

HOUSE RECORD

Second Year of the 156th Session of the General Court

Calendar and Journal of the 2000 Session

Vol. 22 Concord N.H. Thursday, January 13, 2000

No. 8

HOUSE JOURNAL No. 2 (cont.)

Thursday, January 6, 2000

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 3

Thursday, January 13, 2000

The House assembled at 1:30 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

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

Prayer was offered by Guest Chaplain, Reverend Hays M. Junkin, Rector of Saint Andrew's Episcopal Church in Hopkinton.

Gracious Creator of all that is, seen and unseen, we give thanks today for the men and women of New Hampshire who work in public service and who are the unsung heroes of our communities. We especially remember: school teachers, administrators, and staff; police and fire personnel; town selectmen and women; town employees; state police; state reserves; and state employees in every branch of our government. We also give thanks for the men and women of this House, and give thanks for the dedication brought here in doing the people's business. May Your Spirit of openness, truth, courage and compassion guide the work that is done here today. And may all the citizens of our state give thanks for those who work daily on their behalf, and be emboldened to do their part to uphold the freedoms we share. Amen.

Rep. Gilmore led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Andrews, Belanger, Patricia Cote, Curran, Dawe, Doucette, Goulet, Hamel, Hawkinson, Jane Kelley, Lundborn, Lynch, McDonough-Wallace, McKinley, Mendenhall, Carol Moore, O'Hearn, O'Keefe, Searles, Stone and Thomas, the day, illness.

Reps. Bishop, Dalrymple, Dearborn, Fraser, Ham, Henderson, Langer, Leber, MacNeil, Kenneth Marshall, Nolan-Piteri, Priestley, Rabideau, Rosenfield, Spang and Vaughn, the day, important business.

Reps. Crosby and Rebecca Hutchinson, the day, death in the family.

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

INTRODUCTION OF GUESTS

Marian Wright Edelman and Retired Admiral Jack Shanahan, guests of Reps. French, Estabrook and Gile. Carol and Eddie Grant, wife and son of Rep. Grant. Bonnie Boulanger, Jon Garcia and Doug, Cheryl and Emily Gilmore, guests of Rep. Withee. Mary Fowler, guest of Rep. Rogers. Jean Picconi, wife of Rep. Picconi. Elaine Emerton, wife of Rep. Emerton. Paul Buffington, guest of Rep. Whittier. Michael Scheer, guest of Rep. Melcher. Helen Holbrook, wife of Rep. Holbrook.

committee assignment

Rep. Lynn Horton on Public Works and Highways.

removed from the table

Rep. Hess moved that **HB 536**, authorizing municipalities to exempt from the local property tax personal property employed in the generation and production of electric power, be removed from the table.

Adopted.

Rep. Hess moved that **HB 536**, authorizing municipalities to exempt from the local property tax personal property employed in the generation and production of electric power be Re-committed to Committee and spoke in favor.

Adopted.

resolution

Reps. Chandler and Burling offered the following:

RESOLVED, that the House inform the Honorable Senate that it is ready to meet in Joint Convention for the purpose of attending to remarks by Republican Presidential candidate Senator John McCain.

Adopted.

senate message

The Senate is ready to meet in Joint Convention for the purpose of attending to remarks by Republican Presidential candidate Senator John McCain.

joint convention

(Speaker Sytek presiding)

remarks

Senator John McCain, Republican candidate for President, addressed the Joint Convention.

Sen. Larsen and Rep. Chandler moved that the Joint Convention arise.

Adopted.

The Joint Convention adjourned.

RECESS

(Speaker Sytek in the Chair)

regular calendar

CACR 5, relating to voting and elective rights of incarcerated felons. Providing that no felon, from the time of conviction until final discharge of sentence, shall vote in an election, become a candidate, or hold public office. **OUGHT TO PASS WITH AMENDMENT**

Rep. Janet S. Arndt for Election Law: The original bill added "felons" to the list of those who could not vote. Since the category of felon is broad, it would be difficult to enforce. The new amendment allows the General Court to pass laws in conformance with the Constitution relative to the election process. Vote 15-2.

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

Adopted.

HB 445, relative to straight ticket voting procedures. **INEXPEDIENT TO LEGISLATE**

Rep. Robert E. Clegg, Jr. for Election Law: The study committee looked at House Bill 445 and Senate Bill 116 together since they both dealt with straight ticket voting. The problem appeared to be determining voter intent when the box for straight ticket was checked but the voter voted outside the straight ticket for a particular candidate. Currently the secretary of state has ruled any vote cast after a straight ticket vote shall supersede the straight ticket since it is obvious the voter intended to do so. The study committee felt this was sufficient and no legislation to change this was necessary. The full committee agreed. Vote 15-2.

Adopted.

SB 116, eliminating straight ticket voting. MAJORITY: INEXPEDIENT TO LEGISLATE.
MINORITY: OUGHT TO PASS.

Rep. Robert E. Clegg, Jr. for the Majority of Election Law: The study committee looked at Senate Bill 116 and House Bill 445 together since they both dealt with the same subject. The problem appeared to be determining voter intent when the box for straight ticket was checked but the voter voted outside the straight ticket for a particular candidate. Currently the secretary of state has ruled any vote cast after a straight ticket vote shall supersede the straight ticket since it is obvious the voter intended to do so. The study committee felt this was sufficient and no legislation to change things was necessary. The majority of the full committee agreed. Vote 10-7.

Rep. Christine M. Konys for the Minority of Election Law: The minority believes that removing any doubt regarding voter intent when casting a ballot is far more important than the ease or speed of casting a straight ticket vote. Confusion during the recent recounts over determining the intent of the voter when the voter cast both a straight ticket vote and also a vote for other candidates in multi-candidate races is just cause for eliminating straight ticket voting altogether.

Rep. Konys spoke in against and yielded to questions.

Rep. Clegg spoke in favor and yielded to questions.

Rep. Herman requested a roll call; sufficiently question.

The question being the adoption of the majority report.

YEAS 191 NAYS 145			
YEAS 191			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Millham, Alida
Rice, Thomas	Rosen, Ralph	Turner, Robert	Wendelboe, Francine
CARROLL			
Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	Mock, Henry
Patten, Betsey	Philbrick, Donald	Sullivan, P Judith	Torressen, Gary
CHESHIRE			
Avery, Stephen	Hunt, John	Roberts, William	Rose, William

Royce, H Charles	Smith, Edwin		
COOS			
Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Merrill, Gerald	Pratt, Leighton	Tholl, John Jr	Woodward, David
GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Gilman, G Michael	Hall, David	Harmon, Hobart
Marshall, Gene	Mirski, Paul	Phinney, William	Picconi, Al
Scanlan, David	Ward, Brien	Weber, Phil	
HILLSBOROUGH			
Alukonis, David	Arnold, Thomas Jr	Batula, Peter	Beaupre, Roland
Belvin, William	Bergin, Peter	Brundige, Robert	Bruno, Pierre
Calawa, Leon Jr	Carlson, Donald	Chabot, Robert	Christiansen, Lars
Clegg, Robert Jr	Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Gagnon, Eugene
Hansen, Herbert	Herman, Keith	Holley, Sylvia	Hunter, Bruce
Jean, Loren	Kurk, Neal	L'Heureux, Robert	LaRose, Richard
Lefebvre, Roland	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	McCarty, Winston	McDonald, James Sr	McGough, Tim
McRae, Karen	Mercer, Robert	Milligan, Robert	Moran, Edward
Mosher, William	O'Connell, Timothy	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Perkins, Paul	Peterson, Andrew	Reeves, Sandra
Rowe, Robert	Sargent, Maxwell	Tate, Joan	Thulander, O Alan
Wall, Nancy	White, Donald	Withee, Dennis	
MERRIMACK			

Anderson, Eric	Asplund, Bronwyn	Feuerstein, Martin	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Jacobson, Alf	Kennedy, Richard
Larrabee, David Sr	Lavoie, Gerard	Marple, Richard	Maxfield, Roy
Nichols, Avis	Poulin, Dave	Soltani, Tony	Whalley, Michael
Whittemore, James			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Bridle, Russell	Case, Margaret
Christie, Andrew Jr	Cooney, Richard	Cox, Russell	DiFruscia, Anthony
Dowling, Patricia	Fesh, Robert	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gleason, John	Grant, Kenneth	Griffin, Mary
Hutchinson, Karen	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kelley, William	Kobel, Rudolph	Letourneau, Robert	Lovejoy, Marian
Major, Norman	McKinney, Betsy	Mikowski, Walter	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
O'Neil, Michael	Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard
Rubin, George	Ruffner, Walter	Sabella, Norma	Stickney, Nancy
Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	Zolla, William
STRAFFORD			
Bickford, David	Brown, Julie	Cossette, Larry	Dunlap, Patricia
Keans, Sandra	Musler, George	Spear, Barbara	Torr, Franklin
Tsiros, William			
SULLIVAN			
Flint, Gordon Sr	Jones, Constance	Kibbey, David	Leone, Richard
Young, David			
NAYS 145			

BELKNAP			
Pilliod, James	Salatiello, Thomas	Wood, Jane	
CARROLL			
None			
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin
Lerandeau, Alfred	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meador, David	Mitchell, McKim	Pratt, Irene	Pratt, John
Richardson, Barbara	Riley, William	Robertson, Timothy	Russell, Ronald
Zerba, Roger			
COOS			
Glines, Sara	Landers, Dana	Mears, Edgar	Rodrigue, Robert
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Johnson, Gary	Nordgren, Sharon	Solow, Martha	
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Bergeron, Lucien	Buckley, Raymond
Burkush, James	Clemons, Jane	Cote, David	Cote, Peter
Craig, James	Daigle, Robert	Desrosiers, William	Dokmo, Cynthia
Drabinowicz, A Theresa	Dwyer, Paul Sr	Ford, Nancy	Foster, Linda
Franks, Suzan	Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey
Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard
Jean, Claudette	Johnson, Lionel	Keye, Harvey	Konys, Christine

LaPorte, George	Lasky, Bette	Leonard, Peter	Lynde, Harold
Martin, Mary	McCarthy, William	McColgan, Philip Jr	Melcher, Harold
Messier, Irene	Murphy, Robert	Reidy, Frank	Sarette, John
Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve	White, John
Williams, Carol			
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Daneault, Gabriel
Davis, Francis	Fortnam, Janet	French, Barbara	Gile, Mary
Lockwood, Priscilla	Owen, Derek	Potter, Frances	Rodd, Beth
Seldin, Gloria	St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean
Wallner, Mary Jane	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Clark, Vivian
Downing, Michael	Flanagan, Natalie	Gibbons, Paul	Kane, Cecelia
Langley, Jane	Langone, John	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Schanda, Frank	Shelton, Richard	Splaine, James
Weatherspoon, Jackie			
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris	Gilmore, Gary
Grassie, Anne	Heon, Richard	Johnson, Nancy	Kaen, Naida
Knowles, William	Lent, Donald	Pelletier, Arthur	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Taylor, Kathleen
Twardus, Joseph	Vachon, Dennis	Vincent, Francis	Wall, Janet
Woods, Phyllis			
SULLIVAN			

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
McIntyre, Sara	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine			

and the majority report was adopted.

SB 228-FN, relative to spousal benefits upon the death of certain retired group II members of the New Hampshire retirement system. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Frank V. Sapareto for the Majority of Executive Departments and Administration: This bill as amended by the Senate replaces the benefits for retirees whose retirement date occurred prior to April 1, 1987. It places these retirees on the same playing field as those who retired after that date. The committee felt that it was only fair to equate these benefits. It also provides for options for those pre-April 1, 1987 retirees who took a reduced benefit to provide for spousal benefit. The estimated cost from the special account, which does not affect the General Fund in any way, is approximately \$1.8 million. The special account purpose specifies such use and has a substantial surplus making this appropriation with little effort. Vote 15-4.

Rep. Merton S. Dyer for the Minority of Executive Departments and Administration: The minority does not agree with the majority that this bill should become law. This bill will provide a spousal benefit to certain Group II retirees. This bill, as written, raises many concerns that are unanswered in the bill. This bill is not clear on certain provisions of the implementation, such as, what will the 50 percent spousal benefit be based upon – annuity at retirement or value of current annuity – will the additional benefits, providing benefits in excess of 100 percent of the accurately determined values be in conflict with IRC(a)9 and, if so, will this affect the tax exempt status of the New Hampshire system and the personal tax status of the beneficiary? The bill will provide a 50 percent spousal benefit to the spouses of those members retired prior to April 1, 1987. The actuary has determined this will cost \$4.4 million for approximately 500 people. By providing this spousal benefit, the spouse will be eligible for the medical insurance subsidy for a cost of \$3.7 million or a total cost of \$8.1 million from the Special Account of the Group II members, for a small number of retirees. This brings up a question of the fairness of this bill. Many who retired prior to 1987 elected a survivorship option, which has been available since at least 1955. Those who provided for their spouse have been receiving a monthly annuity of less than 100 percent. There is no provision in this bill to extend the same privilege to them or to reimburse them for the reduced benefit they have been receiving. Legislation passed in 1987, Chapter 216 Spousal Benefits, established the automatic 50 percent spousal benefit and made the benefits available prospectively. The Legislature has allowed those with 100 percent benefit two opportunities, Chapter 251 of 1990 and Chapter 166 of 1992, to change their option to a survivorship allowance, but for various reasons they did not change their benefits. This bill will provide them with a gift to keep their 100 percent annuity and provide a 50 percent annuity for the spouse. These benefits are not actuarially determined, but rather done by percentage of some annuity. This bill has too many flaws to become law. An amendment to provide only the medical health subsidy was defeated by the committee.

Amendment (2195h)

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

2 Right to Elect Optional Retirement Allowance; Certain Group II Retired Members.
Notwithstanding any provision of RSA 100-A:13 to the contrary, any currently retired group II

member of the New Hampshire retirement system or a predecessor system, who retired prior to April 1, 1987 with a full service or ordinary disability allowance and who originally elected and are receiving the 100 percent joint and survivor option, or 100 percent option, will be allowed to elect a 50 percent joint survivor, 50 percent pop up option, or no option, prospectively. Those members who elected and are receiving a 50 percent joint survivor or 50 percent pop up option may continue their option or no option, prospectively, as provided by RSA 100-A:13. The optional allowance shall be of equal actuarial value to the allowance the retiree is receiving as of July 1, 2000. The total benefit payable to a survivor shall not exceed the amount payable to the member.

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

Reps. Dyer and O'Neil spoke against.

The amendment failed.

Rep. Dyer offered a floor amendment.

Floor Amendment (3072h)

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

1 New Paragraph; Benefits Upon Member's Death After Retirement. Amend RSA 100-A:12 by inserting after paragraph I the following new paragraph:

I-a. In addition to any other provision of this section, upon the death of a retired group II member of the New Hampshire retirement system or any predecessor system, who retired pursuant to RSA 100-A:5, II with at least 20 years of creditable service or pursuant to RSA 100-A:6, II(a) prior to April 1, 1987, there shall be paid to the member's spouse at the time of retirement, if surviving, an allowance to continue until the spouse's death or remarriage equal to 50 percent of the service or ordinary disability retirement allowance payable to the retired member prior to the member's death. The total cost of terminally funding the benefits provided by this paragraph shall be funded from the special account established under RSA 100-A:16, II(h).

2 Right to Elect Optional Retirement Allowance; Certain Group II Retired Members. Notwithstanding any provision of RSA 100-A:13 to the contrary, any retired group II member of the New Hampshire retirement system or a predecessor system, who retired pursuant to RSA 100-A:5, II with at least 20 years of creditable service or pursuant to RSA 100-A:6, II(a) prior to April 1, 1987 and who originally elected and are receiving the 100 percent joint and survivorship option, or 100 percent joint and survivorship pop up option, will be allowed to elect a 50 percent joint and survivorship option, 50 percent joint and survivorship pop up option, or the maximum allowance otherwise payable, prospectively. Those members who elected and are receiving a 50 percent joint and survivorship option or 50 percent joint and survivorship pop up option may continue their option or elect the maximum allowance otherwise payable, prospectively. Any retired member who makes an election pursuant to this paragraph shall make the election between July 1, 2000 and December 31, 2000 on a form prescribed by the board of trustees. The optional allowance shall be of equal actuarial value to the allowance the retiree is receiving as of July 1, 2000. The total benefit payable to a survivor shall not exceed the amount payable to the member.

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

Rep. Dyer spoke in favor.

Adopted.

Rep. Dyer spoke in favor of the report and yielded to questions.

Report adopted and referred to Finance.

Reps. Mock and Phinney declared conflicts of interest and did not participate.

motion to special order

Rep. Kurk moved that **CACR 10**, relating to restricting the use of a statewide property tax and all funds deposited into the education trust fund to education funding. Providing that all revenues resulting from a statewide property tax and all funds deposited into the education trust fund shall be used exclusively for elementary and secondary education, be made a Special Order for Thursday, January 27, 2000 in the Regular Calendar order.

Adopted.

regular calendar (Cont'd.)

CACR 11, relating to the use of lottery revenues for educational purposes. Providing that lottery revenues be distributed directly to the governing body of the city or town. **INEXPEDIENT TO LEGISLATE**

Rep. William S. Belvin for Finance: The issue primarily dealt with in CACR 11 is for the net proceeds of the state lottery to be distributed directly to the cities and towns, before being used exclusively for the purpose of state aid to education. At present these funds now go into the education trust fund established in HB 117 last session; and previously they were paid directly to individual school districts.

Much of the content of this CACR was based on previous school funding processes which were materially changed by HB 117, hence the CACR's original mechanism is no longer applicable. Even if the intent remains as proposed, future legislative activity in response to present or future court mandates or legislative initiatives may again make the bill's approach inappropriate. Vote 21-0.

Adopted.

CACR 26, relating to the state's duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state. Providing that the state shall have the duty to assure the opportunity for an adequate primary and secondary public education to all pupils in the state; the nature and means of the fulfillment of such duty shall be determined by the legislature and judicial review shall be limited to whether or not there is any rational basis therefor; the legislature shall have exclusive authority to determine and fund the costs or to delegate the authority to impose assessments, rates, and taxes for education to political subdivisions, which if so delegated shall be deemed local and shall be proportional and reasonable within the political subdivision in which they are imposed. **OUGHT TO PASS**

Rep. David J. Alukonis for Finance: CACR 26 acknowledges the state's duty to provide an opportunity for an adequate education to all public school pupils in NH. It defines the scope of the state duty while establishing the limits of the Court's involvement in legislative policy decisions. As

we have already seen, the Court will step into the education debate again and again unless we amend the constitution to define the proper roles of the legislature and the courts.

The adoption of CACR 26 is an affirmation of the state's duty to provide an adequate public education. The amendment provides that the legislature will decide the nature of the duty, how much it costs, and how it shall be funded. The legislature may also delegate part or all of the duty to its political subdivisions. The Court's involvement is limited to a review of whether or not the legislature had a rational basis for its policy decisions.

The additional language proposed in CACR 26 cements and defines the state's duty to public schools within the constitution while at the same time preventing an endless stream of lawsuits and appeals against the state. The passage of CACR 26 by the legislature would also let NH voters decide whether to restore control over education and tax policy to their elected representatives or whether to leave such policy making to the courts. Vote 13-7.

Reps. Mirski, Marjorie Smith and Burling spoke against.

Reps. O'Connell, Herman and Chandler spoke in favor and yielded to questions.

The Speaker called for a roll call.

The question being the adoption of the report.

YEAS 165 NAYS 174			
YEAS 165			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Millham, Alida
Rice, Thomas	Rosen, Ralph	Turner, Robert	Wendelboe, Francine
CARROLL			
Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	Mock, Henry
Patten, Betsey	Philbrick, Donald	Sullivan, P Judith	
CHESHIRE			
Avery, Stephen	Hunt, John	Roberts, William	Rose, William
Royce, H Charles	Smith, Edwin		

COOS			
Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Merrill, Gerald	Pratt, Leighton	Tholl, John Jr	Woodward, David
GRAFTON			
Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Gilman, G Michael	Harmon, Hobart	Hinman, Harry
Marshall, Gene	Phinney, William	Picconi, Al	Ward, Brien
Weber, Phil			
HILLSBOROUGH			
Alukonis, David	Arnold, Thomas Jr	Batula, Peter	Belvin, William
Brundige, Robert	Bruno, Pierre	Calawa, Leon Jr	Chabot, Robert
Clegg, Robert Jr	Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian
Desrosiers, William	Durham, Susan	Dyer, Merton	Emerton, Lawrence
Fenton, James	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Gagnon, Eugene	Hansen, Herbert	Herman, Keith	Holley, Sylvia
Hunter, Bruce	Jean, Loren	Kurk, Neal	L'Heureux, Robert
LaRose, Richard	Lefebvre, Roland	Lessard, Rudy	Lozeau, Donnalee
MacGillivray, Jeffrey	Martel, Andre	McCarty, Winston	McDonald, James Sr
McGough, Tim	Mercer, Robert	Milligan, Robert	Moran, Edward
Mosher, William	O'Connell, Timothy	Ouellette, Dean	Pappas, Marc
Pepino, Leo	Reeves, Sandra	Rowe, Robert	Sargent, Maxwell
Tate, Joan	Thulander, O Alan	White, Donald	Withee, Dennis
MERRIMACK			
Anderson, Eric	Asplund, Bronwyn	Hess, David	Hoadley, Elizabeth
Kennedy, Richard	Larrabee, David Sr	Nichols, Avis	Soltani, Tony
Whalley, Michael			

ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Bridle, Russell	Case, Margaret
Christie, Andrew Jr	Clark, Vivian	Cox, Russell	Dowling, Patricia
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gleason, John	Grant, Kenneth	Griffin, Mary
Hutchinson, Karen	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Kobel, Rudolph	Langley, Jane	Letourneau, Robert	Major, Norman
McKinney, Betsy	Mikowski, Walter	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	O'Neil, Michael
Quandt, Marshall	Raynowska, Bernard	Reardon, Neil	Rubin, George
Ruffner, Walter	Stickney, Nancy	Stritch, C Donald	Tufts, J Arthur
Varrell, Thomas	Weare, Everett	Welch, David	Whittier, John
STRAFFORD			
Cossette, Larry	Musler, George	Spear, Barbara	Torr, Franklin
Tsiros, William	Woods, Phyllis		
SULLIVAN			
Jones, Constance	Kibbey, David	Leone, Richard	Young, David
NAYS 174			
BELKNAP			
Pilliod, James	Salatiello, Thomas	Wood, Jane	
CARROLL			
Torressen, Gary			
CHESHIRE			
Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin

Lerandeau, Alfred	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Meadar, David	Mitchell, McKim	Pratt, John	Richardson, Barbara
Robertson, Timothy	Russell, Ronald	Zerba, Roger	
COOS			
Glines, Sara	Landers, Dana	Mears, Edgar	Rodrigue, Robert
GRAFTON			
Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Hall, David	Johnson, Gary	Mirski, Paul	Nordgren, Sharon
Scanlan, David	Solow, Martha		
HILLSBOROUGH			
Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Beaupre, Roland
Bergeron, Lucien	Bergin, Peter	Buckley, Raymond	Burkush, James
Carlson, Donald	Christiansen, Lars	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Daigle, Robert	Dokmo, Cynthia
Drabinowicz, A Theresa	Dwyer, Paul Sr	Ford, Nancy	Foster, Linda
Franks, Suzan	Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey
Gorman, Mary	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
McRae, Karen	Melcher, Harold	Messier, Irene	Murphy, Robert
Perkins, Paul	Peterson, Andrew	Reidy, Frank	Sarette, John
Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy
White, John	Williams, Carol		
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Daneault, Gabriel

Davis, Francis	Feuerstein, Martin	Fortnam, Janet	French, Barbara
Gile, Mary	Hager, Elizabeth	Jacobson, Alf	Lavoie, Gerard
Lockwood, Priscilla	Marple, Richard	Maxfield, Roy	Owen, Derek
Potter, Frances	Poulin, Dave	Rodd, Beth	Seldin, Gloria
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Cooney, Richard
Corbin, C David	DiFruscia, Anthony	Downing, Michael	Gibbons, Paul
Johnson, Robert	Kane, Cecelia	Langone, John	Lovejoy, Marian
Norelli, Terie	Pantelakos, Laura	Pitts, Jacqueline	Putnam, Ed II
Sabella, Norma	Schanda, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Weatherspoon, Jackie	Weyler, Kenneth	Zolla, William
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George
Brown, Julie	Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Heon, Richard
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Lent, Donald	Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Taylor, Kathleen
Twardus, Joseph	Vachon, Dennis	Vincent, Francis	Wall, Janet
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Flint, Gordon Sr	McIntyre, Sara	Phinizy, James	Robb-Theroux, Amy
Tuthill, John	Wiggins, Celestine		

and the report failed.

Rep. Burling moved Inexpedient to Legislate.

Adopted.

special order

HB 235-FN-A, increasing the exemption amount under the interest and dividends tax. (Pending question is Ought to Pass With Amendment)

Rep. Jacobson offered a floor amendment.

Floor Amendment (3053h)

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

AN ACT increasing exemptions under the interest and dividends tax.

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

1 Individuals, Businesses, Fiduciaries. Amend RSA 77:3, I(a)-(c) to read as follows:

(a) Individuals who are inhabitants or residents of this state for any part of the taxable year whose gross interest and dividend income from all sources exceeds [~~\$2,400~~] **\$3,000** during that taxable period.

(b) Partnerships, limited liability companies, associations, and trusts, the beneficial interest in which is not represented by transferable shares, whose gross interest and dividend income from all sources exceeds [~~\$2,400~~] **\$3,000** during the taxable year, but not including a qualified investment company as defined in RSA 77-A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section 3.

(c) Fiduciaries deriving their appointment from a court of this state whose gross interest and dividend income from all sources exceeds [~~\$2,400~~] **\$3,000** during the taxable year.

2 Increase in Exemption. Amend RSA 77:5, I and II to read as follows:

I. Income of [~~\$2,400~~] **\$3,000**.

II. An additional [~~\$1,200~~] **\$3,000** if either or both taxpayers are 65 years of age or older on the last day of the tax year.

3 Filing of Returns. Amend RSA 77:18, IV(a) and (b) to read as follows:

(a) Every individual whose total interest and dividend income is less than [~~\$2,400~~] **\$3,000** for a taxable period.

(b) For joint filers whose total interest and dividend income is less than [~~\$4,800~~] **\$6,000** for a taxable period.

4 Effective Date. This act shall take effect July 1, 2000.

AMENDED ANALYSIS

This bill increases exemptions under the interest and dividends tax.

Rep. Jacobson spoke in favor and yielded to questions.

Adopted.

Reps. MacGillivray, Almy and Whalley spoke against.

Rep. Phinizy spoke in favor.

Rep. Young spoke in favor and yielded to questions.

Rep. Jacobson requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 197 NAYS 134			
YEAS 197			
BELKNAP			
Bartlett, Gordon	Johnson, James	Lawton, David	Millham, Alida
Pilliod, James	Rosen, Ralph	Salatiello, Thomas	Turner, Robert
Wood, Jane			
CARROLL			
Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Howard, Godfrey
Kenney, Joseph	Philbrick, Donald	Sullivan, P Judith	
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel
DePecol, Benjamin	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Mitchell, McKim	Pratt, John	Robertson, Timothy	Rose, William
COOS			
Davis, Perley	Gallus, John	Glines, Sara	Horton, Lynn
Landers, Dana	Mears, Edgar	Pratt, Leighton	Rodrigue, Robert

GRAFTON			
Cobb, John	Copenhaver, Marion	Densmore, Jessica	Gilman, G Michael
Guest, Robert	Hall, David	Johnson, Gary	Phinney, William
Scanlan, David	Solow, Martha	Weber, Phil	
HILLSBOROUGH			
Arnold, Thomas Jr	Arthur, Rose	Baroody, Benjamin	Beaupre, Roland
Bergeron, Lucien	Bergin, Peter	Bruno, Pierre	Carlson, Donald
Cote, Peter	Craig, James	Daigle, Robert	Dalianis, Griffin
Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia	Dwyer, Paul Sr
Dyer, Merton	Fenton, James	Fields, Dennis	Fletcher, Richard
Flora, Kathleen	Franks, Suzan	Gagnon, Eugene	Garrish, Linda
Ginsburg, Ruth	Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty
Herman, Richard	Holley, Sylvia	Jean, Claudette	Johnson, Lionel
Keye, Harvey	LaPorte, George	Leishman, Peter	Leonard, Peter
Lynde, Harold	Martin, Mary	McCarthy, William	McColgan, Philip Jr
McDonald, James Sr	McRae, Karen	Messier, Irene	Milligan, Robert
Murphy, Robert	Ouellette, Dean	Pepino, Leo	Perkins, Paul
Reidy, Frank	Sarette, John	Turgeon, Roland	Vaillancourt, Steve
Wall, Nancy	White, Donald	White, John	Williams, Carol
Withee, Dennis			
MERRIMACK			
Anderson, Eric	Brewster, Richard	Davis, Francis	Fortnam, Janet
French, Barbara	Gile, Mary	Hager, Elizabeth	Hoadley, Elizabeth
Jacobson, Alf	Kennedy, Richard	Larrabee, David Sr	Lavoie, Gerard
Lockwood, Priscilla	Marple, Richard	Maxfield, Roy	Owen, Derek
Poulin, Dave	Rodd, Beth	Soltani, Tony	St Cyr, Gerard
Virtue, Carolyn	Whittemore, James	Yeaton, Charles	

ROCKINGHAM			
Abbott, Dennis	Bridle, Russell	Case, Margaret	Christie, Andrew Jr
Corbin, C David	Cox, Russell	Downing, Michael	Gibbons, Paul
Gleason, John	Grant, Kenneth	Griffin, Mary	Hutchinson, Karen
Kane, Cecelia	Kelley, William	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Lovejoy, Marian	McKinney, Betsy
Noyes, Richard	O'Neil, Michael	Pantelakos, Laura	Pitts, Jacqueline
Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard	Rubin, George
Sabella, Norma	Schanda, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Stritch, C Donald	Varrell, Thomas	Weare, Everett
Whittier, John			
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George
Brown, Julie	Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin
Dunlap, Patricia	Gilmore, Gary	Heon, Richard	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Lent, Donald	Pelletier, Arthur
Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael	Spear, Barbara
Torr, Franklin	Tsiros, William	Twardus, Joseph	Wall, Janet
SULLIVAN			
Cloutier, John	Donovan, Thomas Jr	Flint, Gordon Sr	Jones, Constance
Kibbey, David	Leone, Richard	Phinizy, James	Tuthill, John
Young, David			
NAYS 134			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Rice, Thomas	Wendelboe, Francine		

CARROLL			
Chandler, Gene	Lyman, L Randy	Mock, Henry	Patten, Betsey
Torressen, Gary			
CHESHIRE			
Hunt, John	Lerandeau, Alfred	Meadar, David	Richardson, Barbara
Roberts, William	Royce, H Charles	Russell, Ronald	Smith, Edwin
Zerba, Roger			
COOS			
Guay, Lawrence	Merrill, Gerald	Tholl, John Jr	Woodward, David
GRAFTON			
Akins, Ralph	Almy, Susan	Dudley, Terri	Harmon, Hobart
Hinman, Harry	Marshall, Gene	Mirski, Paul	Nordgren, Sharon
Picconi, Al	Ward, Brien		
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Batula, Peter	Belvin, William
Brundige, Robert	Buckley, Raymond	Burkush, James	Calawa, Leon Jr
Chabot, Robert	Christiansen, Lars	Clegg, Robert Jr	Clemons, Jane
Cote, David	Daniels, Gary	Drabinowicz, A Theresa	Durham, Susan
Emerton, Lawrence	Ford, Nancy	Foster, Linda	Goley, Jeffrey
Hansen, Herbert	Herman, Keith	Hunter, Bruce	Jean, Loren
Konys, Christine	Kurk, Neal	L'Heureux, Robert	LaRose, Richard
Lasky, Bette	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	McCarty, Winston	McGough, Tim	Melcher, Harold
Mercer, Robert	Moran, Edward	Mosher, William	O'Connell, Timothy
Pappas, Marc	Peterson, Andrew	Reeves, Sandra	Rowe, Robert

Sargent, Maxwell	Simon, Anthony	Tate, Joan	Thulander, O Alan
MERRIMACK			
Asplund, Bronwyn	Bouchard, Candace	Chase, George	Daneault, Gabriel
Hess, David	Nichols, Avis	Seldin, Gloria	Wallin, Jean
Whalley, Michael			
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Blanchard, MaryAnn	Clark, Martha
Clark, Vivian	Cooney, Richard	DiFruscia, Anthony	Dowling, Patricia
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Major, Norman	Moore, Benjamin	Morse, Charles	Norelli, Terie
Nowe, Mary Lou	Nowe, Ronald	Reardon, Neil	Ruffner, Walter
Stickney, Nancy	Tufts, J Arthur	Weatherspoon, Jackie	Welch, David
Weyler, Kenneth	Zolla, William		
STRAFFORD			
Cossette, Larry	Estabrook, Iris	Knowles, William	Musler, George
Smith, Marjorie	Taylor, Kathleen	Vachon, Dennis	Vincent, Francis
Woods, Phyllis			
SULLIVAN			
Allison, David	Burling, Peter	Robb-Theroux, Amy	Wiggins, Celestine

and the motion was adopted.

Ordered to third reading.

regular calendar (cont'd.)

SB 36-FN-A, relative to salary increases for care providers for persons with developmental and acquired disabilities and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Robert K. Boyce for Finance: There was little disagreement about the need to increase the pay of these people providing direct care to some of the neediest people in the Health and Human Services system. There was disagreement about where the money should come from. This bill, as amended, directs the commissioner to provide the money for these increases from money not in the current budget. There was testimony that over \$6 million of non-budget funds has already been received. The cost of this increase is \$2.28 million of general fund money for fiscal year 2001. Vote 24-0.

Amendment (2117h)

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

AN ACT relative to salary increases for direct care providers for persons with developmental and acquired disabilities.

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

1 Statement of Intent. The general court finds that direct care providers for persons with developmental and acquired disabilities currently earn an hourly wage of \$7.54 or approximately \$15,683 annually. This amount is insufficient to continuously attract qualified and committed providers and to pay those providers a minimally adequate hourly wage. The funding contained in section 2 of this act will raise the wage of direct care providers, of which there are approximately 1,575 in New Hampshire, to \$18,034 (\$8.67 per hour) in the fiscal year ending June 30, 2001. It is the intent of the general court that the commissioner of health and human services request to fund the state portion through use of additional revenues under 1999, 225:2 or RSA 167:64.

2 Transfer. 1999, 225:5 is repealed and reenacted to read as follows:

225:5 Transfer. The commissioner of health and human services shall transfer not more than \$4,553,875 for the purpose of paying direct care providers for persons with developmental and acquired disabilities. This amount shall be funded from non-budget funds including matching federal funds, funds from any other source received by the department, and from RSA 167:64. Notwithstanding RSA 167:64, it is the intent of the general court that the commissioner of the department of health and human services request under 1999, 225:2, the fiscal committee and the governor and council to approve use of any additional revenues or not more than \$2,277,000 under RSA 167:64 for the purpose of the salary increase.

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

AMENDED ANALYSIS

This bill authorizes the commissioner of health and human services to request moneys from the uncompensated care fund for salary increases for direct care providers.

Adopted.

Report adopted and ordered to third reading.

SB 186-FN, relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance. OUGHT TO PASS WITH AMENDMENT

Rep. Steve Vaillancourt for Finance: This bill increases the minimum allowance and grants additional COLAs to retired group II members (police and firemen) whose annual allowance is less than a certain very low amount. The committee heard compelling testimony that certain individuals, mostly elderly (many in their 80s) who retired a long time ago, are receiving monthly checks which are far below the amounts required to live a life of dignity commensurate with the quality service they provided the state over the years. Testimony was also convincing that this increase can be accomplished within the existing retirement fund framework. Therefore there is no negative financial impact to the state. The amendment increases the minimum amount from \$5,200 to \$10,000 as was the intent of the original legislation. It also establishes a percentage formula for COLA increases so that those on the bottom of the scale, the most needy, benefit most. For example, those currently receiving \$9,300 or less will be increased to the minimum of \$10,000. Those currently receiving between \$9,300 and \$11,699 will get a 7 1/2 % COLA, but those currently receiving between \$15,700 and \$17,699 will get a COLA of only 3%. Vote 22-0.

Amendment (2009h)

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

AN ACT relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance.

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

1 Service Retirement; Group II; Minimum Allowance Increased. Amend RSA 100-A:5, II (c) (1) to read as follows:

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who has retired on a full service retirement allowance shall receive a minimum service retirement allowance of ~~[\$5,200]~~ **\$10,000**. In comparing the minimum service retirement allowance and the full service retirement allowance, the full service retirement allowance shall be the sum of the basic allowance plus COLA's. The provisions of this subparagraph shall not apply to a group II member who has retired on a reduced or on a vested deferred retirement allowance. In the case of a group II member who has retired on a full service retirement allowance, and who has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the ~~[\$5,200]~~ **\$10,000** which shall be based upon the optional allowance which the surviving spouse is receiving. Under no circumstances shall the provisions of this subparagraph be construed to reduce the retirement benefits being paid to a group II member as of the effective date of this subparagraph.

2 Optional Allowances; Spousal Acknowledgement of Election. Amend RSA 100-A:13, I to read as follows:

I. Any member who has reached service retirement age as provided in RSA 100-A:5, I(a), or II(a), or RSA 100-A:19-b, or any retiree within 120 days after the effective date of retirement, may elect to receive, instead of the retirement allowance otherwise payable, a retirement allowance of equivalent actuarial value under one of the options named in paragraph III, or to redesignate any such option previously elected. When the member elects to receive an optional retirement allowance under paragraph III, the beneficiary or beneficiaries whom the member nominates may include the member's spouse and/or children. The notice of election or change of retirement option shall be on a form designated by the board, ***and which shall include a spousal acknowledgment with signature, if any election or change by the member.*** The optional allowance shall be effective

upon retirement if the election is made before the effective date of retirement, and on the first day of the month following receipt by the board of the notice of election or change of option if made during the 120-day grace period. When an election or change of option is made during the 120-day grace period, no retroactive adjustments will be made in payments already received by the retiree. After expiration of the 120-day grace period no change in option selection shall be permitted except as provided in paragraph II. If a retiree dies after filing notice of election or change of option during the 120-day grace period but before the effective date, the election or change shall be effective as of the date of death. If a member dies after filing an election for a survivorship retirement option and before the effective date of retirement, whether or not the member has filed for retirement, the beneficiary who was nominated by the member in the election of the option may elect to receive either the optional survivor benefit which the member had elected or the ordinary death benefit provided under RSA 100-A:9, whichever is more advantageous to the beneficiary; provided that, in the case of the member's death before retirement, if the beneficiary named in the survivorship option election is not the same person as the beneficiary under RSA 100-A:9, then the death benefit under RSA 100-A:9, II, and not the survivorship option shall apply.

3 New Section; Supplemental Allowances for Certain Retired Group II Members. Amend RSA 100-A by inserting after section 41-a the following new section:

100-A:41-b Supplemental Allowances for Certain Retired Group II Members.

I. An eligible retired group II member of the New Hampshire retirement system, or beneficiary, whose annual retirement allowance as reported on the member's Internal Revenue Service Form 1099-R was less than \$17,700 and who retired on or before June 30, 1998, shall receive an additional allowance or a \$10,000 minimum service retirement allowance whichever is greater, as provided in paragraph II and RSA 100-A:5, II. An eligible retired group II member shall be a member, or beneficiary of such member, who retired with at least 20 years of creditable service under RSA 100-A:5, II, or member, or beneficiary of such member, who retired under RSA 100-A:6, II. The provisions of this section shall not apply to a group II member who has retired on a reduced or vested deferred retirement allowance. The additional allowance shall become a permanent addition to each member or beneficiary's base retirement allowance, as provided in RSA 100-A:41-a.

II. The supplemental allowance, or COLA, provided in paragraph I shall be the following percent increase for the following annual reported retirement allowance of each member:

- (a) Less than \$9,300, the applicable percentage to reach \$10,000;
- (b) \$9,300 - \$11,699, 7 1/2 percent;
- (c) \$11,700 - \$13,699, 5 1/2 percent;
- (d) \$13,700 - \$15,699, 4 percent;
- (e) \$15,700 - \$17,699, 3 percent.

4 Funding of Supplemental Allowances. The total actuarial cost of the additional allowances provided in RSA 100-A:41-b as inserted by section 3 of this act shall be funded on a terminal basis from the special account established in RSA 100-A:16, II(h).

5 Repeal. RSA 100-A:5, II(c)(2) and (3), relative to the reduction in minimum service retirement allowance due to federal social security benefits or other benefits, are repealed.

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

AMENDED ANALYSIS

This bill increases the minimum allowance and grants additional COLAs to retired group II members whose annual retirement allowance is less than a certain amount. The additional COLAs are funded on a terminal basis from the special account.

The bill also adds a requirement of spousal acknowledgment for a member's election or change of an optional allowance.

Reps. Virtue, Dyer and Dickinson spoke against.

Rep. Vivian Clark spoke in favor and yielded to questions.

Rep. Wallin spoke in favor.

Rep. Torr requested a roll call; sufficiently seconded.

The question being the adoption of the amendment.

YEAS 178 NAYS 141			
YEAS 178			
BELKNAP			
Boriso, Thomas	Boyce, Robert	Czech, Stanley	Holbrook, Robert
Pilliod, James	Salatiello, Thomas	Wendelboe, Francine	
CARROLL			
Babson, David Jr	Bradley, Jeb	Chandler, Gene	Mock, Henry
CHESHIRE			
Blaisdell, Michael	DePecol, Benjamin	Hunt, John	Lerandeau, Alfred
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Meador, David
Mitchell, McKim	Pratt, John	Richardson, Barbara	Roberts, William
Robertson, Timothy	Rose, William	Royce, H Charles	Russell, Ronald
Smith, Edwin	Zerba, Roger		
COOS			

Horton, Lynn	Mears, Edgar	Rodrigue, Robert	Tholl, John Jr
Woodward, David			
GRAFTON			
Akins, Ralph	Almy, Susan	Densmore, Jessica	Dudley, Terri
Guest, Robert	Hinman, Harry	Johnson, Gary	Marshall, Gene
Nordgren, Sharon	Solow, Martha		
HILLSBOROUGH			
Ahern, Richard	Alukonis, David	Baroody, Benjamin	Beaupre, Roland
Belvin, William	Bergeron, Lucien	Brundige, Robert	Buckley, Raymond
Burkush, James	Calawa, Leon Jr	Chabot, Robert	Christiansen, Lars
Clemons, Jane	Cote, David	Cote, Peter	Craig, James
Daigle, Robert	Desrosiers, William	Dokmo, Cynthia	Drabinowicz, A Theresa
Dwyer, Paul Sr	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Ford, Nancy	Foster, Linda	Franks, Suzan	Gagnon, Eugene
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Herman, Keith	Herman, Richard	Hunter, Bruce	Jean, Claudette
Johnson, Lionel	Keye, Harvey	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaPorte, George	LaRose, Richard	Lasky, Bette
Lozeau, Donnalee	McCarthy, William	McColgan, Philip Jr	McDonald, James Sr
McGough, Tim	McRae, Karen	Melcher, Harold	Pappas, Marc
Pepino, Leo	Perkins, Paul	Reidy, Frank	Rowe, Robert
Sarette, John	Simon, Anthony	Thulander, O Alan	Turgeon, Roland
Vaillancourt, Steve	White, John	Williams, Carol	
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Brewster, Richard	Chase, George
Daneault, Gabriel	French, Barbara	Gile, Mary	Hess, David
Jacobson, Alf	Kennedy, Richard	Owen, Derek	Rodd, Beth

Seldin, Gloria	Wallin, Jean	Whalley, Michael	Whittemore, James
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Clark, Vivian	Cooney, Richard	Corbin, C David
Downing, Michael	Flanagan, Natalie	Gleason, John	Grant, Kenneth
Johnson, Robert	Kane, Cecelia	Kelley, William	Langley, Jane
Lovejoy, Marian	Major, Norman	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Quandt, Marshall	Raynowska, Bernard	Reardon, Neil
Ruffner, Walter	Schanda, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Tufts, J Arthur	Weyler, Kenneth	
STRAFFORD			
Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia
Estabrook, Iris	Gilmore, Gary	Heon, Richard	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Lent, Donald	Smith, Marjorie
Taylor, Kathleen	Torr, Franklin	Tsiros, William	Twardus, Joseph
Wall, Janet	Woods, Phyllis		
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Flint, Gordon Sr
Tuthill, John			
NAYS 141			
BELKNAP			
Bartlett, Gordon	Johnson, James	Lawton, David	Millham, Alida
Rice, Thomas	Rosen, Ralph	Turner, Robert	Wood, Jane

CARROLL			
Dickinson, Howard	Howard, Godfrey	Kenney, Joseph	Lyman, L Randy
Patten, Betsey	Philbrick, Donald	Sullivan, P Judith	Torressen, Gary
CHESHIRE			
Avery, Stephen	Batchelder, Robert		
COOS			
Davis, Perley	Gallus, John	Guay, Lawrence	Landers, Dana
Merrill, Gerald	Pratt, Leighton		
GRAFTON			
Alger, John	Cobb, John	Copenhaver, Marion	Gilman, G Michael
Hall, David	Harmon, Hobart	Mirski, Paul	Phinney, William
Picconi, Al	Scanlan, David		
HILLSBOROUGH			
Arnold, Thomas Jr	Arthur, Rose	Batula, Peter	Bergin, Peter
Bruno, Pierre	Carlson, Donald	Clegg, Robert Jr	Dalianis, Griffin
Daniels, Gary	Durham, Susan	Dyer, Merton	Emerton, Lawrence
Fenton, James	Hall, Betty	Hansen, Herbert	Holley, Sylvia
Jean, Loren	Lefebvre, Roland	Leishman, Peter	Leonard, Peter
Lynde, Harold	MacGillivray, Jeffrey	Martel, Andre	Martin, Mary
McCarty, Winston	Mercer, Robert	Messier, Irene	Milligan, Robert
Moran, Edward	Mosher, William	Murphy, Robert	O'Connell, Timothy
Ouellette, Dean	Peterson, Andrew	Sargent, Maxwell	Tate, Joan
Wall, Nancy	White, Donald	Withee, Dennis	
MERRIMACK			
Asplund, Bronwyn	Davis, Francis	Fortnam, Janet	Hager, Elizabeth

Hoadley, Elizabeth	Larrabee, David Sr	Lavoie, Gerard	Lockwood, Priscilla
Marple, Richard	Nichols, Avis	Poulin, Dave	Soltani, Tony
St Cyr, Gerard	Virtue, Carolyn		
ROCKINGHAM			
Arndt, Janet	Beaulieu, Jon	Blanchard, MaryAnn	Case, Margaret
Christie, Andrew Jr	Clark, Martha	Cox, Russell	DiFruscia, Anthony
Dowling, Patricia	Fesh, Robert	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gibbons, Paul	Griffin, Mary	Hutchinson, Karen
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langone, John
Letourneau, Robert	McKinney, Betsy	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	O'Neil, Michael	Putnam, Ed II
Rubin, George	Sabella, Norma	Stickney, Nancy	Stritch, C Donald
Varrell, Thomas	Weare, Everett	Welch, David	Whittier, John
Zolla, William			
STRAFFORD			
Bickford, David	Cossette, Larry	Knowles, William	Pelletier, Arthur
Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael	Spear, Barbara
Vachon, Dennis	Vincent, Francis		
SULLIVAN			
Jones, Constance	Kibbey, David	Leone, Richard	Phinizy, James
Robb-Theroux, Amy	Wiggins, Celestine	Young, David	

and the amendment was adopted.

On a division vote 210 members having voted in the affirmative and 109 in the negative, the report was adopted and ordered to third reading.

reconsideration

Having voted with the prevailing side, Rep. Vaillancourt moved that the House reconsider its action whereby it ordered to third reading ***SB 186-FN***, relative to additional cost of living adjustments and

increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance, and spoke against.

On a division vote, 82 members having voted in the affirmative and 222 in the negative, reconsideration failed.

regular calendar (cont'd.)

CACR 2, relating to supreme court rules. Providing that supreme court rules shall be subject to review and approval by a special legislative committee. OUGHT TO PASS WITH AMENDMENT

Rep. Tony F. Soltani for Judiciary: The 1978 constitutional amendment to article 73-a was approved by the voters. The voters were not explicitly informed of the language that the rules of the Supreme Court would have the "force and effect of law." In fact, the question presented to the voters never mentioned those words. This language has been a source of controversy while the representatives of the court have repeatedly advised the Legislature that this language was superfluous and without substantive effect. This proposal seeks to remedy the oversight of the 1978 amendment by affording the voters an opportunity to choose after having been fully informed. The proposal clarifies an existing ambiguity. Vote 13-2.

Amendment (2015h)

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

RELATING TO: supreme court rules.

PROVIDING THAT: supreme court rules may not be inconsistent with statutes.

Amend the resolution by replacing paragraph I with the following:

I. That article 73-a of the second part of the constitution be amended to read as follows:

[Art.] 73-a [Supreme Court, Administration.] The chief justice of the supreme court shall be the administrative head of all the courts. He shall, with the concurrence of a majority of the supreme court justices, make rules governing the administration of all courts in the state and the practice and procedure to be followed in all such courts. The rules so promulgated shall have the force and effect of law; ***provided, however, that such rules may not be inconsistent with statutes.***

Amend the resolution by replacing paragraph IV with the following:

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

Are you in favor of amending the Constitution to provide that supreme court rules may not be inconsistent with statutes?

AMENDED ANALYSIS

This constitutional amendment-concurrent resolution provides that supreme court rules may not be inconsistent with statutes.

Adopted.

Rep. Boyce requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 231 NAYS 76			
YEAS 231			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Millham, Alida
Rice, Thomas	Rosen, Ralph	Salatiello, Thomas	Turner, Robert
Wendelboe, Francine	Wood, Jane		
CARROLL			
Babson, David Jr	Bradley, Jeb	Chandler, Gene	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	Mock, Henry	Patten, Betsey
Philbrick, Donald	Sullivan, P Judith	Torressen, Gary	
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Hunt, John
Lerandeau, Alfred	Manning, Joseph	McGuirk, Paul	Meador, David
Mitchell, McKim	Pratt, John	Richardson, Barbara	Roberts, William
Rose, William	Royce, H Charles	Smith, Edwin	Zerba, Roger
COOS			
Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Mears, Edgar	Merrill, Gerald	Pratt, Leighton	Tholl, John Jr
Woodward, David			
GRAFTON			
Akins, Ralph	Alger, John	Cobb, John	Copenhaver, Marion

Dudley, Terri	Gilman, G Michael	Hall, David	Harmon, Hobart
Hinman, Harry	Johnson, Gary	Marshall, Gene	Mirski, Paul
Nordgren, Sharon	Phinney, William	Picconi, Al	Scanlan, David
Solow, Martha			

HILLSBOROUGH

Ahern, Richard	Arnold, Thomas Jr	Arthur, Rose	Baroody, Benjamin
Batula, Peter	Beaupre, Roland	Belvin, William	Bergeron, Lucien
Bergin, Peter	Brundige, Robert	Bruno, Pierre	Buckley, Raymond
Calawa, Leon Jr	Carlson, Donald	Chabot, Robert	Christiansen, Lars
Clegg, Robert Jr	Cote, Peter	Daigle, Robert	Dalianis, Griffin
Daniels, Gary	Desrosiers, William	Dokmo, Cynthia	Drabinowicz, A Theresa
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Goley, Jeffrey	Hansen, Herbert
Herman, Keith	Herman, Richard	Holley, Sylvia	Hunter, Bruce
Jean, Claudette	Jean, Loren	Johnson, Lionel	Keye, Harvey
Kurk, Neal	L'Heureux, Robert	LaRose, Richard	Lasky, Bette
Lefebvre, Roland	Leishman, Peter	Lozeau, Donnalee	Lynde, Harold
MacGillivray, Jeffrey	Martel, Andre	Martin, Mary	McCarthy, William
McCarty, Winston	McGough, Tim	McRae, Karen	Mercer, Robert
Milligan, Robert	Moran, Edward	Mosher, William	O'Connell, Timothy
Ouellette, Dean	Pappas, Marc	Pepino, Leo	Rowe, Robert
Sargent, Maxwell	Simon, Anthony	Tate, Joan	Thulander, O Alan
Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy	White, Donald
Williams, Carol	Withee, Dennis		

MERRIMACK

Anderson, Eric	Brewster, Richard	Davis, Francis	Fortnam, Janet
Hager, Elizabeth	Hoadley, Elizabeth	Jacobson, Alf	Kennedy, Richard
Larrabee, David Sr	Lavoie, Gerard	Marple, Richard	Nichols, Avis

Poulin, Dave	Soltani, Tony	Whalley, Michael	
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Case, Margaret
Christie, Andrew Jr	Clark, Vivian	Cooney, Richard	Corbin, C David
Cox, Russell	DiFruscia, Anthony	Dowling, Patricia	Downing, Michael
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Grant, Kenneth	Griffin, Mary	Hutchinson, Karen
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Kobel, Rudolph	Langley, Jane	Langone, John	Letourneau, Robert
Major, Norman	McKinney, Betsy	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Pantelakos, Laura	Putnam, Ed II
Quandt, Marshall	Raynowska, Bernard	Reardon, Neil	Ruffner, Walter
Sabella, Norma	Splaine, James	Stickney, Nancy	Stritch, C Donald
Tufts, J Arthur	Varrell, Thomas	Weare, Everett	Welch, David
Weyler, Kenneth	Whittier, John	Zolla, William	
STRAFFORD			
Cossette, Larry	DeChane, Marlene	Dunlap, Patricia	Gilmore, Gary
Heon, Richard	Johnson, Nancy	Kaen, Naida	Knowles, William
Pelletier, Arthur	Pelletier, Marsha	Rollo, Michael	Torr, Franklin
Tsiros, William	Wall, Janet	Woods, Phyllis	
SULLIVAN			
Burling, Peter	Flint, Gordon Sr	Jones, Constance	Kibbey, David
Leone, Richard			
NAYS 76			
BELKNAP			

Pilliod, James			
CARROLL			
Dickinson, Howard			
CHESHIRE			
DePecol, Benjamin	Lynott, Margaret	Robertson, Timothy	
COOS			
Landers, Dana	Rodrigue, Robert		
GRAFTON			
Almy, Susan	Densmore, Jessica	Guest, Robert	
HILLSBOROUGH			
Burkush, James	Craig, James	Dwyer, Paul Sr	Garrish, Linda
Ginsburg, Ruth	Gorman, Mary	Hall, Betty	Konys, Christine
Leonard, Peter	McColgan, Philip Jr	McDonald, James Sr	Melcher, Harold
Messier, Irene	Murphy, Robert	Perkins, Paul	Peterson, Andrew
Reidy, Frank	Sarette, John	White, John	
MERRIMACK			
Bouchard, Candace	Chase, George	Daneault, Gabriel	French, Barbara
Gile, Mary	Hess, David	Lockwood, Priscilla	Rodd, Beth
Seldin, Gloria	St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Blanchard, MaryAnn	Clark, Martha	Gleason, John	Johnson, Robert

Lovejoy, Marian	Norelli, Terie	Pitts, Jacqueline	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth		
STRAFFORD			
Berube, Roger	Bickford, David	Brennan, William	Brown, George
Brown, Julie	Callaghan, Frank	Domingo, Baldwin	Estabrook, Iris
Keans, Sandra	Lent, Donald	Rogers, Rose Marie	Smith, Marjorie
Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis	Vincent, Francis
SULLIVAN			
Allison, David	Cloutier, John	Phinizy, James	Robb-Theroux, Amy
Tuthill, John	Wiggins, Celestine	Young, David	

and the report failed lacking the constitutionally required three-fifths.

motion to reconsider

Having voted with the prevailing side, Rep. Konys moved that the House reconsider its action whereby it failed to adopt the committee report on **CACR 2**, relating to supreme court rules. Providing that supreme court rules may not be inconsistent with statutes, by the constitutionally required three-fifths.

laid on the table

Rep. Mock moved that **CACR 2**, relating to supreme court rules. Providing that supreme court rules may not be inconsistent with statutes, be laid on the table.

Adopted. (Pending motion is reconsideration)

motion to special order

Rep. Chandler moved that **CACR 22**, relating to 7-year terms for state judges. Providing that all state judges appointed on or after January 1, 2001 be commissioned for 7-year terms, which may be renewed., be made a Special Order for Thursday, January 27, 2000 in the regular calendar order.

Adopted.

motion to vacate

Rep. Hager moved that the House vacate the reference of the following bills to the Committee on Finance.

HB 1434, relative to processing applications under the medicaid waiver.

HB 1578-FN-A, relative to the joint promotional program and making an appropriation therefor.

HB 1580-FN-A-L, allowing businesses to apply the investment tax credit to contributions made to public schools, charter schools, and scholarship funding organizations.

HB 1599-FN-A-L, establishing a prescription drug payment assistance program and making an appropriation therefor.

CACR 31, relating to the constitutional duty of the legislature concerning the interest of literature and the sciences. Providing that the legislature shall no longer have the constitutional duty to promote the interest of literature and the sciences.

HB 1148-FN-L, relative to certain weighted pupils within the adequate education grant distribution formula.

HB 1180-FN, relative to separating the budget for New Hampshire public television from the university system of New Hampshire budget.

HB 1316-L, prohibits school districts from using disbursements from the education trust fund as unanticipated revenue.

HB 1352, requiring that state funding for public television be used exclusively for the production of original programming.

HB 1387-L, relative to pre-existing school districts within a cooperative school district.

HB 1461-FN-A-L, relative to an education property tax exemption and school choice.

HB 1572-FN-A-L, repealing the education trust fund, the sources of funding for the education trust fund, and the procedures for funding state aid for educational adequacy.

HB 1247-FN-L, increasing the tax rate assessed on excavated earth.

HB 1261-FN-A-L, replacing the excavation tax and excavation activity tax with an excavation yield tax.

HB 1339-FN-L, relative to the local option to exempt taxation of certain excavation activity.

HB 1178, relative to using state funds for changing the name of a state agency or department.

HB 1282, establishing a committee to study the possibility of self-insuring state employees.

HB 1356-FN, relative to sales tax exemption certificates for antique dealers.

HB 1473-FN, relative to the payment of certain costs to contract service providers or vendors for pending claims by the department of health and human services.

HB 1573-FN, relative to funding of the salary of the director of emergency medical services.

HB 1284-FN, prohibiting the courts from charging fees.

HB 1490-L, relative to enabling municipalities to enact a sales tax.

HB 1586-FN-A-L, relative to public highway safety grants and making an appropriation therefor.

HB 1321, relative to certain funds collected by order of the public utilities commission.

HB 1436-FN-A, reducing the temporary rate of the communications services tax.

HJR 22, relative to the unintended consequences of the Balanced Budget Act of 1997.

HB 1491-FN, granting an adjustment to the business enterprise tax paid by transportation companies that contract for the transportation of public school pupils.

Rep. Hager spoke in favor and yielded to questions.

Rep. Chandler spoke against.

Reps. Royce and Herman spoke against and yielded to questions.

Rep. Langone moved that the motion to vacate be postponed to a time certain on the next session day and spoke in favor.

On a division vote, 94 members having voted in the affirmative and 191 in the negative, the motion to postpone failed.

Rep. Lozeau spoke against the motion to vacate.

Rep. Herman requested a roll call; sufficiently seconded.

The question being the motion to vacate.

YEAS 102 NAYS 184			
YEAS 102			
BELKNAP			
Millham, Alida	Salatiello, Thomas	Wood, Jane	
CARROLL			
Dickinson, Howard	Sullivan, P Judith		
CHESHIRE			

DePecol, Benjamin	Lynott, Margaret	Manning, Joseph	McGuirk, Paul
Mitchell, McKim	Pratt, John	Richardson, Barbara	Robertson, Timothy
Russell, Ronald			
COOS			
Davis, Perley	Rodrigue, Robert		
GRAFTON			
Almy, Susan	Cobb, John	Densmore, Jessica	Guest, Robert
Johnson, Gary	Mirski, Paul	Scanlan, David	Solow, Martha
HILLSBOROUGH			
Arthur, Rose	Bergeron, Lucien	Bergin, Peter	Bruno, Pierre
Cote, Peter	Daigle, Robert	Dokmo, Cynthia	Fenton, James
Garrish, Linda	Ginsburg, Ruth	Gorman, Mary	Hall, Betty
Keye, Harvey	Leishman, Peter	Lynde, Harold	Martin, Mary
McColgan, Philip Jr	Messier, Irene	O'Connell, Timothy	Sarette, John
Simon, Anthony	Turgeon, Roland	White, Donald	Williams, Carol
MERRIMACK			
Bouchard, Candace	Brewster, Richard	Chase, George	Fortnam, Janet
French, Barbara	Hager, Elizabeth	Lockwood, Priscilla	Marple, Richard
Poulin, Dave	Soltani, Tony	St Cyr, Gerard	Virtue, Carolyn
Whittemore, James	Yeaton, Charles		
ROCKINGHAM			
Beaulieu, Jon	Blanchard, MaryAnn	Case, Margaret	Clark, Martha
Cooney, Richard	Corbin, C David	Cox, Russell	Kane, Cecelia
Katsakiores, George	Kelley, William	Langley, Jane	Langone, John
Lovejoy, Marian	Norelli, Terie	Pantelakos, Laura	Putnam, Ed II

Quandt, Marshall	Sabella, Norma	Shultis, Elizabeth	Splaine, James
Stickney, Nancy	Weyler, Kenneth		
STRAFFORD			
Brennan, William	DeChane, Marlene	Heon, Richard	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Pelletier, Arthur	Pelletier, Marsha
Rogers, Rose Marie	Rollo, Michael	Taylor, Kathleen	Twardus, Joseph
Vachon, Dennis			
SULLIVAN			
Leone, Richard	Phinizy, James	Tuthill, John	Wiggins, Celestine
Young, David			
NAYS 184			
BELKNAP			
Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Pilliod, James
Rice, Thomas	Rosen, Ralph	Turner, Robert	Wendelboe, Francine
CARROLL			
Babson, David Jr	Bradley, Jeb	Chandler, Gene	Howard, Godfrey
Kenney, Joseph	Lyman, L Randy	Mock, Henry	Patten, Betsey
Philbrick, Donald	Torressen, Gary		
CHESHIRE			
Avery, Stephen	Batchelder, Robert	Blaisdell, Michael	Hunt, John
Lerandeau, Alfred	Meador, David	Rose, William	Royce, H Charles
Smith, Edwin	Zerba, Roger		

COOS			
Gallus, John	Guay, Lawrence	Horton, Lynn	Mears, Edgar
Pratt, Leighton	Tholl, John Jr		
GRAFTON			
Akins, Ralph	Alger, John	Copenhaver, Marion	Dudley, Terri
Gilman, G Michael	Hall, David	Hinman, Harry	Marshall, Gene
Nordgren, Sharon	Phinney, William	Picconi, Al	
HILLSBOROUGH			
Ahern, Richard	Arnold, Thomas Jr	Batula, Peter	Beaupre, Roland
Belvin, William	Brundige, Robert	Buckley, Raymond	Calawa, Leon Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Clegg, Robert Jr
Craig, James	Dalianis, Griffin	Daniels, Gary	Drabinowicz, A Theresa
Durham, Susan	Dwyer, Paul Sr	Dyer, Merton	Emerton, Lawrence
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Hansen, Herbert	Herman, Keith
Herman, Richard	Holley, Sylvia	Hunter, Bruce	Jean, Claudette
Jean, Loren	Johnson, Lionel	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lasky, Bette	Lefebvre, Roland
Leonard, Peter	Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre
McCarthy, William	McCarty, Winston	McDonald, James Sr	McGough, Tim
McRae, Karen	Melcher, Harold	Mercer, Robert	Milligan, Robert
Moran, Edward	Mosher, William	Murphy, Robert	Ouellette, Dean
Pappas, Marc	Peterson, Andrew	Rowe, Robert	Sargent, Maxwell
Tate, Joan	Thulander, O Alan	Vaillancourt, Steve	Wall, Nancy
White, John	Withee, Dennis		
MERRIMACK			
Anderson, Eric	Daneault, Gabriel	Davis, Francis	Hess, David

Hoadley, Elizabeth	Jacobson, Alf	Kennedy, Richard	Larrabee, David Sr
Lavoie, Gerard	Nichols, Avis	Wallin, Jean	Whalley, Michael
ROCKINGHAM			
Abbott, Dennis	Arndt, Janet	Christie, Andrew Jr	Clark, Vivian
DiFruscia, Anthony	Dowling, Patricia	Fesh, Robert	Flanagan, Natalie
Flanders, David	Flanders, John Sr	Francoeur, Sheila	Gleason, John
Grant, Kenneth	Griffin, Mary	Hutchinson, Karen	Johnson, Robert
Katsakiores, Phyllis	Kobel, Rudolph	Letourneau, Robert	Major, Norman
Moore, Benjamin	Nowe, Mary Lou	Nowe, Ronald	Pitts, Jacqueline
Raynowska, Bernard	Reardon, Neil	Ruffner, Walter	Schanda, Frank
Shelton, Richard	Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas
Weare, Everett	Welch, David	Whittier, John	Zolla, William
STRAFFORD			
Berube, Roger	Brown, Julie	Cossette, Larry	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Knowles, William
Smith, Marjorie	Torr, Franklin	Tsiros, William	Vincent, Francis
Wall, Janet	Woods, Phyllis		
SULLIVAN			
Allison, David	Burling, Peter	Cloutier, John	Flint, Gordon Sr
Jones, Constance	Kibbey, David	Robb-Theroux, Amy	

and the motion failed.

reconsideration

Having voted with the prevailing side, Rep. Young moved that the House reconsider its action whereby it ordered to third reading ***HB 235-FN-A***, increasing exemptions under the interest and dividends tax, and spoke against.

Reconsideration failed.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, January 27, 2000 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 235-FN-A, increasing exemptions under the interest and dividends tax.

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

SB 186-FN, relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance.

RECESS MOTION

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

Adopted.

The House recessed at 5:25 p.m.

RECESS