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 27, 2000 No. 12

HOUSE JOURNAL No. 3 (cont.)

Thursday, January 13, 2000

(Rep. Sapareto in the Chair)

RESOLUTION

Rep. Dickinson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1614, shall be by this resolution read a first and second time by the therein listed title, sent for printing, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1614, naming 2 bridges. (L'Heureux, Hills 18; Jacobson, Merr 2; Milligan, Hills 18; Griffin, Rock 27; D. White, Hills 25; Roberge, Dist 9; D'Allesandro, Dist 20; Disnard, Dist 8; Johnson, Dist 3; F. King, Dist 1: Public Works and Highways)

senate messages

nonconcurrence

HB 366, repealing the requirement that persons filing for a primary on the last day of the filing period do so in person.

concurrence

HB 448, relative to the board of dental examiners and the regulation of dentists and dental hygienists.

concurrence with amendments

SB 29-L, relative to the proper sheltering of dogs.

SB 86, relative to enforcement of the collection and payment of county taxes by the county treasurer.

SB 162, authorizing licensure and regulatory oversight of voluntary small employer health insurance purchasing alliances.

SB 176-FN-A, relative to technology support for individuals and establishing a committee to study certain assistive technology services provided statewide.

SB 222-FN-A-L, relative to guarantee of loans to local development organizations.

RECESS

(Rep. Clegg in the Chair)

RESOLUTION

Rep. Lozeau offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 46 shall be by this resolution read a first and second time by the therein listed title, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF SENATE BILL

First, second reading and referral

SB 46-FN, relative to the applicability of mooring permit requirements. (Resources, Recreation and Development)

RECESS

(Rep. Chandler in the Chair)

RESOLUTION

Rep. Lozeau offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1615, shall be by this resolution read a first and second time by the therein listed title, sent for printing, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1615-L, relative to the application of a local per capita income weighting factor to the education property tax. (Bradley, Carr 8; Chandler, Carr 1; Patten, Carr 9: Finance)

RECESS

(Rep. Fields in the Chair)

ENROLLED BILL AMENDMENT

SB 176-FN-A, relative to technology support for individuals and establishing a committee to study certain assistive technology services provided statewide. ((Amendment printed SJ 2, 2/3/00)

Adopted.

RECESS

(Rep. Leighton Pratt in the Chair)

enrolled bill amendment

HB 448, relative to the board of dental examiners and the regulation of dentists and dental hygienists.

Amendment (3153-EBA)

Amend section 30 of the bill to read as follows:

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

Adopted.

RESOLUTION

Rep. Betty Hall offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1200 and 1616, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1200-FN, relative to the application of education property tax hardship relief to real estate trusts. (Chandler, Carr 1; Mock, Carr 3; Patten, Carr 9; Hess, Merr 11; Vaughn, Rock 35; Cohen, Dist 24; Klemm, Dist 22; Johnson, Dist 3; F. King, Dist 1; Gordon, Dist 2: Finance)

HB 1616-FN, relative to registration fees for certain construction equipment vehicles. (J. Flanders, Rock 18; Chandler, Carr 1; McCarty, Hills 38: Transportation)

RECESS

(Rep. Chandler in the Chair)

RESOLUTION

Rep. Sytek offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1617, shall be by this resolution read a first and second time by the therein listed title, sent for printing, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1617-FN, relative to suspension of a driver's license for sufficient cause. (Packard, Rock 29; Letourneau, Rock 13; Bartlett, Belk 6: Transportation)

RECESS

(Speaker Sytek in the Chair)

committee assignments

Rep. Marie N. Rabideau off State-Federal Relations and Veterans Affairs; on Legislative Administration.

Rep. David A. Young off Legislative Administration; on State-Federal Relations and Veterans Affairs.

Rep. Chandler moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 4

Thursday, January 27, 2000

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

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

Gracious Creator, of all that is seen and unseen, we stand before You in thanksgiving for the liberties and freedoms we share as Americans and as citizens of New Hampshire. We ask for Your continued blessing upon the honorable work done in this chamber. Give wisdom, insight, and courage to the legislators here assembled, that they may serve to promote the dignity and well being of those who sent them here. Give patience and energy to all those who staff this hallowed chamber and who work behind the scenes to support the democratic process that we cherish. And as we approach our Presidential primary decision, stir up among all the people of New Hampshire a true love for freedom, that each may participate as his or her conscience dictates, and that each may be a faithful steward and defender of the liberties we share. Amen.

Rep. Holbrook led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Bishop, Julie Brown, Cobb, Patricia Cote, Eaton, Ford, Goulet, Guay, Hamel, Hawkinson, Henderson, Heon, Howard, Jane Kelley, McDonough-Wallace, Nichols, Royce, Sabella, Searles, Shelton, Taylor and Turner, the day, illness.

Reps. Asplund, Blanchard, Bridle, Doucette, Flint, Fraser, Glines, Hess, Kaen, LaMott, Leber, McIntyre, McKinney, O'Keefe, Marsha Pelletier, Priestley, Rosenfield, St. Cyr. Torr, Williams and Woodward, the day, important business.

INTRODUCTION OF GUESTS

Douglas Campbell, guest of Rep. Sullivan. Noreen McCarthy, wife of Rep. McCarthy. Patricia McDonald, wife of Rep. McDonald. Chris Rawsthorne, guest of Reps. Virtue and Dickinson.

Clerk's Note

When less than two-thirds of the elected membership is present, Part II, Article 20 of the state constitution requires the assent of two-thirds of those present and voting to render their acts and proceedings valid.

COMMITTEE REPORTS

CONSENT CALENDAR

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

HCR 29, promoting the development and implementation of a financial literacy curriculum for primary school pupils in New Hampshire, removed by Rep. Kenney.

HB 1198, establishing a procedure for the 2001 voter checklist verification, removed by Rep. Kennedy.

CACR 35, relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay, removed by Rep. Mirski.

HB 1263-FN, establishing the crime of misrepresentation of law or facts of a case by a state judicial, executive, or legislative official, removed by Rep. Christiansen.

HB 1486-FN, making the penalty for the offense of official oppression a felony and creating a civil cause of action against public officials for abuse of office or improper influence, removed by Rep. Weyler.

HB 1290, relative to liability for motor vehicle state inspection, registration, and equipment violations, removed by Rep. Vaillancourt.

Consent Calendar adopted by the necessary two-thirds.

HB 1212, relative to extending the reporting date of the open adoption study committee. OUGHT TO PASS

Rep. Laura C. Pantelakos for Children and Family Law**:** The committee felt that more time was needed to study this issue. Vote 13-0.

HB 1130, relative to persons conducting alcohol concentration tests. OUGHT TO PASS WITH AMENDMENT

Rep. John E. Tholl, Jr. for Criminal Justice and Public Safety**:** This bill re-establishes the right of a defendant to confront the evidence against him/her at trial when RSA 265:90 was amended to permit the certifying scientist to testify at trial rather than the chemist performing the test. It inadvertently removed the right for the defendant to question the person performing the breath test. The committee felt that this was a fairness issue. The amendment only changes the effective date to upon passage. Vote 14-0.

Amendment (3107h)

Amend the bill by replacing section 3 with the following:

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

HB 1136, adding the dean of the college for lifelong learning to the university system of New Hampshire board of trustees. OUGHT TO PASS WITH AMENDMENT

Rep. David E. Larrabee, Sr. for Education**:** This bill corrects an inequity in the university system of three out of four Presidents being on the Board of Trustees. This legislation includes the President of the College of Life Long Learning. The amendment corrects language in other sections of the law referring to CLL. The committee recognizes the inflated number of trustees on the Board and instructed a letter be sent to the University Oversight Committee to review and make recommendations on this issue. Vote 14-1.

Amendment (3064h)

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

AN ACT relative to the university system of New Hampshire board of trustees.

Amend RSA 187-A:13, I as inserted by section 2 of the bill by replacing it with the following:

I. [~~Seven~~] ***Eight*** ex-officio members: the governor of the state, the chancellor of the university system, the commissioner of agriculture, markets, and food, the commissioner of education, the president of the university of New Hampshire, the president of Plymouth state college, the president of Keene state college***, the president of the university system college for lifelong learning***;

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as section 5:

3 State College and University System; Operation of the Board of Trustees; Quorum Amended. Amend RSA 187-A:15, IV to read as follows:

IV. [~~Thirteen~~] ***Fourteen*** members shall constitute a quorum for the transaction of business, but not less than 14 affirmative votes shall be required to elect the chancellor of the university system or a college or university president;

4 State College and University System; Authority of the Trustees; Name Change Inserted. Amend RSA 187-A:16, I to read as follows:

I. Appoint and fix the compensation of a president of the university of New Hampshire, a president of Keene state college, a president of Plymouth state college, and a [~~dean~~] ***president*** of the university system college for lifelong learning, who shall be the chief academic and administrative officers of their respective institutions. The chief executive officer of each institution shall have the authority for and be responsible for the general administration and supervision of all aspects of the institutional, research and service programs of that institution.

AMENDED ANALYSIS

This bill:

I. Changes the title of the dean of the college for lifelong learning to the president of the college for lifelong learning.

II. Adds the president of the college for lifelong learning to the university system board of trustees.

III. Increases from 13 to 14 the quorum required on the university system board of trustees.

HB 1150, relative to voter registration for official ballot meetings. OUGHT TO PASS

Rep. Jane A. Clemons for Election Law**:** This bill allows persons to register to vote at the polling place at official ballot meetings where persons may vote by absentee ballot. Vote 15-0.

HB 1186, extending the reporting date of the Sullivan county regional refuse disposal district issues study committee. OUGHT TO PASS

Rep. John G. Tuthill for Environment and Agriculture**:** This bill extends the reporting date of the committee studying issues pertaining to the Sullivan County Regional Refuse Disposal District. The committee shall report and make recommendations for legislation on or before November 1, 2000. Vote 15-0.

HB 1175, relative to license renewal for dental hygienists. OUGHT TO PASS

Rep. Syliva A. Holley for Executive Departments and Administration**:** This bill changes the year of license renewal for dental hygienists from even-numbered years to odd-numbered years. Presently, both dentists and dental hygienists are renewed in even numbered years. By changing hygienist license renewal to odd-numbered years, the board's workload would be more evenly distributed and the office more efficient. Vote 15-0.

HB 1176, relative to publication of notice of meetings of the joint health council. INEXPEDIENT TO LEGISLATE

Rep. Alida I. Millham for Executive Departments and Administration**:** The Joint Health Council consists of representatives from the Board of Nursing, the Board of Pharmacy and the Board of Medicine who meet to determine and revise the drug formulary for advanced registered nurse practitioners. Given the importance of the council and the relationship between the board, it is appropriate to continue to post the notice of their meetings in the House and Senate calendars. Vote 15-0.

HB 1223, changing the name, amending the duties, and extending the reporting date of the committee to study the unclassified salary structure for state officers. OUGHT TO PASS

Rep. Merton S. Dyer for Executive Departments and Administration**:** This bill will continue the committee established by Chapter 203:3 of the 1999 session and extend the reporting date for the study of the unclassified study committee. The committee working with the Department of Administrative Services needs to be continued so that the completed study can be ready by late summer and legislation, if needed, can be drafted for the 2001 session. Vote 13-0.

HB 1117-FN-A, establishing a retail sales fee on alcoholic beverages. INEXPEDIENT TO LEGISLATE

Rep. O. Alan Thulander for Finance**:** At the request of the prime sponsor, the bill was withdrawn from legislative consideration. Vote 18-0.

HB 1142, establishing a study committee to evaluate the Medicaid "In and Out" Program. INEXPEDIENT TO LEGISLATE

Rep. Marion L. Copenhaver for Health, Human Services and Elderly Affairs**:** The committee heard testimony about the Medicaid "In and Out" program that is complicated by federal regulations regarding eligibility. The basic issue of explaining these qualifications seemed to be centered in one district office. The Health and Human Services Oversight Committee will be monitoring this program at future meetings. Vote 13-1.

HB 1206, extending the reporting date of the committee studying alcohol and drug abuse prevention. OUGHT TO PASS

Rep. Walter D. Ruffner for Health, Human Services and Elderly Affairs**:** This is an extremely important function and the committee is discovering abundant and relevant information that can be positive and a remedial benefit to those who are tragically affected by the abuse of drugs or alcohol. The members of the committee have asked for more time to materialize their findings and uncovering more information. Vote 11-0.

HB 1256, clarifying certain health care laws. OUGHT TO PASS

Rep. James P. Pilliod for Health, Human Services and Elderly Affairs**:** This bill relieves retired physicians from the quarterly task of filing ownership interests in medical service entities since there is no financial implications after retirement which would require disclosure under federal or state law. Vote 13-0.

HB 1272, allowing school nurses to possess and administer epinephrine for certain emergency treatment. OUGHT TO PASS

Rep. James P. Pilliod for Health, Human Services and Elderly Affairs**:** This bill would provide additional protection to schoolchildren, especially in cases of an anaphylactic shock emergency. This problem was of particular concern to school nurses who would be substantially relieved by the passage of this bill, which authorizes school nurses to possess the proper medication and equipment. Vote 14-0.

HB 1301, relative to regional appointments to the state committee on aging. OUGHT TO PASS WITH AMENDMENT

Rep. Alphonse Haettenschwiller for Health, Human Services and Elderly Affairs**:** The committee heard only testimony supporting this legislation which insures that there will be at least one member on the State Committee on Aging from each county. It also updates current legislation to reflect that the Division of Elderly and Adult Services of the Department of Health and Human Services and Elderly Affairs receives federal or other funds rather than the committee. Vote 14-0.

Amendment (3095h)

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

1 Regional Representation on the State Committee on Aging. Amend RSA 161-F:7, I to read as follows:

I. There shall be a state committee on aging which shall consist of 18 members. The committee shall include the chairperson of the joint legislative committee on elderly affairs, one representative appointed by the speaker of the house, and one senator appointed by the senate president. Three members shall be appointed by the governor with the approval of the council from each of the 5 councilor districts established under RSA 662:2***. Those members appointed by the governor shall include at least one member from each county***. [~~The committee shall also include the chairman of the joint legislative committee on elderly affairs, one representative appointed by the speaker of the house, and one senator appointed by the president of the senate. Each of the members shall serve for a term of 3 years except the legislative members' terms shall be co-terminous with their 2-year legislative terms.~~] At least 8 members shall be 60 years of age or older at the time of their appointment, and not more than 8 members shall be of the same political

party. Nine members shall constitute a quorum. ***Each of the members shall serve for a term of 3 years, except the legislative members' times shall be co-terminous with their 2-year legislative terms.*** No member shall serve more than 2 consecutive terms, and no member shall have a material financial interest in any agency receiving federal or other funds administered by the [~~committee~~] ***division of elderly and adult services of the department of health and human services***.

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

HB 1325, establishing a study committee to address smoking in motor vehicles. INEXPEDIENT TO LEGISLATE

Rep. Peter Batula for Health, Human Services and Elderly Affairs**:** Although well intentioned, the committee was totally convinced that this was an educational situation not a law enforcement situation. In addition, if a law were established/passed, enforcement would be next to impossible. In the opinion of the committee, the implied study committees' effort would be to make it a law enforcement issue. Vote 14-0.

HB 1337, repealing the New Hampshire foundation for mental health. OUGHT TO PASS

Rep. Joseph Manning for Health, Human Services and Elderly Affairs**:** The New Hampshire Foundation for Mental Health came into existence when the then, new NH hospital was first opened in the 1980's. The foundation board was charged with finding grant monies for programs at the hospital. Since the department did, and still does fine work in this regard, the Board ceased to meet nine years ago, but this "no longer necessary law" has never been taken off the books. The department concurs with our vote. Vote 13-1.

HB 1379, establishing a long-term care council. INEXPEDIENT TO LEGISLATE

Rep. Andre A. Martel for Health, Human Services and Elderly Affairs**:** This particular bill would establish a new council to oversee long-term care policies in the state. Oversight on this issue already exists in the Health and Human Services Oversight Committee. There is also, an existing 16-member Long Term Care Institute, which has a distinct interest in long term care in New Hampshire. Vote 14-0.

HB 1394, requiring physicians to conduct examinations of the entire colon for certain patients. INEXPEDIENT TO LEGISLATE

Rep. Walter Ruffner for Health, Human Services and Elderly Affairs**:** The committee deemed it inappropriate to legislate medical practices. The concerns of the sponsor of this bill are indeed understandable and the support of this practice of colonoscopies is highly noted. Vote 14-0.

HB 1538-FN, relative to coverage of treatment for periodontal disease for adults on medicare or medicaid. INEXPEDIENT TO LEGISLATE

Rep. Alphonse Haettenschwiller for Health, Human Services and Elderly Affairs**:** The committee had great sympathy for the problem that this proposed legislation seeks to address. The problem of dental care for low-income adults is a longstanding problem that certainly needs to be addressed, but in a much broader context than only non-surgical treatment of periodontal disease. The committee stands ready to review any proposed legislation that looks at the broad issue of dental care for adults under Medicaid. Also, as the budget for the biennium is set, any monies spent in this proposed program would have to come from existing programs that already may have limited funds. Vote 14-1.

HB 1233, relative to interest on judgments. OUGHT TO PASS WITH AMENDMENT

Rep. Robert H. Rowe for Judiciary**:** Presently, interest is assessed on judgments under two separate statutes. The current law provides for accrual of interest from the commencement of the action until the entry of the verdict. Another law allows interest to be assessed after execution is taken. This bill consolidates the existing law and clears the ambiguity and provides continuity in assessing interest from the entry of the action until final tender. Vote 14-0.

Amendment (3109h)

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

1 Simple Interest on Judgments. Amend the section heading and paragraph I of RSA 336:2 to read as follows:

336:2 Time of Effective Rate***; Accrual of Simple Interest***.

I. The rate paid on judgments shall be the rate in effect at the time the verdict is rendered or a finding for pecuniary damages is made, as certified by the clerk of court. ***Simple interest on judgments shall be imposed from the date the action is commenced to the date the judgment is paid.***

2 Simple Interest on Executions in Civil Actions. Amend RSA 527:10 to read as follows:

527:10 Interest. Simple interest is payable on executions in civil actions [~~from the time of judgment rendered~~] ***in a manner consistent with the provisions of RSA 336:2, I***.

AMENDED ANALYSIS

This bill establishes that simple interest on judgments shall be imposed from the date the action is commenced to the date of payment of the judgment.

HB 1477-FN-L, relative to notification of public proceedings. INEXPEDIENT TO LEGISLATE

Rep. Terri C. Dudley for Judiciary**:** The committee felt that the notification laws and process now in place are working adequately. This bill has the potential to have substantial financial impact on all towns, counties and state governments. This raised Art. 28-A red flags. Further, the bill was drafted so specifically as to **where** a notice was to be posted that it just couldn't be applicable on a statewide basis. There was also a problem with daily, weekly and monthly newspaper notices. The committee felt that we should leave well enough alone. Vote 16-0.

HB 1122, relative to firewards. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government**:** This bill would have prohibited fire chiefs who were appointed by the firewards from, at the same time, being a fireward. Current law is the product of a study committee which approximately seven (7) years ago considered this subject thoroughly. Municipal and County Government found that passing this bill would affect the operations of fire departments in many communities in the state. Furthermore, municipalities already have the authority to enact this prohibition if they so choose. Vote 15-0.

HB 1425-L, relative to driveway permits. INEXPEDIENT TO LEGISLATE

Rep. William J. Kelley for Municipal and County Government**:** This bill would transfer the authority to issue driveway permits from Planning Boards to Boards of Selectmen and city councils. The committee unanimously agreed that this authority should not be transferred and should continue to be where it belongs, with the Planning Board. Vote 16-0.

HB 1141, relative to access highways to public waters. OUGHT TO PASS

Rep. John R. Cloutier for Public Works and Highways**:** This bill would permit new boating access highways to be called Class III-a highways, to be laid out subject to the condition that they may not be maintained during the winter months. Also, such highways may be laid out subject to gates and bars or restricted to the accommodation of foot or vehicular traffic or both if federal funds are not used. Under the bill, Fish and Game Department's executive director may petition the Governor and Council to discontinue such highways. Finally, the bill also eliminates the requirement that refurbished service roads included in the statewide public boat access program be laid out as limited access facilities. The Public Water Access Advisory Board chair testified at the hearing that his board is in favor of the bill. Vote 14-0.

HB 1245, relative to notice of railroad construction projects. INEXPEDIENT TO LEGISLATE

Rep. Barbara L. Spear for Public Works and Highways**:** The existing procedures for rebuilding, modernization or maintenance projects for rail lines include working with the local community to keep the inconvenience to that community to a minimum. The incident in Wakefield, where the highway crossing was closed without notice by the railroad causing much disruption to the community, was unfortunate, but was an exception to the usual procedure. The committee was very concerned with this possible disregard for other forms of transportation other than railroads. We felt that these occurrences should be watched closely and will respond with legislation. Vote 14-0.

HB 1566-FN, relative to perambulation between states. OUGHT TO PASS

Rep. Barbara L. Spear for Public Works and Highways: Terminology for all the boundaries between New Hampshire and neighboring states should be the same. This bill recodifies old statutes and makes them gender neutral. Vote 14-0.

HB 1287, relative to the membership of the water council. OUGHT TO PASS

Rep. MaryAnn N. Blanchard for Resources, Recreation and Development**:** This bill authorizes "designees" for ex-officio members of the Water Council and requires members of this Council to take an oath. This Council acts on Department of Environmental Services (DES) grants and loans, reviews administrative rules for water issues, decides appeals of DES orders among other responsibilities. Attendance is very important and consistency of representation from each of the five ex-officio members is essential for thorough review of all matters that come before the Council. There was no testimony opposed to this bill. Vote 15-0.

HB 1306, relative to boating on Sandogardy Pond in the town of Northfield. INEXPEDIENT TO LEGISLATE

Rep. David M. Lawton for Resources, Recreation and Development**:** This bill would ban petroleum-powered motor boats on the waters of Sandogardy Pond, an approximately (41) acre water body in the town of Northfield. Also, the bill would require that any fines collected as a result of the ban be paid to the town. There was significant local opposition to the ban including the board of selectmen of Northfield, as well as several shorefront property owners. Since the Department of Safety

currently has in place a good hearing/approval process to impose such bans, the majority of the committee recommends that HB 1306 be voted inexpedient to legislate. Vote 14-1.

HB 1386, designating segments of the Souhegan River as protected under the rivers management and protection program. OUGHT TO PASS

Rep. Timothy D. O'Connell for Resources, Recreation and Development**:** Towns along the Souhegan River are experiencing continual development pressure. The nomination process received strong regional support, together with active involvement of numerous agencies, and associations. The acceptance of the Souhegan River into the Rivers Management Protection Program will result in greater community awareness and co-operation in managing this resource. Vote 15-0.

HB 1161, making technical changes to the New Hampshire Aeronautics Act and establishing a committee to study revisions to the state aeronautics laws. OUGHT TO PASS

Rep. Robert H. Milligan for Transportation**:** This bill recommends technical corrections to New Hampshire State Aeronautics laws, with assistance of an appointed study committee. This bill is a request of the NH State Aeronautics Commission. Vote 15-0.

HB 1353, raising driver testing standards. INEXPEDIENT TO LEGISLATE

Rep. George A. LaPorte for Transportation**:** Since the prime sponsor has spoken to the Commissioner of the Department of Safety, they feel that they can improve testing within the Department of Safety. Vote 16-0.

HB 1378, establishing a task force to conduct an ongoing study of the feasibility of re-establishing passenger rail service on the Eastern Line from Newburyport, Massachusetts to Kittery, Maine. OUGHT TO PASS

Rep. George N. Katsakiores for Transportation**:** This bill establishes a task force to monitor the revitalization of the Newburyport, MA to Kittery, ME rail corridor. This rail service would provide economic benefit to the Seacoast area. The task force will cite the benefits to the Pease and Port Authorities with regards to commuter and tourist rail service, as well as economic benefit. The task force will report every six months to the Speaker of the House, the President of the Senate and the Governor. Vote 15-0.

HB 1409, establishing a committee to study the feasibility of reestablishing the Lawrence, Massachusetts to Manchester, New Hampshire rail service line and the Concord to Lebanon Northern passenger rail service line. OUGHT TO PASS WITH AMENDMENT

Rep. George N.Katsakiores for Transportation**:** With interest in developing a multi-model transportation system in New Hampshire, with railroad advocates promoting the reintroduction of rail transportation in our state, a study committee would look at the most important corridor, from Lawrence, MA to Lebanon, NH. This is the first step in revitalization of the Boston to Montreal service. The study committee hopefully will report their findings positive, and provide the Legislature with a great deal of knowledge as to rail service restoration and its economic benefit to our state. Vote 15-0.

Amendment (3052h)

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall evaluate potential ridership demand over the next 5 to 10 years, the costs associated with reestablishing the lines, the opportunities for private/public partnerships to assist in funding the project, and the interactions required between participating states. The committee shall work collaboratively with all geographically associated regional planning commissions.

HB 1588, relative to the authority of the department of transportation regarding rail safety inspections. OUGHT TO PASS WITH AMENDMENT

Rep. George N. Katsakiores for Transportation**:** This bill authorizes the Department of Transportation Commissioner to carry out railroad safety inspections as prescribed by the Secretary of Transportation under the authority of the Federal Railroad Safety Act of 1970. For railroad properties not subject to federal regulations, the Commissioner may adopt rules under RSA 541-A and carry out such inspections as are necessary to maintain safety within the state. Vote 15-0.

Amendment (3117h)

Amend RSA 367:55, I-II as inserted by section 2 of the bill by replacing it with the following:

I. For railroad properties within the state that are subject to federal regulation, the commissioner shall have the authority to participate in carrying out inspection activities in connection with any rule, regulation, order, or standard prescribed by the Secretary of Transportation of the United States under the authority of the Federal Railroad Safety Act of 1970, as amended, provided that the commissioner shall comply with all of the requirements imposed by federal law as a condition to such participation.

II. For railroad properties within the state that are not subject to federal regulation, the commissioner may adopt rules pursuant to RSA 541-A and in conformance with the Federal Railroad Safety Act of 1970, as amended, setting safety standards for signal and train control, motive power and equipment, operating practices, hazardous material handling, and track used in or constituting a part of such properties. The commissioner shall carry out such inspections as are necessary to maintain railroad safety within the state. If the commissioner finds any equipment or facilities to be unsafe, a proceeding shall be commenced as provided by law to develop an order for corrective action.

HB 1167, exempting certain dog trainers from the requirement of possessing a hunting license. INEXPEDIENT TO LEGISLATE

Rep. Dennis F. Abbott for Wildlife and Marine Resources**:** It was agreed, by the sponsors and the Fish and Game Department, that the intent of this bill regarding the training of hunting dogs could and is being met by rulemaking pursuant to RSA 541-A. Therefore, the committee and the sponsors request that the bill be made Inexpedient To Legislate. Vote 13-0.

HB 1225, relative to the name of the department of fish and game. OUGHT TO PASS

Rep. Gene G. Chandler for Wildlife and Marine Resources**:** During the summer, the Fish and Game Department held hearings regarding possible name changes for the Department. Given that our deadline for filing bills was after the hearings were to conclude, and understanding the strong objections of sportsmen and sportswomen to changing the name of the Department, it was necessary to file a bill to ensure that the name remained the Fish and Game Department. While the hearings showed the strong public objection to a name change and the Fish and Game Commission voted to not recommend a change, all the sponsors and the Wildlife and Marine Resources Committee, by

unanimous vote, concluded the bill should pass as written, thereby firmly establishing the traditional and long respected name, The Fish and Game Department. Vote 14-0.

HB 1262-FN, establishing a fly-fishing stamp for persons possessing a fishing license who wish to fly-fish in waters designated fly-fishing only. INEXPEDIENT TO LEGISLATE

Rep. Betsy McKinney for Wildlife and Marine Resources**:** The theory that fly-fishing is elitist prompted this legislation, however, testimony did not support this perception. Fish and Game Department uses fly-fishing to help maintain fish levels and conservation of smaller areas from overfishing, i.e. fly-fishermen don't catch as many fish as "bait" fishermen. Nothing prohibits any "bait" fisherman from becoming a fly-fisherman. Committee felt this legislation was unnecessary. Vote 11-2.

HB 1455, relative to residency requirements for persons over 68 possessing a special complimentary license to hunt, fish, or trap. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. L'Heureux for Wildlife and Marine Resources**:** The original bill dealt with special hunting, fishing and trapping licenses for persons over 68 and while the committee felt there was some merit in this concept, it became readily apparent that the bill created more problems than it would solve. The Fish and Game Department had come to the committee with a late request to have legislation passed to allow the Department to sell licenses electronically on the Internet with bonded agents. Even though the proposal was germane to the original license bill, the committee held a public hearing on the Department's idea and voted unanimously to support the amendment which replaces the original bill. Vote 14-0.

Amendment (3094h)

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

AN ACT relative to the authority of the fish and game department for the electronic issuance of licenses, permits, stamps, and tags.

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

1 Issuance of Licenses; Section Heading Changed. Amend the section heading of RSA 214:7 to read as follows:

214:7 Issuance of Licenses; License Agents***; Electronic Issuance***.

2 New Paragraph; Electronic Issuance; Rulemaking. Amend RSA 214:7 by inserting after paragraph V the following new paragraph:

VI. The executive director may adopt rules pursuant to RSA 541-A for the electronic issuance of licenses, permits, stamps, and tags under the provisions of this title, by an agent or by the department. Any such rules may include procedures for verification of residency, the determination of sufficient proof of hunter education or other certification requirements, and any requirements of the licensee as to the use of the license, permit, stamp, or tag acquired electronically.

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

AMENDED ANALYSIS

This bill adds a rulemaking provision for the fish and game department on the electronic issuance of licenses, permits, stamps, and tags.

HB 1604-FN-L, establishing the position of state animal control officer. REFER FOR INTERIM STUDY

Rep. Dennis F. Abbott for Wildlife and Marine Resources**:** This bill establishes the position of a statewide animal control officer to act as a resource for towns and cities, and accordingly, to provide technical backup. The committee feels that the legislation has merit, but the question of an unfunded mandate must be addressed and suitable funding found. Vote 14-0.

REGULAR CALENDAR

SB 147, relative to self-referrals for chiropractic care under managed care organizations. OUGHT TO PASS WITH AMENDMENT

Rep. Martha Fuller Clark for Commerce**:** This bill was re-committed to the committee for a minor correction. The original committee amendment provided for a "maximum" of 12 direct access chiropractic visits under managed care for those plans that choose to sell a chiropractic benefit. The use of the term maximum had the potential of creating the unintended consequence of limiting those plans that presently allow for more than 12 direct access visits. To address this concern, the term "maximum" was removed. With the new committee amendment, the bill makes it clear that managed care plans can offer more than 12 annual direct access visits for chiropractic care if they choose to. In working on this legislation, the committee heard testimony in a hugely attended public hearing about current problems with managed care's inability to manage effectively chiropractic benefits. Many healthcare consumers claimed that they are being denied access to chiropractic care for which they have already purchased coverage. The amendment to SB 147 stipulates that managed care plans that already sell chiropractic benefits must allow 12 annual self-referral chiropractic visits before utilization review of treatment will be required. It also requires a doctor, after an initial consultation, must send documentation to the insurer and/or the primary care physician. A section of the Senate version would have required that insurers pay all chiropractic providers a comparable fee if they perform a comparable service. The Commerce Committee has substituted non-discrimination language instead, believing it to be the better solution. Vote 11-1.

Amendment (3066h)

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

1 New Section; Chiropractic Care. Amend RSA 420-J by inserting after section 6-9 the following new section:

420-J:6-b Self-referrals for Chiropractic Care. A health benefit plan under this chapter offering chiropractic benefits shall provide benefits to a covered person who utilizes services of a chiropractic provider (doctor of chiropractic) by self-referral for 12 visits under the following conditions:

I. Unless otherwise provided for by the health benefits plan, self-referral visits shall not apply to wellness care visits.

II. A covered person may utilize the services of a doctor of chiropractic as defined in RSA 316-A, without discrimination relative to access and fees, subject to the terms and conditions of the policy.

III. The health benefit plan shall fully disclose to the certificate holder in clear and understandable language the exact terms and conditions of each option that the certificate holder has purchased along with the co-payments or other cost-sharing features of each option.

IV. Within 10 working days of the first visit or consultation, the doctor of chiropractic shall send to the health benefit plan, or its designee, the chiropractic case findings. This shall be sufficient documentation for the initial 12 visits.

V. After 12 self-referral visits, a covered person who is continuing chiropractic care may be subject to utilization review from the health plan, or its designee, for the purpose of continued care. A provider of the same specialty shall be consulted when making any utilization review determination under this section.

VI. If the chiropractic provider recommends care beyond 12 visits, the participating doctor of chiropractic shall send to the insurer, or its designee, documentation containing information on the covered person's progress and necessity of care as well as a care plan for extended chiropractic care. The care recommendation shall be deemed authorized if the health benefit plan does not respond to the care recommendation within 7 business days. If the doctor of chiropractic fails to provide the required documentation, the insured or its covered person shall not be liable to the chiropractic provider for any unpaid fees.

VII. The covered person shall retain the right to choose chiropractic care on an elective, self-pay, fee-for-service basis; no entity regulated under this chapter shall prohibit a doctor of chiropractic from continuing care on an elective, self-pay, fee for service basis.

VIII. Nothing in this section is intended to limit the health plan's ability to credential providers or structuring with network providers.

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

Adopted.

Report adopted and ordered to third reading by the necessary two-thirds.

Clerk's Note

The Constitutionally required two-thirds of the membership was declared present.

regular calendar (cont'd.)

HB 1197, encouraging school districts to offer instruction on the causes and effects of the Great Irish Hunger. INEXPEDIENT TO LEGISLATE

Rep. Russell Cox for Education**:** It should not be the duty of the Legislature to dictate curriculum, nor should we single out one immigrant group or its motivation. The contributions and success of each immigrant group should be celebrated and not the disaster that may have driven them to this country. Vote 13-2.

Rep. John White spoke against.

Rep. Cox spoke in favor.

Rep. McCarthy spoke against and yielded to questions.

Rep. Hoadley spoke in favor and yielded to questions.

Rep. McCarthy requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 224 NAYS 108

YEAS 224

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Millham, Alida
Pilliod, James	Rice, Thomas	Thomas, John	Wendelboe, Francine

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Lyman, L Randy	Mock, Henry	Patten, Betsey	Philbrick, Donald
Sullivan, P Judith	Torressen, Gary		

CHESHIRE

Avery, Stephen	Blaisdell, Michael	Burnham, Daniel	Hunt, John
Meader, David	Pratt, Irene	Roberts, William	Robertson, Timothy
Rose, William	Smith, Edwin	Zerba, Roger	

COOS

Davis, Perley	Gallus, John	Landers, Dana	Merrill, Gerald
Pratt, Leighton	Tholl, John Jr		

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Densmore, Jessica

Dudley, Terri	Gilman, G Michael	Hall, David	Harmon, Hobart
MacNeil, Allen	Marshall, Gene	Mirski, Paul	Phinney, William
Picconi, Al	Scanlan, David	Solow, Martha	Ward, Brien
Weber, Phil			

HILLSBOROUGH

Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr	Arthur, Rose
Batula, Peter	Beaupre, Roland	Belvin, William	Bergin, Peter
Brundige, Robert	Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald
Chabot, Robert	Christiansen, Lars	Coughlin, Pamela	Dalianis, Griffin
Daniels, Gary	Dokmo, Cynthia	Drabinowicz, A Theresa	Durham, Susan
Dyer, Merton	Emerton, Lawrence	Fletcher, Richard	Flora, Kathleen
Foster, Linda	Franks, Suzan	Gagnon, Eugene	Ginsburg, Ruth
Haettenschwiller, Alphonse	Hansen, Herbert	Herman, Keith	Herman, Richard
Holley, Sylvia	Hunter, Bruce	Jean, Claudette	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lefebvre, Roland	Leishman, Peter
Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey	Martel, Andre
McRae, Karen	Melcher, Harold	Mercer, Robert	Messier, Irene
Moran, Edward	Mosher, William	Nolan-Piteri, Dawn	O'Connell, Timothy
O'Hearn, Jane	Perkins, Paul	Peterson, Andrew	Reeves, Sandra
Rowe, Robert	Sarette, John	Sargent, Maxwell	Thulander, O Alan
Wall, Nancy	White, Donald	Withee, Dennis	

MERRIMACK

Anderson, Eric	Brewster, Richard	Chase, George	Crosby, Toni
Davis, Francis	Feuerstein, Martin	Gile, Mary	Hager, Elizabeth
Hoadley, Elizabeth	Jacobson, Alf	Langer, Ray	Larrabee, David Sr
Lavoie, Gerard	Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth
Maxfield, Roy	Moore, Carol	Potter, Frances	Poulin, Dave
Rodd, Beth	Seldin, Gloria	Soltani, Tony	Virtue, Carolyn
Whalley, Michael			

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Case, Margaret	Clark, Vivian
Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony
Dowling, Patricia	Downing, Michael	Fesh, Robert	Flanagan, Natalie
Flanders, David	Flanders, John Sr	Francoeur, Sheila	Gibbons, Paul
Gleason, John	Grant, Kenneth	Hutchinson, Karen	Hutchinson, Rebecca
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Kobel, Rudolph	Langone, John	Letourneau, Robert	Lovejoy, Marian
Major, Norman	Mikowlski, Walter	Moore, Benjamin	Morse, Charles
Norelli, Terie	Nowe, Mary Lou	Nowe, Ronald	Packard, Sherman
Pitts, Jacqueline	Putnam, Ed II	Quandt, Marshall	Rubin, George
Ruffner, Walter	Sapareto, Frank	Stickney, Nancy	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas	Vaughn, Charles
Weare, Everett	Welch, David	Whittier, John	Zolla, William

STRAFFORD

Berube, Roger	Bickford, David	Cossette, Larry	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary	Grassie, Anne
Keans, Sandra	Lent, Donald	Lundborn, Raymond	McKinley, Robert
Musler, George	Pelletier, Arthur	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Spear, Barbara	Vincent, Francis
Wall, Janet	Woods, Phyllis		

SULLIVAN

Allison, David	Jones, Constance	Kibbey, David	Leone, Richard
Robb-Theroux, Amy	Young, David		

NAYS 108

BELKNAP

Rosen, Ralph	Salatiello, Thomas	Wood, Jane

CARROLL

Kenney, Joseph

CHESHIRE

Batchelder, Robert	DePecol, Benjamin	Lerandeau, Alfred	Lynch, Margaret
Lynott, Margaret	Manning, Joseph	McGuirk, Paul	Mitchell, McKim
Pratt, John	Richardson, Barbara	Riley, William	Russell, Ronald

COOS

Mears, Edgar

GRAFTON

Brothers, Richard	Copenhaver, Marion	Guest, Robert	Hinman, Harry
Nordgren, Sharon			

HILLSBOROUGH

Ahern, Richard	Baroody, Benjamin	Bergeron, Lucien	Buckley, Raymond
Burkush, James	Clegg, Robert Jr	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Curran, James	Daigle, Robert
Dawe, Eileen	Desmarais, Vivian	Desrosiers, William	Dwyer, Paul Sr
Fenton, James	Fields, Dennis	Garrish, Linda	Goley, Jeffrey
Gorman, Mary	Hall, Betty	Jean, Loren	Johnson, Lionel
Keye, Harvey	Konys, Christine	LaPorte, George	Lasky, Bette
Leonard, Peter	Lynde, Harold	Martin, Mary	McCarthy, William
McCarty, Winston	McColgan, Philip Jr	McDonald, James Sr	McGough, Tim
Mendenhall, Leslie	Milligan, Robert	Moriarty, Mary	Murphy, Robert
Pappas, Marc	Pepino, Leo	Reidy, Frank	Tate, Joan
Turgeon, Roland	Vaillancourt, Steve	White, John	

MERRIMACK

Bouchard, Candace	Daneault, Gabriel	Fortnam, Janet	French, Barbara
Kennedy, Richard	Owen, Derek	Wallin, Jean	Wallner, Mary Jane
Yeaton, Charles			

ROCKINGHAM

Belanger, Ronald	Clark, Martha	Cooney, Richard	Griffin, Mary
Kane, Cecelia	Langley, Jane	Noyes, Richard	O'Neil, Michael
Pantelakos, Laura	Raynowska, Bernard	Schanda, Frank	Shultis, Elizabeth
Splaine, James	Weatherspoon, Jackie	Weyler, Kenneth	

STRAFFORD

Brennan, William	Brown, George	Callaghan, Frank	DeChane, Marlene
Johnson, Nancy	Knowles, William	Rogers, Rose Marie	Twardus, Joseph
Vachon, Dennis			

SULLIVAN

Burling, Peter	Cloutier, John	Donovan, Thomas Jr	Phinizy, James
Tuthill, John	Wiggins, Celestine		

and the report was adopted.

remarks

Alan Keyes, Republican candidate for President, addressed the House.

SPECIAL ORDER

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. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance**:** This CACR was originally introduced as a companion piece to HB 108, a statewide property tax, which was a fiscal response to the *Claremont II* decision. It is narrowly crafted to dedicate all statewide property tax money to be placed in the education trust fund, to be spent exclusively for elementary and secondary education.

The committee believes that, given the fluid legal status of the statewide property tax, a dedicated statewide property tax constitutional amendment may prove to be a hindrance and be overtaken by events in addressing the *Claremont II* decision. Also, future legislatures may need flexibility in addressing health care, or postsecondary higher education, or other material issues where a statewide property tax may have multiple roles in a re-aligned state budget. Other questions remained about apparent conflicts in the bill's references to ". . . education funding . . ." and what would happen if the statewide property tax raised more money than required for an adequate education, so the committee voted Inexpedient to Legislate. Vote 21-0.

Rep. Sapareto spoke against and yielded to questions.

Rep. Reps. Vaughn and Kurk spoke in favor.

Rep. Sapareto requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 245 NAYS 92

YEAS 245

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Holbrook, Robert
Lawton, David	Pilliod, James	Rice, Thomas	Rosen, Ralph
Salatiello, Thomas	Thomas, John	Wendelboe, Francine	Wood, Jane

CARROLL

Babson, David Jr	Chandler, Gene	Kenney, Joseph	Lyman, L Randy
Mock, Henry	Patten, Betsey		

CHESHIRE

Avery, Stephen	Batchelder, Robert	Burnham, Daniel	DePecol, Benjamin
Hunt, John	Lerandeau, Alfred	Lynch, Margaret	McGuirk, Paul
Meader, David	Mitchell, McKim	Pratt, Irene	Richardson, Barbara
Riley, William	Roberts, William	Robertson, Timothy	Rose, William
Smith, Edwin	Zerba, Roger		

COOS

Davis, Perley	Gallus, John	Mears, Edgar	Merrill, Gerald
Pratt, Leighton	Tholl, John Jr		

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Copenhaver, Marion	Densmore, Jessica	Dudley, Terri	Gilman, G Michael
Guest, Robert	Harmon, Hobart	Hinman, Harry	MacNeil, Allen

Marshall, Gene	Mirski, Paul	Nordgren, Sharon	Scanlan, David
Solow, Martha	Ward, Brien	Weber, Phil	

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Arnold, Thomas Jr	Arthur, Rose
Batula, Peter	Beaupre, Roland	Belvin, William	Bergin, Peter
Brundige, Robert	Buckley, Raymond	Burkush, James	Calawa, Leon Jr
Chabot, Robert	Clegg, Robert Jr	Cote, David	Coughlin, Pamela
Craig, James	Daigle, Robert	Dalianis, Griffin	Daniels, Gary
Dawe, Eileen	Desrosiers, William	Dokmo, Cynthia	Drabinowicz, A Theresa
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fields, Dennis	Flora, Kathleen	Foster, Linda	Gagnon, Eugene
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Haettenschwiller, Alphonse
Herman, Keith	Herman, Richard	Hunter, Bruce	Jean, Claudette
Jean, Loren	Johnson, Lionel	Konys, Christine	Kurk, Neal
LaPorte, George	LaRose, Richard	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	Martin, Mary	McCarthy, William	McCarty, Winston
McDonald, James Sr	McGough, Tim	Melcher, Harold	Mercer, Robert
Messier, Irene	Milligan, Robert	Moran, Edward	Mosher, William
O'Hearn, Jane	Pappas, Marc	Pepino, Leo	Peterson, Andrew
Reidy, Frank	Rowe, Robert	Sarette, John	Sargent, Maxwell
Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve	Withee, Dennis

MERRIMACK

Anderson, Eric	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Feuerstein, Martin	Fortnam, Janet	French, Barbara
Gile, Mary	Hager, Elizabeth	Hoadley, Elizabeth	Jacobson, Alf
Kennedy, Richard	Larrabee, David Sr	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Owen, Derek
Potter, Frances	Reardon, Tara	Rodd, Beth	Seldin, Gloria
Wallin, Jean	Wallner, Mary Jane	Whalley, Michael	Whittemore, James
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Arndt, Janet	Belanger, Ronald	Case, Margaret
Christie, Andrew Jr	Clark, Martha	Clark, Vivian	Cooney, Richard
Dalrymple, Janeen	Dearborn, Bruce	Dowling, Patricia	Downing, Michael
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Grant, Kenneth
Griffin, Mary	Johnson, Robert	Kelley, William	Kobel, Rudolph
Langone, John	Major, Norman	Mikowlski, Walter	Morse, Charles
Norelli, Terie	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
O'Neil, Michael	Packard, Sherman	Putnam, Ed II	Reardon, Neil
Ruffner, Walter	Schanda, Frank	Shultis, Elizabeth	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Vaughn, Charles	Weare, Everett
Weatherspoon, Jackie	Welch, David	Weyler, Kenneth	Whittier, John
Zolla, William			

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
Cossette, Larry	Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris
Grassie, Anne	Johnson, Nancy	Keans, Sandra	Knowles, William
Lundborn, Raymond	McKinley, Robert	Musler, George	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spang, Judith	Twardus, Joseph
Vachon, Dennis	Vincent, Francis	Wall, Janet	Woods, Phyllis

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Robb-Theroux, Amy
Tuthill, John	Wiggins, Celestine		

NAYS 92

BELKNAP

Czech, Stanley	Johnson, James	Millham, Alida

CARROLL

Bradley, Jeb	Dickinson, Howard	Philbrick, Donald	Sullivan, P Judith
Torressen, Gary			

CHESHIRE

Blaisdell, Michael	Lynott, Margaret	Manning, Joseph	Pratt, John
Russell, Ronald			

COOS

Landers, Dana

GRAFTON

Hall, David	Ham, Bonnie	Johnson, Gary	Phinney, William
Picconi, Al			

HILLSBOROUGH

Andrews, Frederick	Baroody, Benjamin	Bergeron, Lucien	Bruno, Pierre
Carlson, Donald	Christiansen, Lars	Clemons, Jane	Cote, Peter
Curran, James	Desmarais, Vivian	Dwyer, Paul Sr	Fletcher, Richard
Franks, Suzan	Gorman, Mary	Hall, Betty	Hansen, Herbert
Holley, Sylvia	Keye, Harvey	L'Heureux, Robert	Leonard, Peter
Lynde, Harold	McColgan, Philip Jr	McRae, Karen	Mendenhall, Leslie
Moriarty, Mary	Murphy, Robert	O'Connell, Timothy	Perkins, Paul
Reeves, Sandra	Tate, Joan	Wall, Nancy	White, Donald
White, John			

MERRIMACK

Bouchard, Candace	Davis, Francis	Langer, Ray	Lavoie, Gerard
Poulin, Dave	Soltani, Tony	Virtue, Carolyn	

ROCKINGHAM

Beaulieu, Jon	Cox, Russell	DiFruscia, Anthony	Hutchinson, Karen
Hutchinson, Rebecca	Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis

Langley, Jane	Letourneau, Robert	Lovejoy, Marian	Moore, Benjamin
Pantelakos, Laura	Pitts, Jacqueline	Quandt, Marshall	Raynowska, Bernard
Sapareto, Frank	Splaine, James	Stickney, Nancy	Varrell, Thomas

STRAFFORD

Brown, George	DeChane, Marlene	Gilmore, Gary	Lent, Donald
Pelletier, Arthur	Rogers, Rose Marie	Spear, Barbara	

SULLIVAN

Donovan, Thomas Jr	Jones, Constance	Kibbey, David	Leone, Richard
Phinizy, James	Young, David		

and the report was adopted.

Rep. Nolan-Piteri did not vote and wished to be recorded in favor.

HB 1211, establishing a committee to study the health effects of child immunizations. INEXPEDIENT TO LEGISLATE

Rep. Robert Chabot for Health, Human Services and Elderly Affairs**:** The committee heard testimony from a number of citizens expressing concern about potential adverse reactions from certain vaccines/immunizations. This proposed legislation would have established a study committee to look into these matters. Representatives from the Department of Health and Human Services and the New Hampshire Public Association pointed out that these issues are being investigated in great detail at the federal level i.e. the Center for Disease Control and the Institute of Medicine. The committee felt that this legislative committee would not have the expertise required to deal with the concerns expressed and would be duplicating efforts in process at national and international levels and declared the bill ITL. Vote 11-3.

Adopted.

SPECIAL ORDER

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. INEXPEDIENT TO LEGISLATE

Rep. James W. Craig for Judiciary**:** This bill was studied by a subcommittee this summer. The subcommittee and a majority of the full committee felt that this bill was not good for the judicial process or for the retention of competent judges. The prospect of having to undergo a reappointment process could interject the political process into decision-making by a judge and the committee feels that judicial decisions must be made as independently as possible. Further, it would be difficult for top grade candidates to give up a law practice to sit as a judge knowing that they may be out of work in seven years just at the time when they may be facing family student tuition and other personal expenses. Vote 13-3.

Reps. Buckley, Loren Jean, and Welch spoke against and yielded to questions.

Rep. Craig spoke in favor and yielded to questions.

Reps. Rowe and Mock spoke in favor.

Rep. Herman requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 194 NAYS 144

YEAS 194

BELKNAP

Holbrook, Robert	Millham, Alida	Pilliod, James	Rice, Thomas
Wood, Jane			

CARROLL

Babson, David Jr	Kenney, Joseph	Mock, Henry	Philbrick, Donald

CHESHIRE

Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	DePecol, Benjamin
Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret	Manning, Joseph
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Russell, Ronald	Zerba, Roger		

COOS

Davis, Perley	Mears, Edgar

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Ham, Bonnie	Johnson, Gary	MacNeil, Allen	Marshall, Gene
Nordgren, Sharon	Picconi, Al	Solow, Martha	

HILLSBOROUGH

Ahern, Richard	Andrews, Frederick	Arnold, Thomas Jr	Arthur, Rose
Bergin, Peter	Burkush, James	Carlson, Donald	Clemons, Jane
Cote, David	Cote, Peter	Coughlin, Pamela	Craig, James
Curran, James	Daigle, Robert	Dawe, Eileen	Desmarais, Vivian
Dokmo, Cynthia	Drabinowicz, A Theresa	Dwyer, Paul Sr	Dyer, Merton
Fields, Dennis	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	LaRose, Richard	Lasky, Bette
Leishman, Peter	Lessard, Rudy	Lynde, Harold	MacGillivray, Jeffrey
McCarthy, William	McCarty, Winston	McColgan, Philip Jr	McDonald, James Sr
Melcher, Harold	Mendenhall, Leslie	Mercer, Robert	Messier, Irene
Moran, Edward	Moriarty, Mary	Murphy, Robert	O'Connell, Timothy
O'Hearn, Jane	Perkins, Paul	Peterson, Andrew	Reidy, Frank
Rowe, Robert	Sarette, John	Simon, Anthony	Turgeon, Roland
White, John	Withee, Dennis		

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brewster, Richard	Chase, George
Crosby, Toni	Daneault, Gabriel	Davis, Francis	Feuerstein, Martin
Fortnam, Janet	French, Barbara	Gile, Mary	Hager, Elizabeth
Jacobson, Alf	Lockwood, Priscilla	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Owen, Derek	Potter, Frances	Poulin, Dave
Reardon, Tara	Rodd, Beth	Seldin, Gloria	Wallin, Jean
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	

ROCKINGHAM

Abbott, Dennis	Case, Margaret	Christie, Andrew Jr	Clark, Martha
Cooney, Richard	Downing, Michael	Flanagan, Natalie	Francoeur, Sheila
Gibbons, Paul	Grant, Kenneth	Griffin, Mary	Hutchinson, Rebecca
Johnson, Robert	Kane, Cecelia	Katsakiores, George	Kobel, Rudolph
Langone, John	Lovejoy, Marian	Norelli, Terie	Noyes, Richard

O'Neil, Michael	Pantelakos, Laura	Pitts, Jacqueline	Ruffner, Walter
Sapareto, Frank	Shultis, Elizabeth	Splaine, James	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Vaughn, Charles	Weatherspoon, Jackie
Whittier, John	Zolla, William		

STRAFFORD

Berube, Roger	Brennan, William	Callaghan, Frank	Domingo, Baldwin
Dunlap, Patricia	Estabrook, Iris	Grassie, Anne	Johnson, Nancy
Keans, Sandra	Knowles, William	Lent, Donald	Lundborn, Raymond
Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Spear, Barbara	Twardus, Joseph
Vachon, Dennis	Vincent, Francis	Wall, Janet	

SULLIVAN

Allison, David	Cloutier, John	Donovan, Thomas Jr	Leone, Richard
Phinizy, James	Robb-Theroux, Amy	Tuthill, John	Wiggins, Celestine

NAYS 144

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Johnson, James	Lawton, David	Rosen, Ralph	Salatiello, Thomas
Thomas, John	Wendelboe, Francine		

CARROLL

Bradley, Jeb	Chandler, Gene	Dickinson, Howard	Lyman, L Randy
Patten, Betsey	Sullivan, P Judith	Torressen, Gary	

CHESHIRE

Avery, Stephen	Hunt, John	Roberts, William	Rose, William
Smith, Edwin			

COOS

Gallus, John	Landers, Dana	Merrill, Gerald	Pratt, Leighton
Tholl, John Jr			

GRAFTON

Akins, Ralph	Alger, John	Brothers, Richard	Dudley, Terri
Gilman, G Michael	Hall, David	Harmon, Hobart	Hinman, Harry
Mirski, Paul	Phinney, William	Scanlan, David	Ward, Brien
Weber, Phil			

HILLSBOROUGH

Alukonis, David	Baroody, Benjamin	Batula, Peter	Beaupre, Roland
Belvin, William	Bergeron, Lucien	Brundige, Robert	Bruno, Pierre
Buckley, Raymond	Calawa, Leon Jr	Chabot, Robert	Christiansen, Lars
Clegg, Robert Jr	Daniels, Gary	Desrosiers, William	Durham, Susan
Emerton, Lawrence	Fenton, James	Fletcher, Richard	Flora, Kathleen
Gagnon, Eugene	Gorman, Mary	Hansen, Herbert	Herman, Keith
Holley, Sylvia	Hunter, Bruce	Jean, Loren	Kurk, Neal
LaPorte, George	Lefebvre, Roland	Leonard, Peter	Lozeau, Donnalee
Martel, Andre	Martin, Mary	McGough, Tim	McRae, Karen
Milligan, Robert	Mosher, William	Nolan-Piteri, Dawn	Pappas, Marc
Pepino, Leo	Reeves, Sandra	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Vaillancourt, Steve	Wall, Nancy	White, Donald

MERRIMACK

Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray	Larrabee, David Sr
Lavoie, Gerard	Marple, Richard	Soltani, Tony	Virtue, Carolyn
Whalley, Michael			

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Clark, Vivian
Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony
Dowling, Patricia	Fesh, Robert	Flanders, David	Flanders, John Sr
Gleason, John	Hutchinson, Karen	Katsakiores, Phyllis	Kelley, William
Langley, Jane	Letourneau, Robert	Major, Norman	Mikowlski, Walter

Moore, Benjamin	Morse, Charles	Nowe, Mary Lou	Nowe, Ronald
Packard, Sherman	Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard
Reardon, Neil	Rubin, George	Schanda, Frank	Stickney, Nancy
Varrell, Thomas	Weare, Everett	Welch, David	Weyler, Kenneth

STRAFFORD

Bickford, David	Brown, George	Cossette, Larry	DeChane, Marlene
Gilmore, Gary	McKinley, Robert	Musler, George	Woods, Phyllis

SULLIVAN

Jones, Constance	Kibbey, David	Young, David

and the report was adopted.

Reps. Burling and Dalianis declared conflicts of interest and did not participate.

regular calendar (cont'd.)

HB 1448, relative to the partition of real property. OUGHT TO PASS WITH AMENDMENT

Rep. John M. Pratt for Judiciary**:** This bill changes the existing probate law which essentially removes the appointment of a 3 person committee to oversee the partition of property where there is no agreement by the parties to the partition, and give the powers of that committee to the probate judge. The amended bill will also alleviate a petitioner from the cost of payment for a 3-person board. Overall, this will expedite the "petition to partition" process - a goal of the bill's sponsor. Vote 13-3.

Amendment (3155h)

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

1 Quiet Title. Amend RSA 547:11-c to read as follows:

547:11-c Quiet Title. An action may be brought in probate court by any person claiming title to, or any interest in, real or personal property, or both, ***in partition under RSA 547-C,*** listed in the estate of a deceased person or listed as guardianship, conservatorship, or trust assets over which the probate court has jurisdiction, against the estate, guardian, conservator, or trustee who may claim to own the same, either in fee, for years, for life or in reversion or remainder, or to have any interest in the same, or any lien or encumbrance thereon, adverse to the plaintiff, or in whom the land records disclose any interest, whether or not the plaintiff is entitled to the immediate or exclusive possession of such property, for the purpose of determining such adverse estate, interest or claim, and to clear up all doubts and disputes and to quiet and settle the title to the same. In any action brought under this provision, where applicable, the procedure set forth in RSA 498:5-b through 5-d shall be followed.

2 Judgment for Partition; Quieting Title. RSA 547-C:11 is repealed and reenacted to read as follows:

547-C:11 Judgment for Partition. If the issue is determined in favor of the petitioner, or if after notice the petitionee does not appear, or if no sufficient objection is made, the court shall render judgment that partition be made, and shall by decree set off and assign to and among the petitioner and/or petitionee their shares according to their respective rights, titles, or interests, and award costs, as the court deems equitable and just. In so doing, with an appropriate pleading, the court may also quiet title in discharge or extinguishment of any right, title, or interest that may otherwise unlawfully or inequitably encumber or burden the real estate as fully and completely as a court of general equity may do. The court shall make such partition as it decrees by metes and bounds or other distinct description. The partition shall be recorded at the registry of deeds for the county where the real estate lies.

3 Procedure. Amend RSA 547-C:21 to read as follows:

547-C:21 Procedure. If on the hearing no sufficient objection appears, [~~the judge shall cause partition to be made by a committee, who shall be appointed, be sworn, give notice and proceed, and~~] the court shall appoint guardians or agents for all minors or persons incapacitated, and agents for all persons unknown or out-of [~~the~~]-state, interested in [~~such~~] ***the*** estate, [~~receive and accept the report of such committee,~~] and render judgment and award costs thereon, in the manner prescribed in this chapter.

4 Division with Consent. Amend RSA 547-C:22 to read as follows:

547-C:22 Division With Consent**.** Whenever an estate is so situated that it cannot be divided so as to give each owner his or her share of the estate without great prejudice or inconvenience, the whole or a part of the estate may be assigned, if the parties consent, to one of them, the assignee paying to the others who have less than their share such sums as the [~~committee~~] ***court*** shall award.

5 Sale. Amend RSA 547-C:25 to read as follows:

547-C:25 Sale. When the proceedings are pending, if it is alleged in the petition that the estate is so situated that it cannot be divided so as to give each owner his or her share of the estate without great prejudice or inconvenience and the court so finds, [~~or if, upon the report of the committee that the estate is of the nature aforesaid, the court so finds,~~] the court may order it to be sold and the proceeds from the sale to be divided among the owners according to their respective ***rights,*** titles***, or interests***, and may make all other orders that may be necessary to cause such sale and the distribution of the proceeds, as a court of equity may do in like cases.

6 Repeal. The following are repealed:

I. RSA 547-C:12, relative to oath; notice.

II. RSA 547-C:13, relative to publication of notice.

III. RSA 547-C:14, relative to setoff; report.

IV. RSA 547-C:15, relative to judgment; record.

V. RSA 547-C:16, relative to costs.

VI. RSA 547-C:23, relative to non-assent.

VII. RSA 547-C:24, relative to recommitment.

7 Effective Date. This act shall take effect January 1, 2001.

AMENDED ANALYSIS

This bill clarifies the procedure for partition of real property where unlawful or inequitable encumbrances affect the effort to quiet title.

Adopted.

Report adopted and ordered to third reading.

HB 1397, relative to naming a certain island in Lake Winnipesaukee in the town of Moultonborough. OUGHT TO PASS

Rep. Robert W. Brundige for Municipal and County Government**:** The effect of this bill is to name a currently unnamed State owned island on Lake Winnipesaukee in Ambrose Cove. The island may be named "Children's Island", or any other name deemed suitable by the town, in memory and tribute to a family's deceased child who enjoyed playing on the island with her friends. Vote 16-0.

Adopted and ordered to third reading.

HCR 25, opposing the President's action to establish vast roadless areas in the White Mountain National Forest without the consultation or input of the New Hampshire citizenry. OUGHT TO PASS WITH AMENDMENT

Rep. Michael W. Downing for Resources, Recreation and Development**:** HCR 25, as amended, directs our Congressional Delegation to continue to support management of the White Mountain National Forest for multiple uses as part of the National Forest System. Further, it expresses the legislature's opposition to restricting the Timber base outside of the Forest Planning Process. The primary objection to the Executive Order is the circumvention of the present collaborative planning process that has involved New Hampshire citizens in decisions about the uses in the White Mountain National Forest. HCR 25 calls on the president to rescind his unilateral decree and allow the Forest Planning Process on the White Mountain National Forest to go forward unimpeded. Vote 15-0.

Amendment (3131h)

Amend the resolution by replacing the sixth paragraph after the title with the following:

Whereas, the President of the United States has announced sweeping new regulations that will permanently remove from the timber base up to 40,000 acres of productive land in the White Mountain National Forest; and

Adopted.

Rep. Scanlan spoke in favor and yielded to questions.

Rep. Scanlan requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 269 NAYS 62

YEAS 269

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
Holbrook, Robert	Johnson, James	Lawton, David	Millham, Alida
Rice, Thomas	Rosen, Ralph	Salatiello, Thomas	Thomas, John
Wendelboe, Francine	Wood, Jane		

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
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
Manning, Joseph	McGuirk, Paul	Meader, David	Pratt, Irene
Pratt, John	Roberts, William	Rose, William	Smith, Edwin
Zerba, Roger			

COOS

Davis, Perley	Gallus, John	Landers, Dana	Mears, Edgar
Merrill, Gerald	Pratt, Leighton	Tholl, John Jr	

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Brothers, Richard
Densmore, Jessica	Dudley, Terri	Gilman, G Michael	Hall, David
Ham, Bonnie	Harmon, Hobart	Hinman, Harry	MacNeil, Allen
Marshall, Gene	Mirski, Paul	Nordgren, Sharon	Phinney, William
Picconi, Al	Scanlan, David	Ward, Brien	Weber, Phil

HILLSBOROUGH

Ahern, Richard	Andrews, Frederick	Arnold, Thomas Jr	Arthur, Rose
Baroody, Benjamin	Batula, Peter	Beaupre, Roland	Belvin, William
Bergeron, Lucien	Bergin, Peter	Brundige, Robert	Bruno, Pierre
Buckley, Raymond	Burkush, James	Calawa, Leon Jr	Carlson, Donald
Chabot, Robert	Christiansen, Lars	Clegg, Robert Jr	Cote, Peter
Coughlin, Pamela	Craig, James	Daigle, Robert	Dalianis, Griffin
Daniels, Gary	Dawe, Eileen	Desmarais, Vivian	Desrosiers, William
Dokmo, Cynthia	Drabinowicz, A Theresa	Durham, Susan	Dyer, Merton
Emerton, Lawrence	Fenton, James	Fields, Dennis	Fletcher, Richard
Flora, Kathleen	Foster, Linda	Franks, Suzan	Gagnon, Eugene
Goley, Jeffrey	Haettenschwiller, Alphonse	Hansen, Herbert	Herman, Keith
Holley, Sylvia	Hunter, Bruce	Jean, Claudette	Jean, Loren
Johnson, Lionel	Keye, Harvey	Konys, Christine	Kurk, Neal
LaPorte, George	LaRose, Richard	Lefebvre, Roland	Leishman, Peter
Leonard, Peter	Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold
MacGillivray, Jeffrey	Martel, Andre	Martin, Mary	McCarthy, William
McCarty, Winston	McColgan, Philip Jr	McDonald, James Sr	McGough, Tim
McRae, Karen	Melcher, Harold	Mercer, Robert	Messier, Irene
Milligan, Robert	Moran, Edward	Mosher, William	Nolan-Piteri, Dawn
O'Connell, Timothy	O'Hearn, Jane	Pappas, Marc	Pepino, Leo
Perkins, Paul	Peterson, Andrew	Reeves, Sandra	Rowe, Robert
Sarette, John	Sargent, Maxwell	Simon, Anthony	Tate, Joan
Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy
White, Donald	Withee, Dennis		

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brewster, Richard	Chase, George
Crosby, Toni	Daneault, Gabriel	Davis, Francis	Feuerstein, Martin
Fortnam, Janet	Hager, Elizabeth	Hoadley, Elizabeth	Jacobson, Alf
Kennedy, Richard	Langer, Ray	Larrabee, David Sr	Lavoie, Gerard
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Poulin, Dave	Rodd, Beth	Soltani, Tony

Virtue, Carolyn	Whalley, Michael	Whittemore, James

ROCKINGHAM

Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Case, Margaret	Clark, Vivian	Cooney, Richard	Cox, Russell
Dearborn, Bruce	DiFruscia, Anthony	Dowling, Patricia	Downing, Michael
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Grant, Kenneth
Griffin, Mary	Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kelley, William	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Lovejoy, Marian
Major, Norman	Mikowlski, Walter	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Noyes, Richard	O'Neil, Michael	Packard, Sherman
Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Sapareto, Frank	Schanda, Frank
Splaine, James	Stickney, Nancy	Stritch, C Donald	Tufts, J Arthur
Varrell, Thomas	Weare, Everett	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		

STRAFFORD

Bickford, David	Callaghan, Frank	Cossette, Larry	DeChane, Marlene
Domingo, Baldwin	Dunlap, Patricia	Johnson, Nancy	Keans, Sandra
Lundborn, Raymond	McKinley, Robert	Musler, George	Pelletier, Arthur
Rollo, Michael	Spang, Judith	Spear, Barbara	Vachon, Dennis
Vincent, Francis	Wall, Janet	Woods, Phyllis	

SULLIVAN

Burling, Peter	Cloutier, John	Jones, Constance	Kibbey, David
Leone, Richard	Young, David		

NAYS 62

BELKNAP

Pilliod, James

CARROLL

None

CHESHIRE

Burnham, Daniel	DePecol, Benjamin	Lerandeau, Alfred	Lynch, Margaret
Lynott, Margaret	Mitchell, McKim	Richardson, Barbara	Riley, William
Robertson, Timothy	Russell, Ronald		

COOS

None

GRAFTON

Copenhaver, Marion	Guest, Robert	Johnson, Gary	Solow, Martha

HILLSBOROUGH

Clemons, Jane	Cote, David	Curran, James	Dwyer, Paul Sr
Garrish, Linda	Ginsburg, Ruth	Gorman, Mary	Hall, Betty
Herman, Richard	Lasky, Bette	Mendenhall, Leslie	Moriarty, Mary
Murphy, Robert	Reidy, Frank	White, John	

MERRIMACK

French, Barbara	Gile, Mary	Owen, Derek	Potter, Frances
Reardon, Tara	Seldin, Gloria	Wallin, Jean	Wallner, Mary Jane
Yeaton, Charles			

ROCKINGHAM

Clark, Martha	Kane, Cecelia	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Shultis, Elizabeth	Vaughn, Charles	Weatherspoon, Jackie

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Estabrook, Iris

Grassie, Anne	Knowles, William	Lent, Donald	Rogers, Rose Marie
Smith, Marjorie	Snyder, Clair	Twardus, Joseph	

SULLIVAN

Donovan, Thomas Jr	Phinizy, James	Tuthill, John	Wiggins, Celestine

and the report was adopted.

Ordered to third reading.

motion to special order

Reps. Chandler and Burling moved that the bills removed from the Consent Calendar be made Special Orders for the first order of business on Thursday, February 3, 2000.

Adopted.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, February 3, 2000 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 1212, relative to extending the reporting date of the open adoption study committee.

HB 1130, relative to persons conducting alcohol concentration tests.

HB 1136, relative to the university system of New Hampshire board of trustees.

HB 1150, relative to voter registration for official ballot meetings.

HB 1186, extending the reporting date of the Sullivan county regional refuse disposal district issues study committee.

HB 1175, relative to license renewal for dental hygienists.

HB 1223, changing the name, amending the duties, and extending the reporting date of the committee to study the unclassified salary structure for state officers.

HB 1206, extending the reporting date of the committee studying alcohol and drug abuse prevention.

HB 1256, clarifying certain health care laws.

HB 1272, allowing school nurses to possess and administer epinephrine for certain emergency treatment.

HB 1301, relative to regional appointments to the state committee on aging.

HB 1337, repealing the New Hampshire foundation for mental health.

HB 1233, relative to interest on judgments.

HB 1141, relative to access highways to public waters.

HB 1566-FN, relative to perambulation between states.

HB 1287, relative to the membership of the water council.

HB 1386, designating segments of the Souhegan River as protected under the rivers management and protection program.

HB 1161, making technical changes to the New Hampshire Aeronautics Act and establishing a committee to study revisions to the state aeronautics laws.

HB 1378, establishing a task force to conduct an ongoing study of the feasibility of re-establishing passenger rail service on the Eastern Line from Newburyport, Massachusetts to Kittery, Maine.

HB 1409, establishing a committee to study the feasibility of reestablishing the Lawrence, Massachusetts to Manchester, New Hampshire rail service line and the Concord to Lebanon Northern passenger rail service line.

HB 1588, relative to the authority of the department of transportation regarding rail safety inspections.

HB 1225, relative to the name of the department of fish and game.

HB 1455, relative to the authority of the fish and game department for the electronic issuance of licenses, permits, stamps, and tags.

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

HB 1448, relative to the partition of real property.

HB 1397, relative to naming a certain island in Lake Winnipesaukee in the town of Moultonborough.

HCR 25, opposing the President's action to establish vast roadless areas in the White Mountain National Forest without the consultation or input of the New Hampshire citizenry.

unanimous consent

Reps. Copenhaver and Welch addressed the House.

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 1:10 p.m.

RECESS