

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, April 1, 1999

No. 37

HOUSE JOURNAL No. 11 (cont.)

Tuesday, March 30, 1999

(Speaker Sytek in the Chair)

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 12

Thursday, April 1, 1999

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

Prayer was offered by Guest Chaplain, Reverend Bradley J. Bergfalk.

In our silence, God, on this April Fool's day as well as this Maundy Thursday that precedes this high and holy occasion in the life of the church, we can't help but think about those who serve in places around the world on our behalf, including at least three of our servicemen who now are apprehended by the Serbian government. Allow us the opportunity at this time, God, to pray for them in this moment of silence. Furthermore, God, help us in our efforts not to take ourselves so seriously that we miss the point that it was Your divine folly that ultimately led to the events that we will be celebrating to one degree or another throughout this weekend. In the name of Jesus Christ, I pray. Amen.

Rep. Pepino led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Courchesne, Dearborn, Drabinowicz, Eugene Gagnon, Golden, Hunter, LaPorte, McIntyre, O'Keefe, Irene Pratt, Robb-Theroux and Searles, the day, illness.

Reps. Czech, Dolan, Ginsburg, Hess, Richard Herman, Howard, Mosher, Nolan-Piteri, Stritch and Weatherspoon, the day, important business.

Reps. Cooney, Wallner and Wiggins, the day, illness in the family.

INTRODUCTION OF GUESTS

Helen Holbrook, wife of Rep. Holbrook. Barbara Brewster, wife of Rep. Brewster. The Young Farmers and Associates Women's Committee from the NH Farm Bureau, guests of the Environment and Agriculture Committee. Richard Gerrish, guest of Rep. John Flanders. Sarah Freeman, daughter of Rep. Clegg.

senate message

concurrence

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

regular calendar

HB 576-FN-A, establishing additional staff positions for child impact seminars, and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT**

Rep. Karen K. Hutchinson for Children and Family Law: This bill expands the successful child impact seminars into additional counties so that it will be available in all of the counties throughout New Hampshire. Child impact seminars teach parents the effects of divorce on children. Vote 14-1.

Amendment (0514h)

Amend the bill by replacing sections 2-3 with the following:

2 Child Impact Seminars; Positions Created. There are hereby created 3 full-time court assistant III positions and one-part-time court assistant III position within the child impact program for the purpose of managing the child impact seminars pursuant to RSA 458-D.

3 Appropriation. The sum of \$111,794 for the fiscal year ending June 30, 2000, and the sum of \$111,794 for the fiscal year ending June 30, 2001, are hereby appropriated to the judicial branch for the purpose of establishing additional positions to manage the child impact seminars. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill authorizes and appropriates funds for the establishment of additional positions within the child impact program for the purpose of managing the child impact seminars.

Adopted.

Report adopted and referred to Finance.

HB 712-FN-L, requiring notification to school districts of certain restraining orders and of the presence, or return to the school, of certain juvenile offenders. INEXPEDIENT TO LEGISLATE

Rep. L. Randy Lyman for Children and Family Law: This bill, as submitted, mandates the notification to the current school system by the clerk of court of all criminal convictions, restraining orders, confinements and releases from any detention facility. Once the school system receives the information it becomes part of the student's permanent record and would be forwarded with the student transcript whenever requested either by another school, college or even the military. It is the consensus of the committee that this bill is too complex, far-reaching, and would be difficult to execute. The juvenile system of justice does not recognize "criminal convictions". There are no provisions for "juvenile restraining orders" and the state and federal statutory requirements of confidentiality would be impossible to maintain. There are other provisions available to address the issues the sponsors are working to resolve. Vote 9-4.

Adopted.

HB 84-FN, requiring a one year mandatory prison sentence for a third driving while intoxicated conviction. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: RE-REFER TO COMMITTEE.

Rep. Everett A. Weare for the Majority of Criminal Justice and Public Safety: As amended, this bill mandates a minimum 6 months confinement for a third time conviction for DWI. It authorizes the use of electronic monitoring, special alternative incarceration programs offered by the county departments of correction, intensive community supervision, as a condition of probation for any suspended sentence. The individual must successfully complete an approved 28-day residential treatment program before the driver's license may be restored. Vote 10-7.

Rep. Timothy N. Robertson for the Minority of Criminal Justice and Public Safety: A minority of the committee felt that mandatory sentencing of DWI offenders unwisely intrudes on judicial discretion. They reasoned that this matter should be referred for study to examine more effective means of addressing a serious societal problem such as treatment options, electronic monitoring and other creative approaches.

Amendment (0364h)

Amend the bill by replacing section 1 with the following:

1 Multiple DWI Offender Intervention Detention Center Program; Subsequent Convictions. RSA 265:82-b, II(b)(2) is repealed and reenacted to read as follows:

(2) If the person has completed the state-operated 7-day multiple DWI offender intervention detention center program as required under subparagraph (a)(3) upon conviction for a prior offense, the person shall be sentenced to imprisonment for a period of not less than one year, no more than 6 months of which may be suspended. Any suspended sentence may include, as a condition of probation, confinement to a person's place of residence, intensive community supervision, electronic monitoring and special alternative incarceration programs offered by the county department of corrections pursuant to RSA 651:2, V. Any offender placed in a home confinement, intensive supervision, electronic monitoring, or special alternative incarceration program who violates the conditions or restrictions of probation shall be subject to immediate arrest by a probation officer or any other authorized law enforcement officer and brought before the court

for an expeditious hearing pending further disposition. The person shall also successfully complete at the person's own expense, unless recommended treatment is provided by the correctional facility at no cost, a residential treatment program of at least 28 days duration or an intensive course of substance abuse treatment, which may commence during imprisonment if available, based upon a formal evaluation by a licensed alcohol or other drug counselor and approved by the department of health and human services before the driver's license may be restored.

Adopted.

Rep. Robertson spoke against.

Rep. Weare spoke in favor and yielded to questions.

Rep. Harmon requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 182 NAYS 150			
YEAS 182			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Holbrook, Robert
Johnson, James	Lawton, Robert	Millham, Alida	Rice, Thomas
Rosen, Ralph	Thomas, John	Turner, Robert	
CARROLL			
Bradley, Jeb	Chandler, Gene	Dickinson, Howard	Kenney, Joseph
Lyman, L Randy	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Torressen, Gary			
CHESHIRE			
Avery, Stephen	Blaisdell, Michael	Manning, Joseph	Roberts, William
Royce, H Charles	Smith, Edwin	Zerba, Roger	
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Landers, Dana
Mears, Edgar	Pratt, Leighton	Tholl, John, Jr	Woodward, David
GRAFTON			
Alger, John	Almy, Susan	Brothers, Richard	Cobb, John
Dudley, Terri	Gilman, G Michael	Hall, David	Harmon, Hobart

Johnson, Gary	MacNeil, Allen	Phinney, William	Scanlan, David
Weber, Phil			
HILLSBOROUGH			
Arnold, Thomas, Jr	Batula, Peter	Belvin, William	Brundige, Robert
Calawa, Leon, Jr	Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr
Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian	Durham, Susan
Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence	Fletcher, Richard
Flora, Kathleen	Ford, Nancy	Foster, Linda	Goulet, Maurice
Hansen, Herbert	Holley, Sylvia	Jean, Claudette	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lasky, Bette	Lessard, Rudy
Lozeau, DonnaLee	MacGillivray, Jeffrey	Martel, Andre	McCarty, Winston
McColgan, Philip, Jr	Mendenhall, Leslie	Mercer, Robert	Messier, Irene
Milligan, Robert	O'Connell, Timothy	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Reeves, Sandra	Rowe, Robert	Sargent, Maxwell
Tate, Joan	Thulander, O Alan	Wall, Nancy	White, Donald
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Brewster, Richard	Daneault, Gabriel	Davis, Francis
Hoadley, Elizabeth	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Larrabee, David, Sr	Lavoie, Gerard	Leber, William	Lockwood, Priscilla
Marshall, Kenneth	Nichols, Avis	Potter, Frances	Poulin, Dave
Seldin, Gloria	Wallin, Jean	Whalley, Michael	Whittemore, James
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Bishop, Franklin
Bridle, Russell	Case, Margaret	Christie, Andrew, Jr	Clark, Vivian
Cox, Russell	Dowling, Patricia	Downing, Michael	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Flanders, John, Sr	Gleason, John
Grant, Kenneth	Griffin, Mary	Hamel, Albert	Henderson, Warren
Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane	Langone, John
Letourneau, Robert	Major, Norman	McKinney, Betsy	Mikowski, Walter
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard

O'Neil, Michael	Priestley, Anne	Putnam, Ed, II	Rabideau, Marie
Ruffner, Walter	Sapareto, Frank	Schanda, Frank	Shelton, Richard
Stickney, Nancy	Stone, Joseph	Tufts, J Arthur	Varrell, Thomas
Vaughn, Charles	Weare, Everett	Welch, David	Whittier, John
STRAFFORD			
Berube, Roger	Brown, Julie	Callaghan, Frank	Cossette, Larry
Gilmore, Gary	Keans, Sandra	Musler, George	Pelletier, Arthur
Snyder, Clair	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
Wall, Janet	Woods, Phyllis		
SULLIVAN			
Flint, Gordon, Sr	Jones, Constance	Phinizy, James	
NAYS 150			
BELKNAP			
Lawton, David	Pilliod, James	Wood, Jane	
CARROLL			
Babson, David, Jr	Sullivan, P Judith		
CHESHIRE			
Batchelder, Robert	Burnham, Daniel	Doucette, Richard	Hunt, John
Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, John	Richardson, Barbara
Riley, William	Robertson, Timothy	Rose, William	Russell, Ronald
COOS			
Glines, Sara	Hawkinson, Marie	Merrill, Gerald	Rodrigue, Robert
GRAFTON			
Akins, Ralph	Copenhaver, Marion	Densmore, Jessica	Eaton, Stephanie
Guest, Robert	Marshall, Gene	Mirski, Paul	Nordgren, Sharon
Picconi, Al			
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Andrews, Frederick	Arthur, Rose
Baroody, Benjamin	Beaupre, Roland	Bergeron, Lucien	Bergin, Peter

Bruno, Pierre	Buckley, Raymond	Burkush, James	Carlson, Donald
Cote, David	Cote, Peter	Coughlin, Pamela	Craig, James
Curran, James	Daigle, Robert	Desrosiers, William	Dokmo, Cynthia
Fenton, James	Fields, Dennis	Franks, Suzan	Gagnon, Paul
Garrish, Linda	Goley, Jeffrey	Gorman, Mary	Haettenschwiller, Alphonse
Hall, Betty	Herman, Keith	Jean, Loren	Johnson, Lionel
Keye, Harvey	Konys, Christine	Lefebvre, Roland	Leishman, Peter
Leonard, Peter	Lynde, Harold	McCarthy, William	McDonald, James, Sr
McDonough-Wallace, Alice	McGough, Tim	McRae, Karen	Melcher, Harold
Moran, Edward	Moriarty, Mary	Murphy, Robert	O'Hearn, Jane
Perkins, Paul	Sarette, John	Turgeon, Roland	Vaillancourt, Steve
White, John			
MERRIMACK			
Bouchard, Candace	Chase, George	Crosby, Toni	Feuerstein, Martin
Fortnam, Janet	Fraser, Marilyn	Gile, Mary	Marple, Richard
Maxfield, Roy	Moore, Carol	Owen, Derek	Reardon, Tara
Rodd, Beth	St Cyr, Gerard	Virtue, Carolyn	Yeaton, Charles
ROCKINGHAM			
Belanger, Ronald	Clark, Martha	Cote, Patricia	Dalrymple, Janeen
DiFruscia, Anthony	Francoeur, Sheila	Gibbons, Paul	Hutchinson, Karen
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kobel, Rudolph
Langley, Jane	Lovejoy, Marian	Norelli, Terie	Quandt, Marshall
Raynowska, Bernard	Sabella, Norma	Shultis, Elizabeth	Splaine, James
Weyler, Kenneth	Zolla, William		
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Grassie, Anne	Heon, Richard
Johnson, Nancy	Kaen, Naida	Knowles, William	Lent, Donald
Lundborn, Raymond	McKinley, Robert	Rogers, Rose Marie	Smith, Marjorie
Spang, Judith	Twardus, Joseph	Vincent, Francis	

SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Leone, Richard	Tuthill, John		

and the majority report was adopted.

Referred to Finance.

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

HB 51, providing for registration of equipment used in the production of maple products and allowing the commissioner of the department of agriculture, markets and food to adopt rules relative to standards for such equipment. RE-REFER TO COMMITTEE

Rep. Kenneth R. Marshall for Environment and Agriculture: The Committee felt that issues raised by this proposal need additional time to resolve. Vote 14-2.

Adopted.

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

HB 340, establishing a committee to study mercury source reduction and recycling issues. OUGHT TO PASS WITH AMENDMENT

Rep. Susan L. R. Franks for Environment and Agriculture: This act, as amended, establishes a committee to study mercury source reduction in New Hampshire, and methods of reducing the amount of toxicity of mercury-containing products in the waste stream. Vote 16-0.

Amendment (0354h)

Amend the bill by replacing section 4 with the following:

4 Duties. The committee's duties shall include, but not be limited to:

I. Investigating methods to reduce the amount or toxicity of mercury-containing products or wastes in the waste stream, such as:

(a) Establishing collection and recycling programs for mercury, mercury-added products and mercury-containing wastes;

(b) Establishing labeling and manufacturer take-back programs for mercury-added products;

(c) Imposing a fee on the sale of mercury-added products in the state, with an evaluation of options for the use of the revenues from the fee in reducing mercury releases;

(d) Methods of reducing volume and toxicity of mercury-added products and equipment in municipal waste combustors and medical waste incinerators;

(e) Prohibiting the non-essential use of mercury in consumer and commercial products;

(f) Encouraging the use of mercury-free alternative products and the proper management of mercury-containing wastes;

(g) Requiring all generators of mercury-containing medical waste to introduce mercury source reduction and source separation programs;

(h) Establishing collection and recycling programs for waste dental amalgam containing mercury.

II. Investigating other potential sources of mercury and recommending appropriate methods to reduce or eliminate contamination from those sources.

Adopted.

Report adopted and ordered to third reading.

HB 558-FN, relative to solid waste management. OUGHT TO PASS WITH AMENDMENT

Rep. Susan L.R. Franks for Environment and Agriculture: This act, as amended, further clarifies laws relative to solid waste management requirements and makes technical changes to certain provisions of the toxins reduction laws. Vote 14-1.

Amendment (0412h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Public Health; Solid Waste Management; Responsibilities; Recording of Orders. Amend RSA 149-M:6 by inserting after paragraph XIII the following new paragraph:

XIII-a. Record orders issued by the department pursuant to this chapter in the registry of deeds for the county in which the subject facility is situated. A recorded order shall run with the land; provided that an appropriate description of the land involved including the accurate name of the owner thereof shall be included in the order. No fee shall be charged for recording an order; however, a fee may be charged by the registry of deeds for recording the discharge of an order.

AMENDED ANALYSIS

This bill:

I. Gives the department of environmental services the responsibility and authority to record solid waste management orders in the registry of deeds.

II. Allows the department of environmental services additional time to issue a final decision on solid waste permit applications when there is a public benefit hearing.

III. Establishes certain requirements for manufacturers seeking "no feasible alternative" exemptions from the toxics in packaging laws.

IV. Establishes a new exemption from the toxics in packaging laws for certain glass or ceramic packaging.

V. Extends certain exemptions from the toxics in packaging laws.

VI. Clarifies and makes technical changes to certain provisions of the toxics reduction law.

This bill is a request of the department of environmental services.

Adopted.

Report adopted and ordered to third reading.

HB 484, relative to the registration of alternative providers of naturopathic care. INEXPEDIENT TO LEGISLATE

Rep. Maurice E. Goulet for Executive Departments and Administration: Naturopathic doctors have been licensed in New Hampshire since 1995 and since then they have become recognized as participants in the health care system. This bill, if passed, would have provided lesser-trained persons to provide essentially, some of the same services. The sub-committee that reviewed HB 484 felt that this could lead to confusion in the health care market place, and would not be good public policy. Unlicensed persons dealing in natural health areas may still provide services as herbalists, naturalists, aroma therapists, etc., they just can not identify themselves as naturopaths. Vote 10-7.

Adopted.

HB 91-FN-A-L, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected. INEXPEDIENT TO LEGISLATE

Rep. Norman L. Major for Finance: The intent of this bill was to repeal a provision allowing operators to retain 3 percent of meals and rooms taxes collected. The Department of Revenue Administration indicates that this bill will increase state revenues by \$3.75 million in FY 2000 and each year thereafter. The sponsor feels it is unfair to reward business for collecting taxes since our system does not reward our citizens for preparing and collecting funds to pay their state taxes. Much of the testimony indicated the 3 percent does not adequately compensate operators for keeping the prescribed records and the proper account and remitting of taxes by them. There are costly penalties if the collected taxes are not timely remitted monthly Vote 21-3.

Adopted.

HB 235-FN-A, increasing the exemption amount under the interest and dividends tax. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: The proposal would more than double the current exemption levels under the interest and dividends tax, causing a reduction of revenues to the general fund in excess of \$10 million. The proposed exemption for single filers would increase from \$2,400 to \$5,200 while the exemption for joint filers would increase from \$4,800 to \$10,400. Supporters of the bill suggest that the increased exemptions will return the tax to a position of revenue neutrality versus the tax as it was enforced prior to the changes made by the legislature in 1995. This would not be the case however. Subsequent to the changes made in 1995, the Department of Revenue Administration undertook a detailed study of all tax filers and found that the changes were revenue neutral.

Increases in tax collections subsequent to the 1995 changes were a result of increases in the stock market, increased investment, a stronger economy, and increased compliance with the tax law as more people were made aware of the obligation to file and pay a tax on interest and dividend income. The committee believes that such a change in policy, and the resultant impact to the general fund is one which should not be entertained at this time. Vote 23-1.

Rep. Jacobson spoke against and yielded to questions.

Rep. Alukonis spoke in favor and yielded to questions.

Rep. Dean Ouellette requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 121 NAYS 224			
YEAS 121			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Holbrook, Robert	Johnson, James
Lawton, David	Wendelboe, Francine		
CARROLL			
Bradley, Jeb	Chandler, Gene	MacDonald, Kenneth	Mock, Henry
CHESHIRE			
Hunt, John	Lerandeau, Alfred	Lynch, Margaret	Manning, Joseph
Meador, David	Roberts, William	Royce, H Charles	Smith, Edwin
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Merrill, Gerald
Tholl, John, Jr			
GRAFTON			
Almy, Susan	Cobb, John	Gilman, G Michael	Harmon, Hobart
Hinman, Harry	Marshall, Gene	Mirski, Paul	Nordgren, Sharon
Scanlan, David			
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Baroody, Benjamin	Beaupre, Roland
Belvin, William	Buckley, Raymond	Calawa, Leon, Jr	Chabot, Robert
Christiansen, Lars	Cote, David	Coughlin, Pamela	Daniels, Gary

Durham, Susan	Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Foster, Linda
Goulet, Maurice	Hansen, Herbert	Herman, Keith	Jean, Loren
Kurk, Neal	L'Heureux, Robert	LaRose, Richard	Lefebvre, Roland
Lozeau, Donnalee	McCarthy, William	McCarty, Winston	Mercer, Robert
O'Hearn, Jane	Pappas, Marc	Reeves, Sandra	Sargent, Maxwell
Tate, Joan	Thulander, O Alan	Vaillancourt, Steve	White, Donald
MERRIMACK			
Chase, George	Crosby, Toni	Davis, Francis	Hager, Elizabeth
Kennedy, Richard	Leber, William	Moore, Carol	Nichols, Avis
Potter, Frances	Poulin, Dave	Whalley, Michael	
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Case, Margaret	Clark, Vivian
Cote, Patricia	Cox, Russell	Dowling, Patricia	Fesh, Robert
Flanagan, Natalie	Flanders, John, Sr	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Langone, John	Major, Norman	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Ruffner, Walter	Stickney, Nancy
Stone, Joseph	Vaughn, Charles	Weare, Everett	Welch, David
Weyler, Kenneth			
STRAFFORD			
Cossette, Larry	Estabrook, Iris	Knowles, William	Lundborn, Raymond
Smith, Marjorie	Torr, Franklin		
SULLIVAN			
Allison, David	Burling, Peter	Leone, Richard	
NAYS 224			
BELKNAP			
Bartlett, Gordon	Lawton, Robert	Millham, Alida	Pilliod, James
Rice, Thomas	Rosen, Ralph	Thomas, John	Turner, Robert
Wood, Jane			

CARROLL			
Babson, David, Jr	Kenney, Joseph	Lyman, L Randy	Patten, Betsey
Philbrick, Donald	Sullivan, P Judith	Torressen, Gary	
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
Doucette, Richard	Lynott, Margaret	McGuirk, Paul	Mitchell, McKim
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Rose, William	Russell, Ronald	Zerba, Roger	
COOS			
Glines, Sara	Horton, Lynn	Landers, Dana	Mears, Edgar
Pratt, Leighton	Rodrigue, Robert	Woodward, David	
GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Copenhaver, Marion
Densmore, Jessica	Dudley, Terri	Eaton, Stephanie	Guest, Robert
Hall, David	Johnson, Gary	MacNeil, Allen	Phinney, William
Picconi, Al	Ward, Brien	Weber, Phil	
HILLSBOROUGH			
Andrews, Frederick	Arnold, Thomas, Jr	Arthur, Rose	Batula, Peter
Bergeron, Lucien	Bergin, Peter	Brundige, Robert	Bruno, Pierre
Burkush, James	Carlson, Donald	Cote, Peter	Craig, James
Curran, James	Daigle, Robert	Dalianis, Griffin	Desmarais, Vivian
Desrosiers, William	Dokmo, Cynthia	Fenton, James	Fields, Dennis
Franks, Suzan	Gagnon, Paul	Garrish, Linda	Goley, Jeffrey
Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty	Holley, Sylvia
Jean, Claudette	Johnson, Lionel	Keye, Harvey	Konys, Christine
Lasky, Bette	Leishman, Peter	Leonard, Peter	Lessard, Rudy
Lynde, Harold	MacGillivray, Jeffrey	Martel, Andre	McColgan, Philip, Jr
McDonald, James, Sr	McDonough-Wallace, Alice	McGough, Tim	McRae, Karen
Melcher, Harold	Mendenhall, Leslie	Messier, Irene	Milligan, Robert

Moran, Edward	Moriarty, Mary	Murphy, Robert	O'Connell, Timothy
Ouellette, Dean	Pepino, Leo	Perkins, Paul	Peterson, Andrew
Reidy, Frank	Rowe, Robert	Sarette, John	Simon, Anthony
Turgeon, Roland	Wall, Nancy	White, John	Withee, Dennis
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
Daneault, Gabriel	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hoadley, Elizabeth	Jacobson, Alf
Langer, Ray	Larrabee, David, Sr	Lavoie, Gerard	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Owen, Derek
Reardon, Tara	Rodd, Beth	Seldin, Gloria	Soltani, Tony
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Bishop, Franklin	Bridle, Russell
Clark, Martha	Corbin, C David	Dalrymple, Janeen	DiFruscia, Anthony
Downing, Michael	Dunham, Vivian	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Grant, Kenneth	Hutchinson, Karen	Kane, Cecelia
Kelley, Jane	Kobel, Rudolph	Langley, Jane	Letourneau, Robert
Lovejoy, Marian	McKinney, Betsy	Mikowski, Walter	Moore, Benjamin
Norelli, Terie	Noyes, Richard	O'Neil, Michael	Pantelakos, Laura
Priestley, Anne	Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie
Raynowska, Bernard	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Tufts, J Arthur
Varrell, Thomas	Whittier, John	Zolla, William	
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George
Brown, Julie	Callaghan, Frank	Domingo, Baldwin	Dunlap, Patricia
Gilmore, Gary	Grassie, Anne	Heon, Richard	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Lent, Donald	McKinley, Robert
Musler, George	Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael

Snyder, Clair	Spang, Judith	Spear, Barbara	Taylor, Kathleen
Twardus, Joseph	Vachon, Dennis	Vincent, Francis	Wall, Janet
Woods, Phyllis			
SULLIVAN			
Cloutier, John	Donovan, Thomas, Jr	Flint, Gordon, Sr	Jones, Constance
Phinizy, James	Tuthill, John		

and the report failed.

Rep. Dickinson did not vote and wished to be recorded against.

Rep. Kurk moved Re-Commit to Committee.

Rep. Jacobson spoke in favor.

On a division vote, 232 members having voted in the affirmative and 113 in the negative, the motion was adopted.

HB 475-FN-A, appropriating a portion of tobacco settlement moneys to fund the activities of the emergency shelter and homeless coordination commission. **INEXPEDIENT TO LEGISLATE**

Rep. Marjorie K. Smith for Finance: This is one of a number of bills moving through the legislature which identify various worthy purposes to which portions of the tobacco settlement moneys could be dedicated. The Finance Committee, while acknowledging the concerns of the sponsors, concludes that the prospective funding stream expected from the tobacco settlement will be in great demand from myriad competing causes and that an effort should be made to have in place an underlying policy framework before any decisions are made as to specific allocations.

It is unlikely that any tobacco settlement funds will be received by the state before the end of SFY 2000. Vote 24-0.

Adopted.

HB 492-FN-A-L, reducing the state bond guarantee limit for wastewater projects. **OUGHT TO PASS**

Rep. Jeffrey C. MacGillivray for Finance: This bill reduces the state bond guarantee limit for wastewater projects from \$250 million to \$200 million. The Department of Environmental Services has requested this bill because the amount of outstanding guaranteed debt has decreased to about \$124 million. Enactment of this bill could have a small positive impact on the state's financial rating. Vote 24-0.

Adopted and ordered to third reading.

HB 494-FN-A, making an appropriation to the department of cultural resources for the purpose of funding participation of the state in the Smithsonian Festival of American Folklife. **OUGHT TO PASS WITH AMENDMENT**

Rep. Margaret A. Lynch for Finance: This bill makes a one-time appropriation of \$150,000 to the Department of Cultural Resources for payment to the non-profit organization Celebrate New Hampshire Culture, Inc. for the purpose of funding the state's participation in the Smithsonian Festival of American Folklife. This bill accomplishes an attempt begun in the last session to match to a small degree the anticipated \$2 million of private donations raised in support of New Hampshire's participation in the Smithsonian Festival in Washington, D.C.

The amendment decreases the original amount in the bill from \$200,000 to \$150,000 as the first \$50,000 of this anticipated commitment was obligated in the last session. Vote 24-0.

Amendment (0544h)

Amend the bill by replacing section 1 with the following:

1 Appropriation; Department of Cultural Resources; Celebrate New Hampshire Culture, Inc. The sum of \$150,000 is hereby appropriated to the department of cultural resources for the fiscal year ending June 30, 2000, for payment to the nonprofit organization Celebrate New Hampshire Culture, Inc. for the purpose of funding the state of New Hampshire's participation in the Smithsonian Festival of American Folklife to be held on the National Mall in Washington, D.C. in 1999. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Adopted.

Rep. Avery spoke in favor.

Report adopted and ordered to third reading.

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

HB 495-FN-A, relative to reauthorizing the motor oil discharge cleanup fund and increasing the fuel oil discharge cleanup fund fee. OUGHT TO PASS WITH AMENDMENT

Rep. Robert G. Holbrook for Finance: This bill extends the date for the motor oil discharge clean-up fund to January 1, 2003. The fee for importation of fuel oil is increased from \$.005 to \$.01 per gallon. This fuel oil recovery program has approved claims awaiting funds hence the need for an increase in revenue to the Fuel Oil Discharge Clean-up Fund. The amendment adds fuel oil tank recovery costs up to \$1,000 upon proof of financial need. Vote 24-0.

Amendment (0549h)

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

AN ACT relative to reauthorizing the motor oil discharge cleanup fund and increasing the fuel oil discharge cleanup fund fee, allowing coverage for discharge prevention, and allowing reimbursement for replacing substandard tanks.

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 9:

5 Funding for Release Prevention Authorized. Amend RSA 146-E:1 to read as follows:

146-E:1 Purpose. The general court finds that discharges of fuel oil represent a potential serious health and safety problem to the citizens of New Hampshire and a threat to the quality of the groundwaters and surface waters of the state. In addition, the cost of cleanup of fuel oil discharges is a significant economic burden for which economic assistance is otherwise not available. The purpose of this chapter is to establish a fund to be used in addressing the costs incurred in the **prevention and** cleanup of fuel oil discharges.

6 Funding for Release Prevention Authorized. Amend RSA 146-E:3, I to read as follows:

I. There is established a fuel oil discharge cleanup fund, which shall be administered by the oil fund disbursement board established under RSA 146-D:4. This fund shall be used to reimburse costs incurred in the **prevention and** cleanup of fuel oil discharges in the waters and soils of the state, including administrative, technical and legal support required by the oil fund disbursement board in administering the fund, and in paying third party damages.

7 On-Premise-Use Facilities; Reimbursement for Replacement Authorized. Amend RSA 146-E:6, II to read as follows:

II. Owners of facilities or land eligible under this chapter may apply for reimbursement of court-ordered damages to third parties for bodily injury or property damage, and for the costs of on-site and off-site cleanup of fuel oil discharges in amounts not to exceed a total of \$500,000, incurred on or after October 1, 1992. ***Owners of on-premise-use facilities or land eligible under this chapter who have demonstrated financial need, may apply for reimbursement of costs to meet the requirements of RSA 146-E:4, I and II in amounts not to exceed a total of \$1,000, incurred on or after July 1, 1999.***

8 Funding for Release Prevention Limited. Amend RSA 146-E:6, VI to read as follows:

VI. Costs of new ~~[tanks and associated piping]~~ ***bulk storage facilities or new on-premise-use facilities subject to regulation under RSA 146-C***, or repairs to ***such*** existing ~~[tanks and associated piping]~~ ***facilities***, shall not be considered eligible costs under this chapter.

AMENDED ANALYSIS

This bill:

I. Extends the date of the repeal of the motor oil discharge cleanup fund and the transfer of money in the fund to the oil pollution control fund.

II. Increases the fuel oil discharge cleanup fee and requires the transfer of \$1,000,000 from the oil pollution control fund to the fuel oil discharge cleanup fund.

III. Allows coverage for on-premise-use facilities release prevention.

IV. Allows limited reimbursement to tank owners for the costs of replacing or upgrading substandard tanks.

Adopted.

Report adopted and ordered to third reading.

HB 572-FN-A, relative to the apportionment provisions of the business profits tax. OUGHT TO PASS

Rep. Kenneth L. Weyler for Finance: For multi-state businesses that have a commercial presence in New Hampshire there is a formula that apportions the business profits tax to the New Hampshire activity. Said formula uses property, compensation, and sales, but under a temporary law the sales piece is multiplied by 2. After July 1, 1999, the multiplier will revert to 1.5 unless this bill is passed maintaining the double weighting.

Testimony emphasized the importance of the sales factor over the other two components and was in support of the bill. The committee had heard testimony on another bill which used only the single factor of sales in computing apportionment. That option may occur if the other bill passes.

The number of businesses affected by this bill is about 6,800. The net effect of reverting to a 1.5 multiplier would be a loss of \$2 million to the business profits tax. Vote 24-0.

Report adopted and ordered to third reading.

motion to special order

Rep. Mock moved that **CACR 22**, relating to 7-year terms for state judges, providing that all state judges appointed on or after January 1, 2001 be commissioned for 7-year terms, which may be renewed, be made a Special Order for the next session day in the regular calendar order and spoke in favor.

Adopted.

regular calendar (cont'd.)

HB 623-FN, increasing the mileage reimbursement rate for members of the legislature. INEXPEDIENT TO LEGISLATE

Rep. Michael D. Whalley for Legislative Administration: This bill would raise the mileage rate received by legislators to 42 cents per mile for the first 60 miles and to 26 cents for every mile above that. Current rates are 38 cents for the first 45 miles and 19 cents for every mile in excess thereof. This bill would also make these changes retroactive to January 1, 1999. The fiscal note did not establish the actual annual cost of these increases. We are currently in the first year of offering two options to members for mileage reimbursement. As we work to resolve issues which have occurred during this transition, we should not revise the program and its payment schedule in mid-stream, particularly when the cost of the additional payments is unknown. The many other significant issues which will require assistance from our state treasury this year was another factor which led the majority of the committee to recommend that this bill be found Inexpedient to Legislate. Vote 12-2.

Adopted.

HB 279-FN-A, relative to refinancing the cost and rehabilitation of the Cheshire Bridge. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Giovanni M. Verani for the Majority of Public Works and Highways: The majority of the committee, although sympathetic to the sponsors' requests, found that the removal of the tolls on the Cheshire bridge would bring about far reaching fiscal impacts to the 10 Year Highway Plan, as well

as other funding issues. This issue has been before the House on several prior occasions, and keeping in mind that the toll was first established to help keep the bridge open without weight restrictions, the committee had the same feeling as in the past. This toll bridge is not popular in the area, however, there is light at the end of the tunnel because, as soon as the bonds are paid off, the toll will end. The original time line saw the toll removed in 2012, but the current projection predicts 2005, because revenues are better than expected. Vote 10-7.

Rep. John R. Cloutier for the Minority of Public Works and Highways: The minority feels it is time to abolish tolls on what remains the last toll bridge in the State of New Hampshire. Abolishing the tolls would not only help the average citizen in southwestern New Hampshire, but also spur more economic development by attracting business to expand or relocate to the area. More economic development would result in more property tax revenue for communities like Charlestown, as well as more business tax revenue for the state.

Reps. Phinizy and Cloutier spoke against.

Reps. Young and Flint spoke against and yielded to questions.

Reps. Edwin Smith, Morse and Chandler spoke in favor and yielded to questions.

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

The question being the adoption of the majority report.

YEAS 179 NAYS 178			
YEAS 179			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Holbrook, Robert
Lawton, David	Thomas, John	Turner, Robert	Wendelboe, Francine
CARROLL			
Bradley, Jeb	Chandler, Gene	Kenney, Joseph	Lyman, L Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	Sullivan, P Judith
Torressen, Gary			
CHESHIRE			
Avery, Stephen	Hunt, John	Roberts, William	Rose, William
Royce, H Charles	Smith, Edwin		
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Merrill, Gerald
Pratt, Leighton	Tholl, John, Jr		

GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Cobb, John
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	MacNeil, Allen
Marshall, Gene	Mirski, Paul	Picconi, Al	Weber, Phil
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Beaupre, Roland	Belvin, William	Brundige, Robert	Bruno, Pierre
Burkush, James	Calawa, Leon, Jr	Carlson, Donald	Chabot, Robert
Clegg, Robert, Jr	Coughlin, Pamela	Daigle, Robert	Dalianis, Griffin
Daniels, Gary	Dawe, Eileen	Desmarais, Vivian	Desrosiers, William
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Franks, Suzan
Goley, Jeffrey	Goulet, Maurice	Herman, Keith	Holley, Sylvia
Jean, Loren	Kurk, Neal	Lefebvre, Roland	Lessard, Rudy
Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre	Martin, Mary
McCarty, Winston	McGough, Tim	McRae, Karen	Mercer, Robert
Milligan, Robert	Moran, Edward	O'Connell, Timothy	O'Hearn, Jane
Pappas, Marc	Pepino, Leo	Perkins, Paul	Peterson, Andrew
Reeves, Sandra	Rowe, Robert	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Vaillancourt, Steve	Wall, Nancy	White, Donald
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Brewster, Richard	Chase, George	Davis, Francis
Feuerstein, Martin	Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray
Leber, William	Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth
Maxfield, Roy	Nichols, Avis	Soltani, Tony	Whalley, Michael
Whittemore, James			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Case, Margaret	Christie, Andrew, Jr	Clark, Vivian
Cote, Patricia	Cox, Russell	DiFruscia, Anthony	Dowling, Patricia

Downing, Michael	Fesh, Robert	Flanagan, Natalie	Flanders, John, Sr
Francoeur, Sheila	Gleason, John	Grant, Kenneth	Griffin, Mary
Hamel, Albert	Henderson, Warren	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Letourneau, Robert	Major, Norman	McKinney, Betsy
Mikowski, Walter	Moore, Benjamin	Morse, Charles	Nowe, Mary Lou
Nowe, Ronald	Noyes, Richard	O'Neil, Michael	Priestley, Anne
Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Ruffner, Walter	Stickney, Nancy	Stone, Joseph	Sytek, Donna
Tufts, J Arthur	Varrell, Thomas	Weare, Everett	Welch, David
Weyler, Kenneth	Zolla, William		
STRAFFORD			
Berube, Roger	Cossette, Larry	Dunlap, Patricia	Keans, Sandra
McKinley, Robert	Musler, George	Torr, Franklin	Vincent, Francis
Wall, Janet	Woods, Phyllis		
SULLIVAN			
None			
NAYS 178			
BELKNAP			
Johnson, James	Lawton, Robert	Millham, Alida	Pilliod, James
Rice, Thomas	Rosen, Ralph	Wood, Jane	
CARROLL			
Babson, David, Jr	Dickinson, Howard		
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Doucette, Richard
Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret	Manning, Joseph
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, John
Richardson, Barbara	Riley, William	Robertson, Timothy	Russell, Ronald
Zerba, Roger			
COOS			
Glines, Sara	Hawkinson, Marie	Landers, Dana	Mears, Edgar

Rodrigue, Robert	Woodward, David		
GRAFTON			
Brothers, Richard	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Hall, David	Harmon, Hobart	Hinman, Harry	Johnson, Gary
Nordgren, Sharon	Phinney, William	Scanlan, David	Ward, Brien
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Bergeron, Lucien
Bergin, Peter	Buckley, Raymond	Christiansen, Lars	Cote, David
Cote, Peter	Craig, James	Curran, James	Dokmo, Cynthia
Dwyer, Paul, Sr	Fields, Dennis	Foster, Linda	Gagnon, Paul
Garrish, Linda	Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty
Hansen, Herbert	Jean, Claudette	Johnson, Lionel	Keye, Harvey
Konys, Christine	L'Heureux, Robert	LaRose, Richard	Lasky, Bette
Leishman, Peter	Leonard, Peter	Lynde, Harold	McCarthy, William
McColgan, Philip, Jr	McDonald, James, Sr	McDonough-Wallace, Alice	Melcher, Harold
Mendenhall, Leslie	Messier, Irene	Moriarty, Mary	Murphy, Robert
Ouellette, Dean	Reidy, Frank	Sarette, John	Simon, Anthony
Turgeon, Roland	White, John	Williams, Carol	
MERRIMACK			
Asplund, Bronwyn	Bouchard, Candace	Crosby, Toni	Daneault, Gabriel
Fortnam, Janet	Fraser, Marilyn	French, Barbara	Gile, Mary
Hager, Elizabeth	Jacobson, Alf	Larrabee, David, Sr	Lavoie, Gerard
Moore, Carol	Owen, Derek	Potter, Frances	Poulin, Dave
Reardon, Tara	Rodd, Beth	Seldin, Gloria	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Clark, Martha	Corbin, C David	Dalrymple, Janeen
Dunham, Vivian	Gibbons, Paul	Hutchinson, Karen	Hutchinson, Rebecca
Johnson, Robert	Kane, Cecelia	Kelley, Jane	Langley, Jane

Langone, John	Lovejoy, Marian	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Putnam, Ed, II	Rubin, George	Sabella, Norma
Sapareto, Frank	Schanda, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Vaughn, Charles	Whittier, John	
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris
Gilmore, Gary	Grassie, Anne	Heon, Richard	Johnson, Nancy
Kaen, Naida	Knowles, William	Lent, Donald	Lundborn, Raymond
Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Spear, Barbara	Taylor, Kathleen
Twardus, Joseph	Vachon, Dennis		
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Jones, Constance	Kibbey, David	Leone, Richard
Phinizy, James	Tuthill, John	Young, David	

and the majority report was adopted.

RECESS

(Speaker Sytek in the Chair)

regular calendar (cont'd.)

HB 417-FN-A, relative to the rehabilitation of the Walker building at New Hampshire hospital and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Leon Calawa, Jr. for Public Works and Highways: This bill is a cost savings plan. With the recent leasing of two buildings (one to the Department of Revenue Administration and the other to the Liquor Commission) at an average of \$13.50 per square foot, the operating cost of Johnson Hall is just \$6.14 per square foot. It is less than half the cost of the two new leases, and we are reusing very well built brick buildings located on the New Hampshire Hospital Grounds. The Brown Building was rehabilitated for \$63.00 per square foot. When we compare this cost to the cost of the new Court Office Building at \$103.00 per square foot, these startling figures show a savings of 40% by just using the assets we already own. The Walker Building was appraised for \$6 million four years ago. The time is now to fix the roofs, plywood the windows and seal the building from water damage. The Committee believes we should take this important step forward as it is in the best fiscal interest for the state and it looks at this project as a revenue saving measure, not a spending issue. Vote 17-0.

Amendment (0193h)

Amend the bill by replacing section 2 with the following:

2 Appropriation; Department of Transportation; Rehabilitation of New Hampshire Hospital's Walker Building. The sum of \$340,000 is appropriated to the department of transportation for the fiscal year ending June 30, 1999 for the purposes of section 1 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Adopted.

Report adopted and referred to Finance.

HB 482, relative to a study of tolls on the turnpike system. INEXPEDIENT TO LEGISLATE

Rep. Charles W. Morse for Public Works and Highways: This bill would study the impact of eliminating tolls on the turnpike system and replacing the revenue with an increase in the gas tax. There was testimony from the committee and from the Department of Transportation that many recent studies have been completed, and that the gas tax would have to be raised by 15-18 cents to replace toll revenue. The committee felt that further studies are not needed, and an increase of this amount would have an adverse affect on the state's fuel sales. Vote 16-1.

Adopted.

HB 617-FN-A-L, relative to funding and monitoring seacoast harbor issues. OUGHT TO PASS

Rep. Winston H. McCarty for Public Works and Highways: This bill, having had a thorough and extensive study by a prestigious committee of Senate and House members, provides the funding for harbor dredging and pier maintenance from boat fees, registrations, and a share of the unrefunded road tolls. These needs occur with some irregularity as the result of storms and water flow, and need attention without waiting for the legislature to provide the funding. The projects will be the responsibility of the New Hampshire Port Authority with prior approval of Capital Budget Overview Committee. This bill also transfers the commercial fish piers in Portsmouth, Rye Harbor and Hampton Harbor from the Department of Resources and Economic Development to New Hampshire State Port Authority. Both departments approved this transfer. This places all the responsibility of the harbors and piers in one department. Further provisions are also made to study the feasibility of mutual use of Coast Guard facilities and a study of waterfront erosion. Both the study and House committees were unanimous in this decision. Vote 16-0.

Adopted and referred to Finance.

HB 426, relative to clean indoor air in state buildings. OUGHT TO PASS WITH AMENDMENT

Rep. Terie T. Norelli for Science, Technology and Energy: This housekeeping bill was a request of the Department of Health and Human Services for the purpose of clarifying the definitions of "office space," "building renovation" and "building addition" relative to spaces in state buildings required to meet clean air standards. Vote 15-1.

Amendment (0417h)

Amend RSA 10-B:1, II as inserted by section 2 of the bill by replacing it with the following:

II. "Office space" means an area within a building occupied for 4 or more hours each workday by one or more state employees whose primary functions include supervision, administration, clerical support, retail sales, or instruction. "Office space" shall not include laboratories, vehicle repair facilities, machine shops, or medical treatment areas, and shall not include any other areas where the department of health and human services determines that the air quality contaminants created by the activity in the area are appropriately regulated by other state or federal authorities.

Amend RSA 10-B:1, IV as inserted by section 2 of the bill by replacing it with the following:

IV. "Building renovation" means either the interior components of a building have been removed and replaced with new components, or the existing interior components have been reconstructed, where the total cost of alterations amounts to 50 percent or more of the replacement value of the building.

Adopted.

Report adopted and ordered to third reading.

HB 70, relative to increasing the fines for violating the child passenger restraint law.
INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: The intent of this bill is to double the fines on first and second offense, and create a third or subsequent offense for failing to wear a passenger restraint. This bill was difficult for the committee since the passage of HB 94 made the violation of mandatory seat belt usage a primary offense. Testimony during executive session revealed that drivers who lost their licenses due to the under 20 law, paid an extraordinary amount of money to reinstate their privileges. The majority of the committee felt that adding this new fine schedule to the list would be a draconian measure. Vote 16-4.

Rep. Letourneau spoke in favor.

Adopted.

HB 320-FN, raising the maximum speed limit on all New Hampshire interstate highways from 65 to 70 miles per hour and on portions of the interstate specifically posted currently at 55 miles per hour to 60 miles per hour. INEXPEDIENT TO LEGISLATE

Rep. George N. Katsakiores for Transportation: Testimony from the Commissioner of the Department of Transportation, the Director of Highway Safety and the AAA representative indicated that to best live up to the required highway speeds based on public safety, the current interstate speed limits are proper and in the best interest of our constituencies. Studies addressing speed limits are based on consideration for safe and reasonable speeds under favorable road traffic and weather conditions. The rationale for government regulation of speed is based on the fact that unreasonable speed may cause damage and injury. Speed laws also provide a basis for punishing the unreasonable behavior of an individual driver. The majority of the committee opposed this bill. Sufficient documented evidence was presented substantiating the majority's position. Vote 12-7.

Reps. Vaillancourt and Sabella spoke against and yielded to questions.

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

Rep. George Katsakiores spoke in favor.

Rep. Letourneau requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 212 NAYS 139			
YEAS 212			
BELKNAP			
Bartlett, Gordon	Holbrook, Robert	Lawton, Robert	Millham, Alida
Pilliod, James	Rosen, Ralph	Thomas, John	Turner, Robert
Wendelboe, Francine	Wood, Jane		
CARROLL			
Bradley, Jeb	Chandler, Gene	Dickinson, Howard	Lyman, L Randy
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	Philbrick, Donald
Torressen, Gary			
CHESHIRE			
Burnham, Daniel	Lerandean, Alfred	Lynch, Margaret	Lynott, Margaret
Riley, William	Roberts, William	Rose, William	Royce, H Charles
Russell, Ronald	Smith, Edwin	Zerba, Roger	
COOS			
Davis, Perley	Guay, Lawrence	Hawkinson, Marie	Horton, Lynn
Mears, Edgar	Pratt, Leighton	Rodrigue, Robert	Tholl, John, Jr
Woodward, David			
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Dudley, Terri	Eaton, Stephanie	Guest, Robert	Harmon, Hobart
Johnson, Gary	LaMott, Paul	MacNeil, Allen	Marshall, Gene
Nordgren, Sharon	Phinney, William	Picconi, Al	Scanlan, David
Ward, Brien			
HILLSBOROUGH			
Andrews, Frederick	Arthur, Rose	Batula, Peter	Beaupre, Roland

Belvin, William	Bergin, Peter	Brundige, Robert	Calawa, Leon, Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Cote, David
Cote, Peter	Coughlin, Pamela	Curran, James	Daigle, Robert
Dawe, Eileen	Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fields, Dennis
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Foster, Linda
Franks, Suzan	Garrish, Linda	Gorman, Mary	Goulet, Maurice
Hall, Betty	Hansen, Herbert	Holley, Sylvia	Jean, Claudette
Johnson, Lionel	Keye, Harvey	Kurk, Neal	L'Heureux, Robert
LaRose, Richard	Lasky, Bette	Leishman, Peter	Leonard, Peter
Lessard, Rudy	Lozeau, Donnalee	Martel, Andre	Martin, Mary
McGough, Tim	Mendenhall, Leslie	Mercer, Robert	Messier, Irene
Milligan, Robert	Moriarty, Mary	O'Connell, Timothy	O'Hearn, Jane
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Rowe, Robert
Tate, Joan	Thulander, O Alan	Turgeon, Roland	Wall, Nancy
White, Donald	Withee, Dennis		
MERRIMACK			
Asplund, Bronwyn	Bouchard, Candace	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Fraser, Marilyn	French, Barbara
Gile, Mary	Hager, Elizabeth	Hoadley, Elizabeth	Jacobson, Alf
Langer, Ray	Larrabee, David, Sr	Leber, William	Lockwood, Priscilla
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Owen, Derek
Potter, Frances	Rodd, Beth	St Cyr, Gerard	Wallin, Jean
Whalley, Michael	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Bishop, Franklin	Case, Margaret
Christie, Andrew, Jr	Cote, Patricia	Dalrymple, Janeen	DiFruscia, Anthony
Dowling, Patricia	Downing, Michael	Dunham, Vivian	Flanders, John, Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Griffin, Mary
Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Letourneau, Robert

Major, Norman	McKinney, Betsy	Mikowski, Walter	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	O'Neil, Michael
Priestley, Anne	Putnam, Ed, II	Quandt, Marshall	Ruffner, Walter
Shultis, Elizabeth	Stickney, Nancy	Stone, Joseph	Tufts, J Arthur
Varrell, Thomas	Weare, Everett	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		
STRAFFORD			
Brown, George	Callaghan, Frank	Cossette, Larry	Heon, Richard
Knowles, William	Lent, Donald	McKinley, Robert	Pelletier, Arthur
Rollo, Michael	Vachon, Dennis	Wall, Janet	Woods, Phyllis
SULLIVAN			
Cloutier, John	Donovan, Thomas, Jr	Jones, Constance	Phinizy, James
Tuthill, John			
NAYS 139			
BELKNAP			
Boyce, Robert	Johnson, James	Lawton, David	Rice, Thomas
Salatiello, Thomas			
CARROLL			
Babson, David, Jr	Kenney, Joseph	Sullivan, P Judith	
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Doucette, Richard
Hunt, John	Manning, Joseph	McGuirk, Paul	Meader, David
Mitchell, McKim	Pratt, John	Richardson, Barbara	Robertson, Timothy
COOS			
Glines, Sara	Landers, Dana	Merrill, Gerald	
GRAFTON			
Cobb, John	Copenhaver, Marion	Densmore, Jessica	Gilman, G Michael
Hall, David	Ham, Bonnie	Hinman, Harry	Mirski, Paul
Weber, Phil			
HILLSBOROUGH			

Ahern, Richard	Alukonis, David	Arnold, Thomas, Jr	Bergeron, Lucien
Bruno, Pierre	Buckley, Raymond	Burkush, James	Clegg, Robert, Jr
Craig, James	Dalianis, Griffin	Daniels, Gary	Dwyer, Paul, Sr
Fenton, James	Gagnon, Paul	Goley, Jeffrey	Haettenschwiller, Alphonse
Herman, Keith	Jean, Loren	Konys, Christine	Lynde, Harold
MacGillivray, Jeffrey	McCarthy, William	McColgan, Philip, Jr	McRae, Karen
Melcher, Harold	Moran, Edward	Murphy, Robert	Ouellette, Dean
Pappas, Marc	Perkins, Paul	Reidy, Frank	Sarette, John
Simon, Anthony	Vaillancourt, Steve	White, John	Williams, Carol
MERRIMACK			
Anderson, Eric	Brewster, Richard	Feuerstein, Martin	Fortnam, Janet
Kennedy, Richard	Lavoie, Gerard	Marple, Richard	Nichols, Avis
Poulin, Dave	Reardon, Tara	Seldin, Gloria	Soltani, Tony
Virtue, Carolyn			
ROCKINGHAM			
Beaulieu, Jon	Belanger, Ronald	Bridle, Russell	Clark, Martha
Clark, Vivian	Corbin, C David	Cox, Russell	Fesh, Robert
Flanagan, Natalie	Flanders, David	Grant, Kenneth	Hutchinson, Karen
Kane, Cecelia	Kelley, Jane	Langley, Jane	Langone, John
Lovejoy, Marian	Norelli, Terie	Pantelakos, Laura	Pitts, Jacqueline
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Rubin, George
Sabella, Norma	Sapareto, Frank	Schanda, Frank	Shelton, Richard
Splaine, James	Vaughn, Charles	Verani, Giovanni	
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, Julie
DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris
Gilmore, Gary	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Lundborn, Raymond	Rogers, Rose Marie	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Kathleen	Torr, Franklin	Twardus, Joseph
Vincent, Francis			

SULLIVAN			
Allison, David	Burling, Peter	Flint, Gordon, Sr	Kibbey, David
Leone, Richard	Young, David		

and the report was adopted.

Rep. James McDonald declared a conflict of interest and did not participate.

HB 656, relative to the use of personal watercraft on Beaver Lake in the town of Derry.
INEXPEDIENT TO LEGISLATE

Rep. Pierre W. Bruno for Transportation: This bill seeks to prohibit the use of personal watercraft (e.g., jet skis) on Beaver Lake in the town of Derry. Beaver Lake is a state lake, and as a state lake, public access is maintained. The committee has compassion for any Beaver Lake resident who would like to ban the use of particular watercraft. Nonetheless, the majority of the committee agreed that imposing such a discriminatory ban on a single type of watercraft would not be appropriate for statute. The department of safety has a hearing process to remedy requests for specific prohibitions, such as those sought by this bill on state lakes. Vote 14-5.

Adopted.

HB 676-FN-A, increasing fees for motor vehicle inspection stickers and establishing motor vehicle inspector positions and making an appropriation therefor. OUGHT TO PASS

Rep. Sherman A. Packard for Transportation: This bill was introduced to accomplish two goals. During the last year, the department of environmental services has worked closely with the department of safety in crafting a response to federal requirements under the Clean Air Act for a comprehensive vehicle emissions testing program in three New Hampshire counties. In place of an onerous enhanced inspection/maintenance (I/M) program, New Hampshire successfully negotiated with the U.S. Environmental Protection Agency (EPA) an environmentally superior and more cost-effective package of air pollution reduction strategies, including implementation of the Enhanced Safety Inspection and Diesel Opacity Testing programs. Federal statute typically requires enforcement of enhanced I/M programs to be based on registration denial, a mechanism that DES and DOS regard as unworkable in New Hampshire, and have strongly opposed. As part of New Hampshire's alternative approach, DOS instead committed to establishing additional enforcement capacity for its motor vehicle inspection programs, including the new Enhanced Safety Inspection and Diesel Opacity Testing components. This bill will provide DOS with resources to fulfill this commitment. This bill will also help ensure that the regular safety inspections are being done properly creating safer highways. To offset the expense, the fee for inspection stickers will be increased by 25 cents. The NH Auto Dealers Association, NH Motor Transport Association, DES and DOS endorsed this bill. Vote 20-0.

Adopted and referred to Finance.

HB 704-FN-A, establishing a wildlife damage control program to prevent and redress damage to certain commercial agricultural property, and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. L'Heureux for Wildlife and Marine Resources: This bill has been around for three or more sessions. Each time the Fish and Game Department and the Wildlife and Resource Committee worked very hard for a solution to no avail. After 12 hours of hearings, several hours of subcommittee work as well as four hours of Executive Committee discussion, all parties involved agreed to most of the items in question, i.e. the amount of money. For a fencing program; the split of 75% paid by Fish and Game; 25% paid by growers; and immediate possession of two depredation permits. The only item that was not agreeable to all parties was the repeal of RSA 207:22 and 207:23 (damage by game birds). Vote 13-5.

Amendment (0424h)

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

AN ACT establishing a wildlife damage control program and making an appropriation therefor.

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

1 Legislative Findings and Purpose. The general court finds that wild animals are a valuable ecological, recreational, and economic resource enjoyed by New Hampshire citizens and by visitors to the state, however, the general court notes that damage to agricultural and horticultural products by game and other wild animals often creates conflicts and economic losses. The general court further finds that as a consequence of continued growth in New Hampshire's human population and development patterns that result in frequent contacts between people and wildlife, as well as increases in some wildlife populations, demands to address conflicts may be expected to increase in the future. Therefore, a wildlife damage control program is hereby formally established to minimize the effects of wild animals on agriculture, human health and safety, property, and natural resources by providing educational and technical advice and recommendations to all citizens while conserving the wildlife resources of the state.

2 Subdivision Heading Changed. The subdivision heading preceding RSA207:22 is repealed and reenacted to read as follows:

Wildlife Damage Control

3 Limitations for Persons Posting Property. RSA 207:22-a is repealed and reenacted to read as follows:

207:22-a Limitations for Persons Posting Property. Any person whose land is posted pursuant to RSA 635:4 to prohibit hunting shall forfeit the right to participate in the wildlife damage control program established pursuant to RSA207:22-c, or to receive payment pursuant to RSA 207:23-a, except that this limitation shall not apply in the following circumstances:

I. To a person who posts only the person's land lying within 100 yards of a dwelling or other farm or outbuildings contiguous to the person's dwelling and used regularly by the person, or the person's family or tenant.

II. To any person whose land is posted for the protection of crops only during the closed season for the type of game birds or animals for which the person seeks assistance from the wildlife damage control program.

III. To any person who posts such person's land "Hunting by Permission Only", provided that the names and addresses of the hunters who have received permission to hunt that land in that year shall be furnished when requested by the executive director, and that in the judgment of the executive director, the history of hunter access and hunter density represents a good-faith effort by the landowner to allow hunting.

4 New Sections; Wildlife Damage Control Program; Advisory Board Established. Amend RSA207 by inserting after section 22-a the following new sections:

207:22-b Wildlife Damage Control Advisory Board.

I. There is established a wildlife damage control advisory board which shall consist of the following members:

(a) The executive director of the fish and game department, or designee, who shall act as chairperson.

(b) The commissioner, department of agriculture, markets, and food, or designee.

(c) The director for New Hampshire of the United States Department of Agriculture, Animal and Plant Health Inspection Services, Wildlife Services, or designee.

(d) A fish and game commissioner appointed each fiscal year by the chairperson of the commission.

(e) The executive director of the New Hampshire Farm Bureau Federation.

II. The board shall have responsibility for the duties designated to the board under RSA207:22-c, II.

III. The chairperson of the board shall submit an annual report by October 1 of each year, beginning in 1999, to the governor, the senate president, the speaker of the house, and the chairpersons of each of the senate and house standing committees having jurisdiction over wildlife and agriculture matters, relative to all receipts and disbursements of the wildlife damage control program established in RSA 207:22-c.

207:22-c Wildlife Damage Control Program; Administration. There is established a wildlife damage control program which shall be administered by the executive director in cooperation with the United States Department of Agriculture and the New Hampshire department of agriculture, markets, and food. The program shall emphasize a comprehensive approach that integrates wildlife management and wildlife control methods and strategies and shall respond to conflicts between wildlife and human populations by stressing the importance of prevention of damage by initiating one or more of the following courses of action:

I. A general wildlife damage mitigation program:

(a) The general wildlife damage mitigation program shall address conflicts between wildlife and human populations by disseminating educational and technical information, and providing assistance. The program may make available various repellents, institute the loan of

direct control device and materials including electric fences and frightening devices, and make referrals to nuisance wildlife cooperators.

(b) Actions under this paragraph shall be of a temporary nature and may include any other nuisance control methods available, as determined by the executive director, or designee.

II. A cooperative fencing program:

(a) Commercial growers may participate in a cost-share-fencing program on a 75 percent state to 25 percent commercial grower cost share basis. Under this program, the executive director may provide payment from funds designated for this program in the fish and game fund to an eligible commercial grower for the purchase of fencing materials and their installation, provided the commercial grower's participation and eligibility has been approved by the wildlife damage control advisory board.

(b) Commercial growers desiring to participate in the 75/25 cost share program shall submit written applications to the executive director in such manner as prescribed by the executive director on or before May 1 of each year.

(c) Maintenance costs of installed fences shall be the responsibility of the applicant.

(d) The wildlife damage control advisory board shall determine on an annual basis no later than June 30 of each year the recipients of the fencing moneys for the ensuing year. The board will make its determinations based on urgency of need for damage relief and any other factors necessary to ensure a fair and equitable allocation of funds. The decisions of the board shall be final.

(e) The failure of a commercial grower to properly install and maintain fencing purchased under this paragraph shall make the commercial grower ineligible to participate in this program until such time as approved by a majority of the wildlife damage control advisory board.

(f) The executive director shall adopt rules pursuant to RSA 541-A to implement and execute the cooperative fencing program, which may include but not be limited to eligibility criteria, fencing specifications, funding levels, and inspection procedures.

(g) The provisions and penalties of RSA 641 concerning false statements shall apply to all reporting and documentation required pursuant to this paragraph.

(h) For purposes of this paragraph, a "commercial grower" means any person who grows an agricultural or horticultural crop from which the person has derived, or reasonably expects to derive an annual gross income from the sale of crops normally produced of at least \$2500.

III. A depredation permit program:

(a) The executive director shall adopt rules, pursuant to RSA 541-A, regulating the issuance of depredation permits to kill animals causing damage to commercial crops. Such rules shall address the method and manner of taking animals, the disposition of animals taken under such permits, as well as the qualifications necessary to participate in the program. Such

qualifications shall include, but not be limited to, the provision of information concerning the history of damage, the record of preventative methods used in the past, and the public hunting access history.

(b) The depredation permit program shall include the issuance of 2 pre-damage deer kill permits to commercial growers as defined in RSA 207:22-c, II(h) upon request to the director. Issuance of pre-damage deer kill permits will facilitate protection of qualifying crops at the onset of deer visitation to said crops. Any deer taken under this provision shall be subject to investigation by the local conservation officer to determine whether or not the potential existed at the time of taking for damage to have occurred. Any additional depredation permits shall be issued following the procedures in this paragraph.

5 Application of Section Limited; Appeal to Superior Court. Amend RSA 207:24 to read as follows:

207:24 Appeal from Executive Director. If the person sustaining the damage ***pursuant to RSA 207:23-a*** is dissatisfied with the finding of the executive director, either as to the cause of the damage or the amount thereof, ~~[he]~~ ***the person*** may appeal therefrom within 30 days ~~[of the receipt by him of notice thereof, by filing a statement to that effect with the executive director, and his damages shall thereupon be determined as to the cause and the amount by an impartial board of 3 men designated by the governor]~~ ***to the superior court in the county where the damage was sustained.***

6 Depredation Permit Required. Amend RSA 207:26 to read as follows:

207:26 Killing by Land Owner of Bird or Animal Inflicting Damage. A person may pursue, wound or kill, on land owned or occupied by ~~[him]~~ ***such person***, any ~~[wild]~~ ***unprotected*** bird or wild animal which ~~[he]~~ ***the person*** finds in the act of doing actual and substantial damage to poultry, ***crops, domestic animals***, or ~~[his]~~ ***the person's*** property, and ~~[he]~~ may authorize a ***family member*** ~~[of his family or a person employed by him]~~, ***employee, or other person requested*** to do so under the provision of ~~[written authority or direction from]~~ ***a depredation permit issued by the executive director pursuant to RSA 207:22-c, III.***

7 Discretion of Executive Director. Amend RSA 207:29 to read as follows:

207:29 Disposition of Game, etc., Killed. Any game or fur-bearing animal killed or wounded as provided in this subdivision shall, in the discretion of the executive director, be returned to the person who killed the same ~~[or]~~, be given to some charitable institution, ***or otherwise disposed of.***

8 Reference Amended. Amend RSA 541-B:9, II to read as follows:

II. The board shall have original and exclusive jurisdiction to investigate, conduct hearings and make decisions, and render or deny awards on all claims under this chapter not exceeding \$5,000 against any agency, except those claims arising under workers' compensation, unemployment compensation, eminent domain proceedings, RSA 110-B:73, RSA ~~[207:22-25]~~ ***207:23-a***, RSA 228:29, and RSA 491:8.

9 Appropriation; Funding.

I. There is hereby appropriated the sum of \$100,000 for the fiscal year ending June 30, 2000 and \$100,000 for the fiscal year ending June 30, 2001 from the fish and game fund to the

fish and game department for the purpose of funding the wildlife damage control program, established in RSA 207:22-c.

II. There is hereby further appropriated the sums of \$100,000 for the fiscal year ending June 30, 2002, \$75,000 for the fiscal year ending June 30, 2003, and \$50,000 for each fiscal year ending June 30, 2004 to 2010. Such sums shall be appropriated from the fish and game fund to the fish and game department for the purpose of funding the wildlife damage control program established in RSA 207:22-c.

III. The executive director may accept and expend federal funds and funds from any other source that may be designated for wildlife damage control programs.

IV. The sums appropriated by this section shall not be used for any other purpose and shall be non-lapsing.

10 Repeal. The following are repealed:

I. RSA 207:22, relative to damage by game birds.

II. RSA 207:23, relative to damage by game.

III. RSA 207:23-b, relative to preventative measures to alleviate damage.

11 Prospective Repeal. The following are repealed:

I. RSA 207:22-a, relative to limitations for person posting property.

II. RSA 207:22-b, relative to the wildlife damage control advisory board.

III. RSA 207:22-c, relative to the wildlife damage control program.

12 Effective Date.

I. Section 11 of this act shall take effect December 31, 2010.

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

AMENDED ANALYSIS

This bill establishes a wildlife damage control program and the wildlife damage control advisory board. This bill also repeals certain provisions relating to damage by game birds and game, and prospectively repeals the wildlife damage control program on December 31, 2010.

Adopted.

Reps. Melcher and Akins spoke against and yielded to questions.

Rep. Blaisdell spoke in favor.

Rep. Mock spoke in favor and yielded to questions.

Rep. Ronald Nowe requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 207 NAYS 145			
YEAS 207			
BELKNAP			
Bartlett, Gordon	Boyce, Robert	Holbrook, Robert	Johnson, James
Lawton, David	Lawton, Robert	Millham, Alida	Rice, Thomas
Rosen, Ralph	Salatiello, Thomas	Thomas, John	Turner, Robert
Wendelboe, Francine	Wood, Jane		
CARROLL			
Bradley, Jeb	Chandler, Gene	Kenney, Joseph	Lyman, L Randy
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	
CHESHIRE			
Blaisdell, Michael	Hunt, John	Lerandean, Alfred	Lynch, Margaret
Manning, Joseph	McGuirk, Paul	Roberts, William	Rose, William
Royce, H Charles	Smith, Edwin	Zerba, Roger	
COOS			
Guay, Lawrence	Hawkinson, Marie	Horton, Lynn	Mears, Edgar
Merrill, Gerald	Tholl, John, Jr	Woodward, David	
GRAFTON			
Brothers, Richard	Copenhaver, Marion	Dudley, Terri	Eaton, Stephanie
Gilman, G Michael	Harmon, Hobart	Hinman, Harry	Johnson, Gary
LaMott, Paul	MacNeil, Allen	Marshall, Gene	Mirski, Paul
Nordgren, Sharon	Phinney, William	Scanlan, David	Ward, Brien
HILLSBOROUGH			
Alukonis, David	Batula, Peter	Belvin, William	Bergin, Peter
Brundige, Robert	Bruno, Pierre	Buckley, Raymond	Burkush, James
Calawa, Leon, Jr	Chabot, Robert	Clegg, Robert, Jr	Cote, David
Cote, Peter	Coughlin, Pamela	Curran, James	Daigle, Robert

Dalianis, Griffin	Daniels, Gary	Dawe, Eileen	Desmarais, Vivian
Desrosiers, William	Dokmo, Cynthia	Dyer, Merton	Emerton, Lawrence
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Foster, Linda
Gagnon, Paul	Garrish, Linda	Goley, Jeffrey	Gorman, Mary
Goulet, Maurice	Hansen, Herbert	Herman, Keith	Holley, Sylvia
Jean, Claudette	Jean, Loren	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Leonard, Peter	Lessard, Rudy	Lozeau, Donnalee
MacGillivray, Jeffrey	Martel, Andre	McColgan, Philip, Jr	McGough, Tim
Mendenhall, Leslie	Mercer, Robert	Milligan, Robert	Moriarty, Mary
Murphy, Robert	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Peterson, Andrew	Rowe, Robert	Simon, Anthony
Tate, Joan	Thulander, O Alan	Wall, Nancy	Williams, Carol
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Fortnam, Janet	Hoadley, Elizabeth
Jacobson, Alf	Langer, Ray	Leber, William	Marple, Richard
Moore, Carol	Nichols, Avis	Poulin, Dave	Whalley, Michael
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Bishop, Franklin	Case, Margaret	Christie, Andrew, Jr	Clark, Martha
Cote, Patricia	Cox, Russell	Dalrymple, Janeen	Dowling, Patricia
Downing, Michael	Dunham, Vivian	Fesh, Robert	Flanders, David
Flanders, John, Sr	Francoeur, Sheila	Gleason, John	Griffin, Mary
Henderson, Warren	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Letourneau, Robert	Major, Norman	McKinney, Betsy	Mikowski, Walter
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	O'Neil, Michael
Pantelakos, Laura	Quandt, Marshall	Raynowska, Bernard	Reardon, Neil
Ruffner, Walter	Sabella, Norma	Schanda, Frank	Stone, Joseph
Tufts, J Arthur	Vaughn, Charles	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	

STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
Cossette, Larry	Dunlap, Patricia	Gilmore, Gary	Heon, Richard
Johnson, Nancy	Keans, Sandra	Knowles, William	Lundborn, Raymond
McKinley, Robert	Rogers, Rose Marie	Rollo, Michael	Spang, Judith
Torr, Franklin	Twardus, Joseph	Vachon, Dennis	Vincent, Francis
Wall, Janet	Woods, Phyllis		
SULLIVAN			
Burling, Peter	Jones, Constance		
NAYS 145			
BELKNAP			
None			
CARROLL			
Babson, David, Jr	Dickinson, Howard	Philbrick, Donald	Sullivan, P Judith
Torressen, Gary			
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Burnham, Daniel	Doucette, Richard
Lynott, Margaret	Meader, David	Mitchell, McKim	Pratt, John
Richardson, Barbara	Riley, William	Robertson, Timothy	
COOS			
Davis, Perley	Glines, Sara	Landers, Dana	Pratt, Leighton
Rodrigue, Robert			
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Cobb, John
Densmore, Jessica	Guest, Robert	Hall, David	Ham, Bonnie
Picconi, Al	Weber, Phil		
HILLSBOROUGH			
Ahern, Richard	Andrews, Frederick	Arnold, Thomas, Jr	Arthur, Rose
Baroody, Benjamin	Beaupre, Roland	Bergeron, Lucien	Carlson, Donald
Christiansen, Lars	Craig, James	Durham, Susan	Dwyer, Paul, Sr

Fenton, James	Ford, Nancy	Franks, Suzan	Haettenschwiller, Alphonse
Hall, Betty	Johnson, Lionel	Keye, Harvey	Lynde, Harold
Martin, Mary	McCarthy, William	McDonald, James, Sr	McRae, Karen
Melcher, Harold	Messier, Irene	Moran, Edward	O'Connell, Timothy
Perkins, Paul	Reeves, Sandra	Reidy, Frank	Sarette, John
Turgeon, Roland	Vaillancourt, Steve	White, Donald	White, John
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Kennedy, Richard
Larrabee, David, Sr	Lavoie, Gerard	Lockwood, Priscilla	Marshall, Kenneth
Maxfield, Roy	Owen, Derek	Potter, Frances	Reardon, Tara
Rodd, Beth	Seldin, Gloria	Soltani, Tony	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Whittemore, James	Yeaton, Charles
ROCKINGHAM			
Bridle, Russell	Clark, Vivian	Corbin, C David	DiFruscia, Anthony
Flanagan, Natalie	Gibbons, Paul	Grant, Kenneth	Hamel, Albert
Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Kelley, Jane	Langley, Jane	Langone, John	Lovejoy, Marian
Morse, Charles	Norelli, Terie	Pitts, Jacqueline	Priestley, Anne
Putnam, Ed, II	Rabideau, Marie	Rubin, George	Sapareto, Frank
Shelton, Richard	Shultis, Elizabeth	Stickney, Nancy	Varrell, Thomas
Zolla, William			
STRAFFORD			
Bickford, David	Brown, Julie	DeChane, Marlene	Domingo, Baldwin
Estabrook, Iris	Kaen, Naida	Lent, Donald	Pelletier, Arthur
Pelletier, Marsha	Smith, Marjorie	Snyder, Clair	Taylor, Kathleen
SULLIVAN			
Allison, David	Cloutier, John	Donovan, Thomas, Jr	Flint, Gordon, Sr
Kibbey, David	Leone, Richard	Phinizy, James	Tuthill, John

Young, David			
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and the report was adopted.

Referred to Finance.

laid on the table

Rep. Patten moved that **HB 550-L**, relative to the date town reports must be made available in towns which have adopted the official ballot referenda form of town meeting, be laid on the table.

Adopted.

regular calendar (cont'd.)

HCR 8, urging nonimplementation of the articles of the Kyoto Protocol on global climate change.
OUGHT TO PASS

Rep. Richard Marple for State-Federal Relations and Veterans Affairs: It was the consensus of the majority of members that we should not "put the cart before the horse". In that, neither the President nor the Senate have ratified the matter under discussion, we should not be viewed as attempting to preempt the Federal government. Vote 11-1.

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

Adopted.

HB 430, requiring anyone operating windshield wipers to also have on headlights. INEXPEDIENT TO LEGISLATE

Rep. Robert J. Letourneau for Transportation: This bill would require anyone who is operating windshield wipers to also turn on their headlights. The committee recognizes the good intentions of the sponsors, and accepts that this should be common sense in foul weather. However, the committee is troubled by how this may be enforced. Could this unnecessarily endanger our law enforcement officers in foul weather? The committee also received compelling testimony from auto dealers during the executive session, revealing auto manufacturers are including lights-on all-times features in new automobiles, making it difficult to purchase a new vehicle without this feature. The committee agrees that this bill is not essential at this time. Vote 20-0.

Rep. Avery spoke against and yielded to questions.

Rep. Letourneau spoke in favor and yielded to questions.

Rep. Keith Herman requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 249 NAYS 97			
YEAS 249			
BELKNAP			
Bartlett, Gordon	Boyce, Robert	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	Kenney, Joseph
Lyman, L Randy	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Philbrick, Donald	Torressen, Gary		
CHESHIRE			
Blaisdell, Michael	Hunt, John	Lerandeau, Alfred	Lynch, Margaret
Lynott, Margaret	Meader, David	Rose, William	Royce, H Charles
Smith, Edwin			
COOS			
Guay, Lawrence	Hawkinson, Marie	Horton, Lynn	Landers, Dana
Mears, Edgar	Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr
Woodward, David			
GRAFTON			
Akins, Ralph	Almy, Susan	Brothers, Richard	Cobb, John
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	Guest, Robert
Hall, David	Ham, Bonnie	Harmon, Hobart	Hinman, Harry
LaMott, Paul	MacNeil, Allen	Marshall, Gene	Mirski, Paul
Phinney, William	Picconi, Al	Scanlan, David	Ward, Brien
Weber, Phil			
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Arnold, Thomas, Jr	Arthur, Rose
Batula, Peter	Beaupre, Roland	Belvin, William	Bergeron, Lucien
Bergin, Peter	Brundige, Robert	Bruno, Pierre	Calawa, Leon, Jr
Carlson, Donald	Christiansen, Lars	Clegg, Robert, Jr	Cote, David

Cote, Peter	Coughlin, Pamela	Craig, James	Curran, James
Daigle, Robert	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia	Durham, Susan
Dwyer, Paul, Sr	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Franks, Suzan
Gagnon, Paul	Gorman, Mary	Goulet, Maurice	Haettenschwiller, Alphonse
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Jean, Loren
Johnson, Lionel	Kurk, Neal	L'Heureux, Robert	LaRose, Richard
Lefebvre, Roland	Leishman, Peter	Leonard, Peter	Lessard, Rudy
Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre	Martin, Mary
McCarthy, William	McDonald, James, Sr	McGough, Tim	Mendenhall, Leslie
Mercer, Robert	Milligan, Robert	Moran, Edward	Moriarty, Mary
Murphy, Robert	O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean
Pappas, Marc	Pepino, Leo	Peterson, Andrew	Reeves, Sandra
Rowe, Robert	Sarette, John	Simon, Anthony	Tate, Joan
Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy
White, Donald	White, John	Williams, Carol	Withee, Dennis
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Chase, George	Daneault, Gabriel
Feuerstein, Martin	Kennedy, Richard	Larrabee, David, Sr	Lavoie, Gerard
Leber, William	Lockwood, Priscilla	Marple, Richard	Maxfield, Roy
Moore, Carol	Nichols, Avis	Owen, Derek	Poulin, Dave
Rodd, Beth	Soltani, Tony	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Whalley, Michael	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Bridle, Russell	Christie, Andrew, Jr	Clark, Vivian	Corbin, C David
Cote, Patricia	Cox, Russell	Dalrymple, Janeen	Downing, Michael
Dunham, Vivian	Fesh, Robert	Flanagan, Natalie	Flanders, David
Flanders, John, Sr	Gibbons, Paul	Gleason, John	Grant, Kenneth

Griffin, Mary	Henderson, Warren	Hutchinson, Karen	Hutchinson, Rebecca
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langone, John	Letourneau, Robert	Major, Norman	McKinney, Betsy
Mikowski, Walter	Morse, Charles	Norelli, Terie	Nowe, Mary Lou
Nowe, Ronald	Noyes, Richard	O'Neil, Michael	Priestley, Anne
Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie	Reardon, Neil
Rubin, George	Ruffner, Walter	Sapareto, Frank	Schanda, Frank
Stickney, Nancy	Stone, Joseph	Tufts, J Arthur	Varrell, Thomas
Verani, Giovanni	Weare, Everett	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		
STRAFFORD			
Berube, Roger	Bickford, David	Brown, Julie	Cossette, Larry
DeChane, Marlene	Estabrook, Iris	Heon, Richard	Lundborn, Raymond
McKinley, Robert	Pelletier, Arthur	Pelletier, Marsha	Smith, Marjorie
Torr, Franklin	Vachon, Dennis	Vincent, Francis	Wall, Janet
Woods, Phyllis			
SULLIVAN			
Allison, David	Donovan, Thomas, Jr	Jones, Constance	Kibbey, David
Leone, Richard	Tuthill, John		
NAYS 97			
BELKNAP			
Salatiello, Thomas	Wood, Jane		
CARROLL			
Dickinson, Howard	Sullivan, P Judith		
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Burnham, Daniel	Doucette, Richard
Manning, Joseph	McGuirk, Paul	Mitchell, McKim	Pratt, John
Richardson, Barbara	Riley, William	Roberts, William	Robertson, Timothy
Russell, Ronald	Zerba, Roger		
COOS			

Davis, Perley	Rodrigue, Robert		
GRAFTON			
Alger, John	Copenhaver, Marion	Densmore, Jessica	Johnson, Gary
Nordgren, Sharon			
HILLSBOROUGH			
Andrews, Frederick	Buckley, Raymond	Chabot, Robert	Ford, Nancy
Foster, Linda	Garrish, Linda	Hall, Betty	Jean, Claudette
Keye, Harvey	Konys, Christine	Lasky, Bette	Lynde, Harold
McColgan, Philip, Jr	Melcher, Harold	Messier, Irene	Perkins, Paul
Reidy, Frank			
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Crosby, Toni	Davis, Francis
Fortnam, Janet	French, Barbara	Gile, Mary	Hager, Elizabeth
Hoadley, Elizabeth	Jacobson, Alf	Langer, Ray	Marshall, Kenneth
Potter, Frances	Reardon, Tara	Seldin, Gloria	Whittemore, James
ROCKINGHAM			
Bishop, Franklin	Case, Margaret	Clark, Martha	DiFruscia, Anthony
Francoeur, Sheila	Hamel, Albert	Kane, Cecelia	Kelley, Jane
Langley, Jane	Lovejoy, Marian	Pantelakos, Laura	Pitts, Jacqueline
Raynowska, Bernard	Sabella, Norma	Shelton, Richard	Shultis, Elizabeth
Vaughn, Charles			
STRAFFORD			
Brennan, William	Brown, George	Callaghan, Frank	Domingo, Baldwin
Dunlap, Patricia	Gilmore, Gary	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Lent, Donald	Rogers, Rose Marie
Rollo, Michael	Snyder, Clair	Spang, Judith	Taylor, Kathleen
Twardus, Joseph			
SULLIVAN			
Burling, Peter	Cloutier, John	Flint, Gordon, Sr	Phinizy, James
Young, David			

and the report was adopted.

reconsideration

Having voted with the prevailing side, Rep. Gleason moved that the House reconsider its action whereby it voted ***HB 279-FN-A***, relative to refinancing the cost and rehabilitation of the Cheshire Bridge, Inexpedient to Legislate.

Reps. McGuirk and Young spoke in favor.

Rep. Chandler spoke against.

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

The question being the motion to reconsider.

YEAS 187 NAYS 157			
YEAS 187			
BELKNAP			
Johnson, James	Lawton, David	Millham, Alida	Rosen, Ralph
Salatiello, Thomas	Wood, Jane		
CARROLL			
Babson, David, Jr	Dickinson, Howard		
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
Doucette, Richard	Lerandean, Alfred	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	McGuirk, Paul	Meador, David	Mitchell, McKim
Pratt, John	Richardson, Barbara	Robertson, Timothy	Russell, Ronald
Zerba, Roger			
COOS			
Hawkinson, Marie	Landers, Dana	Mears, Edgar	Rodrigue, Robert
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Hall, David	Ham, Bonnie	Harmon, Hobart	Johnson, Gary
Mirski, Paul	Nordgren, Sharon	Phinney, William	Scanlan, David
Ward, Brien			

HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Beaupre, Roland	Bergeron, Lucien
Bruno, Pierre	Buckley, Raymond	Chabot, Robert	Christiansen, Lars
Cote, David	Cote, Peter	Craig, James	Curran, James
Daigle, Robert	Dawe, Eileen	Desrosiers, William	Dokmo, Cynthia
Dwyer, Paul, Sr	Fields, Dennis	Foster, Linda	Gagnon, Paul
Garrish, Linda	Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty
Jean, Claudette	Jean, Loren	Johnson, Lionel	Keye, Harvey
Konys, Christine	L'Heureux, Robert	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Leonard, Peter	Lynde, Harold	McCarthy, William
McColgan, Philip, Jr	McDonald, James, Sr	Melcher, Harold	Mendenhall, Leslie
Messier, Irene	Moriarty, Mary	Murphy, Robert	Perkins, Paul
Peterson, Andrew	Reidy, Frank	Sarette, John	Simon, Anthony
Turgeon, Roland	White, Donald	White, John	Williams, Carol
MERRIMACK			
Bouchard, Candace	Chase, George	Crosby, Toni	Daneault, Gabriel
Fortnam, Janet	French, Barbara	Gile, Mary	Hager, Elizabeth
Jacobson, Alf	Larrabee, David, Sr	Lavoie, Gerard	Lockwood, Priscilla
Marshall, Kenneth	Moore, Carol	Owen, Derek	Potter, Frances
Poulin, Dave	Reardon, Tara	Rodd, Beth	Seldin, Gloria
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Bridle, Russell	Clark, Martha	DiFruscia, Anthony
Dunham, Vivian	Flanagan, Natalie	Gibbons, Paul	Gleason, John
Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane	Langone, John
Lovejoy, Marian	Norelli, Terie	Noyes, Richard	O'Neil, Michael
Pantelakos, Laura	Pitts, Jacqueline	Putnam, Ed, II	Quandt, Marshall
Rabideau, Marie	Sabella, Norma	Sapareto, Frank	Schanda, Frank

Shelton, Richard	Shultis, Elizabeth	Vaughn, Charles	Weyler, Kenneth
STRAFFORD			
Brennan, William	Brown, George	Brown, Julie	Callaghan, Frank
DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris	Gilmore, Gary
Johnson, Nancy	Kaen, Naida	Knowles, William	Lent, Donald
Lundborn, Raymond	Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Spang, Judith
Taylor, Kathleen	Torr, Franklin	Twardus, Joseph	Vachon, Dennis
Wall, Janet			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Jones, Constance	Kibbey, David	Leone, Richard
Phinizy, James	Tuthill, John	Young, David	
NAYS 157			
BELKNAP			
Bartlett, Gordon	Boyce, Robert	Holbrook, Robert	Lawton, Robert
Rice, Thomas	Thomas, John	Turner, Robert	Wendelboe, Francine
CARROLL			
Bradley, Jeb	Chandler, Gene	Kenney, Joseph	Lyman, L Randy
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	Philbrick, Donald
Sullivan, P Judith	Torressen, Gary		
CHESHIRE			
Hunt, John	Riley, William	Roberts, William	Rose, William
Royce, H Charles	Smith, Edwin		
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Merrill, Gerald
Pratt, Leighton	Tholl, John, Jr	Woodward, David	
GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	Hinman, Harry

LaMott, Paul	MacNeil, Allen	Marshall, Gene	Picconi, Al
Weber, Phil			
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Belvin, William	Bergin, Peter	Brundige, Robert	Calawa, Leon, Jr
Carlson, Donald	Clegg, Robert, Jr	Coughlin, Pamela	Dalianis, Griffin
Daniels, Gary	Desmarais, Vivian	Durham, Susan	Dyer, Merton
Emerton, Lawrence	Fenton, James	Fletcher, Richard	Flora, Kathleen
Ford, Nancy	Franks, Suzan	Goulet, Maurice	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Kurk, Neal	LaRose, Richard
Lessard, Rudy	Lozeau, DonnaLee	MacGillivray, Jeffrey	Martel, Andre
Martin, Mary	McGough, Tim	Mercer, Robert	Milligan, Robert
Moran, Edward	O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean
Pappas, Marc	Pepino, Leo	Reeves, Sandra	Rowe, Robert
Tate, Joan	Thulander, O Alan	Vaillancourt, Steve	Wall, Nancy
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Brewster, Richard	Davis, Francis
Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray	Leber, William
Marple, Richard	Maxfield, Roy	Nichols, Avis	Soltani, Tony
Whalley, Michael			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Case, Margaret	Christie, Andrew, Jr	Clark, Vivian	Corbin, C David
Cote, Patricia	Cox, Russell	Dalrymple, Janeen	Downing, Michael
Fesh, Robert	Flanders, David	Flanders, John, Sr	Francoeur, Sheila
Grant, Kenneth	Griffin, Mary	Hamel, Albert	Henderson, Warren
Kobel, Rudolph	Langley, Jane	Letourneau, Robert	Major, Norman
McKinney, Betsy	Mikowski, Walter	Morse, Charles	Nowe, Mary Lou
Nowe, Ronald	Priestley, Anne	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Stickney, Nancy	Stone, Joseph

Tufts, J Arthur	Varrell, Thomas	Verani, Giovanni	Weare, Everett
Welch, David	Whittier, John	Zolla, William	
STRAFFORD			
Berube, Roger	Cossette, Larry	Dunlap, Patricia	Heon, Richard
Keans, Sandra	McKinley, Robert	Vincent, Francis	Woods, Phyllis
SULLIVAN			
None			

and reconsideration prevailed.

Rep. Burling moved Ought to Pass and spoke in favor.

Rep. Chandler spoke against.

Rep. Burling requested a roll call; sufficiently seconded.

YEAS 190 NAYS 155			
YEAS 190			
BELKNAP			
Johnson, James	Lawton, Robert	Millham, Alida	Rice, Thomas
Rosen, Ralph	Salatiello, Thomas	Wood, Jane	
CARROLL			
Babson, David, Jr	Dickinson, Howard		
CHESHIRE			
Avery, Stephen	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
Zerba, Roger			
COOS			
Davis, Perley	Hawkinson, Marie	Landers, Dana	Mears, Edgar
Rodrigue, Robert			
GRAFTON			

Almy, Susan	Brothers, Richard	Copenhaver, Marion	Densmore, Jessica
Guest, Robert	Hall, David	Ham, Bonnie	Harmon, Hobart
Hinman, Harry	Johnson, Gary	Nordgren, Sharon	Phinney, William
Scanlan, David	Ward, Brien		
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Bergeron, Lucien	Bergin, Peter
Bruno, Pierre	Buckley, Raymond	Christiansen, Lars	Cote, David
Cote, Peter	Craig, James	Curran, James	Daigle, Robert
Desrosiers, William	Dokmo, Cynthia	Dwyer, Paul, Sr	Fields, Dennis
Foster, Linda	Gagnon, Paul	Garrish, Linda	Gorman, Mary
Haettenschwiller, Alphonse	Hall, Betty	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	L'Heureux, Robert	Lasky, Bette
Lefebvre, Roland	Leishman, Peter	Leonard, Peter	Lynde, Harold
McCarthy, William	McColgan, Philip, Jr	McDonald, James, Sr	Melcher, Harold
Mendenhall, Leslie	Messier, Irene	Moriarty, Mary	Murphy, Robert
Perkins, Paul	Reidy, Frank	Sarette, John	Simon, Anthony
Turgeon, Roland	Vaillancourt, Steve	White, Donald	White, John
Williams, Carol			
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Fortnam, Janet	French, Barbara
Gile, Mary	Hager, Elizabeth	Jacobson, Alf	Langer, Ray
Larrabee, David, Sr	Lavoie, Gerard	Marshall, Kenneth	Moore, Carol
Owen, Derek	Potter, Frances	Poulin, Dave	Reardon, Tara
Rodd, Beth	Seldin, Gloria	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Bridle, Russell	Case, Margaret
Clark, Martha	Dalrymple, Janeen	Dunham, Vivian	Flanagan, Natalie
Gibbons, Paul	Gleason, John	Hutchinson, Karen	Hutchinson, Rebecca

Johnson, Robert	Kane, Cecelia	Kelley, Jane	Langley, Jane
Langone, John	Lovejoy, Marian	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie
Rubin, George	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Vaughn, Charles	Whittier, John
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris
Gilmore, Gary	Heon, Richard	Johnson, Nancy	Kaen, Naida
Knowles, William	Lent, Donald	Lundborn, Raymond	Pelletier, Arthur
Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Twardus, Joseph
Vachon, Dennis	Vincent, Francis	Woods, Phyllis	
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Jones, Constance	Kibbey, David	Leone, Richard
Phinizy, James	Tuthill, John	Young, David	
NAYS 155			
BELKNAP			
Bartlett, Gordon	Boyce, Robert	Holbrook, Robert	Lawton, David
Thomas, John	Turner, Robert	Wendelboe, Francine	
CARROLL			
Bradley, Jeb	Chandler, Gene	Kenney, Joseph	Lyman, L Randy
MacDonald, Kenneth	Mock, Henry	Patten, Betsey	Philbrick, Donald
Sullivan, P Judith	Torressen, Gary		
CHESHIRE			
Doucette, Richard	Hunt, John	Roberts, William	Rose, William
Royce, H Charles	Smith, Edwin		
COOS			
Guay, Lawrence	Horton, Lynn	Merrill, Gerald	Pratt, Leighton

Tholl, John, Jr	Woodward, David		
GRAFTON			
Akins, Ralph	Alger, John	Cobb, John	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	LaMott, Paul	MacNeil, Allen
Marshall, Gene	Mirski, Paul	Picconi, Al	Weber, Phil
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Beaupre, Roland	Belvin, William	Brundige, Robert	Calawa, Leon, Jr
Carlson, Donald	Chabot, Robert	Clegg, Robert, Jr	Coughlin, Pamela
Dalianis, Griffin	Daniels, Gary	Dawe, Eileen	Desmarais, Vivian
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Franks, Suzan
Goulet, Maurice	Hansen, Herbert	Herman, Keith	Holley, Sylvia
Jean, Loren	Kurk, Neal	LaRose, Richard	Lessard, Rudy
Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre	Martin, Mary
McGough, Tim	Mercer, Robert	Milligan, Robert	Moran, Edward
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Rowe, Robert
Tate, Joan	Thulander, O Alan	Wall, Nancy	Withee, Dennis
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Hoadley, Elizabeth	Kennedy, Richard
Leber, William	Lockwood, Priscilla	Marple, Richard	Maxfield, Roy
Nichols, Avis	Soltani, Tony	Whalley, Michael	Whittemore, James
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Bishop, Franklin	Christie, Andrew, Jr
Clark, Vivian	Corbin, C David	Cote, Patricia	Cox, Russell
DiFruscia, Anthony	Downing, Michael	Fesh, Robert	Flanders, David
Flanders, John, Sr	Francoeur, Sheila	Grant, Kenneth	Griffin, Mary
Hamel, Albert	Henderson, Warren	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Letourneau, Robert	Major, Norman	McKinney, Betsy
Mikowski, Walter	Morse, Charles	Nowe, Mary Lou	Nowe, Ronald

Noyes, Richard	O'Neil, Michael	Priestley, Anne	Raynowska, Bernard
Reardon, Neil	Ruffner, Walter	Stickney, Nancy	Stone, Joseph
Tufts, J Arthur	Varrell, Thomas	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth	Zolla, William	
STRAFFORD			
Berube, Roger	Cossette, Larry	Dunlap, Patricia	Keans, Sandra
McKinley, Robert	Torr, Franklin	Wall, Janet	
SULLIVAN			
None			

and the motion was adopted.

Referred to Finance.

Rep. Doucette voted Nay and intended to vote Yea.

protest

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Rep. Marple requested that his protest be entered on the Journal

This protest is made relative to action taken at 3:46 p.m. on HB 279-FN-A from the Public Works and Highways Committee, relative to the Cheshire Bridge. The protest is based upon Article 1, Section 10 of the United States Constitution which states, "No state shall ... pass any bill or attainder, ex post facto law, or law impairing the obligation of contracts".

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 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.

Adopted by the necessary two thirds.

consideration of hb 737

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. INEXPEDIENT TO LEGISLATE

Rep. Jeffrey C. MacGillivray for Finance: This bill as proposed set forth a legislative declaration, supported by constitutional findings, that the New Hampshire supreme court's Claremont II decision is an unconstitutional violation of separation of powers.

The committee looked at several amendments to modify the wording of this declaration, and heard testimony on one amendment which would have attached the "Homestead Exemption" plan to the bill. The majority of the committee believes that the subject matter of this bill is not appropriate for legislation, that the "Homestead Exemption" does not appropriately address the supreme court's ruling, and that the House should concentrate on addressing the state's immediate problem of how education is to be funded.

Some members of the majority indicated that they believed that the court had made an error, or may have made an error, and that were the subject matter of this bill reintroduced as a House resolution they might vote differently. Other members indicated that they agreed with the court's decision.
Vote 21-4.

Reps. Pepino, Welch, Dickinson, Nancy Wall, Robert Lawton and Corbin spoke against.

Rep. DiFruscia spoke in favor and yielded to questions.

Rep. Pepino requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 191 NAYS 152			
YEAS 191			
BELKNAP			
Millham, Alida	Salatiello, Thomas	Turner, Robert	Wood, Jane
CARROLL			
None			
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
Doucette, Richard	Lerandean, Alfred	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	McGuirk, Paul	Meador, David	Mitchell, McKim
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Russell, Ronald	Zerba, Roger		
COOS			
Davis, Perley	Hawkinson, Marie	Landers, Dana	Mears, Edgar
Pratt, Leighton	Rodrigue, Robert		
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Johnson, Gary	Marshall, Gene	Nordgren, Sharon	Picconi, Al

Scanlan, David	Ward, Brien		
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Belvin, William	Bergeron, Lucien
Bergin, Peter	Bruno, Pierre	Buckley, Raymond	Calawa, Leon, Jr
Carlson, Donald	Cote, David	Cote, Peter	Coughlin, Pamela
Craig, James	Curran, James	Daigle, Robert	Dawe, Eileen
Dokmo, Cynthia	Durham, Susan	Dwyer, Paul, Sr	Dyer, Merton
Fields, Dennis	Ford, Nancy	Foster, Linda	Franks, Suzan
Gagnon, Paul	Garrish, Linda	Gorman, Mary	Haettenschwiler, Alphonse
Hall, Betty	Jean, Claudette	Johnson, Lionel	Keye, Harvey
Konys, Christine	LaRose, Richard	Lasky, Bette	Leonard, Peter
Lynde, Harold	MacGillivray, Jeffrey	McCarthy, William	McColgan, Philip, Jr
McDonald, James, Sr	Melcher, Harold	Mendenhall, Leslie	Messier, Irene
Moriarty, Mary	Murphy, Robert	O'Hearn, Jane	Perkins, Paul
Peterson, Andrew	Reidy, Frank	Rowe, Robert	Sarette, John
Simon, Anthony	Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve
White, John	Williams, Carol	Withee, Dennis	
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Fortnam, Janet	French, Barbara
Gile, Mary	Hager, Elizabeth	Hoadley, Elizabeth	Jacobson, Alf
Lockwood, Priscilla	Marshall, Kenneth	Maxfield, Roy	Moore, Carol
Owen, Derek	Potter, Frances	Poulin, Dave	Reardon, Tara
Rodd, Beth	Seldin, Gloria	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Case, Margaret	Clark, Martha	DiFruscia, Anthony
Downing, Michael	Francoeur, Sheila	Gibbons, Paul	Hutchinson, Rebecca
Johnson, Robert	Kane, Cecelia	Kelley, Jane	Langone, John
Lovejoy, Marian	Major, Norman	Norelli, Terie	Pantelakos, Laura

Pitts, Jacqueline	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Stone, Joseph
Vaughn, Charles	Weare, Everett	Whittier, John	
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George
Brown, Julie	Callaghan, Frank	Cossette, Larry	DeChane, Marlene
Domingo, Baldwin	Dunlap, Patricia	Gilmore, Gary	Heon, Richard
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Lent, Donald	Lundborn, Raymond	Pelletier, Arthur	Pelletier, Marsha
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Torr, Franklin	Twardus, Joseph	Vachon, Dennis
Vincent, Francis	Wall, Janet		
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Jones, Constance	Kibbey, David	Leone, Richard
Phinizy, James	Tuthill, John		
NAYS 152			
BELKNAP			
Bartlett, Gordon	Boyce, Robert	Holbrook, Robert	Johnson, James
Lawton, David	Lawton, Robert	Rice, Thomas	Rosen, Ralph
Thomas, John	Wendelboe, Francine		
CARROLL			
Babson, David, Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth	Mock, Henry
Patten, Betsey	Philbrick, Donald	Sullivan, P Judith	Torressen, Gary
CHESHIRE			
Hunt, John	Roberts, William	Rose, William	Royce, H Charles
Smith, Edwin			
COOS			
Guay, Lawrence	Horton, Lynn	Merrill, Gerald	Tholl, John, Jr

Woodward, David			
GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	Hall, David
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	LaMott, Paul
MacNeil, Allen	Mirski, Paul	Phinney, William	Weber, Phil
HILLSBOROUGH			
Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Beaupre, Roland	Brundige, Robert	Chabot, Robert	Christiansen, Lars
Clegg, Robert, Jr	Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian
Desrosiers, William	Emerton, Lawrence	Fenton, James	Fletcher, Richard
Flora, Kathleen	Goulet, Maurice	Hansen, Herbert	Herman, Keith
Holley, Sylvia	Jean, Loren	Kurk, Neal	L'Heureux, Robert
Lefebvre, Roland	Leishman, Peter	Lessard, Rudy	Lozeau, Donnalee
Martel, Andre	Martin, Mary	McGough, Tim	Mercer, Robert
Milligan, Robert	Moran, Edward	O'Connell, Timothy	Ouellette, Dean
Pappas, Marc	Pepino, Leo	Reeves, Sandra	Tate, Joan
Wall, Nancy	White, Donald		
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Kennedy, Richard	Langer, Ray
Larrabee, David, Sr	Lavoie, Gerard	Leber, William	Marple, Richard
Nichols, Avis	Soltani, Tony	Whalley, Michael	
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Christie, Andrew, Jr	Clark, Vivian	Corbin, C David
Cote, Patricia	Cox, Russell	Dalrymple, Janeen	Dunham, Vivian
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John, Sr
Gleason, John	Grant, Kenneth	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Karen	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Letourneau, Robert	McKinney, Betsy
Mikowski, Walter	Morse, Charles	Nowe, Mary Lou	Nowe, Ronald

Noyes, Richard	Priestley, Anne	Putnam, Ed, II	Quandt, Marshall
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Rubin, George
Ruffner, Walter	Stickney, Nancy	Varrell, Thomas	Verani, Giovanni
Welch, David	Weyler, Kenneth	Zolla, William	
STRAFFORD			
McKinley, Robert	Taylor, Kathleen	Woods, Phyllis	
SULLIVAN			
Young, David			

and the report was adopted.

senate message

requests concurrence with amendment

HB 734-FN-L, relative to establishing a voluntary school contribution program in support of local school districts. (Amendment printed SJ 11, 4/1/99)

Rep. Patten moved that the House concur.

Rep. Chandler spoke in favor.

Rep. Burling spoke in favor and yielded to questions.

Adopted.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 38, 75, 78, 110 and 139 and Senate Joint Resolution numbered 1, 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 38, relative to the optional term for election of a cooperative school district moderator. (Election Law)

SB 75, relative to out-of-state boats. (Transportation)

SB 78, relative to contract requirements between a paid solicitor and a charitable trust. (Commerce)

SB 110, allowing for discharges of mortgages by affidavit of a New Hampshire attorney. (Commerce)

SB 139, relative to self-proved wills and making reference changes. (Judiciary)

SJR 1, a resolution supporting the reduction of the sulfur content of gasoline. (State-Federal Relations)

unanimous consent

Reps. Wallin, Soltani, Lozeau and Burling addressed the House.

RECESS

(Speaker Sytek in the Chair)

senate message

requests concurrence with amendment

HB 112-FN-A, increasing the cigarette tax. (Amendment printed SJ 11. 4/1/99)

Rep. Kurk moved that the House nonconcur.

Rep. Vaillancourt spoke against.

Reps. Hager, Boyce, Copenhaver and Chandler spoke in favor.

Rep. Chandler requested a roll call; sufficiently seconded.

The question being the motion to nonconcur.

YEAS 299 NAYS 15			
YEAS 299			
BELKNAP			
Bartlett, Gordon	Boyce, Robert	Holbrook, Robert	Johnson, James
Millham, Alida	Pilliod, James	Salatiello, Thomas	Thomas, John
Turner, Robert	Wendelboe, Francine	Wood, Jane	
CARROLL			
Babson, David, Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth	Mock, Henry

Patten, Betsey	Philbrick, Donald	Sullivan, P Judith	Torressen, Gary
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Doucette, Richard
Hunt, John	Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	McGuirk, Paul	Meadar, David	Mitchell, McKim
Pratt, John	Richardson, Barbara	Riley, William	Roberts, William
Robertson, Timothy	Rose, William	Royce, H Charles	Russell, Ronald
Smith, Edwin	Zerba, Roger		
COOS			
Davis, Perley	Hawkinson, Marie	Horton, Lynn	Landers, Dana
Merrill, Gerald	Pratt, Leighton	Rodrigue, Robert	Tholl, John, Jr
Woodward, David			
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Cobb, John	Copenhaver, Marion	Densmore, Jessica	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Guest, Robert	Hall, David
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	Johnson, Gary
MacNeil, Allen	Marshall, Gene	Mirski, Paul	Nordgren, Sharon
Phinney, William	Picconi, Al	Scanlan, David	Ward, Brien
Weber, Phil			
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas, Jr
Arthur, Rose	Baroody, Benjamin	Batula, Peter	Beaupre, Roland
Belvin, William	Bergin, Peter	Brundige, Robert	Bruno, Pierre
Calawa, Leon, Jr	Carlson, Donald	Chabot, Robert	Christiansen, Lars
Clegg, Robert, Jr	Cote, David	Curran, James	Dalianis, Griffin
Daniels, Gary	Dawe, Eileen	Desmarais, Vivian	Desrosiers, William
Dokmo, Cynthia	Durham, Susan	Dyer, Merton	Emerton, Lawrence
Fenton, James	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Ford, Nancy	Foster, Linda	Franks, Suzan	Garrish, Linda

Gorman, Mary	Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Jean, Loren
Johnson, Lionel	Keye, Harvey	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Leonard, Peter	Lessard, Rudy	Lozeau, Donnalee
Lynde, Harold	MacGillivray, Jeffrey	Martel, Andre	Martin, Mary
McCarthy, William	McColgan, Philip, Jr	McGough, Tim	Mendenhall, Leslie
Mercer, Robert	Messier, Irene	Milligan, Robert	Moran, Edward
Murphy, Robert	O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean
Pappas, Marc	Perkins, Paul	Peterson, Andrew	Reeves, Sandra
Reidy, Frank	Rowe, Robert	Sarette, John	Tate, Joan
Thulander, O Alan	Turgeon, Roland	Wall, Nancy	White, Donald
White, John	Withee, Dennis		
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
Chase, George	Crosby, Toni	Daneault, Gabriel	Davis, Francis
Fortnam, Janet	French, Barbara	Gile, Mary	Hager, Elizabeth
Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray	Larrabee, David, Sr
Lavoie, Gerard	Leber, William	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Nichols, Avis
Owen, Derek	Potter, Frances	Poulin, Dave	Reardon, Tara
Rodd, Beth	Seldin, Gloria	Soltani, Tony	Virtue, Carolyn
Wallin, Jean	Whalley, Michael	Whittemore, James	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Bishop, Franklin	Bridle, Russell
Case, Margaret	Christie, Andrew, Jr	Clark, Martha	Clark, Vivian
Corbin, C David	Cote, Patricia	Cox, Russell	Dalrymple, Janeen
Downing, Michael	Fesh, Robert	Flanagan, Natalie	Flanders, John, Sr
Francoeur, Sheila	Gleason, John	Grant, Kenneth	Griffin, Mary
Hamel, Albert	Henderson, Warren	Hutchinson, Karen	Hutchinson, Rebecca

Johnson, Robert	Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Lovejoy, Marian	Major, Norman	McKinney, Betsy
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
Pantelakos, Laura	Pitts, Jacqueline	Priestley, Anne	Putnam, Ed, II
Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Ruffner, Walter	Sabella, Norma	Sapareto, Frank	Shelton, Richard
Shultis, Elizabeth	Splaine, James	Stickney, Nancy	Varrell, Thomas
Vaughn, Charles	Weare, Everett	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		
STRAFFORD			
Bickford, David	Brennan, William	Brown, George	Brown, Julie
Cossette, Larry	DeChane, Marlene	Dunlap, Patricia	Gilmore, Gary
Heon, Richard	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Lent, Donald	Lundborn, Raymond	McKinley, Robert
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Twardus, Joseph	Wall, Janet
Woods, Phyllis			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Flint, Gordon, Sr	Jones, Constance	Kibbey, David	Leone, Richard
Phinizy, James	Tuthill, John	Young, David	
NAYS 15			
BELKNAP			
None			
CARROLL			
None			
CHESHIRE			
None			
COOS			

Mears, Edgar			
GRAFTON			
None			
HILLSBOROUGH			
Bergeron, Lucien	Buckley, Raymond	Daigle, Robert	Gagnon, Paul
Simon, Anthony	Vaillancourt, Steve	Williams, Carol	
MERRIMACK			
None			
ROCKINGHAM			
Belanger, Ronald	DiFruscia, Anthony	Schanda, Frank	
STRAFFORD			
Berube, Roger	Domingo, Baldwin	Taylor, Kathleen	Vachon, Dennis
SULLIVAN			
None			

and the motion was adopted.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet at the Call of the Chair.

Adopted.

LATE SESSION

Third reading and final passage

HB 340, establishing a committee to study mercury source reduction and recycling issues.

HB 558-FN, relative to solid waste management.

HB 492-FN-A-L, reducing the state bond guarantee limit for wastewater projects.

HB 494-FN-A, making an appropriation to the department of cultural resources for the purpose of funding participation of the state in the Smithsonian Festival of American Folklife.

HB 495-FN-A, relative to reauthorizing the motor oil discharge cleanup fund and increasing the fuel oil discharge cleanup fund fee, allowing coverage for discharge prevention, and allowing reimbursement for replacing substandard tanks.

HB 572-FN-A, relative to the apportionment provisions of the business profits tax.

HB 426, relative to clean indoor air in state buildings.

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 7:30 p.m.

RECESS