

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 30, 2000

No. 29

HOUSE JOURNAL No. 11 (cont.)

Wednesday, March 29, 2000

(Speaker Sytek in the Chair)

Rep. Lozeau moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 12

Thursday, March 30, 2000

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

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

Compassionate Creator, we pause to thank You for the blessings of this day before resuming the responsibilities of government in our beloved New Hampshire. Both March and its madness are almost at an end, but before the clock runs out we wish to remember David and Paula Bonner, the faithful and dedicated parents of our native son, Matt, whose basketball dream of "Final Four" competition continues this weekend. Bless all parents whose work, dedication and love encompass the children who grace their lives, and may all of us draw strength and wisdom from the examples

set by David and Paula who serve their family and our community in countless ways. And Lord, a few more points for Matt this weekend would be a real slam-dunk! Amen.

Rep. Stone led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Clemons, Patricia Cote, Eaton, Gibbons, Heon, Lovejoy, Perkins and Searles, the day, illness.

Reps. Bergeron, DePecol, Doucette, Haley, Lavoie, Lessard, Lundborn, McRae, O'Keefe, O'Neill, Pantelakos, Picconi, Spear, Torressen, Weatherspoon, Welch and Woodward, the day, important business.

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

Reps. Dawe and Tara Reardon, the day, illness in the family.

INTRODUCTION OF GUESTS

Louise Remington, guest of Rep. Alger. Aimee Lynn and Amanda Jean Merrill, granddaughters of Rep. Merrill. Pam Weaver, guest of Rep. Chandler. Barbara Brewster and Audry Schaefer, wife and guest of Rep. Brewster. Dr. Dov Levy and Bobbi Hoffman, guests of Rep. Rosenfield.

special guests

The Sunapee Middle High School Girls' Varsity Volleyball Class S Championship Team, guests of the House.

Francine Balboni and Pamela Griffiths, recipients of this year's OWLS Scholarship awards, guests of the House.

REGULAR CALENDAR

(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.

HB 1164, relative to insurance compliance self audits. REFER FOR INTERIM STUDY

Rep. Stephen G. Avery for Commerce: This bill aims at encouraging insurance companies to conduct voluntary, internal self-audits to assure that their activities are complying with legal and regulatory requirements. The bill would protect the results of such self-audits from forced disclosure in private

lawsuits or administrative proceedings, while at the same time providing continued access by the New Hampshire Insurance Department. The bill appears to have been carefully drafted in consultation with the insurance department, which testified in support. The bill would extend protection to insurance company self-audits that are similar to what present law provides, for quality assurance self-audits by hospitals, nursing homes and clinics. However, as applied to insurance companies, the proposal is fairly new and has been adopted in only a few other states, although similar legislation has been introduced in many states. The committee would prefer to take a longer look at the bill and at actions taken in others states, than time currently permits during the present session. Accordingly, the committee is recommending serious interim study. Vote 18-2.

Adopted by the necessary two-thirds.

HB 1183, relative to consumer access to providers for the term of the consumer's health benefit plan and extending the reporting date of a committee. OUGHT TO PASS WITH AMENDMENT

Rep. Sheila T. Francoeur for Commerce: This bill, as amended, will provide that when a health plan is terminated, there will be a grace period of 90 days from the renewal date of the plan, for covered persons to have continued access to providers of health care services. This bill was in response to the Tuft's Health Plan situation and the large number of individuals who were left without a health carrier. The termination transition in this bill will help to avoid similar situations from developing in the future. The bill also expands and extends the study of 1199,155:2 and includes investigating specific problems within the health care industry and the feasibility of creating a health care oversight entity. Vote 19-0.

Amendment (3715h)

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

AN ACT relative to consumer access to providers for the term of the consumer's health benefit plan and relative to the committee studying certain financial arrangements.

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

1 New Paragraph; Consumer Access to Network Providers. Amend RSA 420-J:8 by inserting after paragraph X the following new paragraph:

XI. Every contract entered into after September 30, 2000 between a health carrier and any institutional provider or provider organization that includes more than 10 providers shall contain a provision addressing continued access to providers subsequent to the non-renewal of the contract. The effect of this provision shall be to assure that covered persons will have continued access to the institutional provider or to providers within the provider organization in the event that the health carrier and the institutional provider or provider organization fail to renew their contract as of its termination date. The continued provider access that covered persons are entitled to under this paragraph shall be in accordance with the terms and conditions of the covered person's health benefit plan and the prior contract between the health carrier and institutional provider or provider organization. Such provider access shall be made continuously available until the renewal date of the health benefit plan or 90 days after the contract termination date, whichever is sooner. Within 5 working days of the contract termination, the health carrier should provide written notice to affected covered persons explaining their continued access rights.

2 Members Added. Amend 1999, 155:2, I to read as follows:

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

(a) ~~Three~~ **Five** members of the house of representatives, at least 2 of whom shall be from the house commerce committee, appointed by the speaker of the house.

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

3 Duties Added; Quorum; Report Date Extended. Amend 1999, 155:3-5 to read as follows:

155:3 Duties. The committee shall study the financial arrangements and contracts among hospitals, health care providers, and insurance companies. The study shall include, but not be limited to, how these arrangements affect insurance premiums and health care costs in New Hampshire. The committee shall examine how reimbursement rates are determined and withholdings are calculated. ***The committee shall investigate health care issues and specific problems within the health care industry. The committee shall also study the feasibility of creating a health care oversight entity.*** The committee may seek outside information from any relevant source.

155:4 Chairperson; Quorum. 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 45 days of the effective date of this section. ~~Four~~ **Six** members of the committee shall constitute a quorum.

155:5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, ~~1999~~ **2000**.

4 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill requires continued consumer access to certain network providers for the term of the consumer's health benefit plan when health carriers and hospitals or provider organizations fail to renew their contract.

This bill also adds members and duties to and extends the reporting date of the committee to study certain financial arrangements established in 1999, 155.

Adopted.

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

HB 1317, relative to rights of rental applicants. INEXPEDIENT TO LEGISLATE

Rep. Tara G. Reardon for Commerce: This bill would apply to an individual renting only one apartment unit every couple of years, as well as large professional landlords. The reason for the

denial of housing may be a combination of factors as compared to other applicants. The committee felt this provision was onerous because it levies a minimum \$200 fine when no real incidents or problems were identified at the hearing. Vote 14-5.

Adopted by the necessary two-thirds.

HB 1335, requiring hospitals to disclose certain information to the attorney general. OUGHT TO PASS WITH AMENDMENT

Rep. Gene B. Marshall for Commerce: This bill, the result of a chapter study on financial relationships in the health care industry, requires that hospitals and physician hospital organizations (PHO) disclose certain financial information to the Attorney General on an annual basis. Such information is to include financial relationships between the hospital and the PHO; the number of providers; and the frequency of negotiations. The report shall be a public record pursuant to RSA 91-A: 4 and RSA 91-A: 5,IV. Vote 16-1.

Amendment (3733h)

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Hospitals and Physician Hospital Organizations. Amend RSA 151 by inserting after section 30 the following new subdivision:

Hospitals and Physician Hospital Organizations

151:31 Disclosure of Information; Hospitals and Physician Hospital Organizations.

I. Hospitals, as defined in RSA 151-C:2, shall make an annual report, beginning on November 1, 2000, to the attorney general including the following information:

(a) The hospital's financial relationships with physician hospital organizations.

(b) Number and type of providers employed by the hospital and contracting with physician hospital organizations.

(c) Frequency of contract negotiations with providers and physician hospital organizations.

II. The attorney general may review contracts resulting from the relationships set forth under paragraph I.

III. The attorney general may disclose all information required under this subdivision to the commissioner of the department of insurance, the commissioner of the department of health and human services, and any state or federal law enforcement agency.

IV. The annual report shall be a public record pursuant to RSA 91-A:4. The attorney general may, at the request of a submitting party, deem information contained in the annual report or records submitted with the annual report, to be confidential, commercial or financial information which is exempt from public disclosure pursuant to RSA 91-A:5, IV.

AMENDED ANALYSIS

This bill requires hospitals to disclose information regarding financial relationships with physician hospital organizations to the attorney general.

Adopted.

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

HB 1361, relative to ingredients in restaurant-prepared meals. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Commerce: Allergic reactions to some foods prepared in restaurants can be a problem for some people. The sponsor did a good job pointing out many of the hazards that can occur. The New Hampshire Lodging and Restaurant Association will be working with the sponsor and the State Division of Public Health to better educate all food service establishments about the needs of these patrons, and the procedures that should be taken to prevent allergic reactions. The committee felt that increasing the food industries' and customers' awareness was the way to go at this time and that if improvements were not made, the sponsor could introduce new legislation next session. Vote 13-4.

Adopted by the necessary two-thirds.

HB 1403, relative to ownership of property appraisals. INEXPEDIENT TO LEGISLATE

Rep. Joseph D. Kenney for Commerce: This bill establishes that property appraisals maintained by a bank are the personal property of the real estate owner. Several factors suggest that this legislation is impractical. There are numerous types of appraisals and they become outdated very quickly based on a changing market. Currently, federal law requires that a bank provide a copy of an appraisal to anyone who pays for it. Additionally, federal law requires a bank to maintain a list of qualified appraisers and to use only those appraisers. The bill also allows the real estate owner to own the appraisal, not necessarily the person who has paid for it. Vote 10-8.

Adopted by the necessary two-thirds.

(Clerk's note)

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

HB 1451, establishing a committee to study the concept of a northeastern regional compact on matters of interstate commerce. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Dennis P. Vachon for the Majority of Commerce: The majority of the committee applauds the sponsors of HB 1451 for wanting to establish a committee to study matters of interstate commerce among the northeastern states. This issue is so important that the majority of the committee would like to inform House members that partnerships between state governments in the Northeast as well as across the nation already exist. The National Council of State Legislators (NCSL) and the Council of State Government/Eastern Regional Conference (CSG/ERC) currently meet regularly on matters of interstate commerce. CSG/ERC works with the private sector to facilitate regional cooperation as well as international trade from the Northeast. Instead of establishing a study committee, more

legislators should be encouraged to become involved in existing programs promoting interstate commerce. Vote 9-8.

Rep. Keith R. Herman for the Minority of Commerce: This is a simple study committee bill to look into forming a Northeast Regional Compact on interstate trade. Heating oil, prescription drugs, health insurance, and criminal justice are all topics currently being considered on a regional basis. With the growing use of the Internet and the blurring of tax differences between the states, the legislature must be involved with the efforts of the governor's office, various state departments, and private enterprises. The minority feels that because the Commerce Committee has traditionally studied these issues, creation of this study committee makes sense.

Rep. Dickinson spoke against.

Rep. Crosby spoke in favor and yielded to questions.

On a division vote, 162 members having voted in the affirmative, and 137 in the negative, the majority report was adopted.

HB 1589, prohibiting the use of genetic testing for certain insurance policies. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.

Rep. Stephen G. Avery for the Majority of Commerce: This bill, as amended, will affect only long-term care insurance. The committee felt that banning genetic testing with life insurance would be disruptive to the marketplace and would hurt New Hampshire's citizens' availability to buy life insurance. Long-term care insurance is a relatively new product and therefore this bill, as amended, will have a lesser impact on premiums. Given that genetic testing is rarely, if at all done today, and with advice from the insurance department, the committee decided it is premature to ban genetic testing before any consumers have yet to be harmed. This amendment is the same bill that was passed by the house in 1997. Vote 11-7.

Rep. Dennis P. Vachon for the Minority of Commerce: Those of us on the committee who voted against the subcommittee amendment feel that the bill as originally submitted offers a preferable public policy position on the issue. The subcommittee amendment would remove the provision, which would have included life insurance policies of less than \$500,000.00 in the ban against requiring genetic testing or the disclosure of such testing as a condition of coverage. Only a minority of the committee appears to support the concept that such a ban would eliminate the possible chilling effect on the use of genetic testing that allowing insurers to utilize such information has on individuals who might otherwise benefit from it as a health screening device. Unlike the majority of the committee, we believe that the possibility that people are inhibited from using genetic testing to learn if they are hereditarily prone to such diseases as breast cancer outweighs any hypothetical, adverse selection consequence for life insurers.

Amendment (3705h)

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

1 Long-term Care Insurance Coverage. Amend RSA 141-H:4 and RSA 141-H:5 to read as follows:

141-H:4 Use of Genetic Testing in Health Insurance **and Long-term Care Insurance**. [A health] **An** insurer in connection with providing health insurance **or long-term care insurance** shall not:

I. Require or request directly or indirectly any individual or a member of the individual's family to undergo genetic testing.

II. Require or request directly or indirectly any individual to reveal whether the individual or a member of the individual's family has undergone genetic testing or the results of the testing, if undergone by the individual or a member of the individual's family.

III. Condition the provision of health insurance coverage, ***long-term care insurance coverage***, or health care benefits on whether an individual or a member of the individual's family has undergone genetic testing or the results of the testing, if undergone by the individual or a member of the individual's family.

IV. Consider in the determination of rates or any other aspect of health insurance coverage, ***long-term care insurance coverage***, or health care benefits provided to an individual whether an individual or a member of the individual's family has undergone genetic testing or the results of the testing, if undergone by the individual or a member of the individual's family.

141-H:5 Use of Genetic Testing in Life[.] ***and*** Disability Income[~~., and Long-term Care~~ Insurance

I. Except as provided in paragraph II of this section, the provisions of this chapter shall not apply to the provision of life insurance[.] ***or*** disability income insurance[~~., or long-term care insurance~~].

II. A person in the business of providing life[.] ***or*** disability income[~~., or long-term care~~] insurance who obtains information with respect to any genetic testing of an individual or a member of the individual's family shall not use that information in writing a type of insurance coverage other than life[.] ***or*** disability income[~~., or long-term care~~] insurance.

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

AMENDED ANALYSIS

This bill provides that an insurer providing long-term care insurance shall not require persons to undergo genetic testing unless under the terms of an employee benefit plan.

Rep. Vachon spoke against.

Rep. Hunt spoke in favor.

On a division vote, 155 members having voted in the affirmative and 149 in the negative, the majority amendment was adopted.

Majority report adopted and ordered to third reading.

HB 1224, relative to the process for nonrenewal of teacher contracts. OUGHT TO PASS WITH AMENDMENT

Rep. Warren C. Henderson for Education: Reform of what the public knows as "teacher tenure" is one of the most widely supported education initiatives. The committee heard compelling testimony that the problem of "non-renewing" teachers who are deemed nonperforming is real and it is serious.

The current process is so long, so convoluted and so expensive that it clearly is "broken". The committee heard nearly unanimous support for the bill, the only exception being representatives of the teachers' unions. Reforming our educational system will be a lengthy process. Reforming teacher tenure is a very positive step forward in the process. Vote 12-7.

Amendment (3894h)

Amend the bill by replacing section 5 with the following:

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

Adopted.

Reps. Arthur Pelletier and Brennan spoke against.

Reps. Henderson and O'Hearn spoke in favor and yielded to questions.

Rep. Yeaton requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 220 NAYS 114

YEAS 220

BELKNAP

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

CARROLL

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

CHESHIRE

Avery, Stephen	Hunt, John	Lerandean, Alfred	Manning, Joseph
Meador, David	Roberts, William	Rose, William	Royce, H Charles
Smith, Edwin			

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Landers, Dana	Merrill, Gerald	Pratt, Leighton	Tholl, John Jr

GRAFTON

Alger, John	Brothers, Richard	Cobb, John	Gilman, G Michael
Hall, David	Ham, Bonnie	Harmon, Hobart	Hinman, Harry
Marshall, Gene	Phinney, William	Scanlan, David	Solow, Martha
Ward, Brien	Weber, Phil		

HILLSBOROUGH

Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr	Batula, Peter
Beaupre, Roland	Belvin, William	Bergin, Peter	Brundige, Robert
Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald	Chabot, Robert
Christiansen, Lars	Clegg, Robert Jr	Cote, Peter	Coughlin, Pamela
Daigle, Robert	Dalianis, Griffin	Daniels, Gary	Desmarais, Vivian
Desrosiers, William	Dokmo, Cynthia	Durham, Susan	Dyer, Merton
Emerton, Lawrence	Fenton, James	Fields, Dennis	Fletcher, Richard
Flora, Kathleen	Ford, Nancy	Gagnon, Eugene	Ginsburg, Ruth
Goulet, Maurice	Hansen, Herbert	Herman, Keith	Holley, Sylvia
Hunter, Bruce	Jean, Loren	Johnson, Lionel	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Leishman, Peter	Lozeau, Donnalee
MacGillivray, Jeffrey	Martel, Andre	McCarty, Winston	McColgan, Philip Jr
McGough, Tim	Melcher, Harold	Mercer, Robert	Messier, Irene
Milligan, Robert	Moran, Edward	Mosher, William	Murphy, Robert
Nolan-Piteri, Dawn	O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean
Pappas, Marc	Pepino, Leo	Peterson, Andrew	Reeves, Sandra
Rowe, Robert	Sarette, John	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Turgeon, Roland	Wall, Nancy	White, Donald

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Brewster, Richard	Chase, George
Davis, Francis	Feuerstein, Martin	Hager, Elizabeth	Hess, David

Hoadley, Elizabeth	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Larrabee, David Sr	Leber, William	Lockwood, Priscilla	Marple, Richard
Marshall, Kenneth	Maxfield, Roy	Nichols, Avis	Rodd, Beth
Virtue, Carolyn	Whalley, Michael		

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Case, Margaret	Clark, Vivian	Cooney, Richard	Cox, Russell
Dalrymple, Janeen	Dearborn, Bruce	Dowling, Patricia	Downing, Michael
Fesh, Robert	Flanagan, Natalie	Flanders, David	Flanders, John Sr
Francoeur, Sheila	Gleason, John	Grant, Kenneth	Griffin, Mary
Hamel, Albert	Henderson, Warren	Hutchinson, Rebecca	Katsakiores, George
Kelley, William	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Major, Norman	McKinney, Betsy	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
Packard, Sherman	Priestley, Anne	Putnam, Ed II	Rabideau, Marie
Raynowska, Bernard	Ruffner, Walter	Stickney, Nancy	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas	Weare, Everett
Weyler, Kenneth	Whittier, John	Zolla, William	

STRAFFORD

Brown, Julie	Cossette, Larry	Dunlap, Patricia	Kaen, Naida
McKinley, Robert	Musler, George	Snyder, Clair	Spang, Judith
Taylor, Kathleen	Torr, Franklin	Vincent, Francis	Wall, Janet
Woods, Phyllis			

SULLIVAN

Flint, Gordon Sr	Jones, Constance	Kibbey, David	Leone, Richard
Phinzy, James	Robb-Theroux, Amy		

NAYS 114

BELKNAP

Salatiello, Thomas

CARROLL

None

CHESHIRE

Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lynch, Margaret
Lynott, Margaret	McGuirk, Paul	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Riley, William	Robertson, Timothy
Russell, Ronald	Zerba, Roger		

COOS

Glines, Sara	Mears, Edgar	Rodrigue, Robert
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GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Johnson, Gary	Nordgren, Sharon		

HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Buckley, Raymond
Burkush, James	Cote, David	Craig, James	Drabinowicz, A Theresa
Foster, Linda	Franks, Suzan	Garrish, Linda	Goley, Jeffrey
Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard
Jean, Claudette	Keye, Harvey	Konys, Christine	LaPorte, George
Lasky, Bette	Leonard, Peter	Lynde, Harold	McCarthy, William
McDonald, James Sr	McDonough-Wallace, Alice	Mendenhall, Leslie	Moriarty, Mary
Reidy, Frank	Simon, Anthony	Vaillancourt, Steve	White, John
Williams, Carol			

MERRIMACK

Bouchard, Candace	Crosby, Toni	Daneault, Gabriel	Fortnam, Janet
Fraser, Marilyn	French, Barbara	Moore, Carol	Owen, Derek

Potter, Frances	Rosenfield, Jay	Seldin, Gloria	St Cyr, Gerard
Wallin, Jean	Wallner, Mary Jane	Whittemore, James	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Clark, Martha
DiFruscia, Anthony	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Norelli, Terie	Pitts, Jacqueline	Quandt, Marshall	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Vaughn, Charles

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris	Gilmore, Gary
Grassie, Anne	Johnson, Nancy	Keans, Sandra	Knowles, William
Lent, Donald	Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Twardus, Joseph	Vachon, Dennis	

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Tuthill, John	Wiggins, Celestine		

and the report was adopted.

Ordered to third reading.

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

HB 1427, relative to the calculation of the days of school in the school year. REFER FOR INTERIM STUDY

Rep. P. Judith Sullivan for Education: This bill would allow local school boards to credit equivalent, total instructional hours toward the total required number of school days in a school year. The majority of the committee agrees with the intent of this bill, but believes there are several issues that need further study. Rule Ed. 306.05 has a process, which currently allows for this type of alternative scheduling, but only for one year at a time. The term "instructional hours", as referred to in Rules is not clearly defined. The majority of the committee recommends this bill to interim study. Vote 16-3.

Adopted.

HB 1619-FN, relative to school employee and volunteer background investigations. OUGHT TO PASS WITH AMENDMENT

Rep. Brien L. Ward for Education: This bill, as amended, prohibits an individual who is convicted of certain felony drug offenses from being employed or volunteering in New Hampshire schools. Appropriate governing bodies may, however, waive the prohibition of employment if the conviction date preceded the date of hire by at least 10 years. Vote 14-3.

Amendment (3889h)

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

1 Education; School Boards, Transportation and Instruction of Pupils; School Employee and Volunteer Background Investigation; Criminal History Records Information. RSA 189:13-a, II and III are repealed and reenacted to read as follows:

II. The selected applicant for employment or designated volunteer with a school administrative unit, school district, or charter school shall submit to the employer a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of information regarding the presence or absence of any record of convictions of the applicant of felonies or of the crimes listed in paragraph V. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the school administrative unit, school district, or charter school. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school district, or charter school may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant has lived during the past 5 years.

III. The school administrative unit, school district, or charter school shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, or charter school, and shall report the presence or absence of any such crime to the school administrative unit, school district, or charter school. Under no circumstances shall the criminal records be released to the school administrative unit, school district, or charter school. The state police shall simultaneously send the applicant a copy of the information sent to the hiring school administrative unit, school district, or charter school. The school administrative unit, school district, or charter school shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the school administrative unit, school district, or charter school shall destroy the information received immediately following its review of the information. If the criminal history records information indicates that the applicant has been convicted of a felony or of a crime listed in paragraph V, the school administrative unit, school district, or charter school shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such convictions. The school administrative unit, school district, or charter school shall destroy any criminal history record information that indicates a criminal record within 30 days of receiving such information.

2 Education; School Boards, Transportation and Instruction of Pupils; School Employee and Volunteer Background Investigation; Crimes Changed. Amend RSA 189:13-a, V to read as follows:

V. Any person who has been convicted of [~~murder, child pornography, aggravated felonious sexual assault, felonious sexual assault, or kidnapping~~] ***any violation or attempted violation of RSA 630:1, 630:1-a, 630:1-b, 630:2, 632-A:2, 632-A:3, 632-A:4 633:1, 639:2, 639:3, 645:1, I(b), 645:2, 649-A:3, 649-B:3, 649-B:4, any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene, or convicted, of any felony offense under RSA 318-B:26 which involves possessing, manufacturing, selling, prescribing, administering, dispensing, or possessing with intent to sell, dispense, or compound any controlled drug or its analog***, in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, or charter school. By decision of the appropriate governing body, a school administrative unit, school district, or charter school may deny a selected applicant a final offer of employment if such person has been convicted of any felony in addition to those listed above. The governing body may adopt a policy stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired.

3 New Paragraph; School Employee and Volunteer Background Investigation; Statute of Limitation Inserted. Amend RSA 189:13-a by inserting after paragraph V the following new paragraph:

V-a. Notwithstanding any other provision of the law to the contrary, upon approval of the appropriate governing body, a school administrative unit, school district, or charter school may hire an applicant or designated volunteer who has been convicted of a felony under RSA 318-B:26, or a reasonably equivalent offense in another state or territory of the United States, which involves possessing, manufacturing, selling, prescribing, administering, dispensing, or possessing with intent to sell, dispense, or compound any controlled drug or its analog, provided that the conviction date preceded the date of hire by at least 10 years.

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

AMENDED ANALYSIS

This bill modifies the procedure for conducting a criminal background investigation on selected applicants for employment and designated volunteers with a school district, school administrative unit, or charter school. The bill also prohibits a school district, school administrative unit, or charter school from hiring, in an employment or volunteer capacity, any person who has been convicted of a felony controlled drug offense.

Adopted.

Report adopted and ordered to third reading.

HB 1252, establishing a beneficial use policy for wastewater sludge and providing technical and education assistance to municipalities and their residents concerning the beneficial use of sludge. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS

Rep. Betty B. Hall for the Majority of Environment and Agriculture: DES has been given rulemaking authority by the legislature for regulating sludge and can provide technical and educational assistance under current rules. This bill is not needed. Vote 9-8.

Rep. Harold P. Melcher for the Minority of Environment and Agriculture: This bill establishes as a clear duty of the Department of Environmental Services to provide technical and educational

assistance on both the benefits and the risks of recycling sludge and on how to improve sludge quality. The minority strongly supports that duty.

Reps. Patten and Melcher spoke against.

Reps. Owen and Betty Hall spoke in favor.

Rep. Tuthill spoke in favor and yielded to questions.

Rep. Betty Hall requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 199 NAYS 138

YEAS 199

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Czech, Stanley	Holbrook, Robert
Millham, Alida	Russell, David	Salatiello, Thomas	Turner, Robert
Wood, Jane			

CARROLL

Bradley, Jeb	Dickinson, Howard	Howard, Godfrey	Kenney, Joseph
Lyman, L Randy	Sullivan, P Judith		

CHESHIRE

Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lerandean, Alfred
Lynch, Margaret	Lynott, Margaret	McGuirk, Paul	Mitchell, McKim
Pratt, Irene	Pratt, John	Richardson, Barbara	Riley, William
Robertson, Timothy	Zerba, Roger		

COOS

Gallus, John	Glines, Sara	Horton, Lynn	Landers, Dana
Mears, Edgar			

GRAFTON

Copenhaver, Marion	Gilman, G Michael	Guest, Robert	Hinman, Harry
Johnson, Gary	Mirski, Paul	Nordgren, Sharon	Solow, Martha

HILLSBOROUGH

Ahern, Richard	Andrews, Frederick	Arthur, Rose	Baroody, Benjamin
Beaupre, Roland	Bruno, Pierre	Buckley, Raymond	Burkush, James
Carlson, Donald	Chabot, Robert	Cote, David	Cote, Peter
Coughlin, Pamela	Daigle, Robert	Desmarais, Vivian	Desrosiers, William
Drabinowicz, A Theresa	Durham, Susan	Dyer, Merton	Fields, Dennis
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Foster, Linda
Gagnon, Eugene	Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey
Goulet, Maurice	Haettenschwiller, Alphonse	Hall, Betty	Herman, Richard
Holley, Sylvia	Hunter, Bruce	Jean, Claudette	Jean, Loren
Johnson, Lionel	Keye, Harvey	Konys, Christine	L'Heureux, Robert
LaPorte, George	Lasky, Bette	Leonard, Peter	Lynde, Harold
McCarthy, William	McColgan, Philip Jr	McDonald, James Sr	McDonough-Wallace, Alice
Mendenhall, Leslie	Messier, Irene	Milligan, Robert	Moriarty, Mary
Mosher, William	Murphy, Robert	O'Hearn, Jane	Pepino, Leo
Reidy, Frank	Sarette, John	Sargent, Maxwell	Simon, Anthony
Turgeon, Roland	Vaillancourt, Steve	White, John	Williams, Carol

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Brewster, Richard
Crosby, Toni	Daneault, Gabriel	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Hess, David	Jacobson, Alf
Kennedy, Richard	Lockwood, Priscilla	Moore, Carol	Owen, Derek
Rodd, Beth	Seldin, Gloria	St Cyr, Gerard	Virtue, Carolyn
Wallin, Jean	Wallner, Mary Jane	Yeaton, Charles	

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Blanchard, MaryAnn	Clark, Martha
Clark, Vivian	DiFruscia, Anthony	Downing, Michael	Fesh, Robert
Flanders, David	Flanders, John Sr	Hamel, Albert	Hutchinson, Rebecca

Johnson, Robert	Kane, Cecelia	Katsakiores, George	Kelley, Jane
Kelley, William	Kobel, Rudolph	Moore, Benjamin	Morse, Charles
Norelli, Terie	Nowe, Ronald	Packard, Sherman	Pitts, Jacqueline
Putnam, Ed II	Quandt, Marshall	Rabideau, Marie	Reardon, Neil
Ruffner, Walter	Shultis, Elizabeth	Splaine, James	Stone, Joseph
Tufts, J Arthur	Vaughn, Charles	Zolla, William	

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
DeChane, Marlene	Dunlap, Patricia	Estabrook, Iris	Gilmore, Gary
Grassie, Anne	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Lent, Donald	Pelletier, Arthur	Rogers, Rose Marie
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Kathleen
Torr, Franklin	Vachon, Dennis	Vincent, Francis	Wall, Janet
Woods, Phyllis			

SULLIVAN

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

NAYS 138

BELKNAP

Boyce, Robert	Johnson, James	Lawton, David	Pilliod, James
Rice, Thomas	Rosen, Ralph	Thomas, John	Wendelboe, Francine

CARROLL

Babson, David Jr	Chandler, Gene	Mock, Henry	Patten, Betsey
Philbrick, Donald			

CHESHIRE

Avery, Stephen	Hunt, John	Manning, Joseph	Meador, David
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Roberts, William
Smith, Edwin

Rose, William

Royce, H Charles

Russell, Ronald

COOS

Davis, Perley

Guay, Lawrence

Merrill, Gerald

Pratt, Leighton

Rodrigue, Robert

Tholl, John Jr

GRAFTON

Alger, John

Almy, Susan

Brothers, Richard

Cobb, John

Densmore, Jessica

Hall, David

Ham, Bonnie

Harmon, Hobart

Marshall, Gene

Phinney, William

Scanlan, David

Ward, Brien

Weber, Phil

HILLSBOROUGH

Alukonis, David

Arnold, Thomas Jr

Batula, Peter

Belvin, William

Bergin, Peter

Brundige, Robert

Calawa, Leon Jr

Christiansen, Lars

Clegg, Robert Jr

Craig, James

Dalianis, Griffin

Daniels, Gary

Dokmo, Cynthia

Emerton, Lawrence

Franks, Suzan

Gorman, Mary

Hansen, Herbert

Herman, Keith

Kurk, Neal

LaRose, Richard

Leishman, Peter

Lozeau, Donnalee

MacGillivray, Jeffrey

Martel, Andre

McCarty, Winston

McGough, Tim

Melcher, Harold

Mercer, Robert

Nolan-Piteri, Dawn

O'Connell, Timothy

Ouellette, Dean

Pappas, Marc

Peterson, Andrew

Reeves, Sandra

Rowe, Robert

Tate, Joan

Thulander, O Alan

Wall, Nancy

White, Donald

MERRIMACK

Chase, George

Davis, Francis

Feuerstein, Martin

Hager, Elizabeth

Hoadley, Elizabeth

Langer, Ray

Larrabee, David Sr

Leber, William

Marple, Richard

Marshall, Kenneth

Maxfield, Roy

Nichols, Avis

Potter, Frances

Rosenfield, Jay

Whalley, Michael

Whittemore, James

ROCKINGHAM

Arndt, Janet

Beaulieu, Jon

Bishop, Franklin

Bridle, Russell

Case, Margaret	Cooney, Richard	Cox, Russell	Dalrymple, Janeen
Dearborn, Bruce	Dowling, Patricia	Flanagan, Natalie	Francoeur, Sheila
Gleason, John	Grant, Kenneth	Griffin, Mary	Henderson, Warren
Langley, Jane	Langone, John	Letourneau, Robert	Major, Norman
McKinney, Betsy	Nowe, Mary Lou	Noyes, Richard	Priestley, Anne
Raynowska, Bernard	Rubin, George	Schanda, Frank	Shelton, Richard
Stickney, Nancy	Stritch, C Donald	Varrell, Thomas	Weare, Everett
Weyler, Kenneth	Whittier, John		

STRAFFORD

Brown, Julie	Cossette, Larry	Domingo, Baldwin	McKinley, Robert
Rollo, Michael	Twardus, Joseph		

SULLIVAN

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

Rep. Howard voted Yea and intended to vote Nay.

HB 1342-FN, relative to measurements of heavy metals and other compounds in sludge. OUGHT TO PASS WITH AMENDMENT

Rep. Betty B. Hall for Environment and Agriculture: Uniform methods for testing sludge are required by EPA. Their protocol requires the result to be expressed in dry weight. NH DES takes the dry weight result and converts it to wet weight for the purpose of deciding whether the sludge measured is hazardous waste or not under the NH hazardous waste mixture rule. This rule will expire in August of 2000. This amendment is a compromise between DES and unsafe sludge opponents on the Committee. It will require DES to develop maximum allowable contaminant levels for each chemical listed in NH rules in a reasonable amount of time. Both sides believe this will result in realistic NH standard for sludge generated and imported in NH. Vote 8-5.

Amendment (3872h)

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

AN ACT directing the department of environmental services to adopt concentration limits for certain compounds in land applied sludge.

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

1 Department of Environmental Services; Concentration Limits for Volatile and Semi-volatile Organic Compounds in Sludge. The department of environmental services shall use its

existing statutory authority to adopt by rule, in consultation with the health risk assessment bureau under RSA 125-H:3, II, concentration limits for each volatile and semi-volatile organic compound that the department requires testing for in sludges that are land applied. The department shall initiate rulemaking under RSA 541-A within 18 months of the effective date of this act for the following compounds:

- I. Bis(2-ethylhexyl) phthalate.
- II. Benzo(a)pyrene.
- III. Benzo(a)anthracene.
- IV. Benzidine.
- V. Acetone.
- VI. 4-Chloroaniline.
- VII. Carbon disulfide.
- VIII. Chloroform.
- IX. Methylene chloride.
- X. 2-Butanone (MEK).
- XI. 2-Hexanone.
- XII. 4-Methyl phenol.
- XIII. 1,2 Dichloroethane.
- XIV. Dichlorobromomethane.
- XV. Dibromochloromethane.
- XVI. 1,1,2,2 Tetrachloroethane.
- XVII. 1,2 Dibromo-3-chloropropane.
- XVIII. 1,2 Dibromoethane.
- XIX. Phenol.
- XX. Benzo(b)fluoranthene.
- XXI. Benzo(k)fluoranthene.
- XXII. Toluene.

XXIII. Tetrachloroethene.

XXIV. O,m,&p Dichlorobenzene.

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

AMENDED ANALYSIS

This bill directs the department of environmental services to adopt by rule, in consultation with the health risk assessment bureau, concentration limits for each volatile and semi-volatile organic compound that the department requires testing for in sludges that are land applied. This bill also directs the department to initiate rulemaking within 18 months for certain specified compounds.

Adopted.

Report adopted and ordered to third reading.

HB 1410, relative to the joint health council. OUGHT TO PASS WITH AMENDMENT

Rep. Alida I. Millham for Executive Departments and Administration: This bill revised the joint health council for the purpose of improving the ability of the council to maintain the A.R.N.P. drug formulary and discuss matters of mutual concern. The changes include 1. Making a change in the membership of the council by adding a clinical pharmacist. The council will be composed of 3 licensed Advanced Nurse Practitioners, appointed by the board of nursing; 3 licensed practicing physicians, appointed by the board of medicine; and 3 licensed clinical pharmacists appointed by the board of pharmacy. 2. None of the members will be members of their respective professional board. 3. Providing for an appeals process to the council regarding formulary drug decisions. 4. Instructing that the A.R.N.P. drug formulary shall be updated at least annually and shall be available in paper and electronic format from the board of nursing, the board of medicine, and the board of pharmacy. A majority of the committee agreed that these were appropriate changes for the Joint Health Council. Vote 14-4.

Amendment (3891h)

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

1 Joint Health Council; Membership; Duties. Amend RSA 326-B:10-a, I-III to read as follows:

326-B:10-a Joint Health Council.

I.(a) The joint health council shall consist of ~~[the following]~~ **9** members *as follows*: ~~[the chair of the board of nursing, or designee who shall be a member of the board of nursing; one advanced registered nurse practitioner who is a member of the board of nursing currently licensed to practice nursing under RSA 326-B, appointed by the chair of that board; the chair of the board of medicine, or designee who shall be a member of the board of medicine; 2 physicians currently licensed to practice medicine under RSA 329 and who have worked collaboratively with advanced registered nurse practitioners, appointed by the chair of that board, provided that one of the physicians is a member of the board of medicine; the chair of the board of pharmacy, or designee who shall be a member of the board of pharmacy; and one member of the board of pharmacy currently licensed to practice as a clinical pharmacist under RSA 318, appointed by the chair of that board]~~ **3 licensed, practicing advanced registered nurse practitioners, appointed by the board of**

nursing; 3 licensed, practicing physicians, appointed by the board of medicine, who work with advanced registered nurse practitioners; and 3 licensed clinical pharmacists appointed by the board of pharmacy, who are practicing clinical pharmacists. In no case shall a member of the joint health council be a member of the member's respective board.

(b) The chairmanship of the council shall rotate annually among the ~~[representatives]~~ ***appointees*** of the respective boards. ***Clerical support shall be provided on a rotating basis among the boards.***

(c) Members of the council shall be appointed for 3-year terms and shall serve no more than 2 terms.

II. The council shall meet not less than once every 3 months to discuss matters pertinent to the A.R.N.P. formulary and matters of mutual concern to the board of medicine, the board of nursing and the board of pharmacy, ***unless there are no agenda items.*** ~~[Each of the 3 boards]~~ ***Any council member*** may submit items to be assigned to the agenda for every meeting of the council. ~~[Any items on the agenda not addressed at a particular council meeting shall be decided at the next meeting of the council.]~~ ***Any council member may request that an item submitted for consideration by the council include relevant scientific information from recognized professional publications. A denial of a requested item or decision to further restrict a drug already approved shall be in writing and include relevant scientific information from recognized professional publications.***

III. The duties of the joint health council shall include, but not be limited to, adding or altering the list of controlled and noncontrolled molecular entities on the A.R.N.P. formulary. Decisions on such additions or alterations shall be rendered within 3 months of initial consideration by the council ***unless there is a request for additional scientific information.*** ~~[Any new controlled or noncontrolled molecular entities, in accordance with federal Food and Drug Administration provisions in 21 C.F.R. part 312, that are available after September 1, 1994, shall be considered for approval by the board upon petition by advanced registered nurse practitioners and approved for use by advanced registered nurse practitioners only after an affirmative vote of the joint health council].~~ ***Appeals of decisions of the council shall be submitted to the council in writing for further deliberation by the council. The A.R.N.P. formulary shall be updated at least annually and shall be available in paper and electronic format from the board of nursing, the board of medicine, and the board of pharmacy.***

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

Adopted.

Report adopted and ordered to third reading.

HB 1610-FN, regulating indoor tanning facilities. MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Sylvia A. Holley for Majority of Executive Departments and Administration: Patronizing indoor tanning facilities is a lifestyle choice. UVA rays may cause tan, aging of the skin, skin cancers and cataracts. UVB rays cause sunburn. Ultraviolet light can cause serious reactions. The committee recognized the need to require the salons to post warning signs and require written warning statements to be handed to all customers but felt more study was needed to effectively put into place the requirement of licensure under the appropriate board, crafting the parental/guardian written

consent form for minors under age 14 and the setting up of an inspection, monitoring and enforcement program. Vote 11-6.

Rep. Carolyn A. Virtue for the Minority of Executive Departments and Administration: The minority of the committee is very concerned about the public safety issues that were clearly identified in the public hearing and subsequent work session. Compelling testimony was given by licensed physicians who have treated patients with serious burns that resulted from the use of equipment at indoor tanning facilities. The amendment restricts the use of indoor tanning facilities by children. The amendment requires tanning facilities to post warning signs and establishes a committee to study the need for licensure of and to consider enforcing regulations for indoor tanning facilities. We agree with the majority that this issue requires further study, which the amendment provides for in addition to the warning.

Majority report adopted.

HB 1485-FN, relative to a certain proposed toll booth. REFER FOR INTERIM STUDY

Rep. Kenneth L. Weyler for Finance: The executive council has authorized a study to judge the financial effects of phasing out tolls on the New Hampshire Turnpike System. The report is due in August of this year. As this is a major policy shift in paying for some major highway projects, the committee felt that toll booth decisions should not be made until said report was evaluated. In the interim, the toll booth that is the subject of this bill has not been completed, does not collect tolls, and is specifically addressed in the study as not planned to produce revenue. Vote 23-1.

Adopted.

HB 1557-FN-A, increasing the cigarette tax. INEXPEDIENT TO LEGISLATE

Rep. Kenneth L. Weyler for Finance: On July 6, 1999, the cigarette tax was increased by 15 cents per pack to 52 cents. As this began to affect state revenues there were other developments. The tobacco companies settled the suit to agree to pay damages to the states. The companies increased the cost of cigarettes to fund the settlement. All these developments have caused smokers to cut back, resulting in lower per pack sales. We experience approximately 30 per cent of sales to out-of-state buyers. A further tax increase will reduce the price advantage over bordering states and likely reduce sales further. Recent revenue figures suggest a decline in revenue for March of about 50% below plan. This may be a short-term trend or an indication of long-term decline. This revenue source has become so volatile that adding to the tax seems futile. Vote 21-4.

Rep. Fuller Clark spoke against.

Rep. Weyler spoke in favor and yielded to questions.

motion to lay on the table

Rep. Pilliod moved that **HB 1557-FN-A**, increasing the cigarette tax, be laid on the table.

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

YEAS 145 NAYS 196

YEAS 145

BELKNAP

Millham, Alida	Pilliod, James	Rosen, Ralph	Salatiello, Thomas
Wood, Jane			

CARROLL

None

CHESHIRE

Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lerandean, Alfred
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	Meador, David
Mitchell, McKim	Pratt, Irene	Pratt, John	Richardson, Barbara
Riley, William	Russell, Ronald	Zerba, Roger	

COOS

Glines, Sara	Mears, Edgar	Rodrigue, Robert
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GRAFTON

Almy, Susan	Copenhaver, Marion	Guest, Robert	Ham, Bonnie
Johnson, Gary	Nordgren, Sharon	Solow, Martha	

HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Buckley, Raymond
Burkush, James	Cote, David	Cote, Peter	Craig, James
Daigle, Robert	Drabinowicz, A Theresa	Dwyer, Paul Sr	Ford, Nancy
Foster, Linda	Franks, Suzan	Garrish, Linda	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty
Herman, Richard	Jean, Claudette	Johnson, Lionel	Keye, Harvey
Konys, Christine	LaPorte, George	Lasky, Bette	Leonard, Peter
Lynde, Harold	McCarthy, William	McColgan, Philip Jr	McDonald, James Sr

McDonough-Wallace, Alice	Melcher, Harold	Mendenhall, Leslie	Messier, Irene
Moriarty, Mary	Murphy, Robert	O'Hearn, Jane	Peterson, Andrew
Reidy, Frank	Sarette, John	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	Moore, Carol	Owen, Derek
Potter, Frances	Rodd, Beth	Rosenfield, Jay	Seldin, Gloria
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Blanchard, MaryAnn	Clark, Martha	Cooney, Richard
Dearborn, Bruce	Downing, Michael	Hutchinson, Rebecca	Kane, Cecelia
Kelley, Jane	Norelli, Terie	Pitts, Jacqueline	Quandt, Marshall
Schanda, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Vaughn, Charles			

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Callaghan, Frank
DeChane, Marlene	Domingo, Baldwin	Estabrook, Iris	Gilmore, Gary
Grassie, Anne	Johnson, Nancy	Kaen, Naida	Knowles, William
Lent, Donald	Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Kathleen
Twardus, Joseph	Vachon, Dennis	Wall, Janet	

SULLIVAN

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

BELKNAP

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

CARROLL

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

CHESHIRE

Avery, Stephen	Hunt, John	McGuirk, Paul	Roberts, William
Robertson, Timothy	Rose, William	Royce, H Charles	Smith, Edwin

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Landers, Dana	Merrill, Gerald	Pratt, Leighton	Tholl, John Jr

GRAFTON

Alger, John	Brothers, Richard	Cobb, John	Densmore, Jessica
Gilman, G Michael	Hall, David	Harmon, Hobart	Hinman, Harry
Marshall, Gene	Mirski, Paul	Phinney, William	Scanlan, David
Ward, Brien			

HILLSBOROUGH

Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr	Batula, Peter
Beaupre, Roland	Belvin, William	Bergin, Peter	Brundige, Robert
Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald	Chabot, Robert
Christiansen, Lars	Clegg, Robert Jr	Coughlin, Pamela	Dalianis, Griffin
Daniels, Gary	Desmarais, Vivian	Desrosiers, William	Dokmo, Cynthia
Durham, Susan	Dyer, Merton	Emerton, Lawrence	Fenton, James
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Gagnon, Eugene

Goulet, Maurice	Hansen, Herbert	Herman, Keith	Holley, Sylvia
Hunter, Bruce	Jean, Loren	Kurk, Neal	L'Heureux, Robert
LaRose, Richard	Leishman, Peter	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	McCarty, Winston	McGough, Tim	Mercer, Robert
Milligan, Robert	Moran, Edward	Mosher, William	Nolan-Piteri, Dawn
O'Connell, Timothy	Ouellette, Dean	Pappas, Marc	Pepino, Leo
Reeves, Sandra	Rowe, Robert	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Vaillancourt, Steve	Wall, Nancy	White, Donald

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Brewster, Richard	Hager, Elizabeth
Hess, David	Hoadley, Elizabeth	Jacobson, Alf	Kennedy, Richard
Langer, Ray	Larrabee, David Sr	Leber, William	Lockwood, Priscilla
Marple, Richard	Marshall, Kenneth	Maxfield, Roy	Nichols, Avis
Poulin, Dave	St Cyr, Gerard	Whalley, Michael	

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Case, Margaret	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	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kelley, William	Kobel, Rudolph	Langley, Jane	Langone, John
Letourneau, Robert	Major, Norman	McKinney, Betsy	Moore, Benjamin
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
Packard, Sherman	Priestley, Anne	Putnam, Ed II	Rabideau, Marie
Raynowska, Bernard	Reardon, Neil	Rubin, George	Ruffner, Walter
Stickney, Nancy	Stone, Joseph	Tufts, J Arthur	Varrell, Thomas
Weare, Everett	Weyler, Kenneth	Whittier, John	Zolla, William

STRAFFORD

Brown, Julie	Cossette, Larry	Dunlap, Patricia	Keans, Sandra
McKinley, Robert	Musler, George	Torr, Franklin	Vincent, Francis

Woods, Phyllis

SULLIVAN

Jones, Constance

Kibbey, David

Leone, Richard

Phinizy, James

and the motion failed.

The question now being the adoption of the report.

Rep. Brewster spoke against.

Rep. Alukonis spoke in favor and yielded to questions.

Rep. Gilmore requested a roll call; sufficiently seconded.

YEAS 212 NAYS 131

YEAS 212

BELKNAP

Bartlett, Gordon

Boriso, Thomas

Boyce, Robert

Czech, Stanley

Holbrook, Robert

Johnson, James

Lawton, David

Rice, Thomas

Russell, David

Thomas, John

Turner, Robert

Wendelboe, Francine

CARROLL

Babson, David Jr

Bradley, Jeb

Chandler, Gene

Dickinson, Howard

Howard, Godfrey

Kenney, Joseph

Lyman, L Randy

Mock, Henry

Patten, Betsey

Philbrick, Donald

Sullivan, P Judith

CHESHIRE

Avery, Stephen

Blaisdell, Michael

Hunt, John

Lynch, Margaret

Lynott, Margaret

Meader, David

Roberts, William

Robertson, Timothy

Rose, William

Royce, H Charles

Smith, Edwin

COOS

Gallus, John

Guay, Lawrence

Horton, Lynn

Landers, Dana

Mears, Edgar
Tholl, John Jr

Merrill, Gerald

Pratt, Leighton

Rodrigue, Robert

GRAFTON

Alger, John

Brothers, Richard

Cobb, John

Gilman, G Michael

Hall, David

Harmon, Hobart

Hinman, Harry

Marshall, Gene

Mirski, Paul

Phinney, William

Scanlan, David

Ward, Brien

HILLSBOROUGH

Alukonis, David

Andrews, Frederick

Arnold, Thomas Jr

Baroody, Benjamin

Batula, Peter

Beaupre, Roland

Belvin, William

Bergin, Peter

Brundige, Robert

Bruno, Pierre

Calawa, Leon Jr

Carlson, Donald

Chabot, Robert

Christiansen, Lars

Clegg, Robert Jr

Coughlin, Pamela

Dalianis, Griffin

Daniels, Gary

Desmarais, Vivian

Desrosiers, William

Dokmo, Cynthia

Durham, Susan

Dyer, Merton

Fenton, James

Fields, Dennis

Fletcher, Richard

Ford, Nancy

Gagnon, Eugene

Goulet, Maurice

Herman, Keith

Holley, Sylvia

Hunter, Bruce

Jean, Loren

Johnson, Lionel

Kurk, Neal

L'Heureux, Robert

LaPorte, George

LaRose, Richard

Leonard, Peter

Lozeau, Donnalee

MacGillivray, Jeffrey

Martel, Andre

McCarthy, William

McCarty, Winston

McGough, Tim

Mercer, Robert

Messier, Irene

Milligan, Robert

Moran, Edward

Mosher, William

Nolan-Piteri, Dawn

O'Connell, Timothy

Ouellette, Dean

Pappas, Marc

Pepino, Leo

Reeves, Sandra

Rowe, Robert

Sargent, Maxwell

Tate, Joan

Thulander, O Alan

Turgeon, Roland

Vaillancourt, Steve

Wall, Nancy

White, Donald

MERRIMACK

Anderson, Eric

Asplund, Bronwyn

Daneault, Gabriel

Hager, Elizabeth

Hess, David

Hoadley, Elizabeth

Jacobson, Alf

Kennedy, Richard

Langer, Ray

Larrabee, David Sr

Leber, William

Lockwood, Priscilla

Marple, Richard

Marshall, Kenneth

Maxfield, Roy

Nichols, Avis

Poulin, Dave

St Cyr, Gerard

Virtue, Carolyn

Wallin, Jean

Whalley, Michael

ROCKINGHAM

Abbott, Dennis	Arndt, Janet	Beaulieu, Jon	Belanger, Ronald
Bishop, Franklin	Bridle, Russell	Case, Margaret	Clark, Vivian
Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony
Dowling, Patricia	Downing, Michael	Fesh, Robert	Flanagan, Natalie
Flanders, David	Flanders, John Sr	Francoeur, Sheila	Gleason, John
Grant, Kenneth	Griffin, Mary	Hamel, Albert	Henderson, Warren
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Kobel, Rudolph	Langley, Jane	Letourneau, Robert	Major, Norman
McKinney, Betsy	Mikowski, Walter	Moore, Benjamin	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	Packard, Sherman
Priestley, Anne	Putnam, Ed II	Quandt, Marshall	Rabideau, Marie
Raynowska, Bernard	Reardon, Neil	Rubin, George	Stickney, Nancy
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas
Weare, Everett	Weyler, Kenneth	Whittier, John	Zolla, William

STRAFFORD

Bickford, David	Brown, Julie	Callaghan, Frank	Cossette, Larry
Dunlap, Patricia	Keans, Sandra	McKinley, Robert	Musler, George
Rollo, Michael	Torr, Franklin	Vincent, Francis	Wall, Janet
Woods, Phyllis			

SULLIVAN

Kibbey, David	Leone, Richard	Phinizy, James
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NAYS 131

BELKNAP

Millham, Alida	Pilliod, James	Rosen, Ralph	Salatiello, Thomas
Wood, Jane			

CARROLL

None

CHESHIRE

Batchelder, Robert	Burnham, Daniel	Lerandean, Alfred	Manning, Joseph
Mitchell, McKim	Pratt, Irene	Pratt, John	Richardson, Barbara
Riley, William	Russell, Ronald	Zerba, Roger	

COOS

Davis, Perley	Glines, Sara
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GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Ham, Bonnie	Johnson, Gary	Nordgren, Sharon	Solow, Martha

HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Buckley, Raymond	Burkush, James
Cote, David	Cote, Peter	Craig, James	Daigle, Robert
Drabinowicz, A Theresa	Dwyer, Paul Sr	Emerton, Lawrence	Flora, Kathleen
Foster, Linda	Franks, Suzan	Garrish, Linda	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Haettenschwiller, Alphonse	Hall, Betty
Hansen, Herbert	Herman, Richard	Jean, Claudette	Keye, Harvey
Konys, Christine	Lasky, Bette	Leishman, Peter	Lynde, Harold
McColgan, Philip Jr	McDonald, James Sr	McDonough-Wallace, Alice	Melcher, Harold
Mendenhall, Leslie	Moriarty, Mary	Murphy, Robert	O'Hearn, Jane
Peterson, Andrew	Reidy, Frank	Sarette, John	Simon, Anthony
White, John	Williams, Carol		

MERRIMACK

Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Davis, Francis	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Moore, Carol	Owen, Derek
Potter, Frances	Rodd, Beth	Rosenfield, Jay	Seldin, Gloria
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	

ROCKINGHAM

Blanchard, MaryAnn	Clark, Martha	Cooney, Richard	Hutchinson, Rebecca
Kane, Cecelia	Kelley, Jane	Langone, John	Norelli, Terie
Pitts, Jacqueline	Ruffner, Walter	Schanda, Frank	Shelton, Richard
Shultis, Elizabeth	Splaine, James	Vaughn, Charles	

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	DeChane, Marlene
Domingo, Baldwin	Estabrook, Iris	Gilmore, Gary	Grassie, Anne
Johnson, Nancy	Kaen, Naida	Knowles, William	Lent, Donald
Pelletier, Arthur	Rogers, Rose Marie	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Kathleen	Twardus, Joseph	Vachon, Dennis

SULLIVAN

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

and the report was adopted.

RECESS

(Speaker Sytek in the Chair)

HB 1587-FN, relative to payment of health insurance costs for certain child day care agencies.
MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.

Rep. William S. Belvin for the Majority of Finance: This bill establishes a new, three-year state-sponsored pilot program that, for the first time, would have the state providing from 35-50% of the cost of health insurance for child care givers in private child care agencies. The concept is that partial health insurance coverage would encourage child care agencies to accept more children from low income families and to experience greater stability in the child care workforce receiving the health care benefit. Availability of affordable and quality child care is a serious concern, but the bill leaves unanswered many material questions that require further study. The committee was unable to determine the sufficiency of existing day care openings in both the licenses and unlicensed facilities. There is inadequate information on why providers and caregivers enter and leave the industry, or if incremental wages or partial health care payments are of more importance. Finally the funding is of uncertain origin and could grow to be in excess of \$1 million of the general fund during the final year of pilot. No sustaining funding is identified in the bill. This is particularly troubling during our current budget deficit.

This is a well-intended bill but it needs further thoughtful investigation on the best way to proceed to ensure quality child care, so the committee voted Interim Study. Vote 16-10

Rep. Mary Jane Wallner for the Minority of Finance: The House Commerce Committee amended this original bill to become a 3-year pilot program. The first year of the pilot no funds would be expended, but the Department of Health and Human Services would develop the rules of the program, investigate funding through a variety of funding sources and develop the criteria to be measured during the pilot program.

In July of 2001 the program would begin providing partial payments for health insurance benefits for child care providers who care for the children of New Hampshire's lowest income working families. Child care is a vital component of New Hampshire's welfare-to-work initiatives and this pilot program is designed to provide an incentive for licensed child care providers to accept low income children whose families receive state assistance. The pilot will collect data on provider retention, number of children receiving care, and change in number of providers who will care for these low income children. At the end of the 3-year pilot program the legislature would evaluate the data and decide whether to continue the program.

This program will not solve all of the problems facing our state's supply, affordability and quality of child care. It is a modest initiative to address one area of a complex issue. The field pilot program itself is a study which will supply us with valuable data.

Presently we have available numerous legislative and state government groups looking at child care and early education, i.e., the Kids Cabinet, the NH Child Care Advisory Council, the Early Childhood Education Commission, NH Healthy Kids, the Governor's Business Commission on Child Care and Early Child Education. There are already ample opportunities to study child care issues and this study committee is not likely to add to our knowledge. What's needed in child care is not another study but action to start to address the serious issues in the field.

Reps. Vachon and Hager spoke against.

Reps. Wendelboe and Kurk spoke in favor.

Rep. Wallner spoke against and yielded to questions.

Rep. Hunt spoke in favor and yielded to questions.

Rep. Harmon requested a roll call; sufficiently seconded.

The question being the adoption of the majority report.

YEAS 196 NAYS 153

YEAS 196

BELKNAP

Bartlett, Gordon

Boriso, Thomas

Boyce, Robert

Czech, Stanley

Holbrook, Robert
Rosen, Ralph
Wendelboe, Francine

Johnson, James
Russell, David

Lawton, David
Thomas, John

Rice, Thomas
Turner, Robert

CARROLL

Babson, David Jr
Howard, Godfrey
Patten, Betsey

Bradley, Jeb
Kenney, Joseph
Philbrick, Donald

Chandler, Gene
Lyman, L Randy
Sullivan, P Judith

Dickinson, Howard
Mock, Henry

CHESHIRE

Hunt, John
Royce, H Charles

Manning, Joseph
Smith, Edwin

Roberts, William

Rose, William

COOS

Gallus, John
Pratt, Leighton

Guay, Lawrence
Tholl, John Jr

Horton, Lynn

Merrill, Gerald

GRAFTON

Akins, Ralph
Dudley, Terri
Harmon, Hobart
Phinney, William

Alger, John
Gilman, G Michael
Hinman, Harry
Scanlan, David

Brothers, Richard
Hall, David
Marshall, Gene
Ward, Brien

Cobb, John
Ham, Bonnie
Mirski, Paul
Weber, Phil

HILLSBOROUGH

Alukonis, David
Beaupre, Roland
Bruno, Pierre
Christiansen, Lars
Dalianis, Griffin
Durham, Susan
Fields, Dennis
Gagnon, Eugene
Hunter, Bruce

Andrews, Frederick
Belvin, William
Calawa, Leon Jr
Clegg, Robert Jr
Daniels, Gary
Dyer, Merton
Fletcher, Richard
Goulet, Maurice
Jean, Loren

Arnold, Thomas Jr
Bergin, Peter
Carlson, Donald
Coughlin, Pamela
Desmarais, Vivian
Emerton, Lawrence
Flora, Kathleen
Herman, Keith
Kurk, Neal

Batula, Peter
Brundige, Robert
Chabot, Robert
Daigle, Robert
Dokmo, Cynthia
Fenton, James
Ford, Nancy
Holley, Sylvia
L'Heureux, Robert

LaRose, Richard	MacGillivray, Jeffrey	Martel, Andre	McCarty, Winston
McDonald, James Sr	McGough, Tim	Mercer, Robert	Milligan, Robert
Moran, Edward	Mosher, William	Nolan-Piteri, Dawn	O'Connell, Timothy
O'Hearn, Jane	Ouellette, Dean	Pappas, Marc	Pepino, Leo
Peterson, Andrew	Reeves, Sandra	Rowe, Robert	Sarette, John
Sargent, Maxwell	Simon, Anthony	Tate, Joan	Thulander, O Alan
Vaillancourt, Steve	Wall, Nancy	White, Donald	

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Davis, Francis	Hess, David
Kennedy, Richard	Langer, Ray	Larrabee, David Sr	Leber, William
Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth	Maxfield, Roy
Nichols, Avis	Poulin, Dave	Soltani, Tony	Whalley, Michael

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Bridle, Russell	Case, Margaret	Clark, Vivian	Cooney, Richard
Cox, Russell	Dearborn, Bruce	DiFruscia, Anthony	Dowling, Patricia
Downing, Michael	Fesh, Robert	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
Langone, John	Letourneau, Robert	Major, Norman	McKinney, Betsy
Mikowski, Walter	Morse, Charles	Nowe, Mary Lou	Nowe, Ronald
Noyes, Richard	Packard, Sherman	Priestley, Anne	Putnam, Ed II
Quandt, Marshall	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Rubin, George	Ruffner, Walter	Stickney, Nancy	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas	Weyler, Kenneth
Whittier, John	Zolla, William		

STRAFFORD

Bickford, David	Cossette, Larry	McKinley, Robert	Musler, George
Torr, Franklin	Tsiros, William	Woods, Phyllis	

SULLIVAN

Jones, Constance

Kibbey, David

Leone, Richard

Young, David

NAYS 153**BELKNAP**

Millham, Alida

Pilliod, James

Salatiello, Thomas

Wood, Jane

CARROLL

None

CHESHIRE

Avery, Stephen

Batchelder, Robert

Blaisdell, Michael

Burnham, Daniel

Lerandeau, Alfred

Lynch, Margaret

Lynott, Margaret

McGuirk, Paul

Meador, David

Mitchell, McKim

Pratt, Irene

Pratt, John

Richardson, Barbara

Riley, William

Robertson, Timothy

Russell, Ronald

Zerba, Roger

COOS

Davis, Perley

Glines, Sara

Landers, Dana

Mears, Edgar

Rodrigue, Robert

GRAFTON

Almy, Susan

Copenhaver, Marion

Densmore, Jessica

Guest, Robert

Johnson, Gary

Nordgren, Sharon

Solow, Martha

HILLSBOROUGH

Ahern, Richard

Arthur, Rose

Barody, Benjamin

Buckley, Raymond

Burkush, James

Cote, David

Cote, Peter

Craig, James

Desrosiers, William

Drabinowicz, A Theresa

Dwyer, Paul Sr

Foster, Linda

Franks, Suzan

Garrish, Linda

Ginsburg, Ruth

Goley, Jeffrey

Gorman, Mary

Haettenschwiller,
Alphonse

Hall, Betty

Hansen, Herbert

Herman, Richard	Jean, Claudette	Johnson, Lionel	Keye, Harvey
Konys, Christine	LaPorte, George	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Leonard, Peter	Lynde, Harold	Martin, Mary Ellen
McCarthy, William	McColgan, Philip Jr	McDonough-Wallace, Alice	Melcher, Harold
Mendenhall, Leslie	Messier, Irene	Moriarty, Mary	Murphy, Robert
Reidy, Frank	Turgeon, Roland	White, John	Williams, Carol

MERRIMACK

Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Feuerstein, Martin	Fortnam, Janet	Fraser, Marilyn
French, Barbara	Gile, Mary	Jacobson, Alf	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	Clark, Martha	Flanagan, Natalie
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Norelli, Terie	Pitts, Jacqueline	Sapareto, Frank	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Vaughn, Charles
Weare, Everett			

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia
Estabrook, Iris	Gilmore, Gary	Grassie, Anne	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Knowles, William	Lent, Donald
Pelletier, Arthur	Rogers, Rose Marie	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Twardus, Joseph
Vachon, Dennis	Vincent, Francis	Wall, Janet	

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
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Flint, Gordon Sr
Wiggins, Celestine

Phinizy, James

Robb-Theroux, Amy

Tuthill, John

and the majority report was adopted.

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

SB 170-FN-A, establishing a parents as teachers pilot program in Sullivan county and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth L. Weyler for Finance: This bill introduces the parents as teachers program to New Hampshire. The program comes to us with a great report from the state of Missouri. Long-term, the program's birth-to-pre-school visits have helped prepare young children for learning. The report claims to reduce reading and special ed problems.

The bill sets up a pilot program in Sullivan County. The Finance Committee amendment changes two things. First, for financial accountability, it includes criteria that Health and Human Services can use to measure whether the program has been successfully established. Second, it funds the pilot program for \$65,000 from a multi-million dollar surplus in H&HS from DSH payments that exceed forecast. Vote 22-1.

Amendment (3931h)

Amend RSA 193:35, I as inserted by section 1 of the bill by replacing it with the following:

I. The department of health and human services shall establish the school district based Parents as Teachers Program for a rural community in Sullivan county in cooperation with School Administrative Unit 6 and the Parent Information Center. Sullivan county will be the rural site for the program because of its unique demographic profile, including the high number of risk factors affecting its children, the demonstrated interest of its public officials in the program, and the capacity to link the program to existing programs within the county including Good Beginnings, the Parent Information Center, and department of health and human services programs in Sullivan county. The department shall use the following criteria to measure the effectiveness of the program:

(a) Whether the pilot program was implemented according to the criteria established by the Parents as Teachers National Center.

(b) The number of families served, the number of contacts with each family, and family profile information for the families served, including the percentages of families served by town.

(c) The total cost and the cost per family for the program.

(d) The number of children identified with Parents as Teachers participants that were identified as having developmental delays who have received services during the pilot program to address these delays.

(e) The number of children identified with Parents as Teachers participants who were, during the pilot program, the subject of a founded report of abuse or neglect pursuant to RSA 169-C.

(f) The results of 3-year old developmental screening for all children of appropriate age identified with Parents as Teachers participants.

(g) The level of parental participant knowledge and achievement including, but not limited to GED completion, employment, and volunteerism.

Amend RSA 193:37 as inserted by section 1 of the bill by replacing it with the following:

193:37 Report and Recommendation. On or before October 1, 2004, the department of health and human services shall prepare and submit to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate education committees an evaluation and report of the school district based Parents as Teachers Programs established pursuant to this subdivision, and recommendations for the expansion of the program statewide. The evaluation and report shall incorporate the criteria set forth in RSA 193:35, I and shall include an assessment of the program's effectiveness based on those criteria.

Amend the bill by replacing section 2 with the following:

2 Appropriation. There is hereby appropriated from any additional federal medicaid funds received by the department, pursuant to 1999, 225:2, in fiscal years 2000 and 2001 the sum of \$65,000 for the biennium ending June 30, 2001, to the department of health and human services to implement and administer the provisions of this act by establishing the school district based Parents as Teachers Program in Sullivan county.

Adopted.

Report adopted and ordered to third reading.

SB 128, replacing the housing assistance fund trust fund with a homeless prevention fund, and making an appropriation therefor. OUGHT TO PASS

Rep. Barbara C. French for Health, Human Services and Elderly Affairs: The crying need for housing in New Hampshire needs the immediate attention of experienced leadership to take a proactive approach to address the burgeoning homeless situation. Testimony indicated that over 18,000 households are spending more than 50% of their income on housing costs. Clearly, the legislature has a responsibility to ensure this housing issue is not lost sight of. The NH Housing Finance Authority testified that they strongly support this initiative and will continue to work with the Legislature to help our citizens with their housing problems. This legislation is a step closer to establishing a homeless prevention program. Vote 17-0.

Adopted and referred to Finance.

HB 1366, limiting civil liability of firearms manufacturers and dealers. INEXPEDIENT TO LEGISLATE

Rep. Robert H. Rowe for Judiciary: This bill would have indemnified firearms manufacturers and dealers from liability for injuries or damages caused by a firearm. The majority of the committee felt that this bill and the submitted amendment provided special treatment to one industry that other industries would not possess. The bill runs contrary to the concept of the private enterprise system. Vote 10-5.

On a division vote, 268 members having voted in the affirmative and 68 in the negative, the report was adopted.

HB 1475-FN, relative to the applicable minimum wage for hourly employees. WITHOUT RECOMMENDATION

Rep. Goley moved Ought to Pass with Amendment spoke in favor and offered a floor amendment.

Floor Amendment (3930hh)

Amend the bill by replacing section 1 with the following:

1 Minimum Hourly Rate. Amend the introductory paragraph of RSA 279:21 to read as follows:

Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended, or as follows, whichever is higher:

Date	Hourly Rate
------	-------------

~~[April 1, 1991 to September 30, 1996]~~	~~\$4.25~~
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~~October 1, 1996 to August 31, 1997~~	~~\$4.75~~
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On and after September 1, 1997	\$5.15
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<i>On and after October 1, 2000</i>	<i>\$5.65</i>
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<i>On and after October 1, 2001</i>	<i>\$6.15</i>
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Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receive more than \$20 a month in tips directly from the customers will receive a base rate from the employer of not less than \$2.38 per hour. With any change to the minimum wage after the effective date of this section, the employer is responsible to pay employees \$2.38 per hour or 45 percent of the applicable minimum wage whichever is higher. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

Reps. Goley, Mears and Guay spoke in favor.

Rep. Keans spoke in favor and yielded to questions.

Rep. Ward spoke against.

Rep. Arthur Pelletier requested a roll call; sufficiently seconded.

The question being the adoption of the Goley floor amendment.

YEAS 190 NAYS 152

YEAS 190

BELKNAP

Pilliod, James	Salatiello, Thomas	Wood, Jane
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CARROLL

Kenney, Joseph	Philbrick, Donald
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CHESHIRE

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

COOS

Gallus, John	Glines, Sara	Guay, Lawrence	Landers, Dana
Mears, Edgar	Pratt, Leighton	Rodrigue, Robert	Tholl, John Jr

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Hinman, Harry	Johnson, Gary	Nordgren, Sharon	Solow, Martha

HILLSBOROUGH

Ahern, Richard	Arnold, Thomas Jr	Arthur, Rose	Baroody, Benjamin
Batula, Peter	Bergin, Peter	Buckley, Raymond	Burkush, James
Carlson, Donald	Cote, David	Craig, James	Desrosiers, William
Dokmo, Cynthia	Drabinowicz, A Theresa	Dwyer, Paul Sr	Fletcher, Richard
Flora, Kathleen	Ford, Nancy	Foster, Linda	Garrish, Linda
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Haettenschwiller, Alphonse
Hall, Betty	Herman, Richard	Jean, Claudette	Johnson, Lionel

Keye, Harvey	Konys, Christine	LaPorte, George	LaRose, Richard
Lasky, Bette	Lefebvre, Roland	Leonard, Peter	Lynde, Harold
Martin, Mary Ellen	McCarthy, William	McColgan, Philip Jr	McDonald, James Sr
McDonough-Wallace, Alice	McGough, Tim	Melcher, Harold	Mendenhall, Leslie
Messier, Irene	Moriarty, Mary	Murphy, Robert	Pepino, Leo
Peterson, Andrew	Reidy, Frank	Sarette, John	Simon, Anthony
Tate, Joan	Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve
White, John	Williams, Carol		

MERRIMACK

Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Gile, Mary	Hoadley, Elizabeth	Jacobson, Alf
Kennedy, Richard	Langer, Ray	Lockwood, Priscilla	Maxfield, Roy
Moore, Carol	Owen, Derek	Potter, Frances	Poulin, Dave
Rodd, Beth	Rosenfield, Jay	Seldin, Gloria	St Cyr, Gerard
Virtue, Carolyn	Wallin, Jean	Wallner, Mary Jane	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Case, Margaret
Clark, Martha	Cooney, Richard	Dearborn, Bruce	Downing, Michael
Gleason, John	Hutchinson, Karen	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Kelley, Jane	Kobel, Rudolph	Langley, Jane
Langone, John	McKinney, Betsy	Norelli, Terie	Nowe, Mary Lou
Nowe, Ronald	Pitts, Jacqueline	Quandt, Marshall	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Vaughn, Charles
Whittier, John			

STRAFFORD

Berube, Roger	Brennan, William	Brown, George	Brown, Julie
Callaghan, Frank	DeChane, Marlene	Domingo, Baldwin	Dunlap, Patricia
Estabrook, Iris	Gilmore, Gary	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Lent, Donald	Pelletier, Arthur

Pelletier, Marsha
Snyder, Clair
Twardus, Joseph

Rogers, Rose Marie
Spang, Judith
Vachon, Dennis

Rollo, Michael
Taylor, Kathleen
Vincent, Francis

Smith, Marjorie
Tsiros, William
Wall, Janet

SULLIVAN

Allison, David
Leone, Richard
Wiggins, Celestine

Burling, Peter
Phinizy, James

Cloutier, John
Robb-Theroux, Amy

Donovan, Thomas Jr
Tuthill, John

NAYS 152

BELKNAP

Bartlett, Gordon
Holbrook, Robert
Rice, Thomas
Turner, Robert

Boriso, Thomas
Johnson, James
Rosen, Ralph
Wendelboe, Francine

Boyce, Robert
Lawton, David
Russell, David

Czech, Stanley
Millham, Alida
Thomas, John

CARROLL

Babson, David Jr
Howard, Godfrey
Sullivan, P Judith

Bradley, Jeb
Lyman, L Randy

Chandler, Gene
Mock, Henry

Dickinson, Howard
Patten, Betsey

CHESHIRE

Avery, Stephen
Smith, Edwin

Hunt, John

Rose, William

Royce, H Charles

COOS

Davis, Perley

Horton, Lynn

Merrill, Gerald

GRAFTON

Akins, Ralph
Dudley, Terri
Marshall, Gene

Alger, John
Gilman, G Michael
Mirski, Paul

Brothers, Richard
Hall, David
Phinney, William

Cobb, John
Ham, Bonnie
Scanlan, David

Ward, Brien

Weber, Phil

HILLSBOROUGH

Alukonis, David

Andrews, Frederick

Beaupre, Roland

Belvin, William

Brundige, Robert

Bruno, Pierre

Calawa, Leon Jr

Chabot, Robert

Christiansen, Lars

Clegg, Robert Jr

Cote, Peter

Coughlin, Pamela

Daigle, Robert

Dalianis, Griffin

Daniels, Gary

Desmarais, Vivian

Durham, Susan

Dyer, Merton

Emerton, Lawrence

Fenton, James

Fields, Dennis

Franks, Suzan

Gagnon, Eugene

Goulet, Maurice

Herman, Keith

Holley, Sylvia

Hunter, Bruce

Jean, Loren

Kurk, Neal

L'Heureux, Robert

Leishman, Peter

Lozeau, Donnalee

MacGillivray, Jeffrey

Martel, Andre

McCarty, Winston

Mercer, Robert

Milligan, Robert

Moran, Edward

Mosher, William

Nolan-Piteri, Dawn

O'Connell, Timothy

O'Hearn, Jane

Ouellette, Dean

Pappas, Marc

Reeves, Sandra

Rowe, Robert

Sargent, Maxwell

Wall, Nancy

White, Donald

MERRIMACK

Anderson, Eric

Asplund, Bronwyn

Hess, David

Larrabee, David Sr

Leber, William

Marple, Richard

Marshall, Kenneth

Soltani, Tony

Whalley, Michael

ROCKINGHAM

Arndt, Janet

Beaulieu, Jon

Belanger, Ronald

Bishop, Franklin

Clark, Vivian

Cox, Russell

DiFruscia, Anthony

Dowling, Patricia

Fesh, Robert

Flanagan, Natalie

Flanders, David

Flanders, John Sr

Francoeur, Sheila

Grant, Kenneth

Griffin, Mary

Hamel, Albert

Henderson, Warren

Katsakiores, Phyllis

Kelley, William

Letourneau, Robert

Major, Norman

Mikowski, Walter

Morse, Charles

Noyes, Richard

Packard, Sherman

Priestley, Anne

Putnam, Ed II

Rabideau, Marie

Raynowska, Bernard

Reardon, Neil

Ruffner, Walter

Sapareto, Frank

Stickney, Nancy

Stone, Joseph

Stritch, C Donald

Tufts, J Arthur

Varrell, Thomas

Weare, Everett

Weyler, Kenneth

Zolla, William

STRAFFORD

Bickford, David	Cossette, Larry	McKinley, Robert	Musler, George
Torr, Franklin	Woods, Phyllis		

SULLIVAN

Jones, Constance	Kibbey, David	Young, David
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and the Goley Floor Amendment was adopted.

Rep. Kenney voted Yea and intended to vote Nay.

Rep. Young voted Nay and intended to vote Yea.

Rep. Hinman offered a floor amendment.

Floor Amendment (3963h)

Amend the bill by replacing section 1 with the following:

1 Minimum Hourly Rate. Amend the introductory paragraph of RSA 279:21 to read as follows:

Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended, or as follows, whichever is higher:

Date	Hourly Rate
------	-------------

~~April 1, 1991 to September 30, 1996~~	~~\$4.25~~
--	-------------------

~~October 1, 1996 to August 31, 1997~~	~~\$4.75~~
---	-------------------

On and after September 1, 1997	\$5.15
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<i>On and after October 1, 2000</i>	<i>\$5.65</i>
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<i>On and after October 1, 2001</i>	<i>\$6.15</i>
--	----------------------

Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receive more than \$20 a month in tips directly from the customers will receive a base rate from the employer of not less than \$2.38 per hour. ~~[With any change to the minimum wage after the effective date of this section, the employer is responsible to pay employees \$2.38 per hour or 45 percent of the applicable minimum wage whichever is higher.]~~ If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

Rep. Hinman spoke in favor.

Reps. Mirski and Rebecca Hutchinson spoke against.

On a division vote, 78 members having voted in the affirmative and 262 in the negative, the Hinman floor amendment failed.

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

The question now being the adoption of the motion Ought to Pass with Amendment.

Rep. McColgan spoke in favor.

Rep. Daniels spoke against and yielded to questions.

Rep. Marjorie Smith spoke in favor and yielded to questions.

Rep. Clegg spoke against.

Rep. Clegg requested a roll call; sufficiently seconded.

YEAS 170 NAYS 173

YEAS 170

BELKNAP

Pilliod, James

Salatiello, Thomas

Wood, Jane

CARROLL

Philbrick, Donald

CHESHIRE

Batchelder, Robert

Blaisdell, Michael

Burnham, Daniel

Lerandeau, Alfred

Lynch, Margaret

Lynott, Margaret

Manning, Joseph

McGuirk, Paul

Meader, David

Mitchell, McKim

Pratt, Irene

Pratt, John

Richardson, Barbara

Riley, William

Robertson, Timothy

Russell, Ronald

Zerba, Roger

COOS

Glines, Sara

Guay, Lawrence

Landers, Dana

Mears, Edgar

Rodrigue, Robert

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Hinman, Harry	Johnson, Gary	Nordgren, Sharon	Solow, Martha

HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Batula, Peter
Bergin, Peter	Buckley, Raymond	Burkush, James	Cote, David
Craig, James	Daigle, Robert	Desmarais, Vivian	Dokmo, Cynthia
Drabinowicz, A Theresa	Dwyer, Paul Sr	Ford, Nancy	Foster, Linda
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Haettenschwiller, Alphonse	Hall, Betty	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	LaRose, Richard	Lasky, Bette
Lefebvre, Roland	Leonard, Peter	Lynde, Harold	Martel, Andre
Martin, Mary Ellen	McCarthy, William	McColgan, Philip Jr	McDonough-Wallace, Alice
Melcher, Harold	Messier, Irene	Moriarty, Mary	Murphy, Robert
Pepino, Leo	Peterson, Andrew	Reidy, Frank	Simon, Anthony
Turgeon, Roland	Vaillancourt, Steve	White, John	Williams, Carol

MERRIMACK

Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Feuerstein, Martin	Fraser, Marilyn
French, Barbara	Jacobson, Alf	Maxfield, Roy	Moore, Carol
Owen, Derek	Potter, Frances	Poulin, Dave	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	Bridle, Russell	Case, Margaret
Clark, Martha	Cooney, Richard	Dearborn, Bruce	Grant, Kenneth
Hutchinson, Karen	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Kelley, Jane	Kobel, Rudolph	Langley, Jane	Langone, John

Norelli, Terie
Schanda, Frank
Vaughn, Charles

Pitts, Jacqueline
Shelton, Richard
Whittier, John

Quandt, Marshall
Shultis, Elizabeth

Rubin, George
Splaine, James

STRAFFORD

Berube, Roger
Callaghan, Frank
Dunlap, Patricia
Kaen, Naida
Pelletier, Arthur
Smith, Marjorie
Twardus, Joseph

Brennan, William
Cossette, Larry
Estabrook, Iris
Keans, Sandra
Pelletier, Marsha
Snyder, Clair
Vachon, Dennis

Brown, George
DeChane, Marlene
Gilmore, Gary
Knowles, William
Rogers, Rose Marie
Spang, Judith
Vincent, Francis

Brown, Julie
Domingo, Baldwin
Johnson, Nancy
Lent, Donald
Rollo, Michael
Taylor, Kathleen
Wall, Janet

SULLIVAN

Allison, David
Leone, Richard
Wiggins, Celestine

Burling, Peter
Phinizy, James
Young, David

Cloutier, John
Robb-Theroux, Amy

Donovan, Thomas Jr
Tuthill, John

NAYS 173

BELKNAP

Bartlett, Gordon
Holbrook, Robert
Rice, Thomas
Turner, Robert

Boriso, Thomas
Johnson, James
Rosen, Ralph
Wendelboe, Francine

Boyce, Robert
Lawton, David
Russell, David

Czech, Stanley
Millham, Alida
Thomas, John

CARROLL

Babson, David Jr
Howard, Godfrey
Patten, Betsey

Bradley, Jeb
Kenney, Joseph
Sullivan, P Judith

Chandler, Gene
Lyman, L Randy

Dickinson, Howard
Mock, Henry

CHESHIRE

Avery, Stephen

Hunt, John

Rose, William

Royce, H Charles

Smith, Edwin

COOS

Davis, Perley
Pratt, Leighton

Gallus, John
Tholl, John Jr

Horton, Lynn

Merrill, Gerald

GRAFTON

Akins, Ralph
Dudley, Terri
Marshall, Gene
Ward, Brien

Alger, John
Gilman, G Michael
Mirski, Paul
Weber, Phil

Brothers, Richard
Hall, David
Phinney, William

Cobb, John
Ham, Bonnie
Scanlan, David

HILLSBOROUGH

Alukonis, David
Belvin, William
Carlson, Donald
Cote, Peter
Durham, Susan
Fields, Dennis
Gagnon, Eugene
Holley, Sylvia
L'Heureux, Robert
McCarty, Winston
Milligan, Robert
O'Connell, Timothy
Reeves, Sandra
Tate, Joan

Andrews, Frederick
Brundige, Robert
Chabot, Robert
Coughlin, Pamela
Dyer, Merton
Fletcher, Richard
Goulet, Maurice
Hunter, Bruce
Leishman, Peter
McDonald, James Sr
Moran, Edward
O'Hearn, Jane
Rowe, Robert
Thulander, O Alan

Arnold, Thomas Jr
Bruno, Pierre
Christiansen, Lars
Dalianis, Griffin
Emerton, Lawrence
Flora, Kathleen
Hansen, Herbert
Jean, Loren
Lozeau, Donnalee
McGough, Tim
Mosher, William
Ouellette, Dean
Sarette, John
Wall, Nancy

Beaupre, Roland
Calawa, Leon Jr
Clegg, Robert Jr
Daniels, Gary
Fenton, James
Franks, Suzan
Herman, Keith
Kurk, Neal
MacGillivray, Jeffrey
Mercer, Robert
Nolan-Piteri, Dawn
Pappas, Marc
Sargent, Maxwell
White, Donald

MERRIMACK

Anderson, Eric
Kennedy, Richard
Lockwood, Priscilla
Soltani, Tony

Asplund, Bronwyn
Langer, Ray
Marple, Richard
Whalley, Michael

Hess, David
Larrabee, David Sr
Marshall, Kenneth

Hoadley, Elizabeth
Leber, William
Nichols, Avis

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Christie, Andrew Jr	Clark, Vivian	Cox, Russell	DiFruscia, Anthony
Dowling, Patricia	Downing, Michael	Fesh, Robert	Flanagan, Natalie
Flanders, David	Flanders, John Sr	Francoeur, Sheila	Gleason, John
Griffin, Mary	Hamel, Albert	Henderson, Warren	Katsakiores, George
Katsakiores, Phyllis	Kelley, William	Letourneau, Robert	Major, Norman
McKinney, Betsy	Mikowski, Walter	Morse, Charles	Nowe, Mary Lou
Nowe, Ronald	Noyes, Richard	Packard, Sherman	Priestley, Anne
Putnam, Ed II	Rabideau, Marie	Raynowska, Bernard	Reardon, Neil
Ruffner, Walter	Sapareto, Frank	Stickney, Nancy	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas	Weare, Everett
Weyler, Kenneth	Zolla, William		

STRAFFORD

Bickford, David	McKinley, Robert	Musler, George	Torr, Franklin
Tsiros, William	Woods, Phyllis		

SULLIVAN

Jones, Constance	Kibbey, David
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and Ought to Pass with Amendment failed.

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

Rep. Keith Herman moved Inexpedient to Legislate.

Rep. McGuirk requested a roll call; sufficiently seconded.

YEAS 174 NAYS 169

YEAS 174

BELKNAP

Bartlett, Gordon	Boriso, Thomas	Boyce, Robert	Czech, Stanley
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Holbrook, Robert
Rice, Thomas
Turner, Robert

Johnson, James
Rosen, Ralph
Wendelboe, Francine

Lawton, David
Russell, David

Millham, Alida
Thomas, John

CARROLL

Babson, David Jr
Howard, Godfrey
Patten, Betsey

Bradley, Jeb
Kenney, Joseph
Sullivan, P Judith

Chandler, Gene
Lyman, L Randy

Dickinson, Howard
Mock, Henry

CHESHIRE

Avery, Stephen
Smith, Edwin

Hunt, John

Rose, William

Royce, H Charles

COOS

Davis, Perley
Pratt, Leighton

Gallus, John
Tholl, John Jr

Horton, Lynn

Merrill, Gerald

GRAFTON

Akins, Ralph
Dudley, Terri
Marshall, Gene
Ward, Brien

Alger, John
Gilman, G Michael
Mirski, Paul
Weber, Phil

Brothers, Richard
Hall, David
Phinney, William

Cobb, John
Ham, Bonnie
Scanlan, David

HILLSBOROUGH

Alukonis, David
Belvin, William
Carlson, Donald
Cote, Peter
Durham, Susan
Fields, Dennis
Gagnon, Eugene
Holley, Sylvia
L'Heureux, Robert

Andrews, Frederick
Brundige, Robert
Chabot, Robert
Coughlin, Pamela
Dyer, Merton
Fletcher, Richard
Goulet, Maurice
Hunter, Bruce
Leishman, Peter

Arnold, Thomas Jr
Bruno, Pierre
Christiansen, Lars
Dalianis, Griffin
Emerton, Lawrence
Flora, Kathleen
Hansen, Herbert
Jean, Loren
Lozeau, Donnalee

Beaupre, Roland
Calawa, Leon Jr
Clegg, Robert Jr
Daniels, Gary
Fenton, James
Franks, Suzan
Herman, Keith
Kurk, Neal
MacGillivray, Jeffrey

McCarty, Winston	McDonald, James Sr	McGough, Tim	Mercer, Robert
Milligan, Robert	Moran, Edward	Mosher, William	Nolan-Piteri, Dawn
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc
Reeves, Sandra	Rowe, Robert	Sargent, Maxwell	Tate, Joan
Thulander, O Alan	Wall, Nancy	White, Donald	

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Feuerstein, Martin	Hess, David
Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray	Larrabee, David Sr
Leber, William	Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth
Nichols, Avis	Soltani, Tony	Whalley, Michael	

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Christie, Andrew Jr	Clark, Vivian	Cox, Russell	DiFruscia, Anthony
Dowling, Patricia	Downing, Michael	Fesh, Robert	Flanagan, Natalie
Flanders, David	Flanders, John Sr	Francoeur, Sheila	Gleason, John
Grant, Kenneth	Griffin, Mary	Hamel, Albert	Henderson, Warren
Katsakiores, George	Katsakiores, Phyllis	Kelley, William	Letourneau, Robert
Major, Norman	McKinney, Betsy	Mikowski, Walter	Morse, Charles
Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard	Packard, Sherman
Priestley, Anne	Putnam, Ed II	Rabideau, Marie	Raynowska, Bernard
Reardon, Neil	Ruffner, Walter	Sapareto, Frank	Stickney, Nancy
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas
Weare, Everett	Weyler, Kenneth	Zolla, William	

STRAFFORD

Bickford, David	McKinley, Robert	Musler, George	Torr, Franklin
Tsiros, William	Woods, Phyllis		

SULLIVAN

Jones, Constance	Kibbey, David
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NAYS 169

BELKNAP

Pilliod, James	Salatiello, Thomas	Wood, Jane
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CARROLL

Philbrick, Donald

CHESHIRE

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

COOS

Glines, Sara	Guay, Lawrence	Landers, Dana	Mears, Edgar
Rodrigue, Robert			

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Hinman, Harry	Johnson, Gary	Nordgren, Sharon	Solow, Martha

HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Batula, Peter
Bergin, Peter	Buckley, Raymond	Burkush, James	Cote, David
Craig, James	Daigle, Robert	Desmarais, Vivian	Dokmo, Cynthia
Drabinowicz, A Theresa	Dwyer, Paul Sr	Ford, Nancy	Foster, Linda
Garrish, Linda	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Haettenschwiller, Alphonse	Hall, Betty	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	LaRose, Richard	Lasky, Bette
Lefebvre, Roland	Leonard, Peter	Lynde, Harold	Martel, Andre

Martin, Mary Ellen	McCarthy, William	McColgan, Philip Jr	McDonough-Wallace, Alice
Melcher, Harold	Messier, Irene	Moriarty, Mary	Murphy, Robert
Pepino, Leo	Peterson, Andrew	Reidy, Frank	Sarette, John
Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve	White, John
Williams, Carol			

MERRIMACK

Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Fraser, Marilyn	French, Barbara
Jacobson, Alf	Maxfield, Roy	Moore, Carol	Owen, Derek
Potter, Frances	Poulin, Dave	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	Bridle, Russell	Case, Margaret
Clark, Martha	Cooney, Richard	Dearborn, Bruce	Hutchinson, Karen
Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia	Kelley, Jane
Kobel, Rudolph	Langley, Jane	Langone, John	Norelli, Terie
Pitts, Jacqueline	Quandt, Marshall	Rubin, George	Schanda, Frank
Shelton, Richard	Shultis, Elizabeth	Splaine, James	Vaughn, Charles
Whittier, John			

STRAFFORD

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

SULLIVAN

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

and the motion was adopted.

motion to lay on the table

Rep. Guay moved that ***HB 1475-FN***, relative to the applicable minimum wage for hourly employees, be laid on the table.

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

On a division vote, 122 members having voted in the affirmative and 222 in the negative, the motion failed.

reconsideration

Having voted on the prevailing side, Rep. Keith Herman moved that the House reconsider its action whereby it voted ***HB 1475-FN***, relative to the applicable minimum wage for hourly employees, Inexpedient to Legislate and spoke against.

Rep. Vaillancourt requested a roll call; sufficiently seconded.

YEAS 169 NAYS 175

YEAS 169

BELKNAP

Pilliod, James	Salatiello, Thomas	Wood, Jane
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CARROLL

Philbrick, Donald

CHESHIRE

Batchelder, Robert	Blaisdell, Michael	Burnham, Daniel	Lerandeau, Alfred
Lynch, Margaret	Lynott, Margaret	Manning, Joseph	McGuirk, Paul

Meador, David	Mitchell, McKim	Pratt, Irene	Pratt, John
Richardson, Barbara	Riley, William	Robertson, Timothy	Russell, Ronald
Zerba, Roger			

COOS

Glines, Sara	Guay, Lawrence	Landers, Dana	Mears, Edgar
Rodrigue, Robert			

GRAFTON

Almy, Susan	Copenhaver, Marion	Densmore, Jessica	Guest, Robert
Hinman, Harry	Johnson, Gary	Nordgren, Sharon	Solow, Martha

HILLSBOROUGH

Ahern, Richard	Arthur, Rose	Baroody, Benjamin	Bergin, Peter
Buckley, Raymond	Burkush, James	Cote, David	Craig, James
Daigle, Robert	Desmarais, Vivian	Dokmo, Cynthia	Drabinowicz, A Theresa
Dwyer, Paul Sr	Foster, Linda	Franks, Suzan	Garrish, Linda
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Haettenschwiller, Alphonse
Hall, Betty	Herman, Richard	Jean, Claudette	Johnson, Lionel
Keye, Harvey	Konys, Christine	LaRose, Richard	Lasky, Bette
Lefebvre, Roland	Leishman, Peter	Leonard, Peter	Lynde, Harold
Martin, Mary Ellen	McCarthy, William	McColgan, Philip Jr	McDonald, James Sr
McDonough-Wallace, Alice	Melcher, Harold	Messier, Irene	Moriarty, Mary
Murphy, Robert	Pepino, Leo	Peterson, Andrew	Reidy, Frank
Simon, Anthony	Turgeon, Roland	Vaillancourt, Steve	White, John
Williams, Carol			

MERRIMACK

Bouchard, Candace	Brewster, Richard	Chase, George	Crosby, Toni
Daneault, Gabriel	Davis, Francis	Fraser, Marilyn	French, Barbara
Jacobson, Alf	Maxfield, Roy	Moore, Carol	Owen, Derek
Potter, Frances	Poulin, Dave	Rodd, Beth	Rosenfield, Jay

Seldin, Gloria
Wallner, Mary Jane

St Cyr, Gerard
Yeaton, Charles

Virtue, Carolyn

Wallin, Jean

ROCKINGHAM

Abbott, Dennis
Clark, Martha
Gleason, John
Johnson, Robert
Langley, Jane
Quandt, Marshall
Splaine, James

Blanchard, MaryAnn
Cooney, Richard
Grant, Kenneth
Kane, Cecelia
Langone, John
Schanda, Frank
Vaughn, Charles

Bridle, Russell
Dearborn, Bruce
Hutchinson, Karen
Kelley, Jane
Norelli, Terie
Shelton, Richard

Case, Margaret
DiFruscia, Anthony
Hutchinson, Rebecca
Kobel, Rudolph
Pitts, Jacqueline
Shultis, Elizabeth

STRAFFORD

Berube, Roger
Callaghan, Frank
Dunlap, Patricia
Kaen, Naida
Pelletier, Arthur
Smith, Marjorie
Twardus, Joseph

Brennan, William
Cossette, Larry
Estabrook, Iris
Keans, Sandra
Pelletier, Marsha
Snyder, Clair
Vachon, Dennis

Brown, George
DeChane, Marlene
Gilmore, Gary
Knowles, William
Rogers, Rose Marie
Spang, Judith
Vincent, Francis

Brown, Julie
Domingo, Baldwin
Johnson, Nancy
Lent, Donald
Rollo, Michael
Taylor, Kathleen
Wall, Janet

SULLIVAN

Allison, David
Leone, Richard
Wiggins, Celestine

Burling, Peter
Phinizy, James
Young, David

Cloutier, John
Robb-Theroux, Amy

Donovan, Thomas Jr
Tuthill, John

NAYS 175

BELKNAP

Bartlett, Gordon
Holbrook, Robert
Rice, Thomas
Turner, Robert

Boriso, Thomas
Johnson, James
Rosen, Ralph
Wendelboe, Francine

Boyce, Robert
Lawton, David
Russell, David

Czech, Stanley
Millham, Alida
Thomas, John

CARROLL

Babson, David Jr	Bradley, Jeb	Chandler, Gene	Dickinson, Howard
Howard, Godfrey	Kenney, Joseph	Lyman, L Randy	Mock, Henry
Patten, Betsey	Sullivan, P Judith		

CHESHIRE

Avery, Stephen	Hunt, John	Rose, William	Royce, H Charles
Smith, Edwin			

COOS

Davis, Perley	Gallus, John	Horton, Lynn	Merrill, Gerald
Pratt, Leighton	Tholl, John Jr		

GRAFTON

Akins, Ralph	Alger, John	Brothers, Richard	Cobb, John
Dudley, Terri	Gilman, G Michael	Hall, David	Ham, Bonnie
Marshall, Gene	Mirski, Paul	Phinney, William	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	Cote, Peter	Coughlin, Pamela	Dalianis, Griffin
Daniels, Gary	Durham, Susan	Dyer, Merton	Emerton, Lawrence
Fenton, James	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Ford, Nancy	Gagnon, Eugene	Goulet, Maurice	Hansen, Herbert
Herman, Keith	Holley, Sylvia	Hunter, Bruce	Jean, Loren
Kurk, Neal	L'Heureux, Robert	Lozeau, Donnalee	MacGillivray, Jeffrey
Martel, Andre	McCarty, Winston	McGough, Tim	Mercer, Robert
Milligan, Robert	Moran, Edward	Mosher, William	Nolan-Piteri, Dawn
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pappas, Marc

Reeves, Sandra	Rowe, Robert	Sarette, John	Sargent, Maxwell
Tate, Joan	Thulander, O Alan	Wall, Nancy	White, Donald

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Feuerstein, Martin	Hess, David
Hoadley, Elizabeth	Kennedy, Richard	Langer, Ray	Larrabee, David Sr
Leber, William	Lockwood, Priscilla	Marple, Richard	Marshall, Kenneth
Nichols, Avis	Soltani, Tony	Whalley, Michael	Whittemore, James

ROCKINGHAM

Arndt, Janet	Beaulieu, Jon	Belanger, Ronald	Bishop, Franklin
Christie, Andrew Jr	Clark, Vivian	Cox, Russell	Dowling, Patricia
Downing, Michael	Fesh, Robert	Flanagan, Natalie	Flanders, David
Flanders, John Sr	Francoeur, Sheila	Griffin, Mary	Hamel, Albert
Henderson, Warren	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Letourneau, Robert	Major, Norman	McKinney, Betsy	Mikowski, Walter
Morse, Charles	Nowe, Mary Lou	Nowe, Ronald	Noyes, Richard
Packard, Sherman	Priestley, Anne	Putnam, Ed II	Rabideau, Marie
Raynowska, Bernard	Reardon, Neil	Rubin, George	Ruffner, Walter
Sapareto, Frank	Stickney, Nancy	Stone, Joseph	Stritch, C Donald
Tufts, J Arthur	Varrell, Thomas	Weare, Everett	Weyler, Kenneth
Whittier, John	Zolla, William		

STRAFFORD

Bickford, David	McKinley, Robert	Musler, George	Torr, Franklin
Tsiros, William	Woods, Phyllis		

SULLIVAN

Jones, Constance	Kibbey, David
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and reconsideration failed.

House Bill 1475 is Inexpedient to Legislate.

regular calendar (cont'd.)

CACR 32, relating to the size of the general court. Providing that provisions mandating the size of the general court shall be removed from the constitution and shall be established by statute.
INEXPEDIENT TO LEGISLATE

Rep. Ronald J. Nowe for Legislative Administration: The committee felt that no compelling arguments for changing the size of the legislature were presented at the hearing. Removal from the constitution and subject to legislative action could make the House and Senate subject to change more frequently and does not address the increase or decrease the membership of the legislature. The committee felt the present system of apportionment of representatives according to the last general census is important, but if a change in size were to occur, the general public should have a say in what that ratio should be. It should not be left to the legislature. The general public seems to be very aware of who represents them, and in 1984 defeated a resolution from the Constitutional Convention to reduce the size of the house and increase the ratio of voters to their representatives. Vote 12-1.

Adopted.

HB 1605-FN-L, relative to the adoption of a state building code. **INEXPEDIENT TO LEGISLATE**

Rep. William T. Kelley for Municipal and County Government: This bill would mean a major change in New Hampshire law. The State Fire Marshall told the Committee that after the code referenced in the original bill is published, he will convene a broadly based group to study the new codes and recommend any needed changes in the law. The next legislative session will be a better time to consider this potentially important law. Vote 12-4.

Adopted.

SB 76-L, allowing certain municipalities to offer tax exemptions to foster commercial and industrial construction. **OUGHT TO PASS WITH AMENDMENT**

Rep. Betsey L. Patten for Municipal and County Government: This bill establishes a pilot program to foster economic development by enabling certain depressed towns to grant a limited municipal tax exemption. It is a local tool that qualifying communities may use if they so choose, and if it is compatible with their local land use planning regulations. The intent of SB 76 is to foster economic development in economically depressed areas in the State. The Municipal and County Government Committee reviewed three specific criteria-taxable valuation per person, unemployment rate and population growth. If these three criteria, which are currently measured by the Office of State Planning, are present in a region and interact in a negative way on one another, economic development is needed to bring jobs and viability to that area. The House voted and passed SB 76 on January 6 by a vote of 191-71. The bill was then sent to Finance where some concerns were expressed about three aspects of the bill. The Finance Committee reported the bill back to the House with no recommendation and it was then recommitted to Municipal and County Government. After reviewing the concerns expressed in Finance, Municipal and County Government voted 17-1 to amend the bill to address all of those concerns, one of which was to more clearly remove all county and state property taxes from the exemption. Again, this is a pilot program. It sunsets in 2005, and it requires a vote by the local legislative body before it can be adopted in any qualifying towns. Vote 17-1.

Amendment (3539h)

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

AN ACT establishing a pilot program allowing certain economically depressed municipalities to offer tax exemptions to foster public accommodation and industrial construction.

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

1 Statement of Intent. It is the purpose of this act to foster the economic development of economically depressed counties by enabling eligible, economically depressed municipalities to encourage new construction, rehabilitation, and improvement of property for public accommodation and industrial use through the adoption of tax exemptions. It is the further purpose of this act to ensure that, once adopted, such exemptions shall be administered uniformly within the taxing districts so as to avoid the risk of unconstitutional ad hoc or discriminatory tax benefits.

2 Definitions. In this act:

I. "Economically depressed county" shall mean any county of the state which meets the following 3 criteria as established by the director of the office of state planning:

(a) Is within the lowest 30 percent of counties based on equalized taxable valuation per person for the most recent year available prior to the vote taken pursuant to section 4 of this act;

(b) Is within the highest 30 percent of counties based on unemployment rate for the average of the 3 most recent years available prior to the vote taken pursuant to section 4 of this act; and

(c) Is within the lowest 30 percent of counties based on population growth for the most recent 5-year period available prior to the vote taken pursuant to section 4 of this act.

II. "Eligible municipality" shall mean any city or town located in an economically depressed county and which meets 2 of the following 3 criteria as established by the director of the office of state planning:

(a) Is within the lowest 30 percent of municipalities based on equalized taxable valuation per person for the most recent year available prior to the vote taken pursuant to section 4 of this act;

(b) Is within the highest 30 percent of municipalities based on unemployment rate for the average of the 3 most recent years available prior to the vote taken pursuant to section 4 of this act;

(c) Is within the lowest 30 percent of municipalities based on population growth for the most recent 5-year period available prior to the vote taken pursuant to section 4 of this act.

III. "Industrial uses" shall include all manufacturing, production, assembling, warehousing, or processing of goods or materials for sale or distribution, research and development activities, or processing of waste materials.

IV. "Public accommodation" shall mean any inn, hotel, motel, or other establishment which provides lodging to transient guests.

3 Property Tax Exemption. An eligible municipality may, by vote of the local legislative body pursuant to section 4 of this act, adopt a new construction property tax exemption for public accommodation or industrial uses, or both. The exemption shall apply only for local municipal and local school property taxes assessed by the municipality which shall exclude state education property taxes under RSA 76:3 and county taxes assessed against the municipality under RSA 29:11 and shall be a specified percentage on an annual basis of the increase in assessed value attributable to construction of new structures, and additions, renovations or improvements to existing structures. The exemption may run for a maximum period of 5 years following the new construction; provided, however, that the exemption for all years shall cumulatively not exceed 200 percent of the increased assessed value. Once adopted by the local legislative body, the percentage rate and duration of the exemption shall be granted uniformly within that municipality to all new construction for which a proper application is filed.

Amend the bill by replacing section 6 with the following:

6 Repeal. Sections 1-5 of this act, relative to a program allowing economically depressed municipalities in economically depressed counties to offer tax exemptions to foster public accommodation and industrial construction, are repealed.

AMENDED ANALYSIS

This bill establishes a pilot program allowing economically depressed municipalities in economically depressed counties to offer tax exemptions applicable to non-statewide property taxes to foster growth in new and existing public accommodation and industrial construction.

Adopted.

Reps. MacGillivray and Mirski spoke against.

Rep. Foster spoke in favor.

Rep. Ward spoke in favor and yielded to questions.

Rep. Rose requested a Quorum Court. The Speaker declared a quorum present.

Rep. Mirski requested a roll call; sufficiently seconded.

The question being the adoption of the report.

YEAS 204 NAYS 118

YEAS 204

BELKNAP

Boriso, Thomas

Czech, Stanley

Johnson, James

Millham, Alida

Rice, Thomas
Wood, Jane

Russell, David

Salatiello, Thomas

Wendelboe, Francine

CARROLL

Bradley, Jeb
Patten, Betsey

Chandler, Gene
Philbrick, Donald

Kenney, Joseph

Mock, Henry

CHESHIRE

Batchelder, Robert
Lynch, Margaret
Mitchell, McKim
Riley, William
Zerba, Roger

Blaisdell, Michael
Lynott, Margaret
Pratt, Irene
Royce, H Charles

Burnham, Daniel
McGuirk, Paul
Pratt, John
Russell, Ronald

Lerandeau, Alfred
Meader, David
Richardson, Barbara
Smith, Edwin

COOS

Davis, Perley
Landers, Dana
Tholl, John Jr

Gallus, John
Mears, Edgar

Guay, Lawrence
Merrill, Gerald

Horton, Lynn
Pratt, Leighton

GRAFTON

Alger, John
Densmore, Jessica
Johnson, Gary
Scanlan, David

Almy, Susan
Dudley, Terri
Marshall, Gene
Solow, Martha

Cobb, John
Gilman, G Michael
Nordgren, Sharon
Ward, Brien

Copenhaver, Marion
Hinman, Harry
Phinney, William

HILLSBOROUGH

Ahern, Richard
Bergin, Peter
Chabot, Robert
Daigle, Robert
Dyer, Merton
Flora, Kathleen
Garrish, Linda

Arthur, Rose
Brundige, Robert
Cote, David
Desmarais, Vivian
Emerton, Lawrence
Foster, Linda
Ginsburg, Ruth

Baroody, Benjamin
Buckley, Raymond
Cote, Peter
Drabinowicz, A Theresa
Fenton, James
Franks, Suzan
Goley, Jeffrey

Batula, Peter
Burkush, James
Craig, James
Durham, Susan
Fields, Dennis
Gagnon, Eugene
Haettenschwiller,
Alphonse

Hansen, Herbert	Herman, Keith	Herman, Richard	Holley, Sylvia
Jean, Claudette	Johnson, Lionel	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaRose, Richard	Lasky, Bette	Leishman, Peter
Leonard, Peter	Lozeau, Donnalee	McCarty, Winston	McDonald, James Sr
McGough, Tim	Melcher, Harold	Messier, Irene	Milligan, Robert
Moran, Edward	Moriarty, Mary	Mosher, William	Nolan-Piteri, Dawn
O'Connell, Timothy	O'Hearn, Jane	Ouellette, Dean	Pepino, Leo
Peterson, Andrew	Reidy, Frank	Rowe, Robert	Sarette, John
Sargent, Maxwell	Simon, Anthony	White, John	Williams, Carol

MERRIMACK

Brewster, Richard	Crosby, Toni	Daneault, Gabriel	Davis, Francis
Fraser, Marilyn	French, Barbara	Hess, David	Jacobson, Alf
Larrabee, David Sr	Lockwood, Priscilla	Moore, Carol	Potter, Frances
Poulin, Dave	Rodd, Beth	Rosenfield, Jay	Seldin, Gloria
St Cyr, Gerard	Wallner, Mary Jane	Whalley, Michael	Yeaton, Charles

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bishop, Franklin	Blanchard, MaryAnn
Case, Margaret	Christie, Andrew Jr	Clark, Martha	Cox, Russell
DiFruscia, Anthony	Downing, Michael	Flanders, John Sr	Griffin, Mary
Hamel, Albert	Hutchinson, Rebecca	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane
Morse, Charles	Norelli, Terie	Noyes, Richard	Priestley, Anne
Sapareto, Frank	Stickney, Nancy	Stone, Joseph	Stritch, C Donald
Tufts, J Arthur	Varrell, Thomas	Vaughn, Charles	Weare, Everett
Weyler, Kenneth	Zolla, William		

STRAFFORD

Brennan, William	Brown, George	Cossette, Larry	Domingo, Baldwin
Estabrook, Iris	Gilmore, Gary	Johnson, Nancy	Knowles, William
McKinley, Robert	Musler, George	Rogers, Rose Marie	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Kathleen
Torr, Franklin	Twardus, Joseph	Vachon, Dennis	Wall, Janet

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas Jr
Jones, Constance	Leone, Richard	Phinizy, James	Tuthill, John
Wiggins, Celestine	Young, David		

NAYS 118

BELKNAP

Bartlett, Gordon	Boyce, Robert	Holbrook, Robert	Lawton, David
Pilliod, James	Turner, Robert		

CARROLL

Babson, David Jr	Dickinson, Howard	Howard, Godfrey	Lyman, L Randy
Sullivan, P Judith			

CHESHIRE

Hunt, John	Manning, Joseph	Robertson, Timothy	Rose, William
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COOS

None

GRAFTON

Akins, Ralph	Ham, Bonnie	Mirski, Paul	Weber, Phil
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HILLSBOROUGH

Alukonis, David	Andrews, Frederick	Arnold, Thomas Jr	Beaupre, Roland
Belvin, William	Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald
Christiansen, Lars	Clegg, Robert Jr	Coughlin, Pamela	Dalianis, Griffin
Daniels, Gary	Dokmo, Cynthia	Dwyer, Paul Sr	Fletcher, Richard
Ford, Nancy	Gorman, Mary	Goulet, Maurice	Hall, Betty
Hunter, Bruce	Jean, Loren	Keye, Harvey	Lynde, Harold
MacGillivray, Jeffrey	Martel, Andre	Martin, Mary Ellen	McCarthy, William

McDonough-Wallace, Alice	Mercer, Robert	Murphy, Robert	Pappas, Marc
Thulander, O Alan	Turgeon, Roland	Vaillancourt, Steve	Wall, Nancy
White, Donald			

MERRIMACK

Anderson, Eric	Asplund, Bronwyn	Bouchard, Candace	Chase, George
Feuerstein, Martin	Kennedy, Richard	Langer, Ray	Leber, William
Marple, Richard	Marshall, Kenneth	Nichols, Avis	Soltani, Tony
Virtue, Carolyn	Wallin, Jean	Whittemore, James	

ROCKINGHAM

Abbott, Dennis	Beaulieu, Jon	Clark, Vivian	Cooney, Richard
Dearborn, Bruce	Fesh, Robert	Flanagan, Natalie	Francoeur, Sheila
Gleason, John	Grant, Kenneth	Henderson, Warren	Hutchinson, Karen
Kelley, William	Langone, John	Letourneau, Robert	Major, Norman
McKinney, Betsy	Mikowski, Walter	Nowe, Mary Lou	Nowe, Ronald
Packard, Sherman	Pitts, Jacqueline	Putnam, Ed II	Quandt, Marshall
Rabideau, Marie	Raynowska, Bernard	Reardon, Neil	Ruffner, Walter
Schanda, Frank	Shelton, Richard	Shultis, Elizabeth	Splaine, James
Whittier, John			

STRAFFORD

Berube, Roger	Bickford, David	Brown, Julie	Callaghan, Frank
DeChane, Marlene	Dunlap, Patricia	Kaen, Naida	Keans, Sandra
Lent, Donald	Pelletier, Arthur	Pelletier, Marsha	Tsiros, William
Vincent, Francis	Woods, Phyllis		

SULLIVAN

None

and the report was adopted.

Ordered to third reading.

HB 2000-FN-L, relative to a 10-year transportation plan. OUGHT TO PASS

Rep. Winston H. McCarty for Public Works and Highways: The committee applauds the long and tedious work of taking input from the community level, transportation improvement programs, metropolitan planning organizations, regional planning commissions, and many other considerations too numerous to mention by the Commissioner of the Department of Transportation and his staff. This bill represents the latest version of the state's 10-year transportation program, and contains listings for the major federally assisted projects and turnpike expansion projects. The "gray book", entitled State of New Hampshire Ten Year Transportation Improvement Program 2001-2010, represents an alphabetical listing of the total 10-year program. The first few pages of the book detail how the 10-year plan is developed and created. There was very little public input at the public hearing, and the committee accepted the plan as prioritized with little discussion and no changes. There was some lengthy discussion about using some \$150,000,000 (\$15,000,000 per year) of the additional \$500,000,000 (\$50,000,000 per year) of Transportation Equity Act for the 21st Century (TEA-21) money from the federal government that the state is due to receive for some necessary turnpike expansion projects which are unable to be funded with existing turnpike revenues. These additional TEA-21 funds improve this plan in all areas as it speeds up the whole program. The program uses available revenues on the most worthy of projects with the most reasonable priority. Vote 16-2.

Rep. Leber spoke against.

Rep. Edwin Smith spoke in favor and yielded to questions.

Adopted and referred to Finance.

HB 1309, relative to wood-to-energy rate order buydowns. OUGHT TO PASS WITH AMENDMENT

Rep. Jeb E. Bradley for Science, Technology and Energy: Passage of HB 1309 would strongly encourage the reduction of electricity costs for PSNH customers associated with six wood-to-energy plants and one trash-to-energy plant. PSNH is mandated to purchase this power pursuant to federal and state law and these costs are a significant portion of PSNH's stranded costs. It is hoped that passage of this bill would create a framework for both PSNH and the wood and trash plant owners to renegotiate long term rate orders and lower customer costs. The bill also encourages the PUC to approve any renegotiated rate orders. There was no opposition to the bill. Vote 14-0.

Amendment (3806h)

Amend paragraphs I and II of section 1 of the bill by replacing them with the following:

I. The general court finds that it is important to lower the price paid for electricity by customers of Public Service Company of New Hampshire (PSNH). The general court finds that facilitating buydowns of any or all of the 6 wood-to-energy plant rate orders and/or the one trash-to-energy plant rate order would assist in accomplishing the goal of lower electricity prices. The general court further finds that this goal is consistent with section 2 of HB 464 passed in the 1999 legislative session, 1999, 289:2.

II. The general court recognizes that agreements between PSNH and the plants must be consensual in nature between the parties, and must provide enough benefits to customers that the public utilities commission would find implementation of buydowns to be in the public interest.

Adopted.

Report adopted and ordered to third reading.

HB 1329, limiting the system benefits charge. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.

Rep. Jeffrey C. MacGillivray for the Majority of Science, Technology and Energy: The original subject of this bill was limiting the systems benefit charge that will be added to competitive electric bills to pay for low-income programs and energy conservation. With the sponsor's consent, this subject matter was left to be considered as part of the entire package of the PSNH settlement and associated securitization legislation later this session. The amendment proposed by the majority of the committee instead deals with two other issues, after a second public hearing on this non germane amendment. 1) The committee as a whole supported the provisions dealing with gas utility restructuring, which allow the Public Utility Commission (PUC) to set standards for competitive gas suppliers in order to help implement recent PUC's efforts to expand gas utility retail choice. This is being done to allow the PUC to implement a federal rule; it does not give the PUC authority to implement general gas utility restructuring. A restructuring oversight committee similar to the electric restructuring oversight committee is also established. 2) A second issue supported by the majority of the committee, deals with notification of impending gas or electric utility winter shutoffs for tenants or condominium units to landlords or condominium associations. This section of the bill would allow (not require) utilities to notify landlords or condominium associations that had requested to be notified. The goal of this section is to prevent water damage to other units from burst pipes resulting from frozen pipes. While some members of the committee feared a loss of privacy by the tenant or unit owner, the majority of the committee believes that it is preferable to allow an attempt to prevent damage to other units rather than simply relying on the right of the other occupants to sue later. The utility when reporting the impending shutoff would still need to follow all relevant federal laws. Vote 11-4.

Rep. Jacqueline A. Pitts for the Minority of Science, Technology and Energy: Section 1 of HB 1329 presents a problem in that it would make public (to landlords, or their designee, or the condo association), the private information concerning individual customers' utility bills. The minority foresees possible problems with credit reporting and misuse of information that may not be accurate. The minority also feels that this interferes with the customers' ability to make payment arrangement or follow the appeals process. Section 1 is not specific as to when landlords are to be notified. The minority interprets this to be at the time the notice is generated. Others feel it is when appeals are exhausted but this is not clear. Another question is when everyone who rents is obliged to provide landlord information as well as their own. The minority feels the burden of secondary notification will be borne by all the customers. The minority supports HB 1329 with the exception of Section 1 and hope that the question of dividing Section 1 will be successful so a good piece of legislation will not be lost.

Amendment (3890h)

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

AN ACT relative to the termination of residential electric or gas utility service, the public utility commission's rulemaking authority, and the establishment of a gas utility restructuring oversight committee.

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

1 New Section; Notification of Property Owner or Condominium Association. Amend RSA 363-B by inserting after section 2 the following new section:

363-B:3 Notification of Property Owner or Condominium Association. Notwithstanding any other provisions of state law, any electric or gas public utility may, prior to terminating residential service to a tenant or to a condominium owner, provide notice of the termination to the property owner, in the case of a tenant, or any associated condominium association when:

I. The termination of service is to occur between November 1 and April 30, inclusive of beginning and end dates; and

II. The property owner or the condominium association has requested that it, or its agents, be notified in such instances.

2 New Section; Rulemaking Authority. Amend RSA 365 by inserting after section 8 the following new section:

365:8-a Suppliers of Natural Gas and Aggregators of Natural Gas Customers; Rulemaking. The commission is authorized to adopt rules, pursuant to RSA 541-A, establishing requirements for suppliers of natural gas and the aggregators of natural gas customers, including registration of such suppliers and aggregators before soliciting or doing business in the state, registration fees, disclosure of information to customers, standards of conduct, submission to commission jurisdiction for mediation and resolution of disputes, imposition of penalties for failure to comply with commission requirements, and consumer protection and assistance requirements. This section shall not in any way affect the utility or non-utility status of any supplier of natural gas or aggregator of natural gas customers, nor shall it be construed to limit the commission's existing authority with regard to the regulation of gas utilities or the scope of the commission's authority in considering whether to expand the availability of competitive natural gas supplies through the distribution system of gas utilities.

3 New Subdivision; Gas Utility Restructuring Oversight Committee. Amend RSA 374 by inserting after section 59 the following new subdivision:

Gas Utility Restructuring Oversight Committee

374:60 Gas Utility Restructuring Oversight Committee Membership and Duties.

I. There is established a gas utility restructuring oversight committee to work with the commission to oversee issues related to competitive supply of natural gas to individual customers and potential restructuring of the gas utility industry in New Hampshire.

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

(a) At least 3 but not more than 5 members of the senate, appointed by the president of the senate.

(b) Five members of the house of representatives, appointed by the speaker of the house. The speaker of the house may also appoint up to 5 additional house members as alternates, if deemed appropriate.

III. The first-named house member shall call the first meeting which shall be held within 60 days of the effective date of this section. The members shall elect a chairperson at the first meeting. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The committee shall:

(a) Work with the commission to examine and oversee issues related to the competitive supply of natural gas to individual customers in New Hampshire, including the development of any new legislation necessary to provide for gas utility restructuring and retail choice of gas suppliers.

(b) Work with the commission and other agencies, where necessary, to implement gas utility restructuring.

V. The committee shall submit an annual report on or before November 1 of each year to the speaker of the house, the senate president, the house clerk, the senate clerk, the governor, and the state library.

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

AMENDED ANALYSIS

This bill allows an electric or gas public utility to provide certain notice prior to terminating residential service. The bill authorizes the public utilities commission to adopt rules governing the requirement for suppliers of natural gas and aggregators of natural gas customers. The bill also establishes a gas utility restructuring oversight committee.

Adopted.

Rep. Bradley requested that the question be divided. The Speaker ruled that the question was divisible.

Rep. Bradley requested that Sec. 1 of the bill be voted on separately. The Speaker so ordered.

Rep. Pitts spoke against.

Rep. MacGillivray spoke in favor and yielded to questions.

Sec. 1 of the bill was adopted.

The remainder of the Bill was adopted and ordered to third reading.

HB 1414, authorizing the department of environmental services to discuss with other northeastern states the use of a regional gasoline containing less or no MTBE, promoting the use of less polluting marine engines by the state and others, and extending the reporting date of the committee to study the requirements for usage of MTBE. **OUGHT TO PASS WITH AMENDMENT**

Rep. Terie T. Norelli for Science, Technology and Energy: This bill was introduced by the committee to study requirements for and usage of methyl-t-butyl ether established through legislation passed last year. It extends the report date for the MtBE study committee. It authorizes the commissioner of the department of environmental services to discuss and encourage development of a regional gasoline with less or no MtBE additive with other states, and to promote the use of less polluting marine engines. As amended, the bill also requires that a municipality acquiring formerly owned electric utility generating plants certify that the municipality understands it will be subject to current and future environmental and safety regulations, notwithstanding Article 28-a of the

constitution. Lastly, it allows the commissioner of DES to consider cost effectiveness when setting ambient groundwater quality standards. Vote 14-1.

Amendment (3888h)

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

AN ACT authorizing the department of environmental services to discuss with other states the use of a regional gasoline containing less or no MTBE, promoting the use of less polluting marine engines by the state and others, extending the reporting date of the committee to study the requirements for usage of MTBE, requiring a certification of understanding by certain municipal electric utilities, and relative to ambient groundwater quality standards.

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

1 Findings. The general court finds that:

I. The United States Environmental Protection Agency's National Blue Ribbon Panel on MTBE has recently examined oxygenates in gasoline in general, and methyl t-butyl ether (MTBE) in particular, and has concluded that the oxygenate requirement for gasoline of the federal Clean Air Act should be eliminated and that the use of MTBE in gasoline should be phased out.

II. State by state standards for gasoline composition would result in a complex and inefficient regulatory system for fuels, with negative financial effects on refiners and consumers.

III. Therefore, the department of environmental services should aggressively pursue options for establishing consistent requirements for gasoline composition on a regional basis. The total environmental impacts on air and water of any proposed regional gasoline formulations should be carefully examined, and care should be taken to preserve the cost-effective benefits of reformulated gasoline, including reductions in Reid vapor pressure, toxics, and aromatics. Requiring ethanol, or some other oxygenate, instead of eliminating the oxygenate requirement, is not a desirable option.

IV. Since 4-cycle marine engines, and redesigned 2-cycle marine engines that meet federal model year 2007 standards, are far less polluting than existing 2-cycle marine engines, the state should encourage the use of these cleaner marine engines by the state and others. The general court commends those state agencies that have already decided to purchase only these cleaner marine engines, including the departments of safety and environmental services, and strongly encourages all other state agencies to do so as well.

V. It is desirable that municipal electric utilities continue to be allowed to construct or purchase electricity generation plants. It is also desirable that the state retain the authority to establish and implement environmental and safety regulations for such plants on an equitable financial basis with other electricity generation plants with which they compete. Therefore, the general court specifically limits its grant of authority to municipal electric utilities to construct or purchase electricity generation plants by stating that this authority may be exercised only if the municipal electric utility understands that by undertaking such action it will be subject to all environmental and safety regulations regarding such plants, and that no future environmental or safety regulation of such plants shall in any way be construed as "new, expanded, or modified programs or responsibilities" under part 1, article 28-a of the state constitution.

2 Authority of the Commissioner of Environmental Services. The commissioner of environmental services shall have the authority to:

I. Discuss and encourage the development of a regional gasoline containing less or no MTBE additive with the appropriate departments and agencies in other states, especially northeastern states.

II. Promote the use of less polluting 4-cycle marine engines, and redesigned 2-cycle marine engines that meet federal model year 2007 standards, by the state and others.

3 Committee to Study Requirements for and Usage of Methyl-T-Butyl Ether; Report; Date Extended. Amend 1999, 55:6 to read as follows:

55:6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, ~~[1999]~~ **2000**.

4 New Section; Municipal Electric, Gas, Or Water Systems; Municipal Electric Utility Certification of Understanding. Amend RSA 38 by inserting after section 36 the following new section:

38:37 Municipal Electric Utility Certification of Understanding. Any municipal electric utility that after January 1, 2000, establishes, expands, takes, purchases, leases, or otherwise acquires one or more suitable plants for the manufacture of electricity in accordance with this chapter shall, prior to such action, certify to the chairperson of the public utilities commission that it understands that by undertaking such action it will be subject to all environmental and safety regulations regarding such plants, and that no future environmental or safety regulation of such plants shall in any way be construed as "new, expanded, or modified programs or responsibilities" under part 1, article 28-a of the state constitution.

5 Water Management and Protection; Groundwater Protection Act; Ambient Groundwater Quality Standards. Amend RSA 485-C:6, I to read as follows:

I. The commissioner shall establish and adopt ambient groundwater quality standards for regulated contaminants which adversely affect human health or the environment. Ambient groundwater standards shall apply to all regulated contaminants which result from human operations or activities, but do not apply to naturally occurring contaminants. Where federal maximum contaminant level or health advisories have been promulgated under the Federal Safe Drinking Water Act or rules relevant to such act, ambient groundwater quality standards shall be equivalent to such standards. Where such standards are based upon cancer risks, the ambient groundwater quality standards shall be equivalent to that exposure which causes a lifetime exposure risk of one cancer in 1,000,000 exposed population, ***unless the commissioner finds that this would not be cost effective***. Where no federal maximum contaminant level or health advisory has been issued, the commissioner may adopt ambient groundwater quality standards on a basis which provides for an adequate margin of safety to protect human health and safety.

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

AMENDED ANALYSIS

This bill:

I. Authorizes the commissioner of environmental services to discuss with other states the use of a regional gasoline containing less or no MTBE, and to promote the usage of less polluting 4-cycle marine engines by the state and others.

II. Extends the report date for the committee to study requirements for and usage of methyl-t-butyl ether.

III. Requires that any municipal electric utility which, after January 1, 2000, acquires one or more plants for the manufacture of electricity shall, prior to such action, certify to the public utilities commission that it understands that by undertaking such action it will be subject to current and future environmental and safety regulations.

IV. Provides that the commissioner of environmental services may consider cost effectiveness when setting ambient groundwater quality standards.

Adopted.

Report adopted and ordered to third reading.

HCR 34, urging Congress to investigate the rising prices of gasoline and diesel fuel and take appropriate action to decrease prices to consumers. OUGHT TO PASS

Rep. Eugene L. Gagnon for State-Federal Relations and Veterans Affairs: This resolution urges Congress to investigate the rising cost of gasoline and diesel fuel. Currently the continued increased costs of the transportation fuels has a severely disastrous effect on the movement of goods and materials within our state certainly, it affects our tourist industry. Vote 10-6.

Adopted and ordered to third reading.

HB 1620-FN, relative to driver record information. OUGHT TO PASS WITH AMENDMENT

Rep. Alfred C. Lerandean for Transportation: This bill will bring New Hampshire into compliance with federal law (Section 350 of Public Law 106-69) commonly known as the Shelby amendment concerning the release of motor vehicle records. This is an opt in provision for bulk distribution of surveys, mass marketing or solicitations. This bill will protect the citizens of NH from having their personal motor vehicle records from being obtained by these entities. For those entities that are entitled to access of motor vehicle records under RSA 260:14, this bill also puts stringent guidelines on the resale of those records. Vote 16-3.

Amendment (3938h)

Amend the introductory paragraph of RSA 260:14, IV(a) as inserted by section 2 of the bill by replacing it with the following:

IV.(a) Except for a person's photograph, computerized image and social security number, motor vehicle records shall be made available, upon proof of the identity of the person requesting the records and representation by such person on a form satisfactory to the department that the [use of the] records will be strictly limited to one of the following described uses:

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

3 Restriction on Uses of Motor Vehicle Records. Amend the introductory paragraph of RSA 260:14, V(a) to read as follows:

V.(a) Except for a person's photograph, computerized image and social security number, motor vehicle records may be made available upon proof of the identity of the person requesting the records and representation by such person on a form satisfactory to the department that the use of the records will be strictly limited to one or more of the following described uses, ~~[each such use to be separately described]~~ **which use shall be specified in the request:**

4 Access to Motor Vehicle Records by Banking Institutions. RSA 260:14, V(a)(3) is repealed and reenacted to read as follows:

(3) For use with respect to a request for a named person's motor vehicle records by a banking or similar institution, in the normal course of business, but only to verify the accuracy of personal information submitted by the individual to the bank and if such information is incorrect, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

Amend RSA 260:14, V(b)(1) as inserted by section 6 of the bill by replacing it with the following:

(b)(1) A person may elect at any time not to have any personal information pertaining to such person made available as provided in subparagraphs V(a)(1), (2), (3), (4), (5), (6) and (7). A person who so elects shall inform the department in writing, and the department shall not thereafter make the personal information available, nor shall the department make available a list of the persons who have so elected. Any elections previously made under this section shall continue in effect.

Amend RSA 260:14, VI(b) as inserted by section 8 of the bill by replacing it with the following:

(b) An authorized recipient of personal information for a particular use under subparagraphs V(a)(4), (8), and (9) may sell, rent, transfer or make the information available to another person for the same use only, subject to the limitations in the particular subparagraph.

Amend the bill by replacing section 9 with the following:

9 Penalties for Unlawful Use of Motor Vehicle Records. Amend RSA 260:14, IX to read as follows:

IX.(a) [A] **Any natural** person is guilty of a ~~[class-B]~~ misdemeanor if such person knowingly discloses information from a department record to a person known by such person to be an unauthorized person; knowingly makes a false representation to obtain information from a department record; or knowingly uses such information for any use other than the use authorized by the department. In addition, any professional or business license issued by this state and held by such person may, upon conviction and at the discretion of the court, be revoked permanently or suspended. Each such unauthorized disclosure, unauthorized use or false representation shall be considered a separate offense.

(b) A person is guilty of a class B felony if such person knowingly sells, rents, transfers or otherwise makes available any motor vehicle records to another person in violation of this section.

Amend the bill by replacing section 10 with the following:

10 New Paragraphs; Fees for Release of Motor Vehicle Records. Amend RSA 260:14 by inserting after paragraph XII the following new paragraphs:

XIII. Notwithstanding the provisions of RSA 91-A, the department may charge reasonable fees for the release of information under this section. In determining a reasonable fee, the department shall consider factors such as labor and production costs, as well as the market value of the information.

XIV. Any person determined by the commissioner, after hearing, to have violated any provisions of this section may be barred from receiving motor vehicle records for a period not to exceed 5 years.

XV.(a) Motor vehicle records obtained from the department under this section shall be obtained separately for each use specified under this section, one use to a request, provided that the commissioner may grant a request from a legitimate business for multiple uses if:

(1) The commissioner determines the legitimate business has responsible business practices including, but not limited to, data privacy and security policies.

(2) The legitimate business provides the commissioner with a list of all users of the information, including the name and address of the business.

(3) The subsequent users are required by the legitimate business to certify compliance with RSA 260:14 and shall be conspicuously informed that they are prohibited from reselling, transferring, or assigning any motor vehicle record information, including personal information;

(4) The legitimate business certifies its compliance with RSA 260:14 on a form prescribed by the department, including posting a bond if required by the commissioner.

(b) All legitimate businesses approved under this paragraph shall be charged a reasonable fee as determined by the commissioner that reflects the number of multiple uses authorized, the volume of the legitimate business' resale business, and the market value of the information.

XVI. The commissioner may limit the information contained in motor vehicle records released to any person under this section if it is determined by the commissioner that the release of certain personal information is unnecessary.

XVII. The provisions of this section shall be severable any if any phrase, clause, sentence or provision is declared contrary to the constitution of this state or the United States.

Rep. Packard spoke against.

The amendment failed.

Rep. Packard offered a floor amendment.

Floor Amendment (3984hh)

Amend the introductory paragraph of RSA 260:14, IV(a) as inserted by section 2 of the bill by replacing it with the following:

IV.(a) Except for a person's photograph, computerized image and social security number, motor vehicle records shall be made available, upon proof of the identity of the person requesting the records and representation by such person on a form satisfactory to the department that the ~~[use of the]~~ records will be strictly limited to one of the following described uses:

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

3 Restriction on Uses of Motor Vehicle Records. Amend the introductory paragraph of RSA 260:14, V(a) to read as follows:

V.(a) Except for a person's photograph, computerized image and social security number, motor vehicle records may be made available upon proof of the identity of the person requesting the records and representation by such person on a form satisfactory to the department that the use of the records will be strictly limited to one or more of the following described uses, ~~[each such use to be separately described]~~ **which use shall be specified in the request:**

4 Access to Motor Vehicle Records by Banking Institutions. RSA 260:14, V(a)(3) is repealed and reenacted to read as follows:

(3) For use with respect to a request for a named person's motor vehicle records by a banking or similar institution, in the normal course of business, but only to verify the accuracy of personal information submitted by the individual to the bank and if such information is incorrect, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

Amend RSA 260:14, V(b)(1) as inserted by section 6 of the bill by replacing it with the following:

(b)(1) A person may elect at any time not to have any personal information pertaining to such person made available as provided in subparagraphs V(a)(1), (2), (3), (4), (5), (6) and (7). A person who so elects shall inform the department in writing, and the department shall not thereafter make the personal information available, nor shall the department make available a list of the persons who have so elected. Any elections previously made under this section shall continue in effect.

Amend RSA 260:14, VI(b) as inserted by section 8 of the bill by replacing it with the following:

(b) An authorized recipient of personal information for a particular use under subparagraphs V(a)(4), (8), and (9) may sell, rent, transfer or make the information available to another person for the same use only, subject to the limitations in the particular subparagraph.

Amend the bill by replacing section 9 with the following:

9 Penalties for Unlawful Use of Motor Vehicle Records. Amend RSA 260:14, IX to read as follows:

IX.(a) A person is guilty of a ~~[class-B]~~ misdemeanor if such person knowingly discloses information from a department record to a person known by such person to be an

unauthorized person; knowingly makes a false representation to obtain information from a department record; or knowingly uses such information for any use other than the use authorized by the department. In addition, any professional or business license issued by this state and held by such person may, upon conviction and at the discretion of the court, be revoked permanently or suspended. Each such unauthorized disclosure, unauthorized use or false representation shall be considered a separate offense.

(b) A person is guilty of a class B felony if, in the course of business, such person knowingly sells, rents, offers, or exposes for sale motor vehicle records to another person in violation of this section.

Amend the bill by replacing section 10 with the following:

10 New Paragraphs; Fees for Release of Motor Vehicle Records. Amend RSA 260:14 by inserting after paragraph XII the following new paragraphs:

XIII. Notwithstanding the provisions of RSA 91-A, the department may charge reasonable fees for the release of information under this section. In determining a reasonable fee, the department shall consider factors such as labor and production costs, as well as the market value of the information.

XIV. Any person determined by the commissioner, after hearing, to have violated any provisions of this section may be barred from receiving motor vehicle records for a period not to exceed 5 years.

XV.(a) Motor vehicle records obtained from the department under the provisions of subparagraph V(a)(4) and (8) shall be obtained separately for each use specified under subparagraph V(a)(4) and (8), one use to a request, provided that the commissioner may grant a request from a legitimate business for multiple uses if:

(1) The commissioner determines the legitimate business has responsible business practices including, but not limited to, data privacy and security policies.

(2) The legitimate business provides the commissioner with a list of all users of the information, including the name and address of the business.

(3) The subsequent users are required by the legitimate business to certify compliance with RSA 260:14 and shall be conspicuously informed that they are prohibited from reselling, transferring, or assigning any motor vehicle record information, including personal information.

(4) The legitimate business certifies its compliance with RSA 260:14 on a form prescribed by the department, including posting a bond if required by the commissioner.

(b) All legitimate businesses approved under this paragraph shall be charged a reasonable fee as determined by the commissioner that reflects the number of multiple uses authorized, the volume of the legitimate business' resale business, and the market value of the information.

XVI. The commissioner may limit the information contained in motor vehicle records released to any person under this section if it is determined by the commissioner that the release of certain personal information is unnecessary.

XVII. The provisions of this section shall be severable if any phrase, clause, sentence or provision is declared contrary to the constitution of this state or the United States.

Adopted.

Report adopted and ordered to third reading.

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 1628 and House Resolution numbered 24 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 HR

First, second reading and referral

HB 1628-FN-A-L, establishing a reformed public school financing system for ensuring educational adequacy for all children; establishing a state public education assistance system funded solely with state tax revenues, and making an appropriation therefor. (Hess, Merr 11; Chandler, Carr 1; Clegg, Hills 23; Kurk, Hills 5: Finance)

HR 24, requesting an opinion of the justices on the constitutionality of HB 1628-FN-A-LOCAL, "An act establishing a reformed public school financing system for ensuring educational adequacy for all children; establishing a state public education assistance system funded solely with state tax revenues, and making an appropriation therefor." (Hess, Merr 11; Chandler, Carr 1; Clegg, Hills 23; Kurk, Hills 5)

SUSPENSION OF RULES

Reps. Chandler and Burling move that House Rule 64 be so far suspended as to permit referral by April 13, 2000 for those bills on the following list needing referral to a second committee, with final action on those bills by April 27, 2000. Final action on all other House bills will be by April 20, 2000:

HB 735-FN-A, establishing a contributory judicial retirement plan.

HB 1369-FN-L, clarifying authority to regulate asbestos.

HB 1452, establishing a committee to study the recodification of laws relating to the joint committee on legislative facilities.

HB 1469, establishing a committee to study the feasibility of making the division of children, youth, and families an independent state agency.

HB 1521-FN-L, relative to the definition and administration of an adequate education.

HB 1618, relative to requiring legislative approval for mergers, acquisitions, or restructuring of certain electric utility corporations.

HB 1623, relative to the disclosure of customer financial information by financial institutions.

HB 1624, relative to administrative rules concerning sales of pari-mutuel pools.

HB 1625, requiring the attorney general to initiate a declaratory judgment action concerning record title matters related to the Green Hills subdivision in the town of Raymond.

HB 1626-FN, establishing a program to rebate certain excessive property tax payments of eligible taxpayers.

HB 1627, relative to the exchange of certain land in the town of Rindge.

HB 1628-FN-A-L, establishing a reformed public school financing system for ensuring educational adequacy for all children, and establishing a state public education assistance system funded solely with state tax revenues, and making an appropriation therefor.

HB 2000-FN-L, relative to 10-year transportation plan.

HR 24, requesting an opinion of the justices on the constitutionality of HB 1628-FN-A-L, an act establishing a reformed public school financing system for ensuring educational adequacy for all children, and establishing a state public education assistance system funded solely with state tax revenues, and making an appropriation therefor.

HJR 26, urging Congress to pass legislation ensuring improved access to local television for households in unserved and underserved rural areas.

HCR 35, urging the United States Food and Drug Administration to defer its proposed rules requiring pasteurization for apple cider and consider adoption of alternative processing standards.

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.

Reps. Chandler and Burling spoke in favor.

Adopted by the necessary two thirds.

senate messages

accedes to requests for committees of conference

HB 1198, establishing a procedure for the 2001 voter checklist verification.

The President appointed Sens. Trombly, Disnard and Eaton.

HB 1200-FN, relative to the application of education property tax hardship relief to estate planning trusts.

The President appointed Sens. McCarley, Gordon and Larsen.

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, April 13, 2000 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 1183, relative to consumer access to providers for the term of the consumer's health benefit plan and relative to the committee studying certain financial arrangements.

HB 1335, requiring hospitals to disclose certain information to the attorney general.

HB 1589, prohibiting the use of genetic testing for certain insurance policies.

HB 1224, relative to the process for nonrenewal of teacher contracts.

HB 1619-FN, relative to school employee and volunteer background investigations.

HB 1342-FN, directing the department of environmental services to adopt concentration limits for certain compounds in land applied sludge.

HB 1410, relative to the joint health council.

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

SB 76-L, allowing certain municipalities to offer tax exemptions to foster commercial and industrial construction.

HB 1309, relative to wood-to-energy rate order buydowns.

HB 1329, relative to the termination of residential electric or gas utility service, the public utility commission's rulemaking authority, and the establishment of a gas utility restructuring oversight committee.

HB 1414, authorizing the department of environmental services to discuss with other states the use of a regional gasoline containing less or no MTBE, promoting the use of less polluting marine engines by the state and others, extending the reporting date of the committee to study the requirements for usage of MTBE, requiring a certification of understanding by certain municipal electric utilities, and relative to ambient groundwater quality standards.

HCR 34, urging Congress to investigate the rising prices of gasoline and diesel fuel and take appropriate action to decrease prices to consumers.

HB 1620-FN, relative to driver record information.

unanimous consent

Rep. Haettenschwiler addressed the House.

RECESS MOTION

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

Adopted.

The House recessed at 4:55 p.m.

RECESS

(Rep. McGough in the Chair)

RESOLUTION

Rep. David Cote offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 360, 379 and 399 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 360, adopting a pupil safety and violence prevention act. (Education)

SB 379-FN, relative to lottery scratch tickets. (Finance)

SB 399-FN-A, making an appropriation to the fish and game department for the purposes of the wildlife damage control program. (Wildlife and Marine Resources)

RECESS