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Thursday, January 9, 2003

RECESS

(Rep. Balboni in the Chair)

RESOLUTION

Rep. Rogers Johnson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 274 through 299, and 301 through 323, House Joint Resolution numbered 1, House Concurrent Resolutions numbered 8 and 9, and Constitutional Amendment Concurrent Resolution numbered 8 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, HJR, HCRs and CACR

First, second reading and referral

HB 274-A, making an appropriation for the restoration of the White Island Light Station. (Rogers Johnson, Rock 83; M. Blanchard, Rock 86; J. Gilbert, Rock 83: Resources, Recreation and Development)

HB 275, establishing a committee to study ballot reform. (Weed, Ches 25: Election Law)

HB 276-FN, relative to protective custody for intoxicated or incapacitated persons. (Welch, Rock 79; Knowles, Straf 69; K. Gilbert, Rock 82: Criminal Justice and Public Safety)

HB 277-FN, relative to an extended term of imprisonment for manslaughter and relative to jury findings which warrant an extended term of imprisonment. (Knowles, Straf 69; Welch, Rock 79; Stevens, Carr 7: Criminal Justice and Public Safety)

HB 278-FN, relative to certain acts of sexual assault. (Knowles, Straf 69; Welch, Rock 79; Jones, Sull 19; Tholl, Coos 2: Criminal Justice and Public Safety)

HB 279, relative to the licensure of emergency medical dispatchers. (S. L'Heureux, Merr 37; Palangas, Hills 52; Clegg, Dist 14: Executive Departments and Administration)

HB 280-FN, relative to the poison information center. (MacKay, Merr 39; Seldin, Merr 39; Emerton, Hills 48; Currier, Merr 34; Nordgren, Graf 17; Martel, Dist 18; Below, Dist 5: Science, Technology and Energy)

HB 281-FN, relative to regulation of irrigation system electricians by the electrician's board. (Rowe, Hills 47: Executive Departments and Administration)

HB 282, relative to granting solid waste management facility permits. (Densmore, Graf 10; Bemis, Straf 67, Gilman, Graf 9; P. Katsakiores, Rock 77; King, Coos 1; Gallus, Dist 1; D'Allesandro, Dist 20: Municipal and County Government)

HB 283-FN, establishing the penalty for endangering the welfare of a child or incompetent resulting in death or serious bodily harm. (Ouellette, Merr 33; Luebker, Hills 54; Batchelder, Ches 24: Criminal Justice and Public Safety)

HB 284, relative to the issuance of bonds in school districts and municipalities using the official ballot. (Gibson, Hills 58; Slocum, Hills 47; L. Christiansen, Hills 66; Hinkle, Hills 58; Marple, Merr 37; Boyce Dist 4: Municipal and County Government)

HB 285, relative to establishing non-amendable articles by voter petition. (Slocum, Hills 47; Gilman, Graf 9; L. Christiansen, Hills 66; Roberge, Dist 9: Municipal and County Government)

HB 286, establishing a committee to study certain proposals to fund education in New Hampshire. (Carlson, Hills 44; Ross, Hills 44: Finance)

HB 287, establishing a professional malpractice claims study commission. (Mock, Carr 4; Craig, Hills 50; MacKay, Merr 39; Batula, Hills 58; Francoeur, Rock 85: Judiciary)

HB 288-FN, imposing a criminal penalty for the dissemination of certain materials without consent. (Knowles, Straf 69; Welch, Rock 79; Stevens, Carr 7; K. Gilbert, Rock 82: Criminal Justice and Public Safety)

HB 289, relative to outdoor automatic sprinkler systems. (Spang, Straf 72: Resources, Recreation and Development)

HB 290, relative to the burden of proof in medical injury cases. (Craig, Hills 50: Judiciary)

HB 291-FN, establishing an enhanced penalty for assaults, sexual assaults, and related offenses against the elderly. (P. Katsakiores, Rock 77; G. Katsakiores, Rock 77; Rausch, Rock 77; Bridle, Rock 85: Criminal Justice and Public Safety)

HB 292, relative to vehicles entering intersections. (Schmidt, Straf 70; Pelletier, Straf 71; Weed, Ches 25; Spang, Straf 72; Cohen, Dist 24: Transportation)

HB 293, establishing a commission to identify medical errors and their causes. (Batula, Hills 58; Hess, Merr 37; Francoeur, Rock 85; Craig, Hills 50; Mock, Carr 4; Martel, Dist 18; O'Hearn, Dist 12; D'Allesandro, Dist 20; Boyce, Dist 4; Roberge, Dist 9: Health, Human Services and Elderly Affairs)

HB 294, relative to notification of abutting communities of ridge-line or above developments. (Hatch, Carr 7: Municipal and County Government)

HB 295, relative to information filed with the regional planning commissions. (R. Cooney, Rock. 76; M. Allen, Rock 81; Weyler, Rock 79: Municipal and County Government)

HB 296, relative to settlement agreements in medical malpractice suits. (Mock, Carr 4; Francoeur, Rock 85; Craig, Hills 50: Judiciary)

HB 297, establishing an alternative nomination process for political organizations. (Bicknell, Rock 73; Stritch, Rock 75: Election Law)

HB 298, relative to the award of joint physical custody of children. (Bickford, Straf 68: Children and Family Law)

HB 299, removing judicial discretion to order a divorced parent to contribute to an adult child's college expenses. (Bickford, Straf 68: Children and Family Law)

HB 301, relative to the property tax exemption for certain pollution control facilities. (Densmore, Graf 10; King, Coos 1; Gilman, Graf 9; Bemis, Straf 67; Gallus, Dist 1; D'Allesandro, Dist 20: Municipal and County Government)

HB 302-FN, relative to disability retirement benefits for group II members injured in the performance of duty. (Welch, Rock 79; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 303, relative to life, accident, and health technicals. (D. Flanders, Belk 30; Flanders, Dist 7: Commerce)

HB 304-A, relative to state acquisition of certain acreage in the Connecticut Lakes headwaters tract and making an appropriation therefor. (Chandler, Carr 4; Whalley, Belk 31; King, Coos 1; Stohl, Coos 1; Cohen, Dist 24; Clegg, Dist 14; Eaton, Dist 10: Resources, Recreation and Development)

HB 305, relative to time allowed for voting. (Brundige, Hills 58; Patten, Carr 7; Dickinson, Carr 4: Election Law)

HB 306, relative to the procedure for determining the order of names on the general election ballot. (Burling, Sull 19; J. Pratt, Ches 24; Craig, Hills 50: Election Law)

HB 307, relative to municipal regulation of public highways. (Twombly, Straf 67; Kenison, Merr 41: Municipal and County Government)

HB 308, adopting the uniform mediation act. (Gargasz, Hills 46; Roberge, Dist 9: Judiciary)

HB 309-L, relative to placement and removal of political advertising. (R. Wheeler, Hills 48: Election Law)

HB 310, establishing a commission to study child support issues. (Bickford, Straf 68: Children and Family Law)

HB 311, repealing the distribution of family planning service lists by the town clerk. (Souza, Hills 51; Cady, Rock 73; Hagan, Hills 50; Albert, Straf 67; Giuda, Graf 13; Martel, Dist 18; Barnes, Dist 17: Municipal and County Government)

HB 312, relative to designating county delegates on state election ballots. (N. Johnson, Straf 68: Election Law)

HB 313, establishing a committee to study the feasibility of setting aside a portion of tobacco settlement money to subsidize smoking cessation programs. (Pitts, Rock 86: Ways and Means)

HB 314, establishing a committee to study the feasibility of buying pharmaceuticals on a statewide or regional basis. (Pitts, Rock 86: Health, Human Services and Elderly Affairs)

HB 315, establishing a committee to study methods for accelerating appeals of denials of residential development permits. (Almy, Graf 18; J. Gilbert, Rock 83; Hammond, Graf 18: Municipal and County Government)

HB 316-FN, relative to insurance coverage for anesthesia for child dental care. (Emerton, Hills 48; Dalrymple, Rock 76; DiFruscia, Rock 76; Martel, Dist 18; Larsen, Dist 15: Commerce)

HB 317, relative to medical insurance for dependent children. (M. Cooney, Graf 15; Naro, Graf 15: Commerce)

HB 318, relative to trespassing on certain rail lines. (Splaine, Rock 86: Transportation)

HB 319, relative to the deadline for implementing a statewide voter checklist. (Buckley, Hills 56: Election Law)

HB 320, relative to permitting additional contributions in the city of Manchester employees contributory retirement system. (Clayton, Hills 50; Baroody, Hills 54: Executive Departments and Administration)

HB 321, relative to ordinary and accidental death benefits in the city of Manchester employees contributory retirement system. (Clayton, Hills 50; Baroody, Hills 54: Executive Departments and Administration)

HB 322, relative to the commission on the status of men. (Bickford, Straf 68: Executive Departments and Administration)

HB 323, relative to the task force on family law. (Bickford, Straf 68: Children and Family Law)

HJR 1, urging the department of transportation to provide sufficient time to resolve a dispute regarding certain portions of the Conway bypass project. (Dickinson, Carr 4; C. Brown, Carr 4; Mock, Carr 4; Kenney, Dist 3: Public Works and Highways)

HCR 8, urging the United States Congress to improve the prescription drug program provided to veterans. (Joseph Manning, Ches 28; Guay, Coos 2; Heon, Straf 67; Ross, Hills 44; Gillick, Rock 85; D'Allesandro, Dist 20: State-Federal Relations and Veterans Affairs)

HCR 9, urging the President and the Joint Chiefs of Staff to abandon the Total Information Awareness Initiative. (Almy, Graf 18; Kurk, Hills 48; M. Smith, Straf 72; Buhlman, Hills 66: State-Federal Relations and Veterans Affairs)

CACR 8, relating to the attorney general. Providing that the attorney general be elected for the same term as the governor. (DiFruscia, Rock 76; Phinizy, Sull 23; Corbin, Rock 79; Soltani, Merr 37; Gallus, Dist 1: Executive Departments and Administration)

RECESS

(Rep. Giuda in the Chair)

RESOLUTION

Rep. Batula offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 324 through 344 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 324, relative to the Jaffrey-Peterborough district court and the Henniker-Hillsborough district court. (Elliott, Hills 42: Judiciary)

HB 325, relative to the Henniker-Hillsborough district court and the New London district court. (Elliott, Hills 42; Odell, Dist 8: Judiciary)

HB 326, relative to establishing a 6-year capital budget. (Leber, Merr 35; Cloutier, Sull 22; E. Smith, Ches 26; Weyler, Rock 79; Rausch, Rock 77; Flanders, Dist 7; Morse, Dist 22; Johnson, Dist 2; Clegg, Dist 14; Kenney, Dist 3: Public Works and Highways)

HB 327, establishing a committee to study the use of state vehicles. (Wendelboe, Belk 29; Boyce, Dist 4: Finance)

HB 328, relative to the allocation of costs in court actions. (Arnold, Hills 46: Judiciary)

HB 329-FN, establishing a pilot program for the introduction of Grass Carp into Flints Pond in the town of Hollis. (Drisko, Hills 46; Gargasz, Hills 46; Arnold, Hills 46; Haytayan, Hills 46; O'Hearn, Dist 12: Fish and Game)

HB 330, relative to public utilities mergers and acquisitions. (McHugh, Hills 61; Crane, Hills 59; Gibson, Hills 58; Sorg, Graf 11: Science, Technology and Energy)

HB 331-FN, relative to discovery in public utilities commission proceedings. (McHugh, Hills 61; Crane, Hills 59; Gibson, Hills 58; Sorg, Graf 11: Science, Technology and Energy)

HB 332-FN, relative to the use of prerecorded telephone messages by candidates and political committees. (Spiess, Hills 47; Dokmo, Hills 47; Hess, Merr 37; Bergin, Hills 47; Below, Dist 5: Election Law)

HB 333, relative to sentences for first time offenders. (Pantelakos, Rock 86: Criminal Justice and Public Safety)

HB 334, establishing an international trade commission to investigate and report on the effects of international trade agreements on New Hampshire self-governance. (Weed, Ches 25; Rush, Merr 36; Cohen, Dist 24: Commerce)

HB 335, relative to the regulation of the operation of OHRVs. (Drisko, Hills 46; Haytayan, Hills 46; Arnold, Hills 46; O'Hearn, Dist 12: Transportation)

HB 336-L, relative to the development and adoption of the school administrative unit budget. (Alger, Graf 14; Kurk, Hills 48; Slocum, Hills 47; T. Allen, Hills 45; Emerton, Hills 48: Education)

HB 337-FN-A-L, relative to state funding of county correctional facilities. (Cloutier, Sull 22; J. Pratt, Ches 24; Gorman, Hills 62; Milligan, Hills 58; Jacobson, Merr 32; Odell, Dist 8: Finance)

HB 338, requiring the suspension of attorneys who do not abide by a client's decision whether to accept an offer of settlement. (Gilman, Graf 9; Buhlman, Hills 66; Sorg, Graf 11: Judiciary)

HB 339, establishing a committee to study the use of certain state-owned property along the Baker River. (Alger, Graf 14: Resources, Recreation and Development)

HB 340, establishing a committee to study implementing keno in the state of New Hampshire. (Weyler, Rock 79; Langley, Rock 88; Dickinson, Carr 4: Ways and Means)

HB 341, relative to performance budgeting of state programs and agencies. (Weyler, Rock 79; Kurk, Hills 48; Barnes, Dist 17; Gatsas, Dist 16: Executive Departments and Administration)

HB 342, restricting the use and display of social security numbers and establishing a private right of action under the right to privacy act. (Pilliod, Belk 31; Kurk, Hills 48; MacKay, Merr 39: Commerce)

HB 343, establishing a boundary commission to determine the boundary between New Hampshire and Maine. (Pantelakos, Rock 86: Municipal and County Government)

HB 344, relative to a supplemental veteran designation for legislative license plates. (J. Dunn, Ches 25; Jacobson, Merr 32; Heon, Straf 67; D'Allesandro, Dist 20: Legislative Administration)

RECESS

(Rep. Whalley in the Chair)

RESOLUTION

Rep. Vivian Clark offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 345 through 349, 351 through 358, House Concurrent Resolution numbered 14 and Constitutional Amendment Concurrent Resolution numbered 9 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, HCR and CACR

First, second reading and referral

HB 345, relative to qualifications of elected town officers. (Drisko, Hills 46; Gargasz, Hills 46; Arnold, Hills 46: Municipal and County Government)

HB 346, establishing a commission to study the impact of traffic law violations on public health and safety and state and municipal resources. (Furman, Hills 64; Artz, Hills 64; Lasky, Hills 65; Packard, Rock 75; O'Hearn, Dist 12; Clegg, Dist 14: Transportation)

HB 347, limiting access to certain business records. (Dickinson, Carr 4; Mock, Carr 4; C. Brown, Carr 4; Belanger, Rock 76; Gallus, Dist 1; Kenney, Dist 3; Johnson, Dist 2: Commerce)

HB 348-FN, relative to the compensation of jurors. (Arnold, Hills 46: Judiciary)

HB 349, relative to establishment and enforcement of speed limits. (Vachon, Straf 68: Transportation)

HB 351, requiring completion of a child impact seminar prior to filing for divorce. (Hopper, Hills 48: Children and Family Law)

HB 352, establishing a committee to study the feasibility of a desalinization plant in the New Hampshire seacoast region. (Varrell, Rock 79; V. Clark, Rock 79; Francoeur, Rock 85; Introne, Rock 75; Weare, Rock 84; Prescott, Dist 23: Resources, Recreation and Development)

HB 353-FN-A, making an appropriation for the pilot program to study and establish protected instream flows and water management plans on the Lamprey River and the Souhegan River. (R. Cooney, Rock 76; Leach, Hills 42; Spang, Straf 72; M. Blanchard, Rock 86: Resources, Recreation and Development)

HB 354-FN, relative to dog license fees. (Patten, Carr 7: Municipal and County Government)

HB 355-FN, relative to the permissible fireworks review committee, the fireworks license fee, and the authority of the permissible fireworks inspector. (Hunter, Hills 48; Welch, Rock 79: Criminal Justice and Public Safety)

HB 356-FN, relative to including medical benefits costs in the purchase of creditable service in the retirement system. (Zolla, Rock 77: Executive Departments and Administration)

HB 357-FN, relative to child support insurance settlement intercept. (Emerton, Hills 48; Arnold, Hills 46; Wallner, Merr 40; Martel, Dist 18: Children and Family Law)

HB 358-FN-L, relative to recount fees in local elections. (Stritch, Rock 75: Election Law)

HCR 14, declaring it to be wrongful for the judiciary, either directly or indirectly, to define an adequate education or the cost of an adequate education. (Pepino, Hills 51; Giuda, Graf 13; Balboni, Hills 59; Soltani, Merr 37; Woods, Straf 69; Boyce, Dist 4; Kenney, Dist 3; Gallus, Dist 1: Ways and Means)

CACR 9, relating to 7-year terms for state judges. Providing that all state judges appointed on or after January 1, 2005 be commissioned for 7-year terms, which may be renewed. (J. Wheeler, Hills 47; Wendelboe, Belk 29; Soltani, Merr 37; Boyce, Dist 4; Roberge, Dist 9: Judiciary)

RECESS

(Rep. Rogers Johnson in the Chair)

RESOLUTION

Rep. Hess offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 359 through 379 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 359, establishing a procedure for apportioning state senate and representative districts. (Alger, Graf 14; Giuda, Graf 13; M. Harrington, Straf 68; Dickinson, Carr 4; Boyce, Dist 4: Election Law)

HB 360-FN-A-L, relative to a New Hampshire Legal Assistance office in Nashua and making an appropriation therefor. (Konys, Hills 65; Rowe, Hills 47; Drisko, Hills 46; D. Cote, Hills 62; Foster, Dist 13: Finance)

HB 361-L, permitting municipalities to form regional water districts. (Graham, Hills 57; Mercer, Hills 59; Lasky, Hills 65; Furman, Hills 64; Bergin, Hills 47; Roberge, Dist 9; Peterson, Dist 11; O'Hearn, Dist 12; Clegg, Dist 14: Municipal and County Government)

HB 362-L, relative to approval of certain capital and operating costs in the Fall Mountain regional school district. (Phinizy, Sull 23; J. Pratt, Ches 24: Education)

HB 363-L, relative to the funding formula for cooperative school districts. (Arnold, Hills 46: Education)

HB 364-FN, relative to the use of automatic telephone dialing systems for political advocacy. (Dokmo, Hills 47; Spiess, Hills 47; Hess, Merr 37; Bergin, Hills 47; Below, Dist 5: Election Law)

HB 365, relative to governmental land uses. (Langley, Rock 88; Naro, Graf 15; M. Cooney, Graf 15; Hughes, Rock 88; Cohen, Dist 24: Municipal and County Government)

HB 366, relative to mercury reduction. (Phinizy, Sull 23; Babson, Carr 6; Owen, Merr 34; P. Sullivan, Hills 50; P. Allen, Ches 27; Cohen, Dist 24: Science, Technology and Energy)

HB 367, relative to cats and dogs. (Phinizy, Sull 23: Environment and Agriculture)

HB 368, making technical corrections to the statutory list of dedicated funds. (Almy, Graf 18: Ways and Means)

HB 369, relative to the Henniker and Hillsborough district courts. (Dionne, Hills 42; Currier, Merr 34: Judiciary)

HB 370-FN, relative to the dispensing of lucky 7 tickets. (Heon, Straf 67; Boyce, Belk 31; Lessard, Hills 66; C. Pappas, Hills 49; Sapareto, Dist 19; Green, Dist 6: Ways and Means)

HB 371, relative to warrant article recommendations in towns which have adopted the official ballot referendum form of meeting. (Major, Rock 79; Stone, Rock 73; J. Gilbert, Rock 83: Municipal and County Government)

HB 372, relative to exceptions for unauthorized use of firearms and firecrackers in cities and towns. (L. Christiansen, Hills 66: Fish and Game)

HB 373, establishing a committee to study the intent of legislative language and the canons of statutory construction and their conformity with constitutional authority. (L. Christiansen, Hills 66; Marple, Merr 37: Judiciary)

HB 374, relative to a petition by an inmate for a suspended sentence. (Gile, Merr 38: Criminal Justice and Public Safety)

HB 375, establishing a committee to study the prescription and use of psychotropic drugs, including Ritalin, in preschools, primary grades, and childcare centers. (Gile, Merr 38; Ingbreton, Graf 13; Grassie, Straf 67; Gargas, Hills 46; Bickford, Straf 68: Health, Human Services and Elderly Affairs)

HB 376, establishing a committee to study the feasibility of performing eye examinations or eye screenings on children prior to enrollment in a public elementary school, public preschool program, or Head Start program. (Leber, Merr 35; Liebl, Ches 27; Flanders, Dist 7: Health, Human Services and Elderly Affairs)

HB 377, relative to discipline of state employees or officers making willful false statements. (Gilman, Graf 9; Maybeck, Graf 16; Twombly, Straf 67; Cady, Rock 73; Buhlman, Hills 66; Boyce, Dist 4: Executive Departments and Administration)

HB 378, prohibiting employees of any government agency from recommending the administration of psychotropic drugs for school children. (L. Christiansen, Hills 66; Marple, Merr 37: Education)

HB 379, relative to penalties for OHRV violations by underage operators. (Itse, Rock 80: Transportation)

RECESS

(Rep Whalley in the Chair)

RESOLUTION

Rep. Hess offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 380 through 399, 401 through 449, 451 and 452, and House Concurrent Resolution numbered 10, 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

First, second reading and referral

HB 380, requiring legislative approval of any settlement of certain lawsuits against the state. (Kurk, Hills 48: Finance)

HB 381-FN, requiring proposed bills and rules to include an analysis of their impact on personal privacy. (Kurk, Hills 48; M. Smith, Straf 72: Legislative Administration)

HB 382, relative to state-funded health insurance. (Woods, Straf 69; Kurk, Hills 48; Rogers Johnson, Rock 83; Clegg, Dist 14: Commerce)

HB 383, limiting the disclosure of personal information on government Internet sites and amending the information practices act. (Kurk, Hills 48; M. Smith, Straf 72: Executive Departments and Administration)

HB 384, relative to financial affidavits in domestic relations cases, and establishing a private right of action under the right to privacy act. (Pilliod, Belk 31; Kurk, Hills 48: Commerce)

HB 385, requiring compliance with local ordinances in the establishment of public ATV and trail bike trails on private lands. (Hallyburton, Hills 45; T. Allen, Hills 45; Coughlin, Hills 45: Resources, Recreation and Development)

HB 386, establishing a committee to study individual development accounts. (P. Sullivan, Hills 50: Finance)

HB 387-FN, allowing free admission to the state park system for active duty members of the armed services and certain members of the national guard and reserves. (P. Sullivan, Hills 50: State-Federal Relations and Veterans Affairs)

HB 388, permitting the reduction of the speed limit within a business or urban residence district or within the compact part of cities or towns to 15 miles per hour. (P. Sullivan, Hills 50; C. Laflamme, Hills 50; Pepino, Hills 51: Transportation)

HB 389, relative to victim impact statements. (P. Sullivan, Hills 50; Espieffs, Ches 25: Criminal Justice and Public Safety)

HB 390, relative to liability of nonprofit organizations. (N. Johnson, Straf 68; Rodeschin, Sull 20; Konys, Hills 65; Kenney, Dist 3: Judiciary)

HB 391, requiring candidates to acknowledge restrictions on political advertising. (Bergin, Hills 47: Election Law)

HB 392-L, requiring a study by the office of state planning of ways to improve the delivery of information and training to planning board and zoning board members. (Spang, Straf 72; Babson, Carr 6; Twombly, Straf 67; C. Christensen, Hills 58; Shultis, Rock 86; Estabrook, Dist 21; Odell, Dist 8; Below, Dist 5: Executive Departments and Administration)

HB 393, extending the reporting dates for certain study committees. (Alger, Graf 14; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 394, relative to incompatible offices. (Vaillancourt, Hills 56; Drisko, Hills 46; Reeves, Hills 49; Roberge, Dist 9; Gatsas, Dist 16; Sapareto, Dist 19; Boyce, Dist 4; Flanders, Dist 7: Election Law)

HB 395, relative to proof of qualifications for voter registration. (Vaillancourt, Hills 56; Drisko, Hills 46; Reeves, Hills 49; Beaton, Hills 49; Roberge, Dist 9; Gatsas, Dist 16; Sapareto, Dist 19; Boyce, Dist 4; Flanders, Dist 7: Election Law)

HB 396-FN, relative to penalties for tampering with or desecrating a burial site. (Morris, Rock 84; Haytayan, Hills 46; Wall, Straf 72; Sapareto, Dist 19: Criminal Justice and Public Safety)

HB 397, permitting towns and cities to deny a planning board application by a vote of the legislative body. (J. Dunn, Ches 25; Hammond, Graf 18; Brueggemann, Merr 40; P. Allen, Ches 27: Municipal and County Government)

HB 398, establishing a committee to study the establishment of a healthy adults corporation. (Mears, Coos 3: Commerce)

HB 399, establishing the town of East Derry. (Dupuis, Rock 77; Buhlman, Hills 66; John Manning, Rock 76: Municipal and County Government)

HB 401, relative to approvals under the groundwater protection act. (Spang, Straf 72; Wall, Straf 72; Musler, Straf 68; Estabrook, Dist 21; Green, Dist 6: Resources, Recreation and Development)

HB 402, relative to child passenger restraints. (R. L'Heureux, Hills 58; G. Katsakiores, Rock 77; Kenison, Merr 41; Wallner, Merr 40; Roberge, Dist 9; Flanders, Dist 7; Johnson, Dist 2; O'Hearn, Dist 12: Transportation)

HB 403, requiring persons who are acquitted of certain sexual assaults by reason of insanity to register as sexual offenders. (Crane, Hills 59; Movsesian, Hills 60; L. Christiansen, Hills 66; Knowles, Straf 69: Criminal Justice and Public Safety)

HB 404, relative to common trust funds. (Hunt, Ches 28; Kenney, Dist 3: Commerce)

HB 405, authorizing school districts to authorize a period of time for silent individual reflection in public schools. (Flayhan, Rock 80; Wiley, Rock 77; Mosher, Hills 63; Itse, Rock 80; Reeves, Hills 49: Education)

HB 406, establishing a speed limit for powerboats on Lake Winnepesaukee. (Hatch, Carr 7; Derby, Carr 7; Stevens, Carr 7; Johnson, Dist 2; Kenney, Dist 3: Transportation)

HB 407, allowing municipalities the option of appraising property based on assigned values reflecting the current use of property, and requiring the current use board to adopt criteria for such appraisal. (McCormick, Merr 32: Municipal and County Government)

HB 408, relative to the definition of political "party." (Marple, Merr 37: Election Law)

HB 409, relative to the accountability of public officials. (Marple, Merr 37: Criminal Justice and Public Safety)

HB 410, relative to disclosure of information for purposes of background investigations by criminal justice agencies of applicants for police, corrections, and security employment. (Winchell, Rock 78; Flanagan, Rock 78: Criminal Justice and Public Safety)

HB 411, allowing municipalities to adopt a property tax exemption for owners who permit snowmobile use. (King, Coos 1; Stohl, Coos 1; Gallus, Dist 1; Flanders, Dist 7: Municipal and County Government)

HB 412, establishing a committee to study insurance coverage for alternative medical treatment. (Cloutier, Sull 22; S. Harris, Sull 22; French, Merr 34; Odell, Dist 8: Commerce)

HB 413-L, relative to awarding attorneys' fees and costs in abatement and certain appeals proceedings when the taxpayer prevails. (Mooney, Hills 58; Derby, Carr 7: Municipal and County Government)

HB 414, requiring liquor liability insurance for state liquor licensees. (Mooney, Hills 58; Derby, Carr 7: Commerce)

HB 415, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors. (Hopper, Hills 48; Itse, Rock 80: Criminal Justice and Public Safety)

HB 416, requiring reciprocal discovery in criminal cases. (Sorg, Graf 11: Criminal Justice and Public Safety)

HB 417, encouraging all state departments to improve efficiencies with the goal of a 25 percent budget reduction, adjusted for inflation, by 2007, and establishing a state government reorganization task force. (Splaine, Rock 86; P. Sullivan, Hills 50; Davidson, Rock 82: Executive Departments and Administration)

HB 418, relative to annulment of arrest records for defendants whose cases result in acquittal, dismissal, or failure to prosecute. (Derby, Carr 7: Criminal Justice and Public Safety)

HB 419, establishing a committee to study issues related to the management of railroads operating with leases on state property. (Stohl, Coos 1; King, Coos 1; Chandler, Carr 4: Public Works and Highways)

HB 420, relative to state-owned trails and parking lots in the town of Windham. (DiFruscia, Rock 76; Waterhouse, Rock 76; Doyle, Rock 76; John Manning, Rock 76; Belanger, Rock 76: Resources, Recreation and Development)

HB 421-FN-A, relative to the waiting list for services for people with developmental disabilities and making an appropriation therefor. (Holland, Rock 76: Finance)

HB 422, relative to the selection of replacement justices for supreme court justices who are disqualified to hear cases. (Rowe, Hills 47: Judiciary)

HB 423, relative to safe deposit boxes. (Reardon, Merr 39; Kenney, Dist 3: Commerce)

HB 424, relative to a net asset qualification and age qualifications for the elderly property tax exemption, and clarifying certain references in property tax exemptions. (Akins, Graf 18; Dudley, Graf 18; Langone, Rock 77; Gallus, Dist 1; Martel, Dist 18: Municipal and County Government)

HB 425, establishing the prescription drug cost task force. (Akins, Graf 18; Griffin, Rock 76; Dalrymple, Rock 76; Peterson, Dist 11; Larsen, Dist 15: Health, Human Services and Elderly Affairs)

HB 426, relative to the monitoring and approval of appraisers by the commissioner of revenue administration. (Stohl, Coos 1; Patten, Carr 7; Stone, Rock 73: Municipal and County Government)

HB 427, making the position of "treasurer" optional for school districts. (T. Robertson, Ches 25: Education)

HB 428, relative to limiting liability of vendors and property owners during the operation of a farmers' market. (Ahern, Belk 29; Babson, Carr 6; Scott, Straf 71; Clegg, Dist 14; Odell, Dist 8: Judiciary)

HB 429, relative to processing excavating and dredging permits. (Camm, Rock 79: Resources, Recreation and Development)

HB 430, relative to the scope of family health insurance policies. (Moran, Hills 57; McRae, Hills 48; B. Richardson, Ches 26: Commerce)

HB 431, eliminating application of the rule against perpetuities to instruments that contain safeguards relative to the continued alienability of property. (Moran, Hills 57; Hunt, Ches 28; Sapareto, Dist 19: Commerce)

HB 432, relative to nonbinding municipal referendums. (Dumaine, Rock 75; Hutchinson, Rock 75: Municipal and County Government)

HB 433, establishing a committee to study the feasibility of implementing the Second Chance drug rehabilitation program in the New Hampshire prison system. (P. Katsakiores, Rock 77; G. Katsakiores, Rock 77: Criminal Justice and Public Safety)

HB 434-L, relative to junkyards and motor vehicle recycling yards. (Alger, Graf 14; M. Cooney, Graf 15; Stone, Rock 73; Roberge, Dist 9: Municipal and County Government)

HB 435, relative to certificates of registration upon transfer of a vehicle. (Letourneau, Rock 77; Packard, Rock 75; Artz, Hills 64; Prescott, Dist 23; Clegg, Dist 14; Johnson, Dist 2: Transportation)

HB 436, relative to the acquisition of Connecticut Valley Electric Company and electric utility restructuring. (Rodeschin, Sull 20; Burling, Sull 19; Thomas, Belk 31; S. Harris, Sull 22; Chandler, Carr 4; Odell, Dist 8; Eaton, Dist 10; Below, Dist 5: Science, Technology and Energy)

HB 437, establishing a committee to study the feasibility of implementing common law grand juries in New Hampshire. (Marple, Merr 37: Judiciary)

HB 438-L, relative to charging a disposal fee for temporary signs. (T. Robertson, Ches 25: Municipal and County Government)

HB 439, allowing municipalities the option to tax land values at a different rate than buildings and improvements. (Noyes, Rock 76; Weyler, Rock 79; G. Katsakiores, Rock 77: Municipal and County Government)

HB 440, relative to the discharge of firearms on or across highways in pursuit of wild birds or animals. (Chandler, Carr 4; Mock, Carr 4; Stohl, Coos 1; R. L'Heureux, Hills 58; Clegg, Dist 14: Fish and Game)

HB 441, establishing a committee to study adoption of the Uniform Probate Code. (McEachern, Rock 86: Judiciary)

HB 442, relative to emission control equipment. (Artz, Hills 64: Science, Technology and Energy)

HB 443, granting prescriptive authority to qualified psychologists. (Kathleen Taylor, Straf 70; C. Laflamme, Hills 50: Executive Departments and Administration)

HB 444, relative to summoning witnesses from another state. (J. Wheeler, Hills 47: Judiciary)

HB 445, relative to consideration of domestic violence in child custody and visitation decisions and relative to the time period in which a motion for protective order from domestic violence may be filed. (Stone, Rock 73; Knowles, Straf 69; Peterson, Dist 11: Children and Family Law)

HB 446, relative to building permits. (Bickford, Straf 68: Municipal and County Government)

HB 447, limiting retroactive child support awards under the uniform act on paternity. (Bickford, Straf 68: Children and Family Law)

HB 448, implementing a reasonableness standard for individualized education plans. (Alger, Graf 14; Slocum, Hills 47; T. Allen, Hills 45; Gilman, Graf 9; Kurk, Hills 48; Boyce, Dist 4; Johnson, Dist 2: Education)

HB 449, relative to disclosure of the amount of property taxes paid by a tenant's rent. (Benn, Graf 17; M. Smith, Straf 72; Graham, Hills 57; Akins, Graf 18; Below, Dist 5: Judiciary)

HB 451, relative to terminating rights to business names when transferring ownership of historic buildings. (B. Richardson, Ches 26; Joseph Manning, Ches. 28; Espieffs, Ches 25; Eaton, Dist 10; Peterson, Dist 11: Commerce)

HB 452, relative to political advertising on public property. (Langley, Rock 88; Bergin, Hills 47: Municipal and County Government)

HCR 10 recognizing New Hampshire's ratification of the original Thirteenth Amendment to the United States Constitution. (Marple, Merr 37; L. Christiansen, Hills 66: State-Federal Relations and Veterans Affairs)

RECESS

(Rep. Batula in the Chair)

RESOLUTION

Rep. Giuda offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 453 through 499, and 501 through 549, 551 through 563 and House Concurrent Resolutions numbered 11, 12, 13 and 15, and House Resolution numbered 8 and Constitutional Amendment Concurrent Resolution numbered 10 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, HRs and CACRs

First, second reading and referral

HB 453, relative to recommendations of certain municipal boards. (Cady, Rock 73: Municipal and County Government)

HB 454, relative to property rights and large groundwater withdrawals. (Cady, Rock 73; Bicknell, Rock 73; Kobel, Rock 73; Green, Dist 6: Resources, Recreation and Development)

HB 455, relative to residency requirements for disabled persons applying for a tax deferral of property taxes. (S. Harris, Sull 22; Wendelboe, Belk 29; Burling, Sull 19; Miller, Straf 72; Dalrymple, Rock 76; Odell, Dist 8; Below, Dist 5: Municipal and County Government)

HB 456, relative to the supreme court's authority to appoint a member to the ballot law commission. (Marple, Merr 37; Cataldo, Straf 68; Alger, Graf 14; L. Christiansen, Hills 66; Ahern, Belk 29; Boyce, Dist 4; Martel, Dist 18; Roberge, Dist 9: Election Law)

HB 457, establishing a committee to study the transportation needs of certain of the state's citizens. (G. Katsakiores, Rock 77; Letourneau, Rock 77; Gleason, Rock 77: Health, Human Services and Elderly Affairs)

HB 458, establishing a committee to study the health and environmental effects of using industrial-grade silicofluorides and industrial-grade sodium fluoride for water fluoridation in New Hampshire. (P. Harrington, Hills 60; Souza, Hills 51; B. Richardson, Ches 26; Hagan, Hills 50; P. Allen, Ches 27; Prescott, Dist 23; O'Hearn, Dist 12: Resources, Recreation and Development)

HB 459, relative to market conduct examinations. (Fraser, Merr 37; Langley, Rock 88: Commerce)

HB 460-FN, relative to property and casualty insurance. (D. Flanders, Belk 30; Flanders, Dist 7: Commerce)

HB 461, establishing a commission to study financial exploitation of the elderly and persons with disabilities. (Joseph Manning, Ches 28; Batula, Hills 58; Itse, Rock 80; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 462, relative to the operation of ski craft within navigation channels. (Morris, Rock 84: Resources, Recreation and Development)

HB 463, adding certain health care providers to certain statutes. (French, Merr 34; Sokol, Graf 17: Health, Human Services and Elderly Affairs)

HB 464-FN, establishing a criminal penalty for facilitating a drug or underage alcohol house party. (Knowles, Straf 69; Welch, Rock 79; Tholl, Coos 2; D'Allesandro, Dist 20; Gallus, Dist 1: Criminal Justice and Public Safety)

HB 465, relative to the rulemaking authority of the department of health and human services and relative to licensing rules for health facilities. (Patten, Carr 7; Emerton, Hills 48; Dalrymple, Rock 76; Kathleen Taylor, Straf 70; Flanders, Dist 7; Below, Dist 5; Kenney, Dist 3: Health, Human Services and Elderly Affairs)

HB 466, relative to the adoption procedure for property tax exemptions and credits. (Patten, Carr 7: Municipal and County Government)

HB 467, allowing towns or cities to increase the property tax credit for service-connected total disability, and to adopt an optional date for filing exemptions. (Patten, Carr 7; D. Fields, Hills 58; Heon, Straf 67; Johnson, Dist 2: Municipal and County Government)

HB 468, relative to enforcement of the labor protection statutes. (Gilman, Graf 9; Sorg, Graf 11; Dionne, Hills 42; Kennedy, Merr 34: Labor, Industrial and Rehabilitative Services)

HB 469, relative to areas of the state for hunting by crossbow. (R. L'Heureux, Hills 58; Carlson, Hills 44; Fletcher, Hills 48; Gorman, Hills 62; Roberge, Dist 9; Gallus, Dist 1; Clegg, Dist 14: Fish and Game)

HB 470, relative to health insurance providers. (Gilman, Graf 9; Buhlman, Hills 66; Sorg, Graf 11; Martel, Dist 18: Commerce)

HB 471, relative to cost containment practices and establishing an insurance review and advisory board. (Gilman, Graf 9; Ingbretson, Graf 13; Buhlman, Hills 66; Sorg, Graf. 11; Martel, Dist 18: Commerce)

HB 472, relative to health insurance terminology. (Gilman, Graf 9; Ingbretson, Graf 13; Buhlman, Hills 66; Sorg, Graf 11; Martel, Dist 18: Commerce)

HB 473, relative to the board of mental health practice. (Flint, Sull 20; Rodeschin, Sull 20; Odell, Dist 8; Below, Dist 5: Executive Departments and Administration)

HB 474, relative to the appointment of alternates to sit at meetings of the planning and zoning boards and the rules of order used by local land use boards. (Hunter, Hills 48: Municipal and County Government)

HB 475, establishing a committee to study possible oversight of alternative health care practitioners. (Hinkle, Hills 58: Health, Human Services and Elderly Affairs)

HB 476, relative to incompatibility of municipal offices. (D. Eaton, Ches 24: Municipal and County Government)

HB 477, establishing a 55 mile per hour speed limit on New Hampshire Route 9 from the Stoddard/Nelson town line to the Apple Hill road intersection in the town of Sullivan. (D. Eaton, Ches 24; P. Allen, Ches 27: Transportation)

HB 478, establishing a committee to study methods of evaluating judges. (L. Christiansen, Hills 66; Crane, Hills 59; Marple, Merr 37: Judiciary)

HB 479-FN, directing the department of administrative services to develop a plan for implementing an electronic purchasing system for the state. (Crane, Hills 59; N. Allan, Hills 63; P. LaFlamme, Hills 61: Executive Departments and Administration)

HB 480-FN, requiring the use of state credit cards for reimbursable expenses. (Crane, Hills 59; N. Allan, Hills 63: Executive Departments and Administration)

HB 481, prohibiting unfair trade practices in the production and sale of milk and dairy products. (Owen, Merr 34: Commerce)

HB 482, establishing a committee to study certification of organic products. (Owen, Merr 34: Environment and Agriculture)

HB 483, relative to expungement of records of protective orders. (Poulin, Coos 3: Criminal Justice and Public Safety)

HB 484, providing immunity for law enforcement officers who participate in state mentoring programs. (Hunter, Hills 48: Judiciary)

HB 485, relative to the membership on the invasive species committee. (L. Pratt, Coos 2; Philbrick, Carr 5: Resources, Recreation and Development)

HB 486, relative to access to child support enforcement records. (Bickford, Straf 68; Gargas, Hills 46: Children and Family Law)

HB 487, relative to protective custody of a person impaired by drugs. (Hunter, Hills 48: Criminal Justice and Public Safety)

HB 488, relative to leaf and yard waste. (Owen, Merr 34: Municipal and County Government)

HB 489, relative to innovative land use controls. (Bruno, Hills 45: Municipal and County Government)

HB 490, relative to the application of statutes, and rules or ordinances authorized by statutes. (Bruno, Hills 45: Judiciary)

HB 491, relative to unlawful discriminatory practices in public accommodations. (Bruno, Hills 45: Judiciary)

HB 492, establishing a statement of parental rights relative to school disciplinary measures, the content of educational materials and surveys, and the use of psychological testing and psychiatric drugs in schools. (Bruno, Hills 45: Education)

HB 493, relative to the municipal budget act. (Kennedy, Merr 34: Municipal and County Government)

HB 494-L, allowing the amendment of default budgets by municipal legislative bodies. (Kennedy, Merr 34: Municipal and County Government)

HB 495, relative to unauthorized access to a wireless computer network. (Kennedy, Merr 34: Criminal Justice and Public Safety)

HB 496, establishing a committee to study the inclusion of New Hampshire in the Amber Alert program. (Pitts, Rock 86; Pantelakos, Rock 86; Grassie, Straf 67; Cohen, Dist 24: Children and Family Law)

HB 497, relative to inactive status licenses. (Packard, Rock 75: Transportation)

HB 498, relative to 20-day vehicle registrations. (Packard, Rock 75: Transportation)

HB 499, expanding opportunities for teacher certification. (Alger, Graf 14; O'Hearn, Dist 12: Education)

HB 501, ratifying certain actions of the Rye conservation commission. (Langley, Rock 88; Cohen, Dist 24: Municipal and County Government)

HB 502, establishing a committee to study options for reducing the impact of exhaust emissions from diesel engines in New Hampshire. (Leach, Hills 42; Spang, Straf 72; Ross, Hills 44; Norelli, Rock 86; Below, Dist 5: Science, Technology and Energy)

HB 503, relative to septic system construction permits. (Philbrick, Carr 5; Patten, Carr 7: Environment and Agriculture)

HB 504, relative to refinancing home mortgages. (Jacobson, Merr 32: Commerce)

HB 505, relative to the membership of the liquor commission when conducting hearings. (Gilman, Graf 9; Heon, Straf 67; Kelley, Rock 85; Kennedy, Merr 34; Sorg, Graf 11; Prescott, Dist 23; Martel, Dist 18: Executive Departments and Administration)

HB 506, establishing a committee to study the retention of membership fees in health clubs. (Gilman, Graf 9; Ingbreton, Graf 13; Kennedy, Merr 34; Sorg, Graf 11,; Commerce)

HB 507, relative to certain statutes that set minimum requirements for employee benefit plan procedures pertaining to the filing of benefit claims, notification of benefit determinations, and appeal of adverse benefit determinations. (Fraser, Merr 37: Commerce)

HB 508, relative to participation of insured defendants in superior court mediations. (Fraser, Merr 37: Judiciary)

HB 509, relative to access to motor vehicle records. (Fraser, Merr 37: Transportation)

HB 510, relative to public inspection of fish and game information on landowner permissions for hunting. (Fraser, Merr 37: Fish and Game)

HB 511, requiring New Hampshire Hospital security officers to be full-time certified police officers. (K. Gilbert, Rock 82; Welch, Rock 79: Executive Departments and Administration)

HB 512, relative to disability parking enforcement. (Kennedy, Merr 34: Criminal Justice and Public Safety)

HB 513, relative to background checks of law enforcement agency employees. (Kennedy, Merr 34: Executive Departments and Administration)

HB 514, relative to business and industrial development authorities. (McHugh, Hills 61; P. LaFlamme, Hills 61: Municipal and County Government)

HB 515, exempting a landowner's written permission for the setting of traps from the right to know law. (Fraser, Merr 37: Fish and Game)

HB 516-L, relative to the standard of review for requests for excavating and dredging permits. (E. Smith, Ches 26; Rodeschin, Sull 20; Graham, Hills 57; Rausch, Rock 77; Clegg, Dist 14; Morse, Dist 22; Prescott, Dist 23; Kenney, Dist 3: Resources, Recreation and Development)

HB 517-L, relative to Keene Road and Main Street in the town of Hillsborough. (E. Smith, Ches 26; Rausch, Rock 77; Elliot, Hills 42; Clegg, Dist 14; Morse, Dist 22: Public Works and Highways)

HB 518-FN-L, implementing changes to the amount of school building aid for school districts. (Itse, Rock 80; Stritch, Rock 75; Introne, Rock 75; Packard, Rock 75; Dumaine, Rock 75: Education)

HB 519-FN-A, relative to the conservation number plate trust fund. (Mock, Carr 4; Holbrook, Belk 30: Resources, Recreation and Development)

HB 520-FN, relative to maintaining records of greyhounds used in pari-mutuel racing. (P. LaFlamme, Hills 61; Movsesian, Hills 60: Environment and Agriculture)

HB 521-FN, relative to requiring treatment for persons convicted of DWI offenses. (Tholl, Coos 2; Almy, Graf 18: Criminal Justice and Public Safety)

HB 522-FN, relative to penalties for child pornography. (Itse, Rock 80; Gonzalez, Hills 49: Criminal Justice and Public Safety)

HB 523-FN, reducing the number of superior court justices. (Rowe, Hills 47: Judiciary)

HB 524-FN, relative to the annulment of certain domestic violence offenses and offenses committed with a firearm. (Knowles, Straf 69; Welch, Rock 79; Stevens, Carr 7; K. Gilbert, Rock 82: Criminal Justice and Public Safety)

HB 525-FN, relative to use of certain out-of-state creditable service for eligibility for payment of medical benefits cost. (R. Wheeler, Hills 48: Executive Departments and Administration)

HB 526, requiring the governor to provide the legislature with a biennial strategic economic development plan. (Brady, Coos 2; Holden, Hills 48; Gallus, Dist 1: Executive Departments and Administration)

HB 527, relative to the transfer of appropriations for certain expenditures under the municipal budget law. (N. Johnson, Straf 68: Municipal and County Government)

HB 528, establishing a commission to study computer standards used in public schools in New Hampshire. (Carson, Rock 75: Education)

HB 529, relative to the New Hampshire seed law. (Babson, Carr 6; Owen, Merr 34: Environment and Agriculture)

HB 530, prohibiting the sale of motor vehicles equipped with certain automatic door locks. (Bruno, Hills 45: Transportation)

HB 531, relative to off-site improvements imposed on applicants to a planning board. (Bruno, Hills 45; Hallyburton, Hills 45; Dokmo, Hills 47: Municipal and County Government)

HB 532, relative to notice and filing of divorce petitions. (Emerton, Hills 48; Craig, Hills 50: Children and Family Law)

HB 533, relative to health carrier disclosure for medical child support enforcement. (Emerton, Hills 48; Wallner, Merr 40: Health, Human Services and Elderly Affairs)

HB 534, relative to properties with 2 or more unregistered motor vehicles. (Bergeron, Hills 66: Transportation)

HB 535, relative to the definition of billiards/pool hall for purposes of liquor licenses. (Bergeron, Hills 66: Commerce)

HB 536, relative to the name of the department of resources and economic development. (Brady, Coos 2; Holden, Hills 48; Gallus, Dist 1: Executive Departments and Administration)

HB 537, establishing a 211 commission. (Hager, Merr 40; S. L'Heureux, Merr 37; Below, Dist 5: Science, Technology and Energy)

HB 538, relative to the establishment of municipal economic development and revitalization districts by certain municipalities. (Kenison, Merr 41; Anderson, Merr 41: Municipal and County Government)

HB 539, relative to dredging and filling in wetlands. (M. Allen, Rock 81: Resources, Recreation and Development)

HB 540, establishing a committee to study a fee on withdrawals of water for commercial purposes. (M. Allen, Rock 81: Resources, Recreation and Development)

HB 541, relative to the obligation of religious leaders to report child abuse. (Gile, Merr 38; Brueggemann, Merr 40: Children and Family Law)

HB 542, establishing a committee to study replacing the New Hampshire statewide improvement and assessment test with testing which complies with the requirements of the federal No Child Left Behind Act of 2001. (Alger, Graf 14: Education)

HB 543, relative to alternate members of the board of accountancy and appeals of board decisions. (Anderson, Merr 41: Executive Departments and Administration)

HB 544, relative to the insurance cap on durable medical equipment. (Emerton, Hills 48: Commerce)

HB 545, requiring building contractors to disclose the name of any subcontractors involved in the project. (Holden, Hills 48; McRae, Hills 48; Emerton, Hills 48; Fletcher, Hills 48, DiFruscia, Rock 76: Commerce)

HB 546, relative to uniform prescription drug information cards. (Kathleen Taylor, Straf 70: Commerce)

HB 547, establishing a committee to study public access television. (Infantine, Hills 54; Hagan, Hills 50; Newton, Straf 67; Vaillancourt, Hills 56: Science, Technology and Energy)

HB 548, relative to the notice period for teachers who are not rehired. (Kennedy, Merr 34: Education)

HB 549, relative to parking for disabled persons. (Kennedy, Merr 34: Health, Human Services and Elderly Affairs)

HB 551, relative to the effect of parental refusal to administer psychotropic drugs to their children. (Ingretson, Graf 13; Boyce, Belk 31; Slocum, Hills 47; Gilman, Graf 9: Children and Family Law)

HB 552, establishing a committee to study the Hillsborough County Nursing Home employment practices. (Holden, Hills 48; Bruno, Hills 45; Martel, Dist 18: Municipal and County Government)

HB 553, relative to same-sex civil unions contracted outside of the state of New Hampshire. (Itse, Rock 80; Giuda, Graf 13; Gonzalez, Hills 49: Children and Family Law)

HB 554, relative to the procedure for assignment of juvenile probation and parole officers. (Itse, Rock 80; Giuda, Graf 13: Executive Departments and Administration)

HB 555, requiring condominiums to comply with the Fair Housing Amendments Act and to provide accessible parking. (Kennedy, Merr 34: Commerce)

HB 556, establishing a committee to study highway safety issues on New Hampshire Route 101 from Bedford to Keene. (Gibson, Hills 58; Slocum, Hills 47: Public Works and Highways)

HB 557, banning cancellation of or rate increases in homeowner's insurance based on the number of claims and prohibiting motor vehicle insurers from using credit information for underwriting purposes. (Kurk, Hills 48; Wendelboe, Belk 29: Commerce)

HB 558, relative to financial reports on bingo and lucky 7 operations. (Kurk, Hills 48; Hess, Merr 37: Ways and Means)

HB 559, relative to grounds for termination of employment. (Holden, Hills 48; Bruno, Hills 45; DiFruscia, Rock 76; Baroody, Hills 54; Martel, Dist 18; D'Allesandro, Dist 20: Labor, Industrial and Rehabilitative Services)

HB 560, making technical corrections to the New Hampshire Aeronautics Act. (Leber, Merr 35; Milligan, Hills 58; Gionet, Graf 11; Weyler, Rock 79; Kennedy, Merr 34: Public Works and Highways)

HB 561, repealing the Uniform Aircraft Financial Responsibility Act. (Leber, Merr 35; Milligan, Hills 58; Gionet, Graf 11; Weyler, Rock 79; Kennedy, Merr 34: Public Works and Highways)

HB 562, establishing a committee to study air quality monitoring by the department of environmental services. (Hutchinson, Rock 75; Introne, Rock 75: Science, Technology and Energy)

HB 563, relative to the emancipation of minors. (E. Blanchard, Merr 38: Children and Family Law)

HCR 11, relative to state and federal government relations. (McElroy, Hills 61; Itse, Rock 80; Ingbretson, Graf 13; Prescott, Dist 23: State-Federal Relations and Veterans Affairs)

HCR 12, rescinding all requests by the New Hampshire legislature for a federal constitutional convention and urging other states to withdraw similar requests. (Ingbretson, Graf 13; Itse, Rock 80; L. Christiansen, Hills 66; P. Harrington, Hills 60; Twombly, Straf 67; Odell, Dist 8: Legislative Administration)

HCR 13, declaring the health rights of the citizens of New Hampshire. (French, Merr 34; Sokol, Graf 17: Health, Human Services and Elderly Affairs)

HCR 15, relative to relaxing air quality standards by the United States Environmental Protection Agency. (J. Dunn, Ches 25; M. Blanchard, Rock 86; Pilotte, Hills 55; Phinizy, Sull 23; P. Allen, Ches 27; Below, Dist 5: State-Federal Relations and Veterans Affairs)

HR 8, urging the governor and executive council to consider appointing a non-lawyer to the supreme court. (Gilman, Graf 9; Maybeck, Graf 16; P. Harrington, Hills 60; Cady, Rock 73; Ingbretson, Graf 13: Judiciary)

CACR 10, relating to gender neutral language in the constitution. Providing that all references to persons in part 2 of the constitution shall be gender neutral. (Norelli, Rock 86; Splaine, Rock 86; Dickinson, Carr 4; Hunt, Ches 28; Irwin, Hills 44; Larsen, Dist 15; Below, Dist 5; Barnes, Dist 17; Peterson, Dist 11: Judiciary)

RECESS

(Rep. Francoeur in the Chair)

RESOLUTION

Rep. Whalley offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 564 through 599, and 601 through 608 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 564-FN, relative to access to information in proceedings of the judicial conduct commission. (Elliott, Hills 42; Woods, Straf 69: Judiciary)

HB 565-FN-A, establishing a commission to implement the Hampton Beach Master Plan. (O'Neil, Rock 85; Gillick, Rock 85; Francoeur, Rock 85; Bridle, Rock 85; Kelley, Rock 85; Cohen, Dist 24: Public Works and Highways)

HB 566-FN-A, making an appropriation for Welfare-to-Work state matching grants. (Hager, Merr 40; Wallner, Merr 40; Konys, Hills 65; Osborne, Merr 40: Finance)

HB 567-FN-L, relative to telecommunications infrastructure in state-owned rights-of-way. (Thomas, Belk 31: Public Works and Highways)

HB 568-L, relative to legal residency for the purpose of public school education. (Snyder, Straf 67; Carson, Rock 75; O'Hearn, Dist 12: Education)

HB 569-FN-A-L, relative to the dollar value of an adequate education. (Marple, Merr 37: Ways and Means)

HB 570-FN, relative to motor vehicle records of persons involved in accidents. (Luebkert, Hills 54: Transportation)

HB 571-FN-L, relative to Old Newport Road and the end of Main Street in the town of Marlow. (Laurent, Ches 24: Public Works and Highways)

HB 572-FN, relative to criminal non-support. (Dumaine, Rock 75; P. Smith, Rock 75; Fish, Ches 25: Children and Family Law)

HB 573-FN, relative to motor vehicle insurance. (Artz, Hills 64; L. Christiansen, Hills 66; Marple, Merr 37; Johnson, Dist 2; O'Hearn, Dist 12: Commerce)

HB 574-FN, relative to retail vehicle dealer registrations. (Greenberg, Hills 50: Transportation)

HB 575-FN, relative to students at state colleges and universities who are registered to vote in New Hampshire. (Albert, Straf 67; Bicknell, Rock 73; Boyce, Belk 31; L. Christiansen, Hills 66; McElroy, Hills 61; Clegg, Dist 14; Green Dist 6: Finance)

HB 576-FN-A, increasing the rate of the meals and rooms tax. (Bickford, Straf 68; Vaillancourt, Hills 56: Ways and Means)

HB 577-FN-A-L, relative to implementing the Help America Vote Act of 2002. (Flanagan, Rock 78; Kennedy, Merr 34; Larsen, Dist 15: Election Law)

HB 578-FN-A, establishing a program for self-certification by small quantity hazardous waste generators and making an appropriation therefor. (P. Allen, Ches 27; Phinizy, Sull 23: Environment and Agriculture)

HB 579-FN, abolishing all requirements for certificates of title for motor vehicles. (Marple, Merr 37: Transportation)

HB 580-FN-A, establishing a task force for the promotion of firearm safety and environmental awareness. (Kennedy, Merr 34; Gilman, Graf 9: Criminal Justice and Public Safety)

HB 581-FN-L, requiring a death record for an aborted fetus. (Gilman, Graf 9; Giuda, Graf 13; Boyce, Belk 31; Woods, Straf 69; Hagan, Hills 50; Prescott, Dist 23; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 582-FN, increasing the penalty for abandoning a motor vehicle. (Akins, Graf 18; Dudley, Graf 18: Transportation)

HB 583-FN, requiring training for election officials. (Buckley, Hills 56: Election Law)

HB 584-FN-A, establishing the position of citizens' advocate in the department of environmental services and making an appropriation therefor. (Camm, Rock 79: Executive Departments and Administration)

HB 585-FN, allowing teachers of private academies which provide public education to be included in the retirement system. (Robert Johnson, Rock 73: Executive Departments and Administration)

HB 586-FN-A, relative to the infant deafness program and making an appropriation therefor. (Ouellette, Merr 33: Health, Human Services and Elderly Affairs)

HB 587-FN, relative to reimbursement for services provided in delinquency, children in need of services, and abuse and neglect proceedings. (Vachon, Straf 68: Children and Family Law)

HB 588-L, relative to nonconforming residential uses. (Hutchinson, Rock 75: Municipal and County Government)

HB 589-FN-A-L, establishing a tax on purchases of bulk paper stock and establishing a bulk newsprint recycling fund. (V. Clark, Rock 79: Ways and Means)

HB 590-FN, relative to highway fund budget reporting requirements. (Weyler, Rock 79; Norelli, Rock 86; Rausch, Rock 77; Graham, Hills 57: Public Works and Highways)

HB 591-FN, allowing a certain former state employee to apply for accidental disability benefits. (Fraser, Merr 37: Executive Departments and Administration)

HB 592-FN, relative to funding the compensation and benefits of teachers. (Cady, Rock 73; Bicknell, Rock 73; Marple, Merr 37: Education)

HB 593-FN-L, relative to solid waste facilities in small towns. (Brady, Coos 2; Tholl, Coos 2; Theberge, Coos 3; H. Richardson, Coos 2; Gallus, Dist 1: Environment and Agriculture)

HB 594-FN-L, relative to the return of employer contributions for retirement system members who terminate employment prior to vesting. (Stritch, Rock 75; Dumaine, Rock 75; Introne, Rock 75; Hutchinson, Rock 75; Packard, Rock 75: Executive Departments and Administration)

HB 595-FN-A, establishing an exemption from the electricity consumption tax. (Alger, Graf 14; Giuda, Graf 13; Naro, Graf 15; Johnson, Dist 2: Ways and Means)

HB 596-FN, relative to health plan loss information. (R. Wheeler, Hills 48; Stone, Rock 73; Green, Dist 6: Commerce)

HB 597-FN-A, appropriating funds to the barn preservation fund matching grants program. (Babson, Carr 6: Finance)

HB 598-FN-A, relative to the agriculture nutrient management program and making an appropriation therefor. (Babson, Carr 6; Owen, Merr 34: Finance)

HB 599-FN-L, relative to hazardous waste liability. (Gilman, Graf 9; Ingbretson, Graf 13; Weyler, Rock 79; E. Blanchard, Merr 38; Sorg, Graf 11; Johnson, Dist 2: Environment and Agriculture)

HB 601, relative to the long-term care insurance act. (Spiess, Hills 47: Commerce)

HB 602-FN, relative to vehicles with plow attachments. (Dupuis, Rock 77: Transportation)

HB 603-FN-L, requiring school districts to reimburse a portion of per pupil costs directly to parents or legal guardians of pupils who do not attend a public school. (Campbell, Straf 68; Newton, Straf 67; Scott, Straf 71; Easson, Straf 68; Musler, Straf 68; Boyce, Dist 4; Kenney, Dist 3: Education)

HB 604, relative to the filing of federal liens under the uniform federal lien registration act. (Ingbretson, Graf 13; McElroy, Hills 61; L. Christiansen, Hills 66; Scott, Straf 71; Gilman, Graf 9: Commerce)

HB 605-FN, relative to prohibited election day activity. (Buckley, Hills 56: Election Law)

HB 606, establishing a right-to-know study commission. (Thomas, Belk 31; J. Pratt, Ches 24; Bergin, Hills 47; Patten, Carr 7; Rowe, Hills 47: Judiciary)

HB 607-FN, relative to the determination of just compensation in eminent domain proceedings. (Wendelboe, Belk 29; Boyce, Belk 31; J. Pratt, Ches 24; Boyce, Dist 4; Gallus, Dist 1: Public Works and Highways)

HB 608-FN-L, reducing the education property tax rate and relative to the base cost for calculating adequate education grants. (Hess, Merr 37; Kurk, Hills 48; O'Hearn, Dist 12; Clegg, Dist 14: Ways and Means)

RECESS

(Rep. Tahir in the Chair)

RESOLUTION

Rep. Welch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 609 through 640 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 609-FN-A, relative to public interest payphones. (Phinizy, Sull 23; Gorman, Hills 62; Alger, Graf 14; Estabrook, Dist 21: Science, Technology and Energy)

HB 610-FN-L, relative to reimbursement of public safety expenditures made by the town of Plymouth on behalf of Plymouth state college. (Naro, Graf 15; M. Cooney, Graf 15; Giuda, Graf 13: Finance)

HB 611-FN-A, establishing a choose life number plate trust fund, and a special motor vehicle license plate and associated fees, to support and promote New Hampshire adoptions. (Itse, Rock 80; McElroy, Hills 61; McHugh, Hills 61; Gonzalez, Hills 49; Easson, Straf 68: Transportation)

HB 612-FN-L, increasing state appropriations to school districts for certain special education costs. (Itse, Rock 80; Boyce, Belk 31; Boyce, Dist 4: Education)

HB 613-FN-L, relative to incineration and air quality. (Phinizy, Sull 23; S. Harris, Sull 22; Donovan, Sull 22: Science, Technology and Energy)

HB 614-FN-L, requiring the state to pay the total expense of fighting forest and brush fires on any state-owned park or forest land. (Rush, Merr 36; Davis, Merr 36; Stone, Rock 73; Stohl, Coos 1; P. Allen, Ches 27; Gallus, Dist 1; Odell, Dist 8: Finance)

HB 615-FN, relative to the requirements for registration of sexual offenders. (K. Gilbert, Rock 82; D. Smith, Rock 74; Jones, Sull 19; Knowles, Straf 69; Bicknell, Rock 73: Criminal Justice and Public Safety)

HB 616-FN-L, relative to the Hampton real estate trust fund. (O'Neil, Rock 85; Francoeur, Rock 85; Bridle, Rock 85; Gillick, Rock 85: Municipal and County Government)

HB 617-FN, relative to the licensure of dentists and regulation by the board of dental examiners. (Langley, Rock 88: Executive Departments and Administration)

HB 618-FN-A, establishing a property tax cap for persons over 65 years of age. (Packard, Rock 75; Introne, Rock 75; Letourneau, Rock 77: Municipal and County Government)

HB 619-FN-A, expanding opportunities for dropout prevention and dropout recovery and making an appropriation therefor. (Leber, Merr 35; Weyler, Rock 79; Colcord, Merr 34; Tahir, Hills 50; Kennedy, Merr 34; Gallus, Dist 1; O'Hearn, Dist 12; Odell, Dist 8; Barnes, Dist 17; D'Allesandro, Dist 20: Education)

HB 620-FN, providing a right to counsel for indigent parents and other protections in cases involving the guardianship of minors. (Espieffs, Ches 25; B. Richardson, Ches 26; McHugh, Hills 61; M. Cooney, Graf 15; Larsen, Dist 15: Children and Family Law)

HB 621-FN-A-L, establishing an early childhood literacy program. (Kurk, Hills 48; Colcord, Merr 34; Carson, Rock 75; O'Hearn, Dist 12; Estabrook, Dist 21; Odell, Dist 8: Education)

HB 622-FN, excluding tax abatement sessions from nonpublic sessions and including costs for non-attorney representatives under the right-to-know law. (Cady, Rock 73; Bicknell, Rock 73; Souza, Hills 51: Judiciary)

HB 623-FN-A, repealing RSA 77, relative to taxation of incomes. (Phinizy, Sull 23; J. Pratt, Ches 24; Franklin, Sull 20; DiFruscia, Rock 76; Jacobson, Merr 32: Ways and Means)

HB 624-FN-A, relative to appropriations to and revenues from the division of ports and harbors. (Pantelakos, Rock 86; Hamel, Rock 79; Shultis, Rock 86; Splaine, Rock 86: Public Works and Highways)

HB 625-FN-L, relative to the interest rate on delinquent property taxes in property redemptions. (Bergin, Hills 47: Municipal and County Government)

HB 626-FN, relative to notification, custody rights, and right to counsel of parents in child abuse and neglect cases. (Itse, Rock 80; McHugh, Hills 61; Giuda, Graf 13; Gonzalez, Hills 49: Children and Family Law)

HB 627-FN, relative to domicile for voting purposes and penalties for voter fraud. (Drisko, Hills 46; Lockwood, Merr 35; Naro, Graf 15; Whalley, Belk 31; Roberge, Dist 9: Election Law)

HB 628-FN-A-L, modifying the funding and distribution of moneys for an adequate education. (McCormick, Merr 32: Ways and Means)

HB 629-FN-A-L, relative to adequate education grants to cities and towns and relative to adjusting the education property tax rate based on the statewide cost of an adequate education. (Rowe, Hills 47: Ways and Means)

HB 630-FN, relative to penalties for assault on law enforcement officers, firefighters, emergency medical care providers, and national guard members. (Thomas, Belk 31: Criminal Justice and Public Safety)

HB 631-FN-A, relative to emergency access to Interstate 95 in the towns of Hampton and Hampton Falls and making an appropriation therefor. (Weare, Rock 84; O'Neil, Rock 85: Public Works and Highways)

HB 632-FN-A-L, limiting the collection by the state of excess education property tax payments. (Derby, Carr 7; Kenney, Dist 3: Ways and Means)

HB 633-FN, establishing the interstate compact for adult offender supervision. (Tholl, Coos 2; Welch, Rock 79; K. Gilbert, Rock 82: Criminal Justice and Public Safety)

HB 634-FN-L, establishing a limit on the applicable tax rate for local school district taxes. (Vachon, Straf 68: Ways and Means)

HB 635-FN-A-L, creating a legislative committee to review rules and propose legislation for the repeal of RSA 541-A, and instituting a moratorium on the filing of rules by state agencies. (Marple, Merr 37; Albert, Straf 67: Executive Departments and Administration)

HB 636-FN, relative to mandatory automobile insurance. (Arnold, Hills 46: Commerce)

HB 637-FN, relative to damages against a defendant based upon the defendant's conviction of a felony offense. (Batchelder, Ches 24: Criminal Justice and Public Safety)

HB 638-FN, increasing the oil import license fee, changing the rate of interest assessed on overdue oil import fees, and repealing underground storage facility permit fees. (Holbrook, Belk 30: Ways and Means)

HB 639-FN-L, relative to receiving voter approval though warrant articles before a municipality may continue a program initiated under a grant. (Dickinson, Carr 4; Chandler, Carr 4; C. Brown, Carr 4; Phinizy, Sull 23; Patten, Carr 7; Kenney, Dist 3; Johnson, Dist 2; Gallus, Dist 1; Boyce, Dist 4: Municipal and County Government)

HB 640-FN, relative to post-conviction DNA testing. (Lasky, Hills 65; Stevens, Carr 7: Criminal Justice and Public Safety)

RECESS

(Rep. Welch in the Chair)

RESOLUTION

Rep. Bicknell offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 641 through 649, 651 through 697 and House Concurrent Resolution numbered 16 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

First, second reading and referral

HB 641-FN-A-L, targeting aid for education to certain school districts. (Hess, Merr 37; Boyce, Belk 31: Education)

HB 642-FN, relative to police patrolling of the Pleasant Street campus access path in the town of Plymouth. (M. Cooney, Graf 15; Naro, Graf 15: Finance)

HB 643-FN, relative to establishing the family division of the courts statewide. (Weyler, Rock 79; Wallner, Merr 40; Hager, Merr 40; J. Pratt, Ches 24; Boyce, Belk 31; Boyce, Dist 4; Prescott, Dist 23; Sapareto, Dist 19: Judiciary)

HB 644-FN-A, relative to selling advertising space on state paychecks, vendor checks, and websites. (Crane, Hills 59; Naro, Graf 15; M. Cooney, Graf 15; Dupuis, Rock 77: Ways and Means)

HB 645-FN-A-L, establishing a pilot program for partial tax abatements on new construction of private schools. (Hunt, Ches 28; Martel, Dist 18: Municipal and County Government)

HB 646-FN, relative to liquor licenses and fees. (Francoeur, Rock 85: Commerce)

HB 647-FN-L, relative to payment of autopsy expenses. (Pilliod, Belk 31; Hager, Merr 40; Drisko, Hills 46: Finance)

HB 648-FN, relative to paid political phone calls. (Buckley, Hills 56: Election Law)

HB 649-FN-A, creating certain positions within the office of state planning and the university system of New Hampshire and making an appropriation therefor. (Lockwood, Merr 35; N. Johnson, Straf 68; Coes, Rock 82; Ross, Hills 44; M. Blanchard, Rock 86; Odell, Dist 8; Below, Dist 5: Municipal and County Government)

HB 651-FN, relative to portability of retirement plan funds into the New Hampshire retirement system and the purchase of prior service. (Langley, Rock 88; Cohen, Dist 24: Executive Departments and Administration)

HB 652-FN, relative to qualified wellness or disease management programs. (Hunt, Ches 28; Flanders, Dist 7: Commerce)

HB 653-FN-A, authorizing the production of industrial hemp. (Owen, Merr 34; Ahern, Belk 29: Environment and Agriculture)

HB 654-FN, relative to criminal liability for the destruction or disconnection of a smoke detector by a tenant in a rental dwelling. (Akins, Graf 18; Dudley, Graf 18: Criminal Justice and Public Safety)

HB 655-FN, relative to motor vehicle dealer license applications. (Bergeron, Hills 66: Transportation)

HB 656-FN, repealing the family division pilot program. (Dudley, Graf 18; Francoeur, Rock 85; Clegg, Dist 14: Judiciary)

HB 657-FN, relative to creditable service in the retirement system for the time that teachers were required to take pregnancy and maternity leave. (Buckley, Hills 56: Executive Departments and Administration)

HB 658-FN, relative to impersonation of candidates. (Buckley, Hills 56: Election Law)

HB 659-FN, relative to penalties for failure to obey a subpoena or summons. (Dumaine, Rock 75; P. Smith, Rock 75; Fish, Ches 25: Criminal Justice and Public Safety)

HB 660-FN, relative to the fee for excavating and dredging permits. (Camm, Rock 79: Resources, Recreation and Development)

HB 661-FN-L, relative to Westport Village Road in the town of Swanzey. (Liebl, Ches 27: Public Works and Highways)

HB 662-FN, establishing the New Hampshire volunteer elementary teachers and students program. (W. Field, Merr 36; D. Fields, Hills 58; Boyce, Belk 31; Maybeck, Graf 16; Ahern, Belk 29; Peterson, Dist 11: Education)

HB 663-FN-A-L, relative to county and state funding of long-term care medicaid programs. (King, Coos 1; Odell, Dist 8: Ways and Means)

HB 664-FN, relative to the requirements for the sale of permissible fireworks and prohibiting the retail sale of certain fireworks. (Hunt, Ches 28; Welch, Rock 79: Criminal Justice and Public Safety)

HB 665-FN-L, relative to municipal and county audits. (Marple, Merr 37; N. Johnson, Straf 68: Executive Departments and Administration)

HB 666-FN-A, expanding the meals and rooms tax to include a tax on admission charges for entertainment. (Hatch, Carr 7: Ways and Means)

HB 667-FN-A, relative to exit tolls and increasing the gasoline tax. (Greenberg, Hills 50: Public Works and Highways)

HB 668-FN-A-L, permitting municipalities to adopt a local addition to the real estate transfer tax dedicated to conservation purposes. (Gould, Rock 77; Wall, Straf 72: Municipal and County Government)

HB 669-FN, relative to dental care insurance for state employees and retired state employees. (Emerton, Hills 48; Clayton, Hills 50; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 670-FN, establishing a procedure for release by a state agency of statistical information for research purposes. (Pilliod, Belk 31; Kurk, Hills 48; M. Smith, Straf 72: Executive Departments and Administration)

HB 671-FN-A, establishing a contributory defined benefit judicial retirement plan. (R. Wheeler, Hills 48; Stone, Rock 73; O'Neil, Rock 85; Gatsas, Dist 16; Green, Dist 6; Clegg, Dist 14: Finance)

HB 672-FN, relative to the notice of appointment of an administrator or executor of an estate in probate court proceedings. (O'Neil, Rock 85: Judiciary)

HB 673-FN-L, relative to municipal water system connection fees. (Bickford, Straf 68: Municipal and County Government)

HB 674-FN, relative to legal representation for indigent parties under the Child Protection Act. (Bickford, Straf 68: Children and Family Law)

HB 675-FN, relative to enhanced 911 reimbursements to commercial mobile radio service providers. (S. L'Heureux, Merr 37: Science, Technology and Energy)

HB 676-FN, relative to lake level investigations. (Lawton, Belk 30: Resources, Recreation and Development)

HB 677-FN, increasing the number of reserved student slots in medical programs, and establishing a loan forgiveness program for physicians who practice in underserved areas, and making an appropriation therefor. (S. Harris, Sull 22; Chandler, Carr 4; Weyler, Rock 79; Sokol, Graf 17; Batula, Hills 58; O'Hearn, Dist 12; Roberge, Dist 9; Martel, Dist 18; Odell, Dist 8: Health, Human Services and Elderly Affairs)

HB 678-FN, relative to penalties for operation of OHRVs after suspension of driving privileges for certain motor vehicle offenses. (Stohl, Coos 1; Royce, Ches 28: Criminal Justice and Public Safety)

HB 679-FN, relative to medical savings accounts. (Wendelboe, Belk 29; Bicknell, Rock 73; Scott, Straf 71: Executive Departments and Administration)

HB 680-FN, relative to services contracts. (D. Flanders, Belk 30; Reardon, Merr 39: Commerce)

HB 681-FN-L, relative to the allocation of a municipality's share of county taxes. (Patten, Carr 7: Municipal and County Government)

HB 682-FN, relative to dual sentencing of certain juveniles. (Gilman, Graf 9; Bicknell, Rock 73; Buhlman, Hills 66; Sorg, Graf 11; Kennedy, Merr 34: Children and Family Law)

HB 683-FN, relative to escape or attempted escape from a juvenile facility. (Gilman, Graf 9; Bicknell, Rock 73; Buhlman, Hills 66; Sorg, Graf 11; Kennedy, Merr 34: Children and Family Law)

HB 684-FN, relative to the insurance rating law. (Hunt, Ches 28: Commerce)

HB 685-FN-A-L, exempting transfers of real property with conservation, preservation, or development restrictions from the real estate transfer tax. (N. Johnson, Straf 68; Almy, Graf 18: Ways and Means)

HB 686-FN, relative to health insurance provided through the state. (Bickford, Straf 68: Executive Departments and Administration)

HB 687-FN, establishing adoption services number plates. (B. Richardson, Ches 26; Keans, Straf 67; Weed, Ches 25; Dokmo, Hills 47: Transportation)

HB 688-FN-L, relative to taxation of property within village districts by municipalities. (Dupuis, Rock 77; Wiley, Rock 77: Municipal and County Government)

HB 689-FN, relative to drivers' licenses issued to persons under the age of 21. (Owen, Merr 34: Transportation)

HB 690-FN, relative to agricultural crop damage. (Owen, Merr 34; Akins, Graf 18; Reardon, Merr 39: Criminal Justice and Public Safety)

HB 691-FN-L, creating a credit against property tax liability for a portion of the cost of home-educated pupils and pupils attending nonpublic schools. (Bruno, Hills 45: Municipal and County Government)

HB 692-FN-A-L, revising the property tax relief program in order to cap education property tax payments at 5 percent of adjusted gross income. (Burling, Sull 19; Jones, Sull 19: Ways and Means)

HB 693-FN, relative to the jurisdiction and constitution of the ballot law commission. (Whalley, Belk 31; Giuda, Graf 13; Francoeur, Rock 85; Clegg, Dist 14; Boyce, Dist 4: Election Law)

HB 694-FN, relative to tobacco product manufacturers not entering master settlement agreements. (Emerton, Hills 48; Kurk, Hills 48: Commerce)

HB 695-FN, making placement of political advertising on public property subject to state litter laws. (Splaine, Rock 86: Election Law)

HB 696-FN, establishing licensure to forensic counselors. (Anderson, Merr 41: Executive Departments and Administration)

HB 697-FN, relative to the sale of motor fuel. (Packard, Rock 75: Public Works and Highways)

HCR 16, urging increased diplomacy to achieve a just, peaceful, and rapid resolution of the conflict between India and Pakistan relative to the state of Jammu and Kashmir. (Giuda, Graf 13; Nordgren, Graf 17; D'Allesandro, Dist 20; Boyce, Dist 4: State-Federal Relations and Veterans Affairs)

RECESS

(Speaker Chandler in the Chair)

RESOLUTION

Rep. Hess offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 698, 699, and 701 through 749 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 698-FN, relative to electronic toll collection. (Packard, Rock 75: Public Works and Highways)

HB 699-FN, relative to abandoned vehicles. (Packard, Rock 75; R. L'Heureux, Hills 58: Transportation)

HB 701-FN, relative to fees for low-digit number plates. (Wendelboe, Belk 29: Ways and Means)

HB 702-FN, relative to payment of medical benefits costs for disabled group II members of the retirement system. (Zolla, Rock 77: Executive Departments and Administration)

HB 703-FN, permitting free admission to the state park system for disabled veterans. (Corbin, Rock 79; Gilman, Graf 9; Duffy, Rock 79; Introne, Rock 75; Easson, Straf 68; Barnes, Dist 17: State-Federal Relations and Veterans Affairs)

HB 704-FN, relative to the retirement system classification for the director of field services, department of corrections. (Tholl, Coos 2: Executive Departments and Administration)

HB 705, establishing a committee to study eliminating the application of the communications services tax to the provision of Internet services. (Thomas, Belk 31; Eaton, Dist 10: Ways and Means)

HB 706-FN-L, relative to the definition of net indebtedness under the municipal finance act. (Maxfield, Merr 35; M. Harrington, Straf 68: Municipal and County Government)

HB 707-FN, relative to the statute of limitations in sexual assault cases. (Leach, Hills 42; Norelli, Rock 86; Irwin, Hills 44; Stone, Rock 73; Barnes, Dist 17; Flanders, Dist 7; Gallus, Dist 1; Kenney, Dist 3: Judiciary)

HB 708-FN-L, permitting certain village districts to become eligible for state highway aid apportionment. (Philbrick, Carr 5: Public Works and Highways)

HB 709-FN, relative to nursing homes in receivership. (Dalrymple, Rock 76: Health, Human Services and Elderly Affairs)

HB 710-FN-L relative to the confidentiality of library user records. (Holden, Hills 48: Children and Family Law)

HB 711-FN, relative to the regulation of retail installment sales of motor vehicles. (Fraser, Merr 37: Commerce)

HB 712-FN, relative to long-term care. (French, Merr 34: Executive Departments and Administration)

HB 713-FN, relative to the penalty for violating a zoning ordinance. (M. Cooney, Graf 15; Naro, Graf 15: Municipal and County Government)

HB 714-FN-A, excluding cable Internet services from the communications services tax. (Luebker, Hills 54; Ouellette, Merr 33: Ways and Means)

HB 715-FN, requiring persons found incompetent to stand trial to be placed in the secure psychiatric unit. (Wendelboe, Belk 29: Criminal Justice and Public Safety)

HB 716-FN, repealing the procedures for administration of small estates. (O'Neil, Rock 85: Judiciary)

HB 717-FN-L, relative to targeted aid to education. (Gionet, Graf 11: Ways and Means)

HB 718-FN, relative to endangering the welfare of a minor and amending the statute of limitations for sexual assault of a child. (Knowles, Straf 69; Welch, Rock 79; Stevens, Carr 7; K. Gilbert, Rock 82; Gallus, Dist 1; Estabrook, Dist 21; Kenney, Dist 3: Criminal Justice and Public Safety)

HB 719-FN-A, relative to the duties, function, and operation of the Pease development authority. (Leber, Merr 35; Graham, Hills 57; Hamel, Rock 79; Morse, Dist 22; Johnson, Dist 2; Kenney, Dist 3; Barnes, Dist 17: Public Works and Highways)

HB 720-FN-L, extending the kindergarten aid program. (Kurk, Hills 48; Stone, Rock 73; R. Wheeler, Hills 48; Emerton, Hills 48; Hunter, Hills 48; Flanders, Dist 7; D'Allesandro, Dist 20: Finance)

HB 721-FN, establishing a marine preservation number plate. (Morris, Rock 84: Transportation)

HB 722-FN, relative to land use changes. (Hutchinson, Rock 75: Municipal and County Government)

HB 723-FN-L, relative to the definition of residences in an industrial or commercial zone. (Hutchinson, Rock 75: Municipal and County Government)

HB 724-FN-L, extending the effective date of the Skyhaven airport transfer plan. (Keans, Straf 67; Creteau, Straf 67; J. Brown, Straf 17; Green, Dist 6: Public Works and Highways)

HB 725, relative to fraternal benefit societies. (Fraser, Merr 37: Commerce)

HB 726-FN, relative to enforcement of spousal support orders by the department of health and human services. (Gorman, Hills 62; Clemons, Hills 62; D. Cote, Hills 62: Children and Family Law)

HB 727-FN-L, revising the school administrative unit system. (Albert, Straf 67; L. Christiansen, Hills 66; McElroy, Hills 61; Leone, Sull 21: Education)

HB 728-FN-A, establishing a dedicated fund for organic certification inspections. (Owen, Merr 34: Environment and Agriculture)

HB 729-FN, relative to the regulation of tanning facilities. (Dalrymple, Rock 76; Larsen, Dist 15: Executive Departments and Administration)

HB 730-FN-L, relative to workers' compensation benefits for firefighters, rescue workers, and safety workers who contract certain communicable diseases. (P. Katsakiores, Rock 77; Weyler, Rock 79; Wiley, Rock 77; S. L'Heureux, Merr 37; MacKay, Merr 39: Labor, Industrial and Rehabilitative Services)

HB 731-FN, relative to penalties for intoxication and under the influence of drug offenses. (Arnold, Hills 46: Criminal Justice and Public Safety)

HB 732-FN, relative to fines for forestry law violations, and deceptive forestry business practices. (Alger, Graf 14: Resources, Recreation and Development)

HB 733-FN, relative to drivers' licenses held by national guard members. (Elliott, Hills 42; Morris, Rock 84; Green, Dist 6: Transportation)

HB 734-FN-A, establishing a pilot program to open the state house on Saturdays. (MacKay, Merr 39; Elliott, Hills 42; Kenison, Merr 41; Pilliod, Belk 31; Gile, Merr 38; Larsen, Dist 15; Foster, Dist 13; Prescott, Dist 23: Legislative Administration)

HB 735-FN, relative to prescription drugs and medicaid best practices. (Wendelboe, Belk 29: Health, Human Services and Elderly Affairs)

HB 736, relative to duties of the fish and game commission and complaints against fish and game commissioners. (Mock, Carr 4; Clegg, Dist 14; Gallus, Dist 1: Fish and Game)

HB 737-FN-A, relative to the state conservation committee and making an appropriation therefor. (M. Blanchard, Rock 86; Coes, Rock 82; Weyler, Rock 79; Welch, Rock 79: Executive Departments and Administration)

HB 738-FN-A-L, permitting aid to public water systems to be used for forming or improving regional water systems and making an appropriation therefor. (R. Cooney, Rock 76; Patten, Carr 7; M. Blanchard, Rock 86; Johnson, Dist 2; Cohen, Dist 24; Kenney, Dist 3; Gallus, Dist 1: Resources, Recreation and Development)

HB 739-FN-A, relative to the medicaid provider reimbursement system; and business and enterprise tax deductions for employers that offer long term care policies; study of the nursing leveraged scholarship program; development of a plan to establish nursing programs at the community technical colleges; the information and referral network for elderly and chronically ill adults and making an appropriation therefor. (Rogers Johnson, Rock 83; J. Gilbert, Rock 83; Boyce, Dist 4: Commerce)

HB 740-FN-L, relative to the process for adopting a default budget in official ballot towns, and applying the default budget provisions in school districts having adopted the official ballot method. (Phinizy, Sull 23; Liebl, Ches 27: Municipal and County Government)

HB 741-FN, relative to an education property tax cap for retired residents. (Giuda, Graf 13; Tahir, Hills 50; Weyler, Rock 79; Gilman, Graf 9; Boyce, Dist 4: Ways and Means)

HB 742, establishing a committee to study the relationship between groundwater withdrawals and the ownership of watershed land. (Drisko, Hills 46; Gargasz, Hills 46: Resources, Recreation and Development)

HB 743-FN-A, establishing a disposal tax on disposable diapers. (V. Clark, Rock 79: Ways and Means)

HB 744, relative to motor vehicle accidents involving uninsured motorists. (Gorman, Hills 62; D. Cote, Hills 62: Commerce)

HB 745, relative to voters presenting identification to obtain a ballot. (G. Katsakiores, Rock 77; Whalley, Belk 31; P. Katsakiores, Rock 77; Reeves, Hills 49; Letourneau, Rock 77; Prescott, Dist 23; Sapareto, Dist 19; Barnes, Dist 17: Election Law)

HB 746-FN-A, revising the property tax relief program. (Hess, Merr 37; Alger, Graf 14; J. Gilbert, Rock 83; Kurk, Hills 48; O'Hearn, Dist 12: Ways and Means)

HB 747, establishing the crime victim employment leave act. (P. Sullivan, Hills 50; Leone, Sull 21; DeJoie, Merr 39; C. Pappas, Hills 49; Cohen, Dist 24; Larsen, Dist 15; Sapareto, Dist 19: Labor, Industrial and Rehabilitative Services)

HB 748, making changes to the laws governing off highway recreational vehicles. (Alger, Graf 14; DiFruscia, Rock 76; Royce, Ches 28; Flanders, Dist 7; Odell, Dist 8: Resources, Recreation and Development)

HB 749, relative to the statute of limitations in criminal cases where a defendant is identified by a DNA profile. (Belanger, Rock 76; John Manning, Rock 76; Morse, Dist 22: Criminal Justice and Public Safety)

RECESS

(Rep. Giuda in the Chair)

RESOLUTION

Rep. Rogers Johnson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 836 shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 836, certifying that John Coughlin was elected as county attorney for Hillsborough county at the 2002 general election. (Soltani, Merr 37; Clegg, Dist 14: Election Law)

RECESS

Rep. Hess moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 4

WEDNESDAY, JANUARY 30, 2003

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

His Excellency, Governor Craig Benson joined the Speaker on the podium for the day's opening ceremonies.

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

Blessed Creator, You see us living in dangerous and uncertain times; guide the leaders of our nation and our allies as they seek justice and peace. Save us from hardness of heart, yet strengthen our resolve to protect the freedom of our citizens. Be present in this honorable House to bless the work that is done here today on behalf of all the people of our beloved New Hampshire.

We especially ask Your blessing to be with those who serve in the armed forces, police and fire service, and their loved ones, who stand in harm's way today in defense of our country and our communities. Amen.

Rep. Franklin C. Bishop led the Pledge of Allegiance.

The National Anthem was sung by Katie O'Connor, a junior from Plymouth Regional High School.

LEAVES OF ABSENCE

Reps. Dudley, Goyette and Kelley, the day, illness.

Reps. Richard Cooney, William Field, Donald Flanders, Hopper, Hutchinson, Lawrence, Morris, Perkins, Priestley, Rollo, Rowe, the day, important business.

Reps. MaryAnn Blanchard, Fraser, Guay and Hagan, the day, illness in the family.

INTRODUCTION OF GUESTS

Don and Alice O'Connor, parents of Katie O'Connor and guests of Rep. Naro. Curtis Payne, guest of Rep. Scovner. Amber Wilmot, guest of Rep. Lasky. Kevin and Michael Gilbert, nephew and grandnephew of Rep. Karl Gilbert. Kevin Cray, guest of Rep. Davidson. Candace Cunha, guest of Rep. Claire Clarke. Joshua LaPlante, guest of Reps. Sweeney and Pilliod. Janet Shaw and Marge Welch, guests of Rep. Anderson. Jarvis Coffin and Steve Fillebrown, guests of Rep. Leach.

special guests

The 2002 Girls Class L State Volleyball Champions from Nashua High School, Yves Carrion, Megan Connolly, Vicky Ducharme, Stacy Fierley, Tracey Hoffman, Andrea Larocque, Courtney Ledoux, Christie McHugh, Julie Miller, Erin Schwarz, Nikki Weiss and Anna Mooney, daughter of Rep. Gorman; John Connolly, coach, Stacey Sweklo Bradley, assistant coach and Jill Soubosky, manager, guests of Rep. Gorman.

communication

January 15, 2003

Karen Wadsworth, Clerk of the House.

The following representative-elect was sworn into office by the Governor and Council on this day:

District 67 (Rochester Wards 1-6; Rollinsford, Somersworth Wards 1-5)

Julie Brown, r, Rochester (414 Lilac City East) 03867

Karen Ladd, Assistant Secretary of State

RESOLUTION

Rep. Hess offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 751 through 799, 801 through 835 and 837, House Joint Resolution 2, House Concurrent Resolutions numbered 17 and 18, House Resolutions numbered 9 and 10, Constitutional Amendment Concurrent Resolutions numbered 11 through 13 and House Address numbered 1 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, HJR, HCRs, HRs, CACRs and HA

First, second reading and referral

HB 751-FN-L, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants. (Alger, Graf 14; Giuda, Graf 13; Weyler, Rock 79; Hager, Merr 40; Rep Letourneau, Rock 77; Boyce, Dist 4; O'Hearn, Dist 12: Education)

HB 752, relative to the distribution of business tax revenues to the education trust fund. (Major, Rock 79; Itse, Rock 80: Ways and Means)

HB 753, establishing the fourth Monday in April as General John Stark Day. (Lawton, Belk 30: Executive Departments and Administration)

HB 754-FN-L, establishing an education certificate program to allow parental choice in the selection of schools for children. (Weyler, Rock 79; Boyce, Belk 31; Introne, Rock 75; Alger, Graf 14; Sapareto, Dist 19; Boyce, Dist 4; Prescott, Dist 23: Education)

HB 755, relative to the burden of proof in child abuse and neglect proceedings. (Itse, Rock 80; Ingbretson, Graf 13; Gonzalez, Hills 49; McElroy, Hills 61: Children and Family Law)

HB 756-L, promoting parental choice in education and providing for an abatement from the education taxes for parents of children not enrolled in the public school system. (Itse, Rock 80; Gonzalez, Hills 49; Prescott, Dist 23: Municipal and County Government)

HB 757, relative to health care fund grant awards. (Weyler, Rock 79; Alger, Graf 14; Camm, Rock 79; Boyce, Dist 4; Gatsas, Dist 16: Finance)

HB 758-FN, relative to the criteria for medicaid eligibility. (Kurk, Hills 48; Sapareto, Dist 19; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 759, relative to personal health and financial information privacy. (Kurk, Hills 48; M. Smith, Straf 72; Pilliod, Belk 31; Langley, Rock 88; Flanders, Dist 7; Martel, Dist 18; Below, Dist 5: Commerce)

HB 760-FN-A, establishing the New Hampshire healthy families trust fund, increasing the tobacco tax, and making an appropriation therefor. (Spiess, Hills 47; Norelli, Rock 86; Stohl, Coos 1; Kenison, Merr 41; Craig, Hills 50: Ways and Means)

HB 761, enabling towns to adopt subdivision regulations that require innovative land use controls on certain lands when supported by the master plan, making a change in an innovative land use control, and relative to the preliminary review of subdivisions. (Spang, Straf 72; Akins, Graf 18; Twombly, Straf 67; C. Christensen, Hills 58; Shultis, Rock 86; Sapareto, Dist 19: Municipal and County Government)

HB 762, relative to the transmission of unsolicited material via facsimile transmission. (R. L'Heureux, Hills 58; Dickinson, Carr 4; Perkins, Merr 33; Roberge, Dist 9; Martel, Dist 18; Estabrook, Dist 21: Commerce)

HB 763-FN, requiring parental notification before abortions may be performed on unemancipated minors. (Kerns, Hills 57; Woods, Straf 69; Souza, Hills 51; Sweeney, Hills 62: Judiciary)

HB 764, relative to the state of New Hampshire conforming to public laws enacted by the United States Congress. (Marple, Merr 37; L. Christiansen, Hills 66: Legislative Administration)

HB 765-FN, relative to consideration of a light rail commuter system and establishing a commission to oversee light rail progress. (Gleason, Rock 77; Holland, Rock 76; Introne, Rock 75; DiFruscia, Rock 76; Carson, Rock 75; Sapareto, Dist. 19; D'Allesandro, Dist 20: Public Works and Highways)

HB 766, relative to the information required for a license to carry a pistol or revolver. (Dickinson, Carr 4; Welch, Rock 79; Letourneau, Rock 77; Phinizy, Sull 23; Alger, Graf 14; Kenney, Dist 3; Gallus, Dist 1; Prescott, Dist 23; Sapareto, Dist 19: Criminal Justice and Public Safety)

HB 767-FN, relative to political advertising not authorized by the candidate. (Dickinson, Carr 4; Langley, Rock 88; Phinizy, Sull 23; Babson, Carr 6; Lasky, Hills 65; Johnson, Dist 2; Estabrook, Dist 21; Sapareto, Dist 19: Election Law)

HB 768, establishing a committee to study the flow in the Connecticut River and the impact of the flow on water levels in Lake Francis and the Connecticut Lakes. (L. Pratt, Coos 2; King, Coos 1; Gilman, Graf 9: Resources, Recreation and Development)

HB 769, relative to the lighting of certain advertising devices along highways. (Fletcher, Hills 48; Hunter, Hills 48; Emerton, Hills 48; Roberge, Dist 9; Martel, Dist 18: Public Works and Highways)

HB 770-FN-A, establishing a credit against the business enterprise tax for compensation paid to disabled employees. (DiFruscia, Rock 76; Holland, Rock 76; McMahon, Rock 76; Waterhouse, Rock 76; Phinizy, Sull 23; Sapareto, Dist 19; Kenney, Dist 3: Ways and Means)

HB 771-FN, repealing exemptions to the consumer protection act. (DiFruscia, Rock 76; Phinizy, Sull 23; J. Pratt, Ches 24; Weyler, Rock 79: Commerce)

HB 772-FN-L, including undeveloped shoreline property in land granted tax relief under current use. (C. Christensen, Hills 58; Spang, Straf 72; R. L'Heureux, Hills 58; R. Laflam, Belk 29; Russell, Belk 31; Odell, Dist 8; Roberge, Dist 9: Environment and Agriculture)

HB 773, establishing a committee to study a tuition tax credit program. (Slocum, Hills 47; Alger, Graf 14; T. Allen, Hills 45; Balcom, Hills 58; O'Hearn, Dist 12; Roberge, Dist 9: Ways and Means)

HB 774-L, enabling municipalities to expend funds to plow private roads. (P. Katsakiores, Rock 77; Letourneau, Rock 77; Rausch, Rock 77; Wiley, Rock 77: Municipal and County Government)

HB 775, establishing a New Hampshire presidential primary advisory commission. (Splaine, Rock 86; Flanagan, Rock 78: Election Law)

HB 776, relative to emergency medical care for pregnant women. (Francoeur, Rock 85; MacKay, Merr 39; Batula, Hills 58; Hess, Merr 37; Mock, Carr 4: Judiciary)

HB 777, allowing the commissioner of the department of corrections to enter into contracts with sheriffs' departments to hold persons charged with crimes in state correctional facilities for temporary periods. (King, Coos 1; Poulin, Coos 3; Theberge, Coos 3; Woodward, Coos 3; Gallus, Dist 1: Criminal Justice and Public Safety)

HB 778-L, relative to the city of Manchester school district. (Infantine, Hills 54; Pepino, Hills 51; Vaillancourt, Hills 56; Hagan, Hills 50; Martel, Dist 18: Municipal and County Government)

HB 779, relative to appeals from recounts of legislative elections. (Giuda, Graf 13; Kennedy, Merr 34; Tahir, Hills 50; Weyler, Rock 79; Clegg, Dist 14; Boyce, Dist 4: Election Law)

HB 780, relative to the operation of school administrative units. (Giuda, Graf 13; Weyler, Rock 79; Gilman, Graf 9; Clegg, Dist 14; Boyce, Dist 4: Education)

HB 781-FN-A, establishing the office of corrections ombudsman. (K. Gilbert, Rock 82; Stevens, Carr 7; Jones, Sull 19; Knowles, Straf 69; Nedeau, Belk 30: Executive Departments and Administration)

HB 782, establishing a committee to study voting membership of municipal boards and commissions. (Schmidt, Straf 70: Municipal and County Government)

HB 783-FN, relative to penalties for simple assault, reckless conduct, and unsworn falsification. (Dumaine, Rock 75: Criminal Justice and Public Safety)

HB 784-FN-L, relative to long-term care services. (MacKay, Merr 39; Pilliod, Belk 31; Batula, Hills 58; Larsen, Dist 15: Health, Human Services and Elderly Affairs)

HB 785-FN, requiring the commissioner of the department of education to establish a public school choice initiative. (Alger, Graf 14; Johnson, Dist 2: Education)

HB 786-FN-L, relative to the participation of the state and its political subdivisions in the federal No Child Left Behind Act of 2001. (Alger, Graf 14; M. Harrington, Straf 68; Kurk, Hills 48; Dickinson, Carr 4; Dodge, Rock 80; Johnson, Dist 2; Gallus, Dist 1: Education)

HB 787-FN-A, relative to renewable energy promotion. (King, Coos 1; Chandler, Carr 4; Norelli, Rock 86; Dickinson, Carr 4; Williams, Graf 16; Flanders, Dist 7; Gallus, Dist 1; Below, Dist 5; Johnson, Dist 2: Science, Technology and Energy)

HB 788-FN-A, repealing the certificate of need law. (Wendelboe, Belk 29: Health, Human Services & Elderly Affairs)

HB 789, relative to a nonbinding referendum to measure voter support for casino gambling in New Hampshire. (Gionet, Graf 11; Mears, Coos 3; King, Coos 1; Guay, Coos 2; DiFruscia, Rock 76; Gallus, Dist 1: Ways and Means)

HB 790, relative to legislative voting procedures and apportioning state representative districts. (T. Allen, Hills 45: Election Law)

HB 791-FN-A, relative to the sale of state merchandise and gift items in state liquor stores and staffed rest areas. (Crane, Hills 59; Cataldo, Straf 68; S. Harris, Sull 22: Executive Departments and Administration)

HB 792, establishing a legislative internship pilot program in the house of representatives. (Crane, Hills 59; McHugh, Hills 61; Gibson, Hills 58; D. Fields, Hills 58; Rush, Merr 36: Legislative Administration)

HB 793-FN-A, relative to reimbursement rates for home health services and making an appropriation therefor. (Emerton, Hills 48; Patten, Carr 7; P. Katsakiores, Rock 77; French, Merr 34; Dalrymple, Rock 76; Martel, Dist 18; Sapareto, Dist 19; Kenney, Dist 3: Finance)

HB 794, allowing the department of transportation to lease space for the provision of food service at state highway and turnpike rest stops. (Whalley, Belk 31; Craig, Hills 50; Barnes, Dist 17; Flanders, Dist 7; Clegg, Dist 14; D'Allesandro, Dist 20; Gatsas, Dist 16: Public Works and Highways)

HB 795, establishing a committee to study deaths and injuries caused by OHRV use by minors. (Nordgren, Graf 17; Pilliod, Belk 31; Miller, Straf 72; O'Hearn, Dist 12; Below, Dist 5: Resources, Recreation and Development)

HB 796-FN-L, relative to the taxation of manufactured housing. (D. Fields, Hills 58: Commerce)

HB 797, establishing a committee to study methods for the legislature to protect New Hampshire groundwater aquifers. (Pilliod, Belk 31; Vaillancourt, Hills 56; Messier, Hills 50: Resources, Recreation and Development)

HB 798, relative to gifts by fiduciaries. (Pilliod, Belk 31; J. Pratt, Ches 24; Rowe, Hills 47: Commerce)

HB 799-FN-A, assessing a surcharge on waste disposed at solid waste landfills and incinerators, and making an appropriation therefor. (Williams, Graf 16; Musler, Straf 68: Environment and Agriculture)

HB 801, establishing a committee to study the implementation of effective student assistance programs in all schools. (Gargasz, Hills 46; M. Cooney, Graf 15; Leber, Merr 35; Furman, Hills 64; O'Hearn, Dist 12: Education)

HB 802-FN-A, requiring the department of transportation to retrofit a highway rest stop to be a solar powered facility and making an appropriation therefor. (Akins, Graf 18; King, Coos 1; Benn, Graf 17; Milligan, Hills 58; Martel, Dist 18: Public Works and Highways)

HB 803-FN-A-L, establishing the New Hampshire downtown development program. (Akins, Graf 18; Langone, Rock 77; Martel, Dist 18; Below, Dist 5: Municipal and County Government)

HB 804, establishing a committee to study the certification of New Hampshire public schools in accordance with International Organization of Standards 9001 guidelines. (Akins, Graf 18: Education)

HB 805, establishing a consensus revenue estimating panel. (J. Gilbert, Rock 83: Ways and Means)

HB 806, enabling municipalities to adopt a property tax exemption for deaf or severely hearing impaired persons. (Patten, Carr 7; Leber, Merr 35; Pilliod, Belk 31; B. Richardson, Ches 26; O'Hearn, Dist 12; Estabrook, Dist 21: Municipal and County Government)

HB 807-FN, increasing the filing fees for a fund raising counsel and a paid solicitor of a charitable trust. (Weyler, Rock 79; Quandt, Rock 83; N. Johnson, Straf 68; Barnes, Dist 17; Roberge, Dist 9; Below, Dist 5: Commerce)

HB 808, relative to proof of residency and resident tax payment for receiving resident fish and game licenses. (R. L'Heureux, Hills 58; R. Laflam, Belk 29; Goyette, Hills 66; John Manning, Rock 76; Roberge, Dist 9; Gallus, Dist 1; Johnson, Dist 2: Fish and Game)

HB 809, establishing a committee to study implementing a consumption tax. (Akins, Graf 18: Ways and Means)

HB 810-FN-A, relative to processing excavating and dredging and terrain alteration permits, changing the fees for permits, establishing 2 new positions, and making an appropriation therefor. (Dickinson, Carr 4; Babson, Carr 6; Spang, Straf 72; Phinizy, Sull 23; R. Cooney, Rock 76; Gallus, Dist 1; Kenney, Dist 3: Resources, Recreation and Development)

HB 811, relative to the exclusive authority of the state over the regulation of firearms, ammunition, and components thereof, and relative to limiting the liability of manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from misuse. (Bruno, Hills 45; Gilman, Graf 9; Coughlin, Hills 45: Judiciary)

HB 812, relative to state acquisition of privately-owned airports. (E. Smith, Ches 26; Leber, Merr 35; Morse, Dist 22: Public Works and Highways)

HB 813-FN-A, establishing a deduction from the business profits tax for investments made in New Hampshire companies. (Brady, Coos 2: Ways and Means)

HB 814-FN-A, establishing a credit against the business profits tax for certain insurance, financial services, and health care business organizations. (Brady, Coos 2; Holden, Hills 48; Gallus, Dist 1: Ways and Means)

HB 815, relative to the duties of corporate directors and the procedure for shareholder inspection of records under the New Hampshire Business Corporation Act. (Spiess, Hills 47; Welch, Rock 79; Peterson, Dist 11: Commerce)

HB 816, making technical corrections to the securities laws. (Spiess, Hills 47; Welch, Rock 79; Peterson, Dist 11: Commerce)

HB 817, relative to the regulation of first and second mortgage brokers and mortgage servicers. (Spiess, Hills 47: Commerce)

HB 818, relative to clearing land before plan approval. (M. Allen, Rock 81; John Manning, Rock 76: Resources, Recreation and Development)

HB 819, relative to original and youth operators' licenses. (Packard, Rock 75; Larsen, Dist 15: Transportation)

HB 820-FN-L, relative to armed services and overseas voting. (Wendelboe, Belk 29; Bicknell, Rock 73: Election Law)

HB 821, establishing a right to work act which provides for freedom of choice on whether to join a labor union. (Mooney, Hills 58; Wendelboe, Belk 29; Twombly, Straf 67; Bicknell, Rock 73; J. Wheeler, Hills 47; Barnes, Dist 17; Prescott, Dist 23: Labor, Industrial and Rehabilitative Services)

HB 822, relative to abandoned vehicles. (Akins, Graf 18: Transportation)

HB 823-FN-L, relative to eligibility of retired teachers for payment of medical benefits. (P. LaFlamme, Hills 61; Jean, Hills 65; McElroy, Hills 61; O'Hearn, Dist 12: Executive Departments and Administration)

HB 824-FN-A, relative to services for persons with mental illness and making an appropriation therefor. (Vachon, Straf 68: Health, Human Services and Elderly Affairs)

HB 825, establishing a committee to study methods of safely reducing the prison population in the state. (Ingbretson, Graf 13; Boyce, Belk 31; L. Christiansen, Hills 66; Gilman, Graf 9; Johnson, Dist 2: Criminal Justice and Public Safety)

HB 826-FN, establishing a limited moratorium on the use of psychotropic drugs and requiring the attorney general to study the use of such drugs. (Ingbretson, Graf 13; Crane, Hills 59; Gilman, Graf 9; Kennedy, Merr 34; McElroy, Hills 61: Health, Human Services and Elderly Affairs)

HB 827, establishing a committee to study the costs and benefits to the state of a state-level community reinvestment act for credit unions and non-bank mortgage lenders doing business in this state. (Potter, Merr 38: Commerce)

HB 828-FN-A-L, relative to alternative fuel vehicles. (P. Sullivan, Hills 50: Ways and Means)

HB 829, relative to ward boundaries in Manchester and Nashua to be used in state elections. (Mercer, Hills 59; Clemons, Hills 62; Lasky, Hills 65; Furman, Hills 64; N. Allan; Hills 63; Gatsas, Dist 16; D'Allesandro, Dist 20: Election Law)

HB 830-FN-A, creating enterprise zones in which qualifying businesses are eligible for tax credits. (Brady, Coos 2; Gallus, Dist 1: Ways and Means)

HB 831, establishing a New Hampshire end-of-life care study commission. (Sokol, Graf 17; Batula, Hills 58; French, Merr 34; Seldin, Merr 39; Estabrook, Dist 21; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 832-FN, relative to the privacy of medical records. (Kurk, Hills 48; Pilliod, Belk 31; M. Smith, Straf 72; Dalrymple, Rock 76; Martel, Dist 18; Flanders, Dist 7: Commerce)

HB 833-L, relative to Shaker Road and Bay Hill Road in the town of Northfield. (Leber, Merr 35; Kenison, Merr 41; Flanders, Dist 7: Public Works and Highways)

HB 834-L, relative to River Road and Nimble Hill Road in the town of Newington. (Leber, Merr 35; Kenison, Merr 41; Norelli, Rock 86: Public Works and Highways)

HB 835-FN, relative to federal highway grant anticipation bonds. (Graham, Hills 57; Benn, Graf 17; Morse, Dist 22: Public Works and Highways)

HB 837-FN, relative to the release of real estate liens. (Hutchinson, Rock 75: Commerce)

HJR 2, requiring the assignment of oversight of state agencies to legislative policy committees. (Dickinson, Carr 4; Welch, Rock 79; Jacobson, Merr 32; Phinizy, Sull 23; Roberge, Dist 9; D'Allesandro, Dist 20; Prescott, Dist 23: Legislative Administration)

HCR 17, urging the posthumous promotion of Colonel Edward Ephraim Cross to brigadier general. (Leone, Sull 21; L. Pratt, Coos 2; Letourneau, Rock 77; Packard, Rock 75; Heon, Straf 67; Gallus, Dist 1: State-Federal Relations and Veterans Affairs)

HCR 18, relative to state senate and representative districts (McRae, Hills 48; Alger, Graf 14; M. Harrington, Straf 68: Election Law)

HR 9, urging the federal government to extend the Internet Tax Freedom Act moratorium. (Thomas, Belk 31; Eaton, Dist 10: State-Federal Relations and Veterans Affairs)

HR 10, urging the department of defense to establish a military presence in the state of New Hampshire for purposes of domestic security. (Morris, Rock 84; Haytayan, Hills 46: State-Federal Relations and Veterans Affairs)

CACR 11, relating to legislative acts as expressions of the sovereign will of the people. Providing that every act of the legislature enacted in accordance with the procedures of the constitution shall be conclusively presumed to be constitutional as the expressed will of the people. (Sorg, Graf 11; Gilman, Graf 9: Judiciary)

CACR 12, relating to citizen review retention elections for judges. Providing that a judge shall be subject to a citizen review retention election at the biennial election next occurring after he or she has served for 2 years and subsequently at regular intervals which depend on the court in which the judge serves. (Crane, Hills 59; Sorg, Graf 11; Gibson, Hills 58; Boyce, Belk 31; Clark, Rock 79; Boyce, Dist 4: Judiciary)

CACR 13, relating to defining the extent of state responsibility to provide aid for public elementary and secondary education. Providing that the state shall provide aid to school districts with a fiscal capacity that is less than their education need and the aid shall be a minimum of 31 percent of the state average expenditure per public elementary and secondary pupil, calculated at least once in every 5 years. (Gionet, Graf 11; Ham, Graf 12: Education)

HA 1, for the removal of Wayne Vetter, executive director of the fish and game department, from his said office. (Rep. Hopper, Hills 48; Rep. Albert, Straf 67: Joint Committee on Address)

amendment to house rules

The Rules Committee offered the following:

Amendment (0042h)

Amend House Rule 17 to read as follows:

17.(a) The following persons shall be admitted within the door of the Representatives' chamber **or anteroom** while the House is in session: House members and officers, the Governor, Council members, ~~[Senate members,]~~ the Secretary of State, the Treasurer, **the President of the Senate**, and the Senate Clerks.

(b) No other person shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session, except with the permission of the Speaker.

Rep. Whalley moved adoption of the amendment and spoke in favor.

Adopted.

removed from the table

Rep. Hess moved that the amendment to House Rule 63 be removed from the table.

Amendment

Proposed amendment to House Rule 63.

(Last sentence) With the exception of devices for the hearing impaired, no member shall operate audible electronic transmitting [~~devices~~] and/or receiving devices ***nor shall any member operate a video camera or a camera utilizing flash bulbs*** on the floor of the House, ***while the House is in session.***

Adopted.

Rep. Hess moved adoption of the amendment to House Rule 63.

Reps. Weyler and DiFruscia spoke against.

Rep. Newton spoke in favor.

Rep. Soltani spoke against and yielded to questions.

Rep. Hess spoke in favor and yielded to questions.

Rep. Bergin requested a roll call; sufficiently seconded.

The question being adoption of the amendment to House Rule 63.

YEAS 230 NAYS 138

YEAS 230

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Clark, Charles
Fitzgerald, James	Holbrook, Robert	Lawton, David	Nedeau, Stephen
Russell, David	Thomas, John	Whalley, Michael	

CARROLL

Brown, Carolyn	Derby, Mark	Dickinson, Howard	Hatch, Paul
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McConkey, Mark	Merrow, Harry	Mock, Henry	Olimpio, J Lisbeth
Patten, Betsey	Philbrick, Donald		

CHESHIRE

Batchelder, Robert	Dunn, James	Fish, Douglas	Hunt, John
Laurent, John	Liebl, George	Manning, Joseph	Mitchell, McKim
Pratt, Irene	Royce, H Charles	Smith, Edwin	

COOS

Brady, Mark	King, Frederick	Mears, Edgar	Pratt, Leighton
Richardson, Herbert	Stohl, Eric	Theberge, Robert	Tholl, John Jr
Woodward, David			

GRAFTON

Alger, John	Dorsett, Andrew	Eaton, Stephanie	Gilman, G Michael
Gionet, Edmond	Giuda, Robert	Maybeck, Margie	Naro, Debra
Nordgren, Sharon	Solomon, Peter	Sorg, Gregory	Williams, Burton

HILLSBOROUGH

Adams, Jarvis	Allan, Nelson	Allen, Timothy	Artz, Lawrence
Balboni, Michael	Balcom, John	Batula, Peter	Beaton, William
Bergin, Peter	Brundige, Robert	Bruno, Pierre	Buckley, Raymond
Buhlman, David	Cail, Kenneth	Carlson, Donald	Carter, Mark
Cernota, Albert	Christensen, D L Chris	Cote, David	Coughlin, Pamela
Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard	Elliott, Larry
Emerton, Larry	Fletcher, Richard	Furman, Christine	Gonzalez, Carlos
Goulet, Maurice	Graham, John	Hall, Charles	Hallyburton, Margaret
Hansen, Ryan	Harrington, Paul	Hawkins, Ken	Haytayan, Harry Jr
Hunter, Bruce	Infantine, William	Irwin, Anne-Marie	Jasper, Shawn
Konys, Christine	Kurk, Neal	Laflamme, Charles	LaFlamme, Paul
Lasky, Bette	Leach, Edward	Lessard, Rudy	Mercer, Robert
Messier, Irene	Milligan, Robert	Moran, Edward	Mosher, William
Ober, Russell III	Pappas, Christopher	Pappas, Marc	Pilotte, Maurice
Price, Pamela	Reeves, Sandra	Ross, Lawrence	Slocum, Lee

Spiess, Paul
Wheeler, James

Stepanek, Stephen
Wheeler, Robert

Sullivan, Francis

Tate, Joan

MERRIMACK

Anderson, Eric

Blanchard, Elizabeth

Bouchard, Candace

Brueggemann, Donald

Colcord, J D

Currier, David

Daniels, Eric

Davis, Frank

DeJoie, John

DeStefano, Stephen

Foley, Albert

French, Barbara

Gile, Mary

Hager, Elizabeth

Hamm, Christine

Hess, David

Kenison, Leon

L'Heureux, Stephen

Leber, William

Lockwood, Priscilla

MacKay, James

Maxfield, Roy

Nutter, Edward

Oliver, James

Osborne, Jessie

Potter, Frances

Reed, Dennis

Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald

Bridle, Russell

Cady, Harriet

Carson, Sharon

Casey, Kimberley

Coes, Betsy

Corbin, Corey

Dalrymple, Janeen

Dodge, Robert

Doyle, Christopher

Flanders, John Sr

Francoeur, Sheila

Gilbert, Jeffrey

Gillick, Thomas

Gould, Kenneth

Griffin, Mary

Hamel, Albert

Headd, James

Holland, James Jr

Hughes, Daniel

Ingram, Russell

Introne, Robert

Johnson, Robert

Johnson, Rogers

Katsakiores, George

Katsakiores, Phyllis

Kobel, Rudolph

Langone, John

Letourneau, Robert

Major, Norman

Manning, John

McCann, Richard

McKinney, Betsy

Norelli, Terie

Noyes, Richard

O'Neil, Michael

Packard, Sherman

Pantelakos, Laura

Pitts, Jacqueline

Rausch, James

Robertson, Carl

Roessner, Kurt

Ruffner, Walter

Scamman, Stella

Shultis, Elizabeth

Smith, Donald

Smith, Paul

Stone, Joseph

Stritch, C Donald

Vallone, Matthew

Waterhouse, Kevin

Weare, E Albert

Welch, David

Winchell, George

Zolla, William

STRAFFORD

Albert, Russell

Bemis, Alan

Berube, Roger

Brown, Julie

Dunlap, Patricia

Easson, Timothy

Grassie, Anne

Harrington, Michael

Hofemann, Roland

Miller, Joseph

Musler, George

Newton, Clifford

Rous, Emma

Schmidt, Peter

Scott, David

Smith, Marjorie

Spang, Judith

Taylor, Kathleen

Twombly, James

Vachon, Dennis

Wall, Janet

Woods, Phyllis

SULLIVAN

Burling, Peter

Harris, Joseph

Harris, Sandra

Jones, Constance

Leone, Richard

Rodeschin, Beverly

NAYS 138

BELKNAP

Boyce, Laurie

Dewhirst, Glenn

Laflam, Robert

Pilliod, James

Rice, Thomas

Wendelboe, Fran

CARROLL

Babson, David Jr

Kenney, Bettie

Stevens, Stanley

CHESHIRE

Allen, Peter

Dexter, Judson

Eaton, Daniel

Espieffs, Peter

Meador, David

Parkhurst, Henry

Pratt, John

Richardson, Barbara

Robertson, Timothy

Slack, Pamela

Tilton, Anna

Webber, Amy

Weed, Charles

COOS

None

GRAFTON

Akins, Ralph

Almy, Susan

Barker, Robert

Benn, Bernard

Bleyler, Ruth

Cooney, Mary

Densmore, Edward

Diamond, Estelle

Ham, Bonnie

Hammond, Lee

Ingbretson, Paul

Scovner, Nancy

Sokol, Hilda

HILLSBOROUGH

Arnold, Thomas Jr

Baroody, Benjamin

Barry, J Gail

Bergeron, Jean-Guy

Bouchard, David	Brassard, Paul	Carter, Jeffrey	Chabot, Robert
Christiansen, Lars	Clayton, William	Cote, Peter	Craig, James
Crane, Elenore Casey	Dionne, Kimberley	Fields, Dennis	Ford, Nancy
Gargas, Carolyn	Gibson, John	Gorman, Mary	Haley, Robert
Hinkle, Peyton	Holden, Randolph	Jean, Claudette	Johnson, Lionel
Kopka, Angeline	Kudalis, Debra	L'Heureux, Robert	Lefebvre, Roland
Luebker, Bernard	Malloy, Chris	McDonough-Wallace, Alice	McElroy, Henry Jr
McHugh, Claire	McRae, Karen	Mooney, Maureen	Movsesian, Lori
O'Brien, Lori	Palangas, Eric	Pepino, Leo	Scanlon, Michael
Schulze, Joan	Shaw, Barbara	Souza, Kathleen	Sullivan, Jeffrey
Sullivan, Peter	Sweeney, Cynthia	Tahir, Saghir	Vaillancourt, Steve

MERRIMACK

Clarke, Claire	Jacobson, Alf	Kennedy, Richard	Langer, Ray
Marple, Richard	McCormick, Tom	Ouellette, Robert	Owen, Derek
Reardon, Tara	Rush, Deanna	Seldin, Gloria	Soltani, Tony

ROCKINGHAM

Allen, Mary	Bicknell, Elbert	Bishop, Franklin	Camm, Kevin
Clark, Vivian	Davidson, Robert	Dearborn, Bruce	DiFruscia, Anthony
Duffy, James	Dumaine, Dudley	Dupuis, Roland	Fesh, Bob
Flayhan, Mary Lou	Gilbert, Karl	Itse, Daniel	Langley, Jane
McMahon, Charles	Moore, Benjamin	Putnam, Ed II	Quandt, Matthew
Splaine, James	Tufts, J Arthur	Varrell, Thomas	Weldy, Norman Jr
Weyler, Kenneth	Wiley, Robert		

STRAFFORD

Callaghan, Frank	Campbell, W Packy	Cataldo, Sam	Creteau, Irene
Heon, Richard	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Pelletier, Arthur	Snyder, Clair	

SULLIVAN

Cloutier, John	Donovan, Thomas	Ferland, Brenda	Flint, Gordon Sr
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Franklin, Peter

Phinizy, James

and the amendment to House Rule 63 was adopted.

vacate

Rep. Packard moved that the House vacate the reference of **HB 335**, relative to the regulation of the operation of OHRVs, to the Committee on Transportation.

Adopted and referred to the Committee on Municipal & County Government.

motion to print debate

Rep. Lars T. Christiansen moved that the debate on amendment to House Rule 63 be printed in the Permanent Journal.

Motion failed.

COMMITTEE REPORTS

CONSENT CALENDAR

Rep. Hess moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 89, establishing a committee to study airport security staffing, removed by Rep. Pepino.

HB 57, relative to the use of inhalers by pupils and campers with asthma, removed by Rep. Batula.

HB 92, relative to the use of epinephrine auto-injectors by pupils and campers with severe allergies, removed by Rep. Batula.

HB 59, relative to court reporting, removed by Rep. Soltani.

HB 182, relative to unclaimed shares and advancements to heirs, removed by Rep. John Pratt.

Consent Calendar adopted.

HB 102, relative to disclosures required in retail installment sales of motor vehicles.

INEXPEDIENT TO LEGISLATE

Rep. Leo W. Fraser Jr. for Commerce: The sponsor requested that this proposed legislation be withdrawn. The committee voted to report the bill as ITL. Vote 16-0.

HB 160, relative to removal or replacement of trustees. **OUGHT TO PASS**

Rep. Leo W. Fraser Jr. for Commerce: In 1998 lawmakers passed a bill to expand the circumstances under which beneficiaries or co-trustees could petition the probate court for the replacement or removal of an existing trustee. The bill was intended to apply to all trusts as defined in the Uniform Trustees' Powers Act (RSA 564-A), which is the chapter in state law that describes the powers conferred and exercised by trustees. The law that passed in 1998 amended an existing provision in RSA 564, which was the original New Hampshire statute governing the jurisdiction of the probate court as it applies to trusts and which contained a provision pertaining to the removal of a trustee. The intent of the bill passed in 1998 was that the removal and replacement provisions did apply to all trusts. This bill clarifies that the provision in state law allowing beneficiaries of a trust to petition the court for removal or replacement of an existing trustee applies to trustees of all trusts, as defined in the Uniform Trustees Powers Act, and not just trustees appointed by the probate court. Vote 16-0.

HB 64, establishing a commission to study the creation of an integrated criminal justice information system and any issues related to the privacy, security, and dissemination of such criminal justice information. **OUGHT TO PASS WITH AMENDMENT**

Rep. Douglas K. Fish for Criminal Justice and Public Safety: This bill, as amended, creates a commission with the participation of all the departments and groups related to the information generated by the respective criminal justice agencies with the intention of sharing the information. The commission will determine whether the creation of such an integrated criminal justice information system would promote efficiency at a reduced cost while preserving privacy rights of individuals. The amendment adds a representative of the county corrections system and the Director of Police Standards and Training to the commission and sets forth the intention to protect the rights of individuals. Vote 19-0.

Amendment (0020h)

Amend section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. Particular care and attention shall be afforded to the effect of any such integrated criminal justice system on the rights of individuals guaranteed under the New Hampshire constitution and the Bill of Rights of the United States Constitution.

Amend section 2 of the bill by inserting after subparagraph I (l) the following new subparagraphs:

(m) The president of the New Hampshire Association of Counties – County Corrections Superintendents Affiliate, or designee.

(n) The director of the New Hampshire police standards and training council, or designee.

Amend section 2 of the bill by replacing subparagraph II (b) with the following:

- a. Study whether the creation of an integrated criminal justice information system would improve public safety and domestic security by allowing criminal justice agencies and authorized individuals to record, share, retrieve, and analyze important information collected about criminal charges and their disposition, and by improving dissemination of information pertaining to bail conditions.

HB 71, establishing a committee to study regulations on the use and misuse of non-lethal weapons. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen H. Nedeau for Criminal Justice and Public Safety: This would establish a committee to study regulations on the use and misuse of non-lethal weapons. The committee felt that this was an issue dealing with a single complaint and that a list of non-lethal weapons would be far too great to be workable, and would create a great deal of confusion trying to sort out what would be non-lethal. The committee also believes this is already covered by RSA 625:11. It was the committee feeling that we should not be dealing with "non-lethal weapons that haven't been developed" at this time. Vote 19-0.

HB 86, relative to the membership of the permissible fireworks review committee. **OUGHT TO PASS**

Rep. E. Albert Weare for Criminal Justice and Public Safety: The permissible fireworks review committee is presently an established committee of which the Senate has one (1) member plus an alternate. This bill makes the alternate a full member and able to vote on all matters before the committee. In addition, it also creates a committee with an odd number of members eliminating the potential for tie votes. Vote 19-0.

HB 105, relative to sexual assaults committed by corrections officers, probation and parole officers and juvenile services officers against individuals under their supervision. **OUGHT TO PASS WITH AMENDMENT**

Rep. John E. Tholl, Jr. for Criminal Justice and Public Safety: This bill is the result of a Supreme Court decision, *State v Foss*, that indicated that consent could be considered a defense in sexual assault of inmates by corrections officers. The court indicated in that decision that if the legislature wanted to eliminate that defense it should so indicate it in the law. The bill makes it clear that it is the intent of the legislature that no person should suffer a sexual assault by a Corrections Officer, a Probation and Parole Officer, or Juvenile Probation and Parole Officer who has supervision or custody of that person. The amendment simply makes two technical corrections, changing Juvenile Services Officers to Juvenile Probation and Parole Officers and removing two erroneous words. The committee felt that this is a necessary change to current law. Vote 19-0.

Amendment (0012h)

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

AN ACT relative to sexual assaults committed by corrections officers, probation and parole officers, and juvenile probation and parole officers against individuals under their supervision.

Amend the bill by replacing sections 2-4 with the following:

2 Aggravated Felonious Sexual Assault; Section Amended. Amend RSA 632-A:2, I(n) to read as follows:

(n) When the actor is in a position of authority over the victim [~~and uses this authority to coerce the victim to submit~~] under any of the following circumstances:

(1) When the actor has supervisory **or disciplinary** authority over the victim by virtue of the victim being incarcerated in a correctional institution, **the secure psychiatric unit**, or juvenile detention facility; or

(2) When **the actor is** a probation or parole officer **or a juvenile probation and parole officer who** has supervisory **or disciplinary** authority over the victim while the victim is on parole or probation or under juvenile probation.

Consent of the victim under any of the ~~[above]~~ circumstances **set forth** in subparagraph (n) shall not be considered a defense.

3 Felonious Sexual Assault; Gender Neutral. Amend the introductory paragraph of RSA 632-A:3 to read as follows:

A person is guilty of a class B felony if ~~[he]~~ **such person**:

4 Felonious Sexual Assault; Disciplinary Authority. Amend RSA 632-A:3, IV to read as follows:

IV. Engages in sexual contact with the person when the actor is in a position of authority over the person ~~[and uses that authority to coerce the victim to submit]~~ under any of the following circumstances:

(a) When the actor has supervisory **or disciplinary** authority over the victim by virtue of the victim being incarcerated in a correctional institution, **the secure psychiatric unit**, or juvenile detention facility; or

(b) When **the actor is** a probation or parole officer **or a juvenile probation and parole officer who** has supervisory **or disciplinary** authority over the victim while the victim is on parole or probation or under juvenile probation.

Consent of the victim under any of the circumstances set forth in paragraph IV shall not be considered a defense.

AMENDED ANALYSIS

This bill:

I. Prohibits sexual conduct between any person, including juvenile probation and parole officers, in a supervisory or disciplinary capacity and any person being held at the Secure Psychiatric Unit at the state prison in Concord.

II. Eliminates consent as a defense to aggravated felonious sexual assault and felonious sexual assault.

HB 157, relative to pre-sentence investigations. **INEXPEDIENT TO LEGISLATE**

Rep. Timothy N. Robertson for Criminal Justice and Public Safety: After consideration of additional information, the sponsor and the constituents who asked for this bill requested that it be voted Inexpedient to Legislate. Vote 20-0.

HB 231, requiring the department of education to develop a plan to address and reduce the number of persons awaiting vocational rehabilitation transition services. **OUGHT TO PASS WITH AMENDMENT**

Rep. Clair D. Clarke for Education: This bill was requested by the Department of Education to help them bring together the necessary resources to plan and address the issue of the large number of students who are close to high school graduation and for whom the Federal Education Law requires that vocational services for finding career opportunities be provided. Presently, only about 20% of high school students are served. Vote 20-0.

Amendment (0036h)

Amend paragraph III of section 1 of the bill by replacing it with the following:

III. The absence of transition assistance is an important reason why special education pupils are not better prepared upon leaving high school.

HB 80, relative to violation of the oath of office in certain cases. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: This bill would require that any elected or appointed official take an oath of office as required by the constitution. It would also require any elected or appointed official who violates his/her oath of office be liable for all costs incurred as a result of his/her violation. The committee felt a certain redundancy or duplication of constitutional and statutory laws now in force would be created by this bill. Vote 12-0.

HB 69, relative to the reinstatement of expired licenses for architects. **OUGHT TO PASS WITH AMENDMENT**

Rep. Paul G. LaFlamme for Executive Departments and Administration: This bill is a needed measure to allow architects whose licenses have expired to be reinstated by the joint board. Reinstatement will only be allowed if the licensee completes the requirements for continuing education and pays the appropriate late fee. Vote 18-0.

Amendment (0028h)

Amend RSA 310-A:46 as inserted by section 4 of the bill by replacing it with the following:

310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day of the month of the licensee's birth in the year 2 years following the year of issuance. The board shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration date of the license. If the renewal fee is not submitted within 12 months after the expiration date of the license, the licensee's name shall be removed from the mailing list and roster. ***An application for reinstatement shall be required to return to active status. The board, pursuant to rules adopted under RSA 310-A:32, shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.***

HB 196, establishing a commission to study means to integrate services for people with co-occurring disorders. **OUGHT TO PASS**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: In recent years, there has been an increasing concern about persons who are struggling with more than one combination of addiction and mental illness. This bill forms a commission to study what is now known as co-occurring illnesses. The more serious of these individuals constitute a difficult treatment challenge. The study should review current research about the importance of integrated and collaborative treatment approaches particularly for those who are struggling at the highest level of severity. The study will review the way the various divisions within the Department of Health and Human Services are functioning as to the promotion of integrated services for those with co-occurring illnesses. Vote 15-0.

HB 225, extending the task force on deafness and hearing loss and changing the task force's membership and duties. **OUGHT TO PASS**

Rep. Phyllis M. Katsakiores for Health, Human Services and Elderly Affairs: This bill extends the task force on deafness and hearing loss to November 1, 2005. The work of the task force strongly felt that their work is not finished and more education is needed for the deaf and the hard of hearing, so they have a clear understanding of the services that are available for them. The committee felt that this task force was important and must continue. Vote 15-0.

HB 237, relative to health care in certain health care facilities. **INEXPEDIENT TO LEGISLATE**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: The committee was prepared to act on the bill, however, at the last minute the sponsor and co-sponsor asked the committee to I.T.L. the bill. The committee voted unanimously to honor that request. Vote 16-0.

HB 263, establishing an oversight committee to review the allocation of funds disbursed for the developmental disabilities waitlist. **OUGHT TO PASS**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: This bill simply extends the life of the oversight committee for the allocation of funds disbursed for the developmental disabilities waitlist. The recent waitlist bill met with a sunset clause and the work of this very important committee is yet to be completed. The developmental disabilities waitlist in this state continues to grow and the wait time for services now exceeds the 200 day mark, in spite of recent legislation which calls for an end to the waitlist (beyond 90 days) in the year 2006. The oversight committee needs to complete its work on this urgent situation. Vote 16-0.

HB 68, establishing a committee to study judicial review and judicial recall procedures. **INEXPEDIENT TO LEGISLATE**

Rep. Phyllis L. Woods for Judiciary: This bill would establish a committee to study judicial review and judicial recall procedures. Per the sponsor, review would also include looking at and viewing judicial decisions of the courts to see if there is a "pattern." While the Judiciary Committee is fully supportive of the concept of judicial review, there is a consensus that this bill creates an unnecessary infringement on the separation of powers. It's not in the purview of the legislature to have oversight over the courts in their decision making function. Decisions of the court are made public for anyone to review. The Judiciary Committee has already passed a bill requiring judicial review that has been signed into law. There are other bills to come before the committee later this session that will address the specific topics of review and removal. Vote 14-0.

HB 93, relative to the notice to quit and notice of intent to appeal in landlord tenant actions. **INEXPEDIENT TO LEGISLATE**

Rep. James W. Craig for Judiciary: This bill sought to reduce the amount of time that a tenant has to pay rent owed at the time of the issuance of a notice to quit from seven days to three days for both residential and non-residential tenancies. It also sought to reduce the time to appeal a district court decision in a landlord/tenant case from seven to three days. Most witnesses testified that the system works well as is and that the full seven days is needed for many tenants to procure the rent due from city, town or other sources. The committee felt that this measure may well increase landlord/tenant litigation and homelessness. Vote 17-1.

HB 114, establishing a committee to study the constitutionality of current New Hampshire statutory enactments. **INEXPEDIENT TO LEGISLATE**

Rep. Gregory M. Sorg for Judiciary: The study committee to be appointed under the bill would review the New Hampshire Revised Statutes Annotated in their entirety in order to identify- and presumably to recommend repeal of- all laws that are not considered to be in compliance with "constitutional constraints against interference with personal liberties." In unanimously voting this bill inexpedient to legislate, the committee concluded, first, that the task of reviewing the RSAs in sufficient detail in their entirety would be prohibitively time consuming and would require the participation of contributors having a range of expertise at least as wide as the many specialized subjects the RSAs cover; and second, that by reason that even recognized experts on constitutional law can reasonably disagree in their interpretation of the Constitution as it applies to a given statute, the study committee's determinations would only reflect the point of view of its members, providing no assurance that the results of its long labors would satisfy the objectives of the bill's sponsor. The committee concluded that the better, more efficient way to deal with statutes regarded as unconstitutional or otherwise objectionable, is to follow the normal procedure of framing individual bills specifically identifying each such statute and proposing specific remedial action. Vote 14-0.

HB 183, relative to a distribution from a decedent's estate to a minor. **OUGHT TO PASS WITH AMENDMENT**

Rep. John M. Pratt for Judiciary: HB 183 requires that any distribution from an estate to a minor who is not under legal guardianship must be made in accordance with the Uniform Transfer to Minors Act. Vote 16-0.

Amendment (0049h)

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

1 Minors Not Under Guardianship. Amend RSA 561:20 to read as follows:

561:20 Minors Not Under Guardianship. Whenever any minor *whose estate is* not [being] under legal guardianship shall be entitled to receive from any administrator [or], executor, *trustee, or third party payor/custodian*, any distributive share as heir or next of kin, [or] any legacy, [the full amount of which share or legacy is not more than \$5,000, said administrator or executor, upon petition to and approval of the probate court, shall pay said sum to the parents of the minor, if both are living, or to the surviving parent if one parent is deceased, or to the parent or other person having custody of the minor, if the parents are divorced, or to a person standing in loco parentis to the minor, if both parents are deceased. The receipt of the parents or parent or other person shall be filed and accepted by the probate court in discharge of the administrator's or executor's liability therefor in the same manner and effect as though the parents or parent or other person had been legally appointed guardian by the probate court. Publication of notice upon the petition to the

~~probate court shall not be required unless ordered by the court. When considering such a petition the probate court shall determine the best interests of the minor. If such a petition is approved by the probate court, the court may make all necessary orders for protecting the interests of the minor and may require the parents or parent or other person to give bond or to account for all money received on behalf of the minor, or both]~~ ***bequest or devise, any monetary distribution, or any ownership interest, said administrator, executor, trustee, or third party payor/custodian shall make such distribution to the person designated as such minor's custodian for the benefit of such minor under either RSA 463-A, the Uniform Transfers to Minors Act, or under another state's Uniform Transfers to Minors Act or similar statute, or absent a designated custodian, to a custodian for the benefit of such minor under RSA 463-A, the Uniform Transfers to Minors Act.***

2 Effective Date. This act shall take effect January 1, 2004.

HB 186, relative to the effect of divorce or annulment upon trusts. **OUGHT TO PASS**

Rep. John M. Pratt for Judiciary: This bill amends the section of law on the revocation of wills by inserting a new section which makes it plain that a divorce or annulment terminates any inheritance claim made by the former spouse made under the provisions of a trust established before the divorce unless the trust expressly provides otherwise. Vote 18-0.

HB 195, prohibiting all part-time district court judges from practicing law in the district courts. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert H. Rowe for Judiciary: Currently there are 20 full time and 53 part time judges in the district court . These judges are either justices, associate justices or special justices. The associate justices sit in the larger city district courts. The smaller courts have part time justices and part time special justices. Many part time justices, associate justices and special justices conduct a law practice in addition to being a local judge. In order to avoid any real or appearances of impropriety, the law states that part time justices, associate justices and clerks cannot practice law in other district courts. This bill adds special justices to this prohibition. The committee feels that this is an excellent policy. Vote 17-0.

Amendment (0044h)

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

AN ACT prohibiting all part-time district court judges and district court clerks from practicing law in the district courts.

Amend the bill by replacing section 1 with the following:

1 Disqualification of Justices; Special Justices; Clerks. Amend RSA 502-A:21 to read as follows:

502-A:21 Disqualifications of Justices[~~-ete~~]. No justice, associate justice, special justice or clerk of any district [~~or municipal~~] court shall be retained or employed as attorney in any action, complaint, or proceeding pending in his court or which has been examined or tried therein. No such justice [~~or~~], associate justice, ***special justice, or clerk*** shall be retained or employed as an attorney in any matter pending before any other district [~~or municipal~~] court. [~~No special justice of any municipal or district court shall appear in any municipal or district court representing a client in a criminal case.~~] No attorney shall be permitted to practice before any district [~~or municipal~~] court

where any justice, associate justice, or special justice thereof is associated with said attorney in the practice of law.

AMENDED ANALYSIS

This bill prohibits all part-time district court judges and district court clerks from practicing law in the district courts. Currently, special justices can represent clients in civil cases.

HB 94, relative to warrant articles. **INEXPEDIENT TO LEGISLATE**

Rep. Robert W. Brundige for Municipal and County Government: The subject matter of this bill dealing with the default budget is similar to the subject matter contained in HB 85. The

entire content of this bill will be discussed with HB 85-FN-L. Vote 15-0.

HB 238, relative to the constitutionality of the presumption of procedural validity of municipal legislation. **INEXPEDIENT TO LEGISLATE**

Rep. Thomas J. Gillick for Municipal and County Government: Currently if a municipal ordinance or legislative action has been in effect for five years that ordinance or action is considered to be procedurally valid. The change requested would require that the municipal ordinance or action not limit a United States constitutional challenge. After reviewing RSA 31:129 which states that a municipal ordinance or action does not eliminate any "claim of invalidity which is founded upon the substance of the municipal legislation" under "the federal and state constitutions and laws." The committee understood that the procedure could not be challenged after five years but the subject matter could be challenged at any time. Since the RSA 31:129 already states what the proposed change would require, the committee felt that this bill was unnecessary. Vote 18-0.

HB 62-FN-A, relative to the repair or replacement of a certain bridge over the Merrimack River between Canterbury and Boscawen and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Sandra B. Keans for Public Works and Highways: The bridge between Canterbury and Boscawen was closed in 1965. Since that time, the populations have increased three-fold, placing a transportation burden on folks from Canterbury when they need to go to the county facilities, as well as the rescue squad from Boscawen that serves both communities. The committee sympathizes with the situation, but in this time of dwindling resources, we make the following suggestions: 1) work to get on the list for bridge aid; 2) work with the regional planning commission; 3) work with the various recreational users and office of OHRV; 4) think about getting a place on the 10-year plan. Vote 15-0.

HB 118, prohibiting the commemoration of groups who take up arms against United States policies. **INEXPEDIENT TO LEGISLATE**

Rep. Kevin K. Waterhouse for Public Works and Highways: The committee realizes that in the recent past, a difference of opinion occurred concerning the placement of a plaque. The current system brought this placement out to public debate. The committee felt that this bill would duplicate the efforts of the Governor and Council and other groups who already have the responsibility of determining what commemoration may be suitable on state property. There are existing processes that deal with commemoration on state properties. Vote 18-0.

HB 75, relative to timber harvesting. **OUGHT TO PASS WITH AMENDMENT**

Rep. D. L. Chris Christensen for Resources, Recreation and Development: Testimony indicated that costly delays in timber harvests were the result of a logger being unable to obtain a copy of the "Intent to Cut" form after it had been signed by the assessing officials. This was especially true in small towns with little staffing and part time office hours. The main thrust of HB 75 is to allow posting of a copy of the submitted intent, with notification information clearly printed thereon. This is a modification to section 79:10 which would allow operations to proceed without diminishing oversight by state and local officials. It also provides better notice to the public. A cross-reference in RSA section 227:J-5 (logging procedures) was added to notify loggers of the pertinent sections of 79:10. Other minor changes were made to clarify language in related parts of 79:10. Vote 19-0.

Amendment (0039h)

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

1 Timber Cutting; Land Ownership. Amend the section heading of RSA 79:3-a to read as follows:

79:3-a ~~[Permit to Cut]~~ ***Land Ownership.***

2 Timber Cutting; Taxation. RSA 79:10, I is repealed and reenacted to read as follows:

I.(a) Every owner, as defined in RSA 79:1, II, shall, prior to commencing each cutting operation and at the beginning of each new tax year into which the cutting operation shall continue, file with the proper assessing officials in the city, town or unincorporated place where such cutting is to take place a notice of intent to cut provided by the commissioner of revenue administration, stating the owner's name, residence, an estimate of the volume of each species to be cut, and such other information as may be required. A supplemental notice of intent shall be filed in the same manner for any additional volume of wood or timber to be cut in excess of the original estimate and within the tax year.

(b) Any intent received by a city, town or unincorporated place shall, within 30 days, be assigned a number in accordance with the guidelines provided by the commissioner of revenue administration, and be signed by the assessing officials. If the conditions for approval have not been met, the assessing officials shall send a letter to the owner or the person responsible for cutting, explaining the reason for the intent not being signed. The assessing officials shall immediately forward any signed intent to the commissioner of revenue administration and shall also supply a copy to the owner upon request. Failure of the assessing officials to forward signed intent to cut forms to the department of revenue administration shall constitute a violation.

(c) The assessing officials shall, within 30 days of signing a notice of intent, notify the tax collector that an intent has been filed. The notice of intent shall serve as notice that the land is holden to taxes pursuant to RSA 79:6.

(d) Upon receipt of an intent, the commissioner of revenue administration shall furnish, without cost to the owner, a certificate and a report of wood cut form. Such certificate shall be posted by the owner filing such intent in a conspicuous place within the area of cutting for each operation conducted within a city, town, or unincorporated place. An owner may start an operation upon posting the certificate or upon posting, in a water proof covering in the same place and manner that the certificate will be posted upon receipt, a copy of the intent to cut form that was signed by the assessing officials. In lieu of a signed intent to cut form, a copy of the form as

submitted by the owner to the assessing officials may be substituted for posting purposes when the owner, or the person responsible for the cut, has been notified that the intent to cut form has been signed. The owner, or the person responsible for the cut, shall clearly print on the form the number assigned to it pursuant to subparagraph (b), and the date, time, and name of the municipal official or employee who provided the notification.

(e) Starting or continuing an operation while the required certificate or intent to cut form is not posted in accordance with this section shall constitute a violation by the owner or any other person doing the cutting, or both.

(f) A copy of all intents received by the commissioner of revenue administration shall be forwarded to the division of forests and lands of the department of resources and economic development.

3 Timber Cutting; Bond Required. Amend RSA 79:10-a, I and II to read as follows:

I. The assessing officials shall, within 30 days of the receipt of the notice of intent to cut pursuant to RSA 79:10, or within 15 days of written notification of a change in ownership from the owner pursuant to RSA 79:3-a, II, ~~[shall]~~ notify in writing the owner filing such notice of the amount and conditions of any bond or other security which they deem necessary to secure the payment of the yield tax due from the operation described in the notice of intent to cut.

II. No owner required to furnish bond or other security in accordance with RSA 79:3-a shall commence to cut or continue to cut until such owner has posted the bond or other security. No owner who owns land in the town where the owner intends to cut shall be required to post a bond or other security as a condition ~~[for filing an intent to cut or receiving a permit]~~ to cut, unless the owner is delinquent on town timber taxes or property taxes.

4 Timber Cutting; Enforcement. Amend RSA 79:28 to read as follows:

79:28 Enforcement.

I. The department of revenue administration shall administer and enforce this chapter. The director of the division of forests and lands and his agents shall also have enforcement authority in regard to the proper filing and reporting of intents to cut, posting of ~~[the certificate on the operation]~~ **certificates and intents to cut**, and proper filing and reporting of the timber cut and shall otherwise assist in enforcement of this chapter as agreed upon by the commissioner of the department of revenue administration and the director, division of forests and lands. It is the intent of this section to authorize the commissioner of the department of revenue administration and the director, division of forests and lands, and their agents, to have enforcement authority and the right to stop any operation in violation of RSA 79 and report same to local authorities.

II. Officials responsible for the enforcement of this chapter may enter upon any lands for which ~~[a permit to cut]~~ **an intent to cut has been signed** or a certificate ~~[to operate]~~ has been issued pursuant to RSA 79 or may enter upon any lands that they believe may have an operation in violation of RSA 79. They also may review any records in conjunction with any timber operation in the state.

5 Timber Cutting; Notice of Intent to Cut. RSA 227-J:5 is repealed and reenacted to read as follows:

227-J:5 Notice of Intent to Cut and Report of Wood Cut. Pursuant to RSA 79:10 and 11, any owner, as defined in RSA 79:1, II, conducting a cutting operation shall file an intent to cut and a report of wood cut. Pursuant to RSA 79:10, I(d), the intent to cut form as signed or properly noted as being signed by the assessing officials or the certificate issued by the department of revenue administration shall be posted prior to starting a cutting operation. Failure to comply with these requirements and those contained in RSA 79 may result in penalties to the owner or any other person doing the cutting, or both, under RSA 79.

6 Repeal. RSA 79:3-a, III, relative to notice of intent to cut timber, is repealed.

7 Effective Date. This act shall take effect January 1, 2004.

HB 91, extending the telecommunications planning and development initiative and advisory committee. **OUGHT TO PASS WITH AMENDMENT**

Rep. Thomas I. Arnold for Science, Technology and Energy: This bill, as amended, extends the life of the Telecommunications Planning and Development Initiative and Advisory Committee to 2008, and requires biennial reporting of accomplishments and expenditures. Vote 11-1.

Amendment (0053h)

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

AN ACT relative to the telecommunications planning and development initiative and advisory committee.

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

1 New Section; Telecommunications Planning and Development Initiative; Reporting Requirement. Amend RSA 12-A by inserting after section 49 the following new section:

12-A:50 Reporting Requirement. The director of economic development shall report on the accomplishments, efforts, and costs of the telecommunications planning and development initiative, including the work of the advisory committee. The reports shall be made available to the public and shall be submitted to the governor, the speaker of the house of representatives, the senate president, and the state library, on or before September 1 in the years 2004, 2006, and 2008.

2 Telecommunications Planning and Development Initiative and Advisory Committee; Prospective Repeal Date Amended. Amend 2000, 298:7, I to read as follows:

I. Section 6 of this act shall take effect [~~July 1, 2004~~] **July 1, 2008**.

3 Repeal. RSA 12-A:50, relative to the reporting requirement for the telecommunications planning development initiative, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect September 1, 2008.

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

AMENDED ANALYSIS

This bill extends the telecommunications planning and development initiative and advisory committee to July 1, 2008. The bill also requires the director of economic development to file periodic reports on the telecommunications planning and development initiative.

HB 189, making daylight savings time permanent. **INEXPEDIENT TO LEGISLATE**

Rep. Thomas I. Arnold for Science, Technology and Energy: Due to technical difficulties involved in instituting a different time schedule for daylight savings time, the sponsor asked, and the committee voted unanimously that the bill be inexpedient to legislate. Vote 17-0.

HCR 3, calling on the President and the Congress to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act. **OUGHT TO PASS**

Rep. Richard F. Heon for State-Federal Relations and Veterans Affairs: The committee, once again, unanimously voted to call upon the President and Congress to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act. Vote 13-0.

HB 76, relative to neighborhood electric vehicles. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert J. Letourneau for Transportation: This bill establishes equipment and operation requirements for neighborhood electric vehicles. This bill allows these vehicles to be operated on a way where the posted speed limit is 35 miles per hour or less. These vehicles meet or exceed state and federal safety requirements in accordance with 49 C.F.R. Section 571.500. Vote 15-0.

Amendment (0040h)

Amend the bill by replacing section 4 with the following:

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

HB 216, relative to motorcycle inspection stickers. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill would create confusion for owner, inspection station operator and inspectors, and police officers. The committee felt that the current law is working well, and there was no need to create confusion. Vote 15-0.

HB 163-FN-A-L, relative to allowing cities and towns to permit slot machines and other games of chance. **INEXPEDIENT TO LEGISLATE**

Rep. Susan W. Almy for Ways and Means: The committee agreed that there were a variety of problems with this concept, especially the negative impacts on neighboring towns, lack of oversight, and informed voter consent. Revenue estimates vary widely, and past and present Attorneys General have opposed legalization of machine gambling for law enforcement reasons. Vote 18-0.

HB 187-FN-A, establishing a credit for employer-paid insurance premiums against the business enterprise tax. **INEXPEDIENT TO LEGISLATE**

Rep. Frank W. Davis for Ways and Means: The sponsor wrote to the committee chairman indicating that HB 187 was not what he intended despite three drafting attempts and that the fiscal note was "way, way off". The letter also stated that the co-sponsors agreed that the bill should be voted Inexpedient to Legislate. No one appeared to testify at the hearing. While the Ways & Means Committee felt that this was an important issue, they voted to support the sponsor's request to ITL HB 187. Vote 15-1.

REGULAR CALENDAR

HB 171, establishing a commission to assess the operating efficiency of state government. **OUGHT TO PASS WITH AMENDMENT**

Rep. Michael O'Neil for Executive Departments and Administration: This bill creates a 15-member commission to study the restructuring of New Hampshire government and develop recommendations to improve operating efficiencies. The commission will be made up of public and private sector individuals who will examine each executive agency, board and commission to access administrative efficiencies. The amendment to the bill changes the reporting dates to get the commission working immediately. Under the amendment, the commission will issue a preliminary report by July 1, 2003 and a final report by December 1, 2003. This represents a great opportunity for the legislative branch and executive branch to work together to identify areas of government improvement which will result in greater customer satisfaction at a potentially lower cost to taxpayers. Vote 19-0.

Amendment (0031h)

Amend subparagraph I(d) of section 2 of the bill by replacing it with the following:

(d) Fifteen representatives of the private or public sector community, 5 of whom shall be appointed by the governor, 5 of whom shall be appointed by the speaker of the house of representatives, and 5 of whom shall be appointed by the senate president.

Amend subparagraph II(d) of section 3 of the bill by replacing it with the following:

(d) Fourth, the commission shall present a preliminary list of issues and opportunities for restructuring state government organization in New Hampshire at a public hearing to be held no later than July 1, 2003, and to allow the commission to receive public comment regarding the purpose, objectives, scope, and conduct of this study.

Amend the bill by replacing section 4 with the following:

4 Chairperson. The first meeting of the commission shall be held within 30 days of the effective date of this act. The members of the commission shall elect a chairperson from among its members.

Amend paragraph II of section 5 of the bill by replacing it with the following:

II. The commission shall report the final results of its study, including its findings, recommendations, and any proposed legislation, to the speaker of the house of representatives, the senate president, the governor, the house clerk, the senate clerk, and the state library no later than December 1, 2003.

Adopted.

Rep. Splaine offered a floor amendment (0084h).

Floor Amendment (0084h)

Amend paragraph I of section 2 of the bill by replacing it with the following:

I. The commission shall consist of:

(a) One member of the governor's office, appointed by the governor.

(b) One member of the house of representatives, appointed by the speaker of the house of representatives.

(c) One member of the senate, appointed by the senate president.

(d) Five members appointed by the governor, at least 2 of whom shall be non-management, non-supervisory, state employees.

(e) Five non-legislative members, appointed by the speaker of the house of representatives, at least 2 of whom shall be non-management, non-supervisory, state employees.

(f) Five non-legislative members, appointed by the senate president, at least 2 of whom shall be non-management, non-supervisory, state employees.

(g) One academic in public administration from the state university system, appointed by the chancellor of the university system of New Hampshire.

(h) One representative of a non-governmental organization that is dedicated to effective energy-conservation measures, appointed by the governor.

(i) One representative of the State Employees' Association of New Hampshire, appointed by that organization.

Rep. Splaine spoke in favor and yielded to questions.

Reps. Peter Sullivan and Davidson spoke in favor.

Rep. O'Neil spoke against.

The floor amendment failed.

Report adopted and ordered to third reading.

HB 138-FN, relative to interpreters for the deaf in certain governmental or public proceedings.
OUGHT TO PASS WITH AMENDMENT

Rep. Sandra C. Harris for Health, Human Services and Elderly Affairs: This amended bill deals with the special needs of the hearing impaired who require translators or sign interpreters. The qualified interpreter in a legal setting will be able to interpret effectively, accurately, and impartially both receptively, and expressively, using any necessary specialized vocabulary including legal constructs. Qualified legal interpreters shall hold a specialized legal certificate awarded by the Registry of Interpreters for the Deaf or a level 5 Certification from the National Association of the Deaf, or shall hold certification from the Registry and successfully complete legal interpreter training. These

interpreters will be included in proceedings involving criminal sanctions, forfeitures of property, interrogation, administration of the Miranda warnings, grand jury proceedings, arbitration or mediation services, depositions, probation or parole meetings or hearings, psychological evaluations, interests including communications related to medical attention during apprehension. This bill meets the requirements of the American with Disabilities Act and gives to law enforcement the resources it needs to protect the rights of the hearing impaired. Vote 12-3.

Amendment (0026h)

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

1 Interpreters for the Deaf and Hard of Hearing. RSA 521-A is repealed and reenacted to read as follows:

CHAPTER 521-A

INTERPRETERS FOR THE DEAF AND HARD OF HEARING

521-A:1 Purpose. The purpose of this chapter is to ensure that deaf and hard of hearing persons who are parties in interest and otherwise affected by proceedings or actions of entities covered under Title II for public entities and Title III for public accommodations of the Americans with Disabilities Act shall have available to them a qualified interpreter or auxiliary aids in accordance with the requirements of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and RSA 354-A.

521-A:2 Definitions. In this chapter:

I. "Appointing authority" means:

(a) A public entity as defined by Title II of the Americans with Disabilities Act which includes any state or local government, any department, agency, special purpose district, or instrumentality of a state or local government.

(b) A private entity defined by Title III of the Americans with Disabilities Act which includes places of public accommodation, commercial facilities and examinations and courses related to applications, licensing, certification, or credentialing for secondary or post secondary education, professional or trade purposes.

II. "Auxiliary Aid" means "auxiliary aid" as defined by the Americans with Disabilities Act, which includes: note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, telephones compatible with hearing aids, closed caption decoders, telecommunication devices (TTY's), video text displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments.

III. "Board" means the board of licensure of interpreters for the deaf and hard of hearing established in RSA 326-I.

IV. "Deaf person" means a person whose sense of hearing is nonfunctional for the purpose of communication and whose primary communication is visual.

V. "Hard-of-hearing person" means a person who has a hearing loss, who may or may not primarily use visual communication, and who may or may not use assistive devices.

VI. "Intermediary interpreter" means an interpreter who holds a certificate of Certified Deaf Interpreter or Reverse Skills from the Registry of Interpreters for the Deaf, or a person who has intimate acquaintance with a deaf person who mainly uses uncommon gestures for communicating and may be able to act as an interpreter between the deaf person and the qualified interpreter.

VII. "Principal party in interest" means all deaf or hard-of-hearing persons who under titles II and III of the Americans with Disabilities Act have a right to a qualified interpreter or auxiliary aids. "Principal party in interest" shall include the named party, a person in whom the decision or action directly affects, victims, jurors, parents, guardians, foster parents, or the individual who the principal party relies on for advice or decisions.

VIII. "Qualified interpreter" means a person licensed pursuant to RSA 326-I.

IX. "Qualified legal interpreter" means a qualified interpreter under the Americans with Disabilities Act who in a legal setting is able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary including legal constructs. Qualified legal interpreters shall hold a specialized legal certificate awarded by the Registry of Interpreters for the Deaf or a level 5 certificate from the National Association of the Deaf, or shall hold certification from the Registry of Interpreters for the Deaf and successfully complete legal interpreter training. "Qualified legal interpreter" also includes a person granted an exemption under RSA 326-I:7, provided that the person discloses his or her lack of certification or legal training to the Title II or Title III entity.

521-A:3 Preliminary Determination. No qualified interpreter or qualified legal interpreter shall be appointed in any case until the appointing authority and the deaf person make a preliminary determination that the interpreter is able to accurately communicate both receptively and expressively for the parties involved. In the event that the interpreter is found unable to communicate effectively, another qualified interpreter or intermediary interpreter, or a non-licensed interpreter may be obtained, if the board grants a waiver under RSA 326-I:7.

521-A:4 Standards for Selecting Type of Interpreter or Auxiliary Aid. The appointing authority, when required under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, or RSA 354-A, shall appoint:

- I. A qualified interpreter for any situation which is not a legal or quasi-legal matter;
- II. A qualified legal interpreter for all stages of all criminal, civil, and other adjudicatory proceedings, including criminal investigations which may lead to such proceedings;
- III. An intermediary interpreter for situations cited in RSA 521-A:4, I or II in which these specialized services are required to effectuate communication with the deaf person; or
- IV. Auxiliary aids.

521-A:5 Notice; Need for Interpreter or Auxiliary Aid. In situations which under the Americans with Disabilities Act require interpreters or auxiliary aids, the appointing authority shall provide such services upon request by the principal party in interest. This request does not have to be in writing.

521-A:6 Coordination of Interpreter and Auxiliary Aid Requests.

I. Whenever an appointing authority receives a request for the services of an interpreter or auxiliary aid, the authority can request the board to furnish the authority with a list of qualified interpreters. If the choice of a qualified interpreter does not meet the needs of the principal party in interest, the appointing authority shall appoint another licensed interpreter.

II. The New Hampshire Association of the Deaf and the New Hampshire Registry of Interpreters are authorized to assist the board to prepare and continually update, a listing of services.

521-A:7 Compensation. An interpreter or qualified legal interpreter appointed by an appointing authority who is a public entity as defined in RSA 521-A:2, I(a) shall be reimbursed at a fixed rate reflecting the current approved fee schedule as established by the department of education, division of career technology and adult learning. Nothing in this section shall be construed to prevent any such appointing authority from employing an interpreter on a full-time basis or at a mutually agreed upon compensation rate. Compensation paid by such appointing authorities shall be negotiated by the entity and the interpreter.

521-A:8 Privileged Communications. An interpreter who is employed to interpret or transliterate between a person who can hear and a principal party in interest may not be compelled to disclose, through reporting, testimony or by subpoena, the contents of the communication, unless consent was granted by the principal party in interest.

521-A:9 Penalties. A person who violates any provisions of this chapter or who knowingly discloses a privileged communication in violation of RSA 521-A:8, shall be guilty of a violation. Upon conviction of a second or subsequent violation under this chapter a person shall be guilty of a class A misdemeanor and may, in addition, be subject to a civil penalty of up to \$2000 per offense or, in the case of a continuing offense, \$250 for each day the violation continues.

521-A:10 Interpreter or Auxiliary Aid to be Provided. Whenever a principal party in interest is receiving services from an appointing authority that is required under the Americans with Disabilities Act to provide interpreters or auxiliary aids, and the principal party in interest requests an interpreter or auxiliary aid, one shall be provided. Cost for the provision of services shall not be assessed to the deaf or hard-of-hearing person.

521-A:11 Interpreter Required in Civil or Criminal Matters.

I. Any appointing authority involved in the provision of legal services or court-related services shall comply with the Americans with Disabilities Act. A qualified legal interpreter or auxiliary aid shall be provided when requested by the principal party in interest. This includes proceedings of preliminary proceedings involving criminal sanctions or confinements, forfeiture of property, interrogation, administration of the Miranda warnings, grand jury proceedings, arbitration or mediation services, depositions, probation or parole meetings or hearings, psychological evaluation, interests including communication related to needed medical attention during apprehension. Whenever a deaf person is arrested for any reason when the penalty may include imprisonment or a fine in excess of \$100 no attempt to interrogate shall be permitted until a qualified interpreter is appointed for said person and then only through the use of such interpreter.

II. No statement, written or oral, made by a deaf or hard of hearing person, in reply to a question by a police officer, sheriff, or other law enforcement personnel having prosecutorial function in any criminal or quasi-criminal proceeding may be used against that person unless the

statement was made or elicited through a qualified legal interpreter and was made knowingly, voluntarily, and intelligently, or unless the court finds that effective communication otherwise occurred between the deaf person and law enforcement personnel, the statement was made knowingly, voluntarily, and intelligently. In no event shall the failure of a deaf or hard of hearing person to request an interpreter be deemed a waiver of the appointment of an interpreter. A deaf or hard of hearing person may knowingly, voluntarily, and intelligently waive, in writing, the appointment of a qualified legal interpreter. Such waiver is subject to the written approval of counsel where the deaf or hard of hearing person is being represented by counsel.

521-A:12 Oath of Interpreter. Every interpreter appointed pursuant to the provisions of this chapter, before entering upon his or her duties in any legal or quasi-legal setting, shall take oath that he or she will to his or her best skill and judgment make a true interpretation to the deaf person in a language that the deaf person understands, all spoken language and, if necessary, any written material presented during each stage of the proceeding and of the deaf person's communication to others during each stage of the proceeding, whether or not the deaf person is the principal party in interest, provided that in case for an interpreter appointed for a juror, the interpreter shall also take an oath that he or she will not:

I. Participate in any manner in the deliberations of the jury;

II. Communicate with any member of the jury regarding the deliberation of the jury, except a literal translation of a juror's remarks made during deliberations; or

III. Disclose any of the deliberations with any person.

521-A:13 Visual Recordings; Court Proceedings. On the court's motion, or the motion of a party, the court may order testimony of a party and the interpretation of that testimony by the interpreter be visually and electronically recorded for use in verification of the transcription of the reporter's notes or accuracy of the interpretation. The clerk of the court shall include that recording in the appellate record if requested by a party.

521-A:14 Interpreter Positioning. No court proceedings or testimony shall commence until the qualified legal interpreter is in full view and specially situated to assure proper communication with the participating individual who is deaf or hard of hearing.

2 Effective Date. This act shall take effect January 1, 2004.

Adopted.

Report adopted and referred to Criminal Justice and Public Safety.

HB 240, establishing a committee to study ways to prevent suicide among young people in New Hampshire. **OUGHT TO PASS**

Rep. James P. Pilliod for Health, Human Services and Elderly Affairs: The committee heard much supportive testimony on the need to continue work in the field of prevention of youth suicide. Very profound testimony was given by a youth deeply involved with the problem. The committee would be charged collecting and reviewing pertinent information; develop and enhance state programs, and research federal and private grants to augment the programs. After discussion, which included the possible best structure to address the issue, the committee voted – OTP. Vote 13-2.

Adopted and ordered to third reading.

HB 125, relative to customer information of municipal utilities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Robert H. Rowe for the Majority of Judiciary: Many municipalities have municipal water and sewer systems. A few municipalities have a municipal electric system. These municipal utilities are covered under the Right-to-Know Law (RSA 91A). To date there have been no complaints that the committee has heard as to abuses to the Right-to-Know Law as to municipal water, sewer and electric systems. The committee felt that the public's right to know is such an important element in free government that changes in the law were unwarranted. Vote 10-3.

Rep. Gregory M. Sorg for the Minority of Judiciary: We believe that this bill, with certain modifications as to form, should be recommended "ought to pass." Information of municipally owned utilities concerning use by ultimate consumers, whose protection from disclosure under RSA 91-A is sought by this bill, is not relevant to the management, conduct or regulation of the utility. The features that the exemptions from the Right-to-Know Law found in 91-A: 5 have in common are that the disclosures concerned reach individual activity and invade individual privacy on matters for which there is no countervailing or offsetting public benefit to be derived from having the information available to other individuals. The subject matter of this bill differs materially from that of the real estate tax assessment, levy and collection process where the constitutional requirement of proportionality creates a direct connection among, and consequently a public interest in disclosure of, the figures for every individual specifically identifiable to each.

Reps. Hatch and Rice spoke against.

Rep. Mock spoke in favor and yielded to questions.

The question now being adoption of the majority committee report.

On a division vote, 305 members having voted in the affirmative and 61 in the negative, the majority report was adopted.

HB 63-FN, exempting OHRVs used solely for ice fishing on public bodies of water from registration requirements. **INEXPEDIENT TO LEGISLATE**

Rep. Richard T. Cooney for Resources, Recreation and Development: This bill would exempt ice fishermen's Off Highway Recreational Vehicles from registration requirements if their machines are used exclusively for ice fishing. Testimony showed that more than 80% of snowmobile registration fees go to fund trail grooming and maintenance. Since these ice fishermen do not use groomed trails, the sponsor felt they deserve a break on the fees. The committee sympathizes with this concern and plans to use HB 143 to address these and other concerns regarding snowmobile registration fees. Therefore, this bill is not necessary. Vote 19-0.

Adopted.

bills removed from consent calendar

HB 89, establishing a committee to study airport security staffing. **INEXPEDIENT TO LEGISLATE**

Rep. George Winchell for Criminal Justice and Public Safety: The intent of this bill is to establish a committee to study security staffing at all airports in New Hampshire. The committee received no testimony indicating that a problem currently exists with the present system statewide. Testimony was received suggesting a new multi-jurisdictional police agency, with overlapping and competing jurisdictions, would create unintended consequences. Vote 18-0.

Adopted.

HB 57, relative to the use of inhalers by pupils and campers with asthma. **OUGHT TO PASS WITH AMENDMENT**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: It is estimated that 5.3 million children in America have asthma. In NH 76,000 people are at risk and the numbers have been growing at an alarming rate. Asthma is the most common cause of missed schools days. Although there is no known cause, there is a treatment that works and most often that treatment is the use of an inhaler prescribed by the patient's physician. What we have learned is that if an asthma sufferer has an asthmatic episode, many need the use of their prescribed inhaler as quickly as possible to enable them to breath properly. Any major delay in the use of the inhaler could put the child at mortal risk. Current administrative rules in NH require medications be dropped off at the nurses office in schools and camp offices. Dropping off this medication can put every asthmatic child at risk. This bill, with the signed approval of a physician and parent; allows the student or camper to possess and self administer their medication as instructed and trained by the physician and parent. Support for this bill comes from Dartmouth's primary pediatrician, Center for Disease Control in Atlanta, N.H. Medical Society, National Allergy and Asthma Network, N. H. Lung Assn., etc. The amendment simply eliminates several minor unnecessary steps in the bill that does not change the intent or the character of the original bill. Vote 18 - 0 .

Amendment (0025h)

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

1 New Subdivision; Education; Health and Sanitation; Use of Asthma Medications by Pupils.
Amend RSA 200 by inserting after section 41 the following new subdivision:

Use of Asthma Medications by Pupils.

200:42 Possession and Self-Administration of Asthma Inhalers Permitted. A pupil may possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, if the following conditions are satisfied:

I. The pupil has the written approval of the pupil's physician and, if the pupil is a minor, the written approval of the parent or guardian. The school shall obtain the following information from the pupil's physician:

(a) The pupil's name.

(b) The name and signature of the licensed prescriber and business and emergency numbers.

(c) The name, route and dosage of medication.

(d) The frequency and time of medication administration or assistance.

(e) The date of the order.

(f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent, guardian to keep confidential.

(g) Specific recommendations for administration.

(h) Any special side effects, contraindications and adverse reactions to be observed.

(i) At least one emergency telephone number for contacting the parent or guardian.

(j) The name of each required medication.

II. The school principal or, if a school nurse is assigned to the pupil's school building, the school nurse shall receive copies of the written approvals required by paragraph I.

III. The pupil's parent or guardian shall submit written verification from the physician confirming that the pupil has the knowledge and skills to safely possess and use an asthma inhaler in a school setting.

IV. If the conditions provided in this section are satisfied, the pupil may possess and use the inhaler at school or at any school sponsored activity, event, or program.

V. In this section, "physician" includes any physician or health practitioner with the authority to write prescriptions.

200:43 Immunity. A school district, member of a school district board of education, or school district employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee prohibiting a pupil from using an inhaler because of the employee's good faith belief that the conditions of RSA 200:42 had not been satisfied. A school district, member of a school district board of education, or school district employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee permitting a pupil to use an inhaler because of the employee's good faith belief that the conditions of RSA 200:42 had been satisfied. Furthermore, if a school district permits a pupil to possess and use an inhaler pursuant to this subdivision, the school district, any member of the school district board of education, or any school district employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a pupil for whom it was not prescribed.

2 New Sections; Water Management and Protection; Safety Regulations; Possession and Use of Asthma Medication at Recreation Camps. Amend RSA 485-A by inserting after section 25-a the following new sections:

485-A:25-b Possession and Use of Asthma Inhalers at Recreation Camps. A recreation camp shall permit a child to possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, if the following conditions are satisfied:

I. The child has the written approval of the child's physician and the written approval of the parent or guardian. The camp shall obtain the following information from the child's physician:

- (a) The child's name.
- (b) The name and signature of the licensed prescriber and business and emergency numbers.
- (c) The name, route and dosage of medication.
- (d) The frequency and time of medication administration or assistance.
- (e) The date of the order.
- (f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent, guardian to keep confidential.
- (g) Specific recommendations for administration.
- (h) Any special side effects, contraindications and adverse reactions to be observed.
- (i) The name of each required medication.
- (j) At least one emergency telephone number for contacting the parent or guardian.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an asthma inhaler in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the inhaler at the camp or at any camp sponsored activity, event, or program.

V. In this section, physician includes any physician or health practitioner with the authority to write prescriptions.

485-A:25-c Immunity. A recreational camp or camp employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a camp employee prohibiting a child from using an inhaler because of the employee's good faith belief that the conditions of RSA 485-A:25-b had not been satisfied. A recreational camp or camp employee shall

not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a camp employee permitting a child to use an inhaler because of the employee's good faith belief that the conditions of RSA 485-A:25-b had been satisfied. Furthermore, if a recreational camp permits a child to possess and use an inhaler pursuant to this subdivision, the recreational camp or any camp employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a child for whom it was not prescribed.

3 Effective Date. This act shall take effect August 15, 2003.

Adopted.

Rep. Mock offered a floor amendment.

Floor Amendment (0087h)

Amend RSA 200:43 as inserted by section 1 of the bill by replacing it with the following:

200:43 Immunity. No school district, member of a school board, or school district employee shall be liable in a suit for damages as a result of any act or omission related to a pupil's use of an inhaler if the provisions of RSA 200:42 have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an asthma inhaler by a pupil.

Amend RSA 485-A:25-c as inserted by section 2 of the bill by replacing it with the following:

485-A:25-c Immunity. No recreational camp or camp employee shall be liable in a suit for damages as a result of any act or omission related to a child's use of an inhaler if the provisions of RSA 485-A:25-b have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an asthma inhaler by a child.

Reps. Mock, Soltani and Batula spoke in favor.

Adopted.

Report adopted and ordered to third reading.

HB 92, relative to the use of epinephrine auto-injectors by pupils and campers with severe allergies.
OUGHT TO PASS WITH AMENDMENT

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: People with life threatening allergies are aware that the consequences of anaphylaxis have been heightened by increasing reports of death in the U.S. Symptoms usually are difficulty breathing; a sudden drop of blood pressure or shock etc., all of which are potentially fatal if not immediately treated through the use of an auto-injector. Allergies can be triggered by food, insect stings, etc. and come on suddenly. Time of treatment is key. Any delay puts the person at risk. Under current administrative rules the auto-injector must be dropped off by students or campers at the designated schools or camp nurses office (or designed place), leaving the student at considerable risk at getting the treatment on time during an attack. This bill allows the student or camper to possess and self-administer the needed medication as instructed by a physician and parent. Instructions and approval to possess and self-

administer are verified by the signatures of the physician and parent. This bill is supported by the pediatric unit at Dartmouth, NH Medical Society, Center for Disease Control in Atlanta. There was no negative testimony but lots of professional support. The bill simply puts the physician and parent back in charge. The amendment simply eliminates several minor unnecessary steps in the bill that does not change the intent or the character of the original bill. Vote 18 - 0 .

Amendment (0022h)

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

1 New Subdivision; Education; Health and Sanitation; Pupil Use of Epinephrine Auto-Injectors. Amend RSA 200 by inserting after section 41 the following new subdivision:

Pupil Use of Epinephrine Auto-Injectors.

200:42 Possession and Use of Epinephrine Auto-Injectors Permitted. A pupil with severe, potentially life-threatening allergies may possess and self-administer an epinephrine auto-injector if the following conditions are satisfied:

I. The pupil has the written approval of the pupil's physician and, if the pupil is a minor, the written approval of the parent or guardian. The school shall obtain the following information from the pupil's physician:

- (a) The pupil's name.
- (b) The name and signature of the licensed prescriber and business and emergency numbers.
- (c) The name, route, and dosage of medication.
- (d) The frequency and time of medication administration or assistance.
- (e) The date of the order.
- (f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.
- (g) Specific recommendations for administration.
- (h) Any special side effects, contraindications, and adverse reactions to be observed.
- (i) The name of each required medication.
- (j) Any severe adverse reactions that may occur to another pupil, for whom the epinephrine auto-injector is not prescribed, should such a pupil receive a dose of the medication.

II. The school principal or, if a school nurse is assigned to the pupil's school building, the school nurse shall receive copies of the written approvals required by paragraph I.

III. The pupil's parent or guardian shall submit written verification from the physician confirming that the pupil has the knowledge and skills to safely possess and use an epinephrine auto-injector in a school setting.

IV. If the conditions provided in this section are satisfied, the pupil may possess and use the epinephrine auto-injector at school or at any school-sponsored activity, event, or program.

V. In this section, "physician" includes any physician or health practitioner with the authority to write prescriptions.

200:43 Use of Epinephrine Auto-Injector. Immediately after using the epinephrine auto-injector during the school day, the pupil shall report to the nurse's office or principal's office to enable the nurse or another school employee to provide appropriate follow-up care.

200:44 Availability of Epinephrine Auto-Injector. The school nurse or, if a school nurse is not assigned to the school building, the school principal shall maintain for pupil use at least one epinephrine auto-injector, provided by the pupil, in the nurse's office or in a similarly accessible location.

200:45 Immunity. A school district, member of a school district board of education, or school district employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee prohibiting a pupil from using an epinephrine auto-injector because of the employee's good faith belief that the conditions of RSA 200:42 had not been satisfied. A school district, member of a school district board of education, or school district employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee permitting a pupil to use an epinephrine auto-injector because of the employee's good faith belief that the conditions of RSA 200:42 had been satisfied. Furthermore, if a school district permits a pupil to possess and use an epinephrine auto-injector pursuant to this subdivision, the school district, any member of the school district board of education, or any school district employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the epinephrine auto-injector by a pupil for whom it was not prescribed.

2 New Sections; Water Management and Protection; Safety Regulations; Possession and Use of Asthma Medication at Recreation Camps. Amend RSA 485-A by inserting after section 25-a the following new sections:

485-A:25-b Possession and Use of Epinephrine Auto-Injectors at Recreation Camps. A recreation camp shall permit a child with severe, potentially life-threatening allergies to possess and use an epinephrine auto-injector, if the following conditions are satisfied:

I. The child has the written approval of the child's physician and the written approval of the parent or guardian. The camp shall obtain the following information from the child's physician:

- (a) The child's name.
- (b) The name and signature of the licensed prescriber and business and emergency numbers.
- (c) The name, route, and dosage of medication.

(d) The frequency and time of medication administration or assistance.

(e) The date of the order.

(f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.

(g) Specific recommendations for administration.

(h) Any special side effects, contraindications, and adverse reactions to be observed.

(i) The name of each required medication.

(j) Any severe adverse reactions that may occur to another child, for whom the epinephrine auto-injector is not prescribed, should such a pupil receive a dose of the medication.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an epinephrine auto-injector in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the epinephrine auto-injector at the camp or at any camp-sponsored activity, event, or program.

V. In this section, "physician" means any physician or health practitioner with the authority to write prescriptions.

485-A:25-c Use of Epinephrine Auto-Injector. Immediately after using the epinephrine auto-injector, the child shall report such use to the nurse or another camp employee to enable the nurse or camp employee to provide appropriate follow-up care.

485-A:25-d Availability of Epinephrine Auto-Injector. The recreational camp nurse or, if a nurse is not assigned to the camp, the recreational camp administrator shall maintain for the use of children with severe allergies at least one epinephrine auto-injector, provided by the child, in the nurse's office or in a similarly accessible location.

485-A:25-e Immunity. A recreational camp or camp employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a camp employee prohibiting a child from using an epinephrine auto-injector because of the employee's good faith belief that the conditions of RSA 485-A:25-b had not been satisfied. A recreational camp or camp employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a camp employee permitting a child to use an epinephrine auto-injector because of the employee's good faith belief that the conditions of RSA 485-A:25-b had been satisfied. Furthermore, if a recreational camp permits a child to possess and use an epinephrine auto-injector pursuant to this subdivision, the recreational camp or any camp employee shall not be liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the epinephrine auto-injector by a child for whom it was not prescribed.

3 Effective Date. This act shall take effect August 15, 2003.

Adopted.

Rep. Mock offered a floor amendment (0086h).

Floor Amendment (0086h)

Amend RSA 200:45 as inserted by section 1 of the bill by replacing it with the following:

200:45 Immunity. No school district, member of a school board, or school district employee shall be liable in a suit for damages as a result of any act or omission related to a pupil's use of an epinephrine auto-injector if the provisions of RSA 200:42 have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an epinephrine auto-injector by a pupil.

Amend RSA 485-A:25-e as inserted by section 2 of the bill by replacing it with the following:

485-A:25-e Immunity. No recreational camp or camp employee shall be liable in a suit for damages as a result of any act or omission related to a child's use of an epinephrine auto-injector if the provisions of RSA 485-A:25-b have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an epinephrine auto-injector by a child.

Reps. Mock and Batula spoke in favor.

Adopted.

Report adopted and ordered to third reading.

HB 59, relative to court reporting. OUGHT TO PASS WITH AMENDMENT

Rep. John M. Pratt for Judiciary: This bill is the result of a joint house and senate study established in HB 447 from last year's session- the intent being to investigate certifying both methods of court transcriptions, machine writing and voice writing, as certified court reporters. The committee met in several long sessions and worked out several compromises. Consequently, both voice and machine writers are certifiable under this bill. Every certified court reporter under this chapter shall have a seal containing the name of the certified court reporter, his or her place of business, and the words "Certified Court Reporter, State of New Hampshire" with which he or she shall stamp all transcripts prepared by him or her or under his or her supervision for use in this state. Certified court reporter's seals shall indicate the reporting method utilized as defined in this bill. The amendment grandfathered all reporters provided that "he or she has been actively and continuously engaged in the practice of verbatim reporting in the state at least two years prior to July 1, 2003". Vote 16-0.

Amendment (0030h)

Amend RSA 331-B:10 as inserted by section 1 of the bill by replacing it with the following:

331-B:10 Savings Clause. Any United States citizen 18 years of age and older, who is of good moral character and who submits to the board an affidavit, under oath, on or before September 1, 2003 that he or she has been actively and continuously engaged in the practice of voice reporting in

the state at least 2 years prior to July 1, 2003 shall, upon payment of the fee required, be exempt from taking any examination prescribed in this chapter and shall be granted a certificate; provided he or she demonstrates certification by the National Verbatim Reporters Association or a state with similar minimum requirements. Any person holding a valid certificate issued under this chapter as of July 1, 2003 shall be exempt from taking any examination prescribed in this chapter and shall continue to hold his or her certificate as a court reporter.

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2003 at 12:01 a.m.

Adopted.

Rep. Soltani spoke against and yielded to questions.

Rep. Mock spoke in favor.

Report adopted and ordered to third reading.

HB 182, relative to unclaimed shares and advancements to heirs. **OUGHT TO PASS WITH AMENDMENT**

Rep. John M. Pratt for Judiciary: This bill changes the requirement now in the probate law by raising the threshold amount of unclaimed shares in an estate from \$50 to \$5,000 which must be turned over to the state rather than being distributed to the other beneficiaries of the will. The bill also clarifies those conditions under which a gift to an heir should be considered an advance against the bequest. Vote 16-0.

Amendment (0048h)

Amend RSA 561:13, I as inserted by section 2 of the bill by replacing it with the following:

I. If an individual dies intestate as to all or a portion of the individual's estate, property the decedent gave during lifetime to an individual who, at the decedent's death, is an heir is treated as an advancement against the heir's intestate share only if:

(a) The decedent declared in a contemporaneous writing that the gift was an advancement; or

(b) The heir acknowledged in writing prior to the decedent's date of death that the gift was an advancement; or

(c) The decedent's contemporaneous writing otherwise indicates that the gift is to be taken into account in computing the division and distribution of the decedent's intestate estate; or

(d) The heir's written acknowledgement prior to the decedent's death indicates that the gift is to be taken into account in computing the division and distribution of the decedent's intestate estate.

Rep. John Pratt spoke to the committee report.

Amendment adopted.

Report adopted and ordered to third reading.

RESOLUTION

Rep. Hess offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, February 6, 2003 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 160, relative to removal or replacement of trustees.

HB 64, establishing a commission to study the creation of an integrated criminal justice information system and any issues related to the privacy, security, and dissemination of such criminal justice information.

HB 86, relative to the membership of the permissible fireworks review committee.

HB 105, relative to sexual assaults committed by corrections officers, probation and parole officers, and juvenile probation and parole officers against individuals under their supervision.

HB 231, requiring the department of education to develop a plan to address and reduce the number of persons awaiting vocational rehabilitation transition services.

HB 69, relative to the reinstatement of expired licenses for architects.

HB 196, establishing a commission to study means to integrate services for people with co-occurring disorders.

HB 225, extending the task force on deafness and hearing loss and changing the task force's membership and duties.

HB 263, establishing an oversight committee to review the allocation of funds disbursed for the developmental disabilities waitlist.

HB 183, relative to a distribution from a decedent's estate to a minor.

HB 186, relative to the effect of divorce or annulment upon trusts.

HB 195, prohibiting all part-time district court judges and district court clerks from practicing law in the district courts.

HB 75, relative to timber harvesting.

HB 91, relative to the telecommunications planning and development initiative and advisory committee.

HCR 3, calling on the President and the Congress to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act.

HB 76, relative to neighborhood electric vehicles.

HB 171, establishing a commission to assess the operating efficiency of state government.

HB 240, establishing a committee to study ways to prevent suicide among young people in New Hampshire.

HB 57, relative to the use of inhalers by pupils and campers with asthma.

HB 92, relative to the use of epinephrine auto-injectors by pupils and campers with severe allergies.

HB 59, relative to court reporting.

HB 182, relative to unclaimed shares and advancements to heirs.

RECESS MOTION

Rep. Hess moved that the House stand in recess for the purpose of introduction of bills and receiving Senate messages only.

Adopted.

The House recessed at 12:15 p.m.

RECESS