HOUSE RECORD

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Calendar and Journal of the 2001 Session

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HOUSE JOURNAL No. 3

(January 4, 2001)

The House assembled at 11:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Reverend Hays M. Junkin, House Chaplain.

Ever gracious Creator, we ask Your blessing upon the work of this honorable House. May Your Spirit of warmth, wisdom, and grace fill this chamber today as we welcome many here to celebrate our democratic freedoms in honor of all the men and women who gave so tirelessly in the past to grant us this gift. Amen.

Reps. Scanlan and Burling led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Cecelia Kane, Donald Flanders, Lefebvre, Lockwood, Palermo and Whittemore, the day illness.

Reps. Albert, Arndt, Artz, Balcom, Benn, Bergin, Bickford, Bishop, David Bouchard, Bouldin, Paula Bradley, Brundige, Bruno, Carlson, Carson, Case, Chris Christensen, Cobb, Czech, Dewhirst, Dexter, Dowling, Dunne, Dyer, Eaton, Estabrook, Edwards, Fairbanks, Brenda Ferland, Paul Ferland, Feuerstein, Fletcher, Leo Fraser, Gabler, Gilbert, Ginsburg, Goulet, Betty Hall, Henderson, Hess, Rogers Johnson, Langley, Manning, McDonough-Wallace, Meader, Mikowlski, Musler, Nedeau, O'Connell, Patten, Perkins, Potter, Reeves, Rice, Roberts, Robertson, Royce, Ruffner, Sargent, Scovner, Seibel, Shaw, Smith, Souza, Tate, Ward, Weyler, Carol Williams, Phyllis Woods, Woodward, Zerba and Zolla, the day, important business.

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

Reps. Ford, Priestly and Spang, the day, illness in the family.

INTRODUCTION OF GUESTS

Rebecca, Andrew, Paul, Elizabeth and Susan Harvey, guests of Rep. Pitts. Christine Hamm, guest of Rep Owen. Barbara Brewster and Audry Schaefer, wife and guest of Rep. Brewster.

RESOLUTION

Reps. Scanlan and Burling offered the following:

RESOLVED, that the Honorable Senate be notified that the House of Representatives is ready to meet in Joint Convention for the purpose of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, for the Inauguration of the Governor, the Honorable C. Jeanne Shaheen, and for the taking of the oath by the Executive Council.

Adopted.

SENATE MESSAGE

The Senate is ready to meet in Joint Convention for the purpose of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, the Inauguration of the Governor, the Honorable C. Jeanne Shaheen, and the taking of the oath by the Executive Council.

JOINT CONVENTION

(Speaker Chandler Presiding)

The Sergeant-at-Arms introduced the Honorable Senate and Senate President, Arthur P. Klemm, Jr.

report

Sens. Roberge and D'Allesandro and Reps. Flanagan, Horton, and Robert Johnson offered the following report:

The Joint Committee appointed to compare and count the votes for Governor and Executive Council reports that it has attended to its duties and the vote is correct.

introduction and seating of special guests

The Sergeant-at-Arms introduced the following who were escorted to their seats by the Governor's Military Staff:

The family and friends of Governor-elect Shaheen. The State Commissioners and Department Heads. United States Marshall, Ray Gagnon. United States Attorney, Paul Gagnon. Counsuls General from Canada, England, France, Germany, Israel, Ireland, Japan, Korea and Taipei. Hon. John R. Maher, Administrative Judge of the Probate Court. Hon. Edwin W. Kelly, Administrative Judge of the District Court. Chief Justice of the Superior Court Walter Murphy and Mrs. Murphy. The Associate Justices of the Supreme Court and their guests. Hon. David A. Brock, Chief Justice of the Supreme Court and Mrs. Brock. Deputy Secretary of State Robert P. Ambrose. State Treasurer Georgie A. Thomas. Former Governor Hugh Gregg and Mrs. Gregg. Former Governor Walter Peterson and Mrs. Peterson. Former Governor John E. Sununu and Mrs. Sununu. The Honorable Clergy. The Council-elect: David K. Wheeler, Raymond S. Burton and guest, Roland Stoodley; Peter J. Spaulding; Ruth L. Griffin; and Thomas P. Colantuno and Mrs. Colantuno. House Leadership. The Governor's daughters, Molly, Stacy and Stephanie and her husband, Craig Welch. Governor C. Jeanne Shaheen and Mr. Shaheen.

INVOCATION

The Invocation was offered by the Most Reverend John B. McCormack, Bishop of Manchester.

Generous God, Creator of our universe and provider of all that is good, we begin this day by asking that our civil servants be enriched by Your grace. As citizens of New Hampshire, we may often be known as thrifty in our use and management of our resources, but we must be extravagant in our praise of Your blessings and goodness. So today as we look forward to the lengthening daylight of winter days, we also look forward to the rays of Your wisdom being lengthened to guide our civil servants in Your ways of justice, mercy and peace. Bless our Governor, the members of her Council and the members of our Senate and House of Representatives. Grant them the grace to carry out their responsibilities in a manner that all people and all human life are respected and dealt with fairly from the beginning of life in the womb through healthy development, with good schooling, fair employment, just taxes and proper care until the time of natural death. Bless them with patience, perseverance and prudence. Help them stand firm and tall under pressure and nudge them when needed to bend low in care of the needy and the voiceless. As You enable them to assist, guide and represent Your people, we pray that You sustain them in their efforts to seek and provide for the common good. May their decisions be informed by what our traditions hold to be true, right and just. May facile solutions to difficult questions never be embraced and may the trust and respect for human dignity always be part of their discussions so that when the evening of their work is over, our trust and respect for human dignity in life will be enhanced, strengthened and sustained through their efforts. Confident of Your creative love, we ask all this of You. Amen.

POSTING OF COLORS

The New Hampshire National Guard posted the Colonial and Traditional Colors.

pledge of allegiance

The Kindergarten Class from Gonic Elementary School in Rochester led the Pledge of Allegiance.

NATIONAL ANTHEM

The National anthem was sung by Rawn Spearman from Nashua.

PRAYER

A prayer for peace and thanksgiving was offered by Rabbi Richard L. Klein of Temple Beth Jacob in Concord.

May God who creates peace in the heavens guide us in creating peace here on earth. Peace is a persistent dream of humanity. It has been the subject of prayers for as long as we have records. The Bible tells us to pursue peace. The Hebrew word is *lirdof.* That same term, *lirdof,* is also used when Scriptures speak of justice. The Sages saw an important lesson in the commonality of language. If we wish to have peace, we must pursue justice for the weakest among us: those who have no home; those caught in the trap of domestic violence; those from whom we shrink because their language, faith, skin color or sexual orientation are different from our own; those whose children's access to educational resources is severely limited; those who are so alienated that they turn to substance abuse, violence and horrific criminal acts. Only when we pursue justice for them will there be peace for us all. Governor Shaheen and our other leaders cannot do it for us. We must all join in the pursuit. "*Kayn yehi ratzon"* -- May it be Your will. Amen.

OATHS OF OFFICE

Chief Justice David A. Brock administered the oath of office to Governor-elect Jeanne Shaheen. Governor Shaheen administered the oath of office to the Honorable Executive Councilors-elect Raymond S. Burton, Peter J. Spaulding, Ruth L. Griffin, Thomas P. Colantuono and David K. Wheeler.

PRAYER

A Prayer for a successful administration was offered by Reverend Janet Lombardo of the Trinity Episcopal Church in Tilton.

Holy God, Creator of us all, help each of us to work together for the good of the people of New

Hampshire. Help Governor Jeanne Shaheen to be an able leader, patient and true to her beliefs. Let this body not be guided by popularity, but by faithful dialogue, always searching for the best

solution. We pray that each person here not lose sight of what is right, that the work done here will be the very best for the people of New Hampshire, both now and in the future. We thank You God for bringing this particular group together. Help them work with each other, so that this administration may be successful. Amen.

poem

New Hampshire Poet Laureate Marie Harris read her poem, "January Thaw."

The meager light is charged with sudden warmth

that tempts the buds on the brittle branch

and softens pond ice, releasing the hint of a scent of spring.

This seditious weather undermines winter's dictatorship:

Its puppet government of cold,

Its dark decrees.

A turn in the wind carries the news:

There is nothing cast in stone or ice or precedent

That cannot be chiseled, molded or changed.

In such a climate hope and opportunity abound;

Fresh purpose will emerge as surely

As snowdrops elbowing the frozen ground.

SCRIPTURE READING

Reverend Bartholomew Leon of the St. George Maronite Catholic Church in Dover read from the Book of Wisdom 9:1-6, 8-14:

MUSICAL INTERLUDE

Members of the Concord Community Music School's Scholarship Vocal Ensemble sang "Ave Verum" by W.A. Mozart.

INAUGURAL ADDRESS

The Governor delivered her Inaugural Address:

Mr. Speaker, Mr. President, Mr. Chief Justice, Executive Council, honorable members of the House, Senate and my fellow citizens:

I want to thank the people of New Hampshire for once again entrusting me with this office. It is a special privilege, and I promise to work for you every day to be worthy of it.

Speaker Chandler and Senate President Klemm, congratulations. We have much to do, and I look forward to working with you and with all the member of the House and Senate.

I have to stop for a minute here and introduce my family because without them I would not be here. My daughter Stephanie and her husband Craig, parents of my grandaughter; Stacy, the bride-to-be in just ten days; and Molly who's all grown up, she won't be falling asleep this year and Billy, without your encouragement and support, not only would I not be here, but I couldn't do this. So thank you, all, every day.

We meet today for the first inauguration of the 21st century. More than ever, we see ourselves at the dawning of new time, new challenges and new opportunities. More than ever, we look to the future with optimism, to be sure, but also marveling that the world seems to be changing at a faster and faster pace.

One hundred years ago, at the beginning of the 20th century, after taking the same solemn oath of office I have just taken, Governor Chester Jordan stood in this room and said New Hampshire was on the "threshold of a century that promises beyond what we can think or ask." In 1901, nearly as many New Hampshire workers were employed in agriculture as in manufacturing. Virtually every road in the state was unpaved; most people still traveled by horse and buggy. There were more harness makers than electricians; blacksmiths outnumbered lawyers 4 to 1 and in that much-different world, women could not vote.

The greatest challenge facing New Hampshire's future, Governor Jordan said, was excessive and unrestrained timber cutting. In his words, "our forests are fast becoming despoiled, their scenic beauties marred and destroyed, the public health endangered," and the state's agriculture, tourism, and even lumber industry threatened with ruin. Without action, he warned, New Hampshire's forests are headed toward extinction.

The efforts begun in 1901 to preserve our forests, efforts continuing to this day, have been a remarkable success. Despite the dramatic population increases of the last century, New Hampshire's forests have re-grown to cover eighty-five percent of our land, almost as much as when the first settlers arrived here over than 300 years ago.

In many ways, the New Hampshire of 1901 seems unrecognizable to us now. But consider it from another perspective. Sitting in this hall today is Elizabeth McLaughlin of Concord. She is 101 years old. Elizabeth was alive in 1901, back when women couldn't vote, when automobiles were a curiosity, and when the prospect of a New Hampshire barren of trees seemed a real possibility. All the changes between the end of the 19th century and the beginning of the 21st century have taken place within her one, single lifetime.

New Hampshire at the dawn of the 21st century has certainly changed from the New Hampshire of 100 years ago or even five years ago.

When the kindergartners from Rochester were born, New Hampshire had never elected a woman Governor. No woman had ever served on the State Supreme Court or as Speaker of the House. There was no state law honoring Martin Luther King. New Hampshire ranked 50th in state aid to education. And in those kindergartners' hometown of Rochester there was no public school kindergarten.

New Hampshire's economy has also changed. Today, we are one of the leading "New Economy" states.

We rank second in the nation in the percentage of our workforce employed in high-technology jobs. With one of the highest rates of growth in international trade, New Hampshire businesses are competing and winning all around the world. New Hampshire companies are leading the way in innovation. In Portsmouth, Wastech International is developing a sophisticated new technology that will safely treat the wastewater produced by ships, preserving our precious oceans. In Wilton, Advanced Energy is designing innovative electronics that will allow us to better harness the power of the sun to meet our future energy needs. And in West Lebanon, Mii Technologies has developed a new way of making machine parts , an invention that *Time* magazine says could revolutionize 21st century manufacturing the way the cotton gin revolutionized 19th century farming.

Once again, we stand on the "threshold of a century that promises beyond what we can think or ask." But one thing is certain: New Hampshire must keep adapting to a fast-changing and increasingly global economy, or we will fall behind.

The new economy of the 21st century is run on brainpower, not horsepower. In this economy, success is built on innovation, ideas and information, and the foundation for this new economy is education.

In the last few years, by almost every measure, the growth of the New Hampshire economy has been breathtaking. Today, the major limit to our continued growth is a shortage of skilled workers. We will not be able to meet the needs of New Hampshire business in the 21st century by importing workers. Instead, we must focus our efforts on improving the skills of our students and our existing workforce. We must ensure that our children, no matter where they live, have the skills and education to allow them to take full advantage of the opportunities offered by this high-tech, global economy. And that means we must make the commitment and the investment necessary to improve our schools.

If New Hampshire's economy is to prosper; if New Hampshire's children are to succeed; if New Hampshire's future is to be bright and secure, then we must recognize that improving education is the single most important issue we face. Nothing else that we do here will have a greater impact on New Hampshire's success or failure in this new century. The equation is really quite simple: how well we educate our students will determine New Hampshire's future, our quality of life, the economic security of our families, the success of our businesses and the opportunities available to our children. But while that equation is simple, meeting its challenge is not.

In four years, we have come a long way, dramatically increasing state aid to education, cutting in half the number of communities without public kindergarten, wiring ninety-eight percent of our schools to the Internet. But our greatest challenge,- a permanent school funding solution, is still before us; and we must meet that challenge this year.

This will not be easy. No one appreciates that more than I do. Resolving school funding will require each of us to be honest with ourselves and the people of New Hampshire about what is required by the Claremont II decision. The State must pay for the cost of an adequate education for every child in

New Hampshire. It's that simple and that difficult. We must face up to this obligation and we must acknowledge that we cannot meet it without change.

Throughout my four years as Governor, I have been heartened by the support for improving schools voiced by members of the state's business community. Long before Claremont II, the Business and Industry Association in 1991 published a report on education that stated, "We recognize that business has needs only education can meet. We depend on education to provide us with involved citizens, knowledgeable consumers, intelligent workers and competent family members. We see an investment in education as the best investment in our future." We see an investment in education as the best investment in our future. That's as true today in 2001 as it was in 1991. In fact, it's even more true.

Now is the time we must make that investment in education a reality, not merely a promise. And we must choose how we are going to pay for that investment. We need to recognize that there is no easy choice, and that "none of the above" is not an option. Putting off the hard choices until next year or a future legislature will not make this challenge go away or make it any easier to solve. It will only make it more difficult.

Make no mistake: enacting a permanent solution must be our overriding priority this year in this session of this legislature. Without a permanent solution this year, the state's bond ratings and strong fiscal position will be jeopardized. But even more important, without a permanent solution, New Hampshire's public schools, and therefore our prosperity, will be threatened.

As you know, for the last eight months a blue ribbon commission of economists and financial experts has been analyzing different revenue sources. I asked for this independent, non-partisan study because we need to move forward and make decisions with hard facts and objective analysis. This blue ribbon commission has only recently completed its work. Its report will be released next week. I want to thank former Dartmouth College President David McLaughlin and all the men and women who, in true New Hampshire tradition, volunteered so much time and effort for this important study.

I will be relying on their work when I make my proposal in the next few weeks charting a new, secure course for funding education. I am ready to meet this challenge. I will propose a solution, but it will require all of us, in the Senate, in the House, and in the Executive; in the business community and education community; Democrats, Republicans, and Independents working together and putting aside partisanship to get this job done.

The people of New Hampshire expect no less from us. In the past election, they made a clear, some would say historic, choice. They want this issue solved. They are tired of the old debates driven by slogans and unyielding ideology. They want results, and they expect all of us to keep an open mind as we seek to do what's best for our state.

The people of New Hampshire made clear they will not go back to a system of unequal schools based on a 19th century system of funding. They want to move forward into the 21st century with 21st century schools. The people of New Hampshire also understand that funding alone will not give us excellent schools. We must set high standards for our schools and hold them accountable for meeting those standards. We have debated school accountability for three years. This year we must act.

We must also continue to improve educational opportunities for our youngest children. Four years ago, we took a giant step forward when we gave communities an incentive to start public kindergartens. Now we must extend our kindergarten construction program and make sure that every five-year-old really does have the opportunity to attend public kindergarten in New Hampshire. But we must move beyond kindergarten. Recent brain research shows us that the first

few years of a child's life are crucial. The learning environment children experience in their earliest years has a decisive and long-term impact on their development. Yet those early years receive the least attention from policymakers and the least amount of public investment. That must change. That is why in the coming weeks I will propose an early learning initiative to help ensure the best start possible for our children.

The skilled jobs of the new economy require higher education. If we are going to meet the demands of business for skilled workers, we must strengthen our public institutions of higher education. Fifty percent, fifty percent, of New Hampshire's college-bound high school graduates leave the state and many of them never come back. We must reverse this brain drain. We must continue investing in our university system and community technical colleges.

Let us pledge today that we will not let the people of New Hampshire down. Let us agree that in the coming months we will turn our greatest challenge, our greatest responsibility, into our greatest opportunity. Let us set New Hampshire on a secure course that will provide every child with the best possible education. That is our overriding obligation.

But there are other issues we must face in the 21st century. We must make sure we give every child in New Hampshire a healthy start. It is the right thing to do, because parents should never have to worry about whether they can afford to take their child to the doctor. But it is also the smart thing to do. Children's health care is a great investment. The simple truth is that healthy children do better in school and it costs the state and our health care system less to provide preventive health care than to hospitalize children or treat them in emergency rooms. We have already established an innovative Children's Health Insurance Program which in just two years has provided almost 12,000 previously uninsured children with health coverage. But as successful as the program is, we should not be satisfied until virtually every eligible child in the state is enrolled and receiving quality health care. We can achieve this goal in the next two years and we should.

Just as we owe our children a healthy start, we owe our seniors a dignified and healthy retirement. Many of our senior citizens live on the financial edge. They struggle to pay for the medications they need to stay healthy. We must do everything we can as a state both to help seniors stay in their homes for as long as possible and to lower the high cost of prescription drugs.

After the events of this past year, those of us in the three branches of government will be remiss if we do not work together this session to make the changes necessary to restore public confidence in our judiciary. We will only succeed if our purpose is to strengthen the judiciary. We will fail if we act from a desire to punish. We must be wise enough to distinguish between making the judiciary more accountable to the public, as it should be, and making it more vulnerable to political passions, which it should never be.

All of us who hold elected positions must remember the full responsibility that comes with those offices. Every day, the men and women in our police and fire departments put their lives at risk for the people of New Hampshire. In the last few years, even in the last few weeks, we have been reminded of the sacrifices that the police and firefighters stand ready to make on our behalf. In return, here's what we owe them: as elected officials, we owe them not just the passage of good laws, we owe them our respect. In everything we say and do, let that message be clear. In this State House, we honor our citizens in uniform.

Finally, we must continue to make sure that New Hampshire's quality of life and natural and historic resources are protected for the new century. The beauty of our forests and rivers and lakes, the richness of our culture and history that is our legacy from previous generations, and we must do all we can to preserve them for future generations. Last year, with the passage of the Land and

Community Heritage Investment Program, we took an important step in this direction. This year we must continue and strengthen that investment.

And we also must act to better manage the growth that has come with our economic prosperity. We must protect the character and diversity of New Hampshire's landscape from the creeping threat of sprawl. If we do not, we put at risk the very quality of place that is the foundation of our economic success and the reason so many of us choose to call New Hampshire home.

We enter this new century facing what sometimes may seem to be overwhelming challenges and immovable obstacles to progress. But in the days to come, if you get discouraged or tempted to give up on the hard work of seeking new solutions to difficult problems, then just remember the bright, expectant faces of the kindergartners from Rochester. The way their hopeful voices lifted us all on this day. They are living, breathing proof that what we do here in this historic building profoundly affects the lives of real people.

One hundred years from now, when a new governor and a new legislature begin the 22nd century, perhaps some of today's kindergartners will be sitting in this chamber, just as Elizabeth McLaughlin is today. Let us remember that the 21st century is their century, a century sure to be filled with astounding changes, changes we cannot even imagine; changes far more profound and breathtaking than the changes of the last 100 years. It will be their century, but it is up to us, in the decisions we will soon be called upon to make, to prepare them, and New Hampshire, for the future they deserve.

Let us proceed with the work we have been elected to do inspired by that vision.

Thank you very much.

benediction

Reverend Thomas F. Chininis of St. Philip Greek Orthodox Church in Nashua offered the Benediction.

Lord and Creator of all, as a new year dawns and we look to the coming days with eagerness and anticipation, we pause to offer our thanks for the many blessings You have bestowed upon us in Your goodness and love; for the beauty of our state and the beauty of her people. At this hour we thank You for the gathering in these chambers and for the leaders of our state who have pledged before us, but more importantly, before You, to govern and lead our state using the talents and gifts You have granted each one of them. We thank You and ask Your blessings upon our Governor, Jeanne Shaheen, and the members of the Executive Council, their staffs and the legislative bodies of our state. Provide them wisdom, discernment, strength, patience, understanding, dignity and honor. Enable them to be the good stewards of the authority and resources of their offices. Instill in them faith and hope that with each new day Your word will be written upon their hearts. With daunting and complex issues and tasks before them, imbue them with the boldness and courage to see Your will, and thus find truth, justice, mercy and compassion. As our Governor and the leadership of our state embark on a new journey of a new year, shine Your light upon them, make their steps sure and their path straight. For we know that You are a God of truth and love, now and ever and to the ages and ages. Amen.

Rep. Scanlan and Sen. Francoeur moved that the Joint Convention arise.

Adopted.

resolution

Rep. Scanlan 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 when the house adjourns today it be to meet at the Call of the Chair.

Adopted.

late session

reCESS MOTION

Rep. Scanlan moved that the House stand in recess for the purpose of introduction of bills only.

Adopted.

The House recessed at 1:20 p.m.