major, Norman	McKinney, Betsy	Mikowlski, Walter	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Pitts, Jacqueline	Priestley, Anne	Putnam, Ed, II	Quandt, Marshall
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Rubin, George
Ruffner, Walter	Schanda, Frank	Shelton, Richard	Stickney, Nancy
Stone, Joseph	Stritch, C Donald	Varrell, Thomas	Vaughn, Charles
Verani, Giovanni	Weare, Everett	Welch, David	Weyler, Kenneth
Zolla, William			
STRAFFORD			
Berube, Roger	Bickford, David	Cossette, Larry	McKinley, Robert
Rollo, Michael	Torr, Franklin	Woods, Phyllis	
SULLIVAN			
Jones, Constance	Kibbey, David	Phinizy, James	Tuthill, John

and the motion failed.

Rep. Langer moved Inexpedient to Legislate.

Rep. Vaillancourt requested that the question be divided and that Secs. 3 and 4 be voted on separately.

laid on the table

Rep. Burling moved that ***HB 549-L,*** relative to the minimum vote required for bond issues by municipalities, be laid on the table.

Rep. Rice requested a roll call; sufficiently seconded.

YEAS 167 NAYS 166			
YEAS 167			
BELKNAP			
Salatiello, Thomas	Thomas, John	Turner, Robert	Wood, Jane
CARROLL			
Patten, Betsey			

CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lerandeau, Alfred
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meader, David	Mitchell, McKim	Pratt, John	Richardson, Barbara
Riley, William	Robertson, Timothy	Royce, H Charles	Russell, Ronald
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Landers, Dana
Mears, Edgar	Pratt, Leighton	Rodrigue, Robert	Woodward, David
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Johnson, Gary	Picconi, Al	Solow, Martha	
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Belvin, William	Bergeron, Lucien
Bergin, Peter	Buckley, Raymond	Chabot, Robert	Clemons, Jane
Curran, James	Daigle, Robert	Desmarais, Vivian	Dokmo, Cynthia
Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence	Ford, Nancy
Foster, Linda	Franks, Suzan	Garrish, Linda	Ginsburg, Ruth
Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard
Johnson, Lionel	Keye, Harvey	Konys, Christine	L'Heureux, Robert
LaPorte, George	Lasky, Bette	Leishman, Peter	Lessard, Rudy
Lynde, Harold	McCarthy, William	McCarty, Winston	Melcher, Harold
Mercer, Robert	Messier, Irene	Milligan, Robert	Moriarty, Mary
Murphy, Robert	O'Hearn, Jane	Perkins, Paul	Reidy, Frank
Rowe, Robert	Sargent, Maxwell	Simon, Anthony	Turgeon, Roland
Vaillancourt, Steve	White, John		
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fortnam, Janet
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Moore, Carol	Nichols, Avis

Owen, Derek	Potter, Frances	Reardon, Tara	Seldin, Gloria
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whalley, Michael
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Clark, Martha
Clark, Vivian	Cooney, Richard	Dearborn, Bruce	Gibbons, Paul
Gleason, John	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Kelley, Jane	Langone, John	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Sabella, Norma	Sapareto, Frank	Splaine, James
Tufts, J Arthur			
STRAFFORD			
Brennan, William	Brown, George	Brown, Julie	DeChane, Marlene
Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Heon, Richard	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Lent, Donald	Lundborn, Raymond	Pelletier, Arthur
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Spang, Judith
Spear, Barbara	Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis
Vincent, Francis	Wall, Janet		
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Leone, Richard	Phinizy, James	Tuthill, John
Wiggins, Celestine			
NAYS 166 **BELKNAP**			
Bartlett, Gordon	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Johnson, James	Lawton, David	Lawton, Robert	Millham, Alida
Rice, Thomas	Rosen, Ralph	Wendelboe, Francine	
CARROLL			
Babson, David, Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth

Mock, Henry	Philbrick, Donald	Sullivan, P Judith	Torressen, Gary
CHESHIRE			
Hunt, John	Roberts, William	Rose, William	
COOS			
Horton, Lynn	Merrill, Gerald	Tholl, John, Jr	
GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Gilman, G Michael	Hall, David	Harmon, Hobart
Hinman, Harry	Marshall, Gene	Mirski, Paul	Phinney, William
Scanlan, David	Ward, Brien	Weber, Phil	
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Beaupre, Roland	Brundige, Robert	Bruno, Pierre	Calawa, Leon, Jr
Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr	Coughlin, Pamela
Dalianis, Griffin	Daniels, Gary	Dawe, Eileen	Desrosiers, William
Fletcher, Richard	Flora, Kathleen	Goulet, Maurice	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Hunter, Bruce	Jean, Loren
Kurk, Neal	LaRose, Richard	Lefebvre, Roland	Lozeau, Donnalee
MacGillivray, Jeffrey	Martel, Andre	Martin, Mary	McDonald, James, Sr
McDonough-Wallace, Alice	McGough, Tim	Mosher, William	O'Connell, Timothy
Ouellette, Dean	Pepino, Leo	Peterson, Andrew	Reeves, Sandra
Sarette, John	Tate, Joan	Thulander, O Alan	Wall, Nancy
White, Donald	Withee, Dennis		
MERRIMACK			
Anderson, Eric	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Larrabee, David, Sr	Lavoie, Gerard	Leber, William	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Poulin, Dave
Whittemore, James			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Christie, Andrew, Jr

Corbin, C David	Cox, Russell	Dalrymple, Janeen	DiFruscia, Anthony
Dolan, Richard	Dowling, Patricia	Downing, Michael	Fesh, Robert
Flanagan, Natalie	Flanders, John, Sr	Francoeur, Sheila	Grant, Kenneth
Griffin, Mary	Hamel, Albert	Henderson, Warren	Hutchinson, Karen
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane
Letourneau, Robert	Lovejoy, Marian	Major, Norman	McKinney, Betsy
Mikowlski, Walter	Morse, Charles	Nowe, Mary Lou	Nowe, Ronald
O'Neil, Michael	Packard, Sherman	Priestley, Anne	Putnam, Ed, II
Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Schanda, Frank	Shelton, Richard
Stickney, Nancy	Stone, Joseph	Stritch, C Donald	Varrell, Thomas
Vaughn, Charles	Verani, Giovanni	Weare, Everett	Welch, David
Weyler, Kenneth	Zolla, William		
STRAFFORD			
Berube, Roger	Bickford, David	Cossette, Larry	McKinley, Robert
Torr, Franklin	Woods, Phyllis		
SULLIVAN			
Jones, Constance	Kibbey, David	Young, David	

and the bill was laid on the table.

HB 574-FN-A, establishing a fisheries habitat stamp required for persons obtaining a fishing license and continually appropriating the funds for fisheries habitats. OUGHT TO PASS WITH AMENDMENT

Rep. Michael J. Blaisdell for Wildlife and Marine Resources**:** This bill establishes a fisheries habitat stamp required for persons obtaining a fishing license and continually appropriates the funds for fisheries habitats. The committee heard from the public, sportsmen's groups and the NH Fish and Game Department all in strong support of providing a method to improve fisheries habitats in New Hampshire. The committee decided to recommend Ought to Pass with Amendment. Vote 10-2.

Amendment (0173h)

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

AN ACT establishing a fisheries habitat fee required for persons obtaining a fishing license and continually appropriating the funds for fisheries habitats.

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

1 New Section; Fisheries Habitat Fee; Fisheries Habitat Account Established. Amend RSA214 by inserting after section 1-f the following new section:

214:1-g Fisheries Habitat Fee; Account Established.

I. A one dollar fisheries habitat fee shall be required to be paid by all persons 16 years of age or older, in addition to each applicable fishing or combination license required by Title XVIII, in order to take fish in the fresh waters of this state. This paragraph shall not apply to any person who takes fish under a complimentary license, excluding any administrative fee, issued pursuant to RSA 214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to RSA 214:19-c that was purchased in a prior calendar year.

II. The state treasurer shall establish a separate nonlapsing account within the fish and game fund, to be known as the fisheries habitat account, to which shall be credited all fees collected under RSA 214:1-g, I. The state treasurer may accept public and private grants and donations for deposit into the account.

III. The state treasurer shall invest the moneys in the fisheries habitat account as provided by law. Interest received on investments shall be credited to the account.

IV. The fisheries habitat account is continually appropriated and may only be used for the following purposes within the state of New Hampshire:

(a) The development, management, preservation, conservation, restoration, and maintenance of fisheries habitats in the water of the state, with at least 50 percent of the annual revenue dedicated to pay costs of labor and materials for direct aquatic management activities;

(b) Obtaining access to fisheries habitat areas;

(c) The acquisition of easements upon private property for the purposes of subparagraphs (a) and (b);

(d) The acquisition of private land to protect critical fisheries habitat, provided that the governing body of any municipality, unincorporated town, or unorganized place in which the property is located approves;

(e) Providing information to the public on the location of fisheries managed by the fish and game department.

V. When revenue is used to either obtain an easement under subparagraph IV(c) or purchase land under subparagraph IV(d), no condition shall be accepted which restricts fishing from or hunting and trapping on the associated land. This requirement shall not apply to lands used for access purposes or if the executive director finds that it is in the interest of the fishing, hunting, and trapping community to allow such a restriction. The executive director shall allow fishing from and hunting and trapping on such lands, as is permissible, but may prohibit for any length of time the fishing, hunting or trapping on the whole or part of such lands when it is necessary for the protection or propagation of a fish species or for public safety reasons.

VI. The executive director, with the approval of the commission, shall expend the funds in the fisheries habitat account. Prior to the expenditure of any funds, the fish and game

department shall analyze the proposed project and provide the executive director and the commission with recommendations as to the project's usefulness and feasibility.

VII. The executive director shall submit to the fiscal committee and the chairpersons of the house wildlife and marine resources committee and the senate wildlife and recreation committee a detailed fiscal year report by October 1 of each year, beginning with fiscal year 2000, with sufficient information to be fully understood by the general court and the public, summarizing the receipts and disbursements from the fisheries habitat account and the public benefits derived from the disbursements from it. Every fifth year, beginning in 2005, the annual report shall provide an in-depth financial accounting and summary of work accomplished in the previous 5 years, outlining all projects that are completed, in process, and planned. All annual reports shall be made available to the public after submission to the general court.

2 Effective Date. This act shall take effect January 1, 2000.

AMENDED ANALYSIS

This bill requires persons obtaining fishing licenses to pay a fisheries habitat fee. The revenue from the fee shall be used for the acquisition, development, maintenance, and promotion of fisheries habitats.

Adopted.

Report adopted and referred to Finance.

HB 436-L, relative to uncompensated public service by prisoners. INEXPEDIENT TO LEGISLATE

Rep. Robert M. Fesh for Criminal Justice and Public Safety**:** This bill would have prohibited prisoners from engaging in uncompensated public service work in the place of regular employees. It was felt that no jobs are being displaced and these are jobs that no one really wants. The county's contract with the towns states that these prisoners will displace no jobs. They are trying to give something back to the towns and taxpayers at no cost to them. Volunteers do the same kinds of jobs all the time and we would not want to do away with all volunteers. Vote 12-0.

Rep. Heon spoke against.

Rep. Knowles spoke in favor and yielded to questions.

Adopted.

HB 708-FN-L, transferring the county attorneys' offices and the county sheriffs' offices to the department of justice and the unified court system, respectively. INEXPEDIENT TO LEGISLATE

Rep. Frank M. Schanda for Criminal Justice and Public Safety**:** This bill transfers budgeting obligations and authority for the county attorney's offices to the department of justice and for the county sheriff's offices to the unified court system. The committee felt that this bill would create more problems than it would solve; for both the counties and the state. It is a departure from our traditional and constitutional history. Vote 13-0.

Rep. Jacobson spoke against.

Rep. Welch spoke in favor.

Adopted.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 2, 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 BILL

First, second reading and referral

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures. (Kurk, Hills 5: Finance)

amendment to house rules

HR 1**,** adopting the rules of the 1998 legislative session and providing that house rules may be amended by a majority of the house on or before January 28, 1999.

Rep. Wallin offered a floor amendment.

Floor Amendment (0014h)

Amend House Rule 45 by deleting paragraph (c).

Rep. Wallin spoke in favor.

Rep. Burling spoke against and yielded to questions.

Rep. Dickinson spoke in favor.

Rep. Wallin withdrew the floor amendment.

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, April 1, 1999 at 10:00 a.m.

Adopted.

personal privilege

Rep. Wendelboe addressed the House.

unanimous consent

Reps. John Pratt and Mirski addressed the House.

RECESS MOTION

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

Rep. Hager spoke against and requested that the question be divided and that forming Committees of Conference be voted on separately.

The Speaker ruled the question was divisible.

Rep. Lozeau spoke in favor of the recess motion as offered by Rep. Chandler.

Reps. McGuirk, Burling and Sabella spoke against.

Rep. Chandler withdrew the recess motion.

reconsideration

Having voted with the prevailing side, Rep. Chandler moved that the House reconsider its action whereby it adopted the third reading motion.

Rep. Burling spoke in favor.

Reconsideration prevailed.

Rep. Chandler withdrew the third reading motion which adjourned the House to Thursday, April 1, 1999 at 10:00 a.m.

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 at the Call of the Chair.

Adopted.

LATE SESSION

Third reading and final passage

HB 441, relative to a mother's right to breast-feed.

HB 56, establishing a procedure for reinstating corporate charters that have been expired for more than 3 years.

HB 82, establishing a committee to study financial arrangements among hospitals, physicians, and insurance companies.

HB 205, relative to the requirement for posting of bond by an applicant for a writ of replevin.

HB 422, relative to advertising by rent-to-own businesses.

HB 638-FN, authorizing a limited license for certain travel agents.

HB 729, adding social clubs recognized by the Internal Revenue Service to the definition of "charitable organization" for purposes of the laws governing raffles.

HB 428, relative to school administrative units.

HB 456, establishing a committee to study issues relating to the deaf community in NewHampshire.

HB 208-FN, establishing a coordinated and comprehensive effort by state agencies for economic growth, resource protection, and planning policy to deter sprawl.

HB 327-L, allowing municipal governing bodies to enter into lease agreements for equipment.

HB 664, establishing a study committee on rights of ownership to cemetery plots.

HB 444, relative to establishing a study committee to review reestablishing passenger rail service on the Eastern Line between Newburyport, Massachusetts and Kittery, Maine.

HJR 6, encouraging the revitalization of the northern rail line from Concord to Lebanon.

HB 64, relative to changes of registration for undeclared voters.

HB 381, prohibiting any candidate from receiving the nomination of more than one party.

HB 67, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses.

RECESS MOTION

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

Adopted.

The House recessed at 4:50 p.m.

RECESS