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Tuesday, June 26, 2001

RECESS

(Rep Stritch in the Chair)

RESOLUTION

Rep. Alukonis offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1118 through 1153 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1118, relative to participation by certain judges in the state employee group health and dental insurance programs. (Reid, Straf 12: Executive Departments and Administration)

HB 1119-FN-L, relative to landfill closing costs reimbursed by the department of environmental services. (Patten, Carr 9: Environment and Agriculture)

HB 1120, relative to naming a certain **island** in Lake Winnepesaukee in the town of Moultonborough. (Patten, Carr 9; Torressen, Carr 10; Quimby, Carr 10; Johnson, Dist 3: Resources, Recreation and Development)

HB 1121, relative to planning board recommended programs of capital improvements. (Patten, Carr 9; Thulander, Hills 6: Municipal and County Government)

HB 1122, establishing a committee to study statistical patterns of DWI offenses. (Thompson, Hills 47: Criminal Justice and Public Safety)

HB 1123, establishing a committee to study the feasibility of integrating the functions of the departments of education and health and human services. (Sova, Graf 11: Executive Departments and Administration)

HB 1124, establishing a committee to evaluate the administration of the Medicaid "In and Out" Program. (C. Bouchard, Merr 22; Seldin, Merr 17; Teschner, Graf 5: Finance)

HB 1125, extending insurance coverage by health service corporations to certain call firefighters and emergency medical technicians employed by municipalities. (Czech, Belk 5; Russell, Belk 5: Commerce)

HB 1126-FN-A, establishing the weights and measures laboratory accreditation program. (Melcher, Hills 11; L. Pratt, Coos 4; B. Williams, Graf 8: Environment and Agriculture)

HB 1127, relative to the timing for the filing of an affidavit for the disposition of nursing home patient accounts after death. (Brundige, Hills 18; Roberge, Dist 9: Judiciary)

HB 1128-FN, relative to the retirement system classification for the director of field services, department of corrections. (C. Bouchard, Merr 22: Executive Departments and Administration)

HB 1129, relative to discriminatory practices by owners of public accommodations. (Bruno, Hills 4: Judiciary)

HB 1130, increasing the rate of workers' compensation. (Mears, Coos 7; Espieffs, Ches 19; Wheeler, Dist. 21: Labor, Industrial and Rehabilitative Services)

HB 1131, establishing a committee to study increasing the number of physicians who are New Hampshire residents. (S. Harris, Sull 9; Pilliod, Belk 3; Batula, Hills 18; Chandler, Carr 1; Herman, Hills 13; Hollingworth, Dist 23; Wheeler, Dist 21; Disnard, Dist 8; Burns, Dist 1; O'Hearn, Dist 12: Health, Human Services and Elderly Affairs)

HB 1132, relative to grip height on motorcycles. (Packard, Rock 29; Letourneau, Rock 13: Transportation)

HB 1133, relative to intrastate fresh pursuit. (Reid, Straf 12: Criminal Justice and Public Safety)

HB 1134, relative to lighting requirements for motor vehicles and trailers. (Reid, Straf 12: Transportation)

HB 1135, establishing a study committee to reevaluate the health benefits and risks from fluoridation of water in New Hampshire. (French, Merr 3; Richardson, Ches 12; O'Hearn, Dist 12: Health, Human Services and Elderly Affairs)

HB 1136, proclaiming February 14 as Congenital Heart Defect Awareness Day. (Chalbeck, Rock 8; Holden, Hills 7; Duval, Hills 42; Weed, Ches 19; Dionne, Hills 1; Gatsas, Dist 16; Barnes, Dist 17; D'Allesandro, Dist 20: Health, Human Services and Elderly Affairs)

HB 1137, relative to the crime of resisting arrest. (Knowles, Straf 11; Stevens, Carr 7; K. Gilbert, Rock 19: Criminal Justice and Public Safety)

HB 1138, requiring the attorney general to initiate a declaratory judgement action concerning record title matters related to the Green Hills subdivision in the town of Raymond. (Bishop, Rock. 12; W. Kelley, Rock 12: Municipal and County Government)

HB 1139, allowing the governor to enter into reciprocal international child support agreements. (Dowling, Rock 13: Children and Family Law)

HB 1140, providing for the nomination and appointment of a "state treasure." (Dickinson, Carr 2: Executive Departments and Administration)

HB 1141, relative to the adoption of innovative land use zoning. (McKim, Ches 3: Municipal and County Government)

HB 1142, relative to the advisory council on unemployment compensation. (Mears, Coos 7: Labor, Industrial and Rehabilitative Services)

HB 1143, establishing a committee to study self-certification of hazardous waste small quantity generators. (Melcher, Hills 11: Environment and Agriculture)

HB 1144, establishing a committee to study access to the polls by disabled persons and the use of new technology to accommodate disabled voters. (Buckley, Hills 44: Election Law)

HB 1145-FN-A, requiring metal detectors in the state house and legislative office building and making an appropriation therefor. (Giordano, Rock 26; Griffin, Rock. 27; Dionne, Hills. 1: Legislative Administration)

HB 1146, relative to candidate qualifications for school district office. (Packard, Rock 29: Education)

HB 1147, relative to the annulment of certain criminal offenses committed under the laws of another jurisdiction. (L. Jean, Hills 17; Welch, Rock. 18; Craig, Hills 38; J. Pratt, Ches 2; Knowles, Straf 11: Criminal Justice and Public Safety)

HB 1148, naming the state office complex on Hazen Drive in the city of Concord the Meldrim Thomson, Jr. State Office Complex. (Mirski, Graf 12; Putnam, Rock 15; Dickinson, Carr 2; Chandler, Carr 1; Pepino, Hills 40; Roberge, Dist 9; Francoeur, Dist 14; Klemm, Dist 22; Barnes, Dist 17; Johnson, Dist 3: Public Works and Highways)

HB 1149, establishing a committee to study the efficiency of the long-term care facility survey process. (Micklon, Rock 26; P. Katsakiores, Rock 13; Downing, Rock 26; McGuire, Rock 26; Dalrymple, Rock 26; Griffin, Rock 27; Seldin, Merr.17: Health, Human Services and Elderly Affairs)

HB 1150, relative to insurance compliance self-audits. (L. Fraser, Merr 9: Commerce)

HB 1151, establishing a commission to examine the status of public school curriculum requirements in civic education. (Chandler, Carr 1; Sova, Graf 11; Klemm, Dist 22: Education)

HB 1152, establishing a committee to study methods for clarifying the division of authority between boards of selectmen and elected chiefs of police. (Giuda, Graf 3; Sapareto, Rock 13; Tholl, Coos 5: Municipal and County Government)

HB 1153, relative to the jurisdiction of the board of manufactured housing. (Wheeler, Hills 7; M. Fuller Clark, Rock 36: Commerce)

RECESS

(Speaker Chandler in the Chair)

RESOLUTION

Rep. Francoeur offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1154 through 1187 and House Concurrent Resolutions numbered 22 through 24 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS and HCRs

First, second reading and referral

HB 1154, relative to appeals of historic district commissions. (Drisko, Hills 22: Municipal and County Government)

HB 1155, relative to the unauthorized use of firearms in towns and cities. (Giuda, Graf 3; Rozek, Coos 7; Gilman, Graf 1: Municipal and County Government)

HB 1156, relative to the issuance of building permits on private roads. (Patten, Carr 9; Stohl, Coos 1: Municipal and County Government)

HB 1157, providing for the local option to apply the current use laws. (Sova, Graf 11: Municipal and County Government)

HB 1158, relative to the definition of "party." (Brewster, Merr 1: Election Law)

HB 1159, prohibiting mail-order pharmacies from substituting generic drugs without written authorization. (Taylor, Straf 11: Commerce)

HB 1160-FN-L, requiring the state to rebuild and maintain the dam controlling Russell Reservoir in the town of Harrisville. (P. Allen, Ches 7: Resources, Recreation and Development)

HB 1161, relative to youth employment. (Mears, Coos 7; Pilliod, Belk 3: Labor, Industrial and Rehabilitative Services)

HB 1162, relative to unsolicited electronic mail. (Avery, Ches 8; Bruno, Hills 4; C. Moore, Merr 19: Commerce)

HB 1163, relative to child passenger restraints. (R. L'Heureux, Hills 18; Gorman, Hills 29; C. Bouchard, Merr 22; Greco, Merr 12; Roberge, Dist 9; Larsen, Dist 15: Transportation)

HB 1164, renaming the Sugden House in Odiorne State Park in the town of Rye as the Clark House. (Varrell, Rock 9: Public Works and Highways)

HB 1165, establishing a committee to study issues arising from State v. Laurie. (Hopper, Hills 5: Judiciary)

HB 1166, relative to sign restrictions regarding alcoholic beverages. (Avery, Ches 8: Commerce)

HB 1167, relative to wine tasting. (Avery, Ches 8: Commerce)

HB 1168, relative to ambulatory surgical facilities owned in whole or in part by a hospital. (Martel, Hills 45; P. Katsakiores, Rock 13: Health, Human Services & Elderly Affairs)

HB 1169, relative to the termination of safe deposit box leases. (Taylor, Straf 11; L. Fraser, Merr 9: Commerce)

HB 1170, extending the environmental audit program. (Melcher, Hills 11: Environment and Agriculture)

HB 1171, establishing a committee to study the state's role in supporting organic agriculture. (Rabideau, Rock 16: Environment and Agriculture)

HB 1172, relative to the adoption of rules for certain wetland permits. (Royce, Ches 9: Resources, Recreation and Development)

HB 1173, relative to the identification and notification of putative fathers. (Arnold, Hills 20: Children and Family Law)

HB 1174-FN-L, requiring the provision of educational opportunities to expelled pupils. (Rodd, Merr 3: Education)

HB 1175, relative to proclaiming oneself a New Hampshire native. (L. Jean, Hills 17; Sargent, Hills 3; Mock, Carr 3; Disnard, Dist 8: Judiciary)

HB 1176, limiting the hours available for telephone solicitation. (Pantelakos, Rock 30: Commerce)

HB 1177, enforcing the prohibition on the possession and use of tobacco products by minors through the juvenile statutes. (L. Christiansen, Hills 23: Children and Family Law)

HB 1178-FN, relative to the recreational taking of lobster by scuba diving. (Harrington, Straf 4; Hopper, Hills 5: Resources, Recreation and Development)

HB 1179, establishing a task force to investigate the feasibility of utilizing the Concord to Lincoln rail corridor for passenger service. (G. Katsakiores, Rock 13; Whittemore, Merr 13; Nowe, Rock 3; J.

Flanders, Rock 18; P. Cote, Hills 32; Prescott, Dist 19; Boyce, Dist 4; Johnson, Dist 3; Larsen, Dist 15: Transportation)

HB 1180, establishing a task force to research revenue streams to fund intermodal transportation systems in New Hampshire. (G. Katsakiores, Rock 13; Whittemore, Merr 13; Nowe, Rock 3; J. Flanders, Rock 18: Transportation)

HB 1181, requiring registration of political parties. (J. Bradley, Carr 8: Election Law)

HB 1182, establishing a committee to study a managed care model for New Hampshire's home and community-based care system. (Dalrymple, Rock 26; Emerton, Hills 7: Health, Human Services and Elderly Affairs)

HB 1183, establishing a committee to study the conformity of administrative rules to statutory authority. (L. Christiansen, Hills 23: Executive Departments and Administration)

HB 1184-FN, permitting the department of health and human services to use the National Medical Support Notice. (Wallner, Merr 24; Emerton, Hills 7: Commerce)

HB 1185-FN, relative to the possession of deadly weapons in a safe school zone. (Artz, Hills 34; Dionne, Hills 1: Criminal Justice and Public Safety)

HB 1186-FN, relative to penalties for flag desecration. (Thompson, Hills 47; Hill, Rock 29; Introne, Rock 29; Greenberg, Hills 46; Balcom, Hills 18: Criminal Justice and Public Safety)

HB 1187-FN, relative to criminal penalties for possession of a firearm in a safe school zone. (W. Johnson, Belk 4; D. Flanders, Belk 7; Knowles, Straf 11; Pilliod, Belk 3; Thomas, Belk 3; Johnson, Dist 3: Criminal Justice and Public Safety)

HCR 22, encouraging multiple use management and access for future land transfers to the White Mountain National Forest. (Gilman, Graf 1; Whalley, Merr 5; Chandler, Carr 1; Scanlan, Graf 11; Rozek, Coos 7; Boyce, Dist 4; Burns, Dist 1; Johnson, Dist 3; Gordon, Dist 2: State-Federal Relations and Veterans Affairs)

HCR 23, urging Congress to abolish the Recreational Fee Demonstration Program on public lands including the White Mountain National Forest. (Teschner, Graf 5; Chandler, Carr 1; R. Cooney, Rock 26; Alger, Graf 9; Wall, Straf 9; Gordon, Dist 2; Below, Dist 5; Johnson, Dist 3; Burns, Dist 1; Disnard, Dist 8: State-Federal Relations and Veterans Affairs)

HCR 24, urging the federal government to declare a moratorium on major airline industry mergers. (Coughlin, Hills 12; Buckley, Hills 44: State-Federal Relations and Veterans Affairs)

RECESS

(Rep. Lynde in the Chair)

RESOLUTION

Rep. Gilmore offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1188 through 1199 and 1201 through 1228, House Concurrent Resolutions numbered 25 and 26, and Constitutional Amendment Concurrent Resolutions numbered

30 and 31 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS, HCRs, and CACRs

First, second reading and referral

HB 1188, prohibiting discrimination because of political belief. (Brewster, Merr 1: Judiciary)

HB 1189, relative to the plea of guilty but insane. (Marshall Quandt, Rock 20; Matthew Quandt, Rock 20: Criminal Justice and Public Safety)

HB 1190, relative to local school management of teacher hiring and retention. (Alger, Graf 9; Sova, Graf 11; Sullivan, Carr 2: Education)

HB 1191, establishing a committee to study the expansion of opportunities for teacher certification and the election of members of the state board of education. (Alger, Graf 9; Sova, Graf 11; Sullivan, Carr 2: Education)

HB 1192, relative to the use of enrollment by residence data in the calculation of adequate education grants. (Alger, Graf 9; Cox, Rock 24; Sova, Graf 11; Winter, Merr 2: Finance)

HB 1193-L, relative to local enforcement of junk yards and motor vehicle recycling yards. (Alger, Graf 9; Stone, Rock 7: Municipal and County Government)

HB 1194, relative to medical records. (Taylor, Straf 11: Health, Human Services & Elderly Affairs)

HB 1195, relative to the comprehensive shoreland protection act. (Palermo, Rock 21: Resources, Recreation and Development)

HB 1196, enabling municipalities to adopt a property tax exemption for deaf persons. (Burnham, Ches 8; Pilliod, Belk. 3: Municipal and County Government)

HB 1197-FN, relative to providing notice of invasive species to New Hampshire citizens. (Bruno, Hills 4: Environment and Agriculture)

HB 1198, relative to the minimum hourly rate for certain employees. (Mears, Coos 7: Labor, Industrial and Rehabilitative Services)

HB 1199-FN, providing for the certification of septage haulers. (Philbrick, Carr 4; Patten, Carr 9: Environment and Agriculture)

HB 1201, relative to charitable trust customer data. (Taylor, Straf 11; Tsiros, Straf 3: Commerce)

HB 1202-FN, reducing fees for municipal permits for registration of certain hybrid vehicles. (Corbin, Rock 9: Municipal and County Government)

HB 1203, relative to retroactive health insurance denials. (Francoeur, Rock 22; Crosby, Merr 20: Commerce)

HB 1204, relative to administrative rulemaking of the sweepstakes commission. (Lovett, Graf 6: Executive Departments and Administration)

HB 1205, relative to the availability of motor vehicle records for the distribution of seat belt safety materials. (C. Bouchard, Merr 22: Transportation)

HB 1206-FN, increasing the annuity paid to a surviving spouse or beneficiary upon the accidental death of a group II member in the performance of duty. (Baroody, Hills 42; Pepino, Hills 40; Clegg, Hills 23: Executive Departments and Administration)

HB 1207, relative to the regulation of the installation and servicing of fire suppression systems. (Holland, Rock 26: Executive Departments and Administration)

HB 1208, relative to real estate broker liens. (Pappas, Hills 48: Commerce)

HB 1209, relative to a civil rights act for health care providers. (Souza, Hills 40; Hopper, Hills 5; Albert, Straf 17; Balboni, Hills 27; Palermo, Rock 21: Health, Human Services & Elderly Affairs)

HB 1210, relative to training to be a licensed esthetician. (Pantelakos, Rock 30; Cohen, Dist 24: Executive Departments and Administration)

HB 1211, prohibiting insurers from discriminating against a person on the basis of the person holding elective office. (Lynde, Hills 24: Commerce)

HB 1212, relative to certain disclosures in real estate sales. (L. Christiansen, Hills 23: Commerce)

HB 1213, relative to personal school records of pupils. (Micklon, Rock 26; Holland, Rock 26: Education)

HB 1214, relative to medical waste incinerators and to the polyvinyl chloride content of medical waste. (Lynde, Hills 24; J. Bradley, Carr 8: Environment and Agriculture)

HB 1215, relative to county delegations. (Jacobson, Merr 2: Municipal and County Government)

HB 1216, erecting a historic sign in Berlin honoring its original settlers. (Dyer, Hills 8; Guay, Coos 6; Gallus, Coos 7; Mears, Coos 7; Landers, Coos 2; Burns, Dist 1: Public Works and Highways)

HB 1217, relative to payment of trust income. (Hunt, Ches 10: Commerce)

HB 1218, relative to the regulation of pharmacists and prescription drug orders. (Millham, Belk 4: Executive Departments and Administration)

HB 1219, establishing a committee to study ways to implement the principles of state health care reform. (French, Merr 3; Wheeler, Dist 21: Health, Human Services and Elderly Affairs)

HB 1220, relative to assisted living residences and housing for older persons. (Kurk, Hills 5; Sargent, Hills 3; Batula, Hills 18: Commerce)

HB 1221, relative to coordinating certain town and school district meetings. (Ward, Graf 1: Municipal and County Government)

HB 1222, exempting ice-out contests from the laws regulating games of chance. (Ward, Graf 1: Criminal Justice and Public Safety)

HB 1223, establishing a committee to study the model insurance rating laws. (Nowe, Rock 3: Commerce)

HB 1224, adopting the nurse licensure compact. (Buckley, Hills 44; Clayton, Hills 39: Executive Departments and Administration)

HB 1225, relative to disclosure of referral restrictions. (Bruno, Hills 4: Commerce)

HB 1226-L, allowing discretionary easements to include barns used for farming. (Bruno, Hills 4: Municipal and County Government)

HB 1227, relative to the appraisal of affordable housing developments. (Potter, Merr 24: Municipal and County Government)

HB 1228, relative to union dues. (Palermo, Rock 21; Weyler, Rock 18: Labor, Industrial and Rehabilitative Services)

HCR 25, encouraging an increased distribution of federal money from the military budget to the states. (French, Merr 3; Richardson, Ches 12; Millham, Belk 4; Pilliod, Belk 3; M. Fuller Clark, Rock 36; Wheeler, Dist 21; Pignatelli, Dist 13: State-Federal Relations and Veterans Affairs)

HCR 26, urging the U.S. Food and Drug Administration to remove all unapproved prescription fluoride products from the market. (Richardson, Ches 12: State-Federal Relations and Veterans Affairs)

CACR 30, relating to the legislature's authority to define and fund education, education taxes, and delegation of power to local school districts. Providing that the legislature shall have the authority to determine the content, extent, beneficiaries, and funding of education or to delegate that authority to local school districts; and it shall have the authority to determine the proportion of taxes necessary to fund public education which shall be provided by state and local taxes and judicial review of the legislative determination shall be limited to whether the legislature has a rational basis for its decision. (Alger, Graf 9; Welch, Rock 18; Sova, Graf 11; Boyce, Belk 5; Boyce, Dist 4: Finance)

CACR 31, relating to the valuation of real estate. Providing that real property in the state shall be valued in accordance with the method enacted into law by the general court and at such times as it shall order. (Weyler, Rock 18: Ways and Means)

RECESS

RESOLUTION

(Rep. Hunt in the Chair)

Rep. Martha Fuller Clark offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1229 through 1249 and 1251 through 1273 shall be by

this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1229-FN-A-L, relative to funding of special education. (Giuda, Graf 3; Rozek, Coos 7; Gilman, Graf 1: Education)

HB 1230-FN, establishing the office of the special education advocate. (Sova, Graf 11: Education)

HB 1231-FN, implementing a pre-engineering technology curriculum in the public high schools in the state. (Leber, Merr 1; Edwards, Ches 19; Tahir, Hills 38; C. Bouchard, Merr 22; Rausch, Rock 13; Gordon, Dist 2; Flanders, Dist 7; O'Hearn, Dist 12; Johnson, Dist 3; Larsen, Dist 15: Education)

HB 1232-FN-L, relative to the confidentiality of library user records. (McRae, Hills 7; Emerton, Hills 7; Bruno, Hills 4; Sullivan, Carr 2; Boyce, Dist 4: Children and Family Law)

HB 1233-FN-A, requiring an audit of the department of education and making an appropriation therefor. (Sullivan, Carr 2; Giuda, Graf 3; Gilman, Graf 1; Roberge, Dist 9; Boyce, Dist 4: Education)

HB 1234-FN, relative to an education property tax cap for retired residents. (Giuda, Graf 3; Rozek, Coos 7: Ways and Means)

HB 1235, relative to operation of motorized vessels and safe boater education. (C. Christensen, Hills 18; Whalley, Merr 5: Resources, Recreation and Development)

HB 1236-FN, abolishing the marital master program. (Elliott, Hills 2: Judiciary)

HB 1237, relative to a conflict of interest policy for persons having a substantial interest in grants awarded by or contracts with a state agency. (Gorman, Hills 29; D. Cote, Hills 29; Clemons, Hills 31: Executive Departments and Administration)

HB 1238, requiring seating accommodations in retail establishments. (Furman, Hills 34; Dowling, Rock 13; D. Cote, Hills 29: Commerce)

HB 1239-FN-A, relative to off-track wagering by certain establishments. (Corbin, Rock 9: Ways and Means)

HB 1240, establishing a property tax limitation and credit for elderly persons and increasing the amount of the homestead right for elderly persons. (Emerson, Ches 13; Dickinson, Carr 2; Pilliod, Belk 3: Municipal and County Government)

HB 1241-FN, relative to salaries for the wardens of department of corrections facilities. (Knowles, Straf 11: Executive Departments and Administration)

HB 1242, relative to the required vote for approving school district bond articles. (Micklon, Rock 26; Holland, Rock 26: Municipal and County Government)

HB 1243, relative to safety devices required for transporting logs, lumber, or timber. (Leber, Merr 1; Scanlan, Graf 11; Burns, Dist 1: Transportation)

HB 1244, establishing a committee to study the curriculum content of an adequate education. (Sova, Graf 11; Scanlan, Graf 11: Education)

HB 1245-FN, requiring applicants for recreational licenses issued by the fish and game department to provide his or her social security number. (Lyman, Carr 5: Fish and Game)

HB 1246, relative to the chairperson of the board of recount in school district recounts. (Emerton, Hills 7; Arnold, Hills 20; Kurk, Hills 5; Hess, Merr 11; D'Allesandro, Dist 20: Election Law)

HB 1247, establishing a study committee to determine the feasibility of assessing land transfer fees on land bought by public agencies from private entities for conservation purposes. (Gilman, Graf 1; Burns, Dist 1: Resources, Recreation and Development)

HB 1248-FN, requiring the notification of renewal prior to expiration to holders of professional licenses issued by state agencies. (Gilman, Graf 1: Executive Departments and Administration)

HB 1249, adopting the model Drug Dealer Liability Act. (Clegg, Hills 23; Soltani, Merr 10; Johnson, Dist 3; Eaton, Dist 10: Judiciary)

HB 1251, relative to the use of mercury amalgam fillings by dentists. (Lynde, Hills 24; Flanagan, Rock 14: Health, Human Services and Elderly Affairs)

HB 1252, relative to the membership of the wetlands council. (Gabler, Graf 8; Odell, Sull 5; Camm, Rock 17; Phinizy, Sull 7: Resources, Recreation and Development)

HB 1253, relative to possessory actions against tenants. (Potter, Merr 24; Craig, Hills 38: Judiciary)

HB 1254, relative to the budget preparation procedures of municipalities. (Sova, Graf 11; Scanlan, Graf 11; Alger, Graf 9: Municipal and County Government)

HB 1255-FN, relative to an extended term license to carry a concealed firearm. (Kennedy, Merr 7: Criminal Justice and Public Safety)

HB 1256, relative to Clark Pond Road in the town of Haverhill. (Teschner, Graf 5; Cobb, Graf 5; Gordon, Dist 2: Public Works and Highways)

HB 1257, relative to oaths by public employees. (L. Christiansen, Hills 23: Judiciary)

HB 1258-FN, relative to post-conviction DNA testing. (Lasky, Hills 33; Clemons, Hills 31; Craig, Hills 38: Criminal Justice and Public Safety)

HB 1259-FN-L, relative to the base cost for calculating adequate education grants. (Hess, Merr 11; Ward, Graf 1; Kurk, Hills 5: Finance)

HB 1260-FN, relative to certification and licensing of teachers and school administrators. (Sova, Graf 11: Education)

HB 1261-FN, relative to penalties for DWI offenses. (Thompson, Hills 47: Criminal Justice and Public Safety)

HB 1262-FN-A-L, relative to implementing on-line exchange of voter registration information and making an appropriation therefor. (Sova, Graf 11: Election Law)

HB 1263-FN-A-L, establishing the statewide cost of an adequate education at zero dollars and repealing the education property tax. (Vaillancourt, Hills 44: Ways and Means)

HB 1264-FN-L, returning all municipal fines to the municipality. (Pepino, Hills 40: Finance)

HB 1265-FN, permitting certain gaming enforcement officers to be group II members of the New Hampshire retirement system. (Reid, Straf 12: Executive Departments and Administration)

HB 1266-FN, relative to the appointment of a guardian of the estate of a minor. (K. Dionne, Hills 1: Children and Family Law)

HB 1267-FN-L, relative to a ban on landfilling and incinerating aluminum cans. (Babson, Carr 5: Environment and Agriculture)

HB 1268-FN, establishing a net operating loss deduction in computing the business profits tax. (Sapareto, Rock 13; Mercer, Hills 27; J. Bradley, Carr 8; Norelli, Rock 31; Lasky, Hills 33; Boyce, Dist 4; Cohen, Dist 24: Ways and Means)

HB 1269-FN, requiring the department of health and human services to compile and maintain abortion statistics. (Itse, Rock 11: Health, Human Services and Elderly Affairs)

HB 1270-FN, making technical corrections due to the repeal of the legacies and succession tax. (Almy, Graf 14; McGuirk, Ches 1: Ways and Means)

HB 1271-FN, relative to dental care insurance for state employees and retired state employees. (Emerton, Hills 7; Clayton, Hills 39; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 1272-FN-A-L, establishing a statewide special education funding pool. (Gilman, Graf 1: Finance)

HB 1273-FN, relative to planning and procedures for state owned or leased trails for all-terrain vehicles and relative to registration fees for certain off highway recreational vehicles. (Alger, Graf 9; Dickinson, Carr 2: Resources, Recreation and Development)

RECESS

RESOLUTION

(Rep. Patten in the Chair)

Rep. Mercer offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1274 through 1299 and 1301 through 1339 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1274, relative to deputy town clerks. (Patten, Carr 9: Municipal and County Government)

HB 1275-FN-L, relative to approval of budget calculations in the default budget of a municipality using the official ballot system. (Sova, Graf 11: Municipal and County Government)

HB 1276, permitting pharmacists to dispense emergency contraception. (Gilmore, Straf 11; Pilliod, Belk 3; MacKay, Merr 24; C. Bouchard, Merr 22; Wheeler, Dist 21: Executive Departments and Administration)

HB 1277, increasing the optional veterans' property tax credit. (Gilmore, Straf 11; Cobb, Graf 5: Municipal and County Government)

HB 1278, establishing an abortion waiting period. (Thompson, Hills 47; Balboni, Hills 27; Mirski, Graf 12; Itse, Rock 11: Judiciary)

HB 1279-FN-A, making an appropriation for the purchase of equipment to record committee sessions. (Dyer, Hills 8; Sargent, Hills 3; Calawa, Hills 17; Major, Rock 16: Legislative Administration)

HB 1280-FN, raising the maximum speed limit on all New Hampshire interstate highways from 65 to 70 miles per hour and on portions of the interstate specifically posted currently at 55 miles per hour to 60 miles per hour. (Vaillancourt, Hills 44; Soltani, Merr 10; Mirski, Graf 12; Phinizy, Sull 7: Transportation)

HB 1281, establishing a commission to study public educational choice initiatives. (Alger, Graf 9; Cox, Rock 24; O'Hearn, Dist 12; Johnson, Dist 3: Education)

HB 1282, establishing a committee to study the impact of legalized casino gambling on the state of New Hampshire. (Vaillancourt, Hills 44; Holden, Hills 7: Ways and Means)

HB 1283, establishing a committee to study state and local regulation of helicopter landings. (Leach, Hills 9; Balcom, Hills 18; Weed, Ches 19; McGuire, Rock 26: Transportation)

HB 1284, relative to the time frame for petitions for zoning changes submitted to local planning boards. (Leach, Hills 9; Scovner, Graf 13; Bergin, Hills 16; Melcher, Hills 11; Flanders, Dist 7: Municipal and County Government)

HB 1285, relative to the applicability of the stalking statute to minors. (Leach, Hills 9; Coughlin, Hills 12; Norelli, Rock 31; Robb, Sull 11; Flanders, Dist 7: Criminal Justice and Public Safety)

HB 1286, increasing the time period during which warrantless arrests for violations of the stalking law and violations of restraining orders in domestic cases are permitted. (Leach, Hills 9; Coughlin, Hills 12; Norelli, Rock 31; K. Dionne, Hills 1; Fernald, Dist 11; Flanders, Dist 7: Criminal Justice and Public Safety)

HB 1287, establishing a committee to study the need for additional training of attorneys representing clients in domestic relations matters. (Power, Rock 13: Children and Family Law)

HB 1288, relative to regular meetings of local planning boards. (Leach, Hills 9; Scovner, Graf 13; Goulet, Hills 15; Melcher, Hills 11; Flanders, Dist 7: Municipal and County Government)

HB 1289, relative to personal health and financial information privacy. (Kurk, Hills 5; Taylor, Straf 11: Commerce)

HB 1290, relative to genetic information. (Kurk, Hills 5; Below, Dist 5: Commerce)

HB 1291, requiring the department of education to develop a plan to address and reduce the number of persons awaiting vocational rehabilitation transition services. (Burnham, Ches 8; Manning, Ches 9; Millham, Belk 4; MacKay, Merr 24: Education)

HB 1292, relative to interpreters for the deaf in certain governmental or public proceedings. (Burnham, Ches 8; MacKay, Merr 24; Emerton, Hills 7; Pilliod, Belk 3; McCarley, Dist 6: Judiciary)

HB 1293, relative to the specificity of criminal complaints and warrants. (R. L'Heureux, Hills 18; Welch, Rock 18; Roberge, Dist 9: Criminal Justice and Public Safety)

HB 1294-FN-A, reducing the tobacco tax. (Dickinson, Carr 2; Nowe, Rock 3: Ways and Means)

HB 1295, establishing an environmental services review commission. (Bruno, Hills 4: Executive Departments and Administration)

HB 1296, relative to ambient groundwater quality standards. (Bruno, Hills 4: Resources, Recreation and Development)

HB 1297, exempting land which is subject to a governmental conservation easement or development restriction from property taxation. (Bruno, Hills 4: Municipal and County Government)

HB 1298, relative to signage for the adopt-a-highway program. (Bruno, Hills 4: Public Works and Highways)

HB 1299-FN, relative to premarital preparation courses. (Hopper, Hills 5; J. Hutchinson, Merr 15; Souza, Hills 40; Albert, Straf 17; Cohen, Dist 24: Children and Family Law)

HB 1301, relative to grounds for divorce for persons with minor children. (Hopper, Hills 5; Matthew Quandt, Rock 20; Gilman, Graf 1; Stohl, Coos 1; Boyce, Dist 4; Roberge, Dist 9; Johnson, Dist 3: Children and Family Law)

HB 1302-FN, relative to the purchase of certain prior service credit by members of the retirement system. (Pepino, Hills 40; Baroody, Hills 42; Marshall Quandt, Rock 20: Executive Departments and Administration)

HB 1303-FN, prohibiting the wearing of certain facial coverings. (Pepino, Hills 40; Baroody, Hills 42: Criminal Justice and Public Safety)

HB 1304, prohibiting preferences in hiring, promotion, or admission by state agencies, the university system, the regional community-technical colleges, and the postsecondary education commission.

(Harrington, Straf 4; Twombly, Straf 16; Mirski, Graf 12; Itse, Rock 11; Marshall Quandt, Rock 20; Boyce, Dist 4: Executive Departments and Administration)

HB 1305-FN, relative to the pollution prevention program. (O'Connell, Hills 13: Environment and Agriculture)

HB 1306-FN-L, increasing the county's portion of fees collected from the real estate transfer tax. (Cloutier, Sull 8; Gilmore, Straf 11; Dokmo, Hills 14: Municipal and County Government)

HB 1307, relative to the Dover-Somersworth-Durham district court. (Heon, Straf 14; Hughes, Straf 14; Snyder, Straf 14; Berube, Straf 14: Judiciary)

HB 1308, relative to checklist corrections on election day. (M. Cooney, Graf 7; Naro, Graf 7: Election Law)

HB 1309, prohibiting arrests for violation-level offenses. (L. Jean, Hills 17; Kurk, Hills 5; Welch, Rock 18; D. White, Hills 25; J. Pratt, Ches 2; Boyce, Dist 4; Fernald, Dist 11; Eaton, Dist 10: Criminal Justice and Public Safety)

HB 1310, relative to the city of Manchester's contributory retirement system. (Buckley, Hills 44; Pepino, Hills 40; Messier, Hills 46; Baroody, Hills 42: Executive Departments and Administration)

HB 1311, relative to expunging certain mental health records. (L. Jean, Hills 17: Judiciary)

HB 1312, establishing a committee to study the needs of the Native American population in New Hampshire. (Power, Rock 13: State-Federal Relations and Veterans Affairs)

HB 1313, relative to spreading sludge on excavation sites for reclamation. (Melcher, Hills 11; Babson, Carr 5; B. Williams, Graf 8; O'Connell, Hills 13: Environment and Agriculture)

HB 1314, requiring candidates for speaker of the house of representatives to file certain reports and register as political committees. (DiFruscia, Rock 27; Corbin, Rock 9; Weyler, Rock 18; Vaillancourt, Hills 44; Phinizy, Sull 7: Legislative Administration)

HB 1315, relative to requiring revaluation of property. (DiFruscia, Rock 27; Phinizy, Sull 7; Bruno, Hills 4: Municipal and County Government)

HB 1316, eliminating the application of the rule against perpetuities in certain trusts which contain safeguards relative to the continued alienability of property. (Moran, Hills 15; Goulet, Hills 15; Roberge, Dist 9: Judiciary)

HB 1317-FN-A-L, targeting aid for education to certain school districts. (Hess, Merr 11; Kurk, Hills 5; Ward, Graf 1: Ways and Means)

HB 1318, relative to the regulation of the use of pharmaceutical agents by licensed optometrists. (Micklon, Rock 26; Holland, Rock 26; Giordano, Rock 26; Downing, Rock 26; Clegg, Hills 23; Johnson, Dist 3; Disnard, Dist 8; Gordon, Dist 2: Executive Departments and Administration)

HB 1319-FN-A-L, establishing the New Hampshire electronic gaming commission, creating New Hampshire electronic gaming districts, and authorizing the licensing and use of electronic

gaming machines and equipment. (Micklon, Rock 26; Holland, Rock 26; P. Katsakiores, Rock 13: Ways and Means)

HB 1320, establishing a committee to study establishing enterprise zones in economically deprived communities. (J. Hutchinson, Merr 15; M. Fuller Clark, Rock 36; Gonzalez, Hills 48; MacKay, Merr 24: Municipal and County Government)

HB 1321-L, permitting municipalities to reimburse persons who assist applicants in obtaining social security benefits. (Elliott, Hills 2: Municipal and County Government)

HB 1322, requiring a super majority vote for adoption of certain tax legislation. (Weyler, Rock 18; Harrington, Straf 4; Boyce, Dist 4: Ways and Means)

HB 1323, establishing a committee to study performance-based public salaries. (Weyler, Rock 18: Executive Departments and Administration)

HB 1324-FN, requiring that budget requests made by the state government be limited by inflationary and population growth indices. (Weyler, Rock 18; Marshall Quandt, Rock 20; Rogers Johnson, Rock 25; Major, Rock 16; Harrington, Straf 4; Giuda, Graf. 3; Boyce, Dist 4: Finance)

HB 1325, prohibiting payroll deductions by public employers for political activities and prohibiting coercive actions against public employees to obtain political contributions. (Weyler, Rock 18: Labor, Industrial and Rehabilitative Services)

HB 1326, establishing a committee to study the veterinary/medical education loan program and the veterinary/medical/optometric loan program. (Weyler, Rock 18; Thulander, Hills 6; Johnson, Dist 3: Education)

HB 1327, establishing a committee to study the recodification of railroad statutes in New Hampshire. (G. Katsakiores, Rock 13; Whittemore, Merr 13; Nowe, Rock 3; J. Flanders, Rock 18; P. Cote, Hills 32; Prescott, Dist 19: Transportation)

HB 1328, establishing a committee to define "instructional hour" and "instructional time" for the purposes of primary and secondary education. (Sullivan, Carr 2; Alger, Graf 9; Sova, Graf 11: Education)

HB 1329-FN, relative to fiscal notes. (Sullivan, Carr 2; Sapareto, Rock 13; Weyler, Rock 18; Balboni, Hills 27: Legislative Administration)

HB 1330-FN, requiring state agencies to respond to fiscal note requests in a timely manner. (Sullivan, Carr 2; Giuda, Graf 3; Rogers Johnson, Rock 25; Sapareto, Rock 13; Weyler, Rock 13; Roberge, Dist 9: Finance)

HB 1331, requiring that the effect on revenues, expenditures, and fiscal liability be included in the reports of house standing committees. (Sullivan, Carr 2; Sapareto, Rock 13; Weyler, Rock 18; J. Hutchinson, Merr 15; Rogers Johnson, Rock 25: Legislative Administration)

HB 1332-FN-A, requiring an audit of New Hampshire housing finance authority programs and making an appropriation therefor. (Sullivan, Carr 2; Balboni, Hills 27; Weyler, Rock 18; Marshall Quandt, Rock 20; Gilman, Graf 1; Boyce, Dist 4; Roberge, Dist 9: Commerce)

HB 1333, establishing a committee to study the definition of an adequate education. (Sullivan, Carr 2; Sova, Graf 11; Boyce, Dist 4: Education)

HB 1334-FN, relative to a certain highway project in Brookfield, New Hampshire. (J. Bradley, Carr 8; Kenney, Carr 6; Johnson, Dist 3: Public Works and Highways)

HB 1335, excluding the services of a broker-dealer agent from the definition of employment for unemployment compensation purposes. (L. Fraser, Merr 9: Labor, Industrial and Rehabilitative Services)

HB 1336-FN, permitting wine manufacturers to maintain restaurants or catering facilities. (Avery, Ches 8: Commerce)

HB 1337, establishing a study committee to review and determine steps to fully implement the infant deafness program. (Burnham, Ches 8; MacKay, Merr 24; Millham, Belk 4; Pilliod, Belk 3; Manning, Ches 9; McCarley, Dist 6; O'Hearn, Dist 12: Health, Human Services and Elderly Affairs)

HB 1338, clarifying that the judicial council is responsible for payment of indigent defense expenses. (Mock, Carr 3: Judiciary)

HB 1339, relative to the offices of forest fire warden and deputy forest fire warden. (Shaw, Hills 45; Baroody, Hills 42: Municipal and County Government)

RECESS

RESOLUTION

(Rep. Bruno in the Chair)

Rep. Dyer offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1340 through 1349 and 1351 through 1382, House Concurrent Resolution numbered 27 and Constitutional Amendment Concurrent Resolution numbered 32 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS and HCR, CACR

First, second reading and referral

HB 1340, establishing a committee to study the feasibility of computerizing and consolidating demographic information. (Lent, Straf 8; M. Fuller Clark, Rock 36: Science, Technology and Energy)

HB 1341, relative to permissible uses of education property tax revenues. (Henderson, Rock 20: Ways and Means)

HB 1342, relative to preparation of fiscal notes. (Clegg, Hills 23; Gilman, Graf 1; Francoeur, Dist 14: Legislative Administration)

HB 1343, relative to processing excavating and dredging permits. (Phinizy, Sull 7; Camm, Rock 17: Resources, Recreation and Development)

HB 1344-L, establishing a village plan alternative in zoning and land use planning laws. (Mirski, Graf 12: Municipal and County Government)

HB 1345, relative to sex education instruction in public schools. (Palermo, Rock 21; McHugh, Hills 26; Souza, Hills 40: Education)

HB 1346, relative to participation in certain health education programs. (Palermo, Rock 21; Arndt, Rock 27: Education)

HB 1347-FN, authorizing the department of health and human services to intercept insurance payments if there is unpaid child support. (Emerton, Hills 7: Children and Family Law)

HB 1348, clarifying the law regarding title-exempted vehicles. (Artz, Hills 34; Kennedy, Merr 7; O'Hearn, Dist 12: Transportation)

HB 1349-FN-A, establishing a New Hampshire power authority. (Gilmore, Straf 11; D. White, Hills 25: Science, Technology and Energy)

HB 1351-FN, granting group II retirement system status to certain positions in the department of corrections. (Dyer, Hills 8; Emerton, Hills 7; Flanders, Dist 7: Executive Departments and Administration)

HB 1352-FN-L, relative to establishing a hazardous duty classification in the length of service awards program. (Dyer, Hills 8; C. Hall, Hills. 8: Municipal and County Government)

HB 1353-FN-A-L, relative to video lottery at the racetracks. (Dickinson, Carr 2; Baroody, Hills 42; Belanger, Rock 26; Lessard, Hills 23; Thomas, Belk.3: Ways and Means)

HB 1354-FN, licensing body art practitioners. (Dickinson, Carr 2; Cossette, Straf 19; Millham, Belk 4; Seldin, Merr 17: Executive Departments and Administration)

HB 1355-FN-L, relative to merging unincorporated places with abutting municipalities in Coos county. (Guay, Coos 6; Rozek, Coos 7; Gallus, Coos 7: Municipal and County Government)

HB 1356-FN, establishing the criminal offense of felony pursuit. (Stone, Rock 7; Barnes, Dist 17; Pignatelli, Dist 13: Criminal Justice and Public Safety)

HB 1357-FN, relative to the form of drivers' licenses. (Dickinson, Carr 2: Transportation)

HB 1358-FN-L, relative to valuation of property for purposes of assessing the education property tax. (Cox, Rock 24; Langley, Rock 24: Ways and Means)

HB 1359-FN, establishing a department of financial services. (Elliott, Hills 2; Sargent, Hills 3; K. Dionne, Hills 1: Executive Departments and Administration)

HB 1360-FN, relative to appointments and qualifications of marital masters and procedures for cases heard by marital masters. (Elliott, Hills 2; Sargent, Hills 3; K. Dionne, Hills 1: Judiciary)

HB 1361-FN, relative to the regulation of business practices between off highway recreational vehicle manufacturers, distributors, and dealers. (R. Letourneau, Rock 13; R. L'Heureux, Hills 18; Johnson, Dist 3: Commerce)

HB 1362-FN-A, establishing a state-owned casino to provide funds for public education. (K. Hutchinson, Rock 29; DiFruscia, Rock 27: Ways and Means)

HB 1363-FN-L, requiring the state to reimburse counties for the costs of incarcerating certain prisoners. (Cloutier, Sull 8; Gilmore, Straf 11; Dokmo, Hills 14: Criminal Justice and Public Safety)

HB 1364-FN, requiring an accounting of dedicated funds in the budgetary process. (Almy, Graf 14; J. Gilbert, Rock 25: Finance)

HB 1365-FN, requiring that the county departments of correction be charged the medicaid or lowest rate for inmates who need medical services within the community. (Odell, Sull 5; Phinizy, Sull 7; Jones, Sull 3; Prescott, Dist 19: Criminal Justice and Public Safety)

HB 1366-FN, establishing a state employee cost-saving award program. (McHugh, Hills 26; Moran, Hills. 15; Power, L. Rock 13; Arnold; Hills 20; Boyce, Dist 4; O'Hearn, Dist 12: Executive Departments and Administration)

HB 1367-FN, relative to the childhood lead poisoning prevention program. (Millham, Belk 4; Pilliod, Belk 3; French, Merr 3: Health, Human Services and Elderly Affairs)

HB 1368-FN, adopting the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure as law. (DiFruscia, Rock 27; Phinizy, Sull 7; Soltani, Merr 10: Judiciary)

HB 1369-FN-L, requiring cities and towns to complete valuations of property and relative to the implementation of education property tax hardship relief provisions. (DiFruscia, Rock 27; Phinizy, Sull 7: Municipal and County Government)

HB 1370, relative to establishing a 6-year capital budget. (Leber, Merr 1; Weyler, Rock 18; Cloutier, Sull 8; E. Smith, Ches 6; Morse, Rock 28; Eaton, Dist 10; Flanders, Dist 7; Gordon, Dist 2: Public Works and Highways)

HB 1371-FN-A-L, relative to state aid for provision of an adequate education, and for additional local education tax relief. (V. Clark, Rock 17: Education)

HB 1372-FN, relative to certain residential care facilities. (Millham, Belk 4; Sargent, Hills 3; Case, Rock 2; Batula, Hills 18: Health, Human Services and Elderly Affairs)

HB 1373-FN, relative to planning and procedures for state-owned or leased trails for all-terrain vehicles and relative to registration fees for certain off highway recreational vehicles. (Alger, Graf 9; Dickinson, Carr 2: Resources, Recreation and Development)

HB 1374-FN, requiring the department of environmental services to bear certain clean-up costs. (Gilman, Graf 1: Environment and Agriculture)

HB 1375-FN, relative to the sale of land by the department of transportation. (Gilman, Graf 1: Public Works and Highways)

HB 1376-FN, relative to distribution of tobacco settlement funds. (Pilliod, Belk 3; Burnham, Ches 8; Emerton, Hills 7; Millham, Belk 4; Wheeler, Dist 21: Finance)

HB 1377-FN, relative to the regulation of physical therapists. (Bruno, Hills 4: Executive Departments and Administration)

HB 1378-FN-A, establishing a sunset review process for executive agency and judicial programs and making an appropriation therefor. (Mirski, Graf 12; Sova, Graf 11: Executive Departments and Administration)

HB 1379-FN, affirming the state's sovereignty and revising the state's labor laws application to elected and appointed officials. (L. Christiansen, Hills 23: Judiciary)

HB 1380-FN, relative to parental consent for abortions performed on children less than 16 years of age. (Souza, Hills 40; Drabinowicz, Hills 36; Boyce, Belk 5; Pepino, Hills 40; Hopper, Hills 5; Martin, Hills 34; Martel, Hills 45; Gilman, Graf.1; Gonzalez, Hills 48; Barnes, Dist 17; Roberge, Dist 9; Boyce, Dist 4: Judiciary)

HB 1381-FN-A, requiring licensing of public bathing facilities and of the operators, designers, and installers of public bathing facilities. (French, Merr 3; R. Cooney, Rock 26; Johnson, Dist 3: Executive Departments and Administration)

HB 1382-FN, revising requirements for restoring excavation sites. (B. Hall, Hills 20: Environment and Agriculture)

HCR 27, urging Congress to release information to the public regarding restrictions placed on Italian-American citizens of the United States during World War II. (Pepino, Hills 40; DiFruscia, Rock 27; Giordano, Rock 26; Sapareto, Rock 13; Soltani, Merr 10; Bruno, Hills 4; D'Allesandro, Dist 20: State-Federal Relations and Veterans Affairs)

CACR 32, relating to the number of members of the senate and senatorial districts. Providing that the senate shall consist of 30 members with 3 elected at large from each district and that senate districts shall conform to county boundaries. (Phinizy, Sull 7; Dickinson, Carr 2; Gallus, Coos 7: Election Law)

RECESS

(Speaker Chandler in the Chair)

committee assignments

Rep. Dudley Daniels Dumaine on Municipal and County Government.

Rep. David M. Dionne on Transportation.

Rep. Robert E. Murphy on Fish and Game.

Rep. Pamela Slack Russell on Commerce.

Rep. Laurie J. Boyce, off Legislative Administration; on Municipal and County Government.

Rep Carlos E. Gonzalez off Children and Family Law, on Legislative Administration.

Rep. Cynthia J. Dokmo off Municipal and County Government, on Children and Family Law.

Rep. Peter M. Sullivan on State Federal Relations and Veterans Affairs.

Rep. Michael O'Neil on Executive Departments and Administration.

Rep. Kimberly Dionne off Municipal and County Government, on State-Federal Relations and Veterans Affairs.

Rep. Frank Guinta off State-Federal Relations and Veterans Affairs; on Municipal and County Government.

Rep. Scanlan moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 23

(Wednesday, December 12, 2001)

The House assembled at 10:00 a.m. and was called to order by the Speaker.

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

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

Let us pray. Blessed Creator, we gather this morning to carry on the legislative work of our beloved New Hampshire. We are deeply mindful that at this moment there are men and women of our state and nation in harm's way seeking to defend the freedom of our country and bring to justice those who attacked us on September 11th. We earnestly ask Your blessing and protection of our armed forces, our allies, and the men and women of our police and fire services who risk their lives daily for our protection. May the work done in this House today be guided by the increasing light of Your compassion and may all we do uphold and protect peace, liberty and justice for all. Amen.

Rep. William Leber led the Pledge of Allegiance.

Nashua High School students Keyser Bezerra, Kristie Upschulte, Anna Wendel and John Woelflein sang our National Anthem and led the House in singing "God Bless America."

LEAVES OF ABSENCE

Reps. Chabot, Ford, Lyman, Pilliod, Whittemore and Yeaton, the day, illness.

Reps. Julie Brown, Christopher Christensen, Dokmo, Dunlap, Konys, Mears, O'Connell, Palermo, Marsha Pelletier, Teschner and Weyler, the day, important business.

Rep. Flint, the day, illness in the family.

INTRODUCTION OF GUESTS

Nick and Maria Tsiros, guests of Rep. Tsiros. 11th and 12th grade Government Class from Trinity Christian Academy, guests of Rep. Rodeschin. Jane and Jeffrey Higgins, guests of Rep. Rabideau. Former Representative Henry Sullivan, guest of Rep. Gerald McCarthy. Albert Sorensen III, guest of Rep. Ham. Anneka Benn, daughter of Rep. Benn. Former Representative Robert Dodge, guest of Reps. Case and Nowe. Phoebe Ramos, guest of Rep. Salts. Former Representative Shirley Elliott, mother of Reps. Kimberly Dionne and Elliott. Jim Carew, guests of Rep. Sargent and Elliott. Paul Walker, guest of Rep. Balboni. Denise Herman, Cris and Molly Hewitt, guests of Rep. Thompson. Tammy, Nicholas and Julie Lajoie, daughter and grandchildren of Rep. DiFruscia.

special guests

Personnel from the Division of Administrative Services responsible for the recent repair work done at Upham Walker House were recognized by the House: Michael Conner, Administrator, Bureau of General Services, Spencer Avery, Bill Charron, Thomas Kennedy, Robert Killilea, William Lawrence, Dennis Barnard, George Relf, Philip Gagnon, Bob Rose, Matt Savoy, Mark Wojtkiewica, Shawn Violette and Bill Hubbard.

commuNications

June 12, 2001

Gene G. Chandler, Speaker of the House

It is with great regret that I must inform you of my pending resignation from the House of Representatives. I currently represent the people of District 42 (Manchester's Ward 6). Later this summer my family and I will be moving into our new home, which is not located in the district. Effective August 1, 2001, I will no longer be able to represent District 42. I would like to thank everyone at the State House who has made this truly a wonderful learning experience. Hopefully in the future, I may find myself lucky enough to have the opportunity to serve again. Thank you.

Jeffrey S. Duval, Hills 42

The Speaker accepted the resignation with regret.

August 12, 2001

Gene G. Chandler, Speaker of the House

It is with deep regret that I submit to you my resignation from the New Hampshire House of Representatives. I have moved from my primary residence in Hampton to Fremont. As I walk away from my position in the New Hampshire Legislature, I do so with my head held high. Serving the people of Hampton and Hampton Falls was an honor I will hold forever. May God bless you and the Honorable House.

Ralph F. Woekel, Rock 22

The Speaker accepted the resignation with regret.

October 14, 2001

Gene G. Chandler, Speaker of the House

Please be advised that I shall no longer be a resident of Rockingham District 4 as of November 1, 2001. I, therefore, submit my resignation for the House of Representatives effective October 31, 2001.

Robert K. Dodge, Rock 4

The Speaker accepted the resignation with regret.

further commuNications

August 22, 2001

Karen O. Wadsworth, Clerk of the House

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham 29, Dudley Daniels Dumaine, r, Londonderry (7 Homestead Lane) 03053

William M. Gardner, Secretary of State

October 10, 2001

Karen O. Wadsworth, Clerk of the House

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Hillsborough 44, David M. Dionne, r, Manchester (317 Charlotte Street) 03103

William M. Gardner, Secretary of State

October 24, 2001

Karen O. Wadsworth, Clerk of the House

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Hillsborough 42, Robert E. Murphy, d, Manchester (331 Medford Street) 03109

Cheshire 15, Pamela Russell Slack, d, Keene (260 Beaver Street) 03431

William M. Gardner, Secretary of State

November 21, 2001

Karen O. Wadsworth, Clerk of the House

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Hillsborough 39, Peter M. Sullivan, d, Manchester (PO Box 1412) 03105

William M. Gardner, Secretary of State

December 5, 2001

Karen O. Wadsworth, Clerk of the House

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham 22, Michael O'Neil, Hampton (PO Box 88) 03842

William M. Gardner, Secretary of State

house resolution no. 14

Memorializing State Representative David G. Poulin of Penacook

WHEREAS, we have learned with great sorrow of the death of our friend and colleague, David G. Poulin, who was serving his second term as a dedicated member of the House of Representatives from Merrimack County District 14; and

WHEREAS, David G. Poulin served with distinction for two terms as a valued and respected member of the Standing Committee on Executive Departments and Administration; and

WHEREAS, having been born in Manchester, New Hampshire, David G. Poulin chose to remain in his native State, living for many years in Manchester before settling in the village of Penacook, a community he represented for ten years on the Concord City Council; and

WHEREAS, having been possessed of high energy and abundant civic pride, David G. Poulin also served the citizenry of Penacook as the founder of the Contoocook River Festival, a member of the Board of Directors of the Penacook Community Center, and on the Economic Development Advisory Committee; and

WHEREAS, David G. Poulin was a well known fixture at the Szechuan Gardens restaurant and was also well known as the owner of a white Ford Galaxy convertible that was frequently filled with his beloved friends, antiques, or even with people who, by their own admission, fit both descriptions; and

WHEREAS, David G. Poulin proudly served as a member of the New Hampshire National Guard from 1963 through 1969; now, therefore, be it

RESOLVED, by the House of Representatives in Regular Session convened, that David G. Poulin be saluted and granted the highest accolades for his outstanding and dedicated service to his community and state, and be it further

RESOLVED, that expressions of heartfelt sympathy be extended to his family and all who loved him, and that a copy of this Resolution be prepared for presentation to his family.

Unanimously adopted by a rising vote.

remarks

Without objection, the Speaker moved that the remarks of Rep. Marilyn Fraser be entered into the Permanent Journal.

Rep. Fraser: Thank you, Mr. Speaker and fine honorable House members. Today I ask you to remember fellow House member David Poulin, "Dave" as we all called him. Dave left us very suddenly and unexpectedly a month ago, and since his passing he has been terribly missed by all. There seems to be such a void left without his earthly presence.

Rather than be saddened by his absence here in this chamber and on his committee, I would like to celebrate his too short of a life by sharing with you the "typical Dave." Dave represented Ward 1 in Concord, which is called Penacook, as a State Representative and a City Councilor. He was specifically known for his passion for Penacook, its people and the vitality of the community. He was the consummate public official in that he was always available at any time to deal with a constituent's question or need. He was the eyes and ears of this community and pursued all avenues to raise the level of safety, fairness, community and economic development. He brought people together to solve problems and reach compromise. It would be almost impossible to iterate all his accomplishments in his tenure of ten years on the Concord City Council.

Dave entered state politics with the same gusto and fervor that he did city government. His quest for fairness, bi-partisanism and hard work never waived. His winning personality and calm demeanor did not diminish his determination for what he believed was the right thing to do.

We have lost a valued member of this House, but we have gained the privilege of just having known him. Thank you.

governor's veto message on hb 201

July 5, 2001

To the Honorable Members of the General Court:

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, I have this day vetoed House Bill 201, an Act relative to voters presenting identification to obtain a ballot.

The right to vote is the bedrock of our democracy. For over 200 years, the United States has transferred political power, not through violence, but through the peaceful use of the ballot box. Our forefathers died at Bunker Hill and Lexington and Concord to obtain this right; tens of thousands more have died in wars to protect our democracy. We must respect their memory by protecting the right of all of our citizens to vote.

New Hampshire is a leader in promoting the right to vote. Our same day registration laws permit every eligible citizen to vote with ease. Our ballots are simple to read, and easy to count. We should be proud of New Hampshire's efforts to encourage voting.

While the proponents of H.B. 201 say the purpose of this legislation is to protect our elections from fraud, there is no evidence that voter fraud is a problem in New Hampshire. That is, in large part, because our laws already provide protection from voter fraud. Our statutory requirement that the checklists be purged on a regular basis prevents "graveyard" voting. Our laws also permit any voter to challenge the identity and eligibility of any other voter, with any so challenged voter required to sign an affidavit under penalty of perjury before being permitted to vote.

H.B. 201 would have the effect of discouraging eligible voters from exercising their right to vote. Not all voters have drivers' licenses or passports. Under H.B. 201, if a voter either has no photo identification or forgets his or her wallet at home, and therefore has no photo identification to present, the ballot clerk must notify the voter of the affidavit provisions of the "challenge" statute, RSA 659: 27. That could be intimidating to many voters, particularly senior citizens, who have voted all their lives without being required to show photo identification. Moreover, no discretion is given to the ballot clerk under H.B. 201. No matter how well the ballot clerk knows the voter, he or she must still follow all the procedures laid out in H.B. 201. This would potentially cause lengthy delays for all voters.

Another problem with H.B. 201 is that it would create a system where there will be a lack of uniformity in voting procedures among our municipalities. Under H.B. 201 towns and cities must vote to adopt the photographic identification requirement. As a result, a voter in Londonderry might be required to show photo identification, while a voter in Derry would not. This lack of uniformity in voting procedures can lead to confusion among both voters and election officials.

On June 28, 2001 I signed into law Senate Bill 19, which establishes a committee to study the prevention of voter fraud. It would be premature to enact H.B. 201 while a legislative study of voter fraud laws is underway.

Almost one-third of all registered voters in New Hampshire did not vote in the November 2000 general election, an election where we were choosing the next President of the United States. While New Hampshire's voter turnout percentage compares well with the rest of the country, it is troubling that one-third of our voters last year did not exercise their franchise. Rather than erecting new barriers to voting, lawmakers should instead investigate why so many of our fellow citizens do not vote and develop public policy to encourage every eligible citizen to exercise this precious and fundamental right.

For all of the above reasons, and mindful that 225 years ago yesterday, our Founding Fathers approved the Declaration of Independence, putting their lives and property at risk for the sake of representative democracy, I am today vetoing House Bill 201.

Jeanne Shaheen, Governor

The question being, notwithstanding the Governor's veto, shall **HB 201**, relative to voters presenting identification to obtain a ballot, become law?

Reps. Arndt and Clegg spoke in favor.

Reps. John Pratt, Clemons and Buckley spoke against.

As required by the State Constitution, a roll call was taken.

YEAS 228 NAYS 144

YEAS 228

BELKNAP

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

CARROLL

Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Kenney, Joseph
Mock, Henry	Patten, Betsey	Philbrick, Donald	Quimby, Lee
Stevens, Stanley	Torressen, Gary		

CHESHIRE

Avery, Stephen	Dexter, Judson	Edwards, Dana	Emerson, Susan
Fairbanks, Chandler	Hunt, John	Liebl, George	Manning, Joseph

Roberts, William

Royce, H Charles

Smith, Edwin

COOS

Davis, Perley

Gallus, John

Guay, Lawrence

Horton, Lynn

Pratt, Leighton

Rozek, Michael

Stohl, Eric

Tholl, John Jr

Woodward, David

GRAFTON

Akins, Ralph

Alger, John

Barker, Robert

Cobb, John

Dudley, Terri

Eaton, Stephanie

Gabler, William

Gilman, G Michael

Giuda, Robert

Marshall, Gene

Mirski, Paul

Scanlan, David

Sova, Charles

Ward, Brien

Williams, Burton

HILLSBOROUGH

Allan, Nelson

Alukonis, David

Arnold, Thomas Jr

Artz, Lawrence

Balboni, Michael

Balcom, John

Batula, Peter

Bergeron, Jean-Guy

Bergin, Peter

Bouchard, David

Bouldin, Michael

Bragdon, Peter

Brundige, Robert

Bruno, Pierre

Calawa, Leon Jr

Carlson, Donald

Christiansen, Lars

Clegg, Robert Jr

Coughlin, Pamela

Dionne, Kimberley

Drisko, Richard

Dyer, Merton

Elliott, Larry

Emerton, Lawrence Sr

Fields, Dennis

Flora, Kathleen

Furman, Christine

Gargas, Carolyn

Gleneck, David

Golding, William

Gonzalez, Carlos

Goulet, Maurice

Greenberg, Gary

Guinta, Frank

Hall, Charles

Herman, Keith

Holden, Randolph

Hopper, Gary

Jean, Loren

Kurk, Neal

L'Heureux, Robert

LaFlamme, Paul

LaRose, Richard

Leach, Edward

Lessard, Rudy

Martel, Andre

McHugh, Claire

McRae, Karen

Mercer, Robert

Messier, Irene

Milligan, Robert

Moran, Edward

Pappas, Marc

Pepino, Leo

Peterson, Andrew

Reeves, Sandra

Rowe, Robert

Salts, Greg

Sargent, Maxwell

Seibel, Christopher

Souza, Kathleen

Spiess, Paul

Tahir, Saghir

Tate, Joan

Thompson, Rob

Thulander, O Alan

Vaillancourt, Steve

Wheeler, Robert

White, Donald

MERRIMACK

Anderson, Eric	Brewster, Richard	Colcord, J D	Cummings, Raymond
Dunne, Christopher	Feuerstein, Martin	Fraser, Leo Jr	Hager, Elizabeth
Hess, David	Hutchinson, John	Kennedy, Richard	L'Heureux, Stephen
Langer, Ray	Leber, William	Lockwood, Priscilla	MacKay, James
Maxfield, Roy	Soltani, Tony	Swindlehurst, John	Whalley, Michael
Winter, Steven			

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bishop, Franklin	Bridle, Russell
Camm, Kevin	Carson, Sharon	Case, Margaret	Chalbeck, Kevin
Clark, Vivian	Cooney, Richard	Corbin, Corey	Cox, Russell
Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony	Dowling, Patricia
Dumaine, Dudley	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Gilbert, Jeffrey	Gilbert, Karl	Giordano, Ronald
Gleason, John	Griffin, Mary	Hamel, Albert	Henderson, Warren
Hill, Jonathan	Holland, James Jr	Hutchinson, Karen	Introne, Robert
Itse, Daniel	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Kelley, William	Langley, Jane	Langone, John
Letourneau, Robert	Major, Norman	McKinney, Betsy	Moore, Benjamin
Morse, Charles	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Power, Lucille	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Quandt, Matthew	Rabideau, Marie	Rausch, James	Reardon, Neil
Ruffner, Walter	Saia, Pamela	Sloan, Stephen	Stone, Joseph
Stritch, C Donald	Varrell, Thomas	Welch, David	Whittier, John
Zolla, William			

STRAFFORD

Albert, Russell	Berube, Roger	Cossette, Larry	Harrington, Michael
McCarthy, Gerald	Musler, George	Reid, Christopher	Tsiros, William
Twombly, James	Woods, Phyllis		

SULLIVAN

Jones, Constance	Leone, Richard	Odell, Bob	Rodeschin, Beverly
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NAYS 144

BELKNAP

Johnson, William	Salatiello, Thomas	Wood, Jane
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CARROLL

None

CHESHIRE

Allen, Peter	Batchelder, Robert	Burnham, Daniel	Espiefs, Peter
McGuirk, Paul	Meader, David	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Slack, Pamela Russell	Weed, Charles
Zerba, Roger			

COOS

Bradley, Paula	Landers, Dana	Rodrigue, Robert
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GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	Ham, Bonnie
Lovett, Sid	Naro, Debra	Nordgren, Sharon	Pawlek, Marion
Scovner, Nancy	Sokol, Hilda	Solow, Martha	

HILLSBOROUGH

Andosca, Mary	Baroody, Benjamin	Bellavance, Paul	Buckley, Raymond
Cardin, Lori	Clayton, William	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Daigle, Robert	Dionne, David
Drabinowicz, A Theresa	Dwyer, Paul	Eaton, Richard	Foster, Linda
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Graham, John
Haley, Robert	Hall, Betty	Jean, Claudette	Johnson, Lionel
Kacavas, John	Keye, Harvey	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Lynde, Harold	Martin, Mary Ellen	McDonough-Wallace, Alice

Melcher, Harold	Movsesian, Lori	Murphy, Robert	Palangas, Eric
Panagopoulos, Nicholas	Schulze, Joan	Shaw, Barbara	Sullivan, Peter
Sweeney, Cynthia	White, John	Williams, Carol	

MERRIMACK

Bouchard, Candace	Clarke, Claire	Crosby, Toni	Daneault, Gabriel
Davis, Frank	Fraser, Marilyn	French, Barbara	Gile, Mary
Greco, Vincent	Jacobson, Alf	Moore, Carol	Owen, Derek
Perkins, Randy	Potter, Frances	Reardon, Tara	Rodd, Beth
Rush, Deanna	Seldin, Gloria	Wallner, Mary Jane	

ROCKINGHAM

Blanchard, MaryAnn	Bowles, Raimond	Clark, Martha Fuller	Coes, Betsy
Downing, Michael	Johnson, Robert	Kane, Cecelia	Kobel, Rudolph
McGuire, Robert	Micklon, Stephanie	Norelli, Terie	O'Keefe, Patricia
Pantelakos, Laura	Pitts, Jacqueline	Robertson, Carl	Shultis, Elizabeth
Splaine, James	Trueman, Raymond	Weatherspoon, Jacquelyne	

STRAFFORD

Bickford, David	Brennan, William	DeChane, Marlene	Estabrook, Iris
Ferland, Paul	Gilmore, Gary	Goodwin, Earle	Grassie, Anne
Heon, Richard	Hughes, Christopher	Johnson, Nancy	Kaen, Naida
Knowles, William	Lachance, Douglas	Lent, Donald	Pelletier, Arthur
Proulx, Raymond	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Kathleen	Wall, Janet	Woodill, Rodney

SULLIVAN

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

and the veto was sustained, lacking the necessary two-thirds.

governor's veto message on hb 399

July 5, 2001

To the Honorable Members of the General Court:

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, I have this day vetoed House Bill 399, an Act relative to proof of qualifications for voter registration.

In order to be eligible to vote in New Hampshire, one must be a citizen of the United States, be 18 years of age or older, and be domiciled where he or she intends to vote. Under current New Hampshire law, supervisors of the checklist and town or city clerks may ask an applicant to provide proof of citizenship, age and domicile. If House Bill 399 became law, voting registration officials would be required to demand this proof.

I am vetoing H.B. 399 for the same reasons that I vetoed H.B. 201 today. The right to vote is a fundamental right. Restrictions should be placed on that right if, and only if, there is a compelling need. H.B. 399 does not meet that test. There is no evidence that voting fraud is a problem in New Hampshire, and it makes no sense to enact additional barriers to voting in the absence of such evidence. At the same time the legislature was passing H.B. 399 and H.B. 201, the legislature acknowledged the need for further study of this issue. On June 28, 2001 I signed into law Senate Bill 19, which establishes a committee to study the prevention of voter fraud. At the very least, it would be premature to enact H.B. 399 while a legislative study of voter fraud laws is underway.

As I stated in my veto message for H.B. 201, while New Hampshire's voter turnout percentage compares well with the rest of the country, it is troubling that last year one-third of our registered voters did not exercise their franchise. Rather than erecting new barriers to voting, lawmakers should instead investigate why so many of our fellow citizens do not vote and develop public policy to encourage every eligible citizen to exercise this precious and fundamental right.

For all of the above reasons, and mindful that 225 years ago yesterday, our Founding Fathers approved the Declaration of Independence, putting their lives and property at risk for the sake of representative democracy, I am today vetoing House Bill 399.

Jeanne Shaheen, Governor

The question being, notwithstanding the Governor's veto, shall **HB 399**, relative to proof of qualifications for voter registration, become law?

Reps. Weatherspoon, and Panagopoulos spoke against.

Reps. Bragdon, Vaillancourt, Kennedy and Clegg spoke in favor.

As required by the State Constitution, a roll call was taken.

YEAS 230 NAYS 143

YEAS 230

BELKNAP

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

CARROLL

Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Kenney, Joseph
Mock, Henry	Patten, Betsey	Philbrick, Donald	Quimby, Lee
Stevens, Stanley	Torressen, Gary		

CHESHIRE

Avery, Stephen	Dexter, Judson	Edwards, Dana	Emerson, Susan
Fairbanks, Chandler	Hunt, John	Liebl, George	Manning, Joseph
Roberts, William	Royce, H Charles	Smith, Edwin	

COOS

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

GRAFTON

Akins, Ralph	Alger, John	Barker, Robert	Cobb, John
Dudley, Terri	Eaton, Stephanie	Gabler, William	Gilman, G Michael
Giuda, Robert	Marshall, Gene	Mirski, Paul	Scanlan, David
Sova, Charles	Ward, Brien	Williams, Burton	

HILLSBOROUGH

Allan, Nelson	Alukonis, David	Arnold, Thomas Jr	Artz, Lawrence
Balboni, Michael	Balcom, John	Batula, Peter	Bergeron, Jean-Guy
Bergin, Peter	Bouchard, David	Bouldin, Michael	Bragdon, Peter
Brundige, Robert	Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald

Christiansen, Lars	Clegg, Robert Jr	Coughlin, Pamela	Dionne, Kimberley
Drisko, Richard	Dyer, Merton	Elliott, Larry	Emerton, Lawrence Sr
Fields, Dennis	Fletcher, Richard	Flora, Kathleen	Furman, Christine
Gargas, Carolyn	Gleneck, David	Golding, William	Gonzalez, Carlos
Goulet, Maurice	Graham, John	Greenberg, Gary	Guinta, Frank
Hall, Charles	Herman, Keith	Holden, Randolph	Hopper, Gary
Jean, Loren	Kurk, Neal	L'Heureux, Robert	LaFlamme, Paul
LaRose, Richard	Leach, Edward	Lessard, Rudy	Martel, Andre
McHugh, Claire	McRae, Karen	Mercer, Robert	Messier, Irene
Milligan, Robert	Moran, Edward	Pappas, Marc	Pepino, Leo
Reeves, Sandra	Rowe, Robert	Salts, Greg	Sargent, Maxwell
Seibel, Christopher	Souza, Kathleen	Spiess, Paul	Tahir, Saghir
Tate, Joan	Thompson, Rob	Thulander, O Alan	Vaillancourt, Steve
Wheeler, Robert	White, Donald		

MERRIMACK

Anderson, Eric	Colcord, J D	Cummings, Raymond	Dunne, Christopher
Feuerstein, Martin	Fraser, Leo Jr	Hager, Elizabeth	Hutchinson, John
Kennedy, Richard	L'Heureux, Stephen	Langer, Ray	Leber, William
Lockwood, Priscilla	Mackay, James	Maxfield, Roy	Soltani, Tony
Swindlehurst, John	Whalley, Michael	Winter, Steven	

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bishop, Franklin	Bridle, Russell
Camm, Kevin	Carson, Sharon	Case, Margaret	Chalbeck, Kevin
Clark, Vivian	Cooney, Richard	Corbin, Corey	Cox, Russell
Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony	Dowling, Patricia
Dumaine, Dudley	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Gilbert, Jeffrey	Gilbert, Karl	Giordano, Ronald
Gleason, John	Griffin, Mary	Hamel, Albert	Henderson, Warren
Hill, Jonathan	Holland, James Jr	Hutchinson, Karen	Introne, Robert
Itse, Daniel	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kelley, Jane	Kelley, William	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Major, Norman

McKinney, Betsy
O'Neil, Michael
Putnam, Ed II
Rausch, James
Sapareto, Frank
Varrell, Thomas

Moore, Benjamin
Packard, Sherman
Quandt, Marshall
Reardon, Neil
Sloan, Stephen
Welch, David

Morse, Charles
Power, Lucille
Quandt, Matthew
Ruffner, Walter
Stone, Joseph
Whittier, John

Nowe, Ronald
Priestley, Anne
Rabideau, Marie
Saia, Pamela
Stritch, C Donald
Zolla, William

STRAFFORD

Albert, Russell
McCarthy, Gerald
Twombly, James

Bickford, David
Musler, George
Woods, Phyllis

Cossette, Larry
Reid, Christopher

Harrington, Michael
Tsiros, William

SULLIVAN

Jones, Constance

Leone, Richard

Odell, Bob

Rodeschin, Beverly

NAYS 143

BELKNAP

Johnson, William

Salatiello, Thomas

Wood, Jane

CARROLL

None

CHESHIRE

Allen, Peter
McGuirk, Paul
Pratt, John
Zerba, Roger

Batchelder, Robert
Meader, David
Richardson, Barbara

Burnham, Daniel
Mitchell, McKim
Slack, Pamela Russell

Espieffs, Peter
Pratt, Irene
Weed, Charles

COOS

Bradley, Paula

Landers, Dana

Rodrigue, Robert

GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	Ham, Bonnie
Lovett, Sid	Naro, Debra	Nordgren, Sharon	Pawlek, Marion
Scovner, Nancy	Sokol, Hilda	Solow, Martha	

HILLSBOROUGH

Andosca, Mary	Baroody, Benjamin	Bellavance, Paul	Buckley, Raymond
Cardin, Lori	Clayton, William	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Daigle, Robert	Desrosiers, William
Dionne, David	Drabinowicz, A Theresa	Dwyer, Paul	Eaton, Richard
Foster, Linda	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Hall, Betty	Jean, Claudette	Johnson, Lionel	Kacavas, John
Keye, Harvey	Lasky, Bette	Lefebvre, Roland	Leishman, Peter
Lynde, Harold	Martin, Mary Ellen	McDonough-Wallace, Alice	Melcher, Harold
Movsesian, Lori	Murphy, Robert	Palangas, Eric	Panagopoulos, Nicholas
Peterson, Andrew	Schulze, Joan	Shaw, Barbara	Sullivan, Peter
Sweeney, Cynthia	White, John	Williams, Carol	

MERRIMACK

Bouchard, Candace	Brewster, Richard	Clarke, Claire	Crosby, Toni
Daneault, Gabriel	Davis, Frank	Fraser, Marilyn	French, Barbara
Gile, Mary	Greco, Vincent	Jacobson, Alf	Moore, Carol
Owen, Derek	Perkins, Randy	Potter, Frances	Reardon, Tara
Rodd, Beth	Rush, Deanna	Seldin, Gloria	Wallner, Mary Jane

ROCKINGHAM

Blanchard, MaryAnn	Bowles, Raimond	Clark, Martha Fuller	Coes, Betsy
Downing, Michael	Kane, Cecelia	McGuire, Robert	Micklton, Stephanie
Norelli, Terie	O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline
Robertson, Carl	Shultis, Elizabeth	Splaine, James	Trueman, Raymond
Weatherspoon, Jacquelyne			

STRAFFORD

Berube, Roger	Brennan, William	DeChane, Marlene	Estabrook, Iris
Ferland, Paul	Gilmore, Gary	Goodwin, Earle	Grassie, Anne
Heon, Richard	Hughes, Christopher	Johnson, Nancy	Kaen, Naida
Knowles, William	Lachance, Douglas	Lent, Donald	Pelletier, Arthur
Proulx, Raymond	Rollo, Michael	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Kathleen	Wall, Janet	Woodill, Rodney

SULLIVAN

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

and the veto was sustained, lacking the necessary two-thirds.

GOVERNOR'S VETO MESSAGE ON HB 503

July 5, 2001

To the Honorable Members of the General Court:

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, I have this day vetoed House Bill 503, an Act relative to incompatible offices.

H.B. 503 would prohibit a New Hampshire citizen from simultaneously seeking election to the New Hampshire House of Representatives and to any federal office. In an era when many seats for the New Hampshire House go uncontested, H.B. 503 makes no sense. In the 2000 general election, there was no Republican candidate for 54 House seats and no Democratic candidate for 112 House seats. Given the great number of House seats that are uncontested, the legislature should be considering ways to attract more candidates for the House, not ways to prevent willing candidates from running.

Current New Hampshire law expressly contemplates the possibility of a citizen being elected to two incompatible offices and provides an orderly process for resolution. Pursuant to RSA 659:85, "If... any person shall have received the largest number of votes for 2 or more incompatible offices, the secretary of state shall notify the candidate of that fact. Thereupon, the candidate shall, within 10 days, notify the secretary of state of which office he intends to accept. The secretary of state shall then declare that person elected to that office and declare vacant the other offices for which the person received a sufficient number of votes to win. Such a vacancy shall be filled as provided by RSA 661."

In addition, voters have the ultimate power in this situation. If New Hampshire voters are troubled by a citizen running simultaneously for both a state and federal office, voters can manifest their displeasure with such a candidate at the ballot box.

Jeanne Shaheen, Governor

The question being, notwithstanding the Governor's veto, shall **HB 503**, relative to incompatible offices, become law?

As required by the State Constitution, a roll call was taken.

YEAS 220 NAYS 150

YEAS 220

BELKNAP

Bartlett, Gordon	Boyce, Laurie	Czech, Stanley	Flanders, Donald
Holbrook, Robert	Lawton, David	Millham, Alida	Nedeau, Stephen
Rice, Thomas Jr	Rosen, Ralph	Russell, David	Thomas, John

CARROLL

Babson, David Jr	Dickinson, Howard	Kenney, Joseph	Mock, Henry
Patten, Betsey	Philbrick, Donald	Quimby, Lee	Stevens, Stanley
Torressen, Gary			

CHESHIRE

Avery, Stephen	Dexter, Judson	Edwards, Dana	Emerson, Susan
Fairbanks, Chandler	Hunt, John	Liebl, George	Roberts, William
Royce, H Charles	Smith, Edwin		

COOS

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

GRAFTON

Akins, Ralph	Alger, John	Barker, Robert	Dudley, Terri
Eaton, Stephanie	Gabler, William	Gilman, G Michael	Giuda, Robert
Ham, Bonnie	Marshall, Gene	Mirski, Paul	Scanlan, David

Sova, Charles

Ward, Brien

Williams, Burton

HILLSBOROUGH

Allan, Nelson

Alukonis, David

Arnold, Thomas Jr

Artz, Lawrence

Balboni, Michael

Balcom, John

Batula, Peter

Bergeron, Jean-Guy

Bergin, Peter

Bouchard, David

Bouldin, Michael

Bragdon, Peter

Brundige, Robert

Bruno, Pierre

Calawa, Leon Jr

Carlson, Donald

Christiansen, Lars

Clegg, Robert Jr

Coughlin, Pamela

Desrosiers, William

Dionne, Kimberley

Drisko, Richard

Dyer, Merton

Elliott, Larry

Emerton, Lawrence Sr

Fields, Dennis

Fletcher, Richard

Flora, Kathleen

Furman, Christine

Gargasz, Carolyn

Gleneck, David

Golding, William

Gonzalez, Carlos

Goulet, Maurice

Graham, John

Greenberg, Gary

Guinta, Frank

Hall, Charles

Herman, Keith

Holden, Randolph

Hopper, Gary

Jean, Loren

Kurk, Neal

L'Heureux, Robert

LaRose, Richard

Lessard, Rudy

Martel, Andre

McHugh, Claire

McRae, Karen

Mercer, Robert

Messier, Irene

Milligan, Robert

Moran, Edward

Pappas, Marc

Pepino, Leo

Peterson, Andrew

Reeves, Sandra

Rowe, Robert

Salts, Greg

Sargent, Maxwell

Seibel, Christopher

Souza, Kathleen

Spiess, Paul

Tahir, Saghir

Tate, Joan

Thompson, Rob

Thulander, O Alan

Vaillancourt, Steve

Wheeler, Robert

White, Donald

MERRIMACK

Anderson, Eric

Colcord, J D

Cummings, Raymond

Dunne, Christopher

Feuerstein, Martin

Fraser, Leo Jr

Hager, Elizabeth

Hutchinson, John

Kennedy, Richard

L'Heureux, Stephen

Langer, Ray

Leber, William

Lockwood, Priscilla

MacKay, James

Maxfield, Roy

Soltani, Tony

Swindlehurst, John

Whalley, Michael

Winter, Steven

ROCKINGHAM

Arndt, Janet

Belanger, Ronald

Bishop, Franklin

Bowles, Raimond

Bridle, Russell

Camm, Kevin

Carson, Sharon

Case, Margaret

Clark, Vivian

Corbin, Corey

Cox, Russell

Dalrymple, Janeen

Dearborn, Bruce

DiFruscia, Anthony

Dowling, Patricia

Dumaine, Dudley

Fesh, Bob	Flanagan, Natalie	Flanders, John Sr	Francoeur, Sheila
Gilbert, Jeffrey	Gilbert, Karl	Giordano, Ronald	Gleason, John
Griffin, Mary	Hamel, Albert	Henderson, Warren	Hill, Jonathan
Holland, James Jr	Introne, Robert	Itse, Daniel	Johnson, Robert
Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane
Kelley, William	Langone, John	Letourneau, Robert	Major, Norman
McKinney, Betsy	Moore, Benjamin	Morse, Charles	Nowe, Ronald
O'Neil, Michael	Packard, Sherman	Power, Lucille	Priestley, Anne
Putnam, Ed II	Quandt, Marshall	Quandt, Matthew	Rabideau, Marie
Rausch, James	Reardon, Neil	Ruffner, Walter	Saia, Pamela
Sapareto, Frank	Sloan, Stephen	Stone, Joseph	Stritch, C Donald
Varrell, Thomas	Welch, David	Whittier, John	Zolla, William

STRAFFORD

Albert, Russell	Cossette, Larry	Harrington, Michael	Musler, George
Reid, Christopher	Tsiros, William	Twombly, James	Woods, Phyllis

SULLIVAN

Jones, Constance	Leone, Richard	Odell, Bob	Rodeschin, Beverly
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NAYS 150

BELKNAP

Dewhirst, Glenn	Johnson, William	Salatiello, Thomas	Wood, Jane
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CARROLL

None

CHESHIRE

Allen, Peter	Batchelder, Robert	Burnham, Daniel	Espieffs, Peter
Manning, Joseph	McGuirk, Paul	Meador, David	Mitchell, McKim
Pratt, Irene	Pratt, John	Richardson, Barbara	Slack, Pamela Russell
Weed, Charles	Zerba, Roger		

COOS

Bradley, Paula	Landers, Dana	Rodrigue, Robert
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GRAFTON

Almy, Susan	Benn, Bernard	Cobb, John	Cooney, Mary
Lovett, Sid	Naro, Debra	Nordgren, Sharon	Pawlek, Marion
Scovner, Nancy	Sokol, Hilda	Solow, Martha	

HILLSBOROUGH

Andosca, Mary	Baroody, Benjamin	Bellavance, Paul	Buckley, Raymond
Cardin, Lori	Clayton, William	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Daigle, Robert	Dionne, David
Drabinowicz, A Theresa	Dwyer, Paul	Eaton, Richard	Foster, Linda
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Hall, Betty
Jean, Claudette	Johnson, Lionel	Kacavas, John	Keye, Harvey
LaFlamme, Paul	Lasky, Bette	Leach, Edward	Lefebvre, Roland
Leishman, Peter	Lynde, Harold	Martin, Mary Ellen	McDonough-Wallace, Alice
Melcher, Harold	Movsesian, Lori	Murphy, Robert	Palangas, Eric
Panagopoulos, Nicholas	Schulze, Joan	Shaw, Barbara	Sullivan, Peter
Sweeney, Cynthia	White, John	Williams, Carol	

MERRIMACK

Bouchard, Candace	Brewster, Richard	Clarke, Claire	Crosby, Toni
Daneault, Gabriel	Davis, Frank	Fraser, Marilyn	French, Barbara
Gile, Mary	Greco, Vincent	Jacobson, Alf	Moore, Carol
Owen, Derek	Perkins, Randy	Potter, Frances	Reardon, Tara
Rodd, Beth	Rush, Deanna	Seldin, Gloria	Wallner, Mary Jane

ROCKINGHAM

Blanchard, MaryAnn	Chalbeck, Kevin	Coes, Betsy	Cooney, Richard
Downing, Michael	Hutchinson, Karen	Kane, Cecelia	Kobel, Rudolph
Langley, Jane	McGuire, Robert	Micklton, Stephanie	Norelli, Terie

O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline	Robertson, Carl
Shultis, Elizabeth	Splaine, James	Trueman, Raymond	Weatherspoon, Jacquelyne

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	DeChane, Marlene
Estabrook, Iris	Ferland, Paul	Gilmore, Gary	Goodwin, Earle
Grassie, Anne	Heon, Richard	Hughes, Christopher	Johnson, Nancy
Kaen, Naida	Knowles, William	Lachance, Douglas	Lent, Donald
McCarthy, Gerald	Pelletier, Arthur	Proulx, Raymond	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Kathleen
Wall, Janet	Woodill, Rodney		

SULLIVAN

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

and the veto was sustained, lacking the necessary two-thirds.

Reps. Jeb E. Bradley, Martha Fuller Clark and Wendelboe declared conflicts of interest and did not participate.

GOVERNOR'S VETO MESSAGE ON HB 723

July 13, 2001

To the Honorable Members of the General Court:

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, I have this day vetoed House Bill 723, an Act relative to vacancies in county offices.

Under current law, RSA 661:9, when there is a vacancy in the office of county sheriff, county attorney, register of deeds, or county commissioner, the superior court fills the vacancy for the unexpired term.

H.B. 723 would take the responsibility for filling these county vacancies away from the superior court and turn it over it to the members of the county legislative delegation. In addition, H.B. 723

requires that "[t]he person elected to fill the vacancy shall be a member of the same party as the person vacating the office."

While I am unaware of any suggestion that the court system has not carried out its responsibilities under RSA 661:9 in any but a professional and competent way, there may be some merit in having vacancies in county offices addressed in a different manner.

Unfortunately, H.B. 723 makes partisan party affiliation the one legally required criteria of eligibility for filling a vacant county office. Requiring that the replacement be a member of the same political party as the person vacating the office is insulting to the voters of New Hampshire. In New Hampshire, our citizens have a long and proud tradition of first considering the candidate, rather than the party, when it comes to voting. To honor the New Hampshire way of doing things, qualifications and merit, not party affiliation, should be the foundation for the selection of any replacement for an elected official. However, H.B. 723 instead makes party affiliation the determining characteristic.

In addition, I question whether having legislators choose the person filling a vacancy in a county office is the best policy. I am unaware of any other vacancy in elective office being so filled under New Hampshire law.

For these reasons, I am vetoing H.B. 723.

Jeanne Shaheen, Governor

The question being, notwithstanding the Governor's veto, shall **HB 723**, relative to vacancies in county offices, become law?

As required by the State Constitution, a roll call was taken.

YEAS 225 NAYS 148

YEAS 225

BELKNAP

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

CARROLL

Babson, David Jr	Bradley, Jeb	Dickinson, Howard	Kenney, Joseph
Mock, Henry	Patten, Betsey	Philbrick, Donald	Quimby, Lee
Stevens, Stanley	Torressen, Gary		

CHESHIRE

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

COOS

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

GRAFTON

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

HILLSBOROUGH

Allan, Nelson	Alukonis, David	Arnold, Thomas Jr	Artz, Lawrence
Balboni, Michael	Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter
Bouchard, David	Bouldin, Michael	Bragdon, Peter	Brundige, Robert
Bruno, Pierre	Calawa, Leon Jr	Carlson, Donald	Christiansen, Lars
Clegg, Robert Jr	Coughlin, Pamela	Desrosiers, William	Drisko, Richard
Dyer, Merton	Elliott, Larry	Emerton, Lawrence Sr	Fields, Dennis
Fletcher, Richard	Flora, Kathleen	Furman, Christine	Gargasz, Carolyn
Gleneck, David	Golding, William	Gonzalez, Carlos	Goulet, Maurice
Graham, John	Greenberg, Gary	Guinta, Frank	Hall, Charles
Herman, Keith	Hopper, Gary	Jean, Loren	Kurk, Neal
L'Heureux, Robert	LaFlamme, Paul	LaRose, Richard	Leach, Edward
Leishman, Peter	Lessard, Rudy	Martel, Andre	McHugh, Claire
McRae, Karen	Mercer, Robert	Milligan, Robert	Moran, Edward
Pappas, Marc	Pepino, Leo	Peterson, Andrew	Reeves, Sandra
Rowe, Robert	Salts, Greg	Sargent, Maxwell	Seibel, Christopher
Souza, Kathleen	Spiess, Paul	Tate, Joan	Thompson, Rob

Thulander, O Alan

Vaillancourt, Steve

Wheeler, Robert

White, Donald

MERRIMACK

Anderson, Eric

Colcord, J D

Cummings, Raymond

Dunne, Christopher

Feuerstein, Martin

Hager, Elizabeth

Hutchinson, John

Jacobson, Alf

Kennedy, Richard

L'Heureux, Stephen

Langer, Ray

Leber, William

Lockwood, Priscilla

MacKay, James

Maxfield, Roy

Soltani, Tony

Swindlehurst, John

Whalley, Michael

Winter, Steven

ROCKINGHAM

Arndt, Janet

Belanger, Ronald

Bishop, Franklin

Bowles, Raimond

Bridle, Russell

Camm, Kevin

Carson, Sharon

Case, Margaret

Chalbeck, Kevin

Clark, Vivian

Cooney, Richard

Corbin, Corey

Cox, Russell

Dalrymple, Janeen

Dearborn, Bruce

DiFruscia, Anthony

Dowling, Patricia

Dumaine, Dudley

Fesh, Bob

Flanagan, Natalie

Flanders, John Sr

Francoeur, Sheila

Gilbert, Jeffrey

Gilbert, Karl

Giordano, Ronald

Gleason, John

Griffin, Mary

Hamel, Albert

Henderson, Warren

Hill, Jonathan

Holland, James Jr

Hutchinson, Karen

Introne, Robert

Itse, Daniel

Johnson, Robert

Johnson, Rogers

Katsakiores, George

Katsakiores, Phyllis

Kelley, Jane

Kelley, William

Kobel, Rudolph

Langley, Jane

Langone, John

Letourneau, Robert

Major, Norman

McKinney, Betsy

Moore, Benjamin

Morse, Charles

Nowe, Ronald

O'Neil, Michael

Packard, Sherman

Power, Lucille

Priestley, Anne

Putnam, Ed II

Quandt, Marshall

Quandt, Matthew

Rabideau, Marie

Rausch, James

Saia, Pamela

Sapareto, Frank

Sloan, Stephen

Stone, Joseph

Stritch, C Donald

Varrell, Thomas

Welch, David

Whittier, John

Zolla, William

STRAFFORD

Albert, Russell

Cossette, Larry

Harrington, Michael

Lachance, Douglas

McCarthy, Gerald

Musler, George

Tsiros, William

Twombly, James

Woods, Phyllis

SULLIVAN

Jones, Constance

Leone, Richard

Odell, Bob

Rodeschin, Beverly

NAYS 148

BELKNAP

Salatiello, Thomas

Wood, Jane

CARROLL

None

CHESHIRE

Allen, Peter

Batchelder, Robert

Burnham, Daniel

Edwards, Dana

Espieffs, Peter

Manning, Joseph

McGuirk, Paul

Meador, David

Mitchell, McKim

Pratt, Irene

Pratt, John

Richardson, Barbara

Slack, Pamela Russell

Weed, Charles

Zerba, Roger

COOS

Bradley, Paula

Landers, Dana

Rodrigue, Robert

GRAFTON

Almy, Susan

Benn, Bernard

Cobb, John

Cooney, Mary

Lovett, Sid

Naro, Debra

Nordgren, Sharon

Pawlek, Marion

Scovner, Nancy

Sokol, Hilda

Solow, Martha

HILLSBOROUGH

Andosca, Mary

Balcom, John

Baroody, Benjamin

Bellavance, Paul

Buckley, Raymond

Cardin, Lori

Clayton, William

Clemons, Jane

Cote, David

Cote, Peter

Craig, James

Daigle, Robert

Dionne, David

Dionne, Kimberley

Drabinowicz, A Theresa

Dwyer, Paul

Eaton, Richard

Foster, Linda

Ginsburg, Ruth

Goley, Jeffrey

Gorman, Mary

Hall, Betty

Holden, Randolph

Jean, Claudette

Johnson, Lionel

Kacavas, John

Keye, Harvey

Lasky, Bette

Lefebvre, Roland	Lynde, Harold	Martin, Mary Ellen	McDonough-Wallace, Alice
Melcher, Harold	Messier, Irene	Movsesian, Lori	Murphy, Robert
Palangas, Eric	Panagopoulos, Nicholas	Schulze, Joan	Shaw, Barbara
Sullivan, Peter	Sweeney, Cynthia	Tahir, Saghir	White, John
Williams, Carol			

MERRIMACK

Bouchard, Candace	Brewster, Richard	Clarke, Claire	Crosby, Toni
Daneault, Gabriel	Davis, Frank	Fraser, Leo Jr	Fraser, Marilyn
French, Barbara	Gile, Mary	Greco, Vincent	Moore, Carol
Owen, Derek	Perkins, Randy	Potter, Frances	Reardon, Tara
Rodd, Beth	Rush, Deanna	Seldin, Gloria	Wallner, Mary Jane

ROCKINGHAM

Blanchard, MaryAnn	Clark, Martha Fuller	Coes, Betsy	Downing, Michael
Kane, Cecelia	McGuire, Robert	Micklon, Stephanie	Norelli, Terie
O'Keefe, Patricia	Pantelakos, Laura	Pitts, Jacqueline	Reardon, Neil
Robertson, Carl	Ruffner, Walter	Shultis, Elizabeth	Splaine, James
Trueman, Raymond	Weatherspoon, Jacquelyne		

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	DeChane, Marlene
Estabrook, Iris	Ferland, Paul	Gilmore, Gary	Goodwin, Earle
Grassie, Anne	Heon, Richard	Hughes, Christopher	Johnson, Nancy
Kaen, Naida	Knowles, William	Lent, Donald	Pelletier, Arthur
Proulx, Raymond	Reid, Christopher	Rollo, Michael	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Wall, Janet
Woodill, Rodney			

SULLIVAN

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

Robb, Amy

and the veto was sustained, lacking the necessary two-thirds.

GOVERNOR'S VETO MESSAGE ON HB 738

July 12, 2001

To the Honorable Members of the General Court:

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, I have this day vetoed House Bill 738, an Act establishing a commission to assess the operating efficiency of state government.

While its goals are laudable, I am vetoing H.B. 738 because it is flawed in its crafting and violates the separation of powers provisions of our State constitution.

H.B. 738 gives unfettered power over the Executive Branch of State government to a commission chosen solely by the Speaker of the House and Senate President. Paragraph III of H.B. 738 reads as follows:

The commission shall have full power and authority to require from the several state departments, agencies and officials of the state such information and assistance as it may deem necessary.

That means, if this legislation became law, the commission members could demand access, for example, to confidential draft bidding information, tax records and personnel files. While giving commission members unlimited access to confidential information, H.B. 738 fails to provide any protections for confidential records and fails to prohibit the use of internal information to gain an unfair business advantage. It is unimaginable that the Legislature truly intended this result, but that is exactly what H.B. 738, as drafted, allows.

In addition, giving the commission members, chosen solely by two members of the Legislative Branch, "full power and authority" to require the Executive branch to provide whatever assistance the commission members request violates part II, article 41 and part I, article 37 of the New Hampshire Constitution. While members of the Legislature, if they so chose, could authorize the Speaker of the House and Senate President to appoint a commission with the unfettered power to require legislators and legislative employees to provide whatever assistance that commission requests, the Legislature cannot require the same of the Executive Branch under the New Hampshire Constitution.

Objections to Paragraph III of H.B. 738 were raised on the floor of the State Senate, causing the bill to be recommitted briefly. Unfortunately, when the legislation returned to the floor, this language remained in H.B. 738.

Moreover, it is simply unreasonable to expect that a 10-person volunteer commission will be able to perform a full operation audit of 350 agencies, boards and commissions in the time allotted by this legislation.

Improving the efficiency of State government has been a continuous and daily goal of my administration.

My administration has instituted a number of initiatives to improve the efficiency of state government. The Tri-State Prescription Drug Program, a product of the summit I called with Vermont Governor Howard Dean and Maine Governor Angus King, is projected to save New Hampshire taxpayers \$11 million in its first year and \$35 million over the next four years. Our Building Energy Conservation Initiative is retrofitting State buildings to increase their energy efficiency at no cost to taxpayers; these upgrades will be financed by the energy savings, and, when the BECI project is complete, we will save an additional \$4 to \$6 million *annually*. As a result of an Executive Order I issued in October 1998, the State already has saved over \$2 million in workers compensation costs. These are just some of the steps my administration has taken to improve efficiencies and save taxpayers money.

In addition, every two years in developing the State biennial budget every agency spends months reviewing their operations to determine how to best meet the needs of the people of New Hampshire at the lowest possible cost. The Governor's office then spends months scrutinizing and questioning agencies' budget requests before submitting a proposed two-year budget to the Legislature for its consideration. The Legislature then spends almost six months making state agencies justify their budget requests before the Legislature votes on the next two-year budget.

Nor should the Legislature ignore the fact that its Office of the Legislative Budget Assistant regularly audits Executive Branch departments and agencies and makes recommendations for improved performance and efficiencies.

For all of the foregoing reasons, I have vetoed H.B. 738.

Jeanne Shaheen, Governor

The question being, notwithstanding the Governor's veto, shall **HB 738**, establishing a commission to assess the operating efficiency of state government, become law?

Reps. Norelli and Splaine spoke against.

Reps. Moran and Peterson spoke in favor.

As required by the State Constitution, a roll call was taken.

YEAS 226 NAYS 147

YEAS 226

BELKNAP

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

Thomas, John

Wendelboe, Fran

CARROLL

Babson, David Jr

Bradley, Jeb

Dickinson, Howard

Kenney, Joseph

Mock, Henry

Patten, Betsey

Philbrick, Donald

Quimby, Lee

Stevens, Stanley

Torressen, Gary

CHESHIRE

Avery, Stephen

Dexter, Judson

Edwards, Dana

Emerson, Susan

Fairbanks, Chandler

Hunt, John

Liebl, George

Manning, Joseph

Roberts, William

Royce, H Charles

Smith, Edwin

COOS

Davis, Perley

Gallus, John

Guay, Lawrence

Horton, Lynn

Pratt, Leighton

Rozek, Michael

Tholl, John Jr

Woodward, David

GRAFTON

Akins, Ralph

Alger, John

Barker, Robert

Cobb, John

Dudley, Terri

Eaton, Stephanie

Gabler, William

Gilman, G Michael

Giuda, Robert

Marshall, Gene

Mirski, Paul

Scanlan, David

Sova, Charles

Ward, Brien

Williams, Burton

HILLSBOROUGH

Allan, Nelson

Alukonis, David

Arnold, Thomas Jr

Artz, Lawrence

Balboni, Michael

Balcom, John

Batula, Peter

Bergeron, Jean-Guy

Bergin, Peter

Bouchard, David

Bouldin, Michael

Bragdon, Peter

Brundige, Robert

Bruno, Pierre

Christiansen, Lars

Clegg, Robert Jr

Coughlin, Pamela

Desrosiers, William

Dionne, Kimberley

Drisko, Richard

Elliott, Larry

Emerton, Lawrence Sr

Fields, Dennis

Fletcher, Richard

Flora, Kathleen

Furman, Christine

Gargasz, Carolyn

Gleneck, David

Golding, William

Gonzalez, Carlos

Goulet, Maurice

Graham, John

Greenberg, Gary

Guinta, Frank

Hall, Charles

Herman, Keith

Holden, Randolph

Hopper, Gary

Jean, Loren

Kurk, Neal

L'Heureux, Robert	LaFlamme, Paul	LaRose, Richard	Leach, Edward
Lessard, Rudy	Martel, Andre	McHugh, Claire	McRae, Karen
Mercer, Robert	Milligan, Robert	Moran, Edward	Pappas, Marc
Pepino, Leo	Peterson, Andrew	Reeves, Sandra	Rowe, Robert
Salts, Greg	Sargent, Maxwell	Seibel, Christopher	Souza, Kathleen
Tahir, Saghir	Tate, Joan	Thompson, Rob	Thulander, O Alan
Vaillancourt, Steve	Wheeler, Robert	White, Donald	

MERRIMACK

Anderson, Eric	Brewster, Richard	Colcord, J D	Cummings, Raymond
Dunne, Christopher	Feuerstein, Martin	Fraser, Leo Jr	Hager, Elizabeth
Hess, David	Hutchinson, John	Jacobson, Alf	Kennedy, Richard
L'Heureux, Stephen	Langer, Ray	Leber, William	Lockwood, Priscilla
MacKay, James	Maxfield, Roy	Soltani, Tony	Swindlehurst, John
Whalley, Michael	Winter, Steven		

ROCKINGHAM

Arndt, Janet	Belanger, Ronald	Bishop, Franklin	Bowles, Raimond
Bridle, Russell	Camm, Kevin	Carson, Sharon	Case, Margaret
Chalbeck, Kevin	Clark, Vivian	Corbin, Corey	Cox, Russell
Dalrymple, Janeen	Dearborn, Bruce	DiFruscia, Anthony	Dowling, Patricia
Dumaine, Dudley	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Gilbert, Jeffrey	Gilbert, Karl	Giordano, Ronald
Gleason, John	Griffin, Mary	Henderson, Warren	Hill, Jonathan
Holland, James Jr	Hutchinson, Karen	Introne, Robert	Itse, Daniel
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Kelley, William	Langley, Jane	Langone, John
Letourneau, Robert	Major, Norman	McKinney, Betsy	Moore, Benjamin
Morse, Charles	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Power, Lucille	Priestley, Anne	Putnam, Ed II	Quandt, Marshall
Quandt, Matthew	Rabideau, Marie	Rausch, James	Reardon, Neil
Robertson, Carl	Ruffner, Walter	Saia, Pamela	Sapareto, Frank
Sloan, Stephen	Stone, Joseph	Stritch, C Donald	Varrell, Thomas
Welch, David	Whittier, John	Zolla, William	

STRAFFORD

Albert, Russell	Bickford, David	Cossette, Larry	Harrington, Michael
Reid, Christopher	Tsiros, William	Twombly, James	Woods, Phyllis

SULLIVAN

Jones, Constance	Leone, Richard	Odell, Bob	Rodeschin, Beverly
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NAYS 147**BELKNAP**

Johnson, William	Salatiello, Thomas	Wood, Jane
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CARROLL

None

CHESHIRE

Allen, Peter	Batchelder, Robert	Burnham, Daniel	Espieffs, Peter
McGuirk, Paul	Meador, David	Mitchell, McKim	Pratt, Irene
Pratt, John	Richardson, Barbara	Slack, Pamela Russell	Weed, Charles
Zerba, Roger			

COOS

Bradley, Paula	Landers, Dana	Rodrigue, Robert	Stohl, Eric
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GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	Ham, Bonnie
Lovett, Sid	Naro, Debra	Nordgren, Sharon	Pawlek, Marion
Scovner, Nancy	Sokol, Hilda	Solow, Martha	

HILLSBOROUGH

Andosca, Mary	Baroody, Benjamin	Bellavance, Paul	Buckley, Raymond
Cardin, Lori	Carlson, Donald	Clayton, William	Clemons, Jane

Cote, David	Cote, Peter	Craig, James	Daigle, Robert
Dionne, David	Drabinowicz, A Theresa	Dwyer, Paul	Dyer, Merton
Eaton, Richard	Foster, Linda	Ginsburg, Ruth	Goley, Jeffrey
Gorman, Mary	Hall, Betty	Jean, Claudette	Johnson, Lionel
Kacavas, John	Keye, Harvey	Lasky, Bette	Lefebvre, Roland
Leishman, Peter	Lynde, Harold	Martin, Mary Ellen	McDonough-Wallace, Alice
Melcher, Harold	Messier, Irene	Movsesian, Lori	Murphy, Robert
Palangas, Eric	Panagopoulos, Nicholas	Schulze, Joan	Shaw, Barbara
Spiess, Paul	Sullivan, Peter	Sweeney, Cynthia	White, John
Williams, Carol			

MERRIMACK

Bouchard, Candace	Clarke, Claire	Crosby, Toni	Daneault, Gabriel
Davis, Frank	Fraser, Marilyn	French, Barbara	Gile, Mary
Greco, Vincent	Moore, Carol	Owen, Derek	Perkins, Randy
Potter, Frances	Reardon, Tara	Rodd, Beth	Rush, Deanna
Seldin, Gloria	Wallner, Mary Jane		

ROCKINGHAM

Blanchard, MaryAnn	Clark, Martha Fuller	Coes, Betsy	Cooney, Richard
Downing, Michael	Hamel, Albert	Kane, Cecelia	Kobel, Rudolph
McGuire, Robert	Micklton, Stephanie	Norelli, Terie	O'Keefe, Patricia
Pantelakos, Laura	Pitts, Jacqueline	Shultis, Elizabeth	Splaine, James
Trueman, Raymond	Weatherspoon, Jacquelyne		

STRAFFORD

Berube, Roger	Brennan, William	DeChane, Marlene	Estabrook, Iris
Ferland, Paul	Gilmore, Gary	Goodwin, Earle	Grassie, Anne
Heon, Richard	Hughes, Christopher	Johnson, Nancy	Kaen, Naida
Knowles, William	Lachance, Douglas	Lent, Donald	McCarthy, Gerald
Musler, George	Pelletier, Arthur	Proulx, Raymond	Rollo, Michael
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Kathleen

Wall, Janet

Woodill, Rodney

SULLIVAN

Allison, David

Burling, Peter

Cloutier, John

Ferland, Brenda

Franklin, Peter

Harris, Joseph

Harris, Sandra

Phinizy, James

Robb, Amy

and the veto was sustained, lacking the necessary two-thirds.

motion to vacate

Rep. Patten moved that the House vacate the reference of **HB 1157**, providing for the local option to apply the current use laws, to the Committee on Municipal and County Government.

Adopted.

The Speaker referred HB 1157 to the Committee on Environment and Agriculture.

motion to vacate

Rep. Royce moved that the House vacate the reference of **HB 1178-FN**, relative to the recreational taking of lobster by scuba diving, to the Committee on Resources, Recreation and Development.

Adopted.

The Speaker referred HB 1178-FN to the Committee on Fish and Game.

motion to vacate

Rep. Hunt moved that the House vacate the reference of **HCR 21**, urging the state attorneys general and the Federal Trade Commission to enforce the Telemarketing Sales Rule and urging Congress to adopt the Know Your Caller Act of 2001, to the Committee on Commerce.

Adopted.

The Speaker referred HCR 21 to the Committee on State-Federal Relations and Veterans Affairs.

RESOLUTION

Reps Scanlan and Burling offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1383 through 1399, and 1401 and 1402 and House

Resolution numbered 20, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILLS and HR

First, second reading and referral

HB 1383, relative to lucky 7. (Heon, Straf 14: Ways and Means)

HB 1384, making certain technical changes to the workers' compensation law. (Gilman, Graf 1: Labor, Industrial and Rehabilitative Services)

HB 1385, relative to trespassing on certain rail lines. (W. Kelley, Rock 12; Splaine, Rock 34: Criminal Justice and Public Safety)

HB 1386-FN, establishing a research and investigation unit for the house of representatives. (Henderson, Rock 20: Legislative Administration)

HB 1387, relative to toll exemptions for legislators. (Cossette, Straf 19: Legislative Administration)

HB 1388, relative to respiratory care. (P. Bradley, Coos 6; Horton, Coos 3; Hollingworth, Dist 23: Executive Departments and Administration)

HB 1389, enabling towns to charge fees for the disproportionate use of municipal safety services. (Scovner, Graf 13; Akins, Graf 14: Municipal and County Government)

HB 1390, relative to quality assurance information. (Wendelboe, Belk 2: Judiciary)

HB 1391, relative to municipal budgets. (Wendelboe, Belk 2: Municipal and County Government)

HB 1392, relative to mediation before the board of manufactured housing. (Wendelboe, Belk 2: Commerce)

HB 1393, relative to the determination of just compensation in eminent domain proceedings. (Wendelboe, Belk 2: Judiciary)

HB 1394, establishing a committee to study entering into the nurse licensure compact for interstate reciprocity for nurses. (Wendelboe, Belk 2; Clayton, Hills 39: Executive Departments and Administration)

HB 1395, relative to historic district commissions. (Cox, Rock 24; Langley, Rock 24: Municipal and County Government)

HB 1396, authorizing the state veterinarian to provide wildlife disease prevention and treatment. (Whalley, Merr 5: Environment and Agriculture)

HB 1397, relative to the annual salary of police commissioners of the town of Wolfeboro. (J. Bradley, Carr 8; Stevens, Carr 7; Johnson, Dist 3: Municipal and County Government)

HB 1398, relative to the vote required for issuance of bonds by the Sunapee water and sewer commission. (Leone, Sull 2; Jones, Sull 3; Disnard, Dist 8: Municipal and County Government)

HB 1399-L, relative to assessment of the land use change tax. (Goodwin, Straf. 12; Wheeler, Dist 21: Environment and Agriculture)

HB 1401, relative to the authority of highway agents. (Wendelboe, Belk 2: Municipal and County Government)

HB 1402, designating segments of the Isinglass River as protected under the rivers management and protection program. (Musler, Straf 6; DeChane, Straf 6; Wall, Straf 9: Resources, Recreation and Development)

HR 20, supporting the country of Tibet. (J. White, Hills 46; Messier, Hills 46; Greenberg, Hills 46; Snyder, Straf 14; Yeaton, Merr 10: State-Federal Relations and Veterans Affairs)

DECLARATION

The Clerk read a declaration honoring Dean Kamen, New Hampshire inventor of "the Segway", a personal assistance mobility device.

ELECTION OF HOUSE SERGEANT-AT-ARMS

The Speaker declared nominations were in order for Sergeant-at-Arms.

Rep. Stone nominated Thomas Burke for Sergeant-at-Arms.

Rep. Hager seconded the nomination.

Rep. Avery nominated Daniel Eaton for Sergeant-at-Arms.

Rep. Slack seconded the nomination.

Rep. Dickinson nominated Robert Edmonds for Sergeant-at-Arms.

Rep. Jane Kelley seconded the nomination.

Rep. Mock nominated Larry Elliott for Sergeant-at-Arms.

Rep. John Pratt seconded the nomination.

Rep. Thomas nominated Deborah Nielsen for Sergeant-at-Arms.

Rep. Richardson seconded the nomination.

There being no further nominations, the Speaker declared nominations closed.

On behalf of the candidates, the Speaker named Reps. Leone and John Flanders as tellers for Thomas Burke; Reps. Avery and Slack as tellers for Daniel Eaton; Reps. Karl Gilbert and Rush as tellers for Robert Edmonds; Reps. Kimberly Dionne and Herman as tellers for Larry Elliott; and Reps. Flanagan and L'Heureux as tellers for Deborah Nielsen to tally the vote.

FIRST BALLOT

With 359 votes being cast, 181 were needed for election. Thomas Burke received 58 votes. Daniel Eaton received 16 votes. Robert Edmonds received 40 votes. Larry Elliott received 62 votes. Deborah Nielsen received 183 votes.

The Speaker declared Deborah Nielsen, the duly-elected Sergeant-at-Arms.

The Speaker administered the oath of office to Deborah Nielsen.

Deborah Nielsen, Sergeant-at-Arms addressed the House.

senate message

The Senate voted to sustain the Governor's veto on the following bill:

SB 164, an act establishing a comprehensive statewide accountability system concerning an adequate education and relative to nonrenomination of teacher contracts.

senate message

The following bills have died on the table.

HB 101, requiring registered lobbyists to sign a statement concerning false statements or misrepresentation of material facts.

HB 130, relative to the maintenance of boundaries and fences.

HB 153, lowering the minimum medical cost coverage for motor vehicle liability policies.

HB 196-L, relative to the penalty for failure to license a dog or renew a dog license.

HB 211-FN, establishing a restricted probationary permit to drive and correcting the ignition interlock program laws.

HB 304-FN, relative to insurance coverage for prostate cancer testing.

HB 614, relative to certain duties, responsibilities, and authority of the fiscal committee.

HB 697. extending the reporting date for the healthy kids subcommittee and clarifying the mission statement of the healthy kids corporation.

senate message

The Senate has adjourned Sine Die.

adjournment

Rep. Scanlan moved that the House adjourn from the first-year session of the 157th General Court, Sine Die.

Adopted.

The House adjourned, Sine Die, at 2:35 p.m.