

HOUSE RECORD

**First Year of the 158th Session of the General
Court**

Calendar and Journal of the 2003 Session

Vol. 25

Concord N.H.

February 6, 2003

No. 14

HOUSE JOURNAL No. 4 (cont.)

Thursday, January 30, 2003

(Speaker Chandler in the Chair)

committee assignments

Rep. Vaillancourt off Ways and Means.

RECESS

Rep. Hess moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 5

Thursday, February 6, 2003

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

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

Eternal Creator, strong to save, we remember today the courageous astronauts of the Columbia space shuttle who bravely ventured into earth's orbit to study the wonders of Your creation and who, moments before being reunited with their loved ones, lost their lives returning home. Receive each into larger life and comfort their families and friends who mourn.

Remind each of us that the hero's journey is measured by the service we render to increase knowledge, freedom and prosperity to all who are blessed to live upon our fragile earth. May we never take Your blessings for granted and may we never forget those who give their lives in our service.

Bless the work of this honorable House and may the decisions made here today be worthy of Your call to each member to serve those who entrust them with the authority of governing a free people.

As always, we especially ask Your protective 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 the defense of our country and our communities. Amen.

Rep. Peter C. Cote led the Pledge of Allegiance.

The National Anthem was sung by Rachael Lang, a senior at Newmarket High School.

LEAVES OF ABSENCE

Reps. Mary Allen, Allison, Elizabeth Blanchard, Colcord, David Cote, Donovan and Webber, the day, illness.

Reps. Gonzalez, Introne, McCann, Osborne, Priestley, Reardon and Williams, the day, important business.

Reps. Casey, Guay and Langer, the day, illness in the family.

INTRODUCTION OF GUESTS

Stan Heckathorn, Jim Borsari and Phil Grisafi, guests of Rep. Mark Carter. Tammy and Rick Lang, parents of Rachael Lang, Anthony Palardis and Lynn Hoffman, guests of Rep. Pantelakos. Kerry Marsh, guest of Rep. Laurent. Carol Grandfield, guest of the Derry delegation.

communication

February 5, 2003

Karen O. Wadsworth, Clerk of the House:

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

District 22 (Claremont Wards 1-3, Lempster, Unity)

David C. Allison, d&r, Claremont (RR2 Box 889, Cornish) 03745

Karen Ladd, Assistant Secretary of State

WITHOUT OBJECTION

Without objection, the Speaker ordered the Memorial Reading by Rep. Hess, and the Joint Declaration read by Rep. Rausch be printed on the Permanent Journal.

Rep. Hess read *High Flight*, a poem written in 1941 during World War II by Pilot Officer John Gillespie Magee, Jr.

High Flight

Oh! I have slipped the surly bonds of Earth
And danced the skies on laughter-silvered wings,
Sunward I've climbed and joined the tumbling mirth
Of sun-split clouds – and done a hundred things
You have not dreamed of – wheeled and soared and swung
High in the sunlit silence. Hov'ring there,
I've chased the shouting wind along, and flung
My eager craft through footless halls of air.
Up, up the long, delirious burning blue
I've topped the wind-swept heights with easy grace
Where never lark, or even eagle flew.
And, while silent, lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand, and touched the face of God.

Rep. Rausch read the Joint Declaration by the House of Representatives and the Senate honoring those astronauts aboard Space Shuttle Columbia.

JOINT DECLARATION

In Honor of the Fallen Heroes of the Space Shuttle Columbia

WHEREAS, the citizens of New Hampshire and the entire country mourn the passing of the courageous men and women of the Space Shuttle Columbia including: Colonel Rick D. Husband, Commander William C. McCool, Lieutenant Colonel Michael P. Anderson, Captain David M. Brown, Dr. Kalpana Chawla, Commander Laurel Clark, and Colonel Ilan Ramon of the Israeli Air Force; and

WHEREAS, the passing of these dedicated scientific space travelers sadly reminds the citizens of New Hampshire of the tragic loss of Concord High School teacher, Christa McAuliffe, and her fellow crew members aboard the Space Shuttle Challenger, seventeen years ago; and

WHEREAS, we send our sincere sympathies to the families of the fallen seven of the Space Shuttle Columbia, and wish them Godspeed; and

WHEREAS, we honor the selfless dedication and passion exhibited by the crew of the Space Shuttle Columbia as they put their lives in harms way to discover new and critical scientific information which will advance and better the lives of all citizens; and

WHEREAS, we pause to honor and recognize the tremendous contributions of those who serve our country as space explorers of the vast celestial frontier, and

WHEREAS, we offer our heartfelt thanks to them for their service to our country and for the ultimate sacrifice of their lives, now therefore be it

DECLARED, by the New Hampshire General Court, that this legislative body hereby recognizes and honors the contributions and achievements of the crew of the Space Shuttle Columbia and of all the courageous men and women who have sacrificed their lives in pursuit of the scientific exploration of outer space for the betterment of mankind.

Unanimously accepted by a rising moment of silent prayer.

RESOLUTION

Rep. Hess offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 14, 17, 24, 26 and 32 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 14, relative to vacancies in county offices. (Municipal and County Government)

SB 17, relative to incompatible offices. (Election Law)

SB 24, relative to license revocations for DWI offenders under the age of 21. (Criminal Justice and Public Safety)

SB 26, removing the penalty against teachers who fail to keep registers. (Education)

SB 32, relative to municipal budget recommendations. (Municipal and County Government)

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 221-FN, prohibiting the courts from charging fees, removed by Rep. Marple.

Consent Calendar adopted.

HB 180, relative to proceedings for termination of parental rights. **OUGHT TO PASS WITH AMENDMENT**

Rep. Margaret D. Hallyburton for Children and Family Law: This bill provides that a subsequent hearing in a "termination of parental rights" proceeding will carry over the findings regarding grounds for termination, hearing only new evidence on the "best interests of the child". The amendment provides for a full evidentiary hearing if there has been a subsequential change in circumstances. Vote 18-0.

Amendment (0103h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Termination of Parental Rights; Decree; Proceedings in Which Termination of the Parent-Child Relationship Is Not in the Best Interest of the Child. Amend RSA 170-C:11 by inserting after paragraph III the following new paragraph:

III-a. If the court finds grounds for the termination of the parent-child relationship but determines that termination of the parent-child relationship is not in the child's best interest, the court order shall so state. In a subsequent proceeding for termination of the same parent-child relationship commenced within 2 years of the court order, the prior finding that grounds for termination of the parent-child relationship exist shall be conclusive, absent a substantial change in circumstances. At the initial hearing in a subsequent proceeding, the court shall accept offers of proof to substantiate a substantial change in circumstances. If, in the court's sound discretion, a substantial change in circumstances exists, the prior court order finding grounds for termination of the parent-child relationship shall not be conclusive, and the court shall proceed with a full evidentiary hearing on the matter. If the court does not find a substantial change in circumstances, the court's inquiry in the second proceeding shall be limited to a determination of whether termination of the parent-child relationship is in the child's best interest.

AMENDED ANALYSIS

This bill declares that, in cases where the court finds grounds for termination of the parent-child relationship but determines termination is not in the child's best interest, the court order denying the request shall specifically state this finding.

The bill also declares that, if a second petition to terminate parental rights is brought within the next 2 years and there has been no substantial change in circumstances, the original finding that grounds for termination exist shall be conclusive, and the hearing shall be limited to whether termination of the parent-child relationship is in the child's best interest.

HB 204, relative to venue in juvenile proceedings. **OUGHT TO PASS WITH AMENDMENT** Rep. Daniel C. Itse for Children and Family Law: This bill, requested by the department of justice, enables the state to prosecute a juvenile in the location where the crime is alleged to have occurred in the event that the juvenile neither lives nor was found in New Hampshire. The amendment simply clarifies the intent of the bill. Vote 17-0.

Amendment (0088h)

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

1 Delinquent Children; Venue. Amend RSA 169-B:5, I to read as follows:

I. Proceedings under this chapter may be originated in any judicial district in which the minor is found or resides, ***or where the offense is alleged to have occurred.***

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

AMENDED ANALYSIS

This bill provides that juvenile proceedings may be initiated in any judicial district where the offense is alleged to have occurred.

This bill was requested by the department of justice.

HB 168, relative to access to public schools. **INEXPEDIENT TO LEGISLATE**

Rep. Claire D. Clarke for Education: The committee unanimously felt that ITL was appropriate for this bill because it was vague and appeared to be a local problem. In the end the committee felt it was a "solution looking for a problem." Vote 15-0.

HB 252, prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.
INEXPEDIENT TO LEGISLATE

Rep. Richard C. Leone for Education: This bill prohibited public schools from issuing out-of-school suspensions. The committee maintained this issue would best be served by superintendents of schools and local districts. The bill also proposed to establish a committee to study the development of a community/school services program for suspended students. The committee opted to refer this issue to a HB 139 subcommittee dealing with school attendance and dropouts. Vote 17-0.

HB 98-FN, relative to fees for state election recounts. **INEXPEDIENT TO LEGISLATE**

Rep. Christine M. Konys for Election Law: This bill would have increased the fee schedule for state election recounts. However, the proposed increases were minimal, would not have substantially reduced costs to the state and may have been a deterrent to some candidates who legitimately want a recount. Therefore, the committee unanimously voted the bill Inexpedient to Legislate. Vote 13-0.

HB 101, relative to qualifications for state offices. **OUGHT TO PASS**

Rep. Howard C. Dickinson for Election Law: This bill places in statute the constitutional requirements for holding the offices of governor, executive counselor, state senator and state representative. The committee unanimously believes that HB 101 clarifies these constitutional provisions. Vote 14-0.

HB 126, relative to posting statutes at polling places. **OUGHT TO PASS WITH AMENDMENT**

Rep. Andrew L. Dorsett for Election Law: This bill clarifies which laws must be posted at polling places and the amendment gives the secretary of state the discretion to require posting of additional relevant statutes. Vote 14-0.

Amendment (0024h)

Amend the bill by replacing section 1 with the following:

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

658:29 Statutes Posted. The secretary of state shall prepare and distribute copies of the following RSA sections which the selectmen shall post or cause to be posted outside the guardrail in the polling place: RSA ~~654:7-a~~, ~~RSA 654:7-b~~, RSA 654:38, [39] ~~RSA 654:39~~; RSA 658:29; RSA 659:27, [30, 31, 32, 103] ~~RSA 659:30~~, ~~RSA 659:31~~, ~~RSA 659:32~~, ~~RSA 659:103~~; [RSA 665:15;] RSA 666:4, [5, 8, 9, 10, 11, 12] ~~RSA 666:5~~, ~~RSA 666:8~~, ~~RSA 666:12~~. *In addition, the secretary of state shall include any other statutes or regulations that are required to be posted by state or federal law. The secretary of state may also include statutes or regulations that, in the secretary of state's judgment, would aid a voter in casting a vote or in contacting the appropriate official if the voter believes that his or her voting rights are being violated.*

AMENDED ANALYSIS

This bill modifies and corrects references to the statutes that must be posted outside the guardrail in the polling place. This bill also authorizes the secretary of state to include additional statutes and regulations for posting.

HB 251, relative to party affiliation and voting in primary elections. **INEXPEDIENT TO LEGISLATE**

Rep. Steve Vaillancourt for Election Law: This bill would in effect eliminate the ability of undeclared voters to vote in primary elections. In order to vote in either the Republican or Democratic Party primary, a voter would have to be registered in that party. It sets a deadline of thirty (30) days prior to the primary for an undeclared voter to change to one of the two parties and thus be eligible to participate in the primary. According to some surveys, upwards of 22% of the voters in last September's primary were undeclared. One of the goals of the Election Law Committee is to encourage increased voter participation. This bill flies in the face of that goal in that it would disenfranchise tens of thousands of voters. While sympathetic with the sponsor's contention that

primaries should be only for party members, there is little, if any, evidence that voters actually engage in sabotaging the other party. There is a further problem in that this process could not be mandated for federal elections. Thus, passage would mean that town and city clerks would be forced to maintain two separate checklists, one for state and one for federal elections. The committee is convinced that the process for same-day registration and the ability of undeclareds to vote in either primary is working well. Vote 15-0.

HB 52-FN, relative to the licensure of shampoo assistants by the board of barbering, cosmetology, and esthetics. **INEXPEDIENT TO LEGISLATE**

Rep. Judson K. Dexter for Executive Departments and Administration: The problem that triggered this bill was confusion by the "Board of Barbering, Cosmetology and Esthetics" in the interpretation of their rules as well as concerns of conflict between the RSA's and rules. The committee found that the current statute and rules are very clear with regard to the employment of shampooing assistants and when enforced as written, there is no problem. Therefore, this legislation is not necessary. Vote 13-0.

HB 88, relative to bond requirements for building contractors. **INEXPEDIENT TO LEGISLATE**

Rep. Albert W. Hamel for Executive Departments and Administration: This bill was deemed to be inexpedient to legislate as it would place an undue burden on the office of the secretary of state. Also, it would be prejudicial to the large number of small contractors who might have difficulty obtaining bonding for several small jobs. Vote 17-0.

HB 147, establishing a committee to study the expungement of records. **INEXPEDIENT TO LEGISLATE**

Rep. Peter E. Bergin for Executive Departments and Administration: This bill was to establish a committee to determine a remedy for expunging any error in the records pertaining to part 2, article 73-a of the New Hampshire Constitution. Article 73-a was passed in 1978 and came out of a Constitutional Convention. The words "the rules for promulgated shall have the force and effect of law" has been debated over the years. The house and senate in last session passed the constitutional amendment to address this controversy. In the November 2002, election the amendment failed by 63% to 37%. A similar amendment to article 73-a has been introduced and will be taken up by the House Judiciary Committee. Therefore, the committee felt this bill was not necessary. Vote 17-0

HB 229-FN, relative to increasing the contribution amount of call, substitute, or volunteer firefighters eligible for certain disability benefits. **INEXPEDIENT TO LEGISLATE**

Rep. Charles Q. Hall for Executive Departments and Administration: This bill was introduced to provide additional benefits to call and volunteer firefighters. However, as written, it doubles the cost of the contribution without added benefits. Therefore, the committee felt this bill was unnecessary. Vote 14-0.

HB 293, establishing a commission to identify medical errors and their causes. **OUGHT TO PASS**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: It is said that to err is human. Most times we apologize, correct the error and get on with life. Unfortunately when medical errors occur, and they do by the thousands, the consequences can be of a far more serious nature. The fact is that more people in America die from medical errors than from highway accidents, breast cancer or AIDS. It is best estimated that between 50,000 and 98,000 die due to medical errors. Mistakes come from surgery, drug to drug interactions, duplicate drug therapy, administrative errors, wrong

site surgery etc. The cost for medical errors in America is estimated to be \$17 to \$20 billion. Mistakes in medical care must be addressed and this commission will be expected to make recommendations for safety, protocols that enhance our efforts to find ways that will focus on a solution to the problem of medical errors. Vote 19-0.

HB 314, establishing a committee to study the feasibility of buying pharmaceuticals on a statewide or regional basis. **INEXPEDIENT TO LEGISLATE**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: The committee agreed with the sponsor of the bill that it is an important subject worthy of study. Testimony revealed that a number of legislative and professional committees are already extensively studying the issue, and therefore felt that another committee is not needed. Vote 19-0.

HB 219, relative to the assignment of judges to hear cases in the superior, district, and probate courts. **INEXPEDIENT TO LEGISLATE**

Rep. Nancy M. Ford for Judiciary: This bill would allow probate judges and district court judges to hear cases in superior or probate courts. The Committee felt that the judges confirmed by the Governor and Council are selected for their special expertise in the courts to which they are assigned and it would not be good practice to have judges serve in specialized areas in which they do not have the experience or advanced expertise. Vote 14-0.

HB 144, establishing a procedure for the adoption of contracts in certain schools. **INEXPEDIENT TO LEGISLATE**

Rep. Dudley D. Dumaine for Municipal and County Government: This bill requires that the adoption of contracts with schools shall be made by a warrant article approved at an annual or special meeting of each school district which is a party to the contract, provided that the article is inserted in the warrant at least one year prior to the proposed attendance of any students. Testimony was received that implementation of this bill would not allow the school districts to engage in contracts in a timely manner, possibly preventing special students from gaining the necessary education. RSA 194:22 is a catch-all vehicle for emergency contracts for the school districts. The bill would lead to unnecessary interruption of school programs. For there was further evidence that this was a local issue that needed to be addressed at the local level. The Committee therefore recommended this bill to be reported out as Inexpedient to Legislate. Vote 14-0.

HB 151, authorizing the county convention to contract and fund performance audits of county departments. **OUGHT TO PASS**

Rep. Peter B. Schmidt for Municipal and County Government: The authority of the county delegation to review county executive departments has only been allowed through the budget process when the requests for their finances has come to the Delegation. This legislation would grant the County Convention the power "to provide payment for a performance audit" under specific requirements. The cost of the performance audit will be paid from a contingency fund appropriated by the County Convention. The performance audit will be directed by the County Convention and the performance audit reports will be made public record upon approval of the County Convention. The committee believes performance audits provide a useful tool to improve the efficiency and cost effectiveness of county government. Vote 17-0.

HB 242, relative to the number of members on, and quorum necessary for, the assessing standards board. **OUGHT TO PASS**

Rep. Robert W. Brundige for Municipal and County Government: At the present time, membership of the assessing standards board consists of state representatives, senators, assessors and public members. There are no municipal officers on the board. This bill enlarges the committee from 13 to 18 members. The additional five members will be municipal officials. These appointments will give municipal officials from the cities and towns a voice on the board. The board is required to hold a series of three public forums annually throughout the state. Presently, a quorum of the members is required before testimony can be received at the forums. This bill allows the testimony to be received and shared with the other board members at a later date. Vote 20-0.

HB 136-FN, relative to regional electronic toll collection. **INEXPEDIENT TO LEGISLATE**

Rep. William E. Leber for Public Works and Highways: This bill would require the Commissioner of Transportation to credit interest earned on the money held in E-Z Pass toll accounts to the account holder when the E-Z Pass system is completed and activated. With the E-Z Pass system, individuals deposit funds in an account and receive an electronic transponder to transit the toll gate and the account will be charged. To require the New Hampshire Department of Transportation to compute and record interest and maintain accounts will create a burden that will increase costs and reduce benefits of the E-Z Pass system. It was indicated in testimony that residents of other states may elect to buy the E-Z Pass here to collect interest, since other states do not pay interest. Vote 15-0.

HB 137-FN, relative to discounted tolls under the regional electronic toll collection system. **INEXPEDIENT TO LEGISLATE**

Rep. Edmond D. Gionet for Public Works and Highways: Because the Governor and Council have the responsibility of setting tolls in New Hampshire, the committee did not feel that we should micromanage that process. Legislation already exists allowing for discounts. The committee felt that it was irresponsible to mandate a specific discount. Vote 15-0.

HB 67, relative to funding for energy efficiency programs. **INEXPEDIENT TO LEGISLATE**

Rep. Paul R. Hatch for Science, Technology and Energy: The bill requires funds allocated from the system benefits charge for the Public Service Company of New Hampshire energy efficiency program be placed in a revolving loan fund to provide loans to ratepayers for energy-efficiency projects and products. This bill also phases out the energy efficiency program allocation over three years. The committee believes the pilot programs created have been beneficial, but feel the programs have not been in effect long enough to determine the full value of the programs and savings to ratepayers. The committee recommends the bill as ITL and feels it is premature to phase out the funding and end the pilot Pay as You Save program (PAYS), suggesting the collection of more data during the next year will be beneficial in determining the effectiveness of the Energy Efficiency Program. The program uses no general fund revenues, and is funded at a rate of \$0.0018 per kilowatt-hour as part of the system benefits charge. Vote 11-0.

HCR 2, urging the federal government to recognize hearing loss as a service-connected disability for veterans who flew UH-1 helicopters in Vietnam. **INEXPEDIENT TO LEGISLATE**

Rep. Ken Hawkins for State-Federal Relations and Veterans Affairs: The United States Congress passed Public Law 107-330 that institutes a study by the National Academy of Sciences on all Military Occupation Specialties. The committee feels that the issue is being addressed by this federal study. Vote 14-0.

HCR 5, urging Congress to permit satellite television subscribers to select in-state broadcast signals. **OUGHT TO PASS**

Rep. Russell A. Albert for State-Federal Relations and Veterans Affairs: By enacting the Satellite Home Viewer Improvement Act of 1999 (SHVIA), Congress greatly expanded the ability of satellite companies to provide local signals to subscribers, but limited service to the "designated market area" (DMA). Many subscribers in New Hampshire are in the Portland/Auburn DMA and are unable to receive WMUR-TV, which is located in the Boston/Manchester DMA. This bill would urge Congress to permit the satellite television subscribers to select in-state broadcast signals thus allowing them to receive WMUR-TV that provides emergency messages, disaster information, news coverage and political debates relevant to and originating in New Hampshire. Vote 11-0.

HB 87, establishing a study committee to examine decibel limits. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill would establish a study committee to examine decibel limits. While there are many sources of noise pollution, this bill asks to study options for enforcement, particularly for motorcycles. New Hampshire has enforcement procedures and has established laws concerning motorcycle decibel limits. While we respect the sponsor's efforts, this is an enforcement issue that has rules and procedures in place. Vote 15-0.

HB 234, relative to verification of vehicle identification. **INEXPEDIENT TO LEGISLATE**

Rep. Jean-Guy J. Bergeron for Transportation: Until recently in New Hampshire, because of our laws, only titling vehicles up to 15 years, it had been possible to send a bill of sale to a person in NH and have that person register the vehicle at their local municipality. Once registered, the NH person would send the registration back to any state in the United States where the vehicle could then be titled in that state. We had persons in this state registering thousands of vehicles per year for a fee when "none" of these vehicles ever saw the roads of this state. On many occasions, the NH State Police were called from another state with a stolen vehicle that had been traced back to this process. Three years ago we changed the law in NH to prevent the washing of titles in this state. This bill would restore the process of washing titles. This bill would also make the town clerks responsible for verifying the authenticity of an out-of-state vehicle identification number. Vote 16-0.

HB 254, relative to the penalty for failing to have front and rear decals on an OHRV. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill establishes the penalty for failing to have front and rear decals on an Off Highway Recreational Vehicle, and raises the fine from \$36.00 to \$50.00. This bill would require by law that we raise the fine \$14.00 for failing to properly display decals. The cost to print new tickets is not taken into consideration in this proposed legislation. Additionally, a judge in an OHRV case may, upon his discretion, fine an individual up to \$500.00 if he deems it is necessary. Vote 16-0.

HB 256, establishing a committee to study the feasibility of breast cancer awareness number plates. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: The committee felt that a study committee on breast cancer awareness or awareness of any form of cancer license plates is unnecessary in these times. The medical profession advertises everyday through television, magazines, pamphlets and radio to make people aware of treatments, medications and the risk of cancer. The percentage of the population leans toward knowledge or being associated with someone who has had a form of cancer. Vote 15-0.

HB 270, relative to issuing drivers' licenses to aliens temporarily residing in the state. **OUGHT TO PASS**

Rep. Brenda L. Ferland for Transportation: Passage of this bill will add a section to current law allowing aliens to drive in this state. Currently, they show identification to the Commissioner of the New Hampshire Department of Safety. That will change to Director of the NH DOS. Added language provides they must show proof of their previous vehicle operation in a foreign country, or proof of completion of an approved driver education course acceptable to the Director. The NH DOS spoke in favor of this bill noting that after six months drivers have to obtain a NH license as we do not recognize international driving licenses. Vote 16-0.

HB 271, relative to walking disability plates and placards. **OUGHT TO PASS**

Rep. Robert J. Letourneau for Transportation: This bill will change the validity date for disability license plates and placards from four years to five years. This action will update the current law to match the new license renewal dates. Vote 16-0.

HB 292, relative to vehicles entering intersections. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill prohibits a driver from entering an intersection unless there is sufficient space. While we understand the sponsor's frustration with a driver who is not courteous, there are RSAs on the books to deal with these situations; police officers have the authority to ticket individuals who block intersections. The committee also would like to stress to authorities, both state and local, that this is an action that provokes road rage and would strongly urge the appropriate agencies to begin an aggressive enforcement policy towards this activity. Vote 15-1.

HB 81-FN-A, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2005. **OUGHT TO PASS**

Rep. Susan W. Almy for Ways and Means: Every two years the legislature sets the rate of this tax at the maximum rate allowed by federal medicaid regulations. The Department of Health and Human Services and the representative of the New Hampshire Hospital Association support the bill. A minimum of \$180 million in revenue for the biennium depends on this renewal of the rate. Vote 16-0.

Referred to Finance.

HB 313, establishing a committee to study the feasibility of setting aside a portion of tobacco settlement money to subsidize smoking cessation programs. **INEXPEDIENT TO LEGISLATE**

Rep. Jeff Gilbert for Ways and Means: Three million dollars is annually set aside from the state's tobacco settlement proceeds to fund cessation and other tobacco use and prevention programs. These various programs are established, funded and reviewed by the Governor's Tobacco-Use Advisory Committee. By unanimous vote the Committee concurred with the testimony from the American Cancer Society of New Hampshire that the establishment of this study committee would not add to, and might well interfere with the Governor's Tobacco Use Advisory Committee's work.

regular calendar

HB 54, establishing a committee to study the eligibility for school building aid of certain public academies which serve as the local school for their communities. **INEXPEDIENT TO LEGISLATE**

Rep. Clair A. Snyder for Education: The committee felt this bill would take building aid funds from limited state funds to support building in private schools. This would limit funds to public schools badly in need of new buildings and renovations to existing buildings. If these funds were to be used for private schools we would be supporting schools over which the state has no control. These schools have endowment funds available, the ability to raise funds through building drives, and they can also include building drives in the tuition charge to the communities. Vote 15-2.

Rep. Michael Harrington spoke against.

Rep. Alger spoke in favor.

Adopted.

HB 84, requiring school district budgets to disclose moneys paid for lobbying fees. **INEXPEDIENT TO LEGISLATE**

Rep. J. D. Colcord for Education: While this bill is well intentioned, school districts presently show on annual school district budgets dues paid to organizations which support school boards, school administrators, etc. These organizations provide many types of support to the administrative process of the schools, including keeping them informed on legislation before this body. The lobbying efforts of these organizations currently is reported and available through the Secretary of State. Vote 17-3.

Adopted.

HB 191, establishing a commission to study the school administrative unit system. **INEXPEDIENT TO LEGISLATE**

Rep. Bruce L. Dearborn for Education: This subject had been studied many times in the past. In 1996 districts were allowed to form their own supervisory administrative units (SAUs) without state approval and quite a few did, reflecting the ability of the districts to exercise the local control. The ultimate decision lies with the voter. Vote 10-9.

Rep. Hunter requested a roll call, sufficiently seconded.

The question being adoption of the committee report.

YEAS 293 NAYS 75

YEAS 293

BELKNAP

Allen, Janet	Bartlett, Gordon	Clark, Charles	Fitzgerald, James
Flanders, Donald	Holbrook, Robert	Lawton, David	Nedeau, Stephen
Pilliod, James	Rice, Thomas	Russell, David	Thomas, John
Whalley, Michael			

CARROLL

Babson, David Jr	Brown, Carolyn	Derby, Mark	Dickinson, Howard
Hatch, Paul	Kenney, Bettie	McConkey, Mark	Merrow, Harry
Mock, Henry	Olimpio, J Lisbeth	Patten, Betsey	Philbrick, Donald
Stevens, Stanley			

CHESHIRE

Allen, Peter	Dunn, James	Eaton, Daniel	Espieffs, Peter
Hunt, John	Liebl, George	Manning, Joseph	Meader, David
Mitchell, McKim	Parkhurst, Henry	Pratt, Irene	Pratt, John
Richardson, Barbara	Robertson, Timothy	Royce, H Charles	Smith, Edwin
Tilton, Anna	Weed, Charles		

COOS

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

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Barker, Robert
Benn, Bernard	Bleyler, Ruth	Cooney, Mary	Densmore, Edward
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	Giuda, Robert
Ham, Bonnie	Hammond, Lee	Ingbretson, Paul	Maybeck, Margie
Naro, Debra	Nordgren, Sharon	Scovner, Nancy	Sokol, Hilda

HILLSBOROUGH

Adams, Jarvis	Allan, Nelson	Allen, Timothy	Arnold, Thomas Jr
Artz, Lawrence	Baroody, Benjamin	Barry, J Gail	Batula, Peter
Beaton, William	Bergin, Peter	Bouchard, David	Brassard, Paul
Brundige, Robert	Bruno, Pierre	Carlson, Donald	Carter, Jeffrey
Chabot, Robert	Christensen, D L Chris	Clayton, William	Clemons, Jane
Cote, Peter	Coughlin, Pamela	Craig, James	Crane, Elenore Casey

Desmarais, Vivian	Dionne, Kimberley	Dokmo, Cynthia	Drisko, Richard
Elliott, Larry	Fields, Dennis	Fletcher, Richard	Ford, Nancy
Furman, Christine	Gargas, Carolyn	Gibson, John	Gorman, Mary
Goulet, Maurice	Graham, John	Greenberg, Gary	Hagan, Barbara
Haley, Robert	Hall, Charles	Hawkins, Ken	Haytayan, Harry Jr
Holden, Randolph	Infantine, William	Irwin, Anne-Marie	Jasper, Shawn
Jean, Claudette	Johnson, Lionel	Konys, Christine	Kopka, Angeline
Kudalis, Debra	Kurk, Neal	L'Heureux, Robert	Laflamme, Charles
LaFlamme, Paul	Lasky, Bette	Leach, Edward	Lefebvre, Roland
Lessard, Rudy	Luebker, Bernard	McDonough-Wallace, Alice	McHugh, Claire
Mercer, Robert	Milligan, Robert	Mooney, Maureen	Moran, Edward
Mosher, William	Movsesian, Lori	O'Brien, Lori	Ober, Russell III
Palangas, Eric	Pappas, Christopher	Pappas, Marc	Pilotte, Maurice
Price, Pamela	Reeves, Sandra	Ross, Lawrence	Rowe, Robert
Scanlon, Michael	Shaw, Barbara	Slocum, Lee	Spiess, Paul
Stepanek, Stephen	Sullivan, Francis	Sweeney, Cynthia	Tahir, Saghir
Tate, Joan	Vaillancourt, Steve	Wheeler, James	Wheeler, Robert

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Currier, David	Daniels, Eric	Davis, Frank	DeJoie, John
DeStefano, Stephen	Foley, Albert	Fraser, Leo Jr	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	Owen, Derek
Perkins, Randy	Potter, Frances	Rush, Deanna	Seldin, Gloria
Wallner, Mary Jane			

ROCKINGHAM

Belanger, Ronald	Blanchard, MaryAnn	Bridle, Russell	Carson, Sharon
Clark, Vivian	Coes, Betsy	Cooney, Richard	Dalrymple, Janeen
Davidson, Robert	Dearborn, Bruce	Dodge, Robert	Doyle, Christopher
Duffy, James	Dumaine, Dudley	Dupuis, Roland	Fesh, Bob

Flanagan, Natalie	Flanders, John Sr	Francoeur, Sheila	Gilbert, Jeffrey
Gillick, Thomas	Gould, Kenneth	Griffin, Mary	Hamel, Albert
Headd, James	Holland, James Jr	Hughes, Daniel	Ingram, Russell
Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Letourneau, Robert	Major, Norman	Manning, John
McMahon, Charles	Moore, Benjamin	Norelli, Terie	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	Splaine, James
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Vallone, Matthew
Varrell, Thomas	Waterhouse, Kevin	Weare, E Albert	Welch, David
Winchell, George			

STRAFFORD

Bemis, Alan	Berube, Roger	Brown, Julie	Callaghan, Frank
Creteau, Irene	Dunlap, Patricia	Grassie, Anne	Heon, Richard
Hofemann, Roland	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Miller, Joseph	Musler, George	Newton, Clifford
Pelletier, Arthur	Rollo, Deanna	Rous, Emma	Schmidt, Peter
Scott, David	Smith, Marjorie	Snyder, Clair	Spang, Judith
Taylor, Katherine	Taylor, Kathleen	Twombly, James	Vachon, Dennis
Wall, Janet			

SULLIVAN

Burling, Peter	Cloutier, John	Ferland, Brenda	Flint, Gordon Sr
Franklin, Peter	Harris, Joseph	Harris, Sandra	Phinizy, James
Rodeschin, Beverly			

NAYS 75

BELKNAP

Ahern, Omer Jr	Dewhirst, Glenn	Laflam, Robert	Wendelboe, Fran
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CARROLL

None

CHESHIRE

Dexter, Judson

Fish, Douglas

Laurent, John

COOS

Brady, Mark

GRAFTON

Diamond, Estelle
Sorg, Gregory

Dorsett, Andrew

Gionet, Edmond

Solomon, Peter

HILLSBOROUGH

Balboni, Michael

Balcom, John

Bergeron, Jean-Guy

Buckley, Raymond

Buhlman, David

Cail, Kenneth

Carter, Mark

Cernota, Albert

Christiansen, Lars

Emerton, Larry

Goyette, Peter Jr

Hallyburton, Margaret

Hansen, Ryan

Harrington, Paul

Hinkle, Peyton

Hopper, Gary

Hunter, Bruce

Kerns, J Edward

Lawrence, James

McElroy, Henry Jr

Messier, Irene

Pepino, Leo

Souza, Kathleen

Sullivan, Peter

MERRIMACK

Field, William

Jacobson, Alf

Kennedy, Richard

Marple, Richard

McCormick, Tom

Oliver, James

Reed, Dennis

Soltani, Tony

ROCKINGHAM

Bicknell, Elbert

Bishop, Franklin

Cady, Harriet

Camm, Kevin

Corbin, Corey

DiFruscia, Anthony

Flayhan, Mary Lou

Gilbert, Karl

Hutchinson, Karen

Johnson, Robert

Kelley, Jane

Langone, John

McEachern, Paul

McKinney, Betsy

Putnam, Ed II

Quandt, Matthew

Weldy, Norman Jr

Weyler, Kenneth

Wiley, Robert

Zolla, William

STRAFFORD

Albert, Russell
Easson, Timothy

Bickford, David
Harrington, Michael

Campbell, W Packy
Hollinger, Jeffrey

Cataldo, Sam
Woods, Phyllis

SULLIVAN

Jones, Constance Leone, Richard

and the report was adopted.

HB 203, establishing a committee to study the use of pesticides and herbicides in the state, and directing the commissioner of agriculture to issue a report on the use of funds from the pesticide control fund. **INEXPEDIENT TO LEGISLATE**

Rep. Peter H. Allen for Environment and Agriculture: Hearing no compelling testimony in support of the bill and learning that information about the use of pesticides and herbicides in the state is readily available from the New Hampshire Department of Agriculture, the Environment and Agriculture Committee recommends ITL. Vote 14-1.

Adopted.

HCR 1, endorsing the Canine Good Citizen Program. **OUGHT TO PASS**

Rep. David N. Scott for Environment and Agriculture: This resolution endorses The Canine Good Citizenship Program sponsored by the American Kennel Club, and has been passed in 28 states. The Canine Good Citizenship Program focuses a greater awareness of the benefits of training and responsible canine ownership. Participation in this program by dog owners can lead to such benefits as lower insurance costs and may help to reduce canine incidences related in the community. There is no required funding. Vote 12-1.

Adopted and ordered to third reading.

HB 79, relative to the regulation of the installation and servicing of fire suppression systems. **OUGHT TO PASS WITH AMENDMENT**

Rep. John DeJoie for Executive Departments and Administration: This bill amends RSA 153, requiring certification of persons who inspect, install or service fire alarm systems. The fire marshal is instructed to develop certification criteria with assistance of an advisory board. This board will include representatives of fire alarm installers, fire chiefs, fire inspectors and other industry representatives. The amendment clarifies individuals affected by this statute and changes the composition of the advisory board to better reflect professions involved in fire alarm installations. This bill will insure a minimum level of proficiency for all persons installing or servicing fire alarm systems in New Hampshire. Vote 13-3.

Amendment (0090h)

Amend the bill by replacing section 1 with the following:

1 New Sections; Fire Suppression System Regulation; Advisory Committee. Amend RSA 153 by inserting after section 5 the following new sections:

153:5-a Fire Suppression System Regulation.

I. The state fire marshal, in consultation with the advisory committee established in RSA 153:5-b, shall adopt rules pursuant to RSA 153:5, as the fire marshal deems suitable for the regulation of persons engaged in the inspection, installation, and servicing of fire suppression, fire extinguishing, and fire alarm systems in this state, but not including water sprinkler systems. Such rules may include the issuance of various types and classes of certificates, and any reasonable fee for such issuance, for the following:

(a) An individual or an employee of a firm engaged in the business of servicing portable fire extinguishers or inspecting, installing, and servicing fixed fire extinguishing systems.

(b) An individual or firm performing hydrostatic testing of fire extinguishers.

(c) An individual or firm engaged in the installation or servicing of fire alarm systems.

II. The provisions of this section shall not apply to the following:

(a) The filling or charging of a portable fire extinguisher by the manufacturer prior to its initial sale.

(b) The servicing by a firm of its own portable fire extinguishers or fixed fire extinguishing systems by its own personnel specially trained for such servicing.

(c) Firms engaged in the selling at wholesale or retail of portable fire extinguishers, but not engaged in the installation or recharging of them.

(d) Fire departments recharging portable fire extinguishers as a public service; provided, however, that the member of the fire department is trained in the proper filling and recharging of the fire extinguishers.

153:5-b Advisory Committee on Fire Suppression System Regulation. The state advisory board of fire control established in RSA 153:2 shall establish a committee to advise and assist the board and the state fire marshal on the rulemaking requirements and implementation of the certification of persons provided for in RSA 153:5-a. Notwithstanding RSA 21-G:11-a, the state advisory board of fire control shall appoint the members of the advisory committee, with the state fire marshal or designee serving as a member, as follows:

I. A sprinkler installer.

II. Two representatives of the portable fire extinguisher industry.

III. One person experienced in the design of fixed fire extinguishing systems.

IV. One representative of the New Hampshire Association of Fire Chiefs, nominated by the association.

V. One representative of the New Hampshire Fire Prevention Society, nominated by the society.

VI. Two representatives of the New Hampshire Alarm Installers Association, nominated by the association.

Adopted.

Report adopted and ordered to third reading.

HB 104-FN, implementing procedures for a hospital to assume care and custody of an abandoned child and creating an exception to the crime of endangering the welfare of a child. **OUGHT TO PASS WITH AMENDMENT**

Rep. Joseph P. Manning for Health, Human Services and Elderly Affairs: This bill aims to save the lives of "Dumpster Babies." It allows the parent to bring the unwanted newborn to a hospital or other safe haven and deliver the child into its care anonymously. There are no penalties and no questions asked in order to save the baby. The bill instructs the hospital and the Department of Health and Human Services on its subsequent duties and responsibilities. A provision is made for law enforcement to determine if the child has been kidnapped. The amendment changes the maximum age of the child in question to 7 days. It also updates the 1907 law, RSA 460:28 regarding penalties for abandonment. It amends the abandonment statute to provide an exception for a parent acting under this proposed law. The effective date has been changed to 30 days after passage. Financial impact is indeterminable. Vote 17-0.

Amendment (0077h)

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

AN ACT implementing procedures for a hospital or safe haven to assume temporary care and control of an abandoned child and creating an exception to the crime of endangering the welfare of a child.

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

1 New Chapter; Temporary Care and Control of Children at a Hospital or Safe Haven.
Amend RSA by inserting after chapter 132 the following new chapter:

CHAPTER 132-A

TEMPORARY Care and CONTROL of Children at a Hospital OR SAFE HAVEN

132-A:1 Definition. In this chapter:

I. "Department" means the department of health and human services.

II. "Hospital" means a public or private institution which is required to be licensed under RSA 151, and which is engaged in providing to patients, under supervision of physicians, diagnostic and therapeutic services for medical diagnosis, treatment and care of injured, disabled, or sick persons, or rehabilitative services for the rehabilitation of such persons.

III. "Safe haven" means a church which is attended by a person, or a police or fire station which is attended by a person, or a 911 responder at an agreed transfer location.

132-A:2 Temporary Care and Control of Children at a Hospital or Safe Haven.

I. A hospital or safe haven, without a court order, shall take temporary care and control of a child who is not more than 7 days old, provided that the child is handed to a person at the hospital or safe haven by the child's parent or parents, and the parent or parents did not express an intent to return for the child. The child's parent or parents shall not be required to reveal personally identifiable information.

II. A hospital or safe haven which takes temporary care and control of a child under this chapter shall ensure the provision of any medical services necessary to protect the physical health or safety of the child.

132-A:3 Notice to Department.

I. Within 24 hours after a hospital or safe haven assumes temporary care and control of a child under RSA 132-A:2, the hospital or safe haven shall notify the department and law enforcement officials that the hospital or safe haven has assumed temporary care and control of the child.

II. Upon receipt of notice by the hospital or safe haven, the department shall assume the temporary care and control of the child and shall be responsible for all necessary medical and other costs incurred by the hospital or safe haven related to the temporary care and control of the child. The department shall reimburse the hospital or safe haven for any necessary costs incurred prior to the child's placement in the temporary care and control of the department.

III. Within 24 hours of receiving a report under this paragraph, the department shall request law enforcement officials to investigate the incident using all resources available, including the National Crime Information Center database, to determine if the child is a missing child.

132-A:4 Liability. No person or entity subject to the provisions of this chapter shall be liable for any claim at law or in equity as a result of action taken pursuant to the requirements of this chapter.

132-A:5 Rulemaking. The commissioner of the department of health and human Services shall adopt rules, pursuant to RSA 541-A, to implement the provisions of this chapter.

2 Husband and Wife; Support of Wife and Children; Abandonment by Wife. Amend RSA 460:28 to read as follows:

460:28 Abandonment by ~~[Wife]~~ **Parent**.

I. If any ~~[wife or mother]~~ **parent** shall separate **himself or** herself from **his or** her ~~[husband]~~ **child or children** without cause~~[, or from her children,]~~ **he or** she shall be guilty of a misdemeanor. The fine, if any, shall be applied in the discretion of the court to the benefit of the deserted ~~[husband or]~~ **child or** children ~~[or both]~~.

II. **A parent who separates himself or herself from his or her child or children, pursuant to RSA 132-A, shall not be guilty of an offense or subject to a fine under this section.**

3 New Paragraph; Offenses Against the Family; Endangering the Welfare of Child or Incompetent; Exception. Amend RSA 639:3 by inserting after paragraph V the following new paragraph:

VI. No person acting in accordance with the provisions of RSA 132-A shall be guilty of an offense under this section.

4 Effective Date. This act shall take effect 30 days after its passage.

AMENDED ANALYSIS

This bill declares that a hospital or safe haven shall assume temporary care and control of an abandoned child and shall notify the department of health and human services which shall then notify law enforcement officials. This bill also creates an exception to the crime of endangering the welfare of a child where a parent delivers the child to a hospital or safe haven and the parent does not express an intent to return for the child.

Adopted.

Rep. Bickford spoke against.

Rep. Manning spoke in favor and yielded to questions.

Rep. Bickford requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 327 NAYS 45

YEAS 327

BELKNAP

Ahern, Omer Jr	Bartlett, Gordon	Boyce, Laurie	Clark, Charles
Fitzgerald, James	Flanders, Donald	Holbrook, Robert	Laflam, Robert
Lawton, David	Nedeau, Stephen	Pilliod, James	Rice, Thomas
Russell, David	Thomas, John	Wendelboe, Fran	Whalley, Michael

CARROLL

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

CHESHIRE

Allen, Peter	Dexter, Judson	Dunn, James	Eaton, Daniel
Espieffs, Peter	Fish, Douglas	Hunt, John	Laurent, John
Liebl, George	Manning, Joseph	Meador, David	Mitchell, McKim
Pratt, Irene	Richardson, Barbara	Robertson, Timothy	Royce, H Charles
Smith, Edwin	Tilton, Anna		

COOS

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

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Densmore, Edward	Diamond, Estelle
Dorsett, Andrew	Dudley, Terri	Eaton, Stephanie	Gilman, G Michael
Gionet, Edmond	Giuda, Robert	Ham, Bonnie	Hammond, Lee
Ingbretson, Paul	Maybeck, Margie	Naro, Debra	Scovner, Nancy
Sokol, Hilda	Sorg, Gregory		

HILLSBOROUGH

Adams, Jarvis	Allan, Nelson	Allen, Timothy	Artz, Lawrence
Balboni, Michael	Balcom, John	Baroody, Benjamin	Barry, J Gail
Batula, Peter	Beaton, William	Bergeron, Jean-Guy	Bergin, Peter
Bouchard, David	Brassard, Paul	Brundige, Robert	Bruno, Pierre
Buckley, Raymond	Buhlman, David	Cail, Kenneth	Carlson, Donald
Carter, Jeffrey	Carter, Mark	Cernota, Albert	Chabot, Robert
Christensen, D L Chris	Christiansen, Lars	Clayton, William	Clemons, Jane
Cote, Peter	Coughlin, Pamela	Craig, James	Crane, Elenore Casey
Desmarais, Vivian	Dionne, Kimberley	Dokmo, Cynthia	Drisko, Richard
Elliott, Larry	Emerton, Larry	Fields, Dennis	Fletcher, Richard
Ford, Nancy	Furman, Christine	Gargasz, Carolyn	Gorman, Mary
Goulet, Maurice	Goyette, Peter Jr	Graham, John	Greenberg, Gary
Hagan, Barbara	Haley, Robert	Hall, Charles	Hallyburton, Margaret

Hansen, Ryan	Harrington, Paul	Hawkins, Ken	Haytayan, Harry Jr
Holden, Randolph	Hopper, Gary	Infantine, William	Irwin, Anne-Marie
Jean, Claudette	Kerns, J Edward	Kopka, Angeline	Kudalis, Debra
Kurk, Neal	L'Heureux, Robert	Laflamme, Charles	Lasky, Bette
Lawrence, James	Leach, Edward	Lefebvre, Roland	Lessard, Rudy
Luebkert, Bernard	Malloy, Chris	McElroy, Henry Jr	McHugh, Claire
McRae, Karen	Mercer, Robert	Messier, Irene	Milligan, Robert
Mooney, Maureen	Mosher, William	Movsesian, Lori	O'Brien, Lori
Palangas, Eric	Pappas, Christopher	Pappas, Marc	Pepino, Leo
Pilotte, Maurice	Price, Pamela	Reeves, Sandra	Rowe, Robert
Scanlon, Michael	Shaw, Barbara	Slocum, Lee	Souza, Kathleen
Spiess, Paul	Stepanek, Stephen	Sullivan, Francis	Sullivan, Peter
Sweeney, Cynthia	Tahir, Saghir	Tate, Joan	Vaillancourt, Steve
Wheeler, Robert			

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Currier, David	Daniels, Eric	Davis, Frank	DeStefano, Stephen
Field, William	Foley, Albert	Fraser, Leo Jr	French, Barbara
Gile, Mary	Hager, Elizabeth	Hamm, Christine	Hess, David
Jacobson, Alf	Kenison, Leon	Kennedy, Richard	Leber, William
Lockwood, Priscilla	MacKay, James	Marple, Richard	McCormick, Tom
Nutter, Edward	Owen, Derek	Perkins, Randy	Potter, Frances
Rush, Deanna	Seldin, Gloria	Soltani, Tony	Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald	Bicknell, Elbert	Bishop, Franklin	Blanchard, MaryAnn
Bridle, Russell	Cady, Harriet	Carson, Sharon	Clark, Vivian
Coes, Betsy	Cooney, Richard	Dalrymple, Janeen	Davidson, Robert
Dearborn, Bruce	DiFruscia, Anthony	Dodge, Robert	Doyle, Christopher
Duffy, James	Dumaine, Dudley	Fesh, Bob	Flanagan, Natalie
Flanders, John Sr	Flayhan, Mary Lou	Francoeur, Sheila	Gilbert, Jeffrey
Gilbert, Karl	Gillick, Thomas	Gould, Kenneth	Griffin, Mary
Hamel, Albert	Headd, James	Holland, James Jr	Hughes, Daniel

Hutchinson, Karen	Ingram, Russell	Itse, Daniel	Johnson, Rogers
Katsakiores, George	Katsakiores, Phyllis	Kelley, Jane	Kobel, Rudolph
Langley, Jane	Langone, John	Letourneau, Robert	Major, Norman
Manning, John	McEachern, Paul	McKinney, Betsy	McMahon, Charles
Morris, Richard	Noyes, Richard	O'Neil, Michael	Packard, Sherman
Pantelakos, Laura	Pitts, Jacqueline	Putnam, Ed II	Quandt, Matthew
Rausch, James	Roessner, Kurt	Ruffner, Walter	Scamman, Stella
Shultis, Elizabeth	Smith, Donald	Smith, Paul	Splaine, James
Stone, Joseph	Stritch, C Donald	Tufts, J Arthur	Vallone, Matthew
Varrell, Thomas	Waterhouse, Kevin	Weare, E Albert	Welch, David
Weldy, Norman Jr	Wiley, Robert	Zolla, William	

STRAFFORD

Albert, Russell	Bemis, Alan	Berube, Roger	Callaghan, Frank
Campbell, W Packy	Cataldo, Sam	Dunlap, Patricia	Easson, Timothy
Grassie, Anne	Heon, Richard	Hofemann, Roland	Hollinger, Jeffrey
Johnson, Nancy	Kaen, Naida	Knowles, William	Miller, Joseph
Musler, George	Newton, Clifford	Pelletier, Arthur	Rollo, Deanna
Rous, Emma	Schmidt, Peter	Scott, David	Snyder, Clair
Spang, Judith	Taylor, Katherine	Twombly, James	Vachon, Dennis
Wall, Janet	Woods, Phyllis		

SULLIVAN

Cloutier, John	Flint, Gordon Sr	Harris, Joseph	Harris, Sandra
Jones, Constance	Leone, Richard	Phinizy, James	Rodeschin, Beverly

NAYS 45

BELKNAP

Allen, Janet	Dewhirst, Glenn
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CARROLL

Babson, David Jr	Kenney, Bettie
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CHESHIRE

Parkhurst, Henry	Pratt, John	Weed, Charles
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COOS

None

GRAFTON

Barker, Robert	Nordgren, Sharon	Solomon, Peter
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HILLSBOROUGH

Arnold, Thomas Jr	Gibson, John	Hinkle, Peyton	Hunter, Bruce
Jasper, Shawn	Johnson, Lionel	Konys, Christine	LaFlamme, Paul
McDonough-Wallace, Alice	Moran, Edward	Ober, Russell III	Ross, Lawrence
Wheeler, James			

MERRIMACK

DeJoie, John	Oliver, James	Reed, Dennis
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ROCKINGHAM

Camm, Kevin	Corbin, Corey	Dupuis, Roland	Johnson, Robert
Moore, Benjamin	Norelli, Terie	Robertson, Carl	Weyler, Kenneth
Winchell, George			

STRAFFORD

Bickford, David	Brown, Julie	Creteau, Irene	Harrington, Michael
Keans, Sandra	Smith, Marjorie	Taylor, Kathleen	

SULLIVAN

Burling, Peter	Ferland, Brenda	Franklin, Peter
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and the reported was adopted.

Ordered to third reading.

CACR 3, relating to the nomination and appointment of judicial officers. Providing that the governor shall nominate and by and with the advice and consent of the senate, shall appoint judges of the supreme, superior, and district courts, the chief justice of the supreme court, chief justice of the superior court, and the administrative justice of the district court. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Thomas E. P. Rice for the Majority of Judiciary: There were several opinions. "If it ain't broke, don't fix it." There will be no less politics if the confirmation of judges is done by the Senate rather than by the Council. In fact, there likely would be more. The Senate has a heavy workload now. Vote 11-5.

Rep. John M. Pratt for the Minority of Judiciary: CACR 3 opens the vetting process by which judges are confirmed by transferring that power from the Executive Council to the Senate. This transfer of power would not remove politics from the judicial nominating and confirming process, but would ensure that a vigorous debate on judicial nominees by representatives of both political parties would ensue.

Reps. Davidson and Phinizy spoke against.

Rep. DiFruscia spoke against and yielded to questions.

Rep. Mock spoke in favor.

Rep. Davidson requested a roll call; sufficiently seconded.

The question being adoption of the majority report.

YEAS 274 NAYS 102

YEAS 274

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Clark, Charles
Dewhirst, Glenn	Fitzgerald, James	Flanders, Donald	Holbrook, Robert
Laflam, Robert	Lawton, David	Nedeau, Stephen	Pilliod, James
Rice, Thomas	Russell, David	Thomas, John	Wendelboe, Fran
Whalley, Michael			

CARROLL

Babson, David Jr	Brown, Carolyn	Derby, Mark	Dickinson, Howard
Hatch, Paul	Kenney, Bettie	McConkey, Mark	Morrow, Harry

Mock, Henry

Patten, Betsey

Philbrick, Donald

Stevens, Stanley

CHESHIRE

Dexter, Judson

Fish, Douglas

Hunt, John

Laurent, John

Liebl, George

Manning, Joseph

Mitchell, McKim

Parkhurst, Henry

Royce, H Charles

Smith, Edwin

COOS

Brady, Mark

King, Frederick

Mears, Edgar

Pratt, Leighton

Richardson, Herbert

Stohl, Eric

Tholl, John Jr

Woodward, David

GRAFTON

Akins, Ralph

Alger, John

Barker, Robert

Dorsett, Andrew

Dudley, Terri

Eaton, Stephanie

Gilman, G Michael

Gionet, Edmond

Giuda, Robert

Ham, Bonnie

Naro, Debra

Solomon, Peter

Sorg, Gregory

HILLSBOROUGH

Adams, Jarvis

Allan, Nelson

Allen, Timothy

Arnold, Thomas Jr

Artz, Lawrence

Balboni, Michael

Balcom, John

Barry, J Gail

Batula, Peter

Beaton, William

Bergeron, Jean-Guy

Bergin, Peter

Bouchard, David

Brundige, Robert

Bruno, Pierre

Buhlman, David

Cail, Kenneth

Carlson, Donald

Carter, Jeffrey

Carter, Mark

Cernota, Albert

Chabot, Robert

Christensen, D L Chris

Christiansen, Lars

Coughlin, Pamela

Crane, Elenore Casey

Desmarais, Vivian

Dionne, Kimberley

Dokmo, Cynthia

Drisko, Richard

Elliott, Larry

Emerton, Larry

Fields, Dennis

Fletcher, Richard

Ford, Nancy

Furman, Christine

Gargas, Carolyn

Gibson, John

Goulet, Maurice

Goyette, Peter Jr

Greenberg, Gary

Hall, Charles

Hallyburton, Margaret

Hansen, Ryan

Harrington, Paul

Hawkins, Ken

Haytayan, Harry Jr

Hinkle, Peyton

Hopper, Gary

Infantine, William

Jasper, Shawn

Jean, Claudette

Kerns, J Edward

Kurk, Neal

L'Heureux, Robert

Laflamme, Charles

LaFlamme, Paul

Lasky, Bette

Lawrence, James

Leach, Edward

Lefebvre, Roland

Lessard, Rudy

Luebker, Bernard

McElroy, Henry Jr

McRae, Karen	Mercer, Robert	Messier, Irene	Milligan, Robert
Mooney, Maureen	Moran, Edward	Mosher, William	Movsesian, Lori
O'Brien, Lori	Ober, Russell III	Pappas, Marc	Pepino, Leo
Price, Pamela	Reeves, Sandra	Ross, Lawrence	Rowe, Robert
Scanlon, Michael	Slocum, Lee	Souza, Kathleen	Spiess, Paul
Stepanek, Stephen	Sweeney, Cynthia	Tahir, Saghir	Tate, Joan
Vaillancourt, Steve	Wheeler, James	Wheeler, Robert	

MERRIMACK

Anderson, Eric	Bouchard, Candace	Currier, David	Daniels, Eric
DeStefano, Stephen	Field, William	Foley, Albert	Fraser, Leo Jr
Gile, Mary	Hager, Elizabeth	Hess, David	Jacobson, Alf
Kenison, Leon	Kennedy, Richard	L'Heureux, Stephen	Leber, William
Lockwood, Priscilla	MacKay, James	Maxfield, Roy	McCormick, Tom
Nutter, Edward	Oliver, James		

ROCKINGHAM

Belanger, Ronald	Bicknell, Elbert	Bishop, Franklin	Blanchard, MaryAnn
Bridle, Russell	Cady, Harriet	Camm, Kevin	Carson, Sharon
Coes, Betsy	Cooney, Richard	Corbin, Corey	Dalrymple, Janeen
Dearborn, Bruce	Dodge, Robert	Doyle, Christopher	Duffy, James
Dumaine, Dudley	Dupuis, Roland	Fesh, Bob	Flanagan, Natalie
Flanders, John Sr	Flayhan, Mary Lou	Francoeur, Sheila	Gilbert, Jeffrey
Gilbert, Karl	Gillick, Thomas	Gleason, John	Gould, Kenneth
Griffin, Mary	Hamel, Albert	Headd, James	Holland, James Jr
Hughes, Daniel	Hutchinson, Karen	Ingram, Russell	Itse, Daniel
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Langone, John	Letourneau, Robert
Major, Norman	Manning, John	McKinney, Betsy	McMahon, Charles
Morris, Richard	Norelli, Terie	Noyes, Richard	O'Neil, Michael
Packard, Sherman	Pantelakos, Laura	Putnam, Ed II	Quandt, Matthew
Rausch, James	Robertson, Carl	Roessner, Kurt	Ruffner, Walter
Scamman, Stella	Smith, Donald	Smith, Paul	Stone, Joseph
Stritch, C Donald	Tufts, J Arthur	Varrell, Thomas	Waterhouse, Kevin

Weare, E Albert
Winchell, George

Welch, David
Zolla, William

Weldy, Norman Jr

Wiley, Robert

STRAFFORD

Albert, Russell
Brown, Julie
Easson, Timothy
Hollinger, Jeffrey
Musler, George
Twombly, James

Bemis, Alan
Campbell, W Packy
Grassie, Anne
Kaen, Naida
Newton, Clifford
Wall, Janet

Berube, Roger
Cataldo, Sam
Heon, Richard
Keans, Sandra
Scott, David
Woods, Phyllis

Bickford, David
Dunlap, Patricia
Hofemann, Roland
Knowles, William
Snyder, Clair

SULLIVAN

Flint, Gordon Sr

Jones, Constance

Leone, Richard

Rodeschin, Beverly

NAYS 102

BELKNAP

Boyce, Laurie

CARROLL

Olimpio, J Lisbeth

CHESHIRE

Allen, Peter
Espiefs, Peter
Richardson, Barbara
Weed, Charles

Batchelder, Robert
Meader, David
Robertson, Timothy

Dunn, James
Pratt, Irene
Slack, Pamela

Eaton, Daniel
Pratt, John
Tilton, Anna

COOS

Poulin, Richard

Theberge, Robert

GRAFTON

Almy, Susan

Benn, Bernard

Bleyler, Ruth

Cooney, Mary

Densmore, Edward	Diamond, Estelle	Hammond, Lee	Ingbretson, Paul
Maybeck, Margie	Nordgren, Sharon	Scovner, Nancy	Sokol, Hilda

HILLSBOROUGH

Baroody, Benjamin	Brassard, Paul	Buckley, Raymond	Clayton, William
Clemons, Jane	Cote, Peter	Craig, James	Gorman, Mary
Graham, John	Hagan, Barbara	Haley, Robert	Holden, Randolph
Hunter, Bruce	Irwin, Anne-Marie	Johnson, Lionel	Konys, Christine
Kopka, Angeline	Kudalis, Debra	Malloy, Chris	McDonough-Wallace, Alice
McHugh, Claire	Palangas, Eric	Pappas, Christopher	Pilotte, Maurice
Shaw, Barbara	Sullivan, Francis	Sullivan, Peter	

MERRIMACK

Brueggemann, Donald	Clarke, Claire	Davis, Frank	DeJoie, John
French, Barbara	Hamm, Christine	Marple, Richard	Owen, Derek
Perkins, Randy	Potter, Frances	Reed, Dennis	Rush, Deanna
Seldin, Gloria	Soltani, Tony	Wallner, Mary Jane	

ROCKINGHAM

Clark, Vivian	Davidson, Robert	DiFruscia, Anthony	Kelley, Jane
McEachern, Paul	Pitts, Jacqueline	Shultis, Elizabeth	Splaine, James
Vallone, Matthew	Weyler, Kenneth		

STRAFFORD

Callaghan, Frank	Creteau, Irene	Harrington, Michael	Johnson, Nancy
Miller, Joseph	Pelletier, Arthur	Rollo, Deanna	Rous, Emma
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Taylor, Katherine
Taylor, Kathleen	Vachon, Dennis		

SULLIVAN

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

and the majority report was adopted.

HB 77, establishing a committee to study the process of de novo appeals from the district courts.
MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Bette R. Lasky for the Majority of Judiciary: This bill establishes a committee to study the process of de novo appeals from the district courts. "De novo" appeals, if granted, gives, in essence, a new trial to the appellant in a higher court. The committee felt that there may be a more efficient way to handle appeals but the subject needs to be studied to look into all the ramifications of such changes. Vote 12-4.

Rep. James E. Wheeler for the Minority of Judiciary: This bill would create a study committee to study the process of de novo appeals from the district court. The minority believes that the study is unnecessary because the present scope of de novo appeals is adequate and its preservation is an absolute necessity. The minority believes that to consider the process with an eye towards eliminating the process with respect to the classes of cases that presently are entitled to de novo appeals, as the sponsor suggested, is dangerous. The minority recommends that this bill be voted inexpedient to legislate.

Rep. James Wheeler spoke against.

Rep. Rowe spoke in favor.

Rep. James Wheeler requested a roll call; sufficiently seconded.

The question being adoption of the majority report.

YEAS 296 NAYS 73

YEAS 296

BELKNAP

Allen, Janet	Bartlett, Gordon	Clark, Charles	Fitzgerald, James
Flanders, Donald	Holbrook, Robert	Nedeau, Stephen	Pilliod, James
Rice, Thomas	Russell, David	Thomas, John	Whalley, Michael

CARROLL

Babson, David Jr	Brown, Carolyn	Derby, Mark	Dickinson, Howard
Hatch, Paul	Kenney, Bettie	McConkey, Mark	Merrow, Harry
Mock, Henry	Olimpio, J Lisbeth	Patten, Betsey	Philbrick, Donald
Stevens, Stanley			

CHESHIRE

Allen, Peter	Batchelder, Robert	Dexter, Judson	Dunn, James
Eaton, Daniel	Espieffs, Peter	Fish, Douglas	Hunt, John
Liebl, George	Manning, Joseph	Meador, David	Mitchell, McKim
Parkhurst, Henry	Pratt, Irene	Pratt, John	Richardson, Barbara
Robertson, Timothy	Royce, H Charles	Slack, Pamela	Smith, Edwin
Tilton, Anna	Weed, Charles		

COOS

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

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Barker, Robert
Benn, Bernard	Bleyler, Ruth	Cooney, Mary	Densmore, Edward
Diamond, Estelle	Dudley, Terri	Eaton, Stephanie	Gionet, Edmond
Giuda, Robert	Ham, Bonnie	Hammond, Lee	Ingbretson, Paul
Maybeck, Margie	Naro, Debra	Nordgren, Sharon	Scovner, Nancy
Sokol, Hilda	Solomon, Peter		

HILLSBOROUGH

Allan, Nelson	Arnold, Thomas Jr	Artz, Lawrence	Balboni, Michael
Balcom, John	Baroody, Benjamin	Barry, J Gail	Batula, Peter
Beaton, William	Bergin, Peter	Bouchard, David	Brassard, Paul
Brundige, Robert	Buckley, Raymond	Cail, Kenneth	Carlson, Donald
Carter, Jeffrey	Carter, Mark	Chabot, Robert	Christensen, D L Chris
Clayton, William	Clemons, Jane	Cote, Peter	Craig, James
Desmarais, Vivian	Dionne, Kimberley	Dokmo, Cynthia	Drisko, Richard
Emerton, Larry	Fields, Dennis	Fletcher, Richard	Ford, Nancy
Furman, Christine	Gargasz, Carolyn	Gorman, Mary	Goulet, Maurice
Graham, John	Greenberg, Gary	Hallyburton, Margaret	Haytayan, Harry Jr
Hinkle, Peyton	Holden, Randolph	Infantine, William	Irwin, Anne-Marie
Jasper, Shawn	Jean, Claudette	Johnson, Lionel	Konys, Christine

Kopka, Angeline	Kudalis, Debra	Kurk, Neal	L'Heureux, Robert
Laflamme, Charles	LaFlamme, Paul	Lasky, Bette	Leach, Edward
Lefebvre, Roland	Lessard, Rudy	Malloy, Chris	McElroy, Henry Jr
McHugh, Claire	Mercer, Robert	Messier, Irene	Milligan, Robert
Mooney, Maureen	Moran, Edward	Mosher, William	Movsesian, Lori
O'Brien, Lori	Ober, Russell III	Palangas, Eric	Pappas, Christopher
Pappas, Marc	Pepino, Leo	Pilotte, Maurice	Price, Pamela
Reeves, Sandra	Ross, Lawrence	Rowe, Robert	Scanlon, Michael
Spieß, Paul	Stepanek, Stephen	Sullivan, Francis	Sullivan, Peter
Sweeney, Cynthia	Tahir, Saghir	Tate, Joan	Wheeler, Robert

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brueggemann, Donald	Daniels, Eric
Davis, Frank	DeJoie, John	DeStefano, Stephen	Field, William
Fraser, Leo Jr	French, Barbara	Hager, Elizabeth	Hamm, Christine
Hess, David	Jacobson, Alf	Kenison, Leon	L'Heureux, Stephen
Leber, William	Lockwood, Priscilla	MacKay, James	Maxfield, Roy
McCormick, Tom	Oliver, James	Owen, Derek	Perkins, Randy
Reed, Dennis	Rush, Deanna	Seldin, Gloria	Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald	Bishop, Franklin	Blanchard, MaryAnn	Cady, Harriet
Camm, Kevin	Carson, Sharon	Clark, Vivian	Coes, Betsy
Cooney, Richard	Corbin, Corey	Dalrymple, Janeen	Davidson, Robert
Dearborn, Bruce	DiFruscia, Anthony	Dodge, Robert	Duffy, James
Dumaine, Dudley	Fesh, Bob	Flanagan, Natalie	Flanders, John Sr
Francoeur, Sheila	Gilbert, Jeffrey	Gilbert, Karl	Gillick, Thomas
Gleason, John	Gould, Kenneth	Griffin, Mary	Hamel, Albert
Headd, James	Holland, James Jr	Hughes, Daniel	Hutchinson, Karen
Ingram, Russell	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kelley, Jane	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Major, Norman	Manning, John
McEachern, Paul	McKinney, Betsy	Moore, Benjamin	Morris, Richard
Norelli, Terie	Noyes, Richard	O'Neil, Michael	Packard, Sherman

Pitts, Jacqueline	Rausch, James	Robertson, Carl	Roessner, Kurt
Ruffner, Walter	Scamman, Stella	Shultis, Elizabeth	Smith, Donald
Smith, Paul	Splaine, James	Stone, Joseph	Stritch, C Donald
Tufts, J Arthur	Varrell, Thomas	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman Jr	Winchell, George	Zolla, William

STRAFFORD

Bemis, Alan	Berube, Roger	Callaghan, Frank	Dunlap, Patricia
Harrington, Michael	Heon, Richard	Hofemann, Roland	Johnson, Nancy
Kaen, Naida	Knowles, William	Miller, Joseph	Pelletier, Arthur
Rollo, Deanna	Rous, Emma	Schmidt, Peter	Scott, David
Smith, Marjorie	Snyder, Clair	Taylor, Katherine	Twombly, James
Wall, Janet	Woods, Phyllis		

SULLIVAN

Burling, Peter	Cloutier, John	Flint, Gordon Sr	Franklin, Peter
Harris, Sandra	Jones, Constance	Leone, Richard	Rodeschin, Beverly

NAYS 73

BELKNAP

Ahern, Omer Jr	Boyce, Laurie	Dewhirst, Glenn	Laflam, Robert
Lawton, David	Wendelboe, Fran		

CARROLL

None

CHESHIRE

Laurent, John

COOS

Brady, Mark

GRAFTON

Dorsett, Andrew	Gilman, G Michael	Sorg, Gregory
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HILLSBOROUGH

Adams, Jarvis	Allen, Timothy	Bergeron, Jean-Guy	Bruno, Pierre
Buhlman, David	Cernota, Albert	Christiansen, Lars	Coughlin, Pamela
Crane, Elenore Casey	Elliott, Larry	Gibson, John	Goyette, Peter Jr
Hagan, Barbara	Haley, Robert	Hall, Charles	Hansen, Ryan
Harrington, Paul	Hawkins, Ken	Hopper, Gary	Hunter, Bruce
Kerns, J Edward	Lawrence, James	Luebkert, Bernard	McRae, Karen
Shaw, Barbara	Slocum, Lee	Souza, Kathleen	Vaillancourt, Steve
Wheeler, James			

MERRIMACK

Currier, David	Foley, Albert	Kennedy, Richard	Marple, Richard
Nutter, Edward	Soltani, Tony		

ROCKINGHAM

Bicknell, Elbert	Doyle, Christopher	Dupuis, Roland	Flayhan, Mary Lou
Itse, Daniel	McMahon, Charles	Putnam, Ed II	Quandt, Matthew
Vallone, Matthew	Weyler, Kenneth	Wiley, Robert	

STRAFFORD

Albert, Russell	Bickford, David	Brown, Julie	Campbell, W Packy
Cataldo, Sam	Creteau, Irene	Easson, Timothy	Grassie, Anne
Hollinger, Jeffrey	Keans, Sandra	Newton, Clifford	Taylor, Kathleen
Vachon, Dennis			

SULLIVAN

Ferland, Brenda	Harris, Joseph	Phinizy, James
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and the majority report was adopted.

Ordered to third reading.

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

HB 130, establishing a judicial nominating commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James E. Wheeler for the Majority of Judiciary: The committee had some strong concerns as to the constitutionality of this bill. This bill would establish a judicial nominating commission, to recommend persons to the Governor for nominations to judicial appointments. The constitution gives the Governor the right to select whomever he/she chooses and this would violate the separation of powers to say that he/she has to give high priority to the commission's recommendations. Therefore we recommend inexpedient to legislate. Vote 13-4.

Rep. John M. Pratt for the Minority of Judiciary: No greater complaint is heard about the judicial nominating process than that judges are selected by "the old boy's network." This bill does not take away one iota of the Governor's constitutional power to nominate judges, but it does provide for a process whereby those who are not a part of the old boy's network can be given serious consideration when judicial openings occur.

Rep. John Pratt spoke against and yielded to questions.

Rep. Mock spoke in favor.

Majority report adopted.

HB 193, relative to the right to life. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James W. Craig for the Majority of Judiciary: This bill seeks to codify in RSA 132 the following language, "the state of New Hampshire hereby declares that the right to life guaranteed by the Constitution is vested in each human being at fertilization." All members of the Judiciary Committee acknowledged that the beginning of life is a very difficult issue to ascertain, and the majority felt *Roe v. Wade* is still the law of the land and this bill, while well intentioned, is poorly crafted and is not the way to change that law. Some members felt and indeed one of the sponsors indicated that the intent of the bill would be to make doctors and pregnant women subject to the possibility of criminal sanctions should they terminate a pregnancy at any point after fertilization. Vote 13-5.

Rep. Kathleen F. Souza for the Minority of Judiciary: This bill states that each human life begins at fertilization. In 1973, when the Supreme Court justices handed down the *Roe vs. Wade* decision, they stated that they did not know when life begins. Since that time, over 42 million unborn children in this country have been lost to abortion. The justices also said that if it could be established that life began at conception, then the whole case for abortion would collapse. The sponsors of HB 193 believe now is an appropriate time for the State of New Hampshire to recognize what science and medicine have now confirmed- that each human life does indeed begin at fertilization. Elizabeth Louise Brown's conception in a petri dish in London over two decades ago proved this fact in full world view. By stating the obvious and asserting that our government, at all levels, should assure the equal care and protection for the right to life for us all, the sponsors of HB 193 hope to contribute to an increase in the respect for human life. If this country is to continue to prosper, we must halt the growing disregard for life, as evidenced by the discarding of newborns, the abuse of children, the mistreatment of the elderly and the infirm and the increasing trend towards euthanasia.

HB 193 does not have any enforcement powers. It does not provide for any penalties or for any prosecution. It states biological facts and asks for a truly just society, one that respects what our founders proudly proclaimed, the unalienable right to life.

Reps. Hagan, Itse and Souza spoke against.

Reps Desmarais, Jacobson and Craig spoke in favor.

Rep. Hagan requested a roll call; sufficiently seconded.

The question being adoption of the majority report.

YEAS 253 NAYS 119

YEAS 253

BELKNAP

Allen, Janet	Bartlett, Gordon	Dewhirst, Glenn	Fitzgerald, James
Holbrook, Robert	Lawton, David	Nedeau, Stephen	Pilliod, James
Rice, Thomas	Russell, David	Whalley, Michael	

CARROLL

Babson, David Jr	Dickinson, Howard	Hatch, Paul	McConkey, Mark
Merrow, Harry	Mock, Henry	Olimpio, J Lisbeth	Patten, Betsey
Philbrick, Donald			

CHESHIRE

Allen, Peter	Batchelder, Robert	Dexter, Judson	Dunn, James
Eaton, Daniel	Espieffs, Peter	Fish, Douglas	Hunt, John
Liebl, George	Meador, David	Mitchell, McKim	Parkhurst, Henry
Pratt, Irene	Pratt, John	Richardson, Barbara	Robertson, Timothy
Royce, H Charles	Slack, Pamela	Tilton, Anna	Weed, Charles

COOS

King, Frederick	Mears, Edgar	Poulin, Richard	Pratt, Leighton
Stohl, Eric	Theberge, Robert	Tholl, John Jr	Woodward, David

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Barker, Robert
Benn, Bernard	Bleyler, Ruth	Cooney, Mary	Densmore, Edward
Diamond, Estelle	Dudley, Terri	Eaton, Stephanie	Gionet, Edmond
Ham, Bonnie	Hammond, Lee	Naro, Debra	Nordgren, Sharon
Scovner, Nancy	Sokol, Hilda	Solomon, Peter	

HILLSBOROUGH

Balcom, John	Baroody, Benjamin	Barry, J Gail	Beaton, William
Bergin, Peter	Bouchard, David	Bruno, Pierre	Buckley, Raymond
Cail, Kenneth	Carlson, Donald	Carter, Mark	Christensen, D L Chris
Clayton, William	Clemons, Jane	Cote, Peter	Craig, James
Crane, Elenore Casey	Desmarais, Vivian	Dionne, Kimberley	Dokmo, Cynthia
Drisko, Richard	Elliott, Larry	Emerton, Larry	Ford, Nancy
Furman, Christine	Gargas, Carolyn	Gorman, Mary	Graham, John
Greenberg, Gary	Hall, Charles	Hallyburton, Margaret	Haytayan, Harry Jr
Holden, Randolph	Infantine, William	Irwin, Anne-Marie	Johnson, Lionel
Kerns, J Edward	Konys, Christine	Kopka, Angeline	Kudalis, Debra
Kurk, Neal	Laflamme, Charles	LaFlamme, Paul	Lasky, Bette
Leach, Edward	Lessard, Rudy	Malloy, Chris	Mercer, Robert
Messier, Irene	Milligan, Robert	Moran, Edward	Movsesian, Lori
O'Brien, Lori	Ober, Russell III	Palangas, Eric	Pappas, Christopher
Price, Pamela	Ross, Lawrence	Rowe, Robert	Scanlon, Michael
Shaw, Barbara	Spiess, Paul	Sullivan, Francis	Vaillancourt, Steve

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Currier, David	Daniels, Eric	Davis, Frank	DeJoie, John
DeStefano, Stephen	Foley, Albert	Fraser, Leo Jr	French, Barbara
Gile, Mary	Hager, Elizabeth	Hamm, Christine	Hess, David
Jacobson, Alf	Kenison, Leon	L'Heureux, Stephen	Leber, William
Lockwood, Priscilla	MacKay, James	Marple, Richard	Maxfield, Roy
McCormick, Tom	Nutter, Edward	Oliver, James	Owen, Derek
Perkins, Randy	Potter, Frances	Reed, Dennis	Rush, Deanna

Seldin, Gloria

Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald

Blanchard, MaryAnn

Bridle, Russell

Camm, Kevin

Clark, Vivian

Coes, Betsy

Cooney, Richard

Corbin, Corey

Dalrymple, Janeen

Davidson, Robert

Dearborn, Bruce

DiFruscia, Anthony

Duffy, James

Flanagan, Natalie

Flanders, John Sr

Francoeur, Sheila

Gilbert, Jeffrey

Gilbert, Karl

Gleason, John

Gould, Kenneth

Griffin, Mary

Holland, James Jr

Hutchinson, Karen

Ingram, Russell

Johnson, Robert

Katsakiores, George

Kelley, Jane

Kobel, Rudolph

Langley, Jane

Langone, John

Major, Norman

McKinney, Betsy

McMahon, Charles

Morris, Richard

Norelli, Terie

Noyes, Richard

O'Neil, Michael

Pantelakos, Laura

Rausch, James

Robertson, Carl

Roessner, Kurt

Scamman, Stella

Shultis, Elizabeth

Smith, Donald

Splaine, James

Stone, Joseph

Stritch, C Donald

Tufts, J Arthur

Vallone, Matthew

Weare, E Albert

Weyler, Kenneth

Winchell, George

STRAFFORD

Bemis, Alan

Bickford, David

Brown, Julie

Creteau, Irene

Dunlap, Patricia

Grassie, Anne

Harrington, Michael

Heon, Richard

Johnson, Nancy

Kaen, Naida

Keans, Sandra

Knowles, William

Miller, Joseph

Musler, George

Pelletier, Arthur

Rollo, Deanna

Rous, Emma

Schmidt, Peter

Scott, David

Smith, Marjorie

Snyder, Clair

Spang, Judith

Taylor, Katherine

Taylor, Kathleen

Vachon, Dennis

Wall, Janet

SULLIVAN

Burling, Peter

Cloutier, John

Ferland, Brenda

Flint, Gordon Sr

Franklin, Peter

Harris, Joseph

Harris, Sandra

Jones, Constance

Leone, Richard

Phinizy, James

BELKNAP

Ahern, Omer Jr	Boyce, Laurie	Clark, Charles	Flanders, Donald
Laflam, Robert	Wendelboe, Fran		

CARROLL

Brown, Carolyn	Derby, Mark	Kenney, Bettie	Stevens, Stanley
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CHESHIRE

Laurent, John	Manning, Joseph
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COOS

Brady, Mark	Richardson, Herbert
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GRAFTON

Dorsett, Andrew	Gilman, G Michael	Giuda, Robert	Ingbretson, Paul
Maybeck, Margie	Sorg, Gregory		

HILLSBOROUGH

Adams, Jarvis	Allan, Nelson	Allen, Timothy	Arnold, Thomas Jr
Artz, Lawrence	Balboni, Michael	Batula, Peter	Bergeron, Jean-Guy
Brassard, Paul	Brundige, Robert	Buhlman, David	Carter, Jeffrey
Cernota, Albert	Chabot, Robert	Christiansen, Lars	Coughlin, Pamela
Fields, Dennis	Fletcher, Richard	Gibson, John	Goulet, Maurice
Goyette, Peter Jr	Hagan, Barbara	Haley, Robert	Hansen, Ryan
Harrington, Paul	Hawkins, Ken	Hinkle, Peyton	Hopper, Gary
Hunter, Bruce	Jasper, Shawn	Jean, Claudette	L'Heureux, Robert
Lawrence, James	Lefebvre, Roland	Luebker, Bernard	McDonough-Wallace, Alice
McElroy, Henry Jr	McHugh, Claire	McRae, Karen	Mooney, Maureen
Mosher, William	Pappas, Marc	Pepino, Leo	Pilotte, Maurice
Reeves, Sandra	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Sullivan, Peter	Sweeney, Cynthia	Tahir, Saghir	Tate, Joan
Wheeler, James	Wheeler, Robert		

MERRIMACK

Field, William Soltani, Tony

ROCKINGHAM

Bicknell, Elbert	Bishop, Franklin	Cady, Harriet	Carson, Sharon
Dodge, Robert	Doyle, Christopher	Dumaine, Dudley	Dupuis, Roland
Fesh, Bob	Flayhan, Mary Lou	Gillick, Thomas	Hamel, Albert
Headd, James	Hughes, Daniel	Itse, Daniel	Johnson, Rogers
Katsakiores, Phyllis	Letourneau, Robert	Manning, John	Moore, Benjamin
Packard, Sherman	Putnam, Ed II	Quandt, Matthew	Ruffner, Walter
Smith, Paul	Varrell, Thomas	Waterhouse, Kevin	Welch, David
Weldy, Norman Jr	Wiley, Robert	Zolla, William	

STRAFFORD

Albert, Russell	Berube, Roger	Callaghan, Frank	Campbell, W Packy
Cataldo, Sam	Easson, Timothy	Hofemann, Roland	Hollinger, Jeffrey
Newton, Clifford	Twombly, James	Woods, Phyllis	

SULLIVAN

Rodeschin, Beverly

and the majority report was adopted.

(Rep. Whalley in the Chair)

HB 304-A, relative to state acquisition of certain acreage in the Connecticut Lakes headwaters tract and making an appropriation therefor. **OUGHT TO PASS**

Rep. H. Charles Royce for Resources, Recreation and Development: The state of New Hampshire is on the verge of protecting 171,500 acres, this acreage is known as the Connecticut Lakes headwaters tract. Agreements are being worked on with Lyme Timber Company for their acquisition of 146,000 acres of this forest land with easements. It would continue as a working forest for the company. This bill would authorize the state to bond up to 12 million dollars, which is the price being paid by Lyme Timber Company. If for some unforeseen reason that the company does not reach an agreement with the state, the state of New Hampshire will have the funds and be in a position to acquire Lyme Timbers part of the acquisition. Vote 16-1.

Rep. Chandler yielded to questions.

Adopted.

Referred to Finance.

HB 164-FN-A, increasing the gross premiums tax on insurance provided by certain unlicensed companies. **OUGHT TO PASS**

Rep. Vivian R. Clark for Ways and Means: The State of New Hampshire licenses insurance companies and brokers in the state, and charges a tax on premiums. However, certain unusual types of insurance are purchased through brokers from companies which are not normally licensed. This bill increases the rate of the premium tax on those special lines, comparable to the rates charged by neighboring states. Vote 17-0.

Rep. Buckley requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 340 NAYS 34

YEAS 340

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Boyce, Laurie
Clark, Charles	Dewhirst, Glenn	Fitzgerald, James	Flanders, Donald
Holbrook, Robert	Laflam, Robert	Lawton, David	Nedeau, Stephen
Pilliod, James	Rice, Thomas	Russell, David	Thomas, John
Wendelboe, Fran	Whalley, Michael		

CARROLL

Babson, David Jr	Brown, Carolyn	Chandler, Gene	Derby, Mark
Dickinson, Howard	Hatch, Paul	Kenney, Bettie	McConkey, Mark
Merrow, Harry	Mock, Henry	Olimpio, J Lisbeth	Patten, Betsey
Philbrick, Donald	Stevens, Stanley		

CHESHIRE

Allen, Peter	Batchelder, Robert	Dexter, Judson	Dunn, James
Eaton, Daniel	Espieffs, Peter	Fish, Douglas	Hunt, John
Laurent, John	Liebl, George	Manning, Joseph	Meader, David
Mitchell, McKim	Pratt, Irene	Pratt, John	Robertson, Timothy

Royce, H Charles

Slack, Pamela

Tilton, Anna

Weed, Charles

COOS

Brady, Mark

King, Frederick

Mears, Edgar

Poulin, Richard

Pratt, Leighton

Richardson, Herbert

Stohl, Eric

Theberge, Robert

Tholl, John Jr

Woodward, David

GRAFTON

Akins, Ralph

Alger, John

Almy, Susan

Barker, Robert

Bleyler, Ruth

Cooney, Mary

Diamond, Estelle

Dorsett, Andrew

Dudley, Terri

Eaton, Stephanie

Gilman, G Michael

Gionet, Edmond

Giuda, Robert

Ham, Bonnie

Hammond, Lee

Ingbretson, Paul

Maybeck, Margie

Naro, Debra

Scovner, Nancy

Sokol, Hilda

Solomon, Peter

Sorg, Gregory

HILLSBOROUGH

Adams, Jarvis

Allan, Nelson

Allen, Timothy

Arnold, Thomas Jr

Artz, Lawrence

Balboni, Michael

Balcom, John

Baroody, Benjamin

Beaton, William

Bergin, Peter

Bouchard, David

Brassard, Paul

Brundige, Robert

Bruno, Pierre

Buckley, Raymond

Buhlman, David

Cail, Kenneth

Carlson, Donald

Carter, Jeffrey

Carter, Mark

Cernota, Albert

Chabot, Robert

Christensen, D L Chris

Christiansen, Lars

Clayton, William

Cote, Peter

Coughlin, Pamela

Craig, James

Crane, Elenore Casey

Desmarais, Vivian

Dionne, Kimberley

Dokmo, Cynthia

Drisko, Richard

Emerton, Larry

Fields, Dennis

Fletcher, Richard

Ford, Nancy

Furman, Christine

Gargasz, Carolyn

Gibson, John

Goulet, Maurice

Goyette, Peter Jr

Graham, John

Greenberg, Gary

Haley, Robert

Hall, Charles

Hallyburton, Margaret

Hansen, Ryan

Harrington, Paul

Hawkins, Ken

Haytayan, Harry Jr

Hinkle, Peyton

Hopper, Gary

Hunter, Bruce

Infantine, William

Irwin, Anne-Marie

Jasper, Shawn

Jean, Claudette

Johnson, Lionel

Kerns, J Edward

Konys, Christine

Kopka, Angeline

Kudalis, Debra

Kurk, Neal

L'Heureux, Robert

Laflamme, Charles

LaFlamme, Paul

Leach, Edward

Lefebvre, Roland	Lessard, Rudy	Malloy, Chris	McDonough-Wallace, Alice
McElroy, Henry Jr	McHugh, Claire	McRae, Karen	Mercer, Robert
Messier, Irene	Milligan, Robert	Mooney, Maureen	Moran, Edward
Mosher, William	O'Brien, Lori	Ober, Russell III	Palangas, Eric
Pappas, Christopher	Pappas, Marc	Pepino, Leo	Pilotte, Maurice
Price, Pamela	Reeves, Sandra	Ross, Lawrence	Rowe, Robert
Scanlon, Michael	Shaw, Barbara	Souza, Kathleen	Spiess, Paul
Stepanek, Stephen	Sweeney, Cynthia	Tahir, Saghir	Tate, Joan
Vaillancourt, Steve	Wheeler, Robert		

MERRIMACK

Anderson, Eric	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Currier, David	Daniels, Eric	Davis, Frank	DeJoie, John
DeStefano, Stephen	Field, William	Foley, Albert	Fraser, Leo Jr
French, Barbara	Gile, Mary	Hager, Elizabeth	Hamm, Christine
Hess, David	Jacobson, Alf	Kenison, Leon	L'Heureux, Stephen
Leber, William	Lockwood, Priscilla	MacKay, James	Marple, Richard
Maxfield, Roy	McCormick, Tom	Nutter, Edward	Oliver, James
Owen, Derek	Potter, Frances	Reed, Dennis	Rush, Deanna
Wallner, Mary Jane			

ROCKINGHAM

Belanger, Ronald	Bishop, Franklin	Blanchard, MaryAnn	Bridle, Russell
Cady, Harriet	Camm, Kevin	Carson, Sharon	Clark, Vivian
Coes, Betsy	Cooney, Richard	Dalrymple, Janeen	Davidson, Robert
Dearborn, Bruce	DiFruscia, Anthony	Dodge, Robert	Doyle, Christopher
Duffy, James	Dumaine, Dudley	Dupuis, Roland	Fesh, Bob
Flanagan, Natalie	Flanders, John Sr	Flayhan, Mary Lou	Francoeur, Sheila
Gilbert, Jeffrey	Gilbert, Karl	Gillick, Thomas	Gleason, John
Gould, Kenneth	Griffin, Mary	Hamel, Albert	Headd, James
Holland, James Jr	Hughes, Daniel	Hutchinson, Karen	Ingram, Russell
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Kobel, Rudolph	Langley, Jane	Langone, John

Letourneau, Robert	Major, Norman	Manning, John	McKinney, Betsy
McMahon, Charles	Moore, Benjamin	Morris, Richard	Norelli, Terie
Noyes, Richard	O'Neil, Michael	Packard, Sherman	Pantelakos, Laura
Pitts, Jacqueline	Putnam, Ed II	Rausch, James	Robertson, Carl
Roessner, Kurt	Scamman, Stella	Shultis, Elizabeth	Smith, Donald
Smith, Paul	Stone, Joseph	Stritch, C Donald	Tufts, J Arthur
Vallone, Matthew	Varrell, Thomas	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman Jr	Weyler, Kenneth	Wiley, Robert
Winchell, George	Zolla, William		

STRAFFORD

Albert, Russell	Bemis, Alan	Berube, Roger	Bickford, David
Brown, Julie	Callaghan, Frank	Campbell, W Packy	Cataldo, Sam
Creteau, Irene	Dunlap, Patricia	Easson, Timothy	Grassie, Anne
Heon, Richard	Hofemann, Roland	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Miller, Joseph	Musler, George
Newton, Clifford	Pelletier, Arthur	Rollo, Deanna	Rous, Emma
Schmidt, Peter	Scott, David	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Katherine	Taylor, Kathleen	Twombly, James
Wall, Janet	Woods, Phyllis		

SULLIVAN

Cloutier, John	Ferland, Brenda	Flint, Gordon Sr	Franklin, Peter
Harris, Joseph	Harris, Sandra	Jones, Constance	Leone, Richard
Rodeschin, Beverly			

NAYS 34

BELKNAP

None

CARROLL

None

CHESHIRE

Parkhurst, Henry

Richardson, Barbara

COOS

None

GRAFTON

Benn, Bernard

Densmore, Edward

Nordgren, Sharon

HILLSBOROUGH

Barry, J Gail

Batula, Peter

Bergeron, Jean-Guy

Clemons, Jane

Elliott, Larry

Gorman, Mary

Hagan, Barbara

Holden, Randolph

Lasky, Bette

Lawrence, James

Luebkert, Bernard

Movsesian, Lori

Slocum, Lee

Sullivan, Francis

Sullivan, Peter

Wheeler, James

MERRIMACK

Perkins, Randy

Seldin, Gloria

Soltani, Tony

ROCKINGHAM

Bicknell, Elbert

Corbin, Corey

Itse, Daniel

Quandt, Matthew

Splaine, James

STRAFFORD

Harrington, Michael

Hollinger, Jeffrey

Vachon, Dennis

SULLIVAN

Burling, Peter

Phinizy, James

and the committee report was adopted.

Referred to Finance.

(Speaker Chandler in the Chair)

HB 172, extending the committee to study the exemption from property taxes for not-for-profit hospitals, and including a study of the community benefit law. **OUGHT TO PASS**

Rep. Vivian R. Clark for Ways and Means: The report filed by this study committee last fall indicated that the study had brought to attention more aspects of hospital exemptions and the community benefits law than had been anticipated. They would therefore like to continue their investigations. Ways & Means members generally agreed. Vote 14-4.

Adopted and ordered to third reading.

HB 340, establishing a committee to study implementing keno in the state of New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Shawn N. Jasper for Ways and Means: Keno is a form of gambling traditionally found in bars and restaurants. While there are several questions relative to potential problems which might be answered by a study committee, the Committee is not in favor of expanding gambling in this manner. The Director of the Lottery was present to answer questions; however, the sponsors provided the only testimony on the bill. Vote 15-3.

Adopted.

bills removed from consent calendar

HB 221-FN, prohibiting the courts from charging fees. **INEXPEDIENT TO LEGISLATE**

Rep. Gregory M. Sorg for Judiciary: This bill would amend, replace or repeal numerous sections of the statutes in order to abolish all fees charged by the courts of this state. It would, in the view of its sponsors, codify the prohibitions enumerated in Article 14 of Part 1 of the NH Constitution. In voting this bill inexpedient to legislate, the committee concluded that Article 14 was a response to common Eighteenth Century English practice where bribery of magistrates, officials, or staff was normal, often necessary means of inducing administrative or judicial action, and that the Article was not intended to proscribe the charging of reasonable, uniform filing fees designed to defray actual processing expenses and to discourage frivolous filings. It was noted that the courts follow a liberal practice, upon motion in appropriate situations, of waiving such fees based on inability to pay or other just cause. Vote 13-1.

Rep. Marple spoke against.

Rep. Sorg spoke in favor.

Adopted.

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 13, 2003 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 180, relative to proceedings for termination of parental rights.

HB 204, relative to venue in juvenile proceedings

HB 101, relative to qualifications for state offices.

HB 126, relative to posting statutes at polling places.

HB 293, establishing a commission to identify medical errors and their causes.

HB 151, authorizing the county convention to contract and fund performance audits of county departments.

HB 242, relative to the number of members on, and quorum necessary for, the assessing standards board.

HCR 5, urging Congress to permit satellite television subscribers to select in-state broadcast signals.

HB 270, relative to issuing drivers' licenses to aliens temporarily residing in the state.

HB 271, relative to walking disability plates and placards.

HCR 1, endorsing the Canine Good Citizen Program.

HB 79, relative to the regulation of the installation and servicing of fire suppression systems.

HB 104-FN, implementing procedures for a hospital or safe haven to assume temporary care and control of an abandoned child and creating an exception to the crime of endangering the welfare of a child.

HB 77, establishing a committee to study the process of de novo appeals from the district courts.

HB 172, extending the committee to study the exemption from property taxes for not-for-profit hospitals, and including a study of the community benefit law.

UNANIMOUS CONSENT

Reps. Joseph Stone, Manning and Burling addressed the House.

RECESS MOTION

Rep. Hess moved that the House stand in recess for the purposes of introduction of bills and receiving Senate messages only.

Adopted.

The House recessed at 12:55 p.m.

RECESS