HOUSE RECORD

First Year of the 157th Session of the General Court

Calendar and Journal of the 2001 Session

Vol. 23 Concord N. H. Wednesday, April 25, 2001 No. 41

HOUSE JOURNAL No. 13(cont.)

Thursday, April 19, 2001

RECESS

(Rep. Whalley in the Chair)

senate message

concurrences

HB 121, establishing a committee to study methods of reducing the cost of obtaining justice for low-income citizens.

HB 236, relative to the registration of deer.

HB 242, extending the reporting deadlines for certain study committees and commissions.

HB 263, naming a sidewalk in Wolfeboro the Kenneth J. MacDonald Memorial Sidewalk.

HB 395, relative to the time for the first meeting for county conventions following election.

HB 480, relative to the divisions within the department of resources and economic development.

HJR 3, encouraging the preservation of the system of locks on the Merrimack river.

RESOLUTION

Rep. Hess offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 45, 83, 148, 155 and 193 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 45, relative to the legislative oversight committee on electric utility restructuring.

SB 83, relative to the New Hampshire film and television commission.

SB 148, relative to certain penalties for violations of the youth tobacco laws.

SB 155-L, limiting the liability of teachers and other educational employees.

SB 193-FN-A-L, relative to changes in the property tax system and making an appropriation therefor.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills 118, 125, 228, 254 and House Joint Resolution 1.

Rep. Nowe, Sen. Pignatelli for the Committee

RECESS

Rep. Scanlan moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 14

Wednesday, April 25, 2001

The House assembled at 1:00 p. m., the hour to which it stood adjourned, and was called to order by the Speaker.

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

Graceful Creator, we ask Your blessing upon the work of the honorable House as members seek a just and equitable method of collecting revenues necessary to support the health, safety and welfare of all the citizens of our beloved New Hampshire. May all who labor in this process be given patience and wisdom to find an outcome that is worthy of the values we share as free citizens and make us ever mindful that we are to care for our neighbors as we care for ourselves. Amen.

Rep. Patten led the Pledge of Allegiance.

Rosalie Garlow, an eighth grade student from Hopkinton High School, sang our National Anthem.

LEAVES OF ABSENCE

Reps. Barker, Cardin, Crosby, DePecol, Landers, Mikowlski, Irene Pratt and Tate, the day, illness.

Reps. Albert, Nelson Allan, Balcom, Bergin, Bouldin, Bragdon, Bridle, Burling, Carson, Case, Dowling, Leo Fraser, Jeff Gilbert, Griffin, Introne, Jane Kelley, Martel, O'Keefe, Pantelakos, Peterson, Quimby, Rozek, Seibel, Ed Smith, Spiess, John White and Jane Wood, the day, important business.

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

Rep. DeChane, Musler, Proulx, Solow and Ward, the day, illness in the family.

INTRODUCTION OF GUESTS

Jane, Caitlin and Alexis Donahue, guests of Rep. Marilyn Fraser. Kenneth and Ethan Arndt, husband and son of Rep. Arndt. Emma Sloan, daughter of Rep. Sloan. Katie Adams, guest of Rep. Micklon.

vacate

Rep. Mock moved that the House vacate the reference of ***SB 124,*** relative to confidentiality in abuse and neglect proceedings and establishing a pilot program in the courts of Grafton county, to the Committee on Judiciary.

Adopted and referred to the Committee on Children and Family Law.

reconsideration

Having voted with the prevailing side, Rep. William Kelley moved that the House reconsider its action whereby it passed ***HB 229,*** relative to third person liability under the workers' compensation law.

Rep. DiFruscia spoke in favor.

Rep. Hunt spoke against.

Rep. Craig spoke in favor and yielded to questions.

Rep. Herman requested a roll call; sufficiently seconded.

The question being reconsideration.

YEAS 137 NAYS 184

YEAS 137

BELKNAP

Johnson, William	Millham, Alida	Pilliod, James

CARROLL

Sullivan, P Judith

CHESHIRE

Allen, Peter	Batchelder, Robert	Burnham, Daniel	Dexter, Judson
Espiefs, Peter	Manning, Joseph	McGuirk, Paul	Meader, David
Mitchell, McKim	Pratt, John	Richardson, Barbara	Weed, Charles
Zerba, Roger			

COOS

Davis, Perley	Mears, Edgar

GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	Naro, Debra
Nordgren, Sharon	Pawlek, Marion	Scovner, Nancy	Sokol, Hilda

HILLSBOROUGH

Andosca, Mary	Arnold, Thomas Jr	Bellavance, Paul	Buckley, Raymond
Clayton, William	Clemons, Jane	Cote, David	Cote, Peter

Craig, James	Daigle, Robert	Drabinowicz, A Theresa	Duval, Jeffrey
Dwyer, Paul	Eaton, Richard	Ford, Nancy	Foster, Linda
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Hall, Betty
Kacavas, John	Keye, Harvey	Konys, Christine	Lynde, Harold
Martin, Mary Ellen	McDonough-Wallace, Alice	McHugh, Claire	Melcher, Harold
Messier, Irene	Movsesian, Lori	Palangas, Eric	Panagopoulos, Nicholas
Schulze, Joan	Sweeney, Cynthia	Vaillancourt, Steve	Williams, Carol

MERRIMACK

Bouchard, Candace	Clarke, Claire	Daneault, Gabriel	Davis, Frank
Dunne, Christopher	Fraser, Marilyn	French, Barbara	Gile, Mary
Greco, Vincent	Hess, David	Jacobson, Alf	L'Heureux, Stephen
Moore, Carol	Owen, Derek	Perkins, Randy	Potter, Frances
Reardon, Tara	Rodd, Beth	Rush, Deanna	Seldin, Gloria
Wallner, Mary Jane	Whittemore, James	Yeaton, Charles	

ROCKINGHAM

Bishop, Franklin	Clark, Martha Fuller	Coes, Betsy	DiFruscia, Anthony
Dodge, Robert	Downing, Michael	Gilbert, Karl	Hutchinson, Karen
Johnson, Robert	Kane, Cecelia	Kelley, William	McGuire, Robert
Micklon, Stephanie	Norelli, Terie	Pitts, Jacqueline	Quandt, Marshall
Quandt, Matthew	Reardon, Neil	Shultis, Elizabeth	Splaine, James
Trueman, Raymond	Weatherspoon, Jacquelyne	Weyler, Kenneth	Whittier, John

STRAFFORD

Berube, Roger	Brennan, William	Estabrook, Iris	Ferland, Paul
Goodwin, Earle	Grassie, Anne	Heon, Richard	Hughes, Christopher
Johnson, Nancy	Kaen, Naida	McCarthy, Gerald	Pelletier, Arthur
Pelletier, Marsha	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Taylor, Kathleen	Wall, Janet	Woodill, Rodney	

SULLIVAN

Allison, David	Cloutier, John	Ferland, Brenda	Franklin, Peter
Harris, Joseph	Harris, Sandra	Phinizy, James	Robb, Amy

NAYS 184

BELKNAP

Bartlett, Gordon	Boyce, Laurie	Czech, Stanley	Dewhirst, Glenn
Flanders, Donald	Holbrook, Robert	Lawton, David	Nedeau, Stephen
Rice, Thomas Jr	Rosen, Ralph	Russell, David	Thomas, John
Wendelboe, Fran			

CARROLL

Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Kenney, Joseph
Lyman, L Randy	Mock, Henry	Patten, Betsey	Philbrick, Donald
Stevens, Stanley			

CHESHIRE

Avery, Stephen	Emerson, Susan	Fairbanks, Chandler	Hunt, John
Roberts, William	Royce, H Charles	Russell, Ronald	

COOS

Gallus, John	Guay, Lawrence	Horton, Lynn	Pratt, Leighton
Stohl, Eric	Tholl, John Jr	Woodward, David	

GRAFTON

Alger, John	Cobb, John	Dudley, Terri	Gabler, William
Gilman, G Michael	Giuda, Robert	Lovett, Sid	Marshall, Gene
Mirski, Paul	Scanlan, David	Sova, Charles	Teschner, Douglass
Williams, Burton			

HILLSBOROUGH

Alukonis, David	Artz, Lawrence	Balboni, Michael	Batula, Peter
Bergeron, Jean-Guy	Bouchard, David	Brundige, Robert	Bruno, Pierre

Calawa, Leon Jr	Carlson, Donald	Chabot, Robert	Christensen, D L Chris
Christiansen, Lars	Clegg, Robert Jr	Coughlin, Pamela	Desrosiers, William
Dionne, Kimberley	Dokmo, Cynthia	Drisko, Richard	Elliott, Larry
Emerton, Lawrence Sr	Fields, Dennis	Fletcher, Richard	Flora, Kathleen
Furman, Christine	Gargasz, Carolyn	Golding, William	Goulet, Maurice
Graham, John	Greenberg, Gary	Guinta, Frank	Hall, Charles
Herman, Keith	Holden, Randolph	Hopper, Gary	Jean, Loren
Johnson, Lionel	Kurk, Neal	L'Heureux, Robert	LaFlamme, Paul
LaRose, Richard	Leach, Edward	Leishman, Peter	Lessard, Rudy
Milligan, Robert	Moran, Edward	O'Connell, Timothy	Pappas, Marc
Pepino, Leo	Reeves, Sandra	Rowe, Robert	Salts, Greg
Sargent, Maxwell	Souza, Kathleen	Tahir, Saghir	Thompson, Rob
Thulander, O Alan	Wheeler, Robert	White, Donald	

MERRIMACK

Anderson, Eric	Brewster, Richard	Colcord, J D	Cummings, Raymond
Feuerstein, Martin	Hager, Elizabeth	Kennedy, Richard	Langer, Ray
Leber, William	Lockwood, Priscilla	MacKay, James	Poulin, David
Swindlehurst, John	Whalley, Michael	Winter, Steven	

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bowles, Raimond	Camm, Kevin
Chalbeck, Kevin	Clark, Vivian	Cox, Russell	Dalrymple, Janeen
Dearborn, Bruce	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Giordano, Ronald	Gleason, John	Hamel, Albert
Henderson, Warren	Hill, Jonathan	Holland, James Jr	Johnson, Rogers
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Major, Norman	McKinney, Betsy
Moore, Benjamin	Morse, Charles	Nowe, Ronald	Packard, Sherman
Palermo, Diane	Power, Lucille	Priestley, Anne	Putnam, Ed II
Rausch, James	Ruffner, Walter	Saia, Pamela	Sapareto, Frank
Sloan, Stephen	Stone, Joseph	Stritch, C Donald	Varrell, Thomas
Welch, David	Zolla, William		

STRAFFORD

Bickford, David	Callaghan, Frank	Cossette, Larry	Dunlap, Patricia
Harrington, Michael	Knowles, William	Reid, Christopher	Tsiros, William
Twombly, James	Woods, Phyllis		

SULLIVAN

Flint, Gordon Sr	Jones, Constance	Leone, Richard	Odell, Bob
Rodeschin, Beverly			

and reconsideration failed.

committee reports

special order regular calendar

HB 319-FN, including a fetus in the definition of "another" for the purpose of negligent homicide. **INEXPEDIENT TO LEGISLATE**

Rep. Patricia M. O'Keefe for Criminal Justice and Public Safety: While the committee recognizes the importance of having criminal laws that punish violence against pregnant women, NH law already provides a separate and distinct offense for a violent act against a pregnant woman which results in the death of a fetus. Current law makes this a Class A or Class B felony, punishable by up to 15 years incarceration (RSA 631:1 and 631:2). The proposed law does not clearly define the term fetus, nor does it make clear at what stage of pregnancy a prosecution could occur. The majority of the committee felt these significant flaws would present problems with enforcement and would invite constitutional challenges – while providing nothing better to protect pregnant women from violence. Vote 12-2.

Reps. Souza, Pepino and Guida spoke against.

Rep. Rodd spoke in favor.

Rep. Knowles spoke in favor and yielded to questions.

Rep. Souza requested a roll call; sufficiently seconded.

The question being adoption of the report.

YEAS 278 NAYS 47

YEAS 278

BELKNAP

Bartlett, Gordon	Czech, Stanley	Dewhirst, Glenn	Flanders, Donald
Holbrook, Robert	Johnson, William	Lawton, David	Millham, Alida
Nedeau, Stephen	Pilliod, James	Rice, Thomas Jr	Russell, David
Salatiello, Thomas	Thomas, John		

CARROLL

Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Lyman, L Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	Stevens, Stanley
Sullivan, P Judith			

CHESHIRE

Allen, Peter	Avery, Stephen	Batchelder, Robert	Burnham, Daniel
Dexter, Judson	Emerson, Susan	Espiefs, Peter	Fairbanks, Chandler
Hunt, John	Manning, Joseph	McGuirk, Paul	Meader, David
Mitchell, McKim	Pratt, John	Richardson, Barbara	Roberts, William
Royce, H Charles	Russell, Ronald	Weed, Charles	Zerba, Roger

COOS

Bradley, Paula	Davis, Perley	Gallus, John	Guay, Lawrence
Horton, Lynn	Mears, Edgar	Pratt, Leighton	Rodrigue, Robert
Tholl, John Jr	Woodward, David		

GRAFTON

Alger, John	Almy, Susan	Benn, Bernard	Cooney, Mary
Dudley, Terri	Eaton, Stephanie	Lovett, Sid	Marshall, Gene
Naro, Debra	Nordgren, Sharon	Pawlek, Marion	Scanlan, David
Scovner, Nancy	Sokol, Hilda	Teschner, Douglass	Williams, Burton

HILLSBOROUGH

Alukonis, David	Andosca, Mary	Arnold, Thomas Jr	Artz, Lawrence
Batula, Peter	Bellavance, Paul	Bouchard, David	Brundige, Robert
Buckley, Raymond	Calawa, Leon Jr	Carlson, Donald	Chabot, Robert
Christensen, D L Chris	Christiansen, Lars	Clayton, William	Clemons, Jane

Cote, David	Cote, Peter	Coughlin, Pamela	Craig, James
Daigle, Robert	Dionne, Kimberley	Dokmo, Cynthia	Drisko, Richard
Duval, Jeffrey	Dwyer, Paul	Eaton, Richard	Elliott, Larry
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Ford, Nancy
Foster, Linda	Furman, Christine	Gargasz, Carolyn	Ginsburg, Ruth
Golding, William	Goley, Jeffrey	Gorman, Mary	Goulet, Maurice
Graham, John	Greenberg, Gary	Guinta, Frank	Hall, Betty
Hall, Charles	Herman, Keith	Holden, Randolph	Jean, Loren
Johnson, Lionel	Kacavas, John	Keye, Harvey	Konys, Christine
LaFlamme, Paul	LaRose, Richard	Lasky, Bette	Leach, Edward
Lefebvre, Roland	Leishman, Peter	Lessard, Rudy	Lynde, Harold
McDonough-Wallace, Alice	Melcher, Harold	Mercer, Robert	Messier, Irene
Milligan, Robert	Moran, Edward	Movsesian, Lori	O'Connell, Timothy
Palangas, Eric	Panagopoulos, Nicholas	Reeves, Sandra	Rowe, Robert
Sargent, Maxwell	Schulze, Joan	Sweeney, Cynthia	Thulander, O Alan
Wheeler, Robert	White, Donald	Williams, Carol	

MERRIMACK

Anderson, Eric	Bouchard, Candace	Clarke, Claire	Colcord, J D
Cummings, Raymond	Daneault, Gabriel	Davis, Frank	Dunne, Christopher
Feuerstein, Martin	Fraser, Marilyn	French, Barbara	Greco, Vincent
Hager, Elizabeth	Hess, David	Jacobson, Alf	Kennedy, Richard
L'Heureux, Stephen	Langer, Ray	Leber, William	Lockwood, Priscilla
MacKay, James	Moore, Carol	Owen, Derek	Perkins, Randy
Potter, Frances	Poulin, David	Reardon, Tara	Rodd, Beth
Rush, Deanna	Seldin, Gloria	Swindlehurst, John	Wallner, Mary Jane
Whalley, Michael	Whittemore, James	Winter, Steven	Yeaton, Charles

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bishop, Franklin	Bowles, Raimond
Camm, Kevin	Clark, Martha Fuller	Clark, Vivian	Coes, Betsy
Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce	Dodge, Robert
Downing, Michael	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr

Francoeur, Sheila	Gilbert, Karl	Giordano, Ronald	Gleason, John
Holland, James Jr	Hutchinson, Karen	Johnson, Robert	Kane, Cecelia
Katsakiores, George	Katsakiores, Phyllis	Kelley, William	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Major, Norman
McGuire, Robert	McKinney, Betsy	Micklon, Stephanie	Morse, Charles
Norelli, Terie	Nowe, Ronald	Priestley, Anne	Quandt, Marshall
Quandt, Matthew	Rausch, James	Reardon, Neil	Saia, Pamela
Shultis, Elizabeth	Sloan, Stephen	Splaine, James	Stritch, C Donald
Trueman, Raymond	Varrell, Thomas	Weatherspoon, Jacquelyne	Welch, David
Whittier, John	Woekel, Ralph		

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Cossette, Larry
Dunlap, Patricia	Estabrook, Iris	Ferland, Paul	Goodwin, Earle
Grassie, Anne	Harrington, Michael	Heon, Richard	Hughes, Christopher
Johnson, Nancy	Kaen, Naida	Knowles, William	Lent, Donald
McCarthy, Gerald	Pelletier, Arthur	Pelletier, Marsha	Reid, Christopher
Rollo, Michael	Smith, Marjorie	Snyder, Clair	Taylor, Kathleen
Tsiros, William	Wall, Janet	Woodill, Rodney	

SULLIVAN

Allison, David	Cloutier, John	Ferland, Brenda	Flint, Gordon Sr
Franklin, Peter	Harris, Joseph	Harris, Sandra	Jones, Constance
Leone, Richard	Odell, Bob	Phinizy, James	Robb, Amy
Rodeschin, Beverly			

NAYS 47

BELKNAP

Boyce, Laurie	Rosen, Ralph	Wendelboe, Fran

CARROLL

Kenney, Joseph

CHESHIRE

None

COOS

Stohl, Eric

GRAFTON

Cobb, John	Gabler, William	Gilman, G Michael	Giuda, Robert
Mirski, Paul	Sova, Charles		

HILLSBOROUGH

Balboni, Michael	Bergeron, Jean-Guy	Bruno, Pierre	Clegg, Robert Jr
Desrosiers, William	Drabinowicz, A Theresa	Hopper, Gary	L'Heureux, Robert
McHugh, Claire	McRae, Karen	Pappas, Marc	Pepino, Leo
Salts, Greg	Souza, Kathleen	Tahir, Saghir	Thompson, Rob
Vaillancourt, Steve			

MERRIMACK

Brewster, Richard

ROCKINGHAM

Chalbeck, Kevin	DiFruscia, Anthony	Hamel, Albert	Henderson, Warren
Hill, Jonathan	Itse, Daniel	Johnson, Rogers	Moore, Benjamin
Packard, Sherman	Palermo, Diane	Power, Lucille	Putnam, Ed II
Ruffner, Walter	Sapareto, Frank	Zolla, William	

STRAFFORD

Callaghan, Frank	Twombly, James	Woods, Phyllis

SULLIVAN

None

and the report was adopted.

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

HB 545-FN, establishing the railroad trespass prevention act. **OUGHT TO PASS WITH AMENDMENT**

Rep. John E. Tholl, Jr. for Criminal Justice and Public Safety: The committee listened to numerous objections by sportsmen and hunters to HB 545 as it would have subjected them to misdemeanor penalties for crossing rail lines. The amended HB 545 repeals RSA 381:14, relative to criminal trespass on railroad property, and amends RSA 635 to include trespass on railroad property, a violation with a graduated fine schedule: first offense up to a $100 dollar fine, second offense up to a $500 fine, and third offense up to a $1,000 fine, and removes abandoned right of way from the law. It is currently a violation to trespass on railroad property including abandoned right of way. It additionally creates the new section RSA 635:10 Railroad Stowaway. The committee felt with its 15-2 vote that with the advent of high speed rail and the reduction of noise created by the modern trains that it is important to prevent fatal railroad accidents without subjecting the public to a misdemeanor record and the possibility of a jail term. The railroad testified that the intent of this legislation is to promote and increase safety, not to harass the solitary hunter/sportsman in the wilds of New Hampshire pursuing a recreational pastime. Vote 15-2.

Amendment (0569h)

Amend RSA 635:9 as inserted by section 1 of the bill by replacing it with the following:

635:9 Trespassing on Railroad Property.

I. A person is guilty of a violation for trespassing on railroad property if that person, without the railroad carrier's consent, except to cross the property at a public highway or other authorized crossing, knowingly enters on the railroad property by:

(a) Standing, sitting, resting, walking, jogging, driving, or operating a vehicle including but not limited to a bicycle, motorcycle, snowmobile, car, or truck; or

(b) Engaging in recreational activity, including, but not limited to bicycling, hiking, fishing, camping, cross-country skiing, or hunting.

II. Notwithstanding RSA 651:2, II(c), a person violating this section shall be subject to:

(a) A fine not to exceed $100 for the first offense.

(b) A fine not to exceed $500 for the second offense.

(c) A fine not to exceed $1,000 for the third and subsequent offense.

Amend RSA 635:12, IV as inserted by section 1 of the bill by replacing it with the following:

IV. "Railroad property" means all tangible property owned, leased or operated by a railroad carrier, including a right-of-way, track, bridge, yard, shop, station, tunnel, viaduct, trestle, depot, warehouse, terminal or any other structure, appurtenance or equipment owned, leased or

used in the operation of a railroad carrier including a train, locomotive, engine, railroad car, work equipment, rolling stock or safety device. "Railroad property" does not include a railroad carrier's administrative building or office, office equipment or intangible property such as computer software or other information, or an abandoned right-of-way.

AMENDED ANALYSIS

This bill establishes separate class A misdemeanor offenses for railroad stowaway and violation level offenses for trespassing on railroad property.

Adopted.

Reps. Kennedy and Leishman spoke against and yielded to questions.

Rep. Tholl spoke in favor and yielded to questions.

Reps. Bruno and Mirski spoke against.

Rep. William Kelley spoke in favor.

Rep. Kennedy requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 119 NAYS 210

YEAS 119

BELKNAP

Bartlett, Gordon	Czech, Stanley	Holbrook, Robert	Johnson, William
Millham, Alida	Nedeau, Stephen	Thomas, John	

CARROLL

Bradley, Jeb

CHESHIRE

Avery, Stephen	Fairbanks, Chandler	Hunt, John	Richardson, Barbara
Royce, H Charles	Russell, Ronald		

COOS

Bradley, Paula	Davis, Perley	Horton, Lynn	Mears, Edgar

Pratt, Leighton	Rodrigue, Robert	Tholl, John Jr

GRAFTON

Cooney, Mary	Eaton, Stephanie	Marshall, Gene	Naro, Debra
Nordgren, Sharon	Scanlan, David		

HILLSBOROUGH

Alukonis, David	Andosca, Mary	Bellavance, Paul	Brundige, Robert
Buckley, Raymond	Calawa, Leon Jr	Chabot, Robert	Clegg, Robert Jr
Cote, David	Cote, Peter	Daigle, Robert	Dwyer, Paul
Dyer, Merton	Emerton, Lawrence Sr	Fletcher, Richard	Ford, Nancy
Foster, Linda	Ginsburg, Ruth	Guinta, Frank	Hall, Betty
Herman, Keith	Johnson, Lionel	Konys, Christine	Kurk, Neal
Lasky, Bette	Lessard, Rudy	Martin, Mary Ellen	Mercer, Robert
Messier, Irene	Movsesian, Lori	Pappas, Marc	Sargent, Maxwell

MERRIMACK

Bouchard, Candace	Daneault, Gabriel	Feuerstein, Martin	Gile, Mary
Hess, David	Jacobson, Alf	Lockwood, Priscilla	MacKay, James
Rodd, Beth	Whalley, Michael	Whittemore, James	

ROCKINGHAM

Arndt, Janet	Bishop, Franklin	Bowles, Raimond	Clark, Martha Fuller
Coes, Betsy	Dalrymple, Janeen	DiFruscia, Anthony	Dodge, Robert
Downing, Michael	Fesh, Bob	Flanders, John Sr	Gilbert, Karl
Gleason, John	Henderson, Warren	Holland, James Jr	Johnson, Rogers
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kelley, William
Major, Norman	McGuire, Robert	McKinney, Betsy	Micklon, Stephanie
Moore, Benjamin	Nowe, Ronald	Packard, Sherman	Palermo, Diane
Pitts, Jacqueline	Shultis, Elizabeth	Sloan, Stephen	Splaine, James
Stritch, C Donald	Varrell, Thomas	Weatherspoon, Jacquelyne	Welch, David
Weyler, Kenneth	Whittier, John		

STRAFFORD

Berube, Roger	Callaghan, Frank	Kaen, Naida	Lent, Donald
Pelletier, Arthur	Pelletier, Marsha		

SULLIVAN

Cloutier, John	Harris, Joseph	Harris, Sandra	Jones, Constance
Rodeschin, Beverly			

NAYS 210

BELKNAP

Boyce, Laurie	Dewhirst, Glenn	Flanders, Donald	Lawton, David
Pilliod, James	Rice, Thomas Jr	Rosen, Ralph	Russell, David
Salatiello, Thomas	Wendelboe, Fran		

CARROLL

Babson, David Jr	Dickinson, Howard	Kenney, Joseph	Lyman, L Randy
Mock, Henry	Patten, Betsey	Philbrick, Donald	Stevens, Stanley
Sullivan, P Judith			

CHESHIRE

Allen, Peter	Batchelder, Robert	Burnham, Daniel	Dexter, Judson
Emerson, Susan	Espiefs, Peter	Manning, Joseph	McGuirk, Paul
Meader, David	Mitchell, McKim	Pratt, John	Roberts, William
Weed, Charles	Zerba, Roger		

COOS

Gallus, John	Guay, Lawrence	Stohl, Eric	Woodward, David

GRAFTON

Alger, John	Almy, Susan	Benn, Bernard	Cobb, John
Dudley, Terri	Gabler, William	Gilman, G Michael	Giuda, Robert
Lovett, Sid	Mirski, Paul	Pawlek, Marion	Scovner, Nancy

Sokol, Hilda	Sova, Charles	Teschner, Douglass	Williams, Burton

HILLSBOROUGH

Arnold, Thomas Jr	Artz, Lawrence	Balboni, Michael	Baroody, Benjamin
Batula, Peter	Bergeron, Jean-Guy	Bouchard, David	Bruno, Pierre
Carlson, Donald	Christensen, D L Chris	Christiansen, Lars	Clayton, William
Clemons, Jane	Coughlin, Pamela	Desrosiers, William	Dionne, Kimberley
Dokmo, Cynthia	Drabinowicz, A Theresa	Drisko, Richard	Duval, Jeffrey
Eaton, Richard	Elliott, Larry	Fields, Dennis	Furman, Christine
Gargasz, Carolyn	Golding, William	Goley, Jeffrey	Gorman, Mary
Goulet, Maurice	Graham, John	Greenberg, Gary	Hall, Charles
Holden, Randolph	Hopper, Gary	Jean, Loren	Kacavas, John
Keye, Harvey	L'Heureux, Robert	LaFlamme, Paul	LaRose, Richard
Leach, Edward	Lefebvre, Roland	Leishman, Peter	Lynde, Harold
McDonough-Wallace, Alice	McHugh, Claire	McRae, Karen	Melcher, Harold
Milligan, Robert	Moran, Edward	O'Connell, Timothy	Palangas, Eric
Panagopoulos, Nicholas	Pepino, Leo	Reeves, Sandra	Rowe, Robert
Salts, Greg	Schulze, Joan	Souza, Kathleen	Sweeney, Cynthia
Tahir, Saghir	Thompson, Rob	Thulander, O Alan	Vaillancourt, Steve
Wheeler, Robert	White, Donald	Williams, Carol	

MERRIMACK

Anderson, Eric	Brewster, Richard	Clarke, Claire	Colcord, J D
Cummings, Raymond	Davis, Frank	Dunne, Christopher	Fraser, Marilyn
French, Barbara	Greco, Vincent	Kennedy, Richard	Langer, Ray
Leber, William	Moore, Carol	Owen, Derek	Perkins, Randy
Potter, Frances	Poulin, David	Reardon, Tara	Rush, Deanna
Seldin, Gloria	Swindlehurst, John	Wallner, Mary Jane	Winter, Steven
Yeaton, Charles			

ROCKINGHAM

Belanger, Ronald	Camm, Kevin	Chalbeck, Kevin	Clark, Vivian
Cox, Russell	Dearborn, Bruce	Flanagan, Natalie	Francoeur, Sheila

Giordano, Ronald	Hamel, Albert	Hill, Jonathan	Hutchinson, Karen
Itse, Daniel	Johnson, Robert	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Norelli, Terie	Power, Lucille
Priestley, Anne	Putnam, Ed II	Quandt, Marshall	Quandt, Matthew
Rausch, James	Reardon, Neil	Ruffner, Walter	Saia, Pamela
Sapareto, Frank	Stone, Joseph	Trueman, Raymond	Woekel, Ralph
Zolla, William			

STRAFFORD

Bickford, David	Brennan, William	Cossette, Larry	Dunlap, Patricia
Estabrook, Iris	Ferland, Paul	Goodwin, Earle	Grassie, Anne
Harrington, Michael	Heon, Richard	Hughes, Christopher	Johnson, Nancy
Knowles, William	McCarthy, Gerald	Reid, Christopher	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Taylor, Kathleen	Tsiros, William
Twombly, James	Wall, Janet	Woodill, Rodney	Woods, Phyllis

SULLIVAN

Allison, David	Ferland, Brenda	Flint, Gordon Sr	Franklin, Peter
Leone, Richard	Odell, Bob	Phinizy, James	Robb, Amy

and the report failed.

Rep. Kennedy moved Recommit to Committee.

The motion failed.

Rep. Leishman moved Inexpedient to Legislate.

Adopted.

HB 602-FN, relative to the sale of fetal body parts. **INEXPEDIENT TO LEGISLATE**

Rep. Beth Rodd for Criminal Justice and Public Safety: Federal law already prohibits the sale of fetal tissue for research. It is also illegal to persuade a woman to seek an abortion for the purpose of obtaining research material. There was no evidence presented during committee testimony to indicate that there have been violations of existing laws. The unintended consequences of passing this legislation would be to prohibit any medical research on fetal tissue regardless of the circumstances resulting in the acquisition of the tissue. Such legislation would effectively put an end to research that has resulted in new and effective treatments for many diseases such as cancer, Alzheimer's disease, Parkinson's, diabetes, spinal cord injuries and others. The majority of the committee felt that, in spite of the emotional tenor of this issue, current research practices are life

saving and conform to accepted ethical standards. If enacted, this legislation would halt vital research. It would diminish the hope of cures and the alleviation of suffering for many people who have been devastated by chronic and acute life-threatening illnesses. Vote 13-2.

Rep. Souza spoke against.

Rep. Pepino spoke against and yielded to questions.

Reps. Rodd and Pilliod spoke in favor.

Rep. Vaillancourt requested a quorum call. The Speaker declared a quorum present.

Rep. Rodd requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 276 NAYS 45

YEAS 276

BELKNAP

Bartlett, Gordon	Czech, Stanley	Dewhirst, Glenn	Flanders, Donald
Holbrook, Robert	Johnson, William	Lawton, David	Millham, Alida
Nedeau, Stephen	Pilliod, James	Rice, Thomas Jr	Rosen, Ralph
Russell, David	Salatiello, Thomas	Thomas, John	

CARROLL

Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Lyman, L Randy
Mock, Henry	Patten, Betsey	Stevens, Stanley	Sullivan, P Judith

CHESHIRE

Allen, Peter	Avery, Stephen	Batchelder, Robert	Burnham, Daniel
Dexter, Judson	Emerson, Susan	Espiefs, Peter	Fairbanks, Chandler
Hunt, John	Manning, Joseph	McGuirk, Paul	Meader, David
Mitchell, McKim	Pratt, John	Richardson, Barbara	Roberts, William
Royce, H Charles	Russell, Ronald	Weed, Charles	

COOS

Bradley, Paula	Davis, Perley	Gallus, John	Guay, Lawrence
Horton, Lynn	Mears, Edgar	Pratt, Leighton	Rodrigue, Robert
Stohl, Eric	Tholl, John Jr	Woodward, David	

GRAFTON

Alger, John	Almy, Susan	Benn, Bernard	Cobb, John
Cooney, Mary	Eaton, Stephanie	Gabler, William	Ham, Bonnie
Lovett, Sid	Marshall, Gene	Naro, Debra	Nordgren, Sharon
Pawlek, Marion	Scanlan, David	Scovner, Nancy	Sokol, Hilda
Teschner, Douglass	Williams, Burton		

HILLSBOROUGH

Andosca, Mary	Arnold, Thomas Jr	Artz, Lawrence	Baroody, Benjamin
Bellavance, Paul	Brundige, Robert	Bruno, Pierre	Buckley, Raymond
Calawa, Leon Jr	Carlson, Donald	Chabot, Robert	Christensen, D L Chris
Christiansen, Lars	Clegg, Robert Jr	Clemons, Jane	Cote, Peter
Coughlin, Pamela	Daigle, Robert	Dokmo, Cynthia	Drisko, Richard
Duval, Jeffrey	Dwyer, Paul	Dyer, Merton	Eaton, Richard
Emerton, Lawrence Sr	Fields, Dennis	Fletcher, Richard	Ford, Nancy
Foster, Linda	Furman, Christine	Gargasz, Carolyn	Ginsburg, Ruth
Golding, William	Goley, Jeffrey	Gorman, Mary	Goulet, Maurice
Graham, John	Greenberg, Gary	Guinta, Frank	Hall, Betty
Hall, Charles	Herman, Keith	Holden, Randolph	Johnson, Lionel
Kacavas, John	Keye, Harvey	Konys, Christine	Kurk, Neal
L'Heureux, Robert	LaFlamme, Paul	LaRose, Richard	Lasky, Bette
Leach, Edward	Leishman, Peter	Lessard, Rudy	Lynde, Harold
McDonough-Wallace, Alice	Melcher, Harold	Mercer, Robert	Messier, Irene
Milligan, Robert	Moran, Edward	Movsesian, Lori	O'Connell, Timothy
Panagopoulos, Nicholas	Pappas, Marc	Reeves, Sandra	Rowe, Robert
Sargent, Maxwell	Schulze, Joan	Sweeney, Cynthia	Thulander, O Alan
Wheeler, Robert	White, Donald	Williams, Carol	

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brewster, Richard	Clarke, Claire
Colcord, J D	Cummings, Raymond	Daneault, Gabriel	Davis, Frank
Dunne, Christopher	Feuerstein, Martin	Fraser, Marilyn	French, Barbara
Gile, Mary	Greco, Vincent	Jacobson, Alf	Langer, Ray
Leber, William	Lockwood, Priscilla	MacKay, James	Moore, Carol
Owen, Derek	Perkins, Randy	Potter, Frances	Poulin, David
Reardon, Tara	Rodd, Beth	Rush, Deanna	Seldin, Gloria
Swindlehurst, John	Wallner, Mary Jane	Whalley, Michael	Whittemore, James
Winter, Steven	Yeaton, Charles		

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bishop, Franklin	Bowles, Raimond
Camm, Kevin	Clark, Martha Fuller	Clark, Vivian	Coes, Betsy
Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony
Downing, Michael	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Gilbert, Karl	Giordano, Ronald	Gleason, John
Hamel, Albert	Henderson, Warren	Holland, James Jr	Hutchinson, Karen
Johnson, Robert	Johnson, Rogers	Kane, Cecelia	Katsakiores, George
Katsakiores, Phyllis	Kelley, William	Kobel, Rudolph	Langone, John
Letourneau, Robert	Major, Norman	McGuire, Robert	McKinney, Betsy
Moore, Benjamin	Norelli, Terie	Nowe, Ronald	Packard, Sherman
Pitts, Jacqueline	Priestley, Anne	Rausch, James	Reardon, Neil
Ruffner, Walter	Saia, Pamela	Shultis, Elizabeth	Sloan, Stephen
Splaine, James	Stone, Joseph	Stritch, C Donald	Trueman, Raymond
Varrell, Thomas	Weatherspoon, Jacquelyne	Welch, David	Weyler, Kenneth
Whittier, John	Zolla, William		

STRAFFORD

Bickford, David	Brennan, William	Cossette, Larry	Dunlap, Patricia
Estabrook, Iris	Ferland, Paul	Goodwin, Earle	Grassie, Anne
Harrington, Michael	Heon, Richard	Hughes, Christopher	Johnson, Nancy
Kaen, Naida	Knowles, William	Lent, Donald	Pelletier, Arthur
Pelletier, Marsha	Reid, Christopher	Rollo, Michael	Smith, Marjorie

Snyder, Clair	Taylor, Kathleen	Tsiros, William	Wall, Janet
Woodill, Rodney			

SULLIVAN

Allison, David	Cloutier, John	Ferland, Brenda	Flint, Gordon Sr
Franklin, Peter	Harris, Joseph	Harris, Sandra	Jones, Constance
Leone, Richard	Odell, Bob	Phinizy, James	Robb, Amy
Rodeschin, Beverly			

NAYS 45

BELKNAP

Boyce, Laurie	Wendelboe, Fran

CARROLL

Kenney, Joseph

CHESHIRE

None

COOS

None

GRAFTON

Dudley, Terri	Gilman, G Michael	Giuda, Robert	Mirski, Paul
Sova, Charles			

HILLSBOROUGH

Balboni, Michael	Batula, Peter	Bergeron, Jean-Guy	Bouchard, David
Desrosiers, William	Dionne, Kimberley	Drabinowicz, A Theresa	Elliott, Larry
Hopper, Gary	Jean, Loren	Martin, Mary Ellen	McHugh, Claire
McRae, Karen	Pepino, Leo	Salts, Greg	Souza, Kathleen

Tahir, Saghir	Thompson, Rob	Vaillancourt, Steve

MERRIMACK

Kennedy, Richard

ROCKINGHAM

Chalbeck, Kevin	Dodge, Robert	Hill, Jonathan	Itse, Daniel
Langley, Jane	Palermo, Diane	Power, Lucille	Putnam, Ed II
Quandt, Marshall	Quandt, Matthew	Sapareto, Frank	Woekel, Ralph

STRAFFORD

Berube, Roger	Callaghan, Frank	McCarthy, Gerald	Twombly, James
Woods, Phyllis			

SULLIVAN

None

and the report was adopted.

HB 694, establishing a separate high school civics graduation requirement. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bruce L. Dearborn for the Majority of Education: The committee agrees that government subjects should be a part of the social studies elective unit as set forth in the administrative rules of the Department of Education (306.23). However, the majority felt the legislature should not be dictating curriculum as it was the responsibility of the local districts in conjunction with the Dept. of Education to create curriculum under administrative rules. The subject is already covered by comprehensive, existing law and should not be broken out for specific legislation unless we also intend to dictate curriculum in math, science, English, etc. Vote 11-9.

Rep. Charles E. Sova for the Minority of Education: Article 83 of the New Hampshire Constitution states the primary purpose of education as the "preservation of a free government." Current law requires civics education to be "embedded" within the broader social studies curriculum. The minority believes evidence, including data reporting 45% of New Hampshire students scoring novice on civics assessment questions, shows the need to supplement this approach with a separate high school civics requirement. This ½ credit requirement would replace a currently mandated elective, causing no additional financial impact.

Reps. Estabrook and Sova spoke against.

Rep. Dickinson spoke against and yielded to questions.

Reps. Dearborn, Sullivan and Henderson spoke in favor and yielded to questions.

Rep. Dickinson requested a roll call; sufficiently seconded.

The question being adoption of the majority committee report.

YEAS 148 NAYS 177

YEAS 148

BELKNAP

Bartlett, Gordon	Czech, Stanley	Flanders, Donald	Holbrook, Robert
Nedeau, Stephen	Pilliod, James	Rice, Thomas Jr	Russell, David

CARROLL

Babson, David Jr	Bradley, Jeb	Lyman, L Randy	Mock, Henry
Patten, Betsey	Philbrick, Donald	Stevens, Stanley	Sullivan, P Judith

CHESHIRE

Avery, Stephen	Dexter, Judson	Fairbanks, Chandler	Hunt, John
Manning, Joseph	Meader, David	Roberts, William	Royce, H Charles

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Pratt, Leighton	Stohl, Eric	Tholl, John Jr	Woodward, David

GRAFTON

Akins, Ralph	Dudley, Terri	Eaton, Stephanie	Marshall, Gene
Scanlan, David	Williams, Burton		

HILLSBOROUGH

Arnold, Thomas Jr	Artz, Lawrence	Batula, Peter	Bouchard, David
Brundige, Robert	Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald
Chabot, Robert	Coughlin, Pamela	Desrosiers, William	Drisko, Richard
Elliott, Larry	Emerton, Lawrence Sr	Fields, Dennis	Fletcher, Richard

Ford, Nancy	Gargasz, Carolyn	Golding, William	Greenberg, Gary
Guinta, Frank	Hall, Charles	Herman, Keith	Holden, Randolph
Jean, Loren	Kurk, Neal	L'Heureux, Robert	LaRose, Richard
Leach, Edward	Lessard, Rudy	Mercer, Robert	Messier, Irene
Milligan, Robert	O'Connell, Timothy	Pappas, Marc	Reeves, Sandra
Rowe, Robert	Salts, Greg	Sargent, Maxwell	Souza, Kathleen
Tahir, Saghir	Thompson, Rob	Thulander, O Alan	Wheeler, Robert
White, Donald			

MERRIMACK

Anderson, Eric	Brewster, Richard	Colcord, J D	Cummings, Raymond
Davis, Frank	Dunne, Christopher	Feuerstein, Martin	Hager, Elizabeth
Hess, David	Jacobson, Alf	MacKay, James	Poulin, David
Whalley, Michael	Whittemore, James		

ROCKINGHAM

Arndt, Janet	Bowles, Raimond	Clark, Vivian	Cox, Russell
Dalrymple, Janeen	Dearborn, Bruce	Dodge, Robert	Downing, Michael
Fesh, Bob	Flanagan, Natalie	Flanders, John Sr	Francoeur, Sheila
Gilbert, Karl	Gleason, John	Henderson, Warren	Hill, Jonathan
Holland, James Jr	Johnson, Rogers	Kelley, William	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	McGuire, Robert
Nowe, Ronald	Packard, Sherman	Pitts, Jacqueline	Power, Lucille
Priestley, Anne	Putnam, Ed II	Rausch, James	Reardon, Neil
Ruffner, Walter	Saia, Pamela	Sloan, Stephen	Stone, Joseph
Stritch, C Donald	Welch, David	Whittier, John	Woekel, Ralph

STRAFFORD

Cossette, Larry	Dunlap, Patricia	Harrington, Michael	Kaen, Naida
Pelletier, Arthur	Pelletier, Marsha	Tsiros, William	

SULLIVAN

Flint, Gordon Sr	Jones, Constance	Leone, Richard	Rodeschin, Beverly

NAYS 177

BELKNAP

Boyce, Laurie	Dewhirst, Glenn	Johnson, William	Lawton, David
Millham, Alida	Rosen, Ralph	Salatiello, Thomas	Thomas, John
Wendelboe, Fran			

CARROLL

Dickinson, Howard	Kenney, Joseph

CHESHIRE

Allen, Peter	Batchelder, Robert	Burnham, Daniel	Emerson, Susan
Espiefs, Peter	McGuirk, Paul	Mitchell, McKim	Pratt, John
Richardson, Barbara	Russell, Ronald	Weed, Charles	Zerba, Roger

COOS

Bradley, Paula	Mears, Edgar	Rodrigue, Robert

GRAFTON

Alger, John	Almy, Susan	Benn, Bernard	Cobb, John
Cooney, Mary	Gabler, William	Gilman, G Michael	Giuda, Robert
Ham, Bonnie	Lovett, Sid	Mirski, Paul	Naro, Debra
Nordgren, Sharon	Pawlek, Marion	Scovner, Nancy	Sokol, Hilda
Sova, Charles	Teschner, Douglass		

HILLSBOROUGH

Alukonis, David	Andosca, Mary	Balboni, Michael	Baroody, Benjamin
Bellavance, Paul	Bergeron, Jean-Guy	Buckley, Raymond	Christensen, D L Chris
Christiansen, Lars	Clayton, William	Clegg, Robert Jr	Clemons, Jane
Cote, Peter	Daigle, Robert	Dionne, Kimberley	Dokmo, Cynthia
Drabinowicz, A Theresa	Duval, Jeffrey	Dwyer, Paul	Eaton, Richard
Foster, Linda	Furman, Christine	Goley, Jeffrey	Gorman, Mary

Goulet, Maurice	Graham, John	Hall, Betty	Hopper, Gary
Johnson, Lionel	Kacavas, John	Keye, Harvey	Konys, Christine
LaFlamme, Paul	Lasky, Bette	Leishman, Peter	Lynde, Harold
Martin, Mary Ellen	McDonough-Wallace, Alice	McHugh, Claire	McRae, Karen
Melcher, Harold	Moran, Edward	Movsesian, Lori	Palangas, Eric
Panagopoulos, Nicholas	Pepino, Leo	Schulze, Joan	Sweeney, Cynthia
Vaillancourt, Steve	Williams, Carol		

MERRIMACK

Bouchard, Candace	Clarke, Claire	Daneault, Gabriel	Fraser, Marilyn
French, Barbara	Gile, Mary	Kennedy, Richard	Langer, Ray
Leber, William	Lockwood, Priscilla	Moore, Carol	Owen, Derek
Perkins, Randy	Potter, Frances	Reardon, Tara	Rodd, Beth
Rush, Deanna	Seldin, Gloria	Swindlehurst, John	Wallner, Mary Jane
Winter, Steven	Yeaton, Charles		

ROCKINGHAM

Belanger, Ronald	Bishop, Franklin	Camm, Kevin	Chalbeck, Kevin
Clark, Martha Fuller	Coes, Betsy	DiFruscia, Anthony	Giordano, Ronald
Hamel, Albert	Hutchinson, Karen	Itse, Daniel	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Major, Norman
McKinney, Betsy	Norelli, Terie	Palermo, Diane	Quandt, Marshall
Quandt, Matthew	Sapareto, Frank	Shultis, Elizabeth	Splaine, James
Trueman, Raymond	Varrell, Thomas	Weatherspoon, Jacquelyne	Weyler, Kenneth
Zolla, William			

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
Estabrook, Iris	Ferland, Paul	Goodwin, Earle	Grassie, Anne
Heon, Richard	Hughes, Christopher	Johnson, Nancy	Knowles, William
Lent, Donald	McCarthy, Gerald	Reid, Christopher	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Taylor, Kathleen	Twombly, James

Wall, Janet	Woodill, Rodney	Woods, Phyllis	

SULLIVAN

Allison, David	Cloutier, John	Ferland, Brenda	Franklin, Peter
Harris, Joseph	Harris, Sandra	Odell, Bob	Phinizy, James
Robb, Amy			

and adoption of the majority report failed.

Rep. Estabrook moved Ought to Pass with Amendment and offered a floor amendment (0920h)

Floor Amendment (0920h)

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

1 School Boards, Teachers; Instruction in Civics. Amend RSA 189:11 to read as follows:

189:11 Instruction in National and State History and Government***; Instruction in Civics***.

I. In all public and private schools in the state there shall be given regular courses of instruction in the history, government***,*** and constitutions of the United States and New Hampshire, including the organization and operation of New Hampshire municipal, county and state government and of the federal government.

II. The instruction required under paragraph I shall begin not later than the opening of the eighth grade and shall continue in ***all*** high [~~school as an identifiable component of~~] ***schools in the state which shall include*** a [~~year's~~] ***one year*** course in the history [~~and government~~] of the United States and New Hampshire.

III. In all high schools in the state, there shall be given a course of instruction in civics. This course shall be a one-half unit of credit required for graduation, and shall replace one-half of the social studies elective unit of credit as set forth in the administrative rules of the department of education at Ed. 306.23(f). The civics course may be locally developed provided, at a minimum, the course provides exposure to current governmental affairs and covers the following areas:

(a) Duties and responsibilities of a citizen.

(b) Opportunities of citizen participation and involvement in the governmental process.

(c) The structure and operation of government.

(d) The constitutional basis of our government.

(e) The interaction between local, state, and federal governments.

2 Effective Date. This act shall take effect July 1, 2002.

AMENDED ANALYSIS

This bill provides that a one-half year course in civics shall be required for high school graduation.

Rep. Henderson spoke in favor.

The motion of Ought to Pass with Amendment was adopted.

Report adopted and ordered to third reading.

HB 708-FN, relative to the definition of "child" for the purposes of home education and relative to access to public school programs by home educated pupils. **INEXPEDIENT TO LEGISLATE**

Rep. Bruce L. Dearborn for Education: This legislation would further clarify access to public school programs and facilities by home schooled students. Despite extensive discussion and attempts at amendment, the committee could not overcome doubt and confusion over the consequences of enacting the bill. A nearly identical bill was retained by the committee as a vehicle for pursuing any necessary clarification. Vote 13-7.

Adopted.

HB 734, eliminating the teen assessment project in the university system of New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Claire D. Clarke for Education: The committee recommends this bill inexpedient to legislate for the following reasons: 1) This program operates at the local level; 2) parents can see the survey; 3) parents can opt to keep their child from taking the survey; and 4) any student may opt not to answer any of the questions on the survey. Vote 17-2.

Reps. Salts and Alger spoke against and yielded to questions.

Reps. Naro and Rush spoke in favor.

Rep. Henderson spoke in favor and yielded to questions.

Rep. Furman requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 218 NAYS 103

YEAS 218

BELKNAP

Czech, Stanley	Flanders, Donald	Holbrook, Robert	Johnson, William
Millham, Alida	Nedeau, Stephen	Pilliod, James	Rice, Thomas Jr
Russell, David	Salatiello, Thomas	Thomas, John	Wendelboe, Fran

CARROLL

Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Lyman, L Randy
Mock, Henry	Philbrick, Donald	Stevens, Stanley	Sullivan, P Judith

CHESHIRE

Allen, Peter	Avery, Stephen	Batchelder, Robert	Burnham, Daniel
Emerson, Susan	Espiefs, Peter	Hunt, John	Manning, Joseph
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, John
Richardson, Barbara	Roberts, William	Royce, H Charles	Russell, Ronald
Weed, Charles	Zerba, Roger		

COOS

Bradley, Paula	Davis, Perley	Gallus, John	Horton, Lynn
Mears, Edgar	Pratt, Leighton	Rodrigue, Robert	Stohl, Eric
Tholl, John Jr	Woodward, David		

GRAFTON

Akins, Ralph	Almy, Susan	Benn, Bernard	Cooney, Mary
Eaton, Stephanie	Lovett, Sid	Naro, Debra	Nordgren, Sharon
Scanlan, David	Scovner, Nancy	Sokol, Hilda	Teschner, Douglass

HILLSBOROUGH

Alukonis, David	Andosca, Mary	Artz, Lawrence	Baroody, Benjamin
Bellavance, Paul	Bouchard, David	Brundige, Robert	Bruno, Pierre
Buckley, Raymond	Calawa, Leon Jr	Carlson, Donald	Christensen, D L Chris
Clayton, William	Clegg, Robert Jr	Clemons, Jane	Cote, Peter
Coughlin, Pamela	Daigle, Robert	Dokmo, Cynthia	Drabinowicz, A Theresa
Drisko, Richard	Duval, Jeffrey	Elliott, Larry	Emerton, Lawrence Sr
Fletcher, Richard	Flora, Kathleen	Ford, Nancy	Foster, Linda
Furman, Christine	Gargasz, Carolyn	Ginsburg, Ruth	Golding, William

Goley, Jeffrey	Gorman, Mary	Graham, John	Greenberg, Gary
Guinta, Frank	Hall, Betty	Hall, Charles	Herman, Keith
Johnson, Lionel	Kacavas, John	Keye, Harvey	Konys, Christine
L'Heureux, Robert	LaRose, Richard	Lasky, Bette	Leach, Edward
Lefebvre, Roland	Leishman, Peter	Lessard, Rudy	Lynde, Harold
McDonough-Wallace, Alice	Mercer, Robert	Messier, Irene	Movsesian, Lori
Palangas, Eric	Panagopoulos, Nicholas	Rowe, Robert	Sargent, Maxwell
Schulze, Joan	Sweeney, Cynthia	Vaillancourt, Steve	Wheeler, Robert
White, Donald	Williams, Carol		

MERRIMACK

Anderson, Eric	Bouchard, Candace	Clarke, Claire	Cummings, Raymond
Daneault, Gabriel	Davis, Frank	Dunne, Christopher	Feuerstein, Martin
Fraser, Marilyn	French, Barbara	Gile, Mary	Hager, Elizabeth
Hess, David	Jacobson, Alf	Lockwood, Priscilla	MacKay, James
Moore, Carol	Owen, Derek	Perkins, Randy	Potter, Frances
Poulin, David	Reardon, Tara	Rodd, Beth	Rush, Deanna
Seldin, Gloria	Swindlehurst, John	Wallner, Mary Jane	Whittemore, James
Yeaton, Charles			

ROCKINGHAM

Belanger, Ronald	Bowles, Raimond	Clark, Martha Fuller	Clark, Vivian
Coes, Betsy	Cox, Russell	Dalrymple, Janeen	Dearborn, Bruce
Downing, Michael	Flanagan, Natalie	Flanders, John Sr	Francoeur, Sheila
Giordano, Ronald	Gleason, John	Henderson, Warren	Johnson, Robert
Kane, Cecelia	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Langone, John	Major, Norman	McGuire, Robert
McKinney, Betsy	Norelli, Terie	Nowe, Ronald	Pitts, Jacqueline
Rausch, James	Shultis, Elizabeth	Sloan, Stephen	Splaine, James
Stone, Joseph	Stritch, C Donald	Weatherspoon, Jacquelyne	Welch, David

STRAFFORD

Bickford, David	Brennan, William	Cossette, Larry	Dunlap, Patricia

Estabrook, Iris	Ferland, Paul	Grassie, Anne	Heon, Richard
Hughes, Christopher	Johnson, Nancy	Kaen, Naida	Knowles, William
Lent, Donald	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Taylor, Kathleen	Woodill, Rodney		

SULLIVAN

Allison, David	Cloutier, John	Ferland, Brenda	Flint, Gordon Sr
Franklin, Peter	Jones, Constance	Leone, Richard	Phinizy, James
Rodeschin, Beverly			

NAYS 103

BELKNAP

Bartlett, Gordon	Boyce, Laurie	Dewhirst, Glenn	Lawton, David
Rosen, Ralph			

CARROLL

Kenney, Joseph	Patten, Betsey

CHESHIRE

Dexter, Judson	Fairbanks, Chandler

COOS

Guay, Lawrence

GRAFTON

Alger, John	Cobb, John	Dudley, Terri	Gabler, William
Gilman, G Michael	Giuda, Robert	Ham, Bonnie	Marshall, Gene
Mirski, Paul	Sova, Charles	Williams, Burton	

HILLSBOROUGH

Arnold, Thomas Jr	Balboni, Michael	Batula, Peter	Bergeron, Jean-Guy

Chabot, Robert	Christiansen, Lars	Desrosiers, William	Dionne, Kimberley
Dwyer, Paul	Eaton, Richard	Fields, Dennis	Goulet, Maurice
Holden, Randolph	Hopper, Gary	Jean, Loren	Kurk, Neal
LaFlamme, Paul	Martin, Mary Ellen	McHugh, Claire	McRae, Karen
Melcher, Harold	Milligan, Robert	Moran, Edward	O'Connell, Timothy
Pepino, Leo	Reeves, Sandra	Salts, Greg	Souza, Kathleen
Tahir, Saghir	Thompson, Rob	Thulander, O Alan	

MERRIMACK

Brewster, Richard	Kennedy, Richard	Langer, Ray	Leber, William
Whalley, Michael	Winter, Steven		

ROCKINGHAM

Arndt, Janet	Camm, Kevin	Chalbeck, Kevin	DiFruscia, Anthony
Dodge, Robert	Fesh, Bob	Gilbert, Karl	Hamel, Albert
Hill, Jonathan	Hutchinson, Karen	Itse, Daniel	Johnson, Rogers
Kelley, William	Letourneau, Robert	Packard, Sherman	Palermo, Diane
Power, Lucille	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Quandt, Matthew	Reardon, Neil	Ruffner, Walter	Saia, Pamela
Sapareto, Frank	Trueman, Raymond	Varrell, Thomas	Weyler, Kenneth
Whittier, John	Woekel, Ralph	Zolla, William	

STRAFFORD

Berube, Roger	Callaghan, Frank	Harrington, Michael	McCarthy, Gerald
Pelletier, Arthur	Pelletier, Marsha	Reid, Christopher	Tsiros, William
Twombly, James	Wall, Janet	Woods, Phyllis	

SULLIVAN

Harris, Joseph	Harris, Sandra	Odell, Bob

and the report was adopted.

CACR 9, relating to the term of office for governor. Providing that beginning with the 2004 general election, there shall be a 4-year term of office for governor. **INEXPEDIENT TO LEGISLATE**

Rep. Natalie S. Flanagan for Election Law: A four-year term for governor has been defeated in past sessions. This bill added the Senate. It was the feeling of the committee that it was not necessary at this time. Also, the House of Representatives was not included. Vote 8-7.

Adopted.

HB 201, requiring voters to present identification to obtain a ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ronald J. Nowe for the Majority of Election Law: This bill, as amended, requires a registered voter to present photo identification to obtain a ballot at election time. The registered voter will still be required to announce their name loudly and clearly to the ballot clerk. The bill further states that if the registered voter cannot produce a photo identification the ballot clerk must notify the voters that they may sign an affidavit to receive a ballot. Also, and importantly so, this bill may only be adopted by the legislative body of the town/city and then the secretary of state's office must be notified by the governing body of the town/city. This is a local option bill so there is no Article 28-a problem. Vote 14-5.

Rep. Jackie K. Weatherspoon for the Minority of Election Law: This bill will require everyone, including public officials such as the governor, state senators, state legislators, selectmen, mayors and other to show an ID. If you do not have an ID, you will be required to sign an affidavit. It was stated during the testimony college students were voting in record numbers and the elderly were coming in by buses to vote. We learned from the secretary of state's office there is no mandatory training for ballot clerks. This bill will leave the door open for an individual to sue the town and the clerk because the voter was a friend of the clerk or a well-known person was given the nod to cast their ballot. The minority of the committee recommends mandatory training for all ballot clerks.

Amendment (0348h)

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

AN ACT relative to voters presenting identification to obtain a ballot.

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

1 Election Day Morning Procedures; Statutes Posted; Reference Added. Amend RSA 658:29 to read as follows:

658:29 Statutes Posted. The secretary of state shall prepare and distribute copies of the following RSA sections which the selectmen shall post or cause to be posted outside the guardrail in the polling place: RSA 654:38, 39; RSA 658:29; RSA 659:***13, 13-a,*** 27, 30, 31, 32, 103; RSA 665:15; RSA 666:4, 5, 8, 9, 10, 11, 12.

2 New Section; Optional Procedure for Obtaining a Ballot. Amend RSA 659 by inserting after section 13 the following new section:

659:13-a Optional Procedure for Obtaining a Ballot.

I. The legislative body of a municipality may adopt the alternative procedure for obtaining a ballot established in paragraph II. Upon adoption, the alternative procedure shall be followed in lieu of the procedure established in RSA 659:13 at all elections in the municipality. If the

legislative body votes to discontinue use of the alternative procedure for obtaining a ballot, the procedure established in RSA 659:13 shall be followed at all elections in the municipality held after such vote. The governing body of the municipality shall notify the secretary of state of the adoption of the alternative procedure for obtaining a ballot or of the vote to discontinue the alternative procedure for obtaining a ballot.

II. In municipalities adopting the procedures in this paragraph, a person desiring to vote shall, before being admitted to the enclosed space within the guardrail, announce his or her name and present his or her New Hampshire driver's license, armed services identification card, United States passport, or any other form of photographic identification to one of the ballot clerks who shall thereupon repeat the name; and, if the name is found on the checklist by the ballot clerk, the ballot clerk shall put a checkmark beside it and again repeat the name. If the person does not have his or her driver's license, passport, or other form of photographic identification, the ballot clerk shall notify the person of the affidavit provided for in RSA 659:27. The voter, unless challenged as provided for in RSA 659:27-33, or unless failing to present proper identification and failing to sign an affidavit, shall then be allowed to enter the space enclosed by the guardrail. After the voter enters the enclosed space, the ballot clerk shall give the voter one of each ballot to be voted on in that election which shall be folded as it was upon receipt from the secretary of state.

3 Preservation of Challenge Affidavits. Amend RSA 659:103 to read as follows:

659:103 Preservation of Challenge Affidavits. The affidavits made by challenged voters as provided in RSA 659:27 shall be preserved by the town clerk for at least one year following the date of a state election. In contested elections, all affidavits ***made by challenged voters*** shall be retained by the town clerk until the contest is settled and all appeals periods have expired or for at least one year, whichever is longer. ***Affidavits made pursuant to RSA 659:13-a shall be retained with the ballots for the period of time established in RSA 659:100.***

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

AMENDED ANALYSIS

This bill permits municipalities to require that voters present identification or sign an affidavit to obtain a ballot.

Adopted.

Rep. Buckley spoke against.

Rep. Nowe spoke in favor and requested a roll call; sufficiently seconded.

The question being adoption of the majority report.

YEAS 184 NAYS 122

YEAS 184

BELKNAP

Bartlett, Gordon	Boyce, Laurie	Czech, Stanley	Holbrook, Robert
Johnson, William	Lawton, David	Millham, Alida	Nedeau, Stephen
Pilliod, James	Rosen, Ralph	Russell, David	Thomas, John
Wendelboe, Fran			

CARROLL

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

CHESHIRE

Avery, Stephen	Dexter, Judson	Emerson, Susan	Fairbanks, Chandler
Hunt, John	Roberts, William	Royce, H Charles	

COOS

Davis, Perley	Gallus, John	Guay, Lawrence	Horton, Lynn
Pratt, Leighton	Stohl, Eric	Tholl, John Jr	Woodward, David

GRAFTON

Akins, Ralph	Alger, John	Cobb, John	Dudley, Terri
Eaton, Stephanie	Gabler, William	Gilman, G Michael	Giuda, Robert
Ham, Bonnie	Marshall, Gene	Mirski, Paul	Scanlan, David
Sova, Charles	Teschner, Douglass	Williams, Burton	

HILLSBOROUGH

Alukonis, David	Arnold, Thomas Jr	Artz, Lawrence	Balboni, Michael
Batula, Peter	Bergeron, Jean-Guy	Bouchard, David	Brundige, Robert
Bruno, Pierre	Calawa, Leon Jr	Christensen, D L Chris	Christiansen, Lars
Clegg, Robert Jr	Coughlin, Pamela	Desrosiers, William	Dokmo, Cynthia
Drisko, Richard	Elliott, Larry	Fields, Dennis	Fletcher, Richard
Ford, Nancy	Furman, Christine	Gargasz, Carolyn	Golding, William
Goulet, Maurice	Greenberg, Gary	Guinta, Frank	Hall, Betty
Herman, Keith	Hopper, Gary	Jean, Loren	Johnson, Lionel

Kurk, Neal	L'Heureux, Robert	LaFlamme, Paul	Leach, Edward
Lefebvre, Roland	Leishman, Peter	Lessard, Rudy	Martin, Mary Ellen
McDonough-Wallace, Alice	McRae, Karen	Mercer, Robert	Messier, Irene
Milligan, Robert	Moran, Edward	O'Connell, Timothy	Pepino, Leo
Reeves, Sandra	Rowe, Robert	Salts, Greg	Sargent, Maxwell
Souza, Kathleen	Tahir, Saghir	Thulander, O Alan	Vaillancourt, Steve
Wheeler, Robert	White, Donald		

MERRIMACK

Anderson, Eric	Brewster, Richard	Cummings, Raymond	Davis, Frank
Dunne, Christopher	Hager, Elizabeth	Hess, David	Kennedy, Richard
Langer, Ray	Leber, William	Lockwood, Priscilla	MacKay, James
Poulin, David	Swindlehurst, John	Whalley, Michael	Whittemore, James
Winter, Steven			

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Camm, Kevin	Chalbeck, Kevin
Clark, Vivian	Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony
Dodge, Robert	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Gilbert, Karl	Giordano, Ronald	Gleason, John
Hamel, Albert	Henderson, Warren	Hill, Jonathan	Itse, Daniel
Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Letourneau, Robert	McKinney, Betsy	Nowe, Ronald
Packard, Sherman	Palermo, Diane	Power, Lucille	Priestley, Anne
Putnam, Ed II	Quandt, Marshall	Quandt, Matthew	Ruffner, Walter
Sapareto, Frank	Stone, Joseph	Stritch, C Donald	Varrell, Thomas
Welch, David	Weyler, Kenneth	Whittier, John	

STRAFFORD

Cossette, Larry	Dunlap, Patricia	Harrington, Michael	McCarthy, Gerald
Pelletier, Arthur	Pelletier, Marsha	Reid, Christopher	Twombly, James
Woods, Phyllis			

SULLIVAN

Ferland, Brenda	Jones, Constance	Odell, Bob	Rodeschin, Beverly

NAYS 122

BELKNAP

Dewhirst, Glenn	Flanders, Donald	Rice, Thomas Jr	Salatiello, Thomas

CARROLL

None

CHESHIRE

Allen, Peter	Batchelder, Robert	Burnham, Daniel	Espiefs, Peter
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, John
Richardson, Barbara	Zerba, Roger		

COOS

Bradley, Paula	Mears, Edgar	Rodrigue, Robert

GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	Lovett, Sid
Naro, Debra	Nordgren, Sharon	Scovner, Nancy	Sokol, Hilda

HILLSBOROUGH

Andosca, Mary	Baroody, Benjamin	Bellavance, Paul	Buckley, Raymond
Carlson, Donald	Clayton, William	Clemons, Jane	Cote, Peter
Daigle, Robert	Drabinowicz, A Theresa	Duval, Jeffrey	Dwyer, Paul
Eaton, Richard	Emerton, Lawrence Sr	Flora, Kathleen	Foster, Linda
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Graham, John
Hall, Charles	Holden, Randolph	Kacavas, John	Keye, Harvey
Konys, Christine	LaRose, Richard	Lasky, Bette	Lynde, Harold
McHugh, Claire	Melcher, Harold	Movsesian, Lori	Palangas, Eric
Panagopoulos, Nicholas	Schulze, Joan	Sweeney, Cynthia	Williams, Carol

MERRIMACK

Bouchard, Candace	Clarke, Claire	Daneault, Gabriel	Feuerstein, Martin
Fraser, Marilyn	French, Barbara	Gile, Mary	Jacobson, Alf
Moore, Carol	Perkins, Randy	Potter, Frances	Reardon, Tara
Rodd, Beth	Rush, Deanna	Seldin, Gloria	Wallner, Mary Jane
Yeaton, Charles			

ROCKINGHAM

Bowles, Raimond	Clark, Martha Fuller	Coes, Betsy	Downing, Michael
Johnson, Robert	Kane, Cecelia	Langone, John	Major, Norman
McGuire, Robert	Norelli, Terie	Pitts, Jacqueline	Rausch, James
Reardon, Neil	Shultis, Elizabeth	Sloan, Stephen	Splaine, James
Trueman, Raymond	Weatherspoon, Jacquelyne	Zolla, William	

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Callaghan, Frank
Estabrook, Iris	Ferland, Paul	Grassie, Anne	Hughes, Christopher
Kaen, Naida	Lent, Donald	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Taylor, Kathleen	Tsiros, William	Wall, Janet
Woodill, Rodney			

SULLIVAN

Allison, David	Cloutier, John	Flint, Gordon Sr	Franklin, Peter
Harris, Joseph	Harris, Sandra	Leone, Richard	Phinizy, James

and the majority report was adopted.

Ordered to third reading.

HB 259, relative to holding sessions for correction of checklists. **OUGHT TO PASS**

Rep. Frank W. Davis for Election Law: This bill changes the required hours for evening sessions for correction of checklists from between 7:00pm and 9:00pm to between 7:00pm and 8:00pm. It also allows the supervisors to schedule additional hours. Then language would now be consistent with the language for the Saturday sessions of the checklist supervisors. A majority of the committee felt that HB 259 would be beneficial to both the more than 50 small towns with less than 600 voters who may

have no one show up for such sessions, and the larger cities and towns who may need more than the currently allowed two hours. This legislation has the support of the New Hampshire Municipal Association and the secretary of state's office. No one spoke against the bill at the public hearing. Vote 13-5.

Adopted.

Ordered to third reading.

HB 364, eliminating straight ticket voting. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert E. Clegg, Jr. for the Majority of Election Law: The majority of the committee felt the disenfranchisement of voters is the last thing we need to do. Every session someone files a bill to change the way we vote and/or change the way names are placed on the ballot. More confusion is not what the voters need. Straight ticket voting has existed for years and has caused no harm to any candidate. Last week the committee voted 19-0 Ought to Pass on HB 226 which clarified the instructions for straight ticket voting. Straight ticket voting is a choice. If you do not want to vote straight ticket, you do not have to. Some wish to limit your choice as a voter. The majority of the committee believes the choice is essential to the process. Straight ticket voting is nothing more than allowing voters to choose how they want to vote. Since straight ticket voting has not caused death or injury there is no reason to change it. Vote 12-7.

Rep. Steve Vaillancourt for the Minority of Election Law: Here we go again. Attempts to eliminate straight ticket voting have consistently failed during the past several sessions. Noble ideas often fail and have to resurface several times before they ultimately see the light of day. Such is the case with straight ticket voting. This outmoded concept leads to voter confusion and serves absolutely no useful purpose whatsoever. Proponents of keeping it claim that to do otherwise is tantamount to taking away an inherent right, but that is simply not true. A voter would still be able to vote for every Republican or Democrat or even every Libertarian candidate on the ballot should that voter so choose. He or she would simply have to place a mark next to each candidate's name. In the process of doing that, the voter might decide that a candidate of another party merits support, perhaps because that candidate knocked on the voter's door and made a favorable impression. Straight ticket voting rewards laziness and sloth. Votes in this House in the past have broken down almost entirely along party lines, Republicans opposing elimination due in large part to the perception that since there are more registered Republicans statewide, Republicans benefit. Perceptions can be wrong. Illinois Republicans pushed to ban straight ticket voting since they believed elimination would help them in the Chicago area. When straight ticket voting was finally eliminated in the state, however, Republicans were hurt because Democrats did better downstate and still held strong in Cook County. Let's put parties aside this year and do what is most likely to produce election of the most qualified, most committed candidates. The tri-partisan minority says the time has come. Elimination will not take options away from voters; it will not lead to lower voter turnout; it will eliminate confusion and reward competence.

motion to special order

Rep. Arndt moved that ***HB 364,*** eliminating straight ticket voting, be made a Special Order for Thursday, April 26, 2001 as the first order of business.

Adopted

HB 399, relative to proof of qualifications for voter registration. **OUGHT TO PASS WITH AMENDMENT**

Rep. Peter E. Bragdon for Election Law: This bill requires people registering to vote on election day to provide appropriate proof of qualifications as provided in RSA654:12. The current wording says they "may" provide this proof and the majority of the committee agreed with the sponsor that changing the word to "shall" would treat everyone the same and reduce the potential for allegations of discrimination. For the same reason, the bill also requires checklist supervisors to provide affidavits to voters when necessary. Vote 11-5.

Amendment (0174h)

Amend RSA 654:7-a, II as inserted by section 1 of the bill by replacing it with the following:

II. Any person whose name is not on the checklist but who is otherwise a qualified voter shall be entitled to vote by requesting to be registered to vote at the polling place on election day. The voter may then vote at that election. The applicant [~~may~~] ***shall*** be required to produce appropriate proof of qualifications as provided in RSA 654:12. The applicant shall complete an election day affidavit which shall be prescribed by the secretary of state ***and provided to the applicant by an election official***, and which shall contain the following written oath or affirmation:

"I do hereby certify under penalty of perjury that to the best of my knowledge, I am a qualified voter, and that I am not disqualified on any ground from voting, and I have not voted and will not vote at any other polling place this election."

_____

(Signature of Applicant)

Adopted.

On a division vote, 195 members having voted in the affirmative and 98 in the negative, the report was adopted.

Ordered to third reading

HB 411, requiring that New Hampshire's presidential electors be bound to vote for the candidates of the party which nominated the electors. **INEXPEDIENT TO LEGISLATE**

Rep. Janet S. Arndt for Election Law: Under the present system, electors in New Hampshire have consistently voted for the presidential candidate to which they have pledged. The majority of the committee felt that since we were not confronted with a problem we should continue with the present process, which has been successful to date. Vote 16-2.

Adopted.

HB 418, relative to requirements for recounts. **INEXPEDIENT TO LEGISLATE**

Rep. Michael S. Rollo for Election Law: This bill would have required that petitioners for recounts submit an application and fee in person. There was much discussion of whether or not a notarized

facsimile would be acceptable. Unfortunately, there was little consensus among committee members on that matter. It was the opinion of the majority of the Election Law Committee that this bill be found Inexpedient to Legislate. Vote 14-3.

Adopted.

HB 436, eliminating nomination of a party by nomination papers. **INEXPEDIENT TO LEGISLATE**

Rep. Peter E. Bragdon for Election Law: This bill sought to eliminate the ability of political organizations, other than the two major parties, to be listed on the ballot by submitting petitions. The majority of the committee felt that providing this opportunity to "minor parties" was important and that other legislation supported by the committee dealt with the few minor confusions caused by the existing provisions. Vote 12-6.

Rep. Stritch moved Recommit to Committee.

Adopted and recommitted to Election Law.

HB 461, requiring all officers and officials elected by either or both houses of the legislature to file certain reports and register as political committees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. C. Donald Stritch for the Majority of Election Law: This bill requires certain officials in either or both houses of the legislature to file certain reports and register as political committees. This subject is currently being addressed and discussed by the committee and will be reported shortly in another bill. Vote 11-8.

Rep. Christopher L. Hughes for the Minority of Election Law: The minority felt that any candidate running for political office should have to file a financial disclosure as well as accounting for all campaign funds.

On a division vote, 193 members having voted in the affirmative and 99 in the negative, the majority report was adopted.

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

HB 468, relative to declaration of party affiliation in primary voting. **INEXPEDIENT TO LEGISLATE**

Rep. Douglass P. Teschner for Election Law: This bill would prevent undeclared (independent) voters from participating in primary elections. If passed, this bill would be inconsistent with the committee's goal to increase voter participation. There was also concern that voters who take advantage of Election Day registration would have voting rights not available to voters on the checklist prior to the election. Additionally, there was testimony that passage of this bill would adversely impact the New Hampshire presidential primary. Vote 16-3

On a division vote, 254 members having voted in the affirmative and 43 in the negative, the report was adopted.

HB 503, relative to incompatible offices. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter E. Bragdon for the Majority of Election Law: New Hampshire law currently prohibits candidates from running for more than one of the following "incompatible offices" at the same time: governor, state senator, state representative and executive councilor. This bill would add "any federal office" to this list. According to Webster's dictionary, the word "incompatible" is used for offices that make conflicting demands on the holder. The majority of the committee feels that the same principle that makes the existing list of offices incompatible also applies to federal offices – not to mention the wicked commute. Vote 12-7.

Rep. Nicholas T. Panagopoulos for the Minority of Election Law: The minority of the committee feels that this bill is not needed. The voters should be able to make the decision of whether they wish to support a candidate for both state and federal office. Furthermore, state and federal government are not incompatible in regard to policy making. The minority also strongly feels that this bill is an ad hominem attack on members of this house who seek federal office.

Rep. Panagopoulos spoke against.

Rep. Teschner spoke in favor.

On a division vote, 185 members having voted in the affirmative, 107 in the negative, the majority report was adopted.

Ordered to third reading.

Reps. Wendelboe and Martha Fuller Clark declared conflicts of interest and did not participate.

HB 520, relative to clarifying qualifications of candidates. **OUGHT TO PASS WITH AMENDMENT**

Rep. Steve Vaillancourt for Election Law: This bill came about due to problems in a state senate campaign last year. There were questions as to whether or not a candidate actually lived in the district. This bill clarifies qualifications by noting that registration to vote or voting in another state creates a presumption that a person does not have domicile in the state. The amendment simply adds the phrase "during the relevant time period", in other words during the time period stated under requirements for a state senator, state representative, etc. Vote 19-0.

Amendment (0599h)

Amend the bill by replacing section 1 with the following:

1 Nominations; General Qualifications; Domicile. Amend RSA 655:2 to read as follows:

655:2 Domicile. To hold any elective office in the state, a person must have a domicile in the state. ***Registration to vote or voting in another state during the relevant time period shall create a presumption that a person does not have a domicile in this state.***

Adopted.

Report adopted and ordered to third reading.

HB 579, relative to nominating a political organization by nomination papers. **OUGHT TO PASS**

Rep. Douglass P. Teschner for Election Law: This housekeeping bill corrects the definition of political party, as opposed to political organization, for the purpose of nomination papers. This bill cleans up a confusing section of the election law statutes. Vote 18-0.

Adopted and ordered to third reading.

HB 666, permitting the placement of political advertising on highway rights-of-way. **INEXPEDIENT TO LEGISLATE**

Rep. Michael S. Rollo for Election Law: This bill would have prohibited the placement of political advertising except on highway rights-of-way and private property. The bill further states that local law enforcement officers have the authority to remove political advertising. It was the majority's belief that there would be some question regarding whether law enforcement rules were state or local. Therefore, the committee recommends Inexpedient to Legislate. Vote 17-1.

Rep. Arndt moved Recommit to Committee and spoke in favor.

On a division vote, 155 members having voted in the affirmative, 135 in the negative the motion was adopted.

HB 677, relative to certification and filing of nomination papers. **OUGHT TO PASS WITH AMENDMENT**

Rep. Raymond Buckley for Election Law: This bill allows supervisors of the checklist to delegate their responsibilities to the town or city clerk regarding certifying nomination papers for a political organization. The amendment to the bill would require that the nomination papers be grouped by municipality. Vote 19-0.

Amendment (0418h)

Amend RSA 655:41, II as inserted by section 2 of the bill by replacing it with the following:

II. The city clerk may perform the responsibilities of the supervisors of the checklist under this section.

Amend RSA 655:43, I as inserted by section 4 of the bill by replacing it with the following:

I. Nomination papers shall be filed with the secretary of state no later than 5:00 p.m. on the Wednesday one week before the primary. ***Nomination papers to be filed shall be grouped by municipality.*** No nomination papers shall be accepted by the secretary of state unless the candidate shall have met the age and domicile qualifications for the office he ***or she*** seeks at the time of the general election and meets all the other qualifications at the time of filing; and if a candidate for the office of governor, executive councilor, state senator, or state representative, unless [~~he~~] ***the candidate*** shall file with the nomination papers an affidavit of qualifications as provided in RSA 655:28 and 655:29; and if a candidate for United States senator or United States representative, unless [~~he~~] ***the candidate*** shall meet the qualifications for office under RSA 655:3 and 655:4.

AMENDED ANALYSIS

This bill requires a political organization to file a declaration of intent to be nominated as political party. This bill permits the city clerk to perform the responsibilities of the supervisors of the checklist for certifying nomination papers. This bill also requires nomination papers to be signed by registered voters and makes certain changes to the procedure for filing nomination papers.

Adopted.

Report adopted and ordered to third reading.

HB 698, relative to verification of checklists. **OUGHT TO PASS WITH AMENDMENT**

Rep. Peter E. Bragdon for Election Law: This bill is a technical correction to the law pertaining to the ten-year verification and purging of voter checklists. Currently, people who recently voted for the first time in the 2001 elections would have their names purged from the checklist. The original bill also allowed checklist supervisors to order verifications more frequently than every ten years. However, the committee felt the existing provisions for petitioning the ballot law commission gives adequate remedy in cases where the checklist supervisors feel the checklist needs to be revised. Vote 17-1.

Amendment (0572h)

Amend the bill by deleting sections 1-2 and renumbering the original sections 3-4 to read as 1-2, respectively.

AMENDED ANALYSIS

This bill adds persons who voted at a 2001 town election to the persons deemed reregistered for purposes of the 2001 verification of the checklist.

Adopted.

Report adopted and ordered to third reading.

HB 711, relative to reporting by candidates. **INEXPEDIENT TO LEGISLATE**

Rep. Raymond Buckley for Election Law: HB711 duplicated the law that sets January 1 of the election year as the start date for the voluntary spending cap. The sponsor withdrew this bill when it was revealed it was already in statute. Vote 18-0.

Adopted.

special order

Without objection, the Speaker ordered that all remaining bills on today's calendar be made a Special Order for Thursday, April 26, 2001.

unanimous consent

Rep. French addressed the House.

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 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 26, 2001 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 694, establishing a separate high school civics graduation requirement.

HB 201, relative to voters presenting identification to obtain a ballot.

HB 259, relative to holding sessions for correction of checklists.

HB 399, relative to proof of qualifications for voter registration.

HB 503, relative to incompatible offices.

HB 520, relative to clarifying qualifications of candidates.

HB 579, relative to nominating a political organization by nomination papers.

HB 677, relative to certification and filing of nomination papers.

HB 698, relative to verification of checklists.

RECESS MOTION

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

Adopted.

The House recessed at 5:30 p.m.

RECESS