

HOUSE RECORD

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Court

Calendar and Journal of the 1999 Session

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Wednesday, June 16, 1999

No. 67

HOUSE JOURNAL No. 20 (cont.)

Wednesday, June 9, 1999

(Rep. Whalley in the Chair)

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 68, 143, 147 and 158 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 68, establishing minimum 300 foot buffer zones around sensitive areas from application of herbicides, authorizing a study of environmental effects from residual herbicides and making an appropriation therefor. (Environment and Agriculture)

SB 143, relative to penalties for incest. (Criminal Justice and Public Safety)

SB 147, relative to self-referrals for chiropractic care under managed care organizations. (Commerce)

SB 158, relative to indecent exposure. (Criminal Justice and Public Safety)

RECESS

(Rep. Chandler in the Chair)

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bills 205 and 374.

Rep. Lozeau, Sen. D'Allesandro for the Committee

RECESS

(Rep. Burling in the Chair)

senate message

requests concurrence with amendment

HB 664, establishing a study committee on rights of ownership to cemetery plots. (Amendment printed SJ 17, 5/6/99)

Rep. Konys moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Patten, Griffin, Zerba and Rice.

RECESS

(Rep. Gene Chandler in the Chair)

senate message

nonconcurs with amendment

requests committee of conference

SB 30, relative to cruelty to animals.

The President appointed Sens. Wheeler, Trombly and Disnard.

Rep. Konys moved that the House accede.

Adopted.

The Speaker appointed Reps. Wear, Mikowski, Fesh and Schanda.

RECESS

(Speaker Sytek in the Chair)

Rep. Henderson moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 21

Wednesday, June 16, 1999

The House assembled at 1:00 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Representative Gary L. Johnson from the Franconia Community Church of Christ.

We bow our heads before our Creator. We stand before our Creator in humility; in humbleness. Lord, we are Your children. We stand ready to listen; we stand ready to learn; we stand ready to serve. We are Your creation and we recognize our Creator. You created us in love, and our faith tells us that love continues today and will continue forever; our faith also tells us that You like us. As Your children, we are all brothers and sisters. We pray for guidance, for understanding, for wisdom, for vision; and, we pray for sensitivity; sensitivity to all our sisters and brothers, and to the planet that we share. Help us to understand that among all the frantic, religious messages of this world, You ask only one thing: take care of one another. With Your help, we will do just that. Amen.

Rep. Belanger led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Julie Brown, Courchesne, Desmarais, Golden, Heon, Milligan, Sabella, Schanda and Searles, the day, illness.

Reps. Alukonis, Bishop, Burkush, Dalrymple, Dokmo, Domingo, Downing, Fletcher, Flint, Flora, Gorman, Grassie, Hoadley, James Johnson, Jones, Lavoie, LaRose, MacNeil, Manning, Melcher, Nolan-Piteri, Pantelakos, Perkins, Rowe, Salatiello, Weatherspoon and Williams, the day, important business.

Rep. Mendenhall, the day, death in the family.

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

INTRODUCTION OF GUESTS

Lynda Horsley, fiancée of Rep. Hunt. Velda Ruffner, wife of Rep. Ruffner. Bill Weeks, guest of Rep. Tholl. Gilliam Wylie, guest of Rep. Torr. Helen Holbrook, wife of Rep. Holbrook. Residents and staff of the Riverside Rest Home, guests of the Strafford County delegation.

special guest

Doris Grandmaison, guest of the House.

senate messages

requests concurrence with amendments

HB 56, establishing a procedure for reinstating corporate charters that have been expired for more than 3 years. (Amendment printed SJ 22, 6/8/99)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

HB 82, establishing a committee to study financial arrangements among hospitals, physicians, and insurance companies. (Amendment printed SJ 22, 6/8/99)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

HB 519-L, requiring law enforcement agencies to adopt written policies regarding emergency responses and vehicular pursuits. (Amendment printed SJ 22, 6/8/99)

Rep. Mock moved that the House concur and spoke in favor.

Adopted.

HB 532, establishing a commission to study early childhood education. (Amendment printed SJ 22, 6/8/99)

Rep. O'Hearn moved that the House concur and spoke in favor.

Adopted.

HB 604, relative to filling a vacancy in the office of county commissioner. (Amendment printed SJ 21, 5/27/99)

Rep. Hess moved that the House concur and spoke in favor.

Adopted.

HB 667, relative to the quorum required for sessions of the supreme court. (Amendment printed SJ 22, 6/8/99)

Rep. Hunt moved that the House concur and spoke in favor.

Adopted.

committee of conference report on house bill 67

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

(Report printed SJ 22, 6/8/99)

Adopted.

COMMITTEE REPORTS

CONSENT CALENDAR – PART I

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

SB 74, relative to the rule making authority of the real estate commission concerning practices relating to certain dwellings, removed by Rep. Mirski.

SB 173-FN, relative to optional allowances for beneficiaries of New Hampshire retirement system members, removed by Rep. Mirski.

SB 182-FN, relative to eligibility for ordinary death benefits under the New Hampshire retirement system, removed by Rep. Mirski.

SB 217-FN, relative to real estate brokers of other jurisdictions doing business in this state, removed by Rep. Mirski.

Consent Calendar adopted.

SB 170-FN-A, establishing a parents as teachers pilot program in Sullivan county and making an appropriation therefor. RE-REFER TO COMMITTEE

Rep. Iris Estabrook for Education: Given the positive potential of the Parents as Teachers program for the long-term benefit of the children of New Hampshire, the committee would like to continue work on unresolved issues of program and budgetary coordination. Vote 16-0.

SB 208-FN, establishing a "parents as scholars" program. RE-REFER TO COMMITTEE

Rep. Iris Estabrook for Education: Since this bill involves policy in the area of Health & Human Services, the Education committee would like to re-refer to enable further study, for the purpose of determining the value of this program. Vote 16-0.

SB 94, relative to absentee voter affidavits. RE-REFER TO COMMITTEE

Rep. James R. Splaine for Election Law: This bill would have absentee voters sign an affidavit when they request a ballot rather than on the envelope in which the ballot is enclosed. There is some value in the idea proposed by this bill, but logistics need to be worked out and considered. This is a paradigm shift in the way we validate absentee voter ballots so further study by the committee is requested. Vote 13-0.

SB 116, eliminating straight ticket voting. RE-REFER TO COMMITTEE

Rep. Michael S. Rollo for Election Law: This bill would eliminate the straight ticket voting procedure during the general election. The committee was of the opinion that with all of the confusion surrounding straight ticket voting, and the time constraints, the committee would prefer to study this important issue and report back to the House fully and appropriately. Vote 13-0.

SB 164, relative to persons exempted from the registration of ophthalmic dispensers. OUGHT TO PASS WITH AMENDMENT

Rep. Carolyn A. Virtue for Executive Departments and Administration: SB 164, as amended, clarifies the existing statute relative to individuals exempt from registration while employed by an ophthalmic dispenser, licensed physician or optometrist. Vote 15-0.

Amendment (1332h)

Amend RSA 327-A:13, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The activities of any employee of an ophthalmic dispenser, ***licensed physician, or optometrist if the employee is*** not engaged in [the] ***ophthalmic*** dispensing [~~of eyeglasses or contact lenses including, but not limited to, the sale of related products, laboratory technicians and the making of minor mechanical repairs upon eyeglasses or frames~~] ***as defined in RSA 327-A:1, I. Such activities shall include, but not be limited to, the sale of related products, work performed by laboratory technicians, and the making of minor mechanical repairs on eyeglasses or frames.***

SB 193-FN, relative to holiday pay for certain state employees. OUGHT TO PASS

Rep. Maurice E. Goulet for Executive Departments and Administration: The bill clarifies a minor point in holiday pay for approximately 23 persons at New Hampshire Hospital and the Department of Corrections. Each of the above persons must work a minimum of 24 hours per week. It only affects one holiday per year, Washington's Birthday, and has less than \$10,000 impact per year for the next three years. Vote 14-0.

SB 216-FN, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces. RE-REFER TO COMMITTEE

Rep. Ray F. Langer for Executive Departments and Administration: This bill allows veterans of military services or the New Hampshire National Guard or reserves to purchase up to four years additional creditable service toward the retirement system or if National Guard, one year of purchased time for each five years of National Guard duty or reserve service time. The payment was to have been made in either a lump sum or by installments, however, there was no time limit applied to the length of time required to pay the full amount of the actuarial cost for the time purchased. It was felt that further study was required to solve this problem. Vote 15-0.

HB 501-FN-A, relative to the repair of a certain covered railroad bridge in Contoocook village in the town of Hopkinton. OUGHT TO PASS WITH AMENDMENT

Rep. Norman L. Major for Finance: The appropriation has been removed from the original bill and now allows the community to provide funding for the study of repairs required to restore the covered railroad bridge in Contoocook village in the town of Hopkinton. This bill now allows the Department of Cultural Resources to use state, federal and private grants and funds for the purpose of this study. Vote 23-0.

Amendment (1475h)

Amend the bill by replacing section 2 with the following:

2 Study Required. The department of cultural resources may hire a competent structural engineering firm to study and evaluate the repairs required to restore the covered railroad bridge in Contoocook village in the town of Hopkinton. A report containing the firm's recommendations and findings shall be submitted to the speaker of the house, the senate president, and the governor on or before June 30, 2000.

SB 45-FN, allowing a waiver of interest for the time period of an extension of the date of payment of the legacies and successions tax. OUGHT TO PASS

Rep. Charles L Vaughn for Finance: This bill allows heirs, legatees, or interested persons granted an extension of time for payment of legacies and successions tax by the probate court to apply to the Commissioner of the Department of Revenue Administration for a waiver of interest that accrued during the period of the extension. Waivers may be granted for good cause. DRA declares that decreases of state revenues are indeterminable. Vote 23-0.

SB 129-L, requiring school districts to disclose any reimbursements received to offset special education expenditures. OUGHT TO PASS

Rep. Jean R. Wallin for Finance: By requiring that school districts report both actual special education expenditures and off-setting revenues in their annual reports, citizens will be better able to judge the true cost of special education. With enactment of this bill the school districts' annual report will contain the prior two years' activity. Vote 22-1.

SB 71, prohibiting the use of MTBE as an additive in gasoline. RE-REFER TO COMMITTEE

Rep. Jacqueline A. Pitts for Science, Technology and Energy: This bill would ban the additive methyl tertiary butyl ether (MTBE) in gasoline completely. The committee has passed SB 70 and HB 694-FN and feels that we need this bill only to retain a vehicle for further action, if necessary. Vote 16-1.

REGULAR CALENDAR – PART I

HB 743, requiring that the question relative to the necessity for a convention to revise the New Hampshire constitution be presented to the voters in the November 2000 election. OUGHT TO PASS

Rep. Francis W. Davis for Election Law: After spirited debate, the committee approved this bill at a vote of 8-5. The majority of the committee felt that the question on the necessity of a convention to revise the NH Constitution should be presented to the voters in the November 2000 election. The last constitutional convention was held in 1984. The voters did not approve a constitutional convention in 1994. Vote 8-5.

Rep. Corbin spoke against.

Rep. Francis Davis spoke in favor and yielded to questions.

Rep. Weber spoke in favor.

Rep. Francis Davis requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 224 NAYS 100			
YEAS 224			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Lawton, David	Millham, Alida	Rosen, Ralph
Thomas, John	Turner, Robert	Wendelboe, Francine	Wood, Jane
CARROLL			
Babson, David, Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth
Mock, Henry	Patten, Betsey	Philbrick, Donald	Sullivan, P Judith
Torressen, Gary			
CHESHIRE			
Avery, Stephen	Blaisdell, Michael	Burnham, Daniel	Hunt, John
Lerandeau, Alfred	Pratt, John	Riley, William	Roberts, William
Robertson, Timothy	Rose, William	Smith, Edwin	
COOS			
Davis, Perley	Glines, Sara	Guay, Lawrence	Horton, Lynn
Landers, Dana	Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr
Woodward, David			
GRAFTON			
Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Cobb, John	Dudley, Terri	Eaton, Stephanie	Gilman, G Michael
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	Johnson, Gary
LaMott, Paul	Marshall, Gene	Phinney, William	Picconi, Al
Scanlan, David	Solow, Martha	Ward, Brien	Weber, Phil
HILLSBOROUGH			
Ahern, Richard	Andrews, Frederick	Arnold, Thomas, Jr	Baroody, Benjamin
Batula, Peter	Beaupre, Roland	Belvin, William	Bergeron, Lucien
Bergin, Peter	Brundige, Robert	Buckley, Raymond	Calawa, Leon, Jr
Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr	Coughlin, Pamela

Dalianis, Griffin	Daniels, Gary	Dawe, Eileen	Desrosiers, William
Durham, Susan	Dyer, Merton	Fenton, James	Fields, Dennis
Foster, Linda	Gagnon, Eugene	Garrish, Linda	Goulet, Maurice
Haettenschwiller, Alphonse	Hall, Betty	Hansen, Herbert	Herman, Keith
Holley, Sylvia	Jean, Claudette	Jean, Loren	Johnson, Lionel
Kurk, Neal	L'Heureux, Robert	LaPorte, George	Lasky, Bette
Lefebvre, Roland	Leonard, Peter	Lessard, Rudy	MacGillivray, Jeffrey
Martel, Andre	McCarthy, William	McCarty, Winston	McDonald, James, Sr
McDonough-Wallace, Alice	McGough, Tim	McRae, Karen	Messier, Irene
Moran, Edward	Mosher, William	Murphy, Robert	O'Connell, Timothy
O'Hearn, Jane	Ouellette, Dean	Pappas, Marc	Pepino, Leo
Peterson, Andrew	Sarette, John	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy
White, Donald	Withee, Dennis		
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
Chase, George	Daneault, Gabriel	Davis, Francis	Fortnam, Janet
French, Barbara	Gile, Mary	Hager, Elizabeth	Jacobson, Alf
Kennedy, Richard	Larrabee, David, Sr	Leber, William	Lockwood, Priscilla
Marple, Richard	Poulin, Dave	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Whalley, Michael		
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Bridle, Russell	Case, Margaret	Clark, Martha	Clark, Vivian
Cox, Russell	Dearborn, Bruce	Dowling, Patricia	Fesh, Robert
Flanders, David	Flanders, John, Sr	Francoeur, Sheila	Hamel, Albert
Henderson, Warren	Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Lovejoy, Marian
Major, Norman	McKinney, Betsy	Moore, Benjamin	Morse, Charles

Nowe, Ronald	Noyes, Richard	O'Neil, Michael	Packard, Sherman
Priestley, Anne	Quandt, Marshall	Rabideau, Marie	Rubin, George
Ruffner, Walter	Stickney, Nancy	Tufts, J Arthur	Vaughn, Charles
Weare, Everett	Welch, David	Weyler, Kenneth	Whittier, John
STRAFFORD			
Berube, Roger	Cossette, Larry	DeChane, Marlene	Gilmore, Gary
McKinley, Robert	Musler, George	Rollo, Michael	Spear, Barbara
Torr, Franklin	Tsiros, William	Vincent, Francis	Woods, Phyllis
SULLIVAN			
Burling, Peter	Donovan, Thomas, Jr	Kibbey, David	Leone, Richard
Phinizy, James	Robb-Theroux, Amy	Tuthill, John	
NAYS 100			
BELKNAP			
Pilliod, James			
CARROLL			
None			
CHESHIRE			
Batchelder, Robert	DePecol, Benjamin	Doucette, Richard	Lynch, Margaret
Lynott, Margaret	McGuirk, Paul	Meader, David	Mitchell, McKim
Pratt, Irene	Richardson, Barbara	Russell, Ronald	Zerba, Roger
COOS			
Hawkinson, Marie	Mears, Edgar	Rodrigue, Robert	
GRAFTON			
Copenhaver, Marion	Densmore, Jessica	Guest, Robert	Hall, David
Mirski, Paul	Nordgren, Sharon		
HILLSBOROUGH			
Arthur, Rose	Bruno, Pierre	Carlson, Donald	Clemons, Jane
Cote, David	Cote, Peter	Craig, James	Drabinowicz, A
Dwyer, Paul, Sr	Ford, Nancy	Franks, Suzan	Ginsburg, Ruth
Goley, Jeffrey	Herman, Richard	Keye, Harvey	Konys, Christine

Lynde, Harold	Martin, Mary	McColgan, Philip, Jr	Moriarty, Mary
Reidy, Frank	Simon, Anthony	White, John	
MERRIMACK			
Crosby, Toni	Feuerstein, Martin	Fraser, Marilyn	Langer, Ray
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Owen, Derek
Potter, Frances	Reardon, Tara	Rodd, Beth	Seldin, Gloria
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Blanchard, MaryAnn	Cooney, Richard	Corbin, C David	DiFruscia, Anthony
Dolan, Richard	Flanagan, Natalie	Gibbons, Paul	Kane, Cecelia
Norelli, Terie	Pitts, Jacqueline	Putnam, Ed, II	Raynowska, Bernard
Sapareto, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Stritch, C Donald	Varrell, Thomas	Zolla, William	
STRAFFORD			
Brennan, William	Callaghan, Frank	Dunlap, Patricia	Estabrook, Iris
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Lent, Donald	Lundborn, Raymond	Pelletier, Arthur	Pelletier, Marsha
Rogers, Rose Marie	Snyder, Clair	Spang, Judith	Taylor, Kathleen
Twardus, Joseph	Wall, Janet		
SULLIVAN			
Allison, David	Cloutier, John	Wiggins, Celestine	

and the report was adopted.

Ordered to third reading.

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

SB 47-FN, relative to compensation for time lost by fish and game conservation officers for injuries received in the line of duty, and restoring certain leave time for a conservation officer injured while on duty on August 19, 1997. OUGHT TO PASS WITH AMENDMENT

Rep. Ray F. Langer for Executive Departments and Administration: This bill restores sick leave and annual leave time that Conservation Officer Wayne T. Saunders lost as a result of his being shot in the Carl Drega case. Vote 16-0.

Amendment (1544h)

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

AN ACT relative to restoring certain leave time for a conservation officer injured while on duty on August 19, 1997.

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

1 Certain Officer's Annual Leave and Sick Leave Benefits Restored. On August 19, 1997, conservation officer Wayne T. Saunders was shot by Carl Drega, while performing his duties as a conservation officer for the New Hampshire fish and game department. As a result, Officer Saunders suffered a debilitating injury to his right arm and shoulder, was hospitalized, and received workers compensation benefits. During such time, Officer Saunders was unable to perform his normal duties as a conservation officer and his accrued sick leave and annual leave time was used to augment workers compensation benefits. Any sick leave and annual leave time accrued to August 19, 1997, which was lost as a direct result of his line of duty injury as determined by the executive director of fish and game, shall be restored.

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

AMENDED ANALYSIS

This bill restores certain leave time for a conservation officer injured while on duty on August 19, 1997.

Adopted.

Report adopted and ordered to third reading.

SB 113, establishing a division of travel and tourism development within the department of resources and economic development. OUGHT TO PASS WITH AMENDMENT

Rep. Howard, C. Dickinson, Jr. for Executive Departments and Administration: This bill, as amended, elevates the Office of Vacation Travel to the Division of Travel and Tourism Development within the Department of Resources and Economic Development. In addition to establishing an unclassified director of the division, the bill reclassifies and upgrades three current positions and adds three new positions to the staff increasing the division budget for FY 2000 by \$138,607 and for FY 2001 by \$131,523. The committee unanimously agreed that it is important to make this change in light of the many faceted, growing tourism industry in New Hampshire. It has been said that for every dollar we spend on tourism, \$8 in revenue is returned to the state. Vote 14-0.

Amendment (1452h)

Amend RSA 12-A:44, II as inserted by section 6 of the bill by replacing it with the following:

II. The advisory committee shall consist of the director of the division of travel and tourism development, 3 individuals at-large having an interest in travel and tourism, and an individual representing each of the following:

(a) Chambers of Commerce.

- (b) Regional and/or statewide trade associations.
- (c) Lodging.
- (d) Food and beverage.
- (e) Recreation.
- (f) Attractions.
- (g) Camping.
- (h) Culture, arts, and history.
- (i) Environment and wildlife.
- (j) Retail industry.
- (k) Transportation.
- (l) Education.

Amend the bill by replacing section 10 with the following:

10 Reference Change. Amend RSA 216-A:3-f, III to read as follows:

III. Funding for park system promotion shall be appropriated to the division of parks and recreation and shall be expended with the assistance of the ~~[office of vacation travel of the division of economic development]~~ ***division of travel and tourism development.***

Adopted.

Report adopted and referred to Finance.

SB 187-FN-L, relative to payment of group health insurance premiums for eligible retired teachers in the New Hampshire retirement system. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration: This bill establishes a post retirement medical plan for certain members of the teachers' component of the New Hampshire Retirement System. Initially those teachers retired as of June 30, 1999 will be covered and the bill provides for additional coverage for those not yet retired but are retired by June 30, 2000, 2001, 2002, 2003 and 2004. The funds for the initial group will be drawn from the teachers' special account and the balance of the funds encumbered and drawn each year as required. These funds will be drawn from the special account which as of June 30, 1998 has \$182.6 million for additional benefits (1) to provide supplemental allowances or COLA's, and (2) to the extent that funds may be available in the special account, to provide additional benefits to retired members and beneficiaries of the retirement system. To date, approximately \$19 million has been withdrawn for a 4 percent COLA payable July 1, 1999 leaving a balance of \$163 million. The cost in year 2000 is \$70.43 million and the ultimate cost by June 30, 2004 will be \$89.1 million. After payment of these costs without future additions to the special account and no accrued interest, will still leave \$73.9 million for additional COLAs. This trust fund will be terminally funded and is finite. Additional funds or additional

coverage requires that it be terminally funded from the special account and only with legislative approval. There is no obligation on the Legislature or the state to fund this program beyond the funds available. The bill as amended will provide an amount of \$202 for a non-Medicare plan or \$128 for a Medicare eligible plan (equal the amount available the police and fire under their post-retirement medical plan) and may increase by an amount not to exceed 8 percent compounded per year. This type of plan has been available to the Group II members since 1988. The funds for this coverage shall be paid only to their political subdivision or their medical coverage carrier. The last portion of the bill includes an amendment to include permanent police officers retired between July 1, 1993 and before July 1, 1995. This will be terminally funded by the police special account. The total is \$15 million leaving a balance at this time of \$56.9 million less the COLA due July 1, 1999 of \$9.4 million.

Vote 16-0.

Amendment (1453h)

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

AN ACT relative to payment of group health insurance premiums for eligible retired teachers and for certain active or retired group II members in the New Hampshire retirement system.

Amend the bill by replacing all after section 3 with the following:

4 New Sections; Group I Teachers; Medical Benefits; Payment; Financing. Amend RSA 100-A by inserting after section 53 the following new sections:

100-A:53-a Payment by Retirement System; Group I Teachers.

I. The New Hampshire retirement system shall pay the cost for permanent group hospitalization, hospital medical care, surgical care and other medical and surgical benefits, in the employer-sponsored plan provided for active employees of a retiree's former employer, subject to the provisions of this section, for the following persons:

(a) Any person, who has at least 20 years of creditable service as a group I teacher member if age 60 or older, or at least 30 years of creditable service as a group I teacher member if age 55-59, retired on or before July 1, 2004 as a group I teacher member of the New Hampshire retirement system on service or disability retirement, provided that such person shall be entitled to retirement on the basis of group I creditable service without including any credit for service as a group I employee member of the retirement system, or any person retired on or before July 1, 2004, as a group I member whose service retirement benefit is based upon the provisions of RSA 100-A:19-c and who has a minimum of 20 years of creditable service as a group I teacher member.

(b) The spouse of such a qualified retiree.

(c) The surviving spouse of a deceased retired group I teacher member who met the qualifications of subparagraph (a), or of a deceased member who died while in service as a group I teacher member, provided that such surviving spouse was covered as the member's spouse in the employer-sponsored plan before the member's death and is entitled to a monthly allowance under RSA100-A:8, 100-A:9, or 100-A:13.

(d) Any certifiably dependent child with a disability living in the household and being cared for by the qualified retired member, the member's spouse, or the qualified surviving spouse.

(e) The surviving spouse and children of a deceased group I teacher member who dies as the natural and proximate result of injuries suffered while in the performance of duty, provided that:

(1) Any such child shall be qualified under this subparagraph only if under 18 years of age, or under 23 years of age if attending school on a full-time basis; and

(2) Such surviving spouse shall cease to be qualified upon the remarriage of the surviving spouse; and

(3) No surviving spouse or child shall be qualified or continue to be qualified under this subparagraph while receiving or eligible to receive medical insurance or health care benefits from any employer-sponsored plan.

(f) Any person who has completed no less than 20 years of group I teacher creditable service, but who for reasons other than retirement or death ceased to be a group I teacher member prior to attaining the age of 60, and who, as of July 1, 2004, receives a vested deferred retirement allowance and who subsequently attains the age of 60.

(g) Any person who has completed no less than 20 years of group I teacher creditable service and who retired as a group I teacher member prior to age 60, and who subsequently attains the age of 60.

II. However, for the fiscal year beginning July 1, 1999, the maximum amount payable by the retirement system under this subdivision on account of each person qualified under paragraph I who is not entitled to medicare benefits, and on account of each person qualified under paragraph I who is entitled to medicare benefits, shall be the same as the amount provided in RSA 100-A:52, II for group II retirees. As of July 1, 1999, and on each July 1 thereafter, the maximum amount payable by the retirement system as provided in this paragraph shall be increased by 8 percent, compounded on previous increases.

III. In the case of group I teacher members retired from employment by political subdivisions of the state, if the cost of the premium for any eligible person under paragraph I shall exceed the maximum under paragraph II, and the employer does not elect to pay the excess cost, the excess cost shall be paid by the retiree or qualified surviving spouse and may be deducted from retirement benefits as provided in RSA 100-A:51. The employer may require, as a condition for coverage, that the retiree or surviving spouse apply for deduction of such excess cost from retirement benefits as provided in RSA 100-A:51.

IV. There shall be no age limit to participate in the employer sponsored medical and health plan provided in paragraph I, and there shall be no physical examination or health statement required for such coverage, provided, however, that if an eligible retired group I teacher member of the retirement system fails to apply for such coverage within the time required by the insurance contract, the insurer may require satisfactory evidence of insurability as a condition for becoming insured.

V. Any group I teacher member retired before January 1, 2000, or other eligible person under paragraph I, who would have been eligible for medical benefits under this section if

this section had been in effect on the member's date of retirement, shall have the option of re-joining the medical or health plan sponsored by the retired member's former employer and of receiving benefits under this section, provided that such eligible person shall apply to the employer for such benefits before January 1, 2002. Upon receipt of such application, the former employer shall enroll such retiree or other eligible person in the employer's plan in the same manner and subject to the same conditions as enrollment of a new employee but without any benefit-waiting period which may be applicable to new employees of that employer. Neither an employer nor an employer's group plan or insurer shall be liable for any claims incurred prior to the date of enrollment under this paragraph.

VI. The retirement system shall notify all group I teacher retirees and surviving spouse beneficiaries, who are currently drawing monthly allowances from the retirement system, of their possible right to re-join an active-employee medical insurance or health plan and to receive benefits under this section.

VII. Any person who is eligible to receive group insurance or other medical benefits under the provisions of this section, but who does not need and who declines such benefits because they would be duplicative of coverage under any employer-sponsored plan, shall nevertheless continue to be eligible and, upon ceasing to be eligible for the other coverage, shall be permitted to receive the benefits allowable under this section without any waiting period.

100-A:53-b Method of Financing; Group I Teachers.

I. The benefits provided under RSA 100-A:53-a shall be provided by a 401(h) subtrust of the New Hampshire retirement system. The 401(h) subtrust shall be funded by allocating 25 percent of future group I teacher employer contributions made for group I teachers in accordance with RSA 100-A:16 to the subtrust until such time as the benefits are fully funded. Thereafter the subtrust shall receive only that portion of each year's contribution as is necessary to keep the benefits fully funded.

II. All contributions made to the retirement system to provide medical benefits under RSA 100-A:53-a shall be maintained in a separate account, the 401(h) subtrust. All funds and accumulated interest shall not be used for or diverted to any purpose other than to provide said medical benefits. Similarly, none of the funds accumulated to provide the retirement benefits set forth in this chapter may be used or diverted to provide medical benefits under RSA100-A:53-a. The funds, if any, providing medical benefits under RSA100-A:53-a may be invested pursuant to the provisions of RSA100-A:15.

5 New Paragraph; Application. Amend RSA 100-A:55 by inserting after paragraph I the following new paragraph:

I-a. It is the intent of the legislature that future group I teacher members eligible after July 1, 2004 shall be included under the provisions of RSA 100-A:53-a only if the total cost of such inclusion can be terminally funded from the special account established under RSA100-A:16, II(h).

6 Funding. The sum of \$89,100,000 is hereby transferred from the group I teacher special account balance existing on June 30, 1999 for the purpose of funding RSA 100-A:53-a and 53-b as inserted by section 4 of this act.

7 Payment of Benefits; Application. Amend RSA 100-A:55, I to read as follows:

I. The additional benefits provided under RSA 100-A:52 shall apply to persons who are active or retired members of group II as of ~~[June 30, 1993, except for active or retired permanent firemen members to whom the additional benefits shall apply as of]~~ June 30, 1995; to persons who prior to July 1, 1988, had completed no less than 20 years of group II creditable service, but who for reasons other than retirement or death ceased to be a group II member prior to attaining the age of 45, and who, as of July 1, 1993, are eligible for vested deferred retirement benefits; and to persons who are group II permanent policemen or permanent firemen members on disability retirement as the natural and proximate result of injuries suffered while in the performance of duty who become permanent policemen members of group II after June 30, 1988, but before July 1, ~~[1993]~~ **1995** or permanent firemen members of group II after June 30, 1988, but before July 1, 1995. Such additional benefits shall not apply to other persons who become members of group II after ~~[June 30, 1993, or in the case of permanent firemen members, after]~~ June 30, 1995, without future legislation to include them. It is the intent of the legislature that future group II members shall be included only if the total cost of such inclusion can be funded by reimbursement from the special account established under RSA 100-A:16, II(h).

8 Effective Date.

I. Sections 1-6 of this act shall take effect January 1, 2000.

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

AMENDED ANALYSIS

This bill provides for the payment by the retirement system of the cost of group health insurance for eligible retired teachers. The additional benefits shall be funded from the special account for current retired teachers and projected eligible teachers for the next 5 years.

The bill also includes certain active or retired group II members for funding of payment of medical benefits.

Adopted.

Rep. Dyer yielded to questions.

Report adopted and referred to Finance.

Reps. Francis Davis, Feuerstein, Claudette Jean and O'Connell declared conflicts of interest and did not participate.

HB 346-FN-A, relative to permissible fireworks. OUGHT TO PASS WITH AMENDMENT

Rep. Steve Vaillancourt for Finance: The new amendment increases the license fee for locations which sell fireworks from \$1500 to \$2000. Finance found this necessary to assure the bill's policy intent, that of establishing a seasonal part-time fireworks inspector was maintained, while at the same time, the general fund will not be increased. The original amendment which increased the fee from \$1000 to \$1500 was deemed insufficient to meet the \$17,300 per year cost of the new position. The Department of Safety estimates that 15 locations will be licensed to sell fireworks. Vote 21-0.

Amendment 1468(h)

Amend RSA 160-B:6, V as inserted by section 8 of the bill by replacing it with the following:

V. The fee for a license for each location shall be [~~\$1,000~~] **\$2,000** per year, payable annually to the department of safety for deposit into the general fund.

Amend RSA 160-C:3, VII as inserted by section 14 of the bill by replacing it with the following:

VII. The fee for a license for each location shall be \$2,000 per year, payable annually to the department of safety for deposit into the general fund.

Adopted.

Report adopted and ordered to third reading.

HB 363-FN, increasing the bonding limit of the school building authority. OUGHT TO PASS

Rep. Norman L. Major for Finance: This bill increases from \$75,000,000 to \$95,000,000 the limit on the issuance of bonds and notes by the school building authority. The debt limit is currently within a million dollars of the authorized level. The \$20,000,000 increase requested by the state treasurer is required to meet ongoing school district debt that can be guaranteed by the state. Vote 22-0.

Adopted and ordered to third reading.

HB 412-FN, relative to the powers of the state treasurer and increasing the limit on state indebtedness, and relative to the use of bond proceeds awarded under a state guarantee. OUGHT TO PASS WITH AMENDMENT

Rep. Jean R. Wallin for Finance: This bill was originally requested by the State Treasurer to increase the limit of state indebtedness to 20% of general fund expenditures; require that all payments to the state be made in US currency; clarify the duties of deputy treasurers; and require that excess premiums after the sale of bonds be deposited into the general fund. Subsequent amendments require that the Business Finance Authority award state guarantees to facilities in economically depressed areas and repeal the requirement that bonds be issued only by FDIC insured banks. These lending institutions are not willing to lend money in economically depressed areas so this repeal will enable the BFA to cover the residual risk required by the IRS in lease projects currently designed to preserve as many as 800 jobs in the Franklin/Laconia area. These economic development efforts by the BFA are not paid out of the general fund. Vote 20-0.

Amendment (1546h)

Amend the bill by replacing all after section 5 with the following:

6 Repeal. The following are repealed:

I. RSA 6:23, relative to duties of the deputy treasurers.

II. RSA 162-I:9-b, III, relative to the minimum charge on the reasonable value of a state guarantee.

III. RSA 162-I:9-b, III-a, relative to the use of bond proceeds awarded under a state guarantee.

IV. RSA 162-I:9-b, VIII, relative to guaranteed loans issued by a federally insured depository institution.

7 Applicability of Prospective Repeal. Any bonds awarded under the provisions of RSA 162-I:9-b, III-a shall not be affected by the prospective repeal in paragraph III of section 6 of this act.

8 Effective Date.

I. Paragraph III of section 6 of this act shall take effect July 1, 2002.

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

AMENDED ANALYSIS

This bill:

I. Increases the limit of state indebtedness for borrowing in anticipation of insufficient general funds from \$125,000,000 to \$200,000,000.

II. Requires that any excess board premiums remaining after the sale of bonds and the payment of bond issuance costs be deposited into the general fund.

III. Clarifies the duties of the deputy state treasurers.

IV. Requires that all payments due to the state be paid in United States dollars.

Adopted.

Rep. Wallin yielded to questions.

motion to lay on the table

Rep. Martin moved that **HB 412-FN**, relative to the powers of the state treasurer and increasing the limit on state indebtedness, and relative to the use of bond proceeds awarded under a state guarantee, be laid on the table.

On a division vote, 29 members having voted in the affirmative and 285 in the negative, the motion failed.

Report adopted and ordered to third reading.

regular calendar – Part I (cont'd.)

HB 542-FN-A, relative to the rate of and exemptions from the legacies and succession tax. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth L. Weyler for Finance: There has been a long-term interest in decreasing the rate of the legacy and succession tax. The tax was increased to 18% in 1991. Sponsors of the bill objected to

the fact that it was imposed on non-lineal or unrelated heirs, but not on lineal heirs. They proposed a 7% rate, adding lineal descendants and exempting the first \$100,000, attempting to make the change revenue neutral. The committee objected to adding a new tax to a large group that had been by tradition and common law the natural heirs and therefore exempt under NH law. The committee amendment attempts to accomplish the sponsors' intent by reducing the rate of the tax by 1% per year from June 30, 2001 until June 30, 2008. The permanent rate will then be 8%. The plan is to keep the resulting revenue at a flat rate. Natural growth from other sources will lead this tax to be a less significant revenue source and will allow its repeal long-term to be a less controversial event. There will be no effect on general fund revenue this year or in the FY 00-01 biennium. Vote 18-6.

Amendment (1317h)

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

AN ACT relative to the rate of the legacies and succession tax.

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

1 Rate of the Legacies and Succession Tax. Amend RSA 86:6, I to read as follows:

I.**(a)** All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state; and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state; which shall pass by will, or by the laws regulating intestate successions, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, shall be subject to a tax ~~of 18 percent of its fair market value~~, for the use of the state **at a rate as provided in subparagraph (b) on its fair market value**, except as provided in paragraphs II and III and RSA86:9-a.

(b)(1) For the biennium ending June 30, 2001, the rate of the tax shall be 18 percent.

(2) For the fiscal year ending June 30, 2002, the rate of the tax shall be 17 percent.

(3) For the fiscal year ending June 30, 2003, the rate of the tax shall be 16 percent.

(4) For the fiscal year ending June 30, 2004, the rate of the tax shall be 15 percent.

(5) For the fiscal year ending June 30, 2005, the rate of the tax shall be 14 percent.

(6) For the fiscal year ending June 30, 2006, the rate of the tax shall be 13 percent.

(7) For the fiscal year ending June 30, 2007, the rate of the tax shall be 12 percent.

(8) For the fiscal year ending June 30, 2008, the rate of the tax shall be 11 percent.

(9) For the fiscal year ending June 30, 2009, the rate of the tax shall be 10 percent.

(10) For the fiscal year ending June 30, 2010, the rate of the tax shall be 9 percent.

(11) Beginning July 1, 2010, the rate of the tax shall be 8 percent.

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

AMENDED ANALYSIS

This bill changes the rate of the legacies and succession tax.

Adopted.

Rep. John Pratt offered a floor amendment.

Floor Amendment (1405h)

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

AN ACT relative to the rate of and exemptions from the legacies and succession tax.

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

1 Rate of and Exemptions from the Legacies and Succession Tax. Amend RSA 86:6, I and II to read as follows:

I. All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state; and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state; which shall pass by will, or by the laws regulating intestate successions, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, shall be subject to a tax of ~~18~~ 7 percent of its fair market value for the use of the state, except as provided in paragraphs II and III and RSA86:9-a.

II. ***The first \$100,000 of the fair market value of real and personal property of the decedent shall be exempt from the tax imposed in paragraph I.*** Real and personal property of the decedent shall be exempt from the tax imposed in paragraph I, if it passes to or for the use of any of the following:

(a) The decedent's spouse;

~~(b) [The decedent's lineal ascendants and the decedent's lineal descendants together with the spouses of said ascendants and descendants, provided that such ascendants and descendants have not been adopted by another person;~~

~~(e) The decedent's adopted children together with the spouses and lineal descendant of such adopted children;~~

~~(d)]~~ The care of cemetery lots in this state;

~~(e)]~~ **(c)** A city or town in this state for public municipal purposes;

~~[(f)]~~ **(d)** Educational, religious, cemetery, or other institutions, societies, or associations of public charity in this state, or in any other state, territory, or country, the laws of which at the time of the death of the decedent provide either of the following:

(1) Do not impose a transfer or death tax of any kind;

(2) Grant an exemption similar to that provided for in this paragraph, to their domiciliaries, for the property passing to charities in this state.

~~[(g) A person who for 10 consecutive years prior to the person's fifteenth birthday was a member of the household of the decedent.~~

~~(h) The decedent's stepchildren of the current marriage or of the most recent marriage together with the spouses and the lineal descendants of such stepchildren.]~~

2 Reference Changed. Amend RSA 86:22, II to read as follows:

II. A report pursuant to paragraphs I, III, and IV of this section shall describe the location and title reference of real property and need not state the nature or amount of personal property in the case of any transfers of real or personal property or joint tenancies in which all transferees or surviving joint tenants are exempt under RSA ~~86:6, II(a), (b), (c), or (h)]~~ **86:6, II.**

3 Repeal. The following are repealed:

I. RSA 86:5-a, I, relative to the definition of decedent's adopted child or children.

II. RSA 86:6, III, relative to an exemption from the legacies and succession tax for certain siblings.

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

AMENDED ANALYSIS

This bill changes the rate of the legacies and succession tax and changes exemptions from the tax.

Rep. Almy spoke in favor and yielded to questions.

Reps. Weyler and Vivian Clark spoke against and yielded to questions.

Rep. Mirski spoke in favor.

Rep. McGuirk requested a Quorum Count. The Speaker declared a quorum present.

Rep. McGuirk spoke in favor.

Rep. Major spoke against.

Rep. McGuirk requested a roll call; sufficiently seconded.

The question being the adoption of the John Pratt floor amendment.

YEAS 135 NAYS 201			
YEAS 135			
BELKNAP			
Rice, Thomas	Rosen, Ralph	Wood, Jane	
CARROLL			
Babson, David, Jr	Mock, Henry		
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
Doucette, Richard	Lerandean, Alfred	Lynott, Margaret	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, Irene	Pratt, John
Richardson, Barbara	Riley, William	Roberts, William	Robertson, Timothy
Russell, Ronald			
COOS			
Hawkinson, Marie	Landers, Dana	Mears, Edgar	Rodrigue, Robert
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Johnson, Gary	Mirski, Paul	Nordgren, Sharon	Solow, Martha
HILLSBOROUGH			
Arthur, Rose	Baroody, Benjamin	Buckley, Raymond	Clemons, Jane
Cote, David	Drabinowicz, A	Dwyer, Paul, Sr	Foster, Linda
Franks, Suzan	Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey
Haettenschwiller, Alphonse	Hall, Betty	Jean, Claudette	Jean, Loren

Johnson, Lionel	Keye, Harvey	Konys, Christine	LaPorte, George
Lasky, Bette	Lefebvre, Roland	Leishman, Peter	Leonard, Peter
Martin, Mary	McCarthy, William	McColgan, Philip, Jr	McDonough-Wallace, Alice
Moriarty, Mary	O'Connell, Timothy	Reidy, Frank	Sarette, John
Turgeon, Roland	Vaillancourt, Steve	White, John	
MERRIMACK			
Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard	Chase, George
Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn	French, Barbara
Gile, Mary	Moore, Carol	Owen, Derek	Potter, Frances
Poulin, Dave	Reardon, Tara	Rodd, Beth	Seldin, Gloria
St Cyr, Gerard	Virtue, Carolyn	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Dearborn, Bruce
Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane	Kobel, Rudolph
Langone, John	Lovejoy, Marian	Norelli, Terie	Pitts, Jacqueline
Rabideau, Marie	Ruffner, Walter	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Vaughn, Charles		
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
DeChane, Marlene	Estabrook, Iris	Gilmore, Gary	Johnson, Nancy
Kaen, Naida	Lent, Donald	Pelletier, Arthur	Pelletier, Marsha
Rogers, Rose Marie	Rollo, Michael	Snyder, Clair	Spang, Judith
Spear, Barbara	Twardus, Joseph	Vincent, Francis	Woods, Phyllis
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Phinizy, James	Tuthill, John	Wiggins, Celestine	
NAYS 201			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley

Holbrook, Robert	Lawton, David	Millham, Alida	Pilliod, James
Thomas, John	Turner, Robert	Wendelboe, Francine	
CARROLL			
Bradley, Jeb	Chandler, Gene	Dickinson, Howard	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth	Patten, Betsey
Philbrick, Donald	Sullivan, P Judith	Torressen, Gary	
CHESHIRE			
DePecol, Benjamin	Hunt, John	Lynch, Margaret	Rose, William
Smith, Edwin	Zerba, Roger		
COOS			
Davis, Perley	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	Hall, David
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	LaMott, Paul
Marshall, Gene	Phinney, William	Picconi, Al	Scanlan, David
Ward, Brien	Weber, Phil		
HILLSBOROUGH			
Ahern, Richard	Andrews, Frederick	Arnold, Thomas, Jr	Batula, Peter
Beaupre, Roland	Belvin, William	Bergeron, Lucien	Bergin, Peter
Brundige, Robert	Bruno, Pierre	Calawa, Leon, Jr	Carlson, Donald
Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr	Cote, Peter
Coughlin, Pamela	Craig, James	Dalianis, Griffin	Daniels, Gary
Dawe, Eileen	Desrosiers, William	Durham, Susan	Dyer, Merton
Emerton, Lawrence	Fenton, James	Fields, Dennis	Ford, Nancy
Gagnon, Eugene	Goulet, Maurice	Hansen, Herbert	Herman, Keith
Herman, Richard	Holley, Sylvia	Kurk, Neal	L'Heureux, Robert
Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold	MacGillivray, Jeffrey
Martel, Andre	McCarty, Winston	McDonald, James, Sr	McGough, Tim

McRae, Karen	Messier, Irene	Moran, Edward	Mosher, William
Murphy, Robert	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Sargent, Maxwell
Simon, Anthony	Tate, Joan	Thulander, O Alan	Wall, Nancy
White, Donald	Withee, Dennis		
MERRIMACK			
Anderson, Eric	Crosby, Toni	Daneault, Gabriel	Davis, Francis
Hess, David	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Larrabee, David, Sr	Leber, William	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Nichols, Avis	Wallin, Jean
Whalley, Michael			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bridle, Russell
Case, Margaret	Clark, Vivian	Cooney, Richard	Corbin, C David
Cox, Russell	DiFruscia, Anthony	Dolan, Richard	Dowling, Patricia
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John, Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Griffin, Mary
Hamel, Albert	Henderson, Warren	Hutchinson, Karen	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Langley, Jane	Letourneau, Robert
Major, Norman	McKinney, Betsy	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	O'Neil, Michael
Packard, Sherman	Priestley, Anne	Putnam, Ed, II	Quandt, Marshall
Raynowska, Bernard	Reardon, Neil	Rubin, George	Sapareto, Frank
Stickney, Nancy	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur
Varrell, Thomas	Verani, Giovanni	Weare, Everett	Welch, David
Weyler, Kenneth	Whittier, John	Zolla, William	
STRAFFORD			
Cossette, Larry	Dunlap, Patricia	Keans, Sandra	Knowles, William
Lundborn, Raymond	McKinley, Robert	Musler, George	Taylor, Kathleen
Torr, Franklin	Tsiros, William	Wall, Janet	

SULLIVAN			
Kibbey, David	Leone, Richard	Robb-Theroux, Amy	Young, David

and the John Pratt floor amendment failed.

Rep. McGuirk offered a floor amendment.

Floor Amendment (1404h)

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

AN ACT repealing the legacies and succession tax.

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

1 Repeal. RSA 86, relative to the legacies and succession tax, is repealed.

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

AMENDED ANALYSIS

This bill repeals the legacies and succession tax.

Rep. McGuirk spoke in favor.

Rep. Weyler spoke against and yielded to questions.

Rep. McGuirk requested a roll call; sufficiently seconded.

The question being the adoption of the McGuirk floor amendment.

YEAS 181 NAYS 155			
YEAS 181			
BELKNAP			
Bartlett, Gordon	Millham, Alida	Rice, Thomas	Rosen, Ralph
Wood, Jane			
CARROLL			
Babson, David, Jr	Dickinson, Howard	Mock, Henry	Philbrick, Donald
Sullivan, P Judith			
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel

DePecol, Benjamin	Doucette, Richard	Lerandean, Alfred	Lynch, Margaret
Lynott, Margaret	McGuirk, Paul	Meader, David	Mitchell, McKim
Pratt, Irene	Pratt, John	Richardson, Barbara	Riley, William
Robertson, Timothy	Russell, Ronald	Zerba, Roger	
COOS			
Hawkinson, Marie	Landers, Dana	Rodrigue, Robert	
GRAFTON			
Almy, Susan	Brothers, Richard	Copenhaver, Marion	Densmore, Jessica
Dudley, Terri	Guest, Robert	Hall, David	Hinman, Harry
Johnson, Gary	Mirski, Paul	Phinney, William	Scanlan, David
Solow, Martha	Ward, Brien	Weber, Phil	
HILLSBOROUGH			
Arnold, Thomas, Jr	Arthur, Rose	Baroody, Benjamin	Beaupre, Roland
Bruno, Pierre	Buckley, Raymond	Carlson, Donald	Clemons, Jane
Craig, James	Dawe, Eileen	Desrosiers, William	Drabinowicz, A
Dwyer, Paul, Sr	Fields, Dennis	Franks, Suzan	Garrish, Linda
Ginsburg, Ruth	Goley, Jeffrey	Goulet, Maurice	Haettenschwiller, Alphonse
Hall, Betty	Herman, Richard	Jean, Claudette	Jean, Loren
Johnson, Lionel	Keye, Harvey	Konys, Christine	LaPorte, George
Lasky, Bette	Lefebvre, Roland	Leishman, Peter	Leonard, Peter
Lynde, Harold	Martin, Mary	McCarthy, William	McColgan, Philip, Jr
McDonald, James, Sr	McDonough-Wallace, Alice	McRae, Karen	Messier, Irene
Moriarty, Mary	Mosher, William	Murphy, Robert	O'Connell, Timothy
Ouellette, Dean	Pappas, Marc	Reidy, Frank	Sarette, John
Tate, Joan	Turgeon, Roland	Vaillancourt, Steve	White, John
Withee, Dennis			
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn	French, Barbara

Gile, Mary	Lockwood, Priscilla	Maxfield, Roy	Moore, Carol
Owen, Derek	Potter, Frances	Poulin, Dave	Rodd, Beth
Seldin, Gloria	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Clark, Martha
Corbin, C David	Dearborn, Bruce	Griffin, Mary	Hutchinson, Karen
Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane	Langley, Jane
Langone, John	Lovejoy, Marian	McKinney, Betsy	Norelli, Terie
O'Neil, Michael	Pitts, Jacqueline	Putnam, Ed, II	Rabideau, Marie
Rubin, George	Sapareto, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Vaughn, Charles	Whittier, John	
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
DeChane, Marlene	Estabrook, Iris	Gilmore, Gary	Johnson, Nancy
Lent, Donald	Lundborn, Raymond	McKinley, Robert	Pelletier, Arthur
Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael	Snyder, Clair
Spang, Judith	Spear, Barbara	Torr, Franklin	Twardus, Joseph
Vincent, Francis	Woods, Phyllis		
SULLIVAN			
Allison, David	Cloutier, John	Donovan, Thomas, Jr	Kibbey, David
Leone, Richard	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine	Young, David		
NAYS 155			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Lawton, David	Pilliod, James	Thomas, John	Turner, Robert
Wendelboe, Francine			
CARROLL			
Bradley, Jeb	Chandler, Gene	Howard, Godfrey	Kenney, Joseph

Lyman, L Randy	MacDonald, Kenneth	Patten, Betsey	Torressen, Gary
CHESHIRE			
Hunt, John	Roberts, William	Rose, William	Smith, Edwin
COOS			
Davis, Perley	Horton, Lynn	Mears, Edgar	Merrill, Gerald
Pratt, Leighton	Tholl, John, Jr	Woodward, David	
GRAFTON			
Akins, Ralph	Alger, John	Cobb, John	Eaton, Stephanie
Gilman, G Michael	Ham, Bonnie	Harmon, Hobart	LaMott, Paul
Marshall, Gene	Nordgren, Sharon	Picconi, Al	
HILLSBOROUGH			
Ahern, Richard	Andrews, Frederick	Batula, Peter	Belvin, William
Bergeron, Lucien	Bergin, Peter	Brundige, Robert	Calawa, Leon, Jr
Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr	Cote, David
Cote, Peter	Coughlin, Pamela	Dalianis, Griffin	Daniels, Gary
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Ford, Nancy	Foster, Linda	Gagnon, Eugene	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Kurk, Neal	L'Heureux, Robert
Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre
McCarty, Winston	McGough, Tim	Moran, Edward	O'Hearn, Jane
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Sargent, Maxwell
Simon, Anthony	Thulander, O Alan	Wall, Nancy	White, Donald
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Daneault, Gabriel	Davis, Francis
Hess, David	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Larrabee, David, Sr	Leber, William	Marple, Richard	Marshall, Kenneth
Nichols, Avis	Reardon, Tara	St Cyr, Gerard	Whalley, Michael
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Case, Margaret
Clark, Vivian	Cooney, Richard	Cox, Russell	DiFruscia, Anthony
Dolan, Richard	Dowling, Patricia	Fesh, Robert	Flanagan, Natalie

Flanders, David	Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Hamel, Albert	Henderson, Warren	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Letourneau, Robert
Major, Norman	Moore, Benjamin	Morse, Charles	Nowe, Mary Lou
Nowe, Ronald	Noyes, Richard	Packard, Sherman	Priestley, Anne
Quandt, Marshall	Raynowska, Bernard	Reardon, Neil	Ruffner, Walter
Stickney, Nancy	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur
Varrell, Thomas	Verani, Giovanni	Weare, Everett	Welch, David
Weyler, Kenneth	Zolla, William		
STRAFFORD			
Cossette, Larry	Dunlap, Patricia	Kaen, Naida	Keans, Sandra
Knowles, William	Musler, George	Taylor, Kathleen	Tsiros, William
Wall, Janet			
SULLIVAN			
Burling, Peter			

and the McGuirk floor amendment was adopted.

The question now being the adoption of the report.

Rep. McGuirk spoke in favor.

Reps. Kurk, Wendelboe, and Chandler spoke against.

Rep. Donald White requested a roll call; sufficiently seconded.

YEAS 173 NAYS 166			
YEAS 173			
BELKNAP			
Rice, Thomas	Rosen, Ralph	Wood, Jane	
CARROLL			
Babson, David, Jr	Dickinson, Howard	Philbrick, Donald	Sullivan, P Judith
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel

DePecol, Benjamin	Doucette, Richard	Lerandeau, Alfred	Lynch, Margaret
Lynott, Margaret	McGuirk, Paul	Meader, David	Mitchell, McKim
Pratt, Irene	Pratt, John	Richardson, Barbara	Riley, William
Robertson, Timothy	Russell, Ronald	Zerba, Roger	
COOS			
Glines, Sara	Hawkinson, Marie	Landers, Dana	Rodrigue, Robert
GRAFTON			
Almy, Susan	Brothers, Richard	Copenhaver, Marion	Densmore, Jessica
Guest, Robert	Hall, David	Hinman, Harry	Johnson, Gary
Mirski, Paul	Nordgren, Sharon	Phinney, William	Scanlan, David
Solow, Martha	Ward, Brien	Weber, Phil	
HILLSBOROUGH			
Arnold, Thomas, Jr	Arthur, Rose	Beaupre, Roland	Bergeron, Lucien
Bruno, Pierre	Buckley, Raymond	Clemons, Jane	Craig, James
Desrosiers, William	Drabinowicz, A	Dwyer, Paul, Sr	Franks, Suzan
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Haettenschwiller, Alphonse
Hall, Betty	Herman, Richard	Jean, Claudette	Jean, Loren
Johnson, Lionel	Keye, Harvey	Konys, Christine	LaPorte, George
Lasky, Bette	Leishman, Peter	Leonard, Peter	Lynde, Harold
Martin, Mary	McCarthy, William	McColgan, Philip, Jr	McDonald, James, Sr
McDonough-Wallace, Alice	McGough, Tim	McRae, Karen	Messier, Irene
Moriarty, Mary	Mosher, William	Murphy, Robert	O'Connell, Timothy
Reidy, Frank	Sarette, John	Turgeon, Roland	Vaillancourt, Steve
White, John			
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Jacobson, Alf
Lockwood, Priscilla	Marple, Richard	Maxfield, Roy	Moore, Carol

Owen, Derek	Potter, Frances	Poulin, Dave	Reardon, Tara
Rodd, Beth	Seldin, Gloria	Virtue, Carolyn	Wallin, Jean
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Corbin, C David
Dearborn, Bruce	Hutchinson, Karen	Hutchinson, Rebecca	Kane, Cecelia
Kelley, Jane	Kobel, Rudolph	Langley, Jane	Langone, John
Lovejoy, Marian	Norelli, Terie	Pitts, Jacqueline	Putnam, Ed, II
Rubin, George	Sapareto, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Stritch, C Donald	Vaughn, Charles	
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
DeChane, Marlene	Estabrook, Iris	Gilmore, Gary	Johnson, Nancy
Kaen, Naida	Lent, Donald	Lundborn, Raymond	McKinley, Robert
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael
Snyder, Clair	Spang, Judith	Spear, Barbara	Taylor, Kathleen
Torr, Franklin	Twardus, Joseph	Vincent, Francis	
SULLIVAN			
Allison, David	Cloutier, John	Donovan, Thomas, Jr	Kibbey, David
Leone, Richard	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine	Young, David		
NAYS 166			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Lawton, David	Millham, Alida	Pilliod, James
Thomas, John	Turner, Robert	Wendelboe, Francine	
CARROLL			
Bradley, Jeb	Chandler, Gene	Howard, Godfrey	Kenney, Joseph
Lyman, L Randy	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Torressen, Gary			

CHESHIRE			
Hunt, John	Roberts, William	Rose, William	Royce, H Charles
Smith, Edwin			
COOS			
Davis, Perley	Guay, Lawrence	Horton, Lynn	Mears, Edgar
Merrill, Gerald	Pratt, Leighton	Tholl, John, Jr	Woodward, David
GRAFTON			
Akins, Ralph	Alger, John	Cobb, John	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Ham, Bonnie	Harmon, Hobart
LaMott, Paul	Marshall, Gene	Picconi, Al	
HILLSBOROUGH			
Ahern, Richard	Andrews, Frederick	Baroody, Benjamin	Batula, Peter
Belvin, William	Bergin, Peter	Brundige, Robert	Calawa, Leon, Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr
Cote, David	Cote, Peter	Coughlin, Pamela	Dalianis, Griffin
Daniels, Gary	Dawe, Eileen	Durham, Susan	Dyer, Merton
Emerton, Lawrence	Fenton, James	Fields, Dennis	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Goulet, Maurice	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Kurk, Neal	L'Heureux, Robert
Lefebvre, Roland	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	McCarty, Winston	Moran, Edward	O'Hearn, Jane
Ouellette, Dean	Pappas, Marc	Pepino, Leo	Peterson, Andrew
Reeves, Sandra	Sargent, Maxwell	Simon, Anthony	Tate, Joan
Thulander, O Alan	Wall, Nancy	White, Donald	Withee, Dennis
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Davis, Francis	Hess, David
Kennedy, Richard	Langer, Ray	Larrabee, David, Sr	Leber, William
Marshall, Kenneth	Nichols, Avis	St Cyr, Gerard	Whalley, Michael
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Case, Margaret
Clark, Vivian	Cooney, Richard	Cox, Russell	DiFruscia, Anthony

Dolan, Richard	Dowling, Patricia	Fesh, Robert	Flanagan, Natalie
Flanders, David	Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Griffin, Mary	Hamel, Albert	Henderson, Warren
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Letourneau, Robert
Major, Norman	McKinney, Betsy	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	O'Neil, Michael
Packard, Sherman	Priestley, Anne	Quandt, Marshall	Rabideau, Marie
Raynowska, Bernard	Reardon, Neil	Ruffner, Walter	Stickney, Nancy
Stone, Joseph	Tufts, J Arthur	Varrell, Thomas	Verani, Giovanni
Weare, Everett	Welch, David	Weyler, Kenneth	Whittier, John
Zolla, William			
STRAFFORD			
Cossette, Larry	Dunlap, Patricia	Keans, Sandra	Knowles, William
Musler, George	Tsiros, William	Wall, Janet	Woods, Phyllis
SULLIVAN			
Burling, Peter			

and the report was adopted.

Ordered to third reading.

reconsideration

Having voted with the prevailing side, Rep. McGuirk moved that the House reconsider its action whereby it ordered to third reading ***HB 542-FN-A***, repealing the legacies and succession tax and spoke against.

Rep. Christiansen requested a roll call; sufficiently seconded.

YEAS 156 NAYS 176			
YEAS 156			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Lawton, David	Millham, Alida	Pilliod, James
Thomas, John	Turner, Robert	Wendelboe, Francine	

CARROLL			
Bradley, Jeb	Chandler, Gene	Howard, Godfrey	Kenney, Joseph
Lyman, L Randy	MacDonald, Kenneth	Mock, Henry	Patten, Betsey
Torressen, Gary			
CHESHIRE			
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	Woodward, David	
GRAFTON			
Akins, Ralph	Alger, John	Cobb, John	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Marshall, Gene	Picconi, Al
Weber, Phil			
HILLSBOROUGH			
Ahern, Richard	Andrews, Frederick	Batula, Peter	Belvin, William
Brundige, Robert	Calawa, Leon, Jr	Carlson, Donald	Chabot, Robert
Christiansen, Lars	Clegg, Robert, Jr	Cote, David	Coughlin, Pamela
Dalianis, Griffin	Daniels, Gary	Durham, Susan	Dyer, Merton
Emerton, Lawrence	Fenton, James	Fields, Dennis	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Goulet, Maurice	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Jean, Loren	Kurk, Neal
L'Heureux, Robert	Lefebvre, Roland	Lessard, Rudy	Lozeau, Donnalee
MacGillivray, Jeffrey	Martel, Andre	McCarty, Winston	McGough, Tim
Moran, Edward	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Sargent, Maxwell
Simon, Anthony	Tate, Joan	Thulander, O Alan	Wall, Nancy
White, Donald	Withee, Dennis		
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Davis, Francis	Hess, David

Kennedy, Richard	Langer, Ray	Larrabee, David, Sr	Leber, William
Nichols, Avis	Whalley, Michael		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Case, Margaret
Clark, Vivian	Cooney, Richard	Cox, Russell	DiFruscia, Anthony
Dolan, Richard	Dowling, Patricia	Fesh, Robert	Flanagan, Natalie
Flanders, David	Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Griffin, Mary	Hamel, Albert	Henderson, Warren
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Letourneau, Robert
Major, Norman	Morse, Charles	Nowe, Mary Lou	Nowe, Ronald
Noyes, Richard	O'Neil, Michael	Packard, Sherman	Priestley, Anne
Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Stickney, Nancy	Tufts, J Arthur
Varrell, Thomas	Verani, Giovanni	Weare, Everett	Welch, David
Weyler, Kenneth	Whittier, John	Zolla, William	
STRAFFORD			
Cossette, Larry	Dunlap, Patricia	Knowles, William	Musler, George
Tsiros, William	Wall, Janet	Woods, Phyllis	
SULLIVAN			
Kibbey, David			
NAYS 176			
BELKNAP			
Rice, Thomas	Rosen, Ralph	Wood, Jane	
CARROLL			
Babson, David, Jr	Dickinson, Howard	Philbrick, Donald	Sullivan, P Judith
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Burnham, Daniel	DePecol, Benjamin
Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, Irene	Pratt, John
Richardson, Barbara	Riley, William	Robertson, Timothy	Russell, Ronald

COOS			
Glines, Sara	Hawkinson, Marie	Landers, Dana	Mears, Edgar
Rodrigue, Robert			
GRAFTON			
Almy, Susan	Brothers, Richard	Copenhaver, Marion	Densmore, Jessica
Guest, Robert	Hall, David	Ham, Bonnie	Harmon, Hobart
Hinman, Harry	Johnson, Gary	Mirski, Paul	Nordgren, Sharon
Phinney, William	Scanlan, David	Solow, Martha	Ward, Brien
HILLSBOROUGH			
Arnold, Thomas, Jr	Arthur, Rose	Baroody, Benjamin	Beaupre, Roland
Bergeron, Lucien	Bergin, Peter	Bruno, Pierre	Buckley, Raymond
Clemons, Jane	Cote, Peter	Craig, James	Dawe, Eileen
Desrosiers, William	Drabinowicz, A	Dwyer, Paul, Sr	Franks, Suzan
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Haettenschwiller, Alphonse
Hall, Betty	Herman, Richard	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	LaPorte, George	Lasky, Bette
Leishman, Peter	Leonard, Peter	Lynde, Harold	Martin, Mary
McCarthy, William	McColgan, Philip, Jr	McDonald, James, Sr	McDonough-Wallace, Alice
McRae, Karen	Messier, Irene	Moriarty, Mary	Mosher, William
Murphy, Robert	O'Connell, Timothy	Reidy, Frank	Sarette, John
Turgeon, Roland	Vaillancourt, Steve	White, John	
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Jacobson, Alf
Lockwood, Priscilla	Marple, Richard	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	Wallner, Mary Jane	Whittemore, James

Yeaton, Charles			
ROCKINGHAM			
Blanchard, MaryAnn	Clark, Martha	Corbin, C David	Dearborn, Bruce
Hutchinson, Karen	Hutchinson, Rebecca	Kane, Cecelia	Kelley, Jane
Kobel, Rudolph	Langley, Jane	Langone, John	Lovejoy, Marian
McKinney, Betsy	Norelli, Terie	Pitts, Jacqueline	Putnam, Ed, II
Sapareto, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Stritch, C Donald	Vaughn, Charles		
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
DeChane, Marlene	Estabrook, Iris	Gilmore, Gary	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Lent, Donald	Lundborn, Raymond
McKinley, Robert	Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie
Rollo, Michael	Snyder, Clair	Spang, Judith	Spear, Barbara
Taylor, Kathleen	Torr, Franklin	Twardus, Joseph	Vincent, Francis
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Leone, Richard	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine	Young, David		

and reconsideration failed.

regular calendar – Part I (cont'd.)

HB 602-FN, establishing the position of health insurance consumer assistant. OUGHT TO PASS

Rep. Susan W. Almy for Finance: This bill as passed by the policy committee adds one health insurance consumer assistant to deal with insurance options and complaints. The person now handling health insurance queries gets 14,000 calls a year, which are increasingly complex. He also handles life and accident insurance. The new commissioner has slashed her consultants' budget in order to pay for this new position, so there is no new fiscal impact. The Insurance Department costs are paid by fees charged to the insurance companies, not by the general fund. Vote 21-0.

Adopted and ordered to third reading.

HB 645-FN, relative to telecommunications equipment assistance and the enhanced 911 system. OUGHT TO PASS WITH AMENDMENT

Rep. Jeffrey C. McGillivray for Finance: The bill created a one cent per month per telephone line charge to pay for continuing a program which provides telecommunications equipment to lower-income persons, limited this program only to persons with hearing or speech disabilities, and expanded those eligible for the program to include partial assistance for persons whose income exceeds 200 per cent of federal poverty level guidelines. The bill also limited such expenditures to not more than \$96,000 per year, and made small changes to enhanced 911 statutes.

The committee amendment eliminates the increase in eligible persons, so that as under existing law, only those with income up to 200 per cent of poverty level qualify. The committee amendment also changes the funding source, continuing the current practice of using part of the funds raised for the telecommunications relay service trust fund by an 8 cent per month per telephone line charge. Vote 23-0.

Amendment (1542h)

Amend the bill by replacing section 7 with the following:

7 Public Utilities; Telecommunications Equipment Assistance Program; Duties; Eligibility Criteria; Cost-Sharing Added. Amend RSA 362-E:3, I(b) to read as follows:

(b) Eligibility criteria, ~~[including]~~ **which shall include** ability to pay~~[-~~
~~which]~~. **The telecommunications equipment assistance program** shall ~~[be based on]~~ **pay the full costs for persons whose** income levels ~~[which shall]~~ **do** not exceed 200 percent of the federal poverty level guidelines published in the Federal Register, exclusive of disability-related expenses.

Amend the bill by replacing section 9 with the following:

9 Public Utilities; Telecommunications Equipment Assistance Program; Funding. RSA362-E:6 is repealed and reenacted to read as follows:

362-E:6 Funding. The telecommunications equipment assistance program shall be funded in an amount not to exceed \$96,000 annually from the telecommunications relay service trust fund established by the public utilities commission.

AMENDED ANALYSIS

This bill

I. Changes the name of the telecommunications assistance program to the telecommunications equipment assistance program.

II. Provides funding for the telecommunications equipment assistance program from the telecommunications relay service trust fund.

III. Requires the telecommunications equipment assistance program to pay the costs for persons within current income criteria.

IV. Adds a representative of the disabled community to the enhanced 911 commission.

V. Specifies that a qualified person under the telecommunications equipment assistance program is a person with a hearing or speech disability.

VI. Requires telephone service providers to transfer emergency calls, including the caller's telephone number, to the public safety answering point.

Adopted.

Report adopted and ordered to third reading.

HB 653-FN-A, increasing the personal needs allowance of nursing home residents and certain other residents and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Marjorie K. Smith for Finance: For Medicaid recipients in nursing facilities, the resident's income, after certain deductions, goes to meet the cost of their care. Currently, one deduction allows the resident to retain \$40 per month to meet personal needs. If the resident does not have \$40 a month of their own income the balance is paid 50% by Medicaid (federal funds) and 25% each by general and county funds. Based on the Attorney General's opinions and the record of the Constitutional Convention, this is not a 28-a issue. This amount has not increased since 1988.

This bill, as amended, increases the allowance to \$50 per month. The increased cost to the general fund and the counties would be \$160,000 each. Vote 22-1.

Amendment (0582h)

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

AN ACT increasing the personal needs allowance of nursing home residents and residents of residential care facilities and community residences and making an appropriation therefor.

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

2 Appropriation. The sum of \$160,000 is hereby appropriated for the fiscal year ending June 30, 2000 to the department of health and human services, 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.

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

AMENDED ANALYSIS

This bill increases the personal needs allowance of nursing home residents and residents of residential care facilities and community residences and makes an appropriation for that purpose.

Rep. Belvin yielded to questions.

Adopted.

Report adopted and ordered to third reading.

SB 168, adopting a model statute included in the tobacco litigation master settlement agreement. OUGHT TO PASS WITH AMENDMENT

Rep. Sandra B. Keans for Judiciary: In the summer of 1998, the Attorneys General of the various states came to an agreement with the major tobacco companies. It is a settlement that comes under the purview of "states rights" and, therefore, must be approved by the individual states. SB 168 is model legislation with slight changes tailored to the State of New Hampshire. A major component of SB 168 is how those small companies who were not a party to the agreement but who choose to sell tobacco products provide for their share of the settlement based upon their volume of sales for the next 25 years. There must be an 80 percent approval of the model settlement by the states before the monies will flow to the individual states. In addition, New Hampshire's portion of the settlement is contingent upon the passage of SB 168. The amendment merely corrected a grammatical error requested by the Office of the Attorney General. Vote 9-4.

Amendment (1411h)

Amend RSA 541-C:2, IX(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer (except where such importer is an original participating manufacturer (as that term is defined in the Master Settlement Agreement) that will be responsible for the payments under the Master Settlement Agreement with respect to such cigarettes as a result of the provisions of subsection II(mm) of the Master Settlement Agreement and that pays the taxes specified in subsection II(z) of the Master Settlement Agreement, and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States);

Adopted.

Report adopted and ordered to third reading.

SB 62-FN-A-L, relative to the acquisition of Umbagog Lake Campground in Cambridge, New Hampshire, and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. H. Charles Royce for Resources, Recreation and Development: The Lake Umbagog Campground is the only campground on the lake, which is located in Cambridge, New Hampshire, 7 miles east of Errol, New Hampshire. The owners are retiring after twenty-four (24) years of operation. They wanted the campground to continue and felt the State Division of Parks and Recreation was the best organization for ownership. The purchase price for the campground (9.6 acres and 1030 feet of frontage) and all buildings and equipment is 600,000 dollars. This price was determined by a New Hampshire appraisal company. The bill as amended by the Resources, Recreation, and Development Committee will require the Division of Parks and Recreation to pay the principle and interest on bonds issued by the state treasurer out of the state park fund. There will be no appropriation from the state general fund for this purchase. The campground has been very profitable for the owners and the Parks Division will be able to pay the bonds with profits from the operation of the campground. It is estimated by the Parks Division the payment will be 40,000 dollars a year, which is well within the profit margin of the campground. This campground will be one of the jewels in the state park system, it will set the tone for this wild and scenic lake, which has 4532 acres in New Hampshire and 3318 acres in Maine. The majority of the campers using this campground are residents of New Hampshire. Vote 19-0.

Amendment (1413h)

Amend paragraph III as inserted by section 1 of the bill by replacing it with the following:

III. The purchased property will be managed by the department of resources and economic development, division of parks and recreation. Currently the sale of this property is being negotiated by the Trust for Public Lands and the owners of the property. The division of parks and recreation will operate this campground under agreement with the Trust for Public Lands until the sale is final.

Amend the bill by replacing section 4 with the following:

4 Bonds Authorized. To provide funds for the appropriation made in section 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$600,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the state park fund.

Adopted.

Report adopted and referred to Finance.

SB 70, changing the safe drinking water standard for MTBE. OUGHT TO PASS WITH AMENDMENT

Rep. Jeb E. Bradley for Science, Technology and Energy: As passed by the Senate, this legislation would establish, in statute, a primary drinking water standard for the gas additive methyl tertiary butyl ether (MTBE) of 5 parts per billion. The Senate also passed SB-71, which would ban use of the additive in New Hampshire's gas supply by 2003. While the committee appreciates the dedication and hard work of the Senate sponsors, the committee recommends the approach of this amendment and re-referral of SB 71, which is on the consent calendar. Use of MTBE in reformulated gasoline was designed to lessen air pollution, but when spilled or when storage tanks leak, MTBE readily enters groundwater.

The amendment instructs the Department of Environmental Services (DES) to immediately seek a waiver from the Environmental Protection Agency (EPA) so that non-reformulated gas, which contains far less MTBE, could be used on an interim basis until there is a regional or national alternative found to this problem. This is similar to the approach adopted by Maine. The amendment also instructs DES to develop a health-based primary drinking water standard, a secondary taste and odor standard, as well as a groundwater remediation standard. Drinking water standards have never been legislatively determined. The committee recommends that standards for MTBE be adopted based upon sound, technical and economic information and go through a thorough review process as DES has done when setting other standards.

Regarding the proposed MTBE ban, the committee is also sympathetic to the sponsor's intent. However, with the exception of California, individual states cannot set specific criteria for the content of gasoline. For better or worse, that is federal law. Banning MTBE in 2003 would only invite significant lawsuits and do little to solve the groundwater and drinking water contamination problem existing today. That is why Maine did not ban MTBE, but chose to seek an EPA waiver to use a different fuel containing far less MTBE. That is the approach of this amendment. If a waiver were received, that would be the most helpful method of eliminating the groundwater threat in the short run.

This amendment is very similar to HB 694-FN, which is currently being reviewed by the Finance Committee. The one key change is that this proposed amendment does not legislatively determine the groundwater remediation standard as is proposed in HB 694-FN. Adoption of this amendment

should lessen the fiscal impact of MTBE remediation at this time. If DES recommends health-based drinking water standards or groundwater remediation standards as called for in this amendment, there would be a fiscal impact at that time. That future fiscal impact would be subject to the scrutiny that any proposed rule would have. If the House adopts this amendment to SB 70, the Science, Technology and Energy Committee would recommend that it supersede HB 694-FN. Vote 15-2.

Amendment (1486h)

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

AN ACT relative to prevention of MTBE contamination of drinking water and groundwater.

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

1 Findings and Recommendations.

I. The general court finds that New Hampshire's participation in the federal reformulated gasoline program in Strafford, Merrimack, Hillsborough, and Rockingham counties, in order to comply with federal air pollution regulations, has had mixed results. The oxygenate methyl tertiary butyl ether (MTBE) is a major constituent of reformulated gasoline. Though MTBE's presence in gasoline has helped reduce harmful automobile tailpipe emissions and toxic constituents such as benzene, unintended contamination to the state's water resources has occurred. MTBE is extremely water-soluble and even the smallest spills of gasoline may allow MTBE to migrate into the groundwater. While MTBE is not classified as a known or probable carcinogen, initial research indicates that it may be found to be a carcinogen.

II. A recent preliminary study in Maine found detectable levels of MTBE in 15.8 percent of private wells and 16 percent of public water supplies. Levels of MTBE were below 5 parts per billion in 97 percent of Maine's tested private wells and 98.6 percent of Maine's tested public supplies. Due to similar soil and bedrock characteristics in New Hampshire, it is reasonable to assume that New Hampshire would find similar contamination levels in its water supplies if testing were done. Maine has adopted a 35 part per billion health standard.

III. The general court finds that alternatives to using MTBE in gasoline may have undesirable environmental effects, that restricting MTBE in gasoline may cause significant gasoline supply disruptions and price increases, and that regulation by the state of MTBE levels in gasoline may not be legal under federal law. The general court finds that the only realistic, near term means of lowering MTBE levels in gasoline, while avoiding supply disruptions and price increases, is reverting to the use of conventional gasoline as is currently allowed in the six New Hampshire counties that have demonstrated attainment of federal air quality standards. An Environmental Protection Agency waiver is necessary to use conventional rather than reformulated gasoline in Strafford, Merrimack, Hillsborough, and Rockingham counties.

IV. The general court finds that, based on available information, there is not an imminent threat to public health due to MTBE contamination. However, the general court believes that there is a sufficient threat of groundwater contamination to warrant preventive action in order to protect drinking water supplies and prevent costly remediation of MTBE contaminated groundwater.

V. Therefore, the general court recommends that:

(a) The department of environmental services and the department of health and human services continue to monitor New Hampshire's public and private drinking water supplies.

(b) Both departments continue to study MTBE alternatives.

(c) The department of environmental services in consultation with the department of health and human services adopt primary and secondary drinking water standards and ambient groundwater quality standards designed to protect the public health.

(d) The commissioner of the department of environmental services seek all necessary waivers from the Environmental Protection Agency such that conventional gasoline (or some other substitute gasoline that is readily available and reasonably priced) may immediately replace reformulated gasoline in Strafford, Rockingham, Hillsborough, and Merrimack counties until January 1, 2002. As such waivers would be temporary, they shall not be predicated upon the state implementing substitute air emissions reduction strategies in order to comply with the state implementation plan.

(e) The commissioner of the department of environmental services be given the authority to require lower MTBE concentrations in gasoline upon determining that readily available and reasonably priced substitute gasoline supplies exist, that alternative gasoline formulations are less hazardous to humans and the environment, and that such gasoline alternatives are approved for use in New Hampshire by the Environmental Protection Agency.

(f) The commissioner of the department of environmental services explore all mitigation alternatives, including but not limited to, the commissioner's authority to enforce the New Hampshire safe drinking water act under RSA 485.

2 New Subdivision; Methyl Tertiary Butyl Ether (MTBE). Amend RSA 485 by inserting after section 16 the following new subdivision:

Methyl Tertiary Butyl Ether (MTBE)

485:16-a Drinking Water Standards and Notification.

I. The commissioner, in consultation with the commissioner of health and human services, shall adopt primary and secondary drinking water standards pursuant to RSA 485:3, and ambient groundwater quality standards pursuant to RSA 485-C:6, applicable to MTBE. The commissioner shall not commence rulemaking for these standards until after the department has reviewed the scientific record on the risks posed by the presence of MTBE in drinking water supplies. Such review shall be completed at the earliest possible date, but no later than June 30, 2000.

II. Any public water system delivering water with greater than 5 parts per billion of MTBE shall notify each customer of the MTBE content.

485:16-b Authority to Limit MTBE in Gasoline; Penalties.

I. The commissioner, after consultation with the commissioner of health and human services, may limit, with the approval of the governor and council, the concentration of MTBE allowed in any gasoline sold in all or part of the state after first holding a public hearing on the issue

and certifying to the air pollution advisory committee established in RSA 125-J:11 that gasolines which meet such limit are:

(a) Readily available to New Hampshire consumers at a reasonable price;

(b) Less hazardous overall to humans and the environment than gasoline having higher MTBE concentrations taking into account all exposure routes, including air and water; and

(c) Approved for use in New Hampshire by the Environmental Protection Agency without a requirement to substitute additional air emissions reductions.

II. Nothing in this section shall prohibit the commissioner from phasing in any limitations approved under paragraph I.

III. Retail sellers of gasoline and the suppliers to such retail sellers shall comply with the provisions of paragraph I or be subject to the enforcement provisions of RSA 485:58.

IV. The limitations on MTBE concentrations established under the provisions of this section shall be exempt from the requirements of RSA 541-A, the administrative procedure act. The department shall file, however, in the office of legislative services a copy of all rules adopted, amended, or repealed under this section by the department.

3 New Subparagraph; Proceedings in Special Cases; Administrative Procedure Act; Exceptions; Limits on Methyl Tertiary Butyl Ether. Amend RSA 541-A:21, I by inserting after subparagraph (u) the following new subparagraph:

(v) RSA 485:16-b, I relative to limits on the concentration of methyl tertiary butyl ether in gasoline.

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

AMENDED ANALYSIS

This bill:

I. Requires that the commissioner of environmental services adopt primary and secondary drinking water and ambient groundwater quality standards applicable to MTBE.

II. Authorizes the commissioner to limit the concentration of MTBE allowed in gasoline.

III. Requires that public water systems delivering water with a certain concentration of MTBE notify each customer of the MTBE content.

Adopted.

Report adopted and ordered to third reading.

SPECIAL ORDER

HCR 10, requesting Congress to give priority to preserving Social Security and ensuring that it continues as universal and mandatory for all workers. RE-REFER TO COMMITTEE

Rep. George R. Rubin for State-Federal Relations and Veterans Affairs: Testimony presented to the committee created more questions than answers. HCR 10 needs more time to properly look at the Social Security questions. The Committee will meet as required during the interval between sessions. Vote 13-3.

Rep. Garrish and Burling spoke against.

Rep. Dean Ouellette spoke in favor.

Rep. Jacobson requested a Quorum Count. The Speaker declared a quorum present.

Rep. Jacobson spoke against.

Rep. Wendelboe spoke in favor and yielded to questions.

Rep. Burling requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 158 NAYS 168			
YEAS 158			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Lawton, David	Rice, Thomas	Rosen, Ralph
Thomas, John	Turner, Robert	Wendelboe, Francine	
CARROLL			
Babson, David, Jr	Bradley, Jeb	Chandler, Gene	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	Mock, Henry	Patten, Betsey
Sullivan, P Judith	Torressen, Gary		
CHESHIRE			
Avery, Stephen	Hunt, John	Roberts, 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	Hall, David
Harmon, Hobart	Hinman, Harry	Marshall, Gene	Mirski, Paul
Phinney, William	Picconi, Al	Scanlan, David	Ward, Brien
Weber, Phil			
HILLSBOROUGH			
Andrews, Frederick	Beaupre, Roland	Belvin, William	Calawa, Leon, Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr
Coughlin, Pamela	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Durham, Susan	Emerton, Lawrence	Fenton, James	Fields, Dennis
Gagnon, Eugene	Goulet, Maurice	Hansen, Herbert	Herman, Keith
Holley, Sylvia	Jean, Loren	Kurk, Neal	Leishman, Peter
Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre
McCarty, Winston	McDonald, James, Sr	McGough, Tim	McRae, Karen
Moran, Edward	Mosher, William	O'Hearn, Jane	Ouellette, Dean
Pappas, Marc	Reeves, Sandra	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Wall, Nancy	White, Donald	Withee, Dennis
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Brewster, Richard	Hager, Elizabeth
Hess, David	Larrabee, David, Sr	Leber, William	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Whalley, Michael
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Case, Margaret	Clark, Vivian
Cooney, Richard	Corbin, C David	Cox, Russell	Dearborn, Bruce
Dolan, Richard	Dowling, Patricia	Fesh, Robert	Flanders, David
Francoeur, Sheila	Griffin, Mary	Hamel, Albert	Henderson, Warren
Hutchinson, Karen	Katsakiores, George	Katsakiores, Phyllis	Langley, Jane
Letourneau, Robert	Major, Norman	McKinney, Betsy	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Priestley, Anne	Putnam, Ed, II	Quandt, Marshall	Rabideau, Marie

Reardon, Neil	Rubin, George	Ruffner, Walter	Stickney, Nancy
Tufts, J Arthur	Varrell, Thomas	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	Zolla, William
STRAFFORD			
Cossette, Larry	Kaen, Naida	McKinley, Robert	Musler, George
Spear, Barbara	Torr, Franklin	Woods, Phyllis	
SULLIVAN			
Young, David			
NAYS 168			
BELKNAP			
Millham, Alida	Wood, Jane		
CARROLL			
Dickinson, Howard	MacDonald, Kenneth	Philbrick, Donald	
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin
Doucette, Richard	Lerandean, Alfred	Lynch, Margaret	Lynott, Margaret
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Rose, William	Russell, Ronald	Zerba, Roger	
COOS			
Glines, Sara	Hawkinson, Marie	Landers, Dana	Mears, Edgar
Rodrigue, Robert			
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Ham, Bonnie	Johnson, Gary	LaMott, Paul	Nordgren, Sharon
Solow, Martha			
HILLSBOROUGH			
Ahern, Richard	Arnold, Thomas, Jr	Arthur, Rose	Baroody, Benjamin
Batula, Peter	Bergeron, Lucien	Brundige, Robert	Bruno, Pierre
Buckley, Raymond	Clemons, Jane	Cote, David	Cote, Peter

Desrosiers, William	Drabinowicz, A	Dwyer, Paul, Sr	Ford, Nancy
Foster, Linda	Franks, Suzan	Garrish, Linda	Ginsburg, Ruth
Goley, Jeffrey	Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard
Jean, Claudette	Johnson, Lionel	Keye, Harvey	Konys, Christine
L'Heureux, Robert	LaPorte, George	Lasky, Bette	Lefebvre, Roland
Leonard, Peter	Lynde, Harold	Martin, Mary	McCarthy, William
McColgan, Philip, Jr	McDonough-Wallace, Alice	Messier, Irene	Moriarty, Mary
Murphy, Robert	O'Connell, Timothy	Peterson, Andrew	Reidy, Frank
Sarette, John	Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve
White, John			
MERRIMACK			
Bouchard, Candace	Chase, George	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Jacobson, Alf	Langer, Ray
Moore, Carol	Nichols, Avis	Owen, Derek	Potter, Frances
Poulin, Dave	Reardon, Tara	Rodd, Beth	Seldin, Gloria
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Blanchard, MaryAnn	Clark, Martha
DiFruscia, Anthony	Flanders, John, Sr	Gibbons, Paul	Gleason, John
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Kobel, Rudolph	Langone, John	Lovejoy, Marian	Norelli, Terie
Pitts, Jacqueline	Raynowska, Bernard	Sapareto, Frank	Shelton, Richard
Shultis, Elizabeth	Splaine, James	Stritch, C Donald	Vaughn, Charles
STRAFFORD			
Berube, Roger	Brennan, William	Callaghan, Frank	DeChane, Marlene
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Johnson, Nancy
Keans, Sandra	Knowles, William	Lent, Donald	Lundborn, Raymond
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael

Snyder, Clair	Spang, Judith	Taylor, Kathleen	Tsiros, William
Twardus, Joseph	Vincent, Francis	Wall, Janet	
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Leone, Richard	Phinizy, James	Tuthill, John	Wiggins, Celestine

and the report failed.

Rep. Burling moved Ought to Pass.

Rep. Burling yielded to questions.

Rep. Burling requested a roll call; sufficiently seconded.

YEAS 196 NAYS 131			
YEAS 196			
BELKNAP			
Millham, Alida	Pilliod, James	Rosen, Ralph	Wood, Jane
CARROLL			
Bradley, Jeb	Philbrick, Donald	Sullivan, P Judith	
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin
Doucette, Richard	Lerandean, Alfred	Lynch, Margaret	Lynott, Margaret
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Rose, William	Russell, Ronald	Zerba, Roger	
COOS			
Davis, Perley	Glines, Sara	Hawkinson, Marie	Landers, Dana
Mears, Edgar	Rodrigue, Robert	Woodward, David	
GRAFTON			
Almy, Susan	Brothers, Richard	Copenhaver, Marion	Densmore, Jessica
Dudley, Terri	Guest, Robert	Ham, Bonnie	Johnson, Gary
LaMott, Paul	Nordgren, Sharon	Phinney, William	Picconi, Al

Solow, Martha			
HILLSBOROUGH			
Ahern, Richard	Arnold, Thomas, Jr	Arthur, Rose	Baroody, Benjamin
Batula, Peter	Bergeron, Lucien	Brundige, Robert	Bruno, Pierre
Buckley, Raymond	Clemons, Jane	Cote, David	Cote, Peter
Desrosiers, William	Drabinowicz, A	Dwyer, Paul, Sr	Ford, Nancy
Foster, Linda	Franks, Suzan	Garrish, Linda	Ginsburg, Ruth
Goley, Jeffrey	Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard
Jean, Claudette	Johnson, Lionel	Keye, Harvey	Konys, Christine
L'Heureux, Robert	LaPorte, George	Lasky, Bette	Leishman, Peter
Leonard, Peter	Lynde, Harold	Martin, Mary	McCarthy, William
McColgan, Philip, Jr	McDonough-Wallace, Alice	Messier, Irene	Moriarty, Mary
Mosher, William	Murphy, Robert	O'Connell, Timothy	Peterson, Andrew
Reidy, Frank	Sarette, John	Simon, Anthony	Turgeon, Roland
Vaillancourt, Steve	White, John	Withee, Dennis	
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fortnam, Janet
Fraser, Marilyn	French, Barbara	Gile, Mary	Hess, David
Jacobson, Alf	Langer, Ray	Lockwood, Priscilla	Moore, Carol
Nichols, Avis	Owen, Derek	Potter, Frances	Poulin, Dave
Reardon, Tara	Rodd, Beth	Seldin, Gloria	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Blanchard, MaryAnn	Case, Margaret
Clark, Martha	Cooney, Richard	DiFruscia, Anthony	Flanders, John, Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Griffin, Mary
Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Kelley, Jane	Kobel, Rudolph	Langone, John	Letourneau, Robert

Lovejoy, Marian	Norelli, Terie	O'Neil, Michael	Pitts, Jacqueline
Quandt, Marshall	Raynowska, Bernard	Ruffner, Walter	Sapareto, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Stritch, C Donald
Varrell, Thomas	Vaughn, Charles	Whittier, John	Zolla, William
STRAFFORD			
Berube, Roger	Brennan, William	Callaghan, Frank	DeChane, Marlene
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Johnson, Nancy
Keans, Sandra	Knowles, William	Lent, Donald	Lundborn, Raymond
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Torr, Franklin
Tsiros, William	Twardus, Joseph	Vincent, Francis	Wall, Janet
Woods, Phyllis			
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Leone, Richard	Phinizy, James	Tuthill, John	Wiggins, Celestine
Young, David			
NAYS 131			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Lawton, David	Rice, Thomas	Thomas, John
Turner, Robert	Wendelboe, Francine		
CARROLL			
Babson, David, Jr	Chandler, Gene	Dickinson, Howard	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	MacDonald, Kenneth	Mock, Henry
Patten, Betsey	Torressen, Gary		
CHESHIRE			
Avery, Stephen	Hunt, John	Roberts, William	Royce, H Charles
Smith, Edwin			
COOS			
Guay, Lawrence	Horton, Lynn	Merrill, Gerald	Pratt, Leighton

Tholl, John, Jr			
GRAFTON			
Akins, Ralph	Alger, John	Cobb, John	Eaton, Stephanie
Gilman, G Michael	Hall, David	Harmon, Hobart	Hinman, Harry
Marshall, Gene	Mirski, Paul	Scanlan, David	Ward, Brien
Weber, Phil			
HILLSBOROUGH			
Andrews, Frederick	Beaupre, Roland	Belvin, William	Calawa, Leon, Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Clegg, Robert, Jr
Coughlin, Pamela	Dalianis, Griffin	Daniels, Gary	Dawe, Eileen
Durham, Susan	Emerton, Lawrence	Fenton, James	Fields, Dennis
Gagnon, Eugene	Goulet, Maurice	Hansen, Herbert	Herman, Keith
Holley, Sylvia	Jean, Loren	Kurk, Neal	Lefebvre, Roland
Lessard, Rudy	Lozeau, DonnaLee	MacGillivray, Jeffrey	Martel, Andre
McCarty, Winston	McDonald, James, Sr	McGough, Tim	McRae, Karen
Moran, Edward	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Reeves, Sandra	Sargent, Maxwell	Tate, Joan	Thulander, O Alan
Wall, Nancy	White, Donald		
MERRIMACK			
Asplund, Bronwyn	Brewster, Richard	Hager, Elizabeth	Larrabee, David, Sr
Leber, William	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Whalley, Michael			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Clark, Vivian	Corbin, C David
Cox, Russell	Dearborn, Bruce	Dolan, Richard	Dowling, Patricia
Fesh, Robert	Flanders, David	Hamel, Albert	Henderson, Warren
Katsakiores, George	Katsakiores, Phyllis	Langley, Jane	Major, Norman
McKinney, Betsy	Morse, Charles	Nowe, Mary Lou	Nowe, Ronald
Packard, Sherman	Priestley, Anne	Putnam, Ed, II	Rabideau, Marie
Reardon, Neil	Rubin, George	Stickney, Nancy	Tufts, J Arthur

Verani, Giovanni	Weare, Everett	Welch, David	Weyler, Kenneth
STRAFFORD			
Cossette, Larry	Kaen, Naida	McKinley, Robert	Musler, George
Spear, Barbara			
SULLIVAN			
None			

and Ought to Pass was adopted.

motion to lay on the table

Rep. Rubin moved that ***HCR 10***, requesting Congress to give priority to preserving Social Security and ensuring that it continues as universal and mandatory for all workers, be laid on the table.

Rep. Buckley requested a roll call; sufficiently seconded.

YEAS 116 NAYS 211			
YEAS 116			
BELKNAP			
Bartlett, Gordon	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Lawton, David	Rice, Thomas	Rosen, Ralph	Thomas, John
Turner, Robert	Wendelboe, Francine		
CARROLL			
Chandler, Gene	Howard, Godfrey	Lyman, L Randy	Mock, Henry
Patten, Betsey	Sullivan, P Judith	Torressen, Gary	
CHESHIRE			
Hunt, John	Roberts, William	Royce, H Charles	Smith, Edwin
COOS			
Guay, Lawrence	Horton, Lynn	Merrill, Gerald	Pratt, Leighton
Tholl, John, Jr			
GRAFTON			
Akins, Ralph	Alger, John	Cobb, John	Eaton, Stephanie
Gilman, G Michael	Hall, David	Harmon, Hobart	Hinman, Harry

Marshall, Gene	Mirski, Paul	Ward, Brien	Weber, Phil
HILLSBOROUGH			
Andrews, Frederick	Batula, Peter	Beaupre, Roland	Belvin, William
Calawa, Leon, Jr	Carlson, Donald	Chabot, Robert	Christiansen, Lars
Clegg, Robert, Jr	Coughlin, Pamela	Dalianis, Griffin	Daniels, Gary
Emerton, Lawrence	Fenton, James	Fields, Dennis	Gagnon, Eugene
Goulet, Maurice	Hansen, Herbert	Holley, Sylvia	Jean, Loren
Kurk, Neal	Lefebvre, Roland	Lessard, Rudy	Martel, Andre
McCarty, Winston	McDonald, James, Sr	McGough, Tim	McRae, Karen
Moran, Edward	Ouellette, Dean	Pappas, Marc	Reeves, Sandra
Sargent, Maxwell	Tate, Joan	Thulander, O Alan	Wall, Nancy
White, Donald			
MERRIMACK			
Asplund, Bronwyn	Brewster, Richard	Langer, Ray	Larrabee, David, Sr
Leber, William	Marple, Richard	Nichols, Avis	Whalley, Michael
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Clark, Vivian	Corbin, C David
Cox, Russell	Dearborn, Bruce	Dolan, Richard	Fesh, Robert
Flanders, David	Griffin, Mary	Hamel, Albert	Katsakiores, George
Katsakiores, Phyllis	Langley, Jane	Letourneau, Robert	Major, Norman
McKinney, Betsy	Morse, Charles	Packard, Sherman	Priestley, Anne
Putnam, Ed, II	Rabideau, Marie	Reardon, Neil	Rubin, George
Stickney, Nancy	Stritch, C Donald	Varrell, Thomas	Verani, Giovanni
Weare, Everett	Welch, David	Weyler, Kenneth	
STRAFFORD			
McKinley, Robert	Woods, Phyllis		
SULLIVAN			
none			
NAYS 211			
BELKNAP			

Boriso, Thomas	Millham, Alida	Pilliod, James	Wood, Jane
CARROLL			
Babson, David, Jr	Bradley, Jeb	Dickinson, Howard	Kenney, Joseph
MacDonald, Kenneth	Philbrick, Donald		
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
DePecol, Benjamin	Doucette, Richard	Lerandeau, Alfred	Lynch, Margaret
Lynott, Margaret	McGuirk, Paul	Meador, David	Mitchell, McKim
Pratt, Irene	Pratt, John	Richardson, Barbara	Riley, William
Robertson, Timothy	Rose, William	Russell, Ronald	Zerba, Roger
COOS			
Davis, Perley	Glines, Sara	Hawkinson, Marie	Landers, Dana
Mears, Edgar	Rodrigue, Robert	Woodward, David	
GRAFTON			
Almy, Susan	Brothers, Richard	Copenhaver, Marion	Densmore, Jessica
Dudley, Terri	Guest, Robert	Ham, Bonnie	Johnson, Gary
LaMott, Paul	Nordgren, Sharon	Phinney, William	Picconi, Al
Scanlan, David	Solow, Martha		
HILLSBOROUGH			
Ahern, Richard	Arnold, Thomas, Jr	Arthur, Rose	Baroody, Benjamin
Bergeron, Lucien	Brundige, Robert	Bruno, Pierre	Buckley, Raymond
Clemons, Jane	Cote, David	Cote, Peter	Dawe, Eileen
Desrosiers, William	Drabinowicz, A	Durham, Susan	Dwyer, Paul, Sr
Ford, Nancy	Foster, Linda	Franks, Suzan	Garrish, Linda
Ginsburg, Ruth	Goley, Jeffrey	Haettenschwiller, Alphonse	Hall, Betty
Herman, Keith	Herman, Richard	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	L'Heureux, Robert	LaPorte, George
Lasky, Bette	Leishman, Peter	Leonard, Peter	Lozeau, DonnaLee
Lynde, Harold	MacGillivray, Jeffrey	Martin, Mary	McCarthy, William

McColgan, Philip, Jr	McDonough-Wallace, Alice	Messier, Irene	Moriarty, Mary
Mosher, William	Murphy, Robert	O'Connell, Timothy	O'Hearn, Jane
Peterson, Andrew	Reidy, Frank	Sarette, John	Simon, Anthony
Turgeon, Roland	Vaillancourt, Steve	White, John	Withee, Dennis
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fortnam, Janet
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Hess, David	Jacobson, Alf	Kennedy, Richard	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
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Blanchard, MaryAnn	Case, Margaret
Clark, Martha	Cooney, Richard	DiFruscia, Anthony	Dowling, Patricia
Flanders, John, Sr	Francoeur, Sheila	Gibbons, Paul	Gleason, John
Henderson, Warren	Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Kelley, Jane	Kobel, Rudolph	Langone, John
Lovejoy, Marian	Norelli, Terie	Nowe, Mary Lou	Nowe, Ronald
O'Neil, Michael	Pitts, Jacqueline	Quandt, Marshall	Raynowska, Bernard
Ruffner, Walter	Sapareto, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Tufts, J Arthur	Vaughn, Charles	Whittier, John
Zolla, William			
STRAFFORD			
Berube, Roger	Brennan, William	Callaghan, Frank	Cossette, Larry
DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Lent, Donald	Lundborn, Raymond	Musler, George	Pelletier, Arthur
Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael	Snyder, Clair

Spang, Judith	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
Tsiros, William	Twardus, Joseph	Vincent, Francis	Wall, Janet
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas, Jr
Leone, Richard	Phinizy, James	Tuthill, John	Wiggins, Celestine

and the motion failed.

Report adopted and ordered to third reading.

regular calendar – Part I (cont'd.)

SB 74, relative to the rulemaking authority of the real estate commission concerning practices relating to certain dwellings. OUGHT TO PASS

Rep. Dave G. Poulin for Executive Departments and Administration: The majority believes that this bill will enable the New Hampshire Real Estate Commission to differentiate between the procedures and rules of disclosure for the sale of significantly different types of properties. Some examples of types of properties that may require different disclosures are land, residential dwellings (up to four families), apartment complexes (five or more families), and commercial properties. The committee has been assured by the New Hampshire Real Estate Commission and the New Hampshire Association of Realtors that this bill will not lead to prohibiting the sale of any of these types of properties by any duly licensed sales associate or broker in the State of New Hampshire. Although some real estate salespersons may choose to specialize in specific types of property, they will not be required to do so. Vote 13-1.

Adopted and ordered to third reading.

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

SB 173-FN, relative to optional allowances for beneficiaries of New Hampshire retirement system members. OUGHT TO PASS

Rep. Ray F. Langer for Executive Departments and Administration: This bill revises the wording of RSA 100-A:13 I and II to read "spouse and/or children," removes the statement "to be divided equally among children" and allows the converted payment of the retiree's allowance after remarriage of the spouse to be paid without having the retiree having to give notice of the termination of an elected option upon issuance of a divorce decree to subsequent remarriage "within 90 days of the remarriage of the former spouse." Vote 16-0.

Adopted and ordered to third reading.

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

SB 182-FN, relative to eligibility for ordinary death benefits under the New Hampshire retirement system. OUGHT TO PASS

Rep. Ray F. Langer for Executive Departments and Administration: This bill changes the eligibility for an ordinary death benefit from "service retirement" to "10 years of creditable service". The ordinary death benefit payable to the spouse is 50 percent of the member's benefit accrued at death. If the member did not have 10 years of creditable service and was not eligible for service retirement, the spouse or other person nominated would receive \$3,600 or the deceased member's earnable compensation. If the member had at least 10 years service, but is not survived by a spouse, these amounts shall be paid to a designated beneficiary or to the estate. Vote 16-0.

Adopted and referred to Finance.

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

SB 217-FN, relative to real estate brokers of other jurisdictions doing business in this state. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration: This bill establishes a new section to RSA 331-A, Real Estate Practice Act, concerning practice by brokers of other jurisdictions. A broker licensed in another jurisdiction shall enter into a cooperative brokerage agreement with a broker licensed under this chapter. The amendment proposed by the committee specifies that the commission shall adopt rules under RSA 541-A concerning the cooperative brokerage agreement. Vote 16-0.

Amendment (1540h)

Amend RSA 331-A:22-a as inserted by section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. The commission shall adopt rules pursuant to RSA 541-A relative to cooperative brokerage agreements under this section. Such rules shall include:

- (a) The form and content of a cooperative brokerage agreement.
- (b) The length of time an agreement may be effective.
- (c) The procedure for extension or early termination of an agreement
- (d) Any fees which may be associated with a cooperative brokerage agreement.
- (e) The penalty, in addition to any other penalty under this chapter, for violation of the rules concerning cooperative brokerage agreements, and the procedure to appeal the commission's ruling.
- (f) Any other matter necessary for the implementation and administration of this section.

Adopted.

Report adopted and ordered to third reading.

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

COMMITTEE REPORTS

CONSENT CALENDAR

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

HCR 13, urging the selection of a final design for the New Hampshire commemorative quarter which includes the state motto "live free or die.", removed by Rep. Eugene Gagnon.

Consent Calendar adopted.

SB 140, relative to ear and body piercing. OUGHT TO PASS WITH AMENDMENT

Rep. Janeen Dalrymple for Health, Human Services and Elderly Affairs: SB 140 as introduced intended to insure use of a disposable, single-use needle for the purpose of body and ear piercing. Current law permits jewelry stores to utilize reusable devices in the process of piercing ears and body parts. These devices are operated by individuals unlicensed in their use. In most cases, the earrings are sterile, but the gripping device is not and most often comes in direct contact with the skin at the site of piercing. Some of the devices used have components that are simply wiped with alcohol, not sterilized and then reused on another client. Single-use piercing devices are readily available at a cost of about \$10.00. Gripping or ear stabilizing tools must also be single use or capable of being sterilized, to prevent exposure to infected blood. Unfortunately, these devices can only be used on ears and will not accommodate other body parts for the purpose of body piercing. The subcommittee felt strongly that SB 140, as amended, would address the immediate need to protect individuals seeking ear piercing at unlicensed places, who currently perform ear piercing. Future legislation is necessary to establish comprehensive guidelines for body piercing practices. Vote 13-2.

Amendment (1314h)

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

AN ACT relative to ear piercing.

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

1 New Chapter; Ear Piercing. Amend RSA by inserting after chapter 141-H the following new chapter:

CHAPTER 141-I

EAR PIERCING

141-I:1 Ear Piercing. Persons engaged in the practice of piercing the ears of the human body shall use disposable single-use needles for such purpose. Any person violating the provisions of this chapter shall be guilty of a violation.

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

AMENDED ANALYSIS

This bill requires persons engaged in piercing the ears of the human body to use disposable single-use needles.

SB 156, granting the commissioner of transportation authority to layout and approve the construction of a restricted use driveway onto a public highway in Canterbury and creating a legislative study committee to consider options for addressing the development of major projects which have statewide or significant regional impacts, such as the New Hampshire International Speedway. INEXPEDIENT TO LEGISLATE

Rep. John P. Gleason for Public Works and Highways: The New Hampshire International Speedway has applied for and has been granted a driveway permit from the town of Canterbury. The urgency for this legislation has been diminished as a result of this granting. After hearing from the Chair of the Canterbury Planning Board and the NHIS, the committee felt that the situation is better handled by each party directly, which makes this bill unnecessary. By virtue of action taken by the NHIS to construct a north access road from Route 106 into their parking lots, and sanctioned by local planning board(s), will help mitigate traffic congestion during racing events. Vote 16-0.

SB 178-FN-A, relative to appropriations to the port authority for dredging projects. RE-REFER TO COMMITTEE

Rep. William E. Leber for Public Works and Highways: This bill would change language on a 1991 appropriation for expansion of the Port of Portsmouth, and construction of a 750 foot pier to add "dredging projects including associated mitigation to maintain channels and harbors." The initial intent was to permit a portion of the previous appropriation for a project for eel grass mitigation in Little Harbor. This mitigation is required to permit the Corps of Engineers (COE) to dredge the harbor. Recent information received from the Port Authority indicates that the eel grass mitigation would be completed by COE at federal expense. The other portion of the bill would permit expenditure of up to \$1 million for dredging projects needed on the seacoast. Both of these issues have merit and should be studied further. If some issues can be resolved, this bill could be brought to the House in January of 2000, and still have time to address the original intent, if it is needed. Vote 14-0.

SB 207, relative to authorizing bonds for the construction and renovation of regional vocational education centers. RE-REFER TO COMMITTEE

Rep. Willilam E. Leber for Public Works and Highways: This bill is very similar to HB 413, which was Re-referred earlier this year. Both bills include authorizing bonds for construction and renovation of regional vocational education centers. This bill would commit up to \$10 million of state funding per biennium. Since there are slight differences in the bills, the committee decided to Re-refer this bill to be studied this summer along with HB 413. Vote 17-0.

HJR 10, requiring that the United States Marine Corps flag be flown over the state house every November 10 to honor the birth of the Corps. OUGHT TO PASS

Rep. Griffin T. Dalianis for State-Federal Relations and Veterans Affairs: The State of New Hampshire annually honors its citizens who have served in the United States Marine Corps by flying the Corps flag over the NH State Capitol on every November 10th. This will put into NH Statutes that this will be a law. The United States Marine Corps was founded on November 10, 1775 at Tun's Tavern in Philadelphia and this year it will celebrate its 224th birthday. Semper Fidelis! Vote 14-0.

REGULAR CALENDAR - PART II

motion to special order

Rep. Franks moved that ***HB 703-FN-A-L***, establishing a regional youth center pilot program in the city of Nashua and making an appropriation therefor, be made a Special Order for the next session day in the regular calendar order and spoke in favor.

Rep. Lozeau spoke in favor.

Adopted.

regular calendar – part ii (Cont'd.)

SB 220-FN, relative to the disclosure of child abuse and neglect information. OUGHT TO PASS WITH AMENDMENT

Rep. L. Randy Lyman for Children and Family Law: This bill enables the Department of Health and Human Services to respond to the changes in the Federal Child Abuse Prevention and Treatment Act that are designed to improve the public accountability of the department in those few cases where there has been a fatality or near fatality resulting from neglect or abuse. The amendment permits the commissioner, upon request, to disclose certain specified information about such cases only if it is determined that the disclosure is not contrary to the best interest of the child, the child's siblings or other children in the household. Vote 17-0.

Amendment (1584h)

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

1 Purpose. The general court finds that deaths or serious injury to children due to abuse or neglect, despite the involvement of government agencies charged with responsibility to protect children, is unacceptable. The general court further finds that public accountability in such cases will help prevent fatalities and near fatalities. To foster public accountability the general court authorizes the commissioner of health and human services, upon request, to publicly disclose certain case-specific information in those few cases in which there has been a fatality or near fatality resulting from abuse or neglect of a child. The general court finds that the above purpose is consistent with the provisions of the Child Abuse Prevention and Treatment Act as amended in 1996, Public Law 104-235.

2 New Paragraph; Disclosure of Child Abuse and Neglect Information. Amend RSA 126-A:5 by inserting after paragraph XI the following new paragraph:

XII.(a) Notwithstanding any other provision of law to the contrary, the commissioner may, upon request, publicly disclose certain case specific information regarding the abuse or neglect of a child as set forth in this paragraph, and the investigation of such abuse or neglect and any services related thereto, if it is determined that such disclosure shall not be contrary to the best interests of the child, the child's siblings or other children in the household and there has been a fatality or near fatality resulting from abuse or neglect of a child. In determining whether disclosure will be contrary to the best interests of the child, the child's siblings, or other children in the household, the commissioner shall consider the privacy interests of the child and the child's family and the effects which disclosure may have on efforts to reunite and provide services for the family. In evaluating the request for disclosure, the commissioner shall consider the source of the request, and whether the disclosure will promote public accountability of the department. As used in this section,

"near fatality" means an act or event that places a child in serious or critical condition as certified by a physician.

(b) Information may be disclosed as follows:

(1) Information released prior to the completion of the investigation of a report shall be limited to a statement that a report is "under investigation."

(2) When there has been a prior disclosure pursuant to subparagraph (b)(1) of this paragraph, information released in a case in which the report has been unfounded shall be limited to the statement that "the investigation has been completed, and the report has been determined unfounded."

(3) If the report has been founded, then information may be released pursuant to subparagraph (c) of this section.

(c) For the purposes of this paragraph, the following information may be disclosed:

(1) The name of the abused or neglected child, provided that the name shall not be disclosed in a case of a near fatality unless the name has otherwise previously been disclosed.

(2) The name of the parent or other person legally responsible for the child.

(3) The fact that the department's investigation resulted in a finding of either abuse or neglect and the basis for the finding.

(4) Identification of services and actions taken, if any, by the department regarding the child named in the report and his or her family as a result of any such report or reports.

(5) Any extraordinary or pertinent information concerning the circumstances of the abuse or maltreatment of the child and the investigation of such abuse or maltreatment, where the commissioner determines such disclosure is consistent with the public interest.

(d) Any disclosure of information pursuant to this paragraph shall be consistent with the provisions of subparagraph (c). Such disclosure shall not identify or provide an identifying description of the source of the report, and shall not identify the name of the abused or neglected child's siblings, or any other members of the child's household, other than the subject of the report.

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

Adopted.

Report adopted and ordered to third reading.

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

Rep. Eugene L. Gagnon for State-Federal Relations and Veterans Affairs: This resolution, as amended, simply supports and concurs with US Senate Resolution 98 where, by a vote of 95-0, the Senate rejected the provisions of the Kyoto Protocol. The amendment was a compromise agreed upon by the sponsor and the Department of Environmental Services. Vote 10-4.

Amendment (1464h)

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

A RESOLUTION urging improvements to the Kyoto Protocol prior to its implementation.

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

Whereas, the United States is a signatory to the 1992 United Nations Framework Convention on Global Climate Change (FCCC); and

Whereas, a protocol to implement the goals of the FCCC was negotiated in December 1997 in Kyoto, Japan (Kyoto Protocol), which, if ratified, would require the developed nations of the world, including the United States, to significantly reduce their emissions of greenhouse gases; and

Whereas, appropriate commitments to address greenhouse gas emissions from key developing countries are not currently included in the provisions of the Kyoto Protocol; and

Whereas, flexible market-based mechanisms such as emissions trading have proven to be extremely effective in reducing emissions of non-greenhouse gas air pollutants; and

Whereas, there is reason to believe that such flexible market-based mechanisms would be equally effective in reducing greenhouse gas emissions at the lowest possible costs; and

Whereas, adequately detailed provisions for emissions trading and other flexible market-based mechanisms are not currently in the Kiyoto Protocol; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the New Hampshire general court urges that prior to the promulgation of federal regulations to implement the Kyoto Protocol, the Administration and the United States Senate, through ratification, should ensure that the Kyoto Protocol includes adequate provisions for:

- (1) Emissions trading and other flexible compliance mechanisms, and
- (2) Appropriate commitments form key developing countries; and

That copies of this resolution signed by the speaker of the house of representatives and the president of the senate be forwarded by the house clerk to the President of the United States Senate and to each member of the New Hampshire delegation to Congress.

AMENDED ANALYSIS

This resolution urges that prior to promulgation of federal regulations to implement the Kyoto Protocol, the Administration and United States Senate ensure the Kyoto Protocol includes adequate provisions for emissions trading and other flexible compliance mechanisms, and commitments from key developing countries.

Rep. Fenton yielded to questions.

Rep. Loren Jean spoke in favor and yielded to questions.

motion to lay on the table

Rep. Gary Johnson moved that **HCR 8**, urging nonimplementation of the articles of the Kyoto Protocol on global climate change, be laid on the table.

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

On a division vote 107 members having voted in the affirmative and 197 in the negative, the motion failed.

The question now being the adoption of the amendment.

Adopted.

Report adopted and ordered to third reading.

HCR 13, urging the selection of a final design for the New Hampshire commemorative quarter which includes the state motto "live free or die." OUGHT TO PASS WITH AMENDMENT

Rep. Griffin T. Dalianis for State-Federal Relations and Veterans Affairs: A resolution urging the selection of a final design for the New Hampshire commemorative quarter which includes the state motto "live free or die". The amendment expresses the committee's feelings. We feel it is imperative that the Old Man of the Mountain and nine stars representing New Hampshire being the ninth state in the union to ratify the Constitution be placed on the coin that will be minted by the United States of America. Vote 14-0.

Amendment (1617h)

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

A RESOLUTION urging the selection of a final design for the New Hampshire commemorative quarter which includes the state motto "live free or die, 9 stars representing New Hampshire as the ninth state to ratify the United States Constitution, and the Old Man of the Mountain."

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

That the final design to be selected for the New Hampshire commemorative quarter shall include the state motto "live free or die", 9 stars representing New Hampshire as the ninth state to ratify the United States Constitution, and the Old Man of the Mountain as a part of such design; and

That the governor, the governor's commemorative coin commission, the Secretary of the Treasury, and the director of the United States Mint shall recommend or select a final design for the

New Hampshire commemorative quarter which includes the state motto "live free or die", 9 stars representing New Hampshire as the ninth state to ratify the United States Constitution, and the Old Man of the Mountain as part of such design; and

That copies of this resolution be forwarded by the house clerk to the governor, to each member of the New Hampshire congressional delegation, to the Secretary of the Treasury, and to the director of the United States Mint.

AMENDED ANALYSIS

This house concurrent resolution urges the governor, the Secretary of the Treasury, and the director of the United States Mint to select a design for the New Hampshire commemorative quarter which includes the state motto "live free or die", 9 stars representing New Hampshire as the ninth state to ratify the United States Constitution, and the Old Man of the Mountain as part of such design.

Rep. McGough spoke against.

Adopted.

Report adopted and ordered to third reading.

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

SB 164, relative to persons exempted from the registration of ophthalmic dispensers.

SB 193-FN, relative to holiday pay for certain state employees.

HB 501-FN-A, relative to the repair of certain covered railroad bridge in Contoocook village in the town of Hopkinton.

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

SB 129-L, requiring school districts to disclose any reimbursements received to offset special education expenditures.

HB 743, requiring that the question relative to the necessity for a convention to revise the New Hampshire constitution be presented to the voters in the November 2000 general election.

SB 47-FN, relative to compensation for time lost by fish and game conservation officers for injuries received in the line of duty, and restoring certain leave time for a conservation officer injured while on duty on August 19, 1997.

HB 346-FN-A, relative to permissible fireworks.

HB 363-FN, increasing the bonding limit of the school building authority.

HB 412-FN, relative to the powers of the state treasurer and increasing the limit on state indebtedness, and relative to the use of bond proceeds awarded under a state guarantee.

HB 542-FN-A, repealing the legacies and succession tax.

HB 602-FN, establishing the position of health insurance consumer assistant.

HB 645-FN, relative to telecommunications equipment assistance and the enhanced 911 system.

HB 653-FN-A, increasing the personal needs allowance of nursing home residents and residents of residential care facilities and community residences and making an appropriation therefor.

SB 168, adopting a model statute included in the tobacco litigation master settlement agreement.

SB 70, changing the safe drinking water standard for MTBE.

HCR 10, requesting Congress to give priority to preserving Social Security and ensuring that it continues as universal and mandatory for all workers.

SB 74, relative to the rule making authority of the real estate commission concerning practices relating to certain dwellings.

SB 173-FN, relative to optional allowances for beneficiaries of New Hampshire retirement system members.

SB 217-FN, relative to real estate brokers of other jurisdictions doing business in this state.

SB 140, relative to ear and body piercing.

HJR 10, requiring that the United States Marine Corps flag be flown over the state house every November 10 to honor the birth of the Corps.

SB 220-FN, relative to the disclosure of child abuse and neglect information.

HCR 8, urging improvements to the Kyoto Protocol prior to its implementation.

HCR 13, urging the selection of a final design for the New Hampshire commemorative quarter which includes the state motto "live free or die, 9 stars representing New Hampshire as the ninth state to ratify the United States Constitution, and the Old Man of the Mountain."

unanimous consent

Reps. Nordgren, Thomas and Fenton addressed the House.

Rep. Loren Jean moved that the remarks made by Rep. Fenton be printed in the Journal.

Adopted.

Rep. Fenton: Thank you, Madam Speaker. Today is a sort of important day to some of us. I'd like to turn the clock back to 1942, 1943 and 1944. The German under-sea boats were sinking our ships before they were getting out of Boston Harbor. They would sit out and they would see the skyline of our cities and if a ship passed in front of it, it was sunk automatically. It was a stranglehold on our allies in Great Britain. They could not get supplies to satisfy their nation's needs and they would soon crumble. At the same time, Japan determined that they were going to take over the Pacific. They did the dastardly job in Pearl Harbor. We had very few fighting ships left and the men of the North Atlantic Fleet and all other fleets and the destroyer people were transferred to the Pacific coast. We invented a new ship. They called it a destroyer escort. It is a smaller ship than a destroyer, heavily armored with three-eighth inch metal and it had two joints in it to help it split when it hit the waves. We were probably the smallest ship-of-the-line, with the exception of a conning tower of a submarine. But, we traversed the oceans of the world bringing men and supplies over to Africa, Italy, Britain, Russia and into our islands down in the Pacific. We took on Japanese battle ships in the Tsushima Strait. We supplied the power to the peninsula of Cherbourg after it was captured. We didn't find out until after the war that these ships only had a life expectancy of six months. That scared the hell out of me, but I was out of the service by that time. There is only one of them left and it was donated back to us by the government of Greece. We sent a volunteer crew over to Greece, sailed the ship back into New York and now it is permanently berthed in Albany, New York. It is the USS Slater. Many of the men here that went across in those troop ships and in the supply ships, they would look out and there was ship there and then suddenly it wasn't there. We spent most of our time, I believe, under water. We were so light and so small. We were picket ships, which means you were out there for the enemy to hit. If they fired a torpedo at a capital ship, it was our job to get in its way. On June 16th, all across the country, a lot of legislatures, as a sign, dedicated that day in commemoration of the destroyer escort sailors. I wanted to bring that message back to you. I'll have legislation next year and I hope we can join the other states in recognizing very valiant ships, the Destroyer Escorts.

RECESS MOTION

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

Adopted.

The House recessed at 5:02 p.m.

RECESS

(Rep. Chandler in the Chair)

enrolled bill amendment

SB 150, making certain reference changes to the department of youth development services.
(Amendment printed SJ 23, 6/17/99)

Adopted.

enrolled bills report

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bills 204, 262, 345, 431, 444, 456, 527, 541, 727 and House Joint Resolution 9 and Senate Bills 16, 24, 25, 26, 59, 111, 141 and Senate Joint Resolution 1.

Rep. Ronald Nowe for the Committee

RECESS

(Rep. Picconi in the Chair)

enrolled bill amendments

HB 215, placing restrictions on name changes for certain felons and imposing a duty to notify certain law enforcement agencies when changes are made.

Amendment (1588-EBA)

Amend RSA 651-B:5 as inserted by section 2 of the bill by replacing line 4 with the following:

to which [he] **the person** last reported under RSA651-B:4 within 10 days of such change of residence, **name, or**

Adopted.

HB 325, prohibiting "cramming" in telecommunications billing.

Amendment (1608-EBA)

Amend the bill by replacing section 2 with the following:

2 Contingent Renumbering. If SB 141 of the 1999 session becomes law, then RSA 378:43-47 as inserted by section 1 of this act shall be renumbered as RSA 378:44-48.

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

Adopted.

HB 438, relative to certain changes to the membership of the advisory committee on child care.

Amendment (1623-EBA)

Amend RSA 126-A:17, VI(a) as inserted by section 1 of the bill by replacing line 1 with the following:

(a) Informing the advisory council, in a timely manner, of any proposed legislation and any

Adopted.

HB 566, relative to the supervision of the driver education program.

Amendment (1576-EBA)

Amend RSA 263:19 as inserted by section 2 of the bill by replacing line 14 with the following:

private motor vehicle drivers' school courses.

Adopted.

HB 714-FN, changing the potential penalties for certain acts of solicitation and conspiracy to commit murder and attempted murder to life in prison.

Amendment (1602-EBA)

Amend RSA 629:1, IV as inserted by section 1 of the bill by replacing line 1 with the following:

IV. The penalty for attempt is the same as that authorized for the crime that was attempted,

Amend RSA 629:3, IV as inserted by section 3 of the bill by replacing line 3 with the following:

~~felony]~~ ***the punishment shall be imprisonment for a term of not more than 30 years.***

Adopted.

RECESS

(Speaker Sytek in the Chair)

RESOLUTION

Rep. Henderson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 228 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 BILL

First, second reading and referral

SB 228, relative to spousal benefits upon the death of certain retired group II members of the New Hampshire retirement system. (Executive Departments and Administration)

RECESS

(Rep. Thomas in the Chair)

enrolled bill amendment

HB 744, ratifying the Plainfield Village Water District annual meeting held on March 27, 1999, and the Gilford School District annual meeting held on March 17, 1999.

Amendment (1688-EBA)

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

AN ACT ratifying the Plainfield Village Water District annual meeting held on March 27, 1999, the Alton annual town meeting held on March 10, 1999, and the Gilford School District annual meeting held on March 17, 1999.

Adopted.

RECESS

(Rep. Taylor in the Chair)

senate messages

concurrence

HB 66-FN, relative to disability retirement benefits for retirement system members permanently incapacitated for duty.

HB 88-FN, relative to purchasing credit for prior service for certain employees in the New Hampshire retirement system.

HB 236-FN-L, relative to felonious disarming of a law enforcement officer.

HB 245-FN, relative to fees and appropriations to the division of safety services.

HB 274-FN, relative to the office of the consumer advocate.

HB 412-FN, relative to the powers of the state treasurer and increasing the limit on state indebtedness, and relative to the use of bond proceeds awarded under a state guarantee.

HB 443, allowing certain beverage manufacturers to distribute products directly to retailers.

HB 469, raising the medical payments coverage under automobile insurance policies.

HB 485-FN, relative to the calculation of unemployment compensation benefits.

HB 487, relative to the adoption of bonds or notes in certain school districts and municipalities.

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 524, increasing the alternate members on the public employee labor relations board.

HB 561-FN, reducing lab analysis fees of chemical analyses of water.

HB 586, relative to rulemaking authority of the board of chiropractic examiners and unlawful practice of chiropractic.

HB 609, relative to construction of a sewer force main through a state land conservation easement.

HB 688, relative to the custody and escheat of abandoned and unclaimed property.

HB 706, relative to the definition of "sexual contact" under the sexual assault laws and relative to the registration of certain criminal offenders.

HB 726-FN, relative to the credentialing of personnel in early care and education programs, establishing a fee for such credential, and making an appropriation therefor.

HB 744, ratifying the Plainfield Village Water District annual meeting held on March 27, 1999, and the Gilford School District annual meeting held on March 17, 1999.

HJR 8, urging the Federal Energy Regulatory Commission to change the structure of the New England Independent System Operator (ISO).

HCR 2, recognizing students who display good behavior in the public schools.

nonconcurrence

HB 397, establishing a 4-year term for the commissioner of the department of corrections, and clarifying the process of appointing personnel under the commissioner.

HB 454, requiring the university system of New Hampshire board of trustees to initiate a study of the status of veterans' access to higher education within the university system.

HB 471, exempting certain family owned and operated businesses from certain requirements in the workers' compensation act relative to safety programs.

enrolled bills report

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bills 67, 487 and 744.

Rep. Lozeau, Sen. D'Allesandro for the Committee

RECESS

(Rep. Konys in the Chair)

enrolled bill report

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bill 532.

Rep. Burling, Sen. D'Allesandro for the Committee

RECESS

(Rep. Avery in the Chair)

senate messages

re-referre to committee

HB 251, relative to official ballot procedures.

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

HB 542, repealing the legacies and succession tax.

requests concurrence with amendment

HB 69, relative to the definition of employee under certain labor laws and relative to overtime pay for hourly employees. (Amendment printed SJ 22, 6/8/99)

Rep. Noyes moved that the House nonconcur and request a Committee of Conference.

Adopted.

Rep. Avery appointed Reps. Daniels, Gilman, Clegg and Kelley.

RECESS

(Rep. Buckley in the Chair)

enrolled bill report

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bill 412.

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

RECESS

(Rep. Spear in the Chair)

enrolled bill amendment

SB 112, relative to the guardianship of minors. (Amendment printed SJ 24, 6/22/98)

Adopted.