

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, March 9, 2000

No. 22

HOUSE JOURNAL No. 8 (cont.)

Thursday, February 24, 2000

(Rep. Clegg in the Chair)

RESOLUTION

Rep. Keith Herman offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 431 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 431, relative to certain secondary vocational education programs. (Education)

RECESS

enrolled bill report

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill 640.

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

RECESS

(Rep. Christie 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 1619 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 1619-FN, relative to school employee and volunteer background investigations. (Ward, Graf 1: Education)

RECESS

(Speaker Sytek in the Chair)

Rep. Herman moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 9

Thursday, March 9, 2000

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

Her Excellency, Governor Jeanne Shaheen, joined the Speaker on the rostrum for the opening ceremonies.

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

Dear God, we pause momentarily to catch our breath as we continue our life's journey on this busy day. May the decisions and actions made today in this hallowed chamber work to defend, support, and uphold each citizen of our beloved New Hampshire. In thanksgiving to You for our many blessings we pray. Amen.

Rep. Loren Jean led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Patricia Cote, Lundborn, Lyman, MacNeil, Murphy, Perkins and Searles, the day, illness.

Reps. Blaisdell, Burkush, Gary Johnson, Larrabee, LaMott, L'Heureux, McIntyre, Mikowski, Moran, Rabideau, Robertson and Solow, the day, important business.

Reps. George Brown and Dawe, the day, illness in the family.

INTRODUCTION OF GUESTS

The members of the Woodland Heights 5th Grade Band from Laconia: Crystal Ramsay, Amanda Whittier, Gabby Polito, Evan Coop Craig, Ashley Bergman, Sarah Shaner, Letitia Caruso, Biranna Dunn, Julie Gilbert, Meredyth McCullough, Jason Fasshauer, Jared Downs, Keith Robinson, Chris Reddic, Jeff Accornero, Curtis Dodge, Ashley Patten, Amanda Jenot, Casey Williams, Heather Harris, Jayme Dubreuil, Chris Roberts, Courtney Contigiani, Seth Page, Charlie Weatherbee and director, Mary Sawyer, guests of Rep. Jane Wood. Roger Emerson, guest of Rep. Leber. Vladimir Koshko and Igor Kozin, guests of Rep. Crosby. The 4th Grade Class from the Reeds Ferry Elementary School and their teacher Mrs. Fay, guests of the Merrimack Delegation. Kris Strassner, guest of the Pembroke/Allenstown delegation.

special guests

Gustav Owen, the New Hampshire winner of the Young Americans National Award for Outstanding Volunteerism and his parents, Mr. and Mrs. Robert Owen, guests of the House.

(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.

HB 1109, relative to the modification of spousal support orders, removed by Rep. Dickinson.

HB 1292, making it a crime to cause the death of an unborn child as a result of committing a violent act against a pregnant woman, removed by Rep. Torressen.

HB 1226, relative to vacancies in the office of United States senator, removed by Rep. Wendelboe.

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

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

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

HB 1532, excluding military pension payments and military survivor's benefit payments for certain persons from gross income under any income tax which may be enacted, removed by Rep. Rosen.

HB 1360, prohibiting full-time judges from earning income from sources other than judicial salaries, removed by Rep. Mirski.

HCR 27, requesting Congress to propose an amendment to the U.S. Constitution to prevent federal courts from instructing states or political subdivisions of states to levy or increase taxes, removed by Rep. Tufts.

Consent Calendar adopted by the necessary two-thirds.

HB 1242, relative to the standard for modification of a child custody order. OUGHT TO PASS WITH AMENDMENT

Rep. David A. Bickford for Children and Family Law: The amended bill codifies circumstances under which a parent can ask the court to change permanent child custody. This will help those filing pro se to find it in statute rather than having to research case laws as well. Vote 12-1.

Amendment (3585h)

Amend the bill by replacing section 1 with the following:

1 Annulment, Divorce, and Separation; Standard for Modification of Permanent Child Custody Orders. RSA 458:17, V is repealed and reenacted to read as follows:

V.(a) The court may issue an order modifying a permanent custody order under any of the following circumstances:

(1) The parties agree to a modification;

(2) If the court finds repeated, intentional, and unwarranted interference by a parent who has permanent primary physical or permanent joint or shared physical custody with the visitation or custodial rights of the other parent, without the necessity of showing harm to the child, the court may order a change in physical custody if the court determines that such change would be in accordance with the best interests of the child;

(3) The circumstances affecting the welfare of the child have been so greatly altered that there is a strong possibility that the child will be harmed if the child continues to live under the present arrangement; or

(4) If the court finds that a minor child is of sufficient maturity to make a sound judgment about his or her proper custody, the court may give substantial weight to the preference of the mature minor child as to the parent with whom he or she wants to live. Under these circumstances, the court shall also give due consideration to other factors which may have affected the minor child's preference, including, but not limited to, whether the minor child's preference was based on undesirable or improper influences.

(b) For the purposes of this paragraph, the burden of proof shall be on the moving party.

AMENDED ANALYSIS

This bill establishes criteria under which the court may order a modification of a permanent child custody order.

HB 1533, relative to the child protection act. REFER FOR INTERIM STUDY

Rep. Mary Stuart Gile for Children and Family Law: This bill makes certain changes to the child protection act including reporting requirements, evidentiary standards, disclosure and confidentiality of proceedings. Specifically, the bill proposes amendments to statutes related to child abuse and neglect, legal supervision, parental rights, protective custody, burden of proof, adjudicated hearings, appeals and duties of the department of health and human services. The complexity of the proposed amendments combined with compelling testimony convinced the committee that this bill needed more time and further study Vote 12-0.

HB 1138, requiring warnings for certain anti-theft devices INEXPEDIENT TO LEGISLATE

Rep. Tim S. McGough for Commerce: The medical evidence offered at the public hearing by acknowledged medical experts overwhelmingly demonstrated that electronic anti-theft systems pose no public health threat hazards to persons with pacemaker implants or to others. Further, it was convincingly established that disclosures by the manufacturers and provided by physicians to patients at the time of implant and continuously thereafter, are far more effective than the signage required by this bill. The committee unanimously felt that such signage would interfere with the doctor-patient relationship and unreasonably and unnecessarily alarm persons wearing pacemakers. Vote 14-0.

HB 1160, relative to access to the enhanced 911 system. OUGHT TO PASS WITH AMENDMENT

Rep. Tim S. McGough for Commerce: This bill as amended prohibits insurance companies from requiring a consumer to call them for authorization prior to accessing the 911 system for emergency ambulance transport. Insurance companies cannot under this legislation specify use of a specific contracted ambulance service for emergency purposes, but maintains the right to contract with a company for provision of non-emergency transport under statutory definitions of emergency medical conditions and emergency service enacted in 1997. Vote 13-1.

Amendment (3495h)

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

1 New Section; Access to Enhanced 911 System. Amend RSA 415-A by inserting after section 5 the following new section:

415-A:5-a Access to Enhanced 911 System.

I. No accident or health insurance policy issued or renewed after the effective date of this section shall contain any provision which establishes or promotes an emergency medical response or transportation system that encourages or directs access by an insured or enrollee in competition with or in substitution of the state enhanced 911 system or other state, county, or local government emergency medical services system.

II. Notwithstanding paragraph I, an insurer may use transportation outside the enhanced 911 or other government emergency medical services system for services that are not in response to an emergency medical condition, as defined in RSA 420-J:3, XV.

III. No accident or health insurance policy issued or renewed after the effective date of this section shall contain any provision requiring an insured or enrollee to obtain prior authorization before accessing the enhanced 911 system or other state, county, or local government emergency medical services system for response and/or transportation for emergency services, as defined in RSA 420-J:3, XVI.

IV. No person who issues an accident or health insurance policy subject to this chapter shall use false or misleading language in its enrollment sales materials or in any other materials provided to insureds or enrollees to discourage or prohibit insureds or enrollees from accessing the enhanced 911 system for response and/or transportation for emergency services.

2 New Section; Access to Enhanced 911 System. Amend RSA 420-J by inserting after section 3 the following new section:

420-J:3-a Access to Enhanced 911 System.

I. No health benefit plan issued or renewed after the effective date of this section shall contain any provision which establishes or promotes an emergency medical response or transportation system that encourages or directs access by a covered person in competition with or in substitution of the state enhanced 911 system or other state, county, or local government emergency medical services system.

II. Notwithstanding paragraph I, a health carrier subject to this chapter may use transportation outside the enhanced 911 or other government emergency medical services system for services that are not in response to an emergency medical condition, as defined in RSA 420-J:3, XV.

III. No health benefit plan issued or renewed after the effective date of this section shall contain any provision requiring a covered person to obtain prior authorization before accessing the enhanced 911 system or other state, county, or local government emergency medical services system for response and/or transportation for emergency services, as defined in RSA 420-J:3, XVI.

IV. No person who issues a health benefit plan subject to this chapter shall use false or misleading language in its enrollment sales materials or in any other materials provided to

covered persons to discourage or prohibit covered persons from accessing the enhanced 911 system for response and/or transportation for emergency services.

3 Reference Addition; Managed Care Plans. Amend RSA 417-F:1, II to read as follows:

II. "Insurer" means any entity providing managed care coverage or accident or health insurance or accident and health insurance policies, contracts, certificates, or other evidence of coverage to enrollees, insureds, or subscribers pursuant to RSA 415, 415-A, 419, 420, 420-A ~~[or]~~, 420-B **or 420-J**.

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

HB 1481, requiring managed care organizations to offer prescription drug plans. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Commerce: While the sponsor's concern is to be commended, the committee found that managed care organizations already offer prescription drug plans to its subscribers. The person who was affected was over 65-years-old on Medicare, and did need gap coverage for her prescription drugs. The committee feels that this bill is not necessary at this time and might effect HMO's whose groups might want to purchase prescription drugs outside the plan. Vote 14-1.

HB 1297, establishing a commission on fairness in sentencing. INEXPEDIENT TO LEGISLATE

Rep. Herbert R. Hansen for Criminal Justice and Public Safety: After much discussion about this bill the majority voted it ITL because to do otherwise would undermine the judicial judgment of our District and Superior Court Judges. We have assigned by law maximum penalties for felonies, misdemeanors and violations and expect the judges to evaluate the details of each crime that they find a person guilty of and to assign a penalty commensurate with their evaluation that is within the maximum range for the crime. In our Superior Court, there is a sentence review process (RSA 651:57) that a defendant may use for review of his or her sentence. The review board consists of three judges, not including the sentencing judge. Vote 14-2.

HB 1392, relative to the criminal offense of initiating a vehicular pursuit. INEXPEDIENT TO LEGISLATE

Rep. Beth Rodd for Criminal Justice and Public Safety: The committee felt that the purpose of the bill is adequately met in the current statute RSA 265:4(c) and that the existing penalties are sufficient to address issues resulting from vehicular pursuit. Vote 16-0.

HB 1405, exempting 50/50 raffles from the laws regulating games of chance. OUGHT TO PASS

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: HB 1405 defines a 50/50 raffle conducted by a charitable organization and exempts those 50/50 raffles from the licensing requirements of RSA 647, the chapter relative to games of chance. As it stands now, every time you run a 50/50 raffle, you need to get a license from your police department. We felt that this was not necessary for 50/50 raffles. Vote 14-0.

HB 1432, prohibiting active law enforcement personnel from obtaining a license to sell confiscated or seized firearms and ammunition. INEXPEDIENT TO LEGISLATE

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: HB 1432 was introduced because of a problem in one community concerning the way that firearms were disposed of by the police department. The committee understands the concern of the sponsor but felt there was no need to pass this bill for two reasons. First, we did not feel that it was proper to deny a law enforcement officer the right to have a license to sell pistols or revolvers. Lastly, RSA 595-A:6 delineates how property seized by a search warrant is disposed of and RSA 471-C:13 addresses the disposal of other property in the hands of the police. Vote 13-0.

HB 1544-FN, prohibiting the wearing of certain masks and hoods. INEXPEDIENT TO LEGISLATE

Rep. James M. Johnson for Criminal Justice and Public Safety: HB1544-FN prohibits the wearing of certain masks and hoods. It became obvious the reason for this bill was the public gathering of the Ku Klux Klan in the Town of Washington. Gatherings of this type usually require a permit for the use of public property and while the activities of the Ku Klux Klan are generally racial in nature being principally anti black and have been known to promote anti-Semitism, those activities are protected under the Constitution to a certain degree. The most difficult task of government is the protection of one's civil rights. How can we protect our democratic institutions against those who invoke civil liberties in order to destroy liberty, without at the same time stifling the freedom of discussion? All dictatorships abhor and proscribe civil liberties. Their leaders solemnly pronounce final judgment on all questions and proclaim the "truth" which all must accept without question. A democratic society cannot crush criticism and freedom of discussion without ceasing to be democracy. The committee unanimously agrees with the sentiments of the sponsor, but after consultation with a representative of the Attorney General's office, the committee feels that this measure is too restrictive and could be found to be unconstitutional. The committee also feels that the sponsor could accomplish the desired result with the use of a house resolution condemning the activities of the Ku Klux Klan in the State of New Hampshire. Vote 14-0.

HB 1570-FN, requiring parolees and probationers from other states to comply with the Interstate Compact on Parole in order to be lawfully present in New Hampshire. OUGHT TO PASS

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: This bill makes it a class B felony for an offender on probation or parole in another state to remain in New Hampshire after our department of corrections determines the offender is a danger to public safety and does not approve taking over the supervision of that offender. Currently offenders from other states who are still on probation or parole may try to move to New Hampshire. Under the Interstate Compact, the offender may reside here while on probation or parole in another state if the person is a resident here or has family residing here and can obtain employment. Otherwise the offender must receive permission from the state of New Hampshire in order to reside here. If the offender can stay in New Hampshire, our probation and parole officers will have to take over the state supervision of that offender. There are instances when our department of corrections does not give approval for an offender to remain in New Hampshire, often for public safety reasons. In those instances, the offender must return to the sending state. In many cases, this does not happen. In addition, the sending states do not take responsibility for taking back their offenders. This bill makes it a class B felony if an offender does not leave this state within 7 days after notification. This creates a tool to deter out of state offenders on probation and parole from remaining here without permission from the state. Vote 11-5.

HB 1157, establishing a committee to study incentives to attract individuals to the teaching profession. INEXPEDIENT TO LEGISLATE

Rep. Susan B. Durham for Education: This bill, though well intended, is now unnecessary. Early in February the Professional Standards Board of the Department of Education assembled a task force to review the many issues around educator (both teacher and administrator) scarcities. The findings

and recommendations of the task force will cover a broad range of related topics and will include addressing possible incentives to attract individuals to teaching. The entire report will be presented to the State Board of Education and the House Education Committee will carefully watch this important issue. Vote 13-0.

HB 1191-FN-L, relative to the adoption of charter school and open enrollment provisions in cooperative school districts and authorized regional enrollment areas. OUGHT TO PASS WITH AMENDMENT

Rep. John R. Alger for Education: This bill resolves confusion now existing when a charter school is approved within a regional area agreement and cooperative school district. The bill requires the area review board to approve an amendment to any such area agreement if a charter school is proposed. The amendment clarifies the bill by identifying when a plan must be prepared for approval. Vote 12-1.

Amendment (3523h)

Amend the introductory paragraph of RSA 195-A:3, V as inserted by section 2 of the bill by replacing it with the following:

V. An area school planning board may recommend that there be established an authorized regional enrollment area plan for elementary or secondary schools, or both, or any other reasonable combination of grades, composed of all the school districts represented by its membership or any specified combination thereof. ~~[The]~~ ***At the time such recommendation is made, the*** planning board shall prepare a written plan for the proposed regional enrollment area, which shall be signed by at least a majority of the membership of such board, which shall set forth the following:

Amend RSA 195-A:16 as inserted by section 3 of the bill by replacing it with the following:

195-A:16 Modification. Parties to any authorized regional area agreement may, either at the time of the original agreement, or at any subsequent modification of the agreement, specify that the agreement shall cover less than 100 percent of the student population of the sending district. ***In the event that a charter school is approved within a sending or receiving district, after final approval by the state board, an area review board shall be convened pursuant to RSA 195-A:14 solely for the purpose of considering an amendment to the area agreement relative to the adoption of the charter school provisions under RSA 194-B. Any such amendment shall be consistent with the provisions of RSA 195-A:3, V(p). An area plan amended under this section shall be submitted to the state board for approval no later than December 1 of the year of amendment.***

AMENDED ANALYSIS

This bill provides for the amendment of the terms of an authorized regional enrollment area agreement in the event one or more such districts adopt the provisions of the charter school and open enrollment law, or approves a charter school within the cooperative school district or authorized regional enrollment area.

CACR 36, relating to voting rights of homeowners. Providing that every person shall be considered an inhabitant for the purposes of voting relating to the raising of money in any town, ward, or unincorporated place where the person has his or her domicile or owns a residence. INEXPEDIENT TO LEGISLATE

Rep. Christine M. Konys for Election Law: Although this legislation is a well-intentioned effort to provide for local representation, the committee questioned the constitutionality of allowing an individual to register and vote in more than one ward, town, or unincorporated place. Vote 15-0.

HB 1291, relative to the names of candidates on ballots. INEXPEDIENT TO LEGISLATE

Rep. Francis W. Davis for Election Law: This bill would have allowed candidates to designate a nickname on the ballot that had no connection to their legal name, if the nickname was commonly known. The committee felt that it would be impossible for the office of the secretary of state to verify whether or not the nickname was commonly known. Without guidelines, this bill might open the door to a wide variety of nicknames and slogans. Candidates already have the option of using a combination of first and middle initials and names, as well as nicknames that are commonly related to the candidate's given name. The committee voted unanimously to support the current procedure. Vote 15-0.

HB 1172, providing staggered terms for agricultural advisory board members. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth R. Marshall for Environment and Agriculture: This bill was a request of the Department of Agriculture, Markets & Food. The amendment simply outlines a system of appointments that will work instead of a questionable system in the original bill. Vote 14-0.

Amendment (3399h)

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

1 Agricultural Advisory Board; Term of Office. Amend RSA 425:22, II to read as follows:

II. The term of office of members of the board shall be 5 years and until their successors are appointed and qualified. Vacancies shall be filled for the unexpired term only. ***However, beginning July 1, 2001, the terms of 2 members representing agriculture as provided in subparagraph I(a) and one member representing the industry interests as provided in subparagraphs I(b) – (f) shall expire each year. Initial terms for members representing agriculture shall expire in the year as follows: Belknap and Sullivan counties, 2002; Carroll and Strafford counties, 2003; Cheshire and Rockingham counties, 2004; Coos and Merrimack counties, 2005; and Grafton and Hillsborough counties, 2006. Initial terms for members representing industry interests shall expire in the year as follows: petroleum, 2002; food retailing, 2003; advertising, 2004; food distribution, 2005; and consumer, 2006.*** No board member shall be eligible for successive reappointment ***after 2004***. Appointments to the board shall be made by the governor with the advice and consent of the council on the basis of extensive experience and demonstrated ability and on a nonpartisan basis.

2 Reappointment of Board Members Serving as of the Effective Date of this Act. Members of the board serving as of the effective date of this act may be considered for reappointment for terms ending within 3 years of such date.

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

AMENDED ANALYSIS

This bill provides staggered terms for agricultural advisory board members, and specifies the order in which each board member's term expires.

This bill was requested by the department of agriculture, markets, and food.

HB 1185, extending the report date of the committee established to study mercury source reduction and recycling issues to November 1, 2000. OUGHT TO PASS

Rep. John S. Cobb for Environment and Agriculture: This bill extends the time limit to November 1, 2000 for a Joint House and Senate Committee to continue their study on mercury source reduction. Vote 15-0.

HB 1404, creating a study committee to address mechanisms for the disposal of state records. OUGHT TO PASS WITH AMENDMENT

Rep. Robert E. Murphy for Executive Departments and Administration: Evidence presented at the hearing convinced this committee that a mechanism to assist the agencies in surveying their records to determine the proper disposal to assure the preservation of historically important material is not destroyed with the trash. Vote 17-0.

Amendment (3396h)

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

AN ACT creating a study committee to address mechanisms for the preservation or disposal of state records.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study mechanisms for the preservation or disposal of state records under certain criteria.

Amend the bill by replacing sections 3 and 4 with the following:

3 Duties. The committee's duties shall include, but not be limited to, examining the current methods for preserving or disposing of state records, and discussing the creation of new mechanisms for preservation or disposal of such records under certain criteria. Upon request, all state agencies shall assist and cooperate with the work of the study committee.

4 Chairperson. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 30 days of the effective date of this section

Amend the bill by replacing section 6 with the following:

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

AMENDED ANALYSIS

This bill creates a study committee to address mechanisms for the preservation or disposal of state records.

HB 1113, raising the maximum price for lucky 7 tickets. OUGHT TO PASS

Rep. Jean R. Wallin for Finance: This bill simply raises the amount that can be charged for Lucky 7 tickets from \$.50 to \$1.00. The increase of the limit that has existed since 1983 allows a wider range of prices for the charity selling the tickets. The odds of winning remain the same. State revenue will be unaffected or slightly increased because the state tax is levied on the "deal" or packets of tickets purchased for sale. Vote 18-3.

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

Rep. Charles L. Vaughn for Finance: The legislature in chapter laws of 1998, Chapter 115, gave the university line management of its biennial budget, including New Hampshire public television, for years 2000/01 on a trial basis to expedite the university's budgeting process. This bill would set aside the process on July 1, 2000. Speaking in opposition was the president of the university, a member of the university trustees and station director. They pointed out the following: The possibility of jeopardizing federal funding because fiduciary responsibility for the station rests with university trustees. Over 30 non-profit universities have working alliances with public television stations, a method favored for strict control over public funds by the federal government. Further, federal dollars are increased as state dollars are appropriated to a joint university, television station, operation. The proposal would menace the shared management and administrative system now in place. After listening to the testimony and due deliberation the committee found this bill Inexpedient to Legislate. Vote 21-2.

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

Rep. Jean R. Wallin for Finance: For several years the complex issue of taxing earth in the ground was debated by the Legislature. Appraisal methods were highly speculative and difficult for municipalities to use. Finally the Legislature enacted HB 666 in the spring of 1999. This bipartisan legislation provides a reasonable, proportionate and uniform method for determining the value of earth and the excavated area from which it came. The department of revenue administration gravel tax appraiser reports that local officials and taxpayers find the current law easier to implement than earlier versions. As a result, hundreds of acres of excavated land have been removed from current use; hundreds of acres have been reclaimed; local tax revenues have increased; and collection of pertinent data has improved. The committee feels it is premature to change the law after less than a biennium. Vote 23-0.

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

Rep. Jean R. Wallin for Finance: The committee reiterates that no changes should be made to the excavation and excavation activity tax at this time. Vote 21-2.

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

Rep. Susan W. Almy for Finance: Through self-insurance the city of Keene and towns of Bedford, Windham and Peterborough have achieved substantial savings while maintaining or improving health insurance for their employees. The study committee will assemble the materials necessary to allow the legislature to decide whether and how this method can be applied to the state. Vote 22-0.

HB 1321, relative to certain funds collected by order of the public utilities commission. OUGHT TO PASS WITH AMENDMENT

Rep. Margaret A. Lynch for Finance: This bill authorizes the state treasurer to maintain funds collected pursuant to electric restructuring orders. The amendment narrows that authority to those funds directly attributable to programs for low income customers, as described in RSA 374-F:4 VIII (c). The amendment is supported by the Governor's Office of Energy, the State Treasurer's Office and the Public Utilities Commission. There is no fiscal impact associated with the implementation of this legislation. Vote 22-0.

Amendment (3494h)

Amend RSA 6:12-b as inserted by section 2 of the bill by replacing it with the following:

6:12-b Maintenance of Funds Collected Pursuant to Electric Utility Restructuring Orders. On request of the public utilities commission, the state treasurer shall maintain custody over funds collected by order of the public utilities commission consisting of only that portion of the system benefits charge directly attributable to programs for low income customers as described in RSA 374-F:4, VIII(c). All funds received by the state treasurer pursuant to this section shall be kept separate from any other funds and shall be administered in accordance with terms and conditions established by the public utilities commission.

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

Rep. Linda T. Foster for Finance: Although the committee may share the sponsor's intent to increase local programming, it also recognizes the fact that this bill could limit other in-state services which the station provides. Testimony indicated that NHPTV is currently fulfilling its mission and that micro-managing its budget would neither enhance nor expand that mission at this time. Vote 24-0.

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

Rep. Linda T. Foster for Finance: This bill singles out one particular group, antiques dealers, to receive a certificate exempting them from out-of-state sales taxes. The committee was informed that there are other ways to accomplish this goal, either through a formal exemption or through some other informal arrangement between the buyer and the seller. Additionally, no one from the public appeared to testify in favor of the legislation. Vote 23-1.

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

Rep. Charles L. Vaughn for Finance: Appearing before the Finance Committee, the bill's sponsor withdrew the bill but continued with discussion of its merits. The Department of Revenue Administration indicated state revenues will decrease by \$9.6 million in FY 2001 using official estimates for the communications tax, re-computing the tax at the 4.5 percent rate stated in the bill. In light of the withdrawal by the sponsor and decreases in state revenues, the Finance Committee voted Inexpedient to Legislate. Vote 23-1.

HB 1440-FN-A, taxing the cost of advertising under the meals and rooms tax. INEXPEDIENT TO LEGISLATE

Rep. Bruce F. Hunter for Finance: This bill proposes to tax an area that was never taxed before. Testimony revealed that a tax on advertising was imposed and then repealed in the states of Florida, Iowa, and Arizona, due to economic consequences. Thirty-nine state legislatures have considered and rejected such a tax. A major drawback could be the ease with which the tax could be evaded. One loophole in the bill exempts newspapers that are not daily. This could cause a shift of ad revenues to weeklies. The penetration of our market by out-of-state radio and TV stations could increase if they can offer advertising without the tax. Even if the tax were collected from the New Hampshire business ordering the out-of-state ad it might be hard to keep track of all the out-of-state radio and TV. With all the above problems the committee did not support the concept. Vote 24-0.

HB 1442-FN-A, increasing the exemption to the interest and dividends tax for persons 65 years of age or older. INEXPEDIENT TO LEGISLATE

Rep. Jean R. Wallin for Finance: Because the legislature has already voted to increase the interest and dividend exemption the sponsor agreed that the bill is unnecessary at this time. Vote 24-0.

HB 1446-FN, establishing a citizens' investment trust account. INEXPEDIENT TO LEGISLATE

Rep. Norman L. Major for Finance: This bill establishes a citizens' investment trust account, into which state government surpluses shall be deposited, to provide an annuity pension fund for the taxpayers of this state. A board of volunteers consisting of actuaries, certified public accountants, and certified financial planners shall manage the fund. The fiscal impact of this bill could not be determined because the definition of surplus to fund the trust fund established in this bill is left to the discretion of the Board of Trustees. It is not possible to determine at this time what the Board's definition of surplus funds will be and, therefore, the amount of the surplus to apply to the trust fund.

The sponsor indicated all funds (restricted and unrestricted) would be included in the citizens' trust account. This would include such funds as: Rainy Day, Health Care Transition, Department of Employment Security, Retirement Surplus, Lapses, Turnpike, Highway, Fish & Game, Sweepstakes, etc. At this time, the committee felt this legislation is not required. Instead the committee felt Legislator members and the public could benefit by a review of the purpose of these funds and how they are administered. A series of informational sessions conducted by the Legislative Budget Office would be helpful. Vote 24-0.

HB 1472-FN-A, allowing the deduction of trust expenses from trust income taxable under the interest and dividends tax. REFER FOR INTERIM STUDY

Rep. Linda T. Foster for Finance: The committee discovered that ambiguity exists in the RSAs regarding the deduction of trust expenses as they relate to in-state and out-of-state trusts. Interim Study will allow a full examination and clarification of this issue. Vote 24-0.

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. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance: The issue addressed by this bill is the periodic problem of timely payments by the Department of Health and Human Services (HHS) to contracted health care service providers or vendors. The bill would have HHS pay for the cost of borrowing by these service providers and vendors in anticipation of receipt of payment by HHS. Testimony indicated that several issues were involved, including improper invoicing by service providers and vendors, adequate payment budgets, and systems concerns at HHS. While not widespread, problems of prompt payments by HHS continue to occur, and the committee believes they should be studied

through the flexibility of an ad hoc Finance subcommittee that will allow for input from all concerned parties. HHS is in agreement with this approach which should generate both immediate and longer-term payment process improvements, so the bill was voted Inexpedient to Legislate. Vote 23-1.

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

Rep. Linda T. Foster for Finance: The sponsor asked that this bill be withdrawn, hence the Inexpedient to Legislate motion. Vote 24-0.

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

Rep. Charles L. Vaughn for Finance: This bill grants an adjustment to the enterprise value tax base of transportation companies that contract with municipalities, municipal boards, or school board authorities for the transportation of public school pupils. The Department of Revenue Administration indicates this bill will decrease state general fund revenue by \$129,000 in FY 2001 and each year thereafter and will decrease education trust fund revenue by \$129,000 in FY 2001 and each year thereafter. The Department indicates state general fund expenditures will increase by \$5,000 in FY 2001.

The business enterprise tax being paid by transportation companies for transporting public school pupils is actually being passed through to property taxpayers that pay for the cost of education. The sponsor indicates transportation expenses could be reduced, therefore reducing the requirement on the general fund for money from the state. The committee noted there was no guarantee these savings would be passed on to the taxpayers. It would be difficult for some of the transportation companies to separate expenses if they are involved in other businesses. It would not be fair to single out transportation companies for this benefit. There are other contracted school services such as: food service, maintenance, computers, etc., therefore the committee is opposed to this tax exemption. Vote 24-0.

HB1515-FN-A-L, increasing the rate of the meals and rooms tax. INEXPEDIENT TO LEGISLATE

Rep. Norman L. Major for Finance: The Department of Revenue Administration indicates increasing the meals and room tax from 8% to 10%, assuming tourism is not affected, would increase state general fund by \$39.25 million and state restricted revenues by \$2.5 million in FY2001 and each year thereafter. Maine imposes a tax at the rate of 7%, Vermont at a rate of 9% and Massachusetts has a meal tax of 5%. Mass. had to reduce their meals tax to 5% because their industry was hurting. New Hampshire would have the highest rate in the region at 10%. The committee felt the state has done much to encourage and promote the tourism industry and this is not the time to jeopardize the associated revenues (from gas tax, sweeps sales, liquor and tobacco sales, horse & dog racing, etc.) brought in by this industry. Vote 23-1.

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. INEXPEDIENT TO LEGISLATE

Rep. Jean R. Wallin for Finance: The mission of the Community Development Investment Program is support of housing and economic development that benefits low and moderate income citizens. Furthermore the CDFA is discouraged from funding projects that should be a public responsibility. This legislation would add charter schools to the already long list of requests for which there is no

money. While charter schools are a laudable goal, this bill, if enacted, would hold out a false promise of financial aid. The committee recommends that it be killed and a better method for funding charter schools be found. Vote 21-3.

HB 1593-FN-A-L, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected and establishing the local option of a 4 percent rooms tax. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: This bill as amended by the sponsor removes Section 1 of the bill thus permitting operators to still retain 3 percent of meals and rooms tax collected. Section 2 allows local communities an option to adopt an additional 4 percent rooms tax dedicated to pay local education costs. The current rooms and meals tax collected at 8 percent would be commingled with the 4 percent optional tax causing the Department of Revenue Administration, as the sponsor testified, "to do a little extra work." State expenditures would increase by \$121,600, including one-time costs of \$84,000 for re-programming the telefile system to accommodate the local option provisions of the bill, and \$37,000 for personnel.

The Municipal Association and other trade organizations opposed changing the distribution at this time because many small communities would not see the kind of revenues large communities with hotels and motels would see. Also group conventions, of several days or more, will shop around for communities without the tax. Finally, all but nine communities in the state have two separate budgets, school and municipal. An optional rooms tax for education could further divide communities over municipal services or school expenditures. Although the sponsor is to be commended for seeking solutions to education funding problems, this fragmented local taxing method is not the answer. The bill will increase local revenue by an indeterminate amount in FY 2001 and each year thereafter. The committee voted Inexpedient to Legislate. Vote 24-0.

HB 1319, extending the reporting date of the committee studying negotiated risk agreements and requiring the department of health and human services to conduct a study. OUGHT TO PASS

Rep. Janeen A. Dalrymple for Health, Human Services and Elderly Affairs: Negotiated risk agreements are a complex issue that will impact rules associated with the various alternate living settings for disabled and elderly individuals. Specific details include legal rights, health and safety concerns and laws governing the protection of vulnerable adults from abuse. Also, neglect, exploitation and ability of facilities to provide adequate and safe supervised treatment and services should entail careful consideration. The Department of Health and Human Services agrees existing rules need revision for the implementation of SB 409, the long-term care plan. Therefore, this bill would extend the reporting period to allow the department the necessary time to complete the task of rules revision. Vote 15-0.

HB 1104, limiting the liability of paramedics caring for patients in transport between hospitals. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary: The sponsor of this legislation has spoken with others in the emergency services and has agreed to this bill being reported inexpedient to legislate. Paramedics in fact work under the supervision of a doctor and therefore should not be thought of as independent providers under the New Hampshire Laws. Vote 16-0.

HB 1139, establishing a committee to study involuntary emergency admission hearings. OUGHT TO PASS

Rep. Bette R. Lasky for Judiciary: HB 1139 establishes a committee to study involuntary emergency hearings. Currently problems exist with the decision and how it is made at the initial hearing. Now 3 days after an involuntary commitment to the state hospital, a hearing is held to decide whether the person remains in the hospital for further treatment. Oftentimes a family member, usually without support, must testify against the individual in front of the judge. Some judges are knowledgeable about mental illness and can understand the need for further treatment while others obviously may not see that need and release the person who may become even more angry and uncontrollable with that result. The Judiciary committee felt it worthwhile to establish a study committee to deal with this particular problem and others with the involuntary emergency admission procedure. Vote 14-0.

HB 1171, restricting the payment of salaries to suspended judicial officers. OUGHT TO PASS

Rep. Robert H. Rowe for Judiciary: Currently when a judge has had a complaint brought against him or her, has had a full hearing, been found chargeable, and then suspended from the bench, the judge's salary may continue through the period of the suspension. This bill eliminates the judge's salary during the term of the suspension unless the supreme court decides otherwise for good cause. Vote 10-3.

HB 1239, relative to durable powers of attorney. OUGHT TO PASS WITH AMENDMENT

Rep. Cynthia J. Dokmo for Judiciary: This bill was prompted by the rise of misuse and abuse of durable powers of attorney by agents. It requires two notices to be included in a durable power of attorney: (1) notice to the principal which sets forth in layman's language the intent and extent of the grant of power under the document, and (2) notice to the agent which outlines the intent and extent of the document and also informs the agent of his or her fiduciary duty and the possible consequences of violating that duty. Additionally, the bill provides that a durable power of attorney must specifically authorize gifts to be made by an agent, in order to permit an agent to make such gifts. All durable powers of attorney validly executed prior to the effective date of this legislation shall not be rendered ineffective by this bill. Vote 16-0.

Amendment (3560h)

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

1 New Paragraphs; Prevention of Frauds and Perjuries; Powers of Attorney, Disability or Incompetence of Principal; Gifts; Durable Power of Attorney Document; Notification. Amend RSA 506:6 by inserting after paragraph IV the following new paragraphs:

V. An attorney in fact is not authorized to make gifts to the attorney in fact or to others unless the durable power of attorney explicitly authorizes such gifts.

VI. A durable power of attorney under this section shall contain the following language:

"Notice to the Principal: As the 'Principal,' you are using this Durable Power of attorney to grant power to another person (called the 'Agent' or 'Attorney in Fact') to make decisions, including, but not limited to, decisions concerning your money, property, or both, and to use your money, property, or both on your behalf. If this written Durable Power of Attorney does not limit the powers that you give to your Agent, your Agent will have broad and sweeping powers to sell or otherwise dispose of your property, and to spend your money without advance notice to you or approval by you. Under this document, your agent will continue to have these powers after you become incapacitated, and unless otherwise indicated your Agent will have these powers before you become incapacitated.

You have the right to revoke or take back this Durable Power of Attorney at any time, so long as you are of sound mind. If there is anything about this Durable Power of Attorney that you do not understand, you should seek professional advice.

"Notice to the Agent: As the 'Agent' or 'Attorney in Fact,' you are given power under this Durable Power of Attorney to make decisions about money, property, or both belonging to the Principal, and to spend the Principal's money, property, or both on the Principal's behalf, in accordance with the terms of this Durable Power of Attorney. This Durable Power of Attorney is valid only if the Principal is of sound mind when the Principal signs it. When acting in the capacity of Agent, you are under a duty (called a 'fiduciary duty') to observe the standards observed by a prudent person, which means the use of those powers that is reasonable in view of the interests of the Principal and in view of the way in which a person of ordinary judgment would act in carrying out that person's own affairs. If the exercise of your acts is called into question, the burden will be upon you to prove that you acted under the standards of a fiduciary. As the Agent, you are not entitled to use the money or property for your own benefit or to make gifts to yourself or others unless the Durable Power of Attorney specifically gives you the authority to do so. As the Agent, your authority under this Durable Power of Attorney will end when the Principal dies and you will not have authority to manage or dispose of any property or administer the estate unless you are authorized to do so by a New Hampshire Probate Court. If you violate your fiduciary duty under this Durable Power of Attorney, you may be liable for damages and may be subject to criminal prosecution. If there is anything about this Durable Power of Attorney, or your duties under it, that you do not understand, you should seek professional advice."

The language required by this paragraph shall not confer any powers to the agent that are not otherwise contained in the durable power of attorney.

VII. Nothing in paragraph V-IX of this section shall render ineffective a durable power of attorney validly executed under New Hampshire law prior to the effective date of paragraphs V-IX of this section.

VIII. A durable power of attorney validly executed under the laws of another state or foreign jurisdiction shall be deemed valid under New Hampshire law. Foreign powers of attorney shall be subject to the provisions of RSA 506:7.

IX. A person who seeks to validate or interpret the powers under a durable power of attorney which does not comply with paragraph VI of this section may petition the courts under RSA 506:7.

2 Powers of Attorney; Limitations on the Agent. Amend RSA 506:7, IV to read as follows:

IV.(a) The court may hold hearings, make orders and decrees, and take other actions necessary or proper to make determinations on matters presented by a petition filed under paragraph III **and RSA 506:6, IX.**

(b) When a gift or transfer made by an agent is challenged in a petition filed under paragraph III of this section or RSA 506:6, IX, the gift or transfer shall be presumed to be lawful if the durable power of attorney is drafted in accordance with RSA 505:6, VI and explicitly authorizes such gifts or transfers. However, if the petitioner establishes that the agent made a transfer for less than adequate consideration, and the transfer is not explicitly authorized by a durable power of attorney drafted in accordance with RSA 506:6, VI the agent shall be required to prove by a preponderance of evidence that the transfer was authorized and not as a result of undue influence, fraud, or misrepresentation.

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

HB 1328, requiring that the rules of evidence shall apply in divorce proceedings. INEXPEDIENT TO LEGISLATE

Rep. James W. Craig for Judiciary: This bill would require the rules of evidence to apply to all divorce proceedings. The committee believes that this could be a benefit to litigants but not in the form presented in this bill. There are parts of a divorce proceeding where it would be expensive and otherwise burdensome to parties to have the rules apply, especially for pro se parties. There are other parts of divorce proceedings where the committee felt that the rules should apply. This bill does not address these concerns and has the potential to cause more harm than benefit. It was the general feeling of the committee that perhaps the entire "divorce statutes" should be scrutinized in the future. Vote 13-1.

HB 1551-FN, relative to legislative access to agency information. INEXPEDIENT TO LEGISLATE

Rep. James W. Craig for Judiciary: This bill would require "any state agency, or board or commission of any state agency or authority, including the board of trustees of the university system of New Hampshire" to provide any state legislator full access to records or information which it may possess for use as legislative research in any legislative proceeding, hearing or discussion. Any person failing to provide such requested information would be guilty of a misdemeanor. The committee felt that the right-to-know law already addresses these issues and that this bill would allow legislators to abuse the present statute. Further, all of the confidentiality protections provided in that statute, and any other court order are waived, when a request is made by a legislator. Further, in addition to a violation of this bill being a misdemeanor, the information would cause the state employee to be suspended from state employment for a period of time "to be determined jointly by the speaker of the house, the senate president and the governor". The committee recognizes that the citizens of the state sometimes have problems acquiring permissible information from state agencies and is willing to take steps to address the problem in the future, if deemed necessary. However, this was not the appropriate vehicle to do so. Vote 12-0.

HB 1182, relative to eligibility for unemployment benefits for school employees. INEXPEDIENT TO LEGISLATE

Rep. Jeffrey P. Goley for Labor, Industrial and Rehabilitative Services: This bill would have repealed RSA 282-A: 31, a & b relative to eligibility of employees of an educational institution to receive unemployment compensation benefits. Hearing no compelling testimony in favor of the bill, the majority of the committee voted ITL. Vote 16-0.

HB 1187-FN-L, allowing the public employee labor relations board to decertify a bargaining unit. INEXPEDIENT TO LEGISLATE

Rep. Gary P. Torressen for Labor, Industrial and Rehabilitative Services: After reviewing the policy regarding the decertification of a bargaining unit by the public employee labor relations board, the committee believes that the current policy is working. The current policy allows the employees to petition the board to decertify. The reason the bill was presented was because some bargaining units have fallen below the required ten (10) members. The committee felt that it is the bargaining unit member's right to petition for decertification and not the employer. The committee vote was ITL. Vote 16-0.

HB 1326, relative to managed care programs under workers' compensation. OUGHT TO PASS

Rep. Robert H. Turner for Labor, Industrial and Rehabilitative Services: This bill requires a managed care program under workers' compensation to maintain a business office in New Hampshire and to have a sufficient number of resident injury management facilitators. The Workers' Compensation Advisory Council and the Department of Labor both are in support of this bill. This bill follows the same requirement of all other insurance carriers providing insurance to businesses in the State of New Hampshire. Therefore, the committee voted OTP. Vote 14-2.

HB 1582, establishing a committee to study family friendly employment and workplace policies and to determine effects on families and employers. OUGHT TO PASS WITH AMENDMENT

Rep. G. Michael Gilman for Labor, Industrial and Rehabilitative Services: This bill in its original form was felt to be too broad in areas to be examined. After much consultation and "in recognition of the intent and merit of HB 1582", it was amended. The amendment's focus of study is in two areas: workplace policy and family resources. The committee was unanimous in its' support for what is genuinely a bi-partisan issue. Therefore, the committee voted OTP/A. Vote 16-0.

Amendment (3580h)

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

AN ACT establishing a committee to study workplace policies and practices of small businesses for their effect on New Hampshire employees and their families.

Amend the bill by replacing sections 1-3 with the following:

1 Committee Established. There is established a committee to study the workplace policies and practices in small businesses of 50 or fewer employees that enable employees to balance work responsibilities with family commitments.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties.

I. The committee shall:

(a) Examining employment and workplace policies of small businesses which enable employees to balance work responsibilities with family commitments. These may include:

(1) Assistance with dependent care of family members including resource and referral, reimbursement, or vouchers and/or assistance with child care for employees coming off welfare.

(2) Workplace policies such as flexible schedules, job-sharing, cafeteria benefit plans, and use of sick leave to care for family members with extended illnesses, and leave banks.

(b) Examine possible incentives that could be initiated by the state to encourage the successful New Hampshire small business policies which have been identified as effective.

(c) Examine possible changes to statutes or rules which would allow for greater flexibility on the part of small businesses to accommodate the changing needs of employees and their families.

II. The committee shall solicit input from, but shall not be limited to, representatives of the following:

(a) Employers.

(b) Employees.

(c) State agencies.

(d) Interested councils and organizations.

Amend the bill by replacing section 6 with the following:

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

AMENDED ANALYSIS

This bill establishes a committee to study workplace policies and practices of small businesses for their effect on New Hampshire employees and their families.

HB 1120-L, relative to the definition of net assets in the elderly exemption to property taxes.
INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill would have provided that retirement savings held in individual retirement accounts or other qualified pension plans would not be considered an asset when calculating eligibility for the elderly exemption. In addition to the difficulty that local officials would have in determining what constituted an "other qualified pension plan," the Committee was unable to understand why this particular form of retirement savings should be excluded while other forms of savings and/or investments would be included as part of an individual's assets. Vote 17-1.

HB 1194, relative to the composition of planning boards in certain cities. OUGHT TO PASS WITH AMENDMENT

Rep. Ralph L. Akins for Municipal and County Government: This bill changes the composition of planning boards in cities with a city council-city manager form of government by eliminating the inclusion of an administrative official and increasing the number of non-ex officio members from 6 to 7. The Committee amendment allows this change to be optional. City administrative officials work directly with the applicant reviewing and preparing submittals to the planning board for their

review and they may still attend the meetings when they decide it's necessary. Therefore it is not necessary to require them to become a regular member of the board. Vote 12-3.

Amendment (3257h)

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

1 Planning Boards; Composition in Cities. Amend RSA 673:2, I and I-a to read as follows:

I.**(a)** In cities, the planning board shall consist of 9 members:

~~[(a)]~~ **(1)** The mayor of the city, or with the approval of the local legislative body the mayor's designee, who shall be an ex officio member;

~~[(b)]~~ **(2)** An administrative official of the city selected by the mayor, who shall be an ex officio member;

~~[(c)]~~ **(3)** A member of the city council selected by the council, who shall be an ex officio member; and

~~[(d)]~~ **(4)** Six persons appointed by the mayor, if the mayor is an elected official, or such other method of appointment or election as shall be provided for by the local legislative body or municipal charter.

(b) Alternatively, the local legislative body in a city with a city council-city manager form of government may establish a planning board with membership as provided in paragraph I-a.

I-a. In cities with a city council-city manager form of government, the planning board may consist of the following 9 members:

(a) The city manager, or with the approval of the local legislative body the city manager's designee, who shall be an ex officio member;

(b) A member of the city council selected by the council, who shall be an ex officio member; and

(c) Seven persons appointed by the mayor, if the mayor is an elected official, or such other method of appointment or election as shall be provided for by the local legislative body or municipal charter.

I-b. In towns which operate under the town council form of government, the planning board shall consist of 7 or 9 members, as determined by the local legislative body or by the municipal charter. If the planning board shall consist of 9 members, the members shall be the persons listed in paragraph I. If the planning board shall consist of 7 members, the members shall be as follows:

(a) A member of the town council or administrative official of the town selected by the town council, who shall be an ex officio member; and

(b) Six persons appointed by the mayor, if the mayor is an elected official, or such other method of appointment or election as shall be provided for by the local legislative body or municipal charter.

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

AMENDED ANALYSIS

This bill allows a city with a city council-city manager form of government to establish a planning board composed of the city manager or designee, a member of the city council, and 7 appointed persons.

HB 1453, relative to the grant of power over applications before a planning board. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill seeks to eliminate any possibility of a subjective interpretation of a zoning ordinance or subjective interpretation of an application to any local zoning board or planning official. The Committee felt that this bill is not an improvement over current law. It fails to set out clear and enforceable standards for limiting local authority and distinguishing between impermissible "subjective" interpretations and permissible "objective" interpretations. What may appear "subjective" to one person is "objective" to another. Finally, this bill may unintentionally remove some of the authority which local officials currently have and which is necessary to enable them to properly do their jobs. Vote 16-2.

HB 1541-FN-L, relative to the cremation of deceased persons. OUGHT TO PASS

Rep. Anthony F. Simon for Municipal and County Government: This bill adds cremation to the existing statute, which provides for the burial of persons on public assistance. It also deletes the word "casket" from the statute which requires that a body scheduled to be cremated be transported "in suitable solid container made for such purpose." The testimony was that some funeral directors have been reluctant to cremate deceased indigent persons without specific statutory authority. The Committee believes that this bill provides important flexibility in this regard to local officials who are responsible for disposing of the remains of deceased persons who have been on public assistance. Vote 16-2.

HJR 20, urging the United States Congress to fully fund the Ricky Ray Hemophilia Relief Fund Act for HIV victims. OUGHT TO PASS

Rep. Margaret E. Lynott for State-Federal Relations and Veterans Affairs: Thousands of people with hemophilia, a blood-clotting disorder, were infected with the HIV virus when they purchased contaminated blood products years ago. This occurred even after the Institute of Medicine was made aware that the blood product was contaminated. Congress passed the Ricky ray Hemophilia Relief Fund Act in 1998, and the bill was signed into law by the President. Fully funding this bill would provide financial relief to the families of hemophiliacs who were devastated by the failure of the federal government's policy also in its handling of the AIDS epidemic. Many of these families have suffered the loss of multiple members. Vote 12-0.

HB 1279, relative to the applicability of school bus safety laws. REFER FOR INTERIM STUDY

Rep. Robert J. Letourneau for Transportation: The sponsor who is concerned with the use of safety equipment by school bus operators brought this bill forward with good intent. During the public hearing the committee received a 1999 inspection report from the Department of Safety that

indicated that the school bus safety record is excellent at 96.4%. However, the issue here may be with non-complying buses that are used by some schools. The committee felt that we could use an extended time to look at these issues. The sponsor is aware of our action and is in support. Vote 15-0.

HB 1617-FN, relative to suspension of a driver's license for sufficient cause. OUGHT TO PASS WITH AMENDMENT

Rep. Sherman A. Packard for Transportation: This bill was brought in following a Supreme Court decision overturning the decision by a lower court judge. This bill will clarify RSA 263:57 allowing a judge to suspend a license for the hazardous nature of driving, excessive speed, prior driving record, or prior history of compliance with court or administrative orders in motor vehicle cases. The committee felt that a judge should have the discretion of suspending a driver's license in the most egregious cases of violations. The committee also felt that this was necessary because of the increased cases of road rage and violent cases of aggressive driving. We must not abate the judges abilities to suspend a license in the cases they deem necessary. Vote 14-1.

Amendment (3503h)

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

1 Suspension for Sufficient Cause. Amend RSA 263:57, I to read as follows:

I. Any justice of a district or municipal court or of the superior court may suspend any license issued to any person, for a period not to exceed 30 days, after a conviction of an offense under the provisions of this title, after due hearing, for any cause which he *or she* may deem sufficient. ***Sufficient cause for suspending any license issued to any person shall include, but not be limited to, the hazardous nature of the driving violation, the excessive nature of the speed, the driver's prior driving record, or the driver's prior history of compliance with court or administrative orders in motor vehicle cases.***

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

SB 348, extending the committee to study the establishment of a permit system for vessels registered in another state temporarily using the waters of New Hampshire. OUGHT TO PASS

Rep. Peter R. Cote for Transportation: This bill would extend for one year the study committee concerning the establishment of a permit system for vessels registered in other states temporarily using New Hampshire waters. The study committee met last summer, and it became apparent that they would need an extended time to properly study this issue due to conflicting information regarding the number of out of state vessels and federal grant monies involved. The Department of Safety and the New Hampshire Lakes Association support this bill. Vote 15-0.

SB 362, relative to the length of buses and single unit vehicles. OUGHT TO PASS

Rep. Alfred C. Lerandeau for Transportation: This bill as written would increase the maximum length limits for buses and single unit vehicles driven on roads from 40 feet to 45 feet. The bill brings the state into compliance with the federal highway guidelines of 45 feet. Vote 14-1.

SB 356, extending the committee to study and identify or establish the duties of the fish and game commission. OUGHT TO PASS

Rep. Betsy McKinney for Wildlife and Marine Resources: The committee voted to extend this study for another year. The Fish and Game Commission received a federal grant last year to review their responsibilities and duties and are now working to put in print what the duties and job description of the Commissioner are and pending their results the study committee will be able to consider this information for future legislation. Vote 11-0.

REGULAR CALENDAR

MOTION TO SPECIAL ORDER

Rep. Pilliod moved that **HB 1271**, relative to participation by minors in certain athletic activities, be made a Special Order for Thursday, March 23, 2000 in the regular calendar order and spoke in favor.

Adopted by the necessary two-thirds.

regular calendar (cont'd.)

HB 1603, establishing a committee to study the ages at which persons under 21 years of age become subject to state laws. INEXPEDIENT TO LEGISLATE

Rep. Thomas I. Arnold, Jr. for Children and Family Law: This bill establishes a statutory committee to study the ages at which individuals less than 21 years of age become subject to various laws and procedures, criminal, motor vehicle, welfare, labor, etc. The committee was divided 7-6 on whether the statutory committee should be formed, what it could be expected to accomplish, and whether it could be completed in the allotted times; OTP failed. Because the expectations were so nebulous the ITL motion was made and accepted 9-4. Vote 9-4.

Adopted by the necessary two-thirds.

HB 1204-FN, relative to plant seeds that have artificially heightened resistance to herbicides and pesticides INEXPEDIENT TO LEGISLATE

Rep. Kathleen N. Taylor for Commerce: This bill would require the labeling of all foods containing ingredients derived from genetically altered seeds, which are sold in New Hampshire. There is currently no way to enforce this labeling on foods manufactured outside of New Hampshire. The sponsors' amendment relied on the passing of other state and federal legislation, and the committee felt that the marketplace is addressing this issue on its own. Vote 14-2.

Adopted by the necessary two-thirds.

HB 1536-FN, requiring parental notification for certain offenses involving minors. INEXPEDIENT TO LEGISLATE

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: The committee was very supportive of the concept of parental notification for certain offenses involving minors. However, we did not believe the notification should be mandatory as it raises 28-a questions. Therefore, we strongly recommended that our police departments notify the parents of minors by phone or mail of

violations or misdemeanors. We recognize the importance of keeping the parents informed for the benefit of everyone involved; however, this should not be a mandate. Vote 9-4.

Adopted by the necessary two thirds.

(Clerk's Note)

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

HB 1548-FN, abolishing the death penalty. WITHOUT RECOMMENDATION.

Reps. Flora and Sargent moved Ought to Pass.

Reps. Knowles, Kennedy, Tholl, Young and Welch spoke against.

Reps. Flora, Sargent, Naida Kaen, DiFruscia and Loren Jean spoke in favor.

Rep. Burling requested a quorum count. The Speaker declared a quorum present.

Rep. Rowe spoke in favor.

Rep. Cecelia Kane requested a roll call; sufficiently seconded.

The question being the adoption of the Ought to Pass motion.

YEAS 191 NAYS 163

YEAS 191

BELKNAP

Boriso, Thomas
Wood, Jane

Millham, Alida

Pilliod, James

Salatiello, Thomas

CARROLL

Dickinson, Howard

CHESHIRE

Batchelder, Robert

Burnham, Daniel

DePecol, Benjamin

Doucette, Richard

Lynch, Margaret

Lynott, Margaret

Manning, Joseph

McGuirk, Paul

Meador, David

Mitchell, McKim

Pratt, Irene

Pratt, John

Richardson, Barbara

Riley, William

Russell, Ronald

Smith, Edwin

Zerba, Roger

COOS

Gallus, John

Horton, Lynn

Landers, Dana

Mears, Edgar

Rodrigue, Robert

GRAFTON

Akins, Ralph

Almy, Susan

Brothers, Richard

Copenhaver, Marion

Densmore, Jessica

Dudley, Terri

Eaton, Stephanie

Guest, Robert

Nordgren, Sharon

Picconi, Al

HILLSBOROUGH

Ahern, Richard

Arnold, Thomas Jr

Arthur, Rose

Baroody, Benjamin

Bergin, Peter

Carlson, Donald

Chabot, Robert

Cote, David

Craig, James

Daniels, Gary

Desrosiers, William

Dokmo, Cynthia

Drabinowicz, A Theresa

Durham, Susan

Dyer, Merton

Flora, Kathleen

Ford, Nancy

Gagnon, Eugene

Garrish, Linda

Ginsburg, Ruth

Gorman, Mary

Haettenschwiller,
Alphonse

Hall, Betty

Hansen, Herbert

Herman, Keith

Herman, Richard

Hunter, Bruce

Jean, Claudette

Jean, Loren

Johnson, Lionel

Keye, Harvey

Konys, Christine

LaPorte, George

LaRose, Richard

Lasky, Bette

Leonard, Peter

Lynde, Harold

Martel, Andre

Martin, Mary Ellen

McCarthy, William

McCarty, Winston

McDonough-Wallace,
Alice

Mendenhall, Leslie

Messier, Irene

Milligan, Robert

Moriarty, Mary

O'Connell, Timothy

O'Hearn, Jane

Ouellette, Dean

Peterson, Andrew

Reidy, Frank

Rowe, Robert

Sarette, John

Sargent, Maxwell

Tate, Joan

Turgeon, Roland

Vaillancourt, Steve

White, Donald

White, John

Williams, Carol

MERRIMACK

Bouchard, Candace

Chase, George

Crosby, Toni

Daneault, Gabriel

Davis, Francis

Feuerstein, Martin

Fortnam, Janet

Fraser, Marilyn

French, Barbara

Gile, Mary

Hager, Elizabeth

Jacobson, Alf

Moore, Carol
Seldin, Gloria
Wallner, Mary Jane

Owen, Derek
St Cyr, Gerard
Yeaton, Charles

Potter, Frances
Virtue, Carolyn

Rodd, Beth
Wallin, Jean

ROCKINGHAM

Abbott, Dennis
Christie, Andrew Jr
DiFruscia, Anthony
Gibbons, Paul
Katsakiores, Phyllis
Lovejoy, Marian
O'Neil, Michael
Sabella, Norma
Stickney, Nancy

Bishop, Franklin
Clark, Martha
Dowling, Patricia
Gleason, John
Kelley, Jane
Major, Norman
Pitts, Jacqueline
Shelton, Richard
Vaughn, Charles

Blanchard, MaryAnn
Dalrymple, Janeen
Fesh, Robert
Hutchinson, Rebecca
Kelley, William
Norelli, Terie
Rubin, George
Shultis, Elizabeth
Weatherspoon, Jackie

Case, Margaret
Dearborn, Bruce
Flanagan, Natalie
Kane, Cecelia
Langley, Jane
O'Keefe, Patricia
Ruffner, Walter
Splaine, James
Zolla, William

STRAFFORD

Berube, Roger
Dunlap, Patricia
Heon, Richard
Lent, Donald
Smith, Marjorie
Taylor, Kathleen
Vincent, Francis

Bickford, David
Estabrook, Iris
Johnson, Nancy
Musler, George
Snyder, Clair
Torr, Franklin
Wall, Janet

Brennan, William
Gilmore, Gary
Kaen, Naida
Pelletier, Arthur
Spang, Judith
Twardus, Joseph
Woods, Phyllis

DeChane, Marlene
Grassie, Anne
Keans, Sandra
Rogers, Rose Marie
Spear, Barbara
Vachon, Dennis

SULLIVAN

Allison, David
Phinizy, James

Burling, Peter
Robb-Theroux, Amy

Cloutier, John
Tuthill, John

Donovan, Thomas Jr
Wiggins, Celestine

NAYS 163

BELKNAP

Bartlett, Gordon
Johnson, James

Boyce, Robert
Lawton, David

Czech, Stanley
Rice, Thomas

Holbrook, Robert
Rosen, Ralph

Thomas, John

Turner, Robert

Wendelboe, Francine

CARROLL

Babson, David Jr

Bradley, Jeb

Chandler, Gene

Howard, Godfrey

Kenney, Joseph

Mock, Henry

Patten, Betsey

Philbrick, Donald

Sullivan, P Judith

Torressen, Gary

CHESHIRE

Avery, Stephen

Hunt, John

Lerandean, Alfred

Roberts, William

Rose, William

Royce, H Charles

COOS

Davis, Perley

Guay, Lawrence

Merrill, Gerald

Pratt, Leighton

Tholl, John Jr

Woodward, David

GRAFTON

Alger, John

Cobb, John

Gilman, G Michael

Hall, David

Harmon, Hobart

Hinman, Harry

Marshall, Gene

Mirski, Paul

Phinney, William

Scanlan, David

Ward, Brien

Weber, Phil

HILLSBOROUGH

Alukonis, David

Andrews, Frederick

Batula, Peter

Beaupre, Roland

Belvin, William

Bergeron, Lucien

Brundige, Robert

Bruno, Pierre

Buckley, Raymond

Calawa, Leon Jr

Christiansen, Lars

Clegg, Robert Jr

Cote, Peter

Coughlin, Pamela

Daigle, Robert

Dalianis, Griffin

Desmarais, Vivian

Dwyer, Paul Sr

Emerton, Lawrence

Fenton, James

Fields, Dennis

Fletcher, Richard

Foster, Linda

Franks, Suzan

Goley, Jeffrey

Goulet, Maurice

Holley, Sylvia

Kurk, Neal

Lefebvre, Roland

Lessard, Rudy

Lozeau, Donnalee

MacGillivray, Jeffrey

McColgan, Philip Jr

McDonald, James Sr

McGough, Tim

Melcher, Harold

Mercer, Robert

Mosher, William

Nolan-Piteri, Dawn

Pappas, Marc

Pepino, Leo

Reeves, Sandra

Simon, Anthony

Thulander, O Alan

Wall, Nancy

Withee, Dennis

MERRIMACK

Anderson, Eric	Brewster, Richard	Hess, David	Hoadley, Elizabeth
Kennedy, Richard	Langer, Ray	Lavoie, Gerard	Leber, William
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Nichols, Avis	Poulin, Dave	Rosenfield, Jay	Soltani, Tony
Whalley, Michael	Whittemore, James		

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bridle, Russell
Clark, Vivian	Cooney, Richard	Cox, Russell	Downing, Michael
Flanders, David	Flanders, John Sr	Francoeur, Sheila	Grant, Kenneth
Griffin, Mary	Hamel, Albert	Henderson, Warren	Hutchinson, Karen
Johnson, Robert	Katsakiores, George	Kobel, Rudolph	Langone, John
Letourneau, Robert	McKinney, Betsy	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	Packard, Sherman
Pantelakos, Laura	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Raynowska, Bernard	Sapareto, Frank	Schanda, Frank	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	

STRAFFORD

Brown, Julie	Callaghan, Frank	Cossette, Larry	Domingo, Baldwin
Knowles, William	McKinley, Robert	Rollo, Michael	

SULLIVAN

Flint, Gordon Sr	Jones, Constance	Leone, Richard	Young, David
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and Ought to Pass was adopted.

Ordered to third reading.

Rep. Gary Johnson wished to be recorded in favor.

reconsideration

Having voted on the prevailing side, Rep. Carol Moore moved that the House reconsider its action whereby it ordered **HB 1548-FN**, abolishing the death penalty to third reading and final passage, and spoke against.

On a division vote 140 members having voted in the affirmative and 213 in the negative, reconsideration failed.

regular calendar (cont'd.)

HB 1521-FN-L, relative to the definition and administration of an adequate education. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Jane E. O'Hearn for the Majority of Education: The amendment replaces this bill. The majority of the committee supports the purpose and intent of this legislation. The purpose of the legislation is to provide adequate education "accountability" to the citizens of New Hampshire. It does this with each school district preparing and developing a comprehensive Improvement and Assessment Plan. This plan will be developed by a variety of community members and include a number of proficiency standards, curriculum and instructional goals, pupil behavior, parent involvement, evaluation and professional roles. The report card is expanded for better understanding by local and state population of a school districts' performance and demographic indicators. This requires each school district to open public discussion on the condition of their school. It establishes procedures for the department of education to identify local school districts, which are in need of assistance, as well as, establishes procedures for the department of education to assist in improving the overall quality of educational programs and services offered by such districts. Vote 10-5.

Rep. Warren C. Henderson for the Minority of Education: HB 1521 has at least four fundamental problems. First, the bill begins the process of a state takeover of schools. The bill provides for state intervention into targeted schools without local option if other efforts fail. The state dictates school standards, the state decides whether schools are meeting those standards, the state dictates which school improvement plans are acceptable and the state decides when schools have improved enough to end intervention. Local schools and citizens have input, but the state has all the control. Second, the bill creates more unfunded state obligations. The bill creates a special fund for good schools and another fund for underperforming schools. Neither fund has even a rough estimate of cost. The funds could cost pennies or tens of millions of dollars. Third, the bill micromanages the Department of Education. The bill specifically dictates everything from how long a school has to submit a report to how many people would serve on an intervention team. If the Department is competent, these details should be left to rule. If the Department is not competent, it should not be put in position to force their recommendations on schools. Fourth, the state intervention won't help schools that don't want the help. After proposing mandatory state intervention into targeted schools the bill offers only very weak improvement tools like a technical assistant or a review team. Opponents of the bill suspect that more heavy-handed state powers, such as the power to seize "fiscal and policy control" of local schools proposed by the Governor's Commission, lie ahead if we pave the way by passing this bill. On balance, the bill has so many problems, both philosophical and practical, that it should not become law. There are other ways to extend the use of school "report cards", the one good part of the bill, without imposing all these problems on local schools. The minority recommends a "No" vote on Ought to Pass with Amendment.

Amendment (3555h)

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

1 Statement of Purpose. The general court finds that in order to implement New Hampshire's policy of providing all pupils with the opportunity to acquire an adequate education, it is necessary to monitor, evaluate, and publicly report the progress of pupils, schools, and districts.

2 New Subdivision; School District Comprehensive Improvement and Assessment Program. Amend RSA 193-E by inserting after section 3 the following new subdivision:

School District Comprehensive Improvement and Assessment Program

193-E:4 Definitions. In this subdivision:

I. "Commissioner" means the commissioner of the department of education.

II. "Department" means the department of education.

III. "Plan" means the comprehensive improvement and assessment plan as defined in RSA 193-E:5.

IV. "State board" means the state board of education.

193-E:5 School District Quality Standards; Comprehensive Improvement and Assessment Plan. In order to implement New Hampshire's policy of providing all pupils with the opportunity to acquire an adequate education, each school district shall implement the following quality standards:

I. By July 1, 2001, each district shall file its current plan with the department. Each school district shall prepare and implement its plan in accordance with a staggered schedule established by the department such that all plans shall be filed no later than June 1, 2007. Each plan shall be developed through a process involving parents, teachers, employers, and other community members. The department shall comment to the district on the plan in a timely fashion. Every 5 years following the filing of the initial plan, each school district shall file an updated plan developed through the process outlined in this paragraph. Districts may reference the statewide education improvement and assessment plan established in RSA 193-C:3, in preparing the plan. At a minimum, the plan shall include:

(a) Curriculum and proficiency standards for all pupils.

(b) School and district performance goals based on reported data on educational indicators listed in paragraph II of this section.

(c) Procedures for aligning curriculum, instructional practices, and pupil and programmatic assessments, including annual reporting of results.

(d) Local assessment measures which focus on individual pupil performance.

(e) Role of support services and programs.

(f) Role of instructional leadership.

(g) Strategies to promote family and community involvement.

development. (h) Staff supervision and evaluation and performance-based professional

(i) Procedures for ongoing review and evaluation of the plan.

(j) Pupil behavior and conduct codes.

the plan. (k) Procedures to ensure that the school district budget reflects the goals of

(l) Provisions for addressing individual school needs.

II. By September 1, 2002, and annually thereafter, each school district shall report to the department its data for the previous school year on its school and district performance and demographic indicators. The requirements for data keeping and the form of the report shall be established in accordance with rules adopted by the state board.

(a) Performance and demographic indicators shall include the following areas:

(1) Attendance, tardiness, truancy, transfer, and drop-out rates.

(2) School environment indicators, such as safe-schools data.

(3) Proportion of graduating pupils going on to post-secondary education, military service, and the workplace.

(4) Performance on state tests administered pursuant to RSA 193-C and other standardized tests administered at local option.

(5) Extent to which pupils meet or exceed behavior conduct codes.

teach. (6) Extent to which teachers are certified in all areas in which they

professional development to promote pupil learning. (7) Extent to which teachers engage in performance-based

(8) Frequency and effectiveness of staff supervision and evaluations.

(9) Extent to which district schools implement components of effective family/community involvement standards including communicating, parenting, pupil learning, volunteering, school decision-making and advocacy, and collaborating with the community.

(10) Frequency and effectiveness of supervision and evaluations of instructional and administrative leaders.

(11) Teacher and administrator turnover rates reported by area of certification and by elementary, middle, junior high, and high school levels.

(b) In addition, local districts shall report on locally developed performance indicators and assessment measures.

III. Each elementary, middle, junior high, and/or high school in the school district shall meet the standards for school approval adopted by the state board.

IV. Beginning December 1, 2003, and annually thereafter, the commissioner, in accordance with rules adopted by the state board pursuant to RSA 541-A, shall determine whether each school district is meeting the quality standards established in paragraphs I–III of this section. A school district that does not meet these quality standards shall be designated by the commissioner as a district in need of assistance. The commissioner, annually, shall provide a report of such determinations to the governor and council, the speaker of the house, the senate president, the chairpersons of the house and senate education committees, the state board, and the attorney general.

V. No later than December 1, 2002, and annually thereafter, the department shall issue a report on the condition of education statewide and on a district-by-district and school-by-school basis. This report shall include demographic and pupil performance data including, but not limited to, school and district performance on state tests administered pursuant to RSA 193-C, other standardized tests administered at local option by at least 25 percent of school districts, and data provided under paragraph II of this section, as well as other relevant statistics including English as a second language pupils, special education pupils, and pupils eligible for free or reduced-price meals. Comparisons with state averages and with the condition of each district and school in comparison with previous years shall be provided, including, but not limited to, statewide rankings of each district and school on the state tests administered pursuant to RSA 193-C and on other standardized tests administered at local option by at least 25 percent of school districts. The report shall be organized and presented in a manner that is easily understood by the public and that assists each school district with the identification of trends, strengths, and weaknesses and the development of its local education improvement and assessment plan.

VI. Within 45 days of the issuance of the annual report on the condition of education as required in paragraph II of this section, each school district shall provide an opportunity for public discussion of the report at a meeting of the governing body called for the exclusive purpose of reviewing the report. At least 7 days advance public notice shall be given.

VII. A school district that meets or exceeds the quality standards set forth in paragraphs I–III of this section shall receive formal recognition from the state board and the governor. Any school district, school, or teacher that demonstrates a best practice worthy of recognition shall also receive formal recognition from the state board and the governor. Such school districts, schools, or teachers shall be eligible to receive funds from a special projects and district improvement fund administered by the department. Such funds shall be used to disseminate best practices throughout the state.

193-E:6 Request for Assistance. A school district, in response to the annual report on the condition of education, may request from the department the assistance available under this subdivision on behalf of the district as a whole or on behalf of one or more schools in the district. Within 30 days of such request, the commissioner may, based on the availability of resources, provide appropriate assistance to the district. The commissioner shall work with local school board and school district officials in determining the assistance specific to the district's needs.

193-E:7 School District in Need of Assistance. If a school district requesting assistance has been designated as a district in need of assistance, then that school district shall receive assistance from the department as follows:

I. A school district shall have one year from the date of the designation as a district in need of assistance pursuant to RSA 193-E:5, IV to prepare a corrective action plan for approval by the state board. The school district may decide to implement its corrective action plan on its own, through the use of a technical assistance advisor, or a peer review team as provided in this section. Any such decision shall be included in the corrective action plan. A district's corrective action plan shall first examine and access the district's professional development resources and available state initiatives. After accessing district resources and available state initiatives, the district shall have access, with the consent of the commissioner, to the special projects and improvement fund, if necessary, in order to participate in workshops, conferences, seminars, courses, and other similar academic and professional development opportunities which may be available and which shall be related to the specific educational goals of a district as outlined in the plan.

II. If a school district has not developed and implemented an approved corrective action plan within one year of that designation, then on December 1 of the year following the designation, if that school district continues to be designated as a district in need of assistance, the commissioner may provide technical assistances to review the educational programming and effectiveness of the school district. In cooperation with local officials, the technical assistance advisor shall prepare and present a report at the beginning of a regularly scheduled public meeting of the local school board and to the state board. This report shall be issued within 4 months of the advisor's appointment. Based on this report, the local school board and superintendent shall, within 6 months of the issuance of the report, prepare a corrective action plan and submit it to the state board for approval. If the state board does not approve a corrective action plan, then the commissioner, in cooperation with the superintendent and the local school board, shall work with the school district to revise its corrective action plan. If the school district fails to revise its corrective action plan or the state board does not approve the revised corrective action plan, then the commissioner, in cooperation with the superintendent and the local school board, shall develop a corrective action plan, including methods for implementation. The commissioner shall, to the greatest extent possible, solicit advice and comment from the local community regarding the revised corrective action plan, at a special meeting called for the purpose, and submit the plan to the state board for approval without further action of the school district.

III. Any approved corrective action plan that includes the use of a technical assistance advisor, then the commissioner shall appoint a technical assistance advisor who shall be authorized to access the state special projects and district improvement fund, subject to rules adopted by the state board, to provide assistance to the local school district staff in the implementation of the corrective action plan.

IV. Any approved corrective action plan that includes the use of a peer review team, then the commissioner shall name a peer review team consisting of an appointee of the local school district, an appointee of the state board, and a third member chosen by the local and state appointees to advise the school district's superintendent and the local school board relative to the implementation of the corrective action plan until the goals of the corrective action plan are met.

V. If a school district that has been designated a district in need of assistance pursuant to RSA 193-E:5, IV has not submitted a request for assistance by the time of the annual school district meeting in a town, or by April 30 in a city, then the legislative body of the school district may vote to direct the governing body to submit a request for assistance pursuant to this section. If a majority of the legislative body votes in favor of requesting assistance, then that assistance shall be requested and provided in accordance with this subdivision.

193-E:8 Appeals. A school district that has been designated as a district in need of assistance may file an appeal in writing with the state board no later than 30 days from the date of the designation. The scope of the appeal shall be limited to the basis for the school district's designation as a district in need of assistance. The state board shall expedite all school district appeals on this matter by scheduling a hearing and rendering a written decision no later than 30 days from the date on which the school district's request for appeal was received.

193-E:9 Special Projects and District Improvement Fund. A special projects and district improvement fund is hereby established in the department of education. Moneys in this fund shall be continually appropriated to the department. The department shall use moneys appropriated for this fund to provide grants pursuant to RSA 193-E:7. The department shall also use moneys appropriated for this fund to support the implementation of approved corrective action plans. The technical assistance advisor assigned to work in these school districts shall be authorized to access this fund in accordance with rules adopted by the state board.

193-E:10 Rulemaking. The state board shall, pursuant to RSA 541-A:

I. No later than July 1, 2001, adopt rules relative to data keeping and the form of the school district report required under RSA 193-E:5, II.

II. No later than June 30, 2003, adopt rules relative to the approval of corrective action plans as required in RSA 193-E:7. In developing these rules, the state board shall solicit advice and information from educators at all levels, including those within the university system, business people, government officials, legislators and legislative committees, community representatives, parents, and members of the public.

III. No later than July 1, 2003, adopt rules relative to procedures for access to and disbursement from the special projects and district improvement fund established pursuant to RSA 193-E:9.

IV. No later than July 1, 2002, adopt rules relative to the criteria and procedures for determining compliance with quality standards. In developing these rules, the state board shall solicit advice and information from educators at all levels, including those within the university system, business people, government officials, legislators and legislative committees, community representatives, parents, and members of the public.

3 New Paragraph; Statewide Improvement and Assessment Plan; Review Required. Amend RSA 193-C by inserting after paragraph IV the following new paragraph:

V. By June 30, 2002, and every 5 years thereafter, the state board shall review and update the statewide education improvement plan developed in accordance with RSA 193-C that describes how the department will help schools and school districts improve pupil achievement, through a process that provides opportunities for public input from parents, employers, educators, and other citizens. The plan shall include goals and strategies for the delivery of technical assistance and professional development, the sharing of best practices, the modification or expansion of existing programs, and the establishment of new programs.

4 Statewide Improvement and Assessment Program; Legislative Oversight Committee; Duties Amended. Amend RSA 193-C:8 to read as follows:

193-C:8 Duties of the Legislative Oversight Committee; Report.

I. The oversight committee shall review the development and implementation of the program to ensure that they are in accordance with legislative policy. Implementation of the program shall be in conjunction with the committee's review.

II. To review the provisions of RSA 193-E, relative to an adequate public education and school district accountability, and file a report of such review to the speaker of the house of representatives, the president of the senate, the governor, and the chairpersons of the house and senate education committees every 2 years.

5 New Paragraph; State Board of Education; Duties of the State Board; Review of School Approval Standards Inserted. Amend RSA 186:11 by inserting after paragraph XXXV the following new paragraph:

XXXVI. REVIEW OF SCHOOL APPROVAL STANDARDS. No later than June 30, 2003, and every 5 years thereafter, the state board of education shall review and update as necessary school approval standards based on input from parents, employers, educators, and other citizens. No later than 60 days from the date of each review, the state board of education shall submit a report of its findings, including recommendations for proposed legislation, to the chairpersons of the house and senate education committees. At the discretion of the committee chairpersons, a public hearing on the report may be scheduled.

6 Repeal. RSA 194:23-d, relative to state financial aid to public elementary or high schools, is repealed.

7 Prospective Repeal. RSA 193-E:3, relative to the delivery of an adequate education, is repealed.

8 Effective Date.

I. RSA 193-E:9 as inserted by section 2 of this bill shall take effect July 1, 2003.

II. Section 7 of this act shall take effect December 1, 2002.

III. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill:

I. Requires each school district to prepare and implement quality standards and a local education improvement and assessment plan.

II. Establishes procedures for the department of education to identify local school districts which are in need of assistance.

III. Establishes procedures for the department of education to assist in improving the overall quality of educational programs and services offered by such districts.

IV. Establishes a special projects and district improvement fund within the department of education.

Adopted.

Reps. Arthur Pelletier and Ward spoke against and yielded to questions.

Reps. Alger and Henderson spoke against.

Rep. Robb-Theroux requested a quorum count. The Speaker declared a quorum present.

Rep. Estabrook spoke in favor and yielded to questions.

Reps. Hoadley and O'Hearn spoke in favor.

Rep. Sullivan requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 180 NAYS 174

YEAS 180

BELKNAP

Millham, Alida

Pilliod, James

Salatiello, Thomas

Wood, Jane

CARROLL

None

CHESHIRE

Avery, Stephen

Batchelder, Robert

Burnham, Daniel

DePecol, Benjamin

Hunt, John

Lerandean, Alfred

Lynch, Margaret

Lynott, Margaret

Manning, Joseph

McGuirk, Paul

Meader, David

Mitchell, McKim

Pratt, Irene

Pratt, John

Richardson, Barbara

Riley, William

Russell, Ronald

COOS

Davis, Perley

Horton, Lynn

Landers, Dana

Mears, Edgar

Rodrigue, Robert

Woodward, David

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Eaton, Stephanie
Guest, Robert	Nordgren, Sharon		

HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Bergeron, Lucien
Bergin, Peter	Buckley, Raymond	Cote, David	Cote, Peter
Craig, James	Daigle, Robert	Desrosiers, William	Dokmo, Cynthia
Drabinowicz, A Theresa	Durham, Susan	Dwyer, Paul Sr	Emerton, Lawrence
Fields, Dennis	Ford, Nancy	Foster, Linda	Gagnon, Eugene
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Haettenschwiller, Alphonse
Hall, Betty	Herman, Richard	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	Kurk, Neal	LaPorte, George
LaRose, Richard	Lasky, Bette	Lefebvre, Roland	Leonard, Peter
Lozeau, Donnalee	Lynde, Harold	McCarthy, William	McCarty, Winston
McColgan, Philip Jr	McDonough-Wallace, Alice	Melcher, Harold	Mendenhall, Leslie
Mercer, Robert	Moriarty, Mary	Mosher, William	O'Connell, Timothy
O'Hearn, Jane	Peterson, Andrew	Reidy, Frank	Sarette, John
Sargent, Maxwell	Simon, Anthony	Turgeon, Roland	White, John
Williams, Carol			

MERRIMACK

Bouchard, Candace	Chase, George	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Hess, David
Hoadley, Elizabeth	Jacobson, Alf	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Owen, Derek	Potter, Frances	Rodd, Beth
Rosenfield, Jay	Seldin, Gloria	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Wallner, Mary Jane	Whittemore, James	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Bishop, Franklin	Blanchard, MaryAnn	Case, Margaret
Clark, Martha	Cooney, Richard	Dalrymple, Janeen	Dearborn, Bruce
Downing, Michael	Gibbons, Paul	Hutchinson, Rebecca	Johnson, Robert

Kane, Cecelia	Kelley, Jane	Langone, John	Lovejoy, Marian
McKinney, Betsy	Norelli, Terie	Pantelakos, Laura	Pitts, Jacqueline
Sabella, Norma	Schanda, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Stone, Joseph	Tufts, J Arthur	Vaughn, Charles
Weatherspoon, Jackie			

STRAFFORD

Berube, Roger	DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris
Gilmore, Gary	Grassie, Anne	Heon, Richard	Johnson, Nancy
Keans, Sandra	Knowles, William	Lent, Donald	Musler, George
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
Twardus, Joseph	Vachon, Dennis	Vincent, Francis	Wall, Janet

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Flint, Gordon Sr	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine			

NAYS 174

BELKNAP

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

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Mock, Henry	Patten, Betsey
Philbrick, Donald	Sullivan, P Judith	Torressen, Gary	

CHESHIRE

Roberts, William	Rose, William	Royce, H Charles	Smith, Edwin
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Zerba, Roger

COOS

Gallus, John

Guay, Lawrence

Merrill, Gerald

Pratt, Leighton

Tholl, John Jr

GRAFTON

Akins, Ralph

Alger, John

Brothers, Richard

Cobb, John

Dudley, Terri

Gilman, G Michael

Hall, David

Harmon, Hobart

Hinman, Harry

Marshall, Gene

Mirski, Paul

Phinney, William

Picconi, Al

Scanlan, David

Ward, Brien

Weber, Phil

HILLSBOROUGH

Alukonis, David

Andrews, Frederick

Arnold, Thomas Jr

Batula, Peter

Beaupre, Roland

Belvin, William

Brundige, Robert

Bruno, Pierre

Calawa, Leon Jr

Carlson, Donald

Chabot, Robert

Christiansen, Lars

Clegg, Robert Jr

Coughlin, Pamela

Dalianis, Griffin

Daniels, Gary

Desmarais, Vivian

Dyer, Merton

Fenton, James

Fletcher, Richard

Flora, Kathleen

Franks, Suzan

Gorman, Mary

Goulet, Maurice

Hansen, Herbert

Herman, Keith

Holley, Sylvia

Hunter, Bruce

Jean, Loren

Lessard, Rudy

MacGillivray, Jeffrey

Martel, Andre

Martin, Mary Ellen

McDonald, James Sr

McGough, Tim

Messier, Irene

Milligan, Robert

Nolan-Piteri, Dawn

Ouellette, Dean

Pappas, Marc

Pepino, Leo

Reeves, Sandra

Rowe, Robert

Tate, Joan

Thulander, O Alan

Vaillancourt, Steve

Wall, Nancy

White, Donald

Withee, Dennis

MERRIMACK

Anderson, Eric

Brewster, Richard

Kennedy, Richard

Langer, Ray

Lavoie, Gerard

Leber, William

Lockwood, Priscilla

Marple, Richard

Nichols, Avis

Poulin, Dave

Soltani, Tony

Whalley, Michael

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bridle, Russell
Christie, Andrew Jr	Clark, Vivian	Cox, Russell	DiFruscia, Anthony
Dowling, Patricia	Fesh, Robert	Flanagan, Natalie	Flanders, David
Flanders, John Sr	Francoeur, Sheila	Gleason, John	Grant, Kenneth
Griffin, Mary	Hamel, Albert	Henderson, Warren	Hutchinson, Karen
Katsakiores, George	Katsakiores, Phyllis	Kelley, William	Kobel, Rudolph
Langley, Jane	Letourneau, Robert	Major, Norman	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Raynowska, Bernard	Reardon, Neil	Rubin, George	Ruffner, Walter
Sapareto, Frank	Stickney, Nancy	Stritch, C Donald	Varrell, Thomas
Verani, Giovanni	Weare, Everett	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		

STRAFFORD

Bickford, David	Brennan, William	Brown, Julie	Callaghan, Frank
Cossette, Larry	Domingo, Baldwin	Kaen, Naida	McKinley, Robert
Pelletier, Arthur	Woods, Phyllis		

SULLIVAN

Jones, Constance	Kibbey, David	Leone, Richard	Young, David
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and the majority report was adopted.

Ordered to third reading.

reconsideration

Having voted on the prevailing side, Rep. Burling moved that the House reconsider its action whereby it ordered ***HB 1521-FN-L***, relative to the definition and administration of an adequate education to third reading and final passage, and spoke against.

Rep. Mirski requested a roll call; sufficiently seconded.

The question being the motion to reconsider.

YEAS 178 NAYS 176

YEAS 178

BELKNAP

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

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Mock, Henry	Patten, Betsey
Philbrick, Donald	Sullivan, P Judith	Torressen, Gary	

CHESHIRE

Hunt, John	Roberts, William	Rose, William	Royce, H Charles
Smith, Edwin	Zerba, Roger		

COOS

Gallus, John	Guay, Lawrence	Merrill, Gerald	Pratt, Leighton
Tholl, John Jr			

GRAFTON

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

HILLSBOROUGH

Alukonis, David	Andrews, Frederick	Batula, Peter	Beaupre, Roland
Belvin, William	Brundige, Robert	Bruno, Pierre	Calawa, Leon Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Clegg, Robert Jr
Coughlin, Pamela	Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian
Dyer, Merton	Fenton, James	Fletcher, Richard	Franks, Suzan

Gagnon, Eugene	Gorman, Mary	Goulet, Maurice	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Hunter, Bruce	Jean, Loren
LaPorte, George	Lessard, Rudy	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	Martin, Mary Ellen	McCarthy, William	McDonald, James Sr
McGough, Tim	Messier, Irene	Milligan, Robert	Nolan-Piteri, Dawn
Ouellette, Dean	Pappas, Marc	Pepino, Leo	Reeves, Sandra
Rowe, Robert	Tate, Joan	Thulander, O Alan	Vaillancourt, Steve
Wall, Nancy	White, Donald	Withee, Dennis	

MERRIMACK

Anderson, Eric	Brewster, Richard	Kennedy, Richard	Langer, Ray
Lavoie, Gerard	Leber, William	Lockwood, Priscilla	Marple, Richard
Poulin, Dave	Soltani, Tony	Whalley, Michael	

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Christie, Andrew Jr	Clark, Vivian	Cox, Russell
Dalrymple, Janeen	DiFruscia, Anthony	Dowling, Patricia	Fesh, Robert
Flanagan, Natalie	Flanders, David	Flanders, John Sr	Francoeur, Sheila
Gleason, John	Grant, Kenneth	Griffin, Mary	Hamel, Albert
Henderson, Warren	Hutchinson, Karen	Katsakiores, George	Katsakiores, Phyllis
Kelley, William	Kobel, Rudolph	Langley, Jane	Letourneau, Robert
Major, Norman	Moore, Benjamin	Morse, Charles	Nowe, Mary Lou
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Priestley, Anne
Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Sapareto, Frank	Stickney, Nancy
Stritch, C Donald	Varrell, Thomas	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	Zolla, William

STRAFFORD

Bickford, David	Brennan, William	Brown, Julie	Callaghan, Frank
Cossette, Larry	Domingo, Baldwin	Kaen, Naida	McKinley, Robert
Pelletier, Arthur	Woods, Phyllis		

SULLIVAN

Jones, Constance

Kibbey, David

Leone, Richard

Young, David

NAYS 176

BELKNAP

Millham, Alida

Pilliod, James

Salatiello, Thomas

Wood, Jane

CARROLL

None

CHESHIRE

Avery, Stephen

Batchelder, Robert

Burnham, Daniel

DePecol, Benjamin

Lerandeau, Alfred

Lynch, Margaret

Lynott, Margaret

Manning, Joseph

McGuirk, Paul

Meador, David

Mitchell, McKim

Pratt, Irene

Pratt, John

Richardson, Barbara

Riley, William

Russell, Ronald

COOS

Davis, Perley

Horton, Lynn

Landers, Dana

Mears, Edgar

Rodrigue, Robert

Woodward, David

GRAFTON

Almy, Susan

Copenhaver, Marion

Densmore, Jessica

Eaton, Stephanie

Guest, Robert

Nordgren, Sharon

HILLSBOROUGH

Ahern, Richard

Arnold, Thomas Jr

Arthur, Rose

Baroody, Benjamin

Bergeron, Lucien

Bergin, Peter

Buckley, Raymond

Cote, David

Cote, Peter

Craig, James

Daigle, Robert

Desrosiers, William

Dokmo, Cynthia

Drabinowicz, A Theresa

Durham, Susan

Dwyer, Paul Sr

Emerton, Lawrence

Fields, Dennis

Flora, Kathleen

Ford, Nancy

Foster, Linda

Garrish, Linda

Ginsburg, Ruth

Goley, Jeffrey

Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard	Jean, Claudette
Johnson, Lionel	Keye, Harvey	Konys, Christine	Kurk, Neal
LaRose, Richard	Lasky, Bette	Lefebvre, Roland	Leonard, Peter
Lynde, Harold	McCarty, Winston	McColgan, Philip Jr	McDonough-Wallace, Alice
Melcher, Harold	Mendenhall, Leslie	Mercer, Robert	Moriarty, Mary
Mosher, William	O'Connell, Timothy	O'Hearn, Jane	Peterson, Andrew
Reidy, Frank	Sarette, John	Sargent, Maxwell	Simon, Anthony
Turgeon, Roland	White, John	Williams, Carol	

MERRIMACK

Bouchard, Candace	Chase, George	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hager, Elizabeth	Hess, David
Hoadley, Elizabeth	Jacobson, Alf	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Nichols, Avis	Owen, Derek	Potter, Frances
Rodd, Beth	Rosenfield, Jay	Seldin, Gloria	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Blanchard, MaryAnn	Case, Margaret	Clark, Martha
Cooney, Richard	Dearborn, Bruce	Downing, Michael	Gibbons, Paul
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Langone, John	Lovejoy, Marian	McKinney, Betsy	Norelli, Terie
Pantelakos, Laura	Pitts, Jacqueline	Sabella, Norma	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Stone, Joseph
Tufts, J Arthur	Vaughn, Charles	Weatherspoon, Jackie	

STRAFFORD

Berube, Roger	DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris
Gilmore, Gary	Grassie, Anne	Heon, Richard	Johnson, Nancy
Keans, Sandra	Knowles, William	Lent, Donald	Musler, George

Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Spear, Barbara	Taylor, Kathleen	Torr, Franklin
Twardus, Joseph	Vachon, Dennis	Vincent, Francis	Wall, Janet

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Flint, Gordon Sr	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine			

and reconsideration prevailed.

laid on the table

Rep. Mirski moved that ***HB 1521-FN-L***, relative to the definition and administration of an adequate education, be laid on the table.

Rep. Christiansen requested a roll call; sufficiently seconded.

The question being the motion to lay on the table.

YEAS 180 NAYS 174

YEAS 180

BELKNAP

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

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Mock, Henry	Patten, Betsey
Philbrick, Donald	Sullivan, P Judith	Torressen, Gary	

CHESHIRE

Hunt, John	Roberts, William	Rose, William	Smith, Edwin
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Zerba, Roger

COOS

Gallus, John
Pratt, Leighton

Guay, Lawrence
Tholl, John Jr

Horton, Lynn

Merrill, Gerald

GRAFTON

Akins, Ralph
Dudley, Terri
Hinman, Harry
Picconi, Al

Alger, John
Gilman, G Michael
Marshall, Gene
Scanlan, David

Brothers, Richard
Hall, David
Mirski, Paul
Ward, Brien

Cobb, John
Harmon, Hobart
Phinney, William
Weber, Phil

HILLSBOROUGH

Alukonis, David
Belvin, William
Carlson, Donald
Dalianis, Griffin
Fletcher, Richard
Hansen, Herbert
Jean, Loren
Lessard, Rudy
Martin, Mary Ellen
Messier, Irene
Ouellette, Dean
Rowe, Robert
Wall, Nancy

Andrews, Frederick
Brundige, Robert
Christiansen, Lars
Desmarais, Vivian
Flora, Kathleen
Herman, Keith
Kurk, Neal
Lozeau, Donnalee
McCarthy, William
Milligan, Robert
Pappas, Marc
Tate, Joan
White, Donald

Batula, Peter
Bruno, Pierre
Clegg, Robert Jr
Dyer, Merton
Franks, Suzan
Holley, Sylvia
LaPorte, George
MacGillivray, Jeffrey
McDonald, James Sr
Mosher, William
Pepino, Leo
Thulander, O Alan
Withee, Dennis

Beaupre, Roland
Calawa, Leon Jr
Coughlin, Pamela
Fenton, James
Goulet, Maurice
Hunter, Bruce
Lefebvre, Roland
Martel, Andre
McGough, Tim
Nolan-Piteri, Dawn
Reeves, Sandra
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Langer, Ray
Marple, Richard
Soltani, Tony

Brewster, Richard
Lavoie, Gerard
Maxfield, Roy
Whalley, Michael

Hess, David
Leber, William
Nichols, Avis

Kennedy, Richard
Lockwood, Priscilla
Poulin, Dave

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Christie, Andrew Jr	Clark, Vivian	Cooney, Richard
Cox, Russell	Dalrymple, Janeen	DiFruscia, Anthony	Dowling, Patricia
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gleason, John	Grant, Kenneth	Griffin, Mary
Hamel, Albert	Henderson, Warren	Hutchinson, Karen	Katsakiores, George
Katsakiores, Phyllis	Kelley, William	Kobel, Rudolph	Langley, Jane
Letourneau, Robert	Major, Norman	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Priestley, Anne	Putnam, Ed II	Quandt, Marshall	Raynowska, Bernard
Reardon, Neil	Rubin, George	Ruffner, Walter	Stickney, Nancy
Stritch, C Donald	Varrell, Thomas	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	Zolla, William

STRAFFORD

Brennan, William	Brown, Julie	Callaghan, Frank	Cossette, Larry
Domingo, Baldwin	Kaen, Naida	McKinley, Robert	Pelletier, Arthur
Woods, Phyllis			

SULLIVAN

Jones, Constance	Kibbey, David	Leone, Richard	Young, David
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NAYS 174

BELKNAP

Millham, Alida	Pilliod, James	Salatiello, Thomas	Wood, Jane
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CARROLL

None

CHESHIRE

Avery, Stephen	Batchelder, Robert	Burnham, Daniel	DePecol, Benjamin
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Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret	Manning, Joseph
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Riley, William	Royce, H Charles
Russell, Ronald			

COOS

Davis, Perley	Landers, Dana	Mears, Edgar	Rodrigue, Robert
Woodward, David			

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Eaton, Stephanie
Guest, Robert	Nordgren, Sharon		

HILLSBOROUGH

Ahern, Richard	Arnold, Thomas Jr	Arthur, Rose	Baroody, Benjamin
Bergeron, Lucien	Bergin, Peter	Buckley, Raymond	Chabot, Robert
Cote, David	Cote, Peter	Craig, James	Daigle, Robert
Daniels, Gary	Desrosiers, William	Dokmo, Cynthia	Drabinowicz, A Theresa
Durham, Susan	Dwyer, Paul Sr	Emerton, Lawrence	Fields, Dennis
Ford, Nancy	Foster, Linda	Gagnon, Eugene	Garrish, Linda
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Haettenschwiller, Alphonse
Hall, Betty	Herman, Richard	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	LaRose, Richard	Lasky, Bette
Leonard, Peter	Lynde, Harold	McCarty, Winston	McColgan, Philip Jr
McDonough-Wallace, Alice	Melcher, Harold	Mendenhall, Leslie	Mercer, Robert
Moriarty, Mary	O'Connell, Timothy	O'Hearn, Jane	Peterson, Andrew
Reidy, Frank	Sarette, John	Sargent, Maxwell	Simon, Anthony
Turgeon, Roland	White, John	Williams, Carol	

MERRIMACK

Bouchard, Candace	Chase, George	Crosby, Toni	Daneault, Gabriel
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn

French, Barbara	Gile, Mary	Hager, Elizabeth	Hoadley, Elizabeth
Jacobson, Alf	Marshall, Kenneth	Moore, Carol	Owen, Derek
Potter, Frances	Rodd, Beth	Rosenfield, Jay	Seldin, Gloria
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Whittemore, James	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Blanchard, MaryAnn	Case, Margaret	Clark, Martha
Dearborn, Bruce	Downing, Michael	Gibbons, Paul	Hutchinson, Rebecca
Johnson, Robert	Kane, Cecelia	Kelley, Jane	Langone, John
Lovejoy, Marian	McKinney, Betsy	Norelli, Terie	Pantelakos, Laura
Pitts, Jacqueline	Sabella, Norma	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Stone, Joseph
Tufts, J Arthur	Vaughn, Charles	Weatherspoon, Jackie	

STRAFFORD

Berube, Roger	Bickford, David	DeChane, Marlene	Dunlap, Patricia
Estabrook, Iris	Gilmore, Gary	Grassie, Anne	Heon, Richard
Johnson, Nancy	Keans, Sandra	Knowles, William	Lent, Donald
Musler, George	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Spear, Barbara	Taylor, Kathleen
Torr, Franklin	Twardus, Joseph	Vachon, Dennis	Vincent, Francis
Wall, Janet			

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Flint, Gordon Sr	Phinizy, James	Robb-Theroux, Amy	Tuthill, John
Wiggins, Celestine			

and the motion was adopted.

RECESS

(Speaker Sytek in the Chair)

regular calendar (cont'd.)

HB 1327, relative to residency of prisoners for purposes of voter registration OUGHT TO PASS

Rep. Lynn C. Horton for Election Law: This bill requires that, when completing a voter registration card, persons confined in penal institutions attach a statement of their domicile immediately prior to confinement. Next to a prisoners name on the voter checklist it will state "non-applicable – see attached". The attachment will give the post office box of the penal institution. This provision will protect occupants who are now living in the former residence of the prisoner. Vote 13-2.

Adopted and ordered to third reading.

HB 1331, relative to campaign contributions by corporations. OUGHT TO PASS WITH AMENDMENT

Rep. Robert E. Clegg, Jr. for Election Law: The bill addressed contributions by corporations to political candidates. The court last year ruled our current law unconstitutional. This bill limits contributions by corporations to \$5000 if the candidate agrees to the spending cap, \$1000 if the candidate does not agree to the spending cap. Vote 14-1.

Amendment (3481h)

Amend the bill by replacing section 1 with the following:

1 Elections; Political Expenditures and Contributions; Corporations. RSA 664:4, I is repealed and reenacted to read as follows:

I. By any corporation, or by any officer, director, executive, agent or employee acting in behalf of such corporation, or by any organization representing or affiliated with one or more corporations or by any officer, director, executive, agent or employee acting in behalf of such organization if in excess of \$5,000 in value, or if in excess of \$1,000 in value if made by a corporation, to a candidate or a political committee working on behalf of a candidate who does not voluntarily agree to limit his or her campaign expenditures and those expenditures made on his or her behalf as provided in RSA 664:5-a.

AMENDED ANALYSIS

This bill prohibits political contributions by corporations in excess of \$5,000, or in excess of \$1,000 in value if made by a corporation to a candidate or a political committee working on behalf of a candidate who does not voluntarily agree to limit his or her campaign expenditures and those expenditures made on his or her behalf as provided in RSA 664:5-a.

Adopted.

Report adopted and ordered to third reading.

HB 1527, relative to false statements about candidates. INEXPEDIENT TO LEGISLATE

Rep. Lynn C. Horton for Election Law: This bill establishes a procedure for candidates to file a request for findings with the secretary of state alleging that a false statement has been made, either orally or in writing about the candidate. The secretary of state is required to hold a hearing and make written findings on the request. The committee agrees that matters would be difficult for the

secretary of state's office to resolve such complaints, especially when the timing of such complaints is so close to the election. Vote 11-5.

Adopted.

HCR 26, relative to the redistricting of the town of Alexandria following the 2000 census.
INEXPEDIENT TO LEGISLATE

Rep. Michael S. Rollo for Election Law: The committee on Election Law sympathizes with the sponsor and residents of the town of Alexandria. However, the majority of the committee would rather not set a precedent to towns with grievances before redistricting occurs. The committee would like to reassure the residents of Alexandria that their concerns have been heard, and will be addressed during the redistricting process. Vote 13-3.

Rep. Harmon spoke against and yielded to questions.

Rep. Scanlan spoke against.

Reps. Buckley and Horton spoke in favor.

Rep. Arndt requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 184 NAYS 151

YEAS 184

BELKNAP

Boriso, Thomas
Turner, Robert

Holbrook, Robert

Lawton, David

Rosen, Ralph

CARROLL

Bradley, Jeb

Chandler, Gene

Kenney, Joseph

Sullivan, P Judith

CHESHIRE

Batchelder, Robert

Burnham, Daniel

DePecol, Benjamin

Hunt, John

Lerandeau, Alfred

Lynch, Margaret

Lynott, Margaret

McGuirk, Paul

Meador, David

Mitchell, McKim

Pratt, Irene

Richardson, Barbara

Russell, Ronald

Smith, Edwin

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Mears, Edgar	Merrill, Gerald	Rodrigue, Robert	Tholl, John Jr

GRAFTON

Copenhaver, Marion	Eaton, Stephanie	Gilman, G Michael	Guest, Robert
Ham, Bonnie	Nordgren, Sharon		

HILLSBOROUGH

Alukonis, David	Arnold, Thomas Jr	Arthur, Rose	Baroody, Benjamin
Batula, Peter	Brundige, Robert	Bruno, Pierre	Buckley, Raymond
Calawa, Leon Jr	Chabot, Robert	Clegg, Robert Jr	Craig, James
Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian	Desrosiers, William
Drabinowicz, A Theresa	Dwyer, Paul Sr	Dyer, Merton	Emerton, Lawrence
Fields, Dennis	Foster, Linda	Gagnon, Eugene	Garrish, Linda
Ginsburg, Ruth	Goley, Jeffrey	Haettenschwiller, Alphonse	Hall, Betty
Hansen, Herbert	Herman, Keith	Hunter, Bruce	Johnson, Lionel
Keye, Harvey	Konys, Christine	Kurk, Neal	LaPorte, George
LaRose, Richard	Lasky, Bette	Leonard, Peter	Lozeau, DonnaLee
Lynde, Harold	MacGillivray, Jeffrey	Martin, Mary Ellen	McCarthy, William
McCarty, Winston	McColgan, Philip Jr	McDonough-Wallace, Alice	McGough, Tim
Mendenhall, Leslie	Mercer, Robert	Milligan, Robert	Moriarty, Mary
O'Hearn, Jane	Pappas, Marc	Pepino, Leo	Reeves, Sandra
Reidy, Frank	Rowe, Robert	Sarette, John	Sargent, Maxwell
Simon, Anthony	Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve
Williams, Carol			

MERRIMACK

Chase, George	Crosby, Toni	Daneault, Gabriel	Davis, Francis
Fraser, Marilyn	Gile, Mary	Hess, David	Kennedy, Richard
Lockwood, Priscilla	Moore, Carol	Potter, Frances	Reardon, Tara
Rosenfield, Jay	Seldin, Gloria	St Cyr, Gerard	Wallin, Jean

Wallner, Mary Jane

Whalley, Michael

ROCKINGHAM

Arndt, Janet

Beaulieu, Jon

Belanger, Ronald

Case, Margaret

Christie, Andrew Jr

Clark, Vivian

DiFruscia, Anthony

Dowling, Patricia

Downing, Michael

Flanders, David

Flanders, John Sr

Francoeur, Sheila

Gibbons, Paul

Griffin, Mary

Henderson, Warren

Hutchinson, Rebecca

Kane, Cecelia

Lovejoy, Marian

Major, Norman

Moore, Benjamin

Morse, Charles

Norelli, Terie

Nowe, Mary Lou

Nowe, Ronald

Noyes, Richard

Packard, Sherman

Pantelakos, Laura

Priestley, Anne

Reardon, Neil

Schanda, Frank

Shultis, Elizabeth

Splaine, James

Tufts, J Arthur

Vaughn, Charles

Verani, Giovanni

Weare, Everett

Welch, David

Zolla, William

STRAFFORD

Berube, Roger

Brennan, William

Cossette, Larry

DeChane, Marlene

Domingo, Baldwin

Estabrook, Iris

Heon, Richard

Johnson, Nancy

Keans, Sandra

Knowles, William

Lent, Donald

McKinley, Robert

Rollo, Michael

Smith, Marjorie

Snyder, Clair

Taylor, Kathleen

Torr, Franklin

Tsiros, William

Twardus, Joseph

Vachon, Dennis

Vincent, Francis

Wall, Janet

SULLIVAN

Allison, David

Burling, Peter

Cloutier, John

Wiggins, Celestine

NAYS 151

BELKNAP

Bartlett, Gordon

Boyce, Robert

Czech, Stanley

Johnson, James

Millham, Alida

Rice, Thomas

Thomas, John

Wood, Jane

CARROLL

Babson, David Jr

Dickinson, Howard

Howard, Godfrey

Mock, Henry

Patten, Betsey

Philbrick, Donald

Torressen, Gary

CHESHIRE

Avery, Stephen

Manning, Joseph

Pratt, John

Riley, William

Roberts, William

Rose, William

Royce, H Charles

Zerba, Roger

COOS

Glines, Sara

Landers, Dana

Woodward, David

GRAFTON

Akins, Ralph

Alger, John

Almy, Susan

Cobb, John

Densmore, Jessica

Dudley, Terri

Hall, David

Harmon, Hobart

Marshall, Gene

Mirski, Paul

Phinney, William

Picconi, Al

Scanlan, David

Ward, Brien

Weber, Phil

HILLSBOROUGH

Ahern, Richard

Andrews, Frederick

Beaupre, Roland

Belvin, William

Bergeron, Lucien

Bergin, Peter

Carlson, Donald

Christiansen, Lars

Cote, Peter

Dokmo, Cynthia

Durham, Susan

Fenton, James

Fletcher, Richard

Flora, Kathleen

Ford, Nancy

Franks, Suzan

Gorman, Mary

Goulet, Maurice

Herman, Richard

Holley, Sylvia

Jean, Claudette

Jean, Loren

Lefebvre, Roland

Leishman, Peter

Lessard, Rudy

Martel, Andre

McRae, Karen

Melcher, Harold

Messier, Irene

Mosher, William

O'Connell, Timothy

Peterson, Andrew

Tate, Joan

Wall, Nancy

White, Donald

White, John

MERRIMACK

Anderson, Eric

Asplund, Bronwyn

Bouchard, Candace

Brewster, Richard

Feuerstein, Martin

French, Barbara

Hoadley, Elizabeth

Jacobson, Alf

Langer, Ray

Lavoie, Gerard

Leber, William

Marple, Richard

Marshall, Kenneth

Maxfield, Roy

Owen, Derek

Poulin, Dave

Rodd, Beth

Virtue, Carolyn

Whittemore, James

ROCKINGHAM

Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Cooney, Richard
Cox, Russell	Dearborn, Bruce	Fesh, Robert	Flanagan, Natalie
Gleason, John	Grant, Kenneth	Hamel, Albert	Hutchinson, Karen
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Kobel, Rudolph	Langley, Jane	Langone, John	Letourneau, Robert
McKinney, Betsy	O'Neil, Michael	Pitts, Jacqueline	Putnam, Ed II
Quandt, Marshall	Raynowska, Bernard	Rubin, George	Ruffner, Walter
Sabella, Norma	Shelton, Richard	Stickney, Nancy	Stone, Joseph
Stritch, C Donald	Varrell, Thomas	Weatherspoon, Jackie	Weyler, Kenneth
Whittier, John			

STRAFFORD

Bickford, David	Dunlap, Patricia	Kaen, Naida	Musler, George
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Spang, Judith
Spear, Barbara	Woods, Phyllis		

SULLIVAN

Donovan, Thomas Jr	Flint, Gordon Sr	Jones, Constance	Leone, Richard
Phinizy, James	Robb-Theroux, Amy	Tuthill, John	Young, David

and the report was adopted.

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

HB 1201, creating a committee to study incentives for regionalization of sludge and septage facilities. REFER FOR INTERIM STUDY

Rep. Donald R. Philbrick for Environment and Agriculture: The Environment & Agriculture Committee recognizes the importance of looking closely at the issue of sludge and septage. At this time we need to consider and try to find solutions to the issue that will be acceptable in the long term. Cities and towns with wastewater treatment plants need to know where the sludge may be disposed and there is a need to look at the raw septage that is pumped from residential tanks and where that will be processed. Vote 14-0.

Adopted.

HB 1390, establishing a committee to study environmental health. OUGHT TO PASS WITH AMENDMENT

Rep. John S. Cobb for Environment and Agriculture: This bill establishes a commission to study the relationship between public health and the environment. The Committee after hearing compelling testimony from the Department of Environmental Services, New Hampshire Comparative Risk Project, Dr. Robert K. McLellan and concerned citizens, felt this Committee should be established. Vote 14-1.

Amendment (3328h)

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

AN ACT establishing a commission to study the relationship between public health and the environment.

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

1 Statement of Intent. The general court recognizes that there is a need to build on the work done by the New Hampshire Comparative Risk Project to better understand how medical and public health practices relate to environmental exposures.

2 Commission Established. There is established a commission to study the relationship between public health and the environment.

3 Membership and Compensation.

I. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

(c) A licensed physician knowledgeable in occupational and environmental medicine, appointed by the governor.

(d) A representative of the New Hampshire Public Health Association, appointed by such association.

(e) A representative of the New Hampshire Health Officer's Association, appointed by such association.

(f) The commissioner of the department of health and human services, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of insurance, or designee.

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

(j) A representative of the Foundation for Healthy Communities, appointed by the foundation.

(k) The director of the New Hampshire Comparative Risk Project.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

4 Duties. The commission's study shall include, but not be limited to the scope of medical and public health practices as they relate to environmental exposures such as, but not limited to: indoor and outdoor air pollution; lead and other heavy metals; food contamination; drinking water contamination; radiation; pesticides; and other public health risks identified by the New Hampshire Comparative Risk Project.

5 Chairperson. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section.

6 Report. The commission shall make an interim report on its findings and any recommendations for proposed legislation on or before November 1, 2000 and a final report on or before November 1, 2001 to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library.

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

AMENDED ANALYSIS

This bill establishes a commission to study the relationship between public health and the environment.

Adopted.

Report adopted and ordered to third reading.

HB 1484-FN-A-L, establishing a 5 percent tax on gambling winnings as a source of funding public education. INEXPEDIENT TO LEGISLATE

Rep. Kenneth L. Weyler for Finance: Dire predictions were made should this tax be enacted. The director of the Sweepstakes Commission saw a fall-off in sales that would cause a net loss, and also pointed out that tri-state megabucks cannot be taxed per the agreement. The Pari-Mutuel director echoed a net loss from horse and dog racing, and the manager of Rockingham Park predicted the demise of his race track. All of these areas already produce revenue. Witnesses detailed how much of the large betting is done by professional gamblers. This group is very sensitive to the odds and very mobile. We would be the first state to impose a tax on gambling long after it was authorized. All the other states that tax gambling had done so since its inception. Those other states generally only taxed winnings above \$5,000, where federal withholding is required. This bill begins taxing winnings at \$600. Revenue from a gambling tax would be difficult to predict; one large jackpot could account for 70% of it. With more negatives than positives the committee did not support the bill. Vote 17-7.

Adopted.

motion to special order

Rep. Mock moved that **CACR 30**, relating to judicial retirement. Providing that a judge may serve after age 70 if appointed by governor and council to a 5-year renewable term, be made a Special Order for Thursday, March 23, 2000 in the Regular Calendar order and spoke in order.

Adopted

SPECIAL ORDER

HB 1111, relative to the adoption by reference of the International Property Maintenance Code for municipalities. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Paul A. McGuirk for the Majority of Municipal and County Government: RSA Chapter 674 governs local land use planning and regulatory powers. Section 674:52 cites eight (8) building codes a municipality may adopt by reference. HB 1111 simply adds an additional code, the International Property Maintenance Code (IPMC). Municipalities can already adopt the IPMC in whole or in part, now, without this bill. The bill simply addresses the manner in which it can be adopted. Finally, this bill does not affect the adoption or enforcement of the IPMC in those municipalities, which adopted all, or a part of that IPMC prior to the effective date of this bill. Vote 9-7.

Rep. Thomas E.P. Rice for the Minority of Municipal and County Government: We have an aversion to any code that smacks of "international", i.e. foreign origin. We believe that all laws of this sort shall be of local genesis because we believe in local control, which cannot be effective if not locally generated. A code this restrictive needs to be understood by the voters and acceptance by reference tends to be overlooked.

Rep. Lockwood spoke against.

Rep Rice spoke against and yielded to questions.

Reps. McGuirk and O'Neil spoke in favor and yielded to questions.

Rep. Mirski requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 122 NAYS 227

YEAS 122

BELKNAP

Pilliod, James

Wood, Jane

CARROLL

Bradley, Jeb	Chandler, Gene	Patten, Betsey
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CHESHIRE

Avery, Stephen	Burnham, Daniel	Lynch, Margaret	McGuirk, Paul
Pratt, John	Royce, H Charles	Russell, Ronald	Zerba, Roger

COOS

Guay, Lawrence	Horton, Lynn	Mears, Edgar	Merrill, Gerald
Rodrigue, Robert	Tholl, John Jr	Woodward, David	

GRAFTON

Akins, Ralph	Almy, Susan	Copenhaver, Marion	Densmore, Jessica
Guest, Robert	Marshall, Gene	Nordgren, Sharon	

HILLSBOROUGH

Baroody, Benjamin	Brundige, Robert	Buckley, Raymond	Clegg, Robert Jr
Cote, David	Craig, James	Daigle, Robert	Dalianis, Griffin
Drabinowicz, A Theresa	Dyer, Merton	Emerton, Lawrence	Fields, Dennis
Foster, Linda	Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey
Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty	Herman, Keith
Herman, Richard	Jean, Claudette	Johnson, Lionel	Keye, Harvey
Konys, Christine	LaRose, Richard	Lasky, Bette	Lozeau, Donnalee
Lynde, Harold	McCarty, Winston	McGough, Tim	Melcher, Harold
Mendenhall, Leslie	Milligan, Robert	Moriarty, Mary	Mosher, William
O'Hearn, Jane	Pappas, Marc	Reidy, Frank	Simon, Anthony
Vaillancourt, Steve	White, John	Williams, Carol	

MERRIMACK

Davis, Francis	Feuerstein, Martin	French, Barbara	Gile, Mary
Hess, David	Jacobson, Alf	Reardon, Tara	Rodd, Beth

Seldin, Gloria

St Cyr, Gerard

Wallner, Mary Jane

ROCKINGHAM

Arndt, Janet

Blanchard, MaryAnn

Bridle, Russell

Christie, Andrew Jr

Francoeur, Sheila

Grant, Kenneth

Griffin, Mary

Hamel, Albert

Hutchinson, Rebecca

Kane, Cecelia

Norelli, Terie

Noyes, Richard

O'Neil, Michael

Pantelakos, Laura

Splaine, James

Vaughn, Charles

Weatherspoon, Jackie

STRAFFORD

Brennan, William

DeChane, Marlene

Estabrook, Iris

Gilmore, Gary

Heon, Richard

Johnson, Nancy

Kaen, Naida

Knowles, William

Lent, Donald

Musler, George

Pelletier, Arthur

Pelletier, Marsha

Rogers, Rose Marie

Rollo, Michael

Smith, Marjorie

Snyder, Clair

Spang, Judith

Twardus, Joseph

Vachon, Dennis

Wall, Janet

SULLIVAN

Allison, David

Burling, Peter

Cloutier, John

Tuthill, John

NAYS 227

BELKNAP

Bartlett, Gordon

Boriso, Thomas

Boyce, Robert

Czech, Stanley

Holbrook, Robert

Johnson, James

Lawton, David

Millham, Alida

Rice, Thomas

Rosen, Ralph

Thomas, John

Turner, Robert

Wendelboe, Francine

CARROLL

Babson, David Jr

Dickinson, Howard

Howard, Godfrey

Kenney, Joseph

Mock, Henry

Philbrick, Donald

Sullivan, P Judith

Torressen, Gary

CHESHIRE

Batchelder, Robert

DePecol, Benjamin

Hunt, John

Lerandean, Alfred

Lynott, Margaret	Manning, Joseph	Meador, David	Mitchell, McKim
Pratt, Irene	Richardson, Barbara	Riley, William	Roberts, William
Rose, William	Smith, Edwin		

COOS

Davis, Perley	Gallus, John	Glines, Sara	Landers, Dana
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GRAFTON

Alger, John	Brothers, Richard	Cobb, John	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Hall, David	Ham, Bonnie
Harmon, Hobart	Hinman, Harry	Mirski, Paul	Phinney, William
Picconi, Al	Scanlan, David	Ward, Brien	Weber, Phil

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr
Arthur, Rose	Batula, Peter	Beaupre, Roland	Belvin, William
Bergeron, Lucien	Bergin, Peter	Bruno, Pierre	Calawa, Leon Jr
Carlson, Donald	Chabot, Robert	Christiansen, Lars	Cote, Peter
Daniels, Gary	Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia
Durham, Susan	Dwyer, Paul Sr	Fenton, James	Fletcher, Richard
Flora, Kathleen	Ford, Nancy	Gagnon, Eugene	Goulet, Maurice
Hansen, Herbert	Holley, Sylvia	Hunter, Bruce	Jean, Loren
Kurk, Neal	LaPorte, George	Lefebvre, Roland	Leishman, Peter
Leonard, Peter	Lessard, Rudy	MacGillivray, Jeffrey	Martel, Andre
Martin, Mary Ellen	McCarthy, William	McColgan, Philip Jr	McDonough-Wallace, Alice
McRae, Karen	Mercer, Robert	Messier, Irene	Nolan-Piteri, Dawn
O'Connell, Timothy	Ouellette, Dean	Pepino, Leo	Peterson, Andrew
Reeves, Sandra	Rowe, Robert	Sarette, John	Sargent, Maxwell
Tate, Joan	Thulander, O Alan	Turgeon, Roland	Wall, Nancy
White, Donald	Withee, Dennis		

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
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Chase, George	Crosby, Toni	Daneault, Gabriel	Fraser, Marilyn
Hager, Elizabeth	Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray
Lavoie, Gerard	Leber, William	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Moore, Carol	Nichols, Avis
Owen, Derek	Potter, Frances	Poulin, Dave	Rosenfield, Jay
Virtue, Carolyn	Wallin, Jean	Whalley, Michael	Whittemore, James

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
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
Gibbons, Paul	Gleason, John	Henderson, Warren	Hutchinson, Karen
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Kobel, Rudolph	Langley, Jane	Langone, John	Letourneau, Robert
Lovejoy, Marian	Major, Norman	McKinney, Betsy	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Packard, Sherman
Pitts, Jacqueline	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Raynowska, Bernard	Reardon, Neil	Rubin, George	Ruffner, Walter
Sabella, Norma	Sapareto, Frank	Schanda, Frank	Shelton, Richard
Shultis, Elizabeth	Stickney, Nancy	Stone, Joseph	Stritch, C Donald
Tufts, J Arthur	Varrell, Thomas	Verani, Giovanni	Weare, Everett
Welch, David	Weyler, Kenneth	Whittier, John	Zolla, William

STRAFFORD

Berube, Roger	Bickford, David	Cossette, Larry	Domingo, Baldwin
Dunlap, Patricia	Keans, Sandra	McKinley, Robert	Spear, Barbara
Taylor, Kathleen	Torr, Franklin	Tsiros, William	Vincent, Francis
Woods, Phyllis			

SULLIVAN

Donovan, Thomas Jr	Flint, Gordon Sr	Jones, Constance	Kibbey, David
Leone, Richard	Phinizy, James	Robb-Theroux, Amy	Wiggins, Celestine
Young, David			

and the majority report failed.

Rep. Rice moved Inexpedient to Legislate.

Adopted.

regular calendar (cont'd.)

HB 1402-L, relative to the transfer of excess medical reserve funds to the capital reserve fund.
INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: This bill would have amended RSA-35 to allow towns, school districts, village districts or counties to transfer excess monies in a medical reserve fund to a capital reserve fund. The majority of the Committee felt that this is a local issue and should be resolved at the local level. Additionally, these funds are established by the legislative body. This bill would give the power to accomplish the transfer of these funds to the governing body without any standards or guidelines. The majority of the Committee did not agree with this concept. Vote 11-4.

Adopted.

HB 1444, relative to certain municipal ordinances. INEXPEDIENT TO LEGISLATE

Rep. William J. Kelley for Municipal and County Government: This bill was introduced to clarify the indoor smoking act with respect to Municipal ordinances. The Committee, by a strong majority vote, agreed that towns and cities should not have the express power to enact ordinances, which restrict smoking more stringently than the state law. Vote 14-4.

Rep. Arthur Pelletier spoke against and yielded to questions.

Rep. Simon spoke in favor.

On a division vote, 233 members having voted in the affirmative and 103 in the negative, the report was adopted.

HJR 25, urging the United States Secretary of Agriculture, the Director of the Drug Enforcement Administration, and the Director of the Office of National Drug Control Policy to revise regulations to permit the controlled, experimental cultivation of industrial hemp in New Hampshire. OUGHT TO PASS

Rep. J. Arthur Tufts for State-Federal Relations and Veterans Affairs: Before any commercial hemp is grown in New Hampshire, the very restrictive federal regulations need to be licensed in effect. The committee took into their extensive discussion the house votes on commercial hemp but urges the revision to regulations entirely so as to permit the controlled, experimental cultivation of industrial hemp in New Hampshire requiring that it be under carefully controlled conditions by a university affiliated agricultural research station. Vote 10-3.

On a division vote, 209 members having voted in the affirmative and 128 in the negative, the report was adopted.

Ordered to third reading.

HB 1273, relative to restricting usage of cellular phones while driving. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Robert H. Milligan for the Majority of Transportation: This bill prohibits the use of hand held cellular phones while operating a motor vehicle especially due to one's loss of peripheral vision. However, emergency responders, when essential to the discharge of their official duties in an emergency or other extraordinary situations, shall be exempt. Vote 8-7.

Rep. Larry J. Cossette for the Minority of Transportation: This bill would prohibit any hand held cell phone from being used while driving. The minority of the committee completely understands the concerns of the majority of the committee, which is the safe operation of a motor vehicle. However, at that point the minority disagrees that we should be punishing the vast majority of responsible users of cell phones for the careless abuse of a few. The minority of the committee also feels that there are many other bad habits people engage in when driving, such as reading a paper, applying makeup, drinking hot coffee, shaving, reaching for a tape, and we could name many more practices that distract the driver's concentration. The minority of the committee does not feel that the prohibited use of hand held cell phones is going to make irresponsible drivers suddenly act responsible. We must continue to educate the motoring public in safe driving habits for we cannot legislate common sense.

Amendment (3433h)

Amend the bill by replacing section 1 with the following:

1 New Section; Rules of the Road; Prohibited Uses of Cellular Phones While Operating a Motor Vehicle; Emergency Exception. Amend RSA 265 by inserting after section 105 the following new section:

265:105-a Prohibited Uses of Cellular Phones While Operating a Motor Vehicle.

I. No person shall use any type of cellular telephone while actively driving a motor vehicle on a public way. This limitation shall not prevent persons from using programmable telephones built in to motor vehicles, if they are of the variety that do not require hand-held operation. Any person who violates this section shall be guilty of a violation.

II. This section shall not apply to the use of cellular phones by fire, police, ambulance, and other emergency responders when essential to the discharge of their official duties in an emergency or other extraordinary situation.

AMENDED ANALYSIS

This bill prohibits the use of cellular phones while actively driving a motor vehicle, except by certain emergency personnel in an official capacity.

Adopted.

Rep. Milligan spoke against.

The majority report failed.

Rep. Milligan moved Refer for Interim Study.

Adopted.

SPECIAL ORDER

HB 1234, relative to a special commission allowing non-ordained ministers residing out of state to perform marriages in New Hampshire. OUGHT TO PASS WITH AMENDMENT

Rep. Laura C. Pantelakos for Children and Family Law: This permits a non-ordained minister or an authorized individual residing out of state to seek a license from the Secretary of State to perform the marriage ceremony for a couple within the state of New Hampshire. This special one time license is restricted to the named couple. The license must be sought from the Secretary of State. Vote 11-1.

Amendment (1234h)

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

AN ACT relative to special commissions to perform marriages in New Hampshire.

Amend RSA 457:32 as inserted by section 1 of the bill by replacing it with the following:

457:32 Special Commission. The secretary of state may issue a special license to an ordained *or non-ordained* minister residing out of the state, *or to an individual residing out of state who is authorized or licensed by law to perform marriages in such individual's state of residence*, authorizing him *or her* in a special case to marry a couple within the state. *In the case of an individual residing out of state who is authorized or licensed by law to perform marriages in such individual's state of residence, the secretary of state may require the submission of a copy of a valid commission or other indicia of authority to marry in the individual's state of residence as proof of existence of that authority.* The names and residences of the couple proposed to be married in such special case shall be stated in the license, and no power shall be conferred to marry any other parties than those named therein. The fee for such license shall be \$5. The secretary of state shall keep a permanent record of all such special licenses, which record shall contain the names and residences of the couple to be married and the name and residence of the minister to whom the license is issued.

AMENDED ANALYSIS

This bill allows the secretary of state to grant a special commission allowing non-ordained ministers residing out of state and individuals residing out of state who are authorized or licensed by law to perform marriages in such individual's state of residence to perform marriages in New Hampshire.

Adopted.

Rep. Marsha Pelletier spoke against.

Rep. Pantelakos spoke in favor.

Report adopted and ordered to third reading.

HB 1109, relative to the modification of spousal support orders. OUGHT TO PASS WITH AMENDMENT

Rep. David A. Bickford for Children and Family Law: The amendment creates a 3-year statute of limitation after termination of alimony. Currently there is no limitation. Vote 12-0.

Amendment (3577h)

Amend RSA 458:19, VII as inserted by section 2 of the bill by replacing it with the following:

VII. In cases where the court issues an order for permanent alimony for a definite period of time, such order may be modified, upon the petition of either party, provided, that such petition is made within 3 years from the termination date of the permanent alimony order. Nothing in this paragraph shall be construed to change or alter in any way the terms of the original alimony order.

AMENDED ANALYSIS

This bill provides that an order for permanent alimony issued for a definite period of time may be modified at any time within 3 years after the termination date of the order.

Adopted.

Report adopted and ordered to third reading.

HB 1292, making it a crime to cause the death of an unborn child as a result of committing a violent act against a pregnant woman. INEXPEDIENT TO LEGISLATE

Rep. Beth Rodd for Criminal Justice and Public Safety: Pursuant to current assault statutes 631:1 and 631:2, causing injury to a pregnant woman resulting in miscarriage or stillbirth is a class A or B felony. It requires knowledge "mens rea" and intent on the part of the perpetrator. The current law recognizes the severity of violence against a pregnant woman do so, causing miscarriage or stillbirth. Current law imposes a class A or B felony for convictions of RSA 631:1 or 631:2 and a penalty of up to 15 years incarceration. The proposed legislation removed the requirement of "mens rea" because a perpetrator could be charged under the statute without having knowledge of the pregnancy. This violates fundamental criminal law principals and would present constitutional challenges. Vote 13-2.

Reps. Torressen and Kennedy spoke against.

Rep. Rodd spoke in favor.

Rep. Torressen requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 283 NAYS 54

YEAS 283

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Czech, Stanley	Holbrook, Robert
Lawton, David	Millham, Alida	Pilliod, James	Thomas, John
Turner, Robert	Wood, Jane		

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Mock, Henry	Patten, Betsey	Philbrick, Donald
Sullivan, P Judith			

CHESHIRE

Avery, Stephen	Batchelder, Robert	Burnham, Daniel	DePecol, Benjamin
Hunt, John	Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret
McGuirk, Paul	Meador, David	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Riley, William	Roberts, William
Rose, William	Royce, H Charles	Russell, Ronald	Smith, Edwin
Zerba, Roger			

COOS

Davis, Perley	Gallus, John	Glines, Sara	Guay, Lawrence
Horton, Lynn	Landers, Dana	Mears, Edgar	Merrill, Gerald
Holl, John Jr	Woodward, David		

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Cobb, John
Copenhaver, Marion	Densmore, Jessica	Eaton, Stephanie	Guest, Robert
Ham, Bonnie	Harmon, Hobart	Marshall, Gene	Nordgren, Sharon
Phinney, William	Picconi, Al	Scanlan, David	Ward, Brien

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr
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Arthur, Rose	Baroody, Benjamin	Belvin, William	Bergeron, Lucien
Bergin, Peter	Brundige, Robert	Bruno, Pierre	Buckley, Raymond
Calawa, Leon Jr	Carlson, Donald	Chabot, Robert	Christiansen, Lars
Cote, David	Cote, Peter	Craig, James	Daigle, Robert
Dalianis, Griffin	Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fields, Dennis	Fletcher, Richard	Ford, Nancy	Foster, Linda
Gagnon, Eugene	Garrish, Linda	Ginsburg, Ruth	Gorman, Mary
Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty	Hansen, Herbert
Herman, Keith	Herman, Richard	Hunter, Bruce	Jean, Loren
Johnson, Lionel	Keye, Harvey	Konys, Christine	Kurk, Neal
LaRose, Richard	Lasky, Bette	Leishman, Peter	Leonard, Peter
Lessard, Rudy	Lozeau, Donnalee	Lynde, Harold	Martin, Mary Ellen
McCarthy, William	McCarty, Winston	McDonough-Wallace, Alice	McRae, Karen
Melcher, Harold	Mendenhall, Leslie	Mercer, Robert	Messier, Irene
Milligan, Robert	Moriarty, Mary	Mosher, William	O'Connell, Timothy
O'Hearn, Jane	Pappas, Marc	Peterson, Andrew	Rowe, Robert
Sarette, John	Sargent, Maxwell	Simon, Anthony	Thulander, O Alan
Turgeon, Roland	Vaillancourt, Steve	White, Donald	White, John
Williams, Carol	Withee, Dennis		

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
Chase, George	Crosby, Toni	Davis, Francis	Feuerstein, Martin
French, Barbara	Gile, Mary	Hager, Elizabeth	Hess, David
Hoadley, Elizabeth	Jacobson, Alf	Langer, Ray	Leber, William
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Moore, Carol	Nichols, Avis	Owen, Derek	Potter, Frances
Poulin, Dave	Reardon, Tara	Rodd, Beth	Rosenfield, Jay
Seldin, Gloria	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Whalley, Michael	Whittemore, James		

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Belanger, Ronald	Blanchard, MaryAnn
Christie, Andrew Jr	Clark, Martha	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
Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Katsakiores, Phyllis	Kelley, William	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Major, Norman
McKinney, Betsy	Morse, Charles	Norelli, Terie	Noyes, Richard
O'Neil, Michael	Packard, Sherman	Pantelakos, Laura	Pitts, Jacqueline
Raynowska, Bernard	Reardon, Neil	Ruffner, Walter	Sabella, Norma
Sapareto, Frank	Schanda, Frank	Shelton, Richard	Shultis, Elizabeth
Splaine, James	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur
Varrell, Thomas	Vaughn, Charles	Verani, Giovanni	Weare, Everett
Weatherspoon, Jackie	Welch, David	Whittier, John	Zolla, William

STRAFFORD

Bickford, David	Brennan, William	Brown, Julie	Cossette, Larry
DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris
Gilmore, Gary	Heon, Richard	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Lent, Donald	McKinley, Robert
Pelletier, Arthur	Pelletier, Marsha	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spang, Judith	Spear, Barbara
Taylor, Kathleen	Torr, Franklin	Tsiros, William	Twardus, Joseph
Vachon, Dennis	Wall, Janet		

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Flint, Gordon Sr
Jones, Constance	Kibbey, David	Leone, Richard	Phinizy, James
Robb-Theroux, Amy	Tuthill, John	Wiggins, Celestine	

NAYS 54

BELKNAP

Boyce, Robert
Wendelboe, Francine

Johnson, James

Rice, Thomas

Rosen, Ralph

CARROLL

Kenney, Joseph

Torressen, Gary

CHESHIRE

Manning, Joseph

COOS

None

GRAFTON

Brothers, Richard

Dudley, Terri

Gilman, G Michael

Hall, David

Hinman, Harry

Mirski, Paul

Weber, Phil

HILLSBOROUGH

Batula, Peter

Beaupre, Roland

Clegg, Robert Jr

Daniels, Gary

Drabinowicz, A Theresa

Dwyer, Paul Sr

Flora, Kathleen

Holley, Sylvia

Jean, Claudette

MacGillivray, Jeffrey

Martel, Andre

McColgan, Philip Jr

McGough, Tim

Nolan-Piteri, Dawn

Ouellette, Dean

Pepino, Leo

Reeves, Sandra

Tate, Joan

Wall, Nancy

MERRIMACK

Daneault, Gabriel

Kennedy, Richard

Lavoie, Gerard

St Cyr, Gerard

ROCKINGHAM

Arndt, Janet

Bishop, Franklin

Grant, Kenneth

Griffin, Mary

Hamel, Albert

Henderson, Warren

Nowe, Mary Lou

Nowe, Ronald

Priestley, Anne

Putnam, Ed II

Quandt, Marshall

Stickney, Nancy

Weyler, Kenneth

STRAFFORD

Woods, Phyllis

SULLIVAN

Donovan, Thomas Jr Young, David

and the report was adopted.

HB 1226, relative to vacancies in the office of United States senator INEXPEDIENT TO LEGISLATE

Rep. Sandra J. Reeves for Election Law: This bill requires the consent of the Executive Council for temporary appointment by the governor to fill a vacancy in the office of US senator. The committee felt that the current system has been in effect since 1912 and has been sufficient. For example, Governor Gallen appointed Warren Rudman to the Senate after (Sen.) John Durkin resigned his position. No other state has this provision. The committee feels the system has worked well and there is no need for a change at this time. Vote 15-0.

Rep. Wendelboe spoke against and yielded to questions.

Rep. Francis Davis spoke in favor.

On a division vote, 268 members having voted in the affirmative and 56 in the negative, the report was adopted.

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

Rep. Jean R. Wallin for Finance: This is not the time to change the excavation and excavation activity tax law. Vote 20-4.

Adopted.

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

Rep. Jean R. Wallin for Finance: This bill would require that financial aid to a cooperative school district treat the towns as if a cooperative district had not been formed. In the cases that the committee examined, the towns with lower valuations would be penalized for the benefit of the towns that are richer in valuation. The committee does not suggest that the current law governing distribution is a model of perfection, but, since it will be in effect for a short period of time, only confusion would be created for cooperative school districts if it were to be altered now. The commissions studying educational adequacy and tax equity will address distribution as well as other elements of education funding. Vote 24-0.

Rep. Jacobson spoke against.

Rep. Major spoke in favor and yielded to questions.

Rep. Wallin spoke in favor.

Adopted.

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

Rep. David J. Alukonis for Finance: This bill would assert a statutory affirmation that individual property taxpayers may claim a constitutional exemption from paying the educational property tax in support of schools. The sponsors argue that the course of studies provided in our public schools is religious in nature, calling it secular humanism which the US Supreme Court, by footnote, has called a religion "which do(es) not teach what would generally be considered a belief in the existence of God. The committee does not concur that such a constitutional exemption exists nor with the argument that our public schools are religious in nature. The proper venue for review and determination of constitutional rights is in the courts of the judiciary. Vote 23-1.

Reps. Torressen and Mirski spoke against.

Rep. Alukonis spoke in favor and yielded to questions.

Rep. Torressen requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 275 NAYS 35

YEAS 275

BELKNAP

Bartlett, Gordon	Czech, Stanley	Millham, Alida	Pilliod, James
Rice, Thomas	Rosen, Ralph	Thomas, John	Turner, Robert
Wendelboe, Francine	Wood, Jane		

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Patten, Betsey	Philbrick, Donald

CHESHIRE

Avery, Stephen	Batchelder, Robert	Burnham, Daniel	DePecol, Benjamin
Hunt, John	Lerandeau, Alfred	Lynch, Margaret	Lynott, Margaret
Manning, Joseph	McGuirk, Paul	Meador, David	Mitchell, McKim

Pratt, Irene	Pratt, John	Richardson, Barbara	Riley, William
Roberts, William	Rose, William	Royce, H Charles	Russell, Ronald
Smith, Edwin	Zerba, Roger		

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Mears, Edgar	Merrill, Gerald	Tholl, John Jr	Woodward, David

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Copenhaver, Marion
Densmore, Jessica	Dudley, Terri	Eaton, Stephanie	Ham, Bonnie
Hinman, Harry	Marshall, Gene	Nordgren, Sharon	Phinney, William
Picconi, Al	Scanlan, David	Ward, Brien	

HILLSBOROUGH

Ahern, Richard	Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr
Arthur, Rose	Baroody, Benjamin	Beaupre, Roland	Belvin, William
Bergeron, Lucien	Bergin, Peter	Brundige, Robert	Buckley, Raymond
Calawa, Leon Jr	Carlson, Donald	Chabot, Robert	Christiansen, Lars
Clegg, Robert Jr	Cote, David	Cote, Peter	Craig, James
Daigle, Robert	Dalianis, Griffin	Desmarais, Vivian	Dokmo, Cynthia
Drabinowicz, A Theresa	Durham, Susan	Dwyer, Paul Sr	Dyer, Merton
Emerton, Lawrence	Fenton, James	Fields, Dennis	Ford, Nancy
Foster, Linda	Gagnon, Eugene	Garrish, Linda	Ginsburg, Ruth
Gorman, Mary	Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty
Herman, Keith	Herman, Richard	Holley, Sylvia	Hunter, Bruce
Jean, Claudette	Johnson, Lionel	Keye, Harvey	Konys, Christine
Kurk, Neal	LaRose, Richard	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Leonard, Peter	Lozeau, Donnalee	Lynde, Harold
MacGillivray, Jeffrey	Martel, Andre	McCarthy, William	McCarty, Winston
McColgan, Philip Jr	McDonough-Wallace, Alice	McGough, Tim	Mendenhall, Leslie
Mercer, Robert	Messier, Irene	Milligan, Robert	Moriarty, Mary
Mosher, William	Nolan-Piteri, Dawn	O'Connell, Timothy	O'Hearn, Jane

Pappas, Marc	Pepino, Leo	Peterson, Andrew	Reeves, Sandra
Rowe, Robert	Sarette, John	Sargent, Maxwell	Thulander, O Alan
Turgeon, Roland	Vaillancourt, Steve	White, Donald	White, John
Williams, Carol	Withee, Dennis		

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Brewster, Richard	Chase, George
Crosby, Toni	Daneault, Gabriel	Davis, Francis	Feuerstein, Martin
French, Barbara	Gile, Mary	Hoadley, Elizabeth	Jacobson, Alf
Langer, Ray	Leber, William	Lockwood, Priscilla	Marshall, Kenneth
Moore, Carol	Nichols, Avis	Potter, Frances	Poulin, Dave
Reardon, Tara	Rodd, Beth	Rosenfield, Jay	Seldin, Gloria
St Cyr, Gerard	Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane
Whalley, Michael	Whittemore, James		

ROCKINGHAM

Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Blanchard, MaryAnn	Christie, Andrew Jr	Clark, Martha	Clark, Vivian
Cooney, Richard	Cox, Russell	Dearborn, Bruce	DiFruscia, Anthony
Downing, Michael	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gibbons, Paul	Gleason, John	Grant, Kenneth
Griffin, Mary	Henderson, Warren	Hutchinson, Rebecca	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Major, Norman
McKinney, Betsy	Morse, Charles	Norelli, Terie	Noyes, Richard
O'Neil, Michael	Packard, Sherman	Pantelakos, Laura	Pitts, Jacqueline
Priestley, Anne	Raynowska, Bernard	Reardon, Neil	Ruffner, Walter
Sabella, Norma	Sapareto, Frank	Schanda, Frank	Shelton, Richard
Shultis, Elizabeth	Splaine, James	Stone, Joseph	Stritch, C Donald
Tufts, J Arthur	Varrell, Thomas	Vaughn, Charles	Weare, Everett
Weatherspoon, Jackie	Whittier, John	Zolla, William	

STRAFFORD

Brennan, William	Brown, Julie	Cossette, Larry	DeChane, Marlene
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Domingo, Baldwin	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Lent, Donald	McKinley, Robert	Pelletier, Arthur	Pelletier, Marsha
Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Kathleen	Tsiros, William	Twardus, Joseph
Vachon, Dennis	Wall, Janet		

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Jones, Constance	Kibbey, David	Leone, Richard	Phinizy, James
Robb-Theroux, Amy	Tuthill, John	Wiggins, Celestine	

NAYS 35

BELKNAP

Boriso, Thomas	Boyce, Robert	Holbrook, Robert	Johnson, James
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CARROLL

Mock, Henry	Sullivan, P Judith	Torressen, Gary
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CHESHIRE

None

COOS

None

GRAFTON

Brothers, Richard	Cobb, John	Gilman, G Michael	Hall, David
Mirski, Paul			

HILLSBOROUGH

Batula, Peter	Bruno, Pierre	Daniels, Gary	Fletcher, Richard
Jean, Loren	Martin, Mary Ellen	McRae, Karen	Ouellette, Dean

Wall, Nancy

MERRIMACK

Kennedy, Richard

Lavoie, Gerard

Marple, Richard

Soltani, Tony

ROCKINGHAM

Hamel, Albert

Kelley, William

Nowe, Mary Lou

Nowe, Ronald

Putnam, Ed II

Quandt, Marshall

Stickney, Nancy

Welch, David

Weyler, Kenneth

STRAFFORD

Woods, Phyllis

SULLIVAN

None

and the report was adopted.

HB 1532, excluding military pension payments and military survivor's benefit payments for certain persons from gross income under any income tax which may be enacted. INEXPEDIENT TO LEGISLATE

Rep. Linda T. Foster for Finance: The intent of this bill is to exempt military retired pay, disability pay, or retainer pay from a state income tax. Since no such tax presently exists, such change in the law is premature. Furthermore, the committee knows that should an income tax be enacted, this subject would be included in the debate and the discussion. Vote 22-0.

Reps. Rosen and Guay spoke against.

Rep. Foster spoke in favor.

Adopted.

HB 1360, prohibiting full-time judges from earning income from sources other than judicial salaries. INEXPEDIENT TO LEGISLATE

Rep. Alf E. Jacobson for Judiciary: While the Judiciary Committee feels that this proposed change in the statutes regarding outside earned income by members of the judiciary does not meet the real needs in this problem, the committee believes that the outside teaching activity by Justice Thayer as a full-time judge requires the most careful future scrutiny in the interest of the good administration of justice. The Supreme Court has moved to limit to 15% of the judicial salary any teaching of studies in the law by judges. The committee position is that the Supreme Court, through its rules, has the

clear responsibility in this matter. However, the Judiciary Committee is committed to review the situation periodically. Vote 14-0.

Adopted.

HCR 27, requesting Congress to propose an amendment to the U.S. Constitution to prevent federal courts from instructing states or political subdivisions of states to levy or increase taxes. OUGHT TO PASS WITH AMENDMENT

Rep. Margaret E. Lynott for State-Federal Relations and Veterans Affairs: This House Concurrent Resolution and its amendment levels the playing field for banking consumers in New Hampshire. When interstate banks do business in New Hampshire, they should adhere to the laws of New Hampshire and subdivisions of this state. The amendment gives New Hampshire residents more control over their banking interests. Vote 13-0.

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

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, March 23, 2000 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 1242, relative to the standard for modification of a child custody order.

HB 1160, relative to access to the enhanced 911 system.

HB 1405, exempting 50/50 raffles from the laws regulating games of chance.

HB 1570-FN, requiring parolees and probationers from other states to comply with the Interstate Compact on Parole in order to be lawfully present in New Hampshire.

HB 1191-FN-L, relative to the adoption of charter school and open enrollment provisions in cooperative school districts and authorized regional enrollment areas.

HB 1172, providing staggered terms for agricultural advisory board members.

HB 1185, extending the report date of the committee established to study mercury source reduction and recycling issues to November 1, 2000.

HB 1404, creating a study committee to address mechanisms for the preservation or disposal of state records.

HB 1113, raising the maximum price for lucky 7 tickets.

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

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

HB 1319, extending the reporting date of the committee studying negotiated risk agreements and requiring the department of health and human services to conduct a study.

HB 1139, establishing a committee to study involuntary emergency admission hearings.

HB 1171, restricting the payment of salaries to suspended judicial officers.

HB 1239, relative to durable powers of attorney.

HB 1326, relative to managed care programs under workers' compensation.

HB 1582, establishing a committee to study workplace policies and practices of small businesses for their effect on New Hampshire employees and their families.

HB 1194, relative to the composition of planning boards in certain cities.

HB 1541-FN-L, relative to the cremation of deceased persons.

HJR 20, urging the United States Congress to fully fund the Ricky Ray Hemophilia Relief Fund Act for HIV victims.

HB 1617-FN, relative to suspension of a driver's license for sufficient cause.

SB 348, extending the committee to study the establishment of a permit system for vessels registered in another state temporarily using the waters of New Hampshire.

SB 362, relative to the length of buses and single unit vehicles.

SB 356, extending the committee to study and identify or establish the duties of the fish and game commission.

HB 1548-FN, abolishing the death penalty.

HB 1327, relative to residency of prisoners for purposes of voter registration.

HB 1331, relative to campaign contributions by corporations.

HB 1390, establishing a commission to study the relationship between public health and the environment.

HJR 25, urging the United States Secretary of Agriculture, the Director of the Drug Enforcement Administration, and the Director of the Office of National Drug Control Policy to revise regulations to permit the controlled, experimental cultivation of industrial hemp in New Hampshire.

HB 1234, relative to special commissions to perform marriages in New Hampshire.

HB 1109, relative to the modification of spousal support orders.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1620 and House Concurrent Resolution numbered 34 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILL and HCR

First, second reading and referral

HB 1620-FN, relative to driver record information. (Kurk, Hills 5; Jacobson, Merr 2; Letourneau, Rock 13; Packard, Rock 29; Copenhagen, Graf 10; Gordon, Dist 2; Below, Dist 5: Transportation)

HCR 34, urging Congress to investigate the rising prices of gasoline and diesel fuel and take appropriate action to decrease prices to consumers. (E. Gagnon, Hills 48; Tufts, Rock 20; Rubin, Rock 25; R. Herman, Hills 1; Twardus, Straf 13; Johnson, Dist 3; Roberge, Dist 9; J. King, Dist 18; D'Allesandro, Dist 20; Krueger, Dist 16: State-Federal Relations and Veterans Affairs)

senate messages

accedes to requests for committees of conference

HB 97, relative to the right to farm

The President appointed Sens. Below, Wheeler and Krueger.

HB 228, clarifying permissible political expenditures.

The President appointed Sens. Trombly, Eaton and McCarley.

HB 553-FN-A, establishing a commission on the status of men.

The President appointed Sens. Cohen, Larsen and Brown.

unanimous consent

Rep. Lynde addressed the House.

personal privilege

Rep. Jacobson 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 4:55 p.m.

Speaker Sytek reported that Reverend Hays M. Junkin, Rector of Saint Andrew's Episcopal Church in Hopkinton had been selected to serve as the House Chaplain

RECESS

(Rep. Hess in the Chair)

RESOLUTION

Rep. Kurk offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Constitutional Amendment Concurrent Resolution numbered 39 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 CACR

First, second reading and referral

CACR 39, relating to the funding of public education. Providing that the state shall fund an amount not less than 30 percent of the total annual statewide cost of public education for kindergarten through grade 12 and that the general court shall have the power to apportion this amount by statute; that the state shall support access to a continuum of educational opportunities including early childhood and postsecondary education at a financial level deemed appropriate by statute; and that beginning April 1, 2001, no property tax in any form shall be used to fund the state's obligation

to cherish and support public education. (Peterson, Hills 8; Scanlan, Graf 11; Vaughn, Rock 35; Johnson, Dist 3; Brown, Dist 17: Finance)

senate message

concurrence

HB 730-FN, establishing a house committee to review methods for recording committee sessions, authorizing a request for proposals, and making an appropriation therefor.

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

HB 1141, relative to access highways to public waters.

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

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

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

HCR 25, a resolution 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.

RECESS

(Rep. Mercer in the Chair)

RESOLUTION

Rep. Royce offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1621 and House Joint Resolution numbered 26 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 and HJR

First, second reading and referral

HB 1621-FN, allowing administrative home confinement for habitual offenders. (Lozeau, Hills 30; Knowles, Straf 11; Tholl, Coos 5; Hollingworth, Dist 23: Criminal Justice and Public Safety)

HJR 26, urging Congress to pass legislation ensuring improved access to local television for households in unserved and underserved rural areas. (Wendelboe, Belk 2; Bradley, Carr 8; Chandler, Carr 1; Gordon, Dist 2; F. King, Dist 1; Johnson, Dist 3; D'allesandro, Dist 20; Wheeler, Dist 21: State-Federal Relations and Veterans Affairs)

RESOLUTION

Rep. Royce offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 303, 305, 315, 320, 338, 339, 343, 347, 375, 378, 386, 393, 414, 416, 418, 424, 426, 432, 443, 444, 445, 446, 448 and 453 and Senate Concurrent Resolutions numbered 3 and 4 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS AND SCRs

First, second reading and referral

SB 303, relative to campaign contributions by business organizations. (Election Law)

SB 305, relative to payments to defeat eviction for nonpayment of rent. (Judiciary)

SB 315, changing the form for writs of execution. (Judiciary)

SB 320, relative to ballot counting cooperative school districts and relative to ratifying the Inter-Lakes cooperative school district meeting held on March 8, 2000. (Education)

SB 330, establishing a committee to study the impact of water withdrawals on instream flows. (Resources, Recreation and Development)

SB 338, relative to trustee process. (Judiciary)

SB 339-FN, relative to conducting a feasibility study of various alternatives to enhance safety at the traffic circle in the city of Portsmouth. (Public Works and Highways)

SB 343, relative to disclosures concerning sexual offenders in sales of real property. (Commerce)

SB 347-L, relative to the contributory retirement system of the city of Manchester. (Municipal and County Government)

SB 375, relative to motor vehicle dealerships. (Commerce)

SB 378, relative to Article 9 of the Uniform Commercial Code. (Commerce)

SB 386-FN-L, relative to names on birth certificates and affidavits of paternity. (Children and Family Law)

SB 393, relative to single producer licensing. (Commerce)

SB 414-FN, reorganizing the divisions of the department of corrections. (Executive Departments and Administration)

SB 416-FN, relative to licensure of dietitians. (Executive Departments and Administration)

SB 418, relative to liquor liability insurance coverage. (Commerce)

SB 424, relative to controlled substances used for pain management. (Judiciary)

SB 426-FN, relative to boat dealers and repairer. (Transportation)

SB 432-FN-A, relative to state assistance for teachers applying for national board certification. (Education)

SB 443, relative to veterinarian reimbursement for the animal population control program. (Environment and Agriculture)

SB 444-FN, relative to methadone maintenance treatment. (Criminal Justice and Public Safety)

SB 445-FN, relative to methadone maintenance treatment. (Criminal Justice and Public Safety)

SB 446, relative to the integration of information technology at the state, county and municipal levels. (Executive Departments and Administration)

SB 448, establishing a guardians ad litem board. (Children and Family Law)

SB 453, relative to the expending of legacies or gifts and the transfer of funds by the regional community-technical colleges. (Finance)

SCR 3, a resolution rescinding the 1979 call for a federal constitutional convention. (State-Federal Relations and Veterans Affairs)

SCR 4, urging the federal government to establish a new zip code for the town of Madbury. (State-Federal Relations and Veterans Affairs)

RECESS

bills signed by the governor

Chap. 16, **HB 251**, relative to official ballot procedures. (eff. 4/30/00)

Chap. 17, **SB 228**, relative to spousal benefits upon the death of certain retired group II members of the New Hampshire retirement system. (eff. 7/1/00)

Chap. 18, ***HB 640-FN***, establishing certain standards of accountability for health maintenance organizations and other entities providing health insurance through a managed care system. (eff. 9/3/00)