

HOUSE RECORD

First Year of the 158th Session of the General Court Calendar and Journal of the 2003 Session

Vol. 25

Concord N.H.

Tuesday, June 24, 2003

No. 51

HOUSE JOURNAL No. 19 (cont.)

Thursday, June 5, 2003

RECESS

(Rep. Whalley in the Chair)

SENATE MESSAGES

CONCURRENCES

SB 21, relative to health insurance riders.

SB 23-FN, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces.

SB 58-FN-A, relative to the net operating loss under the business profits tax.

SB 77, relative to town charter provisions for bond votes using official ballot voting procedures, relative to the 2003 apportionment of county taxes in Coos county, and ratifying the Hampton Beach village district annual meeting.

SB 85-FN, making certain revisions to the special education laws.

SB 86-FN, relative to the disclosure of information about child fatalities resulting from abuse and neglect; relative to accreditation of the department of health and human services by the Council on Accreditation for Children and Family Services; and extending the reporting date for the pilot project relative to abuse and neglect hearings in Grafton county court.

SB 110, relative to small group health insurance coverage and relative to health plan loss information.

SB 161, relative to procedures in eminent domain proceedings.

SB 179-FN-A, relative to positions in the banking department.

NONCONCURRENCE

SB 107-FN-A-L, establishing a statewide education accountability system.

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEE OF CONFERENCE

SB 45, relative to property tax exemptions and credits for the elderly, veterans, and the disabled, and allowing municipalities to adopt an optional date for filing exemptions.

The President appointed Sens. Roberge, Barnes and D'Allesandro.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. Brundige, Twombly, Boyce and Theberge.

SB 47-FN, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel.

The President appointed Sens. Flanders, Morse and D'Allesandro.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. Edwin Smith, Kenison, Cloutier and Weyler.

SB 62, relative to the application and enforcement of the state building code.

The President appointed Sens. Roberge, Clegg and Larsen.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. Brundige, Gillick, Buhlman and Osborne.

SB 70, establishing a commission to study implementing a recommendation of the New Hampshire estuaries project management plan.

The President appointed Sens. Johnson, Barnes and Cohen.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. Royce, Merrow, Wiley and Spang.

SB 115, increasing the fees for review of subdivisions and waste disposal systems by the department of environmental services and making an appropriation for implementing information technology and regulatory process improvements.

The President appointed Sens. Prescott, Flanders and Cohen.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. Camm, Ingram, Christine Hamm and Robert Wheeler.

SB 163-FN, relative to the procedures of the health services planning and review board.

The President appointed Sens. Martel, Flanders and Estabrook.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. Batula, Price, McMahon and Sandra Harris.

SB 212, requiring fiscal impact statements for interim administrative rules and prohibiting agencies from requiring by rule the submission of social security numbers.

The President appointed Sens. Prescott, Gatsas and Below.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. O'Neil, Hamel, Nelson Allan, Pillotte.

SB 223-FN-A, relative to fees for copies of motor vehicle records and relative to the fire standards and training and emergency medical services fund.

The President appointed Sens. Flanders, Clegg and Foster.

Rep. Mock moved that the House accede.

Adopted.

The Speaker appointed Reps. Jeffrey Gilbert, Hughes, Christine Hamm and King.

SB 227, relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals, and relative to the board of podiatry.

The President appointed Sens. Prescott, Kenney and Cohen.
Rep. Mock moved that the House accede.
Adopted.
The Speaker appointed Reps. O'Neil, Bergin, Fitzgerald and Francis Sullivan.

SB 229, making reference changes to the school building aid statutes.
The President appointed Sens. Johnson, O'Hearn and Larsen.
Rep. Mock moved that the House accede.
Adopted.
The Speaker appointed Reps. Stephen L'Heureux, Alger, Colcord and Claire Clarke.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 204, relative to venue in juvenile proceedings. (Amendment printed SJ 6/05/03)
Rep. Mock moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Moran, McRae, Arnold and Richardson.

HB 248, requiring the disclosure of information to victims in juvenile delinquency cases.
(Amendments printed SJ 6/05/03)
Rep. Mock moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Moran, Janet Allen, Arnold and Gile.

HB 323, relative to the task force on family law. (Amendment printed SJ 6/05/03)
Rep. Mock moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Moran, McRae, Arnold and Richardson.

HB 470, relative to health insurance providers. (Amendment printed SJ 6/05/03)
Rep. Mock moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Hunt, Fraser, Liebl and Kathleen Taylor.

HB 546, relative to uniform prescription drug information cards. (Amendment printed SJ 6/05/03)
Rep. Mock moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Hunt, Fraser, Liebl and Kathleen Taylor.

HB 415, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of firearms, ammunition, and components thereof. (Amendment printed SJ 6/05/03)
Rep. Mock moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Stevens, Welch, Bicknell and Knowles.

HB 336-L, relative to the development and adoption of the school administrative unit budget. (Amendment printed SJ 5/29/03)
Rep. Mock moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Alger, Laurent, Snyder and Leone.

HB 619-FN-A, expanding opportunities for dropout prevention and dropout recovery. (Amendment printed SJ 5/15/03 & 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Carson, Naro, Claudette Jean and Hager.

HB 79, relative to the regulation of the installation and servicing of fire suppression systems. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. O'Neil, Hall, Nelson Allan and DeJoie.

HB 669-FN, relative to dental care insurance for state employees and retired state employees. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. O'Neil, Zolla, Irwin and Robert Wheeler.

HB 671-FN-A, establishing a contributory defined benefit judicial retirement plan. (Amendments printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. O'Neil, Hamel, Robert Wheeler and Mitchell.

HB 461, establishing a commission to study financial exploitation of the elderly and persons with disabilities. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Joseph Manning, MacKay, Seldin and Batula.

HB 709-FN, relative to nursing homes in receivership. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Wendelboe, Shultis, Phyllis Katsakiores and Dalrymple.

HB 748, making changes to the laws governing off highway recreational vehicles and the multi-use statewide trail system. (Amendments printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Lawton, Royce, Richard Cooney and Brueggemann.

HB 787-FN-A, relative to forest products promotion, establishing a forest products utilization charge, and requiring the department of resources and economic development to convene a task force. (Amendments printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Thomas, Maxfield, Kaen and Leach.

HB 509, relative to access to motor vehicle records. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Packard, John Flanders, Letourneau and Ferland.

HB 733-FN, relative to drivers' licenses held by members of the national guard or military reserve. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Packard, John Flanders, Letourneau and Ferland.

HB 173, making technical corrections relative to the exception from the meals and rooms tax for gratuities. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Roessner, Hughes, Ingram and Christine Hamm.

HB 261, relative to lucky 7 licenses. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Griffin, Gibson, McCormick and Christopher Pappas.

HB 262, relative to operators of bingo and games of chance. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Griffin, Gibson, McCormick and Christopher Pappas.

HB 558, relative to financial reports on bingo and lucky 7 operations. (Amendments printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Jasper, Griffin, Gibson and Christopher Pappas.

HB 663-FN-A-L, relative to county and state funding of long-term care medicaid programs. (Amendment printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Jeffrey Gilbert, Gibson, O'Neil and Kurk.

HB 705, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits. (Amendments printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hess, Roessner, Thomas and Hager.

HB 773, establishing a committee to study a tuition tax credit program. (Amendments printed SJ 6/05/03)

Rep. Mock moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Major, Mock, Packard and Ferland.

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

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

The President appointed Sens. D'Allesandro, Gallus and Odell.

HB 135-FN-L, relative to charter schools.

The President appointed Sens. O'Hearn, Johnson and Larsen.

HB 175, relative to membership of attorneys in the New Hampshire Bar Association and lobbying by the Bar Association.

The President Roberge, Clegg and D'Allesandro.

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

The President appointed Sens. Boyce, Flanders and Larsen.

HB 280-FN, relative to the poison information center.

The President appoints Sens. Martel, Boyce and Estabrook.

HB 357-FN, relative to child support insurance settlement intercept.

The President appointed Sens. Sapareto, Peterson and Foster.

HB 389, relative to victim impact statements and deleting the prohibition on funding certain positions in the office of victim/witness assistance with funds from the victims' assistance fund.

The President appointed Sens. Prescott, Boyce and Cohen.

HB 577-FN-A-L, relative to implementing the Help America Vote Act of 2002 and relative to rulemaking by the secretary of state.

The President appointed Sens. Boyce, Roberge and Cohen.

HB 608-FN-L, reducing the education property tax rate and relative to the calculation of adequate education grants.

The President appointed Sens. Gatsas, Boyce and Larsen.

HB 615-FN, relative to the requirements for registration of sexual offenders.

The President appointed Sens. Peterson, Sapareto and Foster.

HB 621-FN-A-L, establishing an early childhood literacy program.

The President appointed Sens. Odell, O'Hearn and Foster.

HB 751-FN-L, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants.

The President appointed Sens. O'Hearn, Boyce and Foster.

HB 796-FN-L, relative to the taxation of manufactured housing.

The President appointed Sens. Roberge, Barnes and Larsen.

RECESS

(Rep. Gilman in the Chair)

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005.

The President appointed Sens. Green, Boyce, Clegg and D'Allesandro. Alternate: Sen. Eaton.

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.
The President appointed Sens. Green, Boyce, Clegg and D'Allesandro. Alternate: Sen. Eaton.

HB 25-FN-A, making appropriations for capital improvements.
The President appointed Sens. Clegg, Morse and D'Allesandro.

RECESS

(Rep. Daniel Eaton in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 66, 75, 82, 123, 214, 240, 431, 460, 533, 560, 564, 578, 591, 605, 617, 684, 693, 694, 703, 758, 805, 816, 819 and 825, and Senate Bills numbered 40, 116, 133, 135, 139, 177, 180, 181, 193, 221 and 226.

Rep. Currier, Sen. D'Allesandro for the Committee

RECESS

(Rep. Edwin Smith in the Chair)

SENATE MESSAGES

CONCURRENCE

HB 178, relative to detention for violations of protective orders.

HB 205, relative to the use of criminal records and reports.

HB 245, relative to child custody decisions.

HB 296, relative to settlement agreements in medical malpractice suits.

HB 447, limiting retroactive child support awards under the uniform act on paternity.

HB 486, relative to access to child support enforcement records.

HB 633-FN, establishing the interstate compact for adult offender supervision.

HB 810-FN-A, relative to processing excavating and dredging and terrain alteration permits, changing the fees for permits, establishing 2 new positions, and making an appropriation therefor.

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEE OF CONFERENCE

SB 63-FN-A-L, relative to establishing community reinvestment and opportunity zones and granting business tax credits for investments in projects in such zones.

The President appointed Sens. Flanders, Odell and Below.

Rep. Whalley moved that the House accede.

Adopted.

The Speaker appointed Reps. Major, Jeffrey Gilbert, Espieffs and Hager.

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 79, relative to the regulation of the installation and servicing of fire suppression systems.
The President appointed Sens. Prescott, Kenney and Estabrook.

HB 173, making technical corrections relative to the exception from the meals and rooms tax for gratuities.

The President appointed Sens. D'Allesandro, Gallus and Odell.

HB 204, relative to venue in juvenile proceedings.

The President appointed Sens. Peterson, Sapareto and Foster.

HB 248, requiring the disclosure of information to victims in juvenile delinquency cases.
The President appointed Sens. Peterson, Roberge and Foster.

HB 261, relative to lucky 7 licenses.
The President appointed Sens. D'Allesandro, Boyce and Gallus.

HB 262, relative to operators of bingo and games of chance.
The President appointed Sens. D'Allesandro, Boyce and Gallus.

HB 323, relative to the task force on family law.
The President appointed Sens. Roberge, Peterson and Foster.

HB 336-L, relative to the development and adoption of the school administrative unit budget.
The President appointed Sens. Johnson, O'Hearn and Larsen.

HB 415, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of firearms, ammunition, and components thereof.
The President appointed Sens. Roberge, Sapareto and Foster.

HB 509, relative to access to motor vehicle records.
The President appointed Sens. Kenney, Morse and Below.

HB 558, relative to financial reports on bingo and lucky 7 operations.
The President appointed Sens. Gallus, D'Allesandro and Boyce.

HB 619-FN-A, expanding opportunities for dropout prevention and dropout recovery.
The President appointed Sens. O'Hearn, Odell and D'Allesandro.

HB 663-FN-A-L, relative to county and state funding of long-term care medicaid programs.
The President appointed Sens. Odell, Flanders and D'Allesandro.

HB 709-FN, relative to nursing homes in receivership.
The President appointed Sens. Martel, Johnson and Estabrook.

HB 733-FN, relative to drivers' licenses held by members of the national guard or military reserve.
The President appointed Sens. Kenney, Barnes and Below.

HB 748, making changes to the laws governing off highway recreational vehicles and the multi-use statewide trail system.
The President appointed Sens. Odell, Johnson and Cohen.

HB 773, establishing a committee to study a tuition tax credit program.
The President appointed Sens. Peterson, Odell and Below.

HB 787-FN-A, relative to forest products promotion, establishing a forest products utilization charge, and requiring the department of resources and economic development to convene a task force.
The President appointed Sens. Johnson, Gallus and Below.

RECESS

(Rep. Dickinson in the Chair)

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 461, establishing a commission to study financial exploitation of the elderly and persons with disabilities.

The President appointed Sens. Barnes, Martel and Larsen..

HB 470, relative to health insurance providers.

The President appointed Sens. Flanders, Martel and Cohen.

HB 546, relative to uniform prescription drug information cards.

The President appointed Sens. Flanders, Martel and Cohen.

HB 669-FN, : relative to dental insurance benefits and eligibility for medical benefits for retired state employees.

The President appointed Sens. Prescott, Martel and Estabrook.

HB 671-FN-A, establishing a contributory defined benefit judicial retirement plan.

The President appointed Sens. Gatsas, Morse and Cohen.

RECESS

(Rep. Hess in the Chair)

SENATE MESSAGE

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 705, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits.

The President appointed Sens. Green, Odell and D'Allesandro.

RECESS

(Rep. Roessner in the Chair)

SENATE MESSAGES

NONCONCURRENCES

HB 298, relative to physical child custody decisions.

HB 468, relative to enforcement of the labor protection statutes.

relative to the annulment of certain domestic violence offenses.

HB 752, relative to the distribution of business tax revenues to the education trust fund.

RE-REFERRED TO COMMITTEE

HB 107, relative to bingo.

HB 108, relative to the adoption of an optional veterans' property tax credit.

HB 167, relative to complaints against judges.

HB 299, removing judicial discretion to order a divorced parent to contribute to an adult child's college expenses.

HB 326, relative to establishing a 6-year capital budget.

HB 384, relative to financial affidavits in domestic relations cases.

HB 749, relative to the description in a criminal complaint of the party accused.

ENROLLED BILL AMENDMENTS

HB 690-FN, relative to agricultural crop damage and relative to agricultural liming

materials.

Amendment (2020-EBA)

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

AN ACT relative to agricultural vandalism and relative to agricultural liming materials.

Amend RSA 539:9, I as inserted by section 1 of the bill by replacing line 3 with the following:
pasture or pasture land, livestock or other farm raised animals, as defined in RSA 21:34-a,
and all

Amend RSA 539:9, I as inserted by section 1 of the bill by replacing line 5 with the following:
livestock or other farm raised animals, or aid in such action without permission of the owner,
shall

Adopted.

HB 725, relative to fraternal benefit societies.

Amendment (2035-EBA)

Amend RSA 418:1 as inserted by section 1 of the bill by replacing line 2 with the following:
without capital stock, including one exempted under RSA 418:36, I(b), whether incorporated
or not,

Amend RSA 418:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Providing benefits as specified in RSA 418:15; and

Amend RSA 418:11 as inserted by section 1 of the bill by replacing line 2 with the following:
organizations to operate, not-for-profit institutions to further the purposes permitted in RSA
418:4, I(b).

Amend RSA 418:12, II as inserted by section 1 of the bill by replacing line 2 with the
following:

another society in a consolidation or merger approved by the commissioner under RSA
418:13, or as

Amend RSA 418:28, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) A power of attorney to the commissioner as prescribed in RSA 418:33;

Amend RSA 418 as inserted by section 1 of the bill by renumbering sections 31–38 to read as
30-37, respectively

Adopted.

RECESS

(Speaker Chandler in the Chair)

CONFEREE CHANGE

HB 357-FN, relative to child support insurance settlement intercept.

Rep. Gile replaced Rep. Barbara Richardson.

SENATE MESSAGE

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEE OF CONFERENCE

SB 42, relative to charitable contributions by insurance agents.

The President appointed Sens. Odell, Flanders and Cohen.

Rep. Hess moved that the House accede.

Adopted.

The Speaker appointed Reps. Hunt, Fraser, Donald Flanders and Meader.

RECESS

(Rep. Giuda in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 368, 507, 565, 728, 738 and 763 and Senate Bills numbered 113, 157 and 179.

Rep. Currier, Sen. D'Allesandro for the Committee

RECESS

(Rep. Whalley in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 601, 690, 725 and 753 and Senate Bills numbered 94, 114 and 178.

Rep. Currier, Sen. D'Allesandro for the Committee

ENROLLED BILL AMENDMENTS

SB 73, establishing a committee to study establishing enterprise zones in economically deprived or challenged communities, and relative to the Black Brook Corporate Park Tax Increment Financing District. (Amendment printed SJ 6/05/03)
Adopted.

RECESS

(Speaker Chandler in the Chair)

CONFEREE CHANGES

HB 25-FN-A, making appropriations for capital improvements.
Rep. Dodge replaced Rep. Weyler.

HB 204, relative to venue in juvenile proceedings.
Rep. Gile replaced Rep. Barbara Richardson.

HB 248, requiring the disclosure of information to victims in juvenile delinquency cases.
Rep. Lionel Johnson replaced Rep. Gile.

HB 323, relative to the task force on family law.
Rep. Gile replaced Rep. Barbara Richardson.

HB 418, relative to annulment of arrest records for defendants whose cases result in acquittal, dismissal, or failure to prosecute.
Rep. Dodge replaced Rep. Fesh.

HB 606, establishing a right-to-know study commission.
Rep. Dudley replaced Rep. Wall.

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005.
Rep. Giuda replaced Rep. Wallner.
Rep. Robert Wheeler replaced Rep. Kurk.

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.
Rep. Rogers Johnson replaced Rep. Wallner.
Rep. Robert Wheeler replaced Rep. Kurk.

SB 41-FN, relative to the installation of airbags.
Rep. Dodge replaced Rep. Bergeron.

SB 47-FN, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel.

Rep. Jeffrey Gilbert replaced Rep. Cloutier.

SB 60-FN, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment.

Rep. Hall replaced Rep. Paul LaFlamme.

SB 154, relative to landlord access to rental properties.

Rep. Thomas replaced Rep. Woods.

SB 155, establishing a commission to study issues relative to water withdrawals.

Rep. Rausch replaced Rep. Chris Christensen.

SB 163-FN, relative to the procedures of the health services planning and review board.

Rep. Dodge replaced Rep. Sandra Harris.

RECESS

(Rep. Royce in the Chair)

ENROLLED BILL AMENDMENTS

SB 23-FN, allowing veterans the right to purchase credit in the retirement system for certain service in the armed forces. (Amendment printed SJ 6/24/03)

SB 69-FN-A, combining the career incentive program and the nursing leveraged scholarship loan program within the department of postsecondary education, and establishing a workforce incentive program within the department of postsecondary education, and making an appropriation therefor. (Amendment printed SJ 6/26/03)

SB 130-FN-L, relative to county departments of corrections. (Amendment printed SJ 6/24/03)

SB 164, relative to the unauthorized and deceptive use of a financial institution's name. (Amendment printed SJ 6/24/03)

SB 197-FN, relative to extended unemployment benefits and making an appropriation therefor. (Amendment printed SJ 6/24/03)
Adopted.

RECESS

Rep. Hess moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 20

Tuesday, June 24, 2003

The House assembled at 9:30 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

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

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

Compassionate God, as summer spreads across our beloved New Hampshire and visitors come from around the world to visit our fair state, may they find here not only a place of great beauty, but also a citizenry thankful for democracy and for those who have sacrificed so much for the heritage of freedom we enjoy. May visitors also find us to be a people who care for those least able to care for themselves and who respect the dignity and worth of all their neighbors.

May Your blessing be with the members of this honorable House as they face the important issues of this day, and as always, we ask that Your protective hand be upon all those who serve in the armed forces, law enforcement agencies, emergency medical services and in the fire service as they protect and defend our country, our homes, our lives and our communities. Amen.

Rep. Paul D. Spiess led the Pledge of Allegiance.

The National Anthem was sung by Shannon Manor, a recent graduate of University of Massachusetts at Amherst.

LEAVES OF ABSENCE

Reps. Mary Allen, Cernota, Flanagan, Ford and Greenberg, the day, illness.

Reps. Bergin, Campbell, Clayton, Davidson, Easson, Hollinger, Ober, Ouellette, Pelletier, Donald Smith, Weldy and Woodward, the day, important business.

Rep. Mary Cooney, the day, illness in the family.

INTRODUCTION OF GUESTS

Nancy Elliott, guest of Rep. Mooney. Walter Holland, guest of Rep. Hallyburton. Elizabeth Thomas, Ed Juengst and Will Fenno, guests of District 44, Hillsborough County. Wayne Furman, husband of Rep. Furman. Lois Stohl, wife of Rep. Stohl. Hon. Carol Holden, guest of Rep. Barry. Stan Pantell, guest of Rep. Diamond.

SPECIAL GUEST

Jennifer Patterson, a teacher from Mascoma Valley Regional High School who successfully intervened with an armed student in her classroom and John Moses, superintendent, guests of District 17, Grafton County.

CONSENT CALENDAR

COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS

Rep. Hess moved that the Consent Calendar of Committee of Conference Reports on Senate Bills, as printed and distributed, be adopted.

SB 47-FN, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel, removed by Rep. Cloutier.

Consent Calendar adopted.

COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS

Committee of Conference Report on ***SB 41-FN***, an act relative to the installation of airbags
Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Peterson, Dist. 11; Sapareto, Dist. 19; Foster, Dist. 13

Conferees: Reps. Packard, Rock. 75; Dodge, Rock 80; Ferland, Sull. 23; Letourneau, Rock. 77

COMMITTEE OF CONFERENCE REPORT ON SB 42

Committee of Conference Report on ***SB 42***, relative to charitable contributions by insurance agents.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Odell, Dist. 8; Flanders, Dist 7; Cohen, Dist 24

Conferees: Reps. Hunt, Ches. 28; Fraser, Merr. 37; Donald Flanders, Belk. 30; Meader, Ches. 25

COMMITTEE OF CONFERENCE REPORT ON SB 45

Committee of Conference Report on ***SB 45***, relative to property tax exemptions and credits for the elderly, veterans, and the disabled, and allowing municipalities to adopt an optional date for filing exemptions.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Roberge, Dist. 9; Barnes, Dist. 17; D'Allesandro, Dist. 20

Conferees: Reps. Brundige, Hills 58; Twombly, Straf. 67; Boyce, Belk. 31; Theberge, Coos. 3

COMMITTEE OF CONFERENCE REPORT ON SB 60

Committee of Conference Report on ***SB 60-FN***, relative to voluntary certification of persons installing or servicing propane gas or heating oil equipment.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Clegg, Dist. 14; Prescott, Dist. 23; Cohen, Dist. 24

Conferees: Reps. O'Neil, Rock. 85; Dexter, Ches. 27; Hall, Hills. 58; DeJoie, Merr. 39

COMMITTEE OF CONFERENCE REPORT ON SB 62

Committee of Conference Report on ***SB 62***, relative to the application and enforcement of the state building code.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Roberge, Dist. 9; Clegg, Dist. 14; Larsen, Dist. 15

Conferees: Reps. Brundige, Hills 58; Gillick, Rock.85; Buhlman, Hills. 66; Osborne, Merr. 40

COMMITTEE OF CONFERENCE REPORT ON SB 63

Committee of Conference Report on ***SB 63-FN-A-L***, relative to establishing community reinvestment and opportunity zones and granting business tax credits for investments in

projects in such zones.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Flanders, Dist. 7; Odell, Dist. 8; Below, Dist. 5

Conferees: Reps. Major, Rock. 79; Jeffrey Gilbert, Rock. 83; Espieffs, Ches. 25; Hager, Merr. 40

COMMITTEE OF CONFERENCE REPORT ON SB 70

Committee of Conference Report on **SB 70**, establishing a commission to study implementing a recommendation of the New Hampshire estuaries project management plan.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1, subparagraph I(a) with the following:

(a) The feasibility of implementing a recommendation of the estuaries project management plan that the discharge from area wastewater treatment plants be combined for discharge in the Atlantic Ocean.

Amend the bill by replacing section 3, paragraph I with the following:

I. The feasibility of implementing a recommendation of the estuaries project management plan that the discharge from area wastewater treatment plants be combined for discharge in the Atlantic Ocean.

Amend the bill by replacing section 3, paragraph VI with the following:

VI. The merits of forming a watershed district among area towns to provide for the collection, conveyance, and disposal of treated wastewater into the deep waters of the Atlantic Ocean and for other water-related purposes and an appropriate name for any districts recommended.

Conferees: Sens. Johnson, Dist. 2; Barnes, Dist. 17; Cohen, Dist. 24

Conferees: Reps. Royce, Ches. 28; Merrow, Carr. 6; Wiley, Rock. 77; Spang, Straf. 72

COMMITTEE OF CONFERENCE REPORT ON SB 72

Committee of Conference Report on **SB 72**, relative to the regulation of small loans, title loans, and payday loans.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 399-A:2 as inserted by section 1 of the bill by deleting paragraph V.

Amend RSA 399-A:15 as inserted by section 1 of the bill by replacing it with the following:

399-A:15 Title Loan Renewals. A title loan shall be for an original term of no more than one month. A title loan lender may allow such loan to be renewed no more than 11 additional periods each equal the original term, provided however, that at each such renewal the borrower must pay at least 5 percent of the loan's original principal balance, in addition to any finance charge owed, to reduce the principal balance outstanding. If the borrower cannot pay this principal reduction at any renewal, the title loan lender may either: (i) declare the borrower in default, or (ii) allow the loan to be renewed, provided that the lender shall reduce the current principal amount of the loan by 5 percent of the original principal amount for the purposes of calculating interest thereafter. This reduction in principal shall

continue to be owed by the borrower, but such amount shall not be entitled to accrue interest thereafter. For the purpose of this section, a renewal is any extension of a title loan for an additional period without any change in the terms of the title loan other than a reduction in principal. No accrued interest shall be capitalized or added to the principal of the loan at the time of any renewal.

Conferees: Sens. D'Allesandro, Dist. 20; Flanders, Dist. 7; Barnes, Dist. 17

Conferees: Reps. Hunt, Ches. 28; Spiess, Hills. 47; Stepanek, Hills. 47; DeStefano, Merr. 41

COMMITTEE OF CONFERENCE REPORT ON SB 87

Committee of Conference Report on **SB 87**, establishing a committee to study setback requirements for septage, biosolids, and short paper fibers, and extending the temporary use of septage, biosolids, and short paper fiber by certain persons.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Johnson, Dist. 2; Barnes, Dist. 17; Cohen, Dist. 24

Conferees: Reps. Babson, Carr. 6; Williams, Graf. 16; Phinizy, Sull. 23; Ahern, Belk. 29

COMMITTEE OF CONFERENCE REPORT ON SB 120

Committee of Conference Report on **SB 120**, relative to testimony by video teleconference in criminal cases.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 516:37 as inserted by section 1 of the bill by replacing it with the following:

516:37 Testimony by Video Teleconference in Criminal Cases.

I. In any criminal case at which a certifying scientist, criminalist, laboratory scientist, or technical specialist from the forensic laboratory of the department of safety, division of state police is summoned to testify, the state may move to take the testimony of the scientist, criminalist, or specialist by video teleconference, provided that the testimony is limited to expert testimony or to the results of and matters relating to tests conducted at the forensic laboratory. Notice shall be provided to the defendant, and the defendant shall have an opportunity to object to the introduction of testimony by video teleconference. No video teleconference testimony shall be permitted during a felony prosecution, except with the affirmative assent of the defendant. Examination and cross-examination of the scientist, criminalist, or specialist shall proceed in the same manner as permitted at trial.

II. In any criminal case at which the defendant summons a toxicologist, criminalist, laboratory scientist, or other person of similar expertise to testify as an expert witness, the defendant may move to take the testimony of that witness by video teleconference, provided that the testimony is limited to expert testimony or to the results of and matters relating to tests conducted at the forensic laboratory of the department of safety, division of state police. Notice shall be provided to the state, and the state shall have an opportunity to object to the introduction of testimony by video teleconference. No video teleconference testimony shall be permitted during a felony prosecution, except with the affirmative assent of the state. Examination and cross-examination of the expert witness shall proceed in the same manner as permitted at trial.

Conferees: Sens. Peterson, Dist. 11; Clegg, Dist. 14; Foster, Dist. 13

Conferees: Reps. Stevens, Carr., 7; Nedeau, Belk. 30; Tholl, Coos. 2; Timothy Robertson, Ches. 25

COMMITTEE OF CONFERENCE REPORT ON SB 121

Committee of Conference Report on **SB 121-FN**, relative to mortgage originator registration.
Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 397-A:1, IX as inserted by section 1 of the bill by replacing it with the following:

IX. "Originator" means an individual who is employed or retained and supervised by a mortgage banker or broker required to be licensed under RSA 397-A, and who, for compensation or gain or in the expectation of compensation or gain, negotiates, solicits, arranges, or finds a mortgage loan. No individual may act as an originator for more than one licensee.

Amend RSA 398-A:1, VI as inserted by section 4 of the bill by replacing it with the following:

VI. "Originator" means an individual who is employed or retained and supervised by a mortgage lender or broker required to be licensed under RSA 397-A or 398-A, and who, for compensation or gain or in the expectation of compensation or gain, negotiates, solicits, arranges, or finds a mortgage loan. No individual may act as an originator for more than one licensee.

Conferees: Sens. Flanders, Dist. 7; Sapareto, Dist. 19; Larsen, Dist. 15

Conferees: Reps. Hunt, Ches. 28; Spiess, Hills. 47; Stepanek, Hills. 47; DeStefano, Merr. 41

COMMITTEE OF CONFERENCE REPORT ON SB 154

Committee of Conference Report on **SB 154**, relative to landlord access to rental properties.
Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House

Conferees: Sens. Sapareto, Dist. 19; Roberge, Dist. 9; Larsen, Dist. 15

Conferees: Reps. Craig, Hills. 50; Thomas, Belk. 31; Lasky, Hills. 65; Mock, Carr. 4

COMMITTEE OF CONFERENCE REPORT ON SB 174

Committee of Conference Report on **SB 174**, relative to scheduled permanent impairment awards and remedial care under workers' compensation.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House

Conferees: Sens. Johnson, Dist. 2; Flanders, Dist. 7; Cohen, Dist. 24

Conferees: Reps. Bishop, Rock. 74; Paul Harrington, Hills. 60; Slocum, Hills. 47; Baroody, Hills. 54

COMMITTEE OF CONFERENCE REPORT ON SB 212

Committee of Conference Report on **SB 212**, requiring fiscal impact statements for interim administrative rules and prohibiting agencies from requiring by rule the submission of social security numbers.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House

Conferees: Sens. Prescott, Dist. 23; Gatsas, Dist. 16; Below, Dist. 5

Conferees: Reps. O'Neil, Rock. 85; Hamel, Rock. 79; Nelson Allan, Hills. 63; Pilotte, Hills. 55

COMMITTEE OF CONFERENCE REPORT ON SB 223

Committee of Conference Report on ***SB 223-FN-A***, relative to fees for copies of motor vehicle records and relative to the fire standards and training and emergency medical services fund.
Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and

That the Senate and House each pass the bill as amended by the House

Conferees: Sens. Flanders, Dist. 7; Clegg, Dist. 14; Foster Dist. 13

Conferees: Reps. Jeffrey Gilbert, Rock. 83; Hughes, Rock. 88; Christine Hamm, Merr. 34; King, Coos. 1

REGULAR CALENDAR COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS

COMMITTEE OF CONFERENCE REPORT ON SB 44

Committee of Conference Report on ***SB 44***, relative to penalties for vehicle dealers.
Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by deleting sections 4 and 5 and renumbering section 6 to read as 4.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Conway Branch Railroad Study; Department of Transportation. The department of transportation shall study the cost and feasibility of reactivating the Conway Branch railroad line between Ossipee and Conway. The department may consult with the affected railroads, the regional planning agencies, potential shippers and other interested parties. The department shall make a report to the president of the senate and the speaker of the house of representatives on the results of this study on or before June 30, 2004.

Conferees: Sens. Kenney, Dist. 3; Morse, Dist. 22; Below, Dist. 5

Conferees: Reps. Packard, Rock 75; John Flanders, Rock. 79; Letourneau, Rock. 77; Ferland, Sull. 23

Adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 54

Committee of Conference Report on ***SB 54-FN-L***, relative to the local inventory of property values for assessment of property taxes.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after section 4 with the following:

5 Findings and Intent; Sections 6-16. The general court recognizes all the work in creating a set of proposed standards for the certification of assessments. There is reason for concern, however, that these standards may have an inequitable impact on municipalities within the state due to differences between municipalities in such characteristics as size, parcel count, number of sales, and geographic location. Therefore, the general court finds that in order for the state to continue to implement fair and equitable assessing practices, it is necessary to further analyze the assessing practices of the state's political subdivisions. This analysis can be accomplished by using the assessing standards board's recommended

standards as guidelines for a measurement tool, rather than as certification requirements, in the first 4 years of the process. The results of measuring these guidelines can then be analyzed for the state's large and small political subdivisions, with a report to be made to the municipalities and through the assessing standards board to the general court.

6 Duties of Commissioner of Revenue Administration; Assessment; Equalization.
Amend RSA 21-J:3, XXV and XXVI to read as follows:

XXV. Petition the board of tax and land appeals to issue an order for reassessment of property pursuant to the board's powers under RSA 71-B:16-19 whenever the valuation of property in a particular city, town, or unincorporated place is disproportional to the valuation of other property within that city, town, or unincorporated place, ***or whenever the municipality has not complied with RSA 75:8-a.***

XXVI. Review ***and report*** each municipality's assessments once within every 5 years ~~[and certify the assessments of the municipality if such assessments are valued in accordance with RSA 75:1. In carrying out the duty to certify the assessments of property, the commissioner shall follow the procedures set forth in]~~ ***pursuant to*** RSA 21-J:11-a, ***II.***

7 Assessment Certification Revised; Implementation of Assessment Guidelines. Amend RSA 21-J:11-a and RSA 21-J:11-b to read as follows:

21-J:11-a ~~[Certification of Assessments]~~ ***Assessment Report.***

I. The commissioner shall ~~[certify that the assessments of a municipality comply with the provisions of RSA 75:1 when the commissioner determines that]~~ ***report the degree to which assessments of a municipality achieve substantial compliance with applicable statutes and rules. The commissioner may consider whether:***

(a) Level of assessments and uniformity of assessments are within acceptable ranges as ~~[prescribed]~~ ***recommended*** by ~~[state]~~ ***the*** assessing standards ***board*** by considering, where appropriate, an assessment-to-sales-ratio study conducted by the department for the municipality;

(b) Assessment practices substantially comply with applicable statutes and rules;

(c) Exemption~~[,]~~ ***and*** credit~~[, and abatement]~~ procedures substantially comply with applicable statutes and rules;

(d) Assessments are based on reasonably accurate data; and

(e) Assessments of various types of properties are reasonably proportional to other types of properties within the municipality.

II. ~~[If the commissioner does not certify that the assessments of a municipality comply with RSA 75:1, the commissioner shall order in writing those corrective actions, including the time for completion, deemed necessary to assess the municipality's property in accordance with RSA 75:1; and:~~

(a) If the governing body of the municipality agrees with the commissioner's determination, the municipality shall complete the corrective actions within the time prescribed by the commissioner.

(b) If the governing body of the municipality does not agree with the commissioner's determination not to certify its assessments, with the corrective actions ordered, or the time allowed for completion, the commissioner shall petition the board of tax and land appeals to order that the municipality's property is not assessed in accordance with RSA 75:1 and to order such corrective action necessary to ensure that the municipality's assessment are in accordance with RSA 75:1.

III. ~~The commissioner shall adopt rules under RSA 541-A relative to acceptable ranges of level of assessments and uniformity of assessments, procedures for review of assessment practices, and procedures and forms for the commissioner's certification of assessments. Rules adopted by the commissioner under this paragraph shall remain effective until the assessing standards board adopts rules under RSA 21-J:14 b, II.~~

IV. ***The commissioner shall issue a copy of the report upon its completion to the municipality and to the assessing standards board. When issued, the report***

shall be a public document.

III. The assessing standards board shall study and recommend to the legislature whether municipalities should be reimbursed for expenses incurred as a result of changes in assessment practices resulting from legislation enacted in response to the judicial interpretation of part 2, article 6 of the New Hampshire constitution in *Evelyn Sirrell et al v State of New Hampshire et al* and, if reimbursement is appropriate, shall recommend a formula for implementation of a reimbursement program.

21-J:11-b Implementation of ~~[Certification]~~ **Assessment Review**.

I. The commissioner of revenue administration shall adopt a schedule so that each city, town, and unincorporated place has its assessments reviewed within 5 years of April 1, 2002, and shall notify each city, town, and unincorporated place, within 60 days of passage of this act, of the property tax year for which their initial ~~[certification]~~ **assessment** review shall occur.

II. The department shall offer training and technical assistance to municipal officials to assist in complying with the provisions of RSA 75:8, RSA 75:8-a, and RSA 21-J:11-a.

III. The commissioner of revenue administration shall report in its annual report, the number of communities assisted and the types of assistance and training provided pursuant to RSA 21-J:10, RSA 21-J:11, and RSA 21-J:11-b, II.

8 Duties of the Assessing Standards Board. Amend RSA 21-J:14-b, I and II to read as follows:

I. The assessing standards board shall ~~[adopt rules, pursuant to RSA 541-A, and]~~ recommend **guidelines and** appropriate legislation relative to:

(a) The annual update and publication of an assessing procedures manual for selectmen and boards of assessors. Such manual shall include the department of revenue administration's appraisal manual, a calendar of tasks to be completed on a periodic basis including those tasks required by state statute, and such other information as the board deems necessary. The board shall examine the report of the expert hired by the department of revenue administration.

(b) ~~[Standards]~~ **Guidelines** to be followed by assessors, selectmen, and boards of assessors throughout the state, relating to the administration of the property tax and assessment of real property used in any state property tax system.

(c) The establishment of certification, continuing education, and revocation and suspension standards for assessing officials. The commissioner of the department of revenue administration shall be responsible for enforcement of those standards.

(d) The establishment of ~~[standards]~~ **guidelines** for monitoring of local assessment practices by the department of revenue administration, ~~[standards]~~ **guidelines** for the adequacy of tax maps and other records, and ~~[standards]~~ **guidelines** for audit by the department of revenue administration of municipalities.

(e) The identification of practices which constitute sales-chasing and penalties to be adopted by the legislature regarding such practices.

(f) Forms and procedures necessary to fulfill the duties of the board consistent with board recommendations and to assure a fair opportunity for public comment.

(g) Any study conducted for the purpose of determining the status of assessing practices or the improvement of assessing in the state.

II. All ~~[standards]~~ **guidelines** and practices developed or identified by the board, pursuant to this section, shall be reviewed and updated annually. The board shall hold a series of at least 3 public forums annually throughout the state to receive general comment through verbal and written testimony on assessing ~~[standards]~~ **guidelines** and practices. ~~[After the public forums are concluded and the board has made its recommended changes, in accordance with paragraph III, the board shall proceed to adopt any proposed rules.]~~

9 Setting of Tax Rates. Amend RSA 21-J:35, I to read as follows:

I. The commissioner of revenue administration shall compute and establish the tax rate of each town, city, or unincorporated place. Any ~~[decision]~~ **assessments report issued**

by the commissioner [~~not to certify the assessments of a municipality~~] pursuant to RSA 21-J:11-a shall not delay or otherwise affect the setting of the tax rate for that municipality.

10 Property Taxation. Amend RSA 73:10 to read as follows:

73:10 Real Estate. Real and personal property shall be taxed to the person claiming the same, or to the person who is in the possession and actual occupancy thereof, if such person will consent to be taxed for the same; but such real estate shall be taxed in the town in which it is situate. Any [~~decision~~] **assessments report issued** by the commissioner [~~not to certify the assessments of a municipality~~] pursuant to RSA 21-J:11-a shall not affect the obligation of the taxpayer to pay property taxes otherwise lawfully assessed.

11 Five-Year Valuation. Amend RSA 75:8-a to read as follows:

75:8-a Five-Year Valuation. At least as often as every fifth year, beginning with the first year the commissioner of the department of revenue administration [~~certifies~~] **reviews** a municipality's assessments pursuant to RSA 21-J:3, XXVI, the assessors and/or selectmen shall value all real estate within the municipality so that the assessments are valued in accordance with RSA 75:1.

12 Assessment of Taxes. Amend RSA 76:5 to read as follows:

76:5 What Taxes Assessed. The selectmen shall seasonably assess all state and county taxes for which they have the warrants of the commissioner of revenue administration and county treasurers respectively; all taxes duly voted in their towns; and all school and village district taxes authorized by law or by vote of any school or village district duly certified to them; and all sums required to be assessed by RSA 33 and RSA 21-J:9-c. Any [~~decision~~] **assessments report issued** by the commissioner [~~not to certify the assessments of a municipality~~] pursuant to RSA 21-J:11-a shall not affect the authority of the selectmen to assess taxes.

13 Appraisal of Taxable Property; Revised Inventory; Guidelines. Amend RSA 75:8, I to read as follows:

I. Annually, and in accordance with state assessing [~~standards~~] **guidelines**, the assessors and selectmen shall adjust assessments to reflect changes so that all assessments are reasonably proportional within that municipality. All adjusted assessments shall be included in the inventory of that municipality and shall be sworn to in accordance with RSA 75:7.

14 Power of Tax Collector. Amend RSA 80:4 to read as follows:

80:4 Powers of Collector. Every collector, in the collection of taxes committed to him and in the service of his warrant, shall have the powers vested in constables in the service of civil process, which shall continue until all the taxes in his list are collected. Any [~~decision~~] **assessments report issued** by the commissioner [~~not to certify the assessments of a municipality~~] pursuant to RSA 21-J:11-a shall not affect the authority of the tax collector to issue tax bills and to exercise all powers contained in this chapter for the collection of taxes.

15 Revenue Administration; Initial Assessment Review Schedule. Amend 2001, 158:63 to read as follows:

158:63 Initial Assessment Review Schedule. The commissioner of revenue administration shall adopt a schedule so that each city, town, and unincorporated place has its assessments reviewed within 5 years and shall notify each municipality, within 60 days of passage of this section, of the property tax year for which their initial [~~certification~~] **assessment** review shall occur. The department shall offer training and technical assistance to municipal officials to assist in complying with the provisions of RSA 21-J:11-a, as inserted by this act.

16 Repeal. RSA 21-J:9-b, relative to petition for order of reassessment, is repealed.

17 Effective Date. This act shall take effect July 1, 2003.

AMENDED ANALYSIS

This bill clarifies the duty of local tax officials to assess and collect property taxes on property valued as of April 1.

This bill also requires the department of revenue administration to establish and report

on municipal property tax assessment guidelines

Conferees: Sens. Boyce, Dist. 4; Green, Dist. 6; Below, Dist. 5

Conferees: Reps. Patten, Carr. 7; Stohl, Coos. 1; Twombly, Straf. 67; Theberge, Coos. 3
Adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 98

Committee of Conference Report on ***SB 98-FN***, prohibiting telemarketers from contacting customers on a federal do-not-call registry.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

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

1 Use of Automatic Telephone Dialing Systems; Chapter Heading Amended. Amend the chapter heading of RSA 359-E to read as follows:

CHAPTER 359-E

~~[USE OF AUTOMATIC TELEPHONE DIALING SYSTEMS AND CALLER IDENTIFICATION SERVICES]~~

TELEMARKETING

2 New Subdivision Heading; Use of Automatic Telephone Dialing Systems and Caller Identification Services. Amend RSA 359-E by inserting, preceding RSA 359-E:1, the following subdivision heading:

Use of Automatic Telephone Dialing Systems and Caller Identification Services

3 New Subdivision; Telemarketing Sales Calls. Amend RSA 359-E by inserting after section 6 the following new subdivision:

Telemarketing Sales Calls

359-E:7 Definitions. In this subdivision:

I. "Bureau" means the consumer protection bureau of the office of the attorney general.

II. "Customer" means any natural person who is a resident of this state and who is or may be required to pay for or to exchange consideration for goods and services offered through telemarketing.

III. "Do-not-call list" means a list of residential telephone subscribers who have notified the list administrator of their desire not to receive telemarketing sales calls.

IV. "Doing business in this state" means conducting telephonic sales calls from a location:

(a) In this state; or

(b) Outside of this state to consumers residing in this state.

V. "Established business relationship" means an established business relationship as defined by the Federal Trade Commission Telemarketing Sales Rule, 16 C.F.R. part 310, section 310.2(n), as amended.

VI. "Goods and services" means any goods and services, and shall include any real property or any tangible personal property as well as time share estates and licenses or services of any kind.

VII. "List administrator" means the Federal Trade Commission.

VIII. "Person" means any natural person, association, partnership, firm, corporation and its affiliates or subsidiaries, or other business entity.

IX. "Telemarketer" means any person who, for financial profit or commercial purposes in connection with telemarketing, makes telemarketing sales calls to a customer when the customer is in this state or any person who directly controls or supervises the conduct of a telemarketer or causes to be made a telemarketing call on such seller's own behalf or through a salesperson. For the purposes of this subdivision, "commercial purposes"

shall mean the sale or offer for sale of goods or services.

X. "Telemarketing" means any plan, program, or campaign which is conducted to induce payment or the exchange of any other consideration for any goods or services by use of one or more telephones and which involves more than 5 telephone calls per month by a telemarketer in which the customer is located within the state at the time of the call. Telemarketing shall not include the solicitation of sales through media other than by telephone calls.

XI. "Telemarketing sales call" means a telephone call made by a telemarketer to a customer for the purpose of inducing payment or the exchange of any other consideration for any goods or services or for the purpose of soliciting an extension of credit for consumer goods or services, or for the purpose of obtaining information that may be used for the direct solicitation of a sale of consumer goods or services or an extension of credit for such purposes. A telemarketing sales call shall not include a call made:

- (a) In response to an express written or verbal request of the customer called.
- (b) In connection with an established business relationship.
- (c) On behalf of a nonprofit charity.
- (d) On behalf of a newspaper to build its own circulation, provided that the telemarketer making such call has used and observed with respect to such call the do-not-call list maintained by the Telephone Preference Service of the Direct Marketing Association, Inc., Farmingdale, New York, or its successor organization.

- (e) On behalf of a political campaign, except that a call made on behalf of a political campaign by a vendor using automatic dialing equipment shall be deemed a telemarketing sales call under this chapter.

359-E:8 Prohibited Telemarketing Sales Calls.

I. Telemarketers are prohibited from conducting telemarketing sales calls to any customer who has registered his or her name or telephone number with the do-not-call registry maintained by the list administrator or Federal Trade Commission. In the case of telemarketers regulated by the Federal Communications Commission, this chapter shall apply in a manner consistent with rules concerning a national do-not-call list developed by that agency.

II. In addition, any person who is required to comply with the Federal Trade Commission Telemarketing Sales Rule, 16 C.F.R. part 310, as amended, shall also comply with the provisions of the Federal Trade Commission Telemarketing Sales Rule for telemarketing sales calls made within the state of New Hampshire. This section shall also apply to any person who would be required to comply with the Federal Trade Commission Telemarketing Sales Rule, if such person were making interstate telemarketing sales calls.

359-E:9 Telemarketers' Obligation to Obtain Do-Not-Call List. Telemarketers making telemarketing sales calls to customers in the state of New Hampshire shall obtain from the list administrator quarterly listings of customers in the state who have registered with the list administrator for inclusion in its do-not-call list.

359-E:10 Duties of List Administrator. The list administrator:

- I. Shall provide the bureau with a copy of each quarterly do-not-call list.
- II. Shall provide the bureau with the names and addresses of each telemarketer who purchases the do-not-call list.

- III. Except as directed by the bureau, shall be prohibited from disclosing or using in any way customer names, addresses, or telephone numbers obtained in the course of registering customers' telephone numbers on the do-not-call list.

359-E:11 Violations; Penalties.

I. The department of justice shall investigate any complaints received concerning violations of this subdivision or RSA 664:14-a. If, after investigating the complaint, the department finds that a person has violated any provision of this subdivision or RSA 664:14-a, the department shall impose a civil penalty of \$5,000 for each violation.

II. Any person injured by another's violation of this subdivision may bring an action

for damages and for such equitable relief, including an injunction, as the court deems necessary and proper. If the court finds for the plaintiff, recovery shall be in the amount of actual damages or \$1,000, whichever is greater. If the court finds that the act or practice was a willful or knowing violation of this subdivision, it shall award as much as 3 times, but not less than 2 times, such amount. In addition, a prevailing plaintiff shall be awarded the costs of the suit and reasonable attorney's fees, as determined by the court. Any attempted waiver of the right to the damages set forth in this paragraph shall be void and unenforceable. Injunctive relief shall be available to private individuals under this subdivision without bond, subject to the discretion of the court. Upon commencement of any action brought under this section, the clerk of the court shall mail a copy of the complaint or other initial pleadings to the attorney general and, upon entry of any judgment or decree in the action, shall mail a copy of such judgment or decree to the attorney general.

III. Notwithstanding paragraph I, a telemarketer shall not be held liable for violating this subdivision if the telemarketer can demonstrate by clear and convincing evidence that, as part of the telemarketer's routine business practice:

(a) The telemarketer established and implemented written procedures to comply with this subdivision.

(b) The telemarketer trained his or her personnel in the requirements of this subdivision.

(c) The telemarketer uses a process to prevent telemarketing to any telephone number on any do-not-call list or registry referenced in this subdivision; maintains the current, quarterly version of the list or registry; and maintains records documenting this process.

(d) The telemarketer monitors and enforces compliance with the procedures established under subparagraph (a).

(e) The telemarketer uses a version of the do-not-call list obtained no more than 3 months prior to the date that any call is made.

(f) Any subsequent call otherwise violating this subdivision is not part of a pattern of calls made in violation of this subdivision and is the result of a good faith error.

4 Use of Automatic Dialing Systems and Caller Identification Services; Violation; Reference Change. Amend RSA 359-E:6 to read as follows:

359-E:6 Violations. Any violation of the provisions of this ~~[chapter]~~ **subdivision** shall constitute an unfair or deceptive act or practice within the meaning of RSA 358-A:2. Any right, remedy, or power set forth in RSA 358-A, including those set forth in RSA 358-A:4, may be used to enforce the provisions of this chapter. Such remedies shall be in addition to any other remedies provided by law or equity.

5 Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

6 Prospective Repeal. RSA 359-E:7, XI(d), relative to the exemption for telemarketing sales calls made on behalf of a newspaper to build its circulation, is repealed.

7 Effective Date.

I. Section 6 of this act shall take effect August 1, 2006.

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

Conferees: Sens. Green, Dist 6; Roberge, Dist. 9; Estabrook, Dist. 21

Conferees: Reps. Hunt, Ches. 28; Fraser, Merr. 37; Thomas, Belk. 31; Coes, Rock. 82

Adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 115

Committee of Conference Report on **SB 115**, increasing the fees for review of subdivisions and waste disposal systems by the department of environmental services and making an appropriation for implementing information technology and regulatory process

improvements.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Prescott, Dist. 23; Flanders, Dist. 7; Cohen, Dist. 24

Conferees: Reps. Camm, Rock. 79; Ingram, Rock. 76; Christine Hamm, Merr. 34; Robert Wheeler, Hills. 48

Adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 134

Committee of Conference Report on **SB 134**, relative to the regulation of real estate brokers by the real estate commission.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by deleting section 9 and renumbering the original sections 10-12 to read as 9-11, respectively.

Conferees: Sens. Gallus, Dist. 1; Roberge, Dist. 9; Larsen, Dist. 15

Conferees: Reps. O'Neil, Rock. 85; Zolla, Rock. 77; Paul LaFlamme, Hills. 61; Fitzgerald, Belk. 30

Adopted.

Reps. Baroody, DeStefano, Daniel Eaton and Phinizy declared conflicts of interest and did not participate.

COMMITTEE OF CONFERENCE REPORT ON SB 155

Committee of Conference Report on **SB 155**, establishing a commission to study issues relative to water withdrawals.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Commission Established. The general court recognizes that the waters of New Hampshire are a precious and invaluable resource upon which there is an ever increasing demand for existing, new, and competing uses. The general court further recognizes that an adequate supply of groundwater for domestic, agricultural, industrial, and recreational uses and for fish and wildlife is essential to the health, safety, and welfare of the people of New Hampshire. Therefore, there is hereby established a commission to study ways to clarify the hierarchy of water uses while considering existing private property rights, to bring a balanced approach to water use among residential, public water supply, industrial, commercial, agricultural, recreational and other water users, and to review the current process by which all such new water users may reasonably and efficiently use state water resources, including consideration of potential regional impacts and local water management issues, in order to best protect and preserve an adequate supply of water for the state.

Amend the bill by replacing section 5 with the following:

5 Report. The commission shall make an interim report of its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2003. The commission shall make a final report of its findings and any

recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 30, 2004.

Conferees: Sens. Johnson, Dist. 2; Prescott, Dist. 23; Below, Dist. 5

Conferees: Reps. Richard Cooney, Rock. 76; Rausch, Rock. 77; Charles LaFlamme, Hills. 50; Spang, Straf. 72

Adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 227

Committee of Conference Report on **SB 227**, relative to the board of occupational therapy, the board of respiratory care practice, the board of speech-language therapists, the board of athletic trainers practice, the board of physical therapy practice, and the board of directors of the office of licensed allied health professionals, and relative to the board of podiatry.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Prescott, Dist. 23; Kenney, Dist. 3; Cohen, Dist. 24

Reps. O'Neil, Rock. 85; Bergin, Hills. 47; Fitzgerald, Belk. 30; Francis Sullivan, Hills. 52

Adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 229

Committee of Conference Report on **SB 229**, making reference changes to the school building aid statutes.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Johnson, Dist. 2; O'Hearn, Dist. 12; Larsen, Dist. 15

Conferees: Reps. Stephen L'Heureux, Merr. 37; Alger, Graf. 14; Colcord, Merr. 34; Claire Clarke, Merr. 35

Adopted.

COMMITTEE OF CONFERENCE REPORT ON SENATE BILL REMOVED FROM THE CONSENT CALENDAR

COMMITTEE OF CONFERENCE REPORT ON SB 47

Committee of Conference Report on **SB 47-FN**, relative to refunds for tolls paid on account of shrinkage or loss by evaporation of motor fuel.

Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Flanders, Dist. 7; Morse, Dist. 22; D'Allesandro, Dist. 20

Conferees: Reps. Edwin Smith, Ches. 26; Kenison, Merr. 41; Jeffrey Gilbert, Rock. 83; Weyler, Rock. 79

Rep. Cloutier spoke against.

Rep. Edwin Smith spoke in favor and yielded to questions.

On a division vote, 201 members having voted in the affirmative and 146 in the negative, the Committee of Conference Report was adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 112, 178, 205, 210, 245, 259, 281, 295, 296, 302, 393, 447, 486, 568, 674, 724, 737 and 810 and Senate Bills numbered 16, 21, 46, 58, 73, 76, 77, 80, 85, 86, 90, 110, 119, 136, 149, 152, 161, 162 and 184.

Rep. Currier, Sen. D'Allesandro for the Committee

REGULAR CALENDAR COMMITTEE OF CONFERENCE REPORTS ON HOUSE BILLS

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005. (Report printed in SJ 6/24/03)

Rep. Wendelboe spoke against and yielded to questions.

Rep. Kurk spoke in favor and yielded to questions.

Reps. Newton, Diamond, Gibson, John Pratt, Jasper, Timothy Robertson, Splaine, Phinizy, Peter Sullivan, and McEachern spoke against.

Reps. Weyler, Jacobson, Espieffs, French, Leach, Bleyler, Wallner, Almy, and Daniel Eaton spoke in favor.

Rep. Whalley spoke in favor and yielded to questions.

Rep. Jasper requested a roll call; sufficiently seconded.

The question being adoption of the Committee of Conference report.

YEAS 235 NAYS 124

YEAS 235

BELKNAP

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

CARROLL

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

CHESHIRE

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

COOS

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

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Benn, Bernard
Bleyler, Ruth	Densmore, Edward	Dudley, Terri	Gilman, G Michael
Giuda, Robert	Hammond, Lee	Naro, Debra	Nordgren, Sharon
Scovner, Nancy	Sokol, Hilda	Solomon, Peter	

HILLSBOROUGH

Balcom, John	Baroody, Benjamin	Batula, Peter	Brassard, Paul
Brundige, Robert	Buckley, Raymond	Cail, Kenneth	Carlson, Donald
Carter, Jeffrey	Carter, Mark	Christensen, D L	Cote, Peter

Desmarais, Vivian	Dionne, Kimberley	Chris	Drisko, Richard
Emerton, Larry	Fields, Dennis	Dokmo, Cynthia	Gargas, Carolyn
Graham, John	Haley, Robert	Furman, Christine	Hallyburton, Margaret
Haytayan, Harry Jr	Irwin, Anne-Marie	Hall, Charles	Katsiantonis, Thomas
Konys, Christine	Kopka, Angeline	Johnson, Lionel	L'Heureux, Robert
Laflamme, Charles	Leach, Edward	Kurk, Neal	Malloy, Chris
Mercer, Robert	Messier, Irene	Lefebvre, Roland	Mooney, Maureen
Moran, Edward	O'Brien, Lori	Milligan, Robert	Pepino, Leo
Pilotte, Maurice	Price, Pamela	Pappas, Christopher	Rowe, Robert
Shaw, Barbara	Spiess, Paul	Ross, Lawrence	Wheeler, Robert
		Tate, Joan	

MERRIMACK

Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	Colcord, J D	Currier, David	Daniels, Eric
Davis, Frank	DeJoie, John	Fraser, Leo Jr	French, Barbara
Gile, Mary	Hager, Elizabeth	Hamm, Christine	Hess, David
Jacobson, Alf	Kenison, Leon	Kennedy, Richard	L'Heureux, Stephen
Leber, William	Lockwood, Priscilla	MacKay, James	Maxfield, Roy
Osborne, Jessie	Perkins, Randy	Potter, Frances	Reardon, Tara
Reed, Dennis	Rush, Deanna	Seldin, Gloria	Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald	Blanchard, MaryAnn	Bridle, Russell	Carson, Sharon
Casey, Kimberley	Coes, Betsy	Cooney, Richard	Corbin, Corey
Dalrymple, Janeen	DiFruscia, Anthony	Dodge, Robert	Fesh, Bob
Flanders, John Sr	Francoeur, Sheila	Gilbert, Jeffrey	Gillick, Thomas
Gleason, John	Gould, Kenneth	Griffin, Mary	Hamel, Albert
Ingram, Russell	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kelley, Jane	Langley, Jane	Langone, John
Major, Norman	Manning, John	McCann, Richard	McKinney, Betsy
Morris, Richard	Norelli, Terie	Noyes, Richard	O'Neil, Michael
Packard, Sherman	Pantelakos, Laura	Pitts, Jacqueline	Priestley, Anne
Quandt, Matthew	Rausch, James	Robertson, Carl	Roessner, Kurt
Ruffner, Walter	Scamman, Stella	Shultis, Elizabeth	Smith, Paul
Stone, Joseph	Tufts, J Arthur	Vallone, Matthew	Waterhouse, Kevin
Weare, E Albert	Welch, David	Weyler, Kenneth	Zolla, William

STRAFFORD

Berube, Roger	Bickford, David	Brown, Julie	Creteau, Irene
Dunlap, Patricia	Grassie, Anne	Heon, Richard	Hofemann, Roland
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Miller, Joseph	Musler, George	Rollo, Deanna	Rous, Emma
Schmidt, Peter	Scott, David	Smith, Marjorie	Snyder, Clair
Twombly, James	Vachon, Dennis	Wall, Janet	

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Flint, Gordon Sr	Jones, Constance	Leone, Richard	Rodeschin, Beverly

NAYS 124

BELKNAP

Ahern, Omer Jr	Dewhirst, Glenn	Laflam, Robert	Lawton, David
Rice, Thomas	Wendelboe, Fran		

CARROLL

Babson, David Jr	Kenney, Bettie	Mock, Henry
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CHESHIRE

None

COOS

Brady, Mark

GRAFTON

Barker, Robert
Gionet, Edmond
Sorg, Gregory

Diamond, Estelle
Ham, Bonnie
Williams, Burton

Dorsett, Andrew
Ingretson, Paul

Eaton, Stephanie
Maybeck, Margie

HILLSBOROUGH

Adams, Jarvis
Artz, Lawrence
Bergeron, Jean-Guy
Chabot, Robert
Coughlin, Pamela

Allan, Nelson
Balboni, Michael
Bouchard, David
Christiansen, Lars
Crane, Elenore
Casey

Allen, Timothy
Barry, J Gail
Bruno, Pierre
Clemons, Jane
Elliott, Larry

Arnold, Thomas Jr
Beaton, William
Buhlman, David
Cote, David
Fletcher, Richard

Gibson, John
Hagan, Barbara
Hinkle, Peyton
Jasper, Shawn
Lasky, Bette
McHugh, Claire
Pappas, Marc
Slocum, Lee
Sullivan, Jeffrey
Vaillancourt, Steve

Gonzalez, Carlos
Hansen, Ryan
Holden, Randolph
Jean, Claudette
Lawrence, James
McRae, Karen
Reeves, Sandra
Souza, Kathleen
Sullivan, Peter
Wheeler, James

Gorman, Mary
Harrington, Paul
Hopper, Gary
Kerns, J Edward
Lessard, Rudy
Mosher, William
Scanlon, Michael
Stepanek, Stephen
Sweeney, Cynthia

Goyette, Peter Jr
Hawkins, Ken
Infantine, William
LaFlamme, Paul
McElroy, Henry Jr
Movsesian, Lori
Schulze, Joan
Sullivan, Francis
Tahir, Saghir

MERRIMACK

DeStefano, Stephen
Langer, Ray
Oliver, James

Dunne, Christopher
Marple, Richard
Owen, Derek

Field, William
McCormick, Tom
Soltani, Tony

Foley, Albert
Nutter, Edward

ROCKINGHAM

Bicknell, Elbert
Clark, Vivian
Flayhan, Mary Lou
Introne, Robert
McMahon, Charles
Wiley, Robert

Bishop, Franklin
Duffy, James
Gilbert, Karl
Itse, Daniel
Moore, Benjamin
Winchell, George

Cady, Harriet
Dumaine, Dudley
Headd, James
Kobel, Rudolph
Putnam, Ed II

Camm, Kevin
Dupuis, Roland
Hughes, Daniel
Letourneau, Robert
Varrell, Thomas

STRAFFORD

Albert, Russell
Newton, Clifford

Bemis, Alan
Spang, Judith

Cataldo, Sam
Taylor, Kathleen

Harrington, Michael
Woods, Phyllis

SULLIVAN

Ferland, Brenda
Phinzy, James

Franklin, Peter

Harris, Joseph

Harris, Sandra

and the Committee of Conference Report was adopted.

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures. (Report printed in SJ 6/24/03)
Report adopted.

HB 25-FN-A, making appropriations for capital improvements. (Report printed in SJ 6/24/03)
Report adopted.

MOTION TO PRINT DEBATE

Rep. Burling moved that the debate on **HB 25-FN-A**, making appropriations for capital improvements, be printed in the Journal.
Motion failed.

PROTEST

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, Rep. Bruno requested that his protest be entered on the Journal.
Whereas, we have had many debates over the issue of groundwater supply in the past two sessions, and
whereas, the likely outcome of this session will include a commission on groundwater withdrawals and a chartered study committee on water resources, and
whereas, the Department of Environmental Services has expressed that it will be updating the New Hampshire "Drought Management Plan" presently, and
whereas, the State Geologist is limited to monitoring groundwater resources at only 25 sites for the entire state and expressed desire to increase the resolution of this data by adding an additional 25 observation wells for a cost of \$196,000.00 which has been eliminated from this budget by the Committee of Conference, and
whereas, the Estuary Wastewater Project Study, SB 70, creating a commission, originally came to the House showing a \$1,000,000.00 fiscal note that was removed by Senate amendment #2003-1225s in order to gather support for the policy, and
whereas, a \$1,000,000.00 appropriation was made by the Senate for the Estuary Wastewater Project Study under the guise of capital improvements, while the critical groundwater information afforded by 25 observation wells that the State Geologist needs to provide to other established commissions, committees and the public has been eliminated;
therefore, since a study is not a capital improvement, and since SB 70 would have met much greater House scrutiny with a \$1,000,000.00 fiscal note and since valuable groundwater information necessary for committees and commissions formed for the purpose of studying that information will not be available because of the elimination of the State Geologist's request for \$196,000.00 to install observation wells, a true capital improvement, I now enter my protest to the passage of HB 25-FN-A.

Respectfully submitted on this 24th day of June, 2003.
Rep. Pierre W. Bruno

The House recessed at 1:00 p.m.

RECESS

(Speaker Chandler in the Chair)

The Speaker reconvened the House at 2:10 p.m.

REGULAR CALENDAR (CONT'D.) COMMITTEE OF CONFERENCE REPORTS ON HOUSE BILLS

HB 79, relative to the regulation of the installation and servicing of fire suppression systems.
(Report printed in SJ 6/24/03)

Reps. Harrington and Soltani spoke against.

Rep. O'Neil spoke in favor.

On a division vote, 169 members having voted in the affirmative and 165 in the negative, the Committee of Conference Report was adopted.

HB 81-FN-A, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2005. (Report printed in SJ 6/24/03)

Report adopted.

HB 135-FN-L, relative to charter schools. (Report printed in SJ 6/24/03)

On a division vote, 216 members having voted in the affirmative and 122 in the negative, the Committee of Conference Report was adopted.

HB 139, relative to the collection and reporting of school drop-out, suspension, and expulsion data and relative to the deadlines for submitting certain reports to the department of education, and establishing a statewide education accountability system. (Report printed in SJ 6/24/03)

Report adopted.

HB 173, making technical corrections relative to the exception from the meals and rooms tax for gratuities. (Report printed in SJ 6/24/03)

Report adopted.

HB 175, relative to membership of attorneys in the New Hampshire Bar Association and lobbying by the Bar Association. (Report printed in SJ 6/24/03)

Report adopted.

HB 185, relative to pretermitted heirs. (Report printed in SJ 6/24/03)

Report adopted.

HB 195, prohibiting all part-time district court judges and district court clerks from practicing law in the district courts. (Report printed in SJ 6/24/03)

Report adopted.

HB 198, relative to the police powers of law enforcement officers called to respond to incidents in other jurisdictions. (Report printed in SJ 6/24/03)

Report adopted.

HB 204, relative to venue in juvenile proceedings. (Report printed in SJ 6/24/03)

Report adopted.

HB 242, relative to the number of members on, and quorum necessary for, the assessing standards board. (Report printed in SJ 6/24/03)

Report adopted.

HB 248, requiring the disclosure of information to victims in juvenile delinquency cases.

Report adopted.

HB 261, relative to lucky 7 licenses. (Report printed in SJ 6/24/03)

Report adopted.

HB 262, relative to operation of bingo and games of chance. (Report printed in SJ 6/24/03)

Report adopted.

HB 287, establishing a professional malpractice claims study commission. (Report printed in SJ 6/24/03)

Report adopted.

HB 288-FN, imposing a criminal penalty for the dissemination of certain materials without consent. (Report printed in SJ 6/24/03)

Report adopted.

HB 303, relative to life, accident, and health technicals. (Report printed in SJ 6/24/03)
Report adopted.

HB 310, establishing a commission to study child support issues. (Report printed in SJ 6/24/03)
Report adopted.

HB 316-FN, relative to insurance coverage for anesthesia for child dental care. (Report printed in SJ 6/24/03)
Report adopted.

HB 323, relative to the task force on family law. (Report printed in SJ 6/24/03)
Report adopted.

HB 332-FN, relative to the use of prerecorded telephone messages by candidates and political committees. (Report printed in SJ 6/24/03)
Report adopted.

HB 336-L, relative to the development and adoption of the school administrative unit budget. (Report printed in SJ 6/24/03)
Report adopted.

HB 357-FN, relative to child support insurance settlement intercept. (Report printed in SJ 6/24/03)
Report adopted.

HB 361-L, permitting municipalities to form regional water districts. (Report printed in SJ 6/24/03)
Report adopted.

HB 387-FN, allowing free day-use admission to the state park system for certain members of the New Hampshire national guard. (Report printed in SJ 6/24/03)
Report adopted.

HB 389, relative to victim impact statements and deleting the prohibition on funding certain positions in the office of victim/witness assistance with funds from the victims' assistance fund. (Report printed in SJ 6/24/03)
Report adopted.

HB 415, raising the age of the speedy trial requirement from 13 years of age to 16 years of age in sexual assault cases involving minors and relative to the exclusive authority of the state over the regulation of firearms, ammunition, and components thereof. (Report printed in SJ 6/24/03)
Report adopted.

HB 420, relative to state-owned trails and parking lots in the town of Windham. (Report printed in SJ 6/24/03)
Report adopted.

HB 461, establishing a commission to study financial exploitation of the elderly and persons with disabilities. (Report printed in SJ 6/24/03)

Report adopted.

HB 470, relative to health insurance providers. (Report printed in SJ 6/24/03)
Report adopted.

HB 481, establishing a committee to study the pricing of milk products. (Report printed in SJ 6/24/03)
Report adopted.

HB 509, relative to access to motor vehicle records. (Report printed in SJ 6/24/03)
Report adopted.

HB 543, relative to increasing the membership of the board of accountancy and relative to appeals of board decisions. (Report printed in SJ 6/24/03)
Report adopted.

HB 546, relative to uniform prescription drug information cards. (Report printed in SJ 6/24/03)
Report adopted.

HB 558, relative to financial reports on bingo and lucky 7 operations. (Report printed in SJ 6/24/03)
Report adopted.

HB 577-FN-A-L, relative to implementing the Help America Vote Act of 2002 and relative to rulemaking by the secretary of state. (Report printed in SJ 6/24/03)
Rep. Buckley spoke against and yielded to questions.
Rep. Dickinson spoke in favor.
Rep. Konys requested a roll call; sufficiently seconded.
The question being adoption of the Committee of Conference Report.

YEAS 224 NAYS 129

YEAS 224

BELKNAP

Ahern, Omer Jr
Clark, Charles
Laflam, Robert
Rice, Thomas
Whalley, Michael

Allen, Janet
Fitzgerald, James
Lawton, David
Russell, David

Bartlett, Gordon
Flanders, Donald
Nedeau, Stephen
Thomas, John

Boyce, Laurie
Holbrook, Robert
Pilliod, James
Wendelboe, Fran

CARROLL

Babson, David Jr
Hatch, Paul
Mock, Henry
Stevens, Stanley

Brown, Carolyn
Kenney, Bettie
Olimpio, J Lisbeth

Derby, Mark
McConkey, Mark
Patten, Betsey

Dickinson, Howard
Merrow, Harry
Philbrick, Donald

CHESHIRE

Fish, Douglas
Royce, H Charles

Hunt, John
Smith, Edwin

Laurent, John

Liebl, George

COOS

Guay, Lawrence
Tholl, John Jr

King, Frederick

Richardson, Herbert

Stohl, Eric

GRAFTON

Akins, Ralph

Barker, Robert

Dorsett, Andrew

Dudley, Terri

Eaton, Stephanie
Ingbreton, Paul
Sorg, Gregory

Gilman, G Michael
Maybeck, Margie
Williams, Burton

Gionet, Edmond
Naro, Debra

Giuda, Robert
Solomon, Peter

HILLSBOROUGH

Adams, Jarvis
Artz, Lawrence
Batula, Peter
Brundige, Robert
Carlson, Donald
Christensen, D L
Chris
Desmarais, Vivian
Elliott, Larry
Furman, Christine
Goyette, Peter Jr
Hansen, Ryan
Hinkle, Peyton
Kurk, Neal
Lawrence, James
McRae, Karen
Mooney, Maureen
Pappas, Marc
Rowe, Robert
Stepanek, Stephen

Allan, Nelson
Balboni, Michael
Beaton, William
Bruno, Pierre
Carter, Jeffrey
Christiansen, Lars

Dionne, Kimberley
Emerton, Larry
Gargas, Carolyn
Graham, John
Harrington, Paul
Holden, Randolph
L'Heureux, Robert
Leach, Edward
Mercer, Robert
Moran, Edward
Pepino, Leo
Scanlon, Michael
Tahir, Saghir

Allen, Timothy
Balcom, John
Bergeron, Jean-Guy
Buhlman, David
Carter, Mark
Coughlin, Pamela

Dokmo, Cynthia
Fields, Dennis
Gibson, John
Hall, Charles
Hawkins, Ken
Jasper, Shawn
Laflamme, Charles
Lessard, Rudy
Messier, Irene
Mosher, William
Price, Pamela
Souza, Kathleen
Vaillancourt, Steve

Arnold, Thomas Jr
Barry, J Gail
Bouchard, David
Cail, Kenneth
Chabot, Robert
Crane, Elenore
Casey
Drisko, Richard
Fletcher, Richard
Gonzalez, Carlos
Hallyburton, Margaret
Haytayan, Harry Jr
Johnson, Lionel
LaFlamme, Paul
McElroy, Henry Jr
Milligan, Robert
O'Brien, Lori
Reeves, Sandra
Spiess, Paul
Wheeler, Robert

MERRIMACK

Anderson, Eric
Field, William
Hess, David
L'Heureux, Stephen
MacKay, James
Oliver, James

Colcord, J D
Foley, Albert
Jacobson, Alf
Langer, Ray
Marple, Richard
Soltani, Tony

Currier, David
Fraser, Leo Jr
Kenison, Leon
Leber, William
Maxfield, Roy

Dunne, Christopher
Hager, Elizabeth
Kennedy, Richard
Lockwood, Priscilla
McCormick, Tom

ROCKINGHAM

Belanger, Ronald
Cady, Harriet
Cooney, Richard
Dupuis, Roland
Francoeur, Sheila
Griffin, Mary
Introne, Robert
Katsakiores, Phyllis
Letourneau, Robert
McMahon, Charles
Putnam, Ed II
Scamman, Stella
Vallone, Matthew
Welch, David
Zolla, William

Bicknell, Elbert
Camm, Kevin
Dalrymple, Janeen
Fesh, Bob
Gilbert, Jeffrey
Hamel, Albert
Johnson, Robert
Kelley, Jane
Major, Norman
Morris, Richard
Quandt, Matthew
Smith, Paul
Varrell, Thomas
Weyler, Kenneth

Bishop, Franklin
Carson, Sharon
Dodge, Robert
Flanders, John Sr
Gillick, Thomas
Headd, James
Johnson, Rogers
Kobel, Rudolph
Manning, John
O'Neil, Michael
Rausch, James
Stone, Joseph
Waterhouse, Kevin
Wiley, Robert

Bridle, Russell
Clark, Vivian
Dumaine, Dudley
Flayhan, Mary Lou
Gleason, John
Hughes, Daniel
Katsakiores, George
Langley, Jane
McCann, Richard
Packard, Sherman
Ruffner, Walter
Tufts, J Arthur
Weare, E Albert
Winchell, George

STRAFFORD

Bemis, Alan
Dunlap, Patricia
Twombly, James

Bickford, David
Harrington, Michael
Woods, Phyllis

Brown, Julie
Newton, Clifford

Cataldo, Sam
Scott, David

SULLIVAN

Flint, Gordon Sr

Jones, Constance

Leone, Richard

Rodeschin, Beverly

NAYS 129**BELKNAP**

None

CARROLL

None

CHESHIRE

Allen, Peter
Eaton, Daniel
Mitchell, McKim
Richardson, Barbara
Webber, Amy

Batchelder, Robert
Espieffs, Peter
Parkhurst, Henry
Robertson, Timothy
Weed, Charles

Dexter, Judson
Manning, Joseph
Pratt, Irene
Slack, Pamela

Dunn, James
Meador, David
Pratt, John
Tilton, Anna

COOS

Brady, Mark
Theberge, Robert

Mears, Edgar

Poulin, Richard

Pratt, Leighton

GRAFTON

Alger, John
Densmore, Edward
Nordgren, Sharon

Almy, Susan
Diamond, Estelle
Scovner, Nancy

Benn, Bernard
Ham, Bonnie
Sokol, Hilda

Bleyler, Ruth
Hammond, Lee

HILLSBOROUGH

Baroody, Benjamin
Cote, David
Haley, Robert
Konys, Christine
Malloy, Chris
Ross, Lawrence
Sullivan, Francis
Wheeler, James

Brassard, Paul
Cote, Peter
Irwin, Anne-Marie
Kopka, Angeline
Movsesian, Lori
Schulze, Joan
Sullivan, Peter

Buckley, Raymond
Gorman, Mary
Jean, Claudette
Lasky, Bette
Pappas, Christopher
Shaw, Barbara
Sweeney, Cynthia

Clemons, Jane
Hagan, Barbara
Katsiantonis, Thomas
Lefebvre, Roland
Pilotte, Maurice
Slocum, Lee
Tate, Joan

MERRIMACK

Blanchard, Elizabeth

Bouchard, Candace

Brueggemann,
Donald

Clarke, Claire

Davis, Frank
Gile, Mary
Owen, Derek
Rush, Deanna

DeJoie, John
Hamm, Christine
Perkins, Randy
Seldin, Gloria

DeStefano, Stephen
Nutter, Edward
Potter, Frances
Wallner, Mary Jane

French, Barbara
Osborne, Jessie
Reed, Dennis

ROCKINGHAM

Blanchard, MaryAnn
Gilbert, Karl
Langone, John
Pitts, Jacqueline
Shultis, Elizabeth

Casey, Kimberley
Gould, Kenneth
McEachern, Paul
Priestley, Anne
Splaine, James

Coes, Betsy
Ingram, Russell
Norelli, Terie
Robertson, Carl

Corbin, Corey
Itse, Daniel
Pantelakos, Laura
Roessner, Kurt

STRAFFORD

Berube, Roger
Hofemann, Roland
Knowles, William
Rous, Emma
Spang, Judith

Creteau, Irene
Johnson, Nancy
Miller, Joseph
Schmidt, Peter
Taylor, Kathleen

Grassie, Anne
Kaen, Naida
Musler, George
Smith, Marjorie
Vachon, Dennis

Heon, Richard
Keans, Sandra
Rollo, Deanna
Snyder, Clair
Wall, Janet

SULLIVAN

Allison, David
Ferland, Brenda
Phinizy, James

Burling, Peter
Franklin, Peter

Cloutier, John
Harris, Joseph

Donovan, Thomas
Harris, Sandra

and the Committee of Conference Report was adopted.

HB 590-FN, relative to highway fund budget reporting requirements. (Report printed in SJ 6/24/03)

Report adopted.

HB 606, establishing a right-to-know study commission. (Report printed in SJ 6/24/03)

Rep. Burling spoke against.

Rep. Mock spoke in favor and yielded to questions.

Rep. Almy requested a roll call; sufficiently seconded.

The question being adoption of the Committee of Conference Report.

YEAS 244 NAYS 111

YEAS 244

BELKNAP

Ahern, Omer Jr	Allen, Janet	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

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

Dexter, Judson	Fish, Douglas	Hunt, John	Laurent, John
Liebl, George	Manning, Joseph	Pratt, John	Royce, H Charles
Smith, Edwin			

COOS

Brady, Mark	Guay, Lawrence	King, Frederick	Pratt, Leighton
Richardson, Herbert	Stohl, Eric	Tholl, John Jr	

GRAFTON

Akins, Ralph	Alger, John	Barker, Robert	Dudley, Terri
Eaton, Stephanie	Gilman, G Michael	Gionet, Edmond	Giuda, Robert
Ham, Bonnie	Ingbretson, Paul	Maybeck, Margie	Naro, Debra
Sorg, Gregory	Williams, Burton		

HILLSBOROUGH

Adams, Jarvis	Allan, Nelson	Arnold, Thomas Jr	Artz, Lawrence
Balboni, Michael	Balcom, John	Barry, J Gail	Batula, Peter
Beaton, William	Bergeron, Jean-Guy	Bouchard, David	Brundige, Robert
Bruno, Pierre	Buhlman, David	Cail, Kenneth	Carlson, Donald
Carter, Jeffrey	Carter, Mark	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	Furman, Christine
Gargas, Carolyn	Gibson, John	Gonzalez, Carlos	Goyette, Peter Jr
Graham, John	Hagan, Barbara	Hall, Charles	Hallyburton, Margaret
Hansen, Ryan	Harrington, Paul	Hawkins, Ken	Haytayan, Harry Jr
Hinkle, Peyton	Holden, Randolph	Hopper, Gary	Jasper, Shawn
Johnson, Lionel	Kurk, Neal	L'Heureux, Robert	Laflamme, Charles

LaFlamme, Paul
McElroy, Henry Jr
Milligan, Robert
O'Brien, Lori
Price, Pamela
Scanlon, Michael
Stepanek, Stephen
Wheeler, Robert

Lawrence, James
McRae, Karen
Mooney, Maureen
Pappas, Marc
Reeves, Sandra
Slocum, Lee
Tahir, Saghir

Leach, Edward
Mercer, Robert
Moran, Edward
Pepino, Leo
Ross, Lawrence
Souza, Kathleen
Tate, Joan

Lessard, Rudy
Messier, Irene
Mosher, William
Pilotte, Maurice
Rowe, Robert
Spiess, Paul
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Field, William
Jacobson, Alf
Langer, Ray
Marple, Richard
Oliver, James

Colcord, J D
Foley, Albert
Kenison, Leon
Leber, William
Maxfield, Roy
Reed, Dennis

Currier, David
Fraser, Leo Jr
Kennedy, Richard
Lockwood, Priscilla
McCormick, Tom
Soltani, Tony

Dunne, Christopher
Hess, David
L'Heureux, Stephen
MacKay, James
Nutter, Edward

ROCKINGHAM

Belanger, Ronald
Cady, Harriet
Cooney, Richard
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas
Hedd, James
Itse, Daniel
Katsakiores, Phyllis
Langone, John
McCann, Richard
Priestley, Anne
Roessner, Kurt
Stone, Joseph
Weare, E Albert
Winchell, George

Bicknell, Elbert
Camm, Kevin
Dalrymple, Janeen
Dupuis, Roland
Francoeur, Sheila
Gleason, John
Hughes, Daniel
Johnson, Robert
Kelley, Jane
Letourneau, Robert
Morris, Richard
Putnam, Ed II
Ruffner, Walter
Tufts, J Arthur
Welch, David
Zolla, William

Bishop, Franklin
Carson, Sharon
DiFruscia, Anthony
Fesh, Bob
Gilbert, Jeffrey
Griffin, Mary
Ingram, Russell
Johnson, Rogers
Kobel, Rudolph
Major, Norman
O'Neil, Michael
Quandt, Matthew
Scamman, Stella
Varrell, Thomas
Weyler, Kenneth

Bridle, Russell
Clark, Vivian
Dodge, Robert
Flanders, John Sr
Gilbert, Karl
Hamel, Albert
Introne, Robert
Katsakiores, George
Langley, Jane
Manning, John
Packard, Sherman
Rausch, James
Smith, Paul
Waterhouse, Kevin
Wiley, Robert

STRAFFORD

Bemis, Alan
Creteau, Irene
Kaen, Naida
Spang, Judith

Bickford, David
Dunlap, Patricia
Keans, Sandra
Twombly, James

Brown, Julie
Harrington, Michael
Newton, Clifford
Woods, Phyllis

Cataldo, Sam
Johnson, Nancy
Scott, David

SULLIVAN

Flint, Gordon Sr

Leone, Richard

Rodeschin, Beverly

NAYS 111

BELKNAP

None

CARROLL

None

CHESHIRE

Allen, Peter
Espieffs, Peter
Pratt, Irene
Tilton, Anna

Batchelder, Robert
Meader, David
Richardson, Barbara
Webber, Amy

Dunn, James
Mitchell, McKim
Robertson, Timothy
Weed, Charles

Eaton, Daniel
Parkhurst, Henry
Slack, Pamela

COOS

Mears, Edgar

Poulin, Richard

Theberge, Robert

GRAFTON

Almy, Susan	Benn, Bernard	Bleyler, Ruth	Densmore, Edward
Diamond, Estelle	Dorsett, Andrew	Hammond, Lee	Nordgren, Sharon
Scovner, Nancy	Sokol, Hilda	Solomon, Peter	

HILLSBOROUGH

Allen, Timothy	Baroody, Benjamin	Brassard, Paul	Buckley, Raymond
Clemons, Jane	Cote, David	Cote, Peter	Gorman, Mary
Haley, Robert	Irwin, Anne-Marie	Jean, Claudette	Katsiantonis, Thomas
Konys, Christine	Kopka, Angeline	Lasky, Bette	Lefebvre, Roland
Malloy, Chris	Movsesian, Lori	Pappas, Christopher	Schulze, Joan
Shaw, Barbara	Sullivan, Francis	Sullivan, Peter	Sweeney, Cynthia
Wheeler, James			

MERRIMACK

Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	French, Barbara
Gile, Mary	Hager, Elizabeth	Hamm, Christine	Osborne, Jessie
Owen, Derek	Perkins, Randy	Potter, Frances	Rush, Deanna
Seldin, Gloria	Wallner, Mary Jane		

ROCKINGHAM

Blanchard, MaryAnn	Casey, Kimberley	Coes, Betsy	Corbin, Corey
Gould, Kenneth	McEachern, Paul	McMahon, Charles	Norelli, Terie
Pantelakos, Laura	Pitts, Jacqueline	Robertson, Carl	Shultis, Elizabeth
Splaine, James	Vallone, Matthew		

STRAFFORD

Berube, Roger	Grassie, Anne	Heon, Richard	Hofemann, Roland
Knowles, William	Miller, Joseph	Musler, George	Rollo, Deanna
Rous, Emma	Schmidt, Peter	Smith, Marjorie	Snyder, Clair
Taylor, Kathleen	Vachon, Dennis	Wall, Janet	

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Franklin, Peter	Harris, Joseph	Harris, Sandra
Jones, Constance	Phinizy, James		

and the Committee of Conference Report was adopted.

HB 608-FN-L, reducing the education property tax rate and relative to the calculation of adequate education grants. (Report printed in SJ 6/24/03)

Reps. Jacobson, Christine Hamm, Hughes and Burling spoke against.

Reps. Major and Jeffrey Gilbert spoke in favor.

Rep. King spoke in favor and yielded to questions.

Rep. Zolla requested a roll call; sufficiently seconded.

The question being adoption of the Committee of Conference Report.

YEAS 196 NAYS 154

YEAS 196

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Boyce, Laurie
Clark, Charles	Flanders, Donald	Laflam, Robert	Lawton, David
Neddeau, Stephen	Pilliod, James	Russell, David	Thomas, John
Whalley, Michael			

CARROLL

Babson, David Jr
Hatch, Paul
Patten, Betsey

Brown, Carolyn
McConkey, Mark
Stevens, Stanley

Derby, Mark
Merrow, Harry

Dickinson, Howard
Mock, Henry

CHESHIRE

Dexter, Judson
Royce, H Charles

Hunt, John
Smith, Edwin

Laurent, John

Liebl, George

COOS

Brady, Mark
Richardson, Herbert

Guay, Lawrence
Stohl, Eric

King, Frederick
Tholl, John Jr

Pratt, Leighton

GRAFTON

Alger, John
Eaton, Stephanie
Ingbretson, Paul

Barker, Robert
Gilman, G Michael
Maybeck, Margie

Dorsett, Andrew
Gionet, Edmond
Naro, Debra

Dudley, Terri
Giuda, Robert
Sorg, Gregory

HILLSBOROUGH

Allan, Nelson
Balcom, John
Bergeron, Jean-Guy
Buhlman, David
Christensen, D L
Chris
Desmarais, Vivian
Gargas, Carolyn
Hagan, Barbara
Harrington, Paul
Jasper, Shawn
Lawrence, James
Mercer, Robert
Moran, Edward
Reeves, Sandra
Sullivan, Peter
Wheeler, James

Arnold, Thomas Jr
Barry, J Gail
Brassard, Paul
Carter, Jeffrey
Christiansen, Lars

Drisko, Richard
Gibson, John
Haley, Robert
Hawkins, Ken
L'Heureux, Robert
Lessard, Rudy
Messier, Irene
Mosher, William
Rowe, Robert
Tahir, Saghir
Wheeler, Robert

Artz, Lawrence
Batula, Peter
Brundige, Robert
Carter, Mark
Coughlin, Pamela

Fields, Dennis
Goyette, Peter Jr
Hall, Charles
Haytayan, Harry Jr
Laflamme, Charles
McElroy, Henry Jr
Milligan, Robert
Pepino, Leo
Souza, Kathleen
Tate, Joan

Balboni, Michael
Beaton, William
Bruno, Pierre
Chabot, Robert
Crane, Elenore
Casey
Furman, Christine
Graham, John
Hansen, Ryan
Hinkle, Peyton
LaFlamme, Paul
McHugh, Claire
Mooney, Maureen
Price, Pamela
Sullivan, Francis
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Field, William
Kenison, Leon
Leber, William
McCormick, Tom

Currier, David
Foley, Albert
Kennedy, Richard
MacKay, James
Nutter, Edward

Daniels, Eric
Fraser, Leo Jr
L'Heureux, Stephen
Marple, Richard
Oliver, James

Dunne, Christopher
Hess, David
Langer, Ray
Maxfield, Roy

ROCKINGHAM

Belanger, Ronald
Cady, Harriet
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas
Headd, James
Katsakiores, George
Langley, Jane
McCann, Richard
O'Neil, Michael
Putnam, Ed II
Scamman, Stella
Stone, Joseph
Welch, David

Bicknell, Elbert
Camm, Kevin
Dupuis, Roland
Francoeur, Sheila
Gleason, John
Ingram, Russell
Katsakiores, Phyllis
Langone, John
McEachern, Paul
Pantelakos, Laura
Quandt, Matthew
Shultis, Elizabeth
Tufts, J Arthur
Weyler, Kenneth

Blanchard, MaryAnn
Dalrymple, Janeen
Fesh, Bob
Gilbert, Jeffrey
Griffin, Mary
Itse, Daniel
Kelley, Jane
Letourneau, Robert
McMahon, Charles
Pitts, Jacqueline
Rausch, James
Smith, Paul
Varrell, Thomas
Wiley, Robert

Bridle, Russell
Dodge, Robert
Flanders, John Sr
Gilbert, Karl
Hamel, Albert
Johnson, Rogers
Kobel, Rudolph
Major, Norman
Morris, Richard
Priestley, Anne
Roessner, Kurt
Splaine, James
Waterhouse, Kevin
Winchell, George

STRAFFORD

Bemis, Alan	Berube, Roger	Cataldo, Sam	Harrington, Michael
Musler, George	Scott, David	Twombly, James	Woods, Phyllis

SULLIVAN

Jones, Constance	Leone, Richard	Rodeschin, Beverly
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NAYS 154

BELKNAP

Fitzgerald, James	Holbrook, Robert	Rice, Thomas	Wendelboe, Fran
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CARROLL

Kenney, Bettie	Olimpio, J Lisbeth	Philbrick, Donald
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CHESHIRE

Allen, Peter	Batchelder, Robert	Dunn, James	Eaton, Daniel
Espiefs, Peter	Fish, Douglas	Manning, Joseph	Meador, David
Mitchell, McKim	Parkhurst, Henry	Pratt, Irene	Pratt, John
Richardson, Barbara	Robertson, Timothy	Slack, Pamela	Tilton, Anna
Webber, Amy	Weed, Charles		

COOS

Mears, Edgar	Poulin, Richard	Theberge, Robert
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GRAFTON

Akins, Ralph	Almy, Susan	Bleyler, Ruth	Densmore, Edward
Diamond, Estelle	Ham, Bonnie	Hammond, Lee	Nordgren, Sharon
Scovner, Nancy	Sokol, Hilda	Solomon, Peter	Williams, Burton

HILLSBOROUGH

Adams, Jarvis	Allen, Timothy	Baroody, Benjamin	Bouchard, David
Buckley, Raymond	Carlson, Donald	Clemons, Jane	Cote, David
Cote, Peter	Dionne, Kimberley	Dokmo, Cynthia	Elliott, Larry
Emerton, Larry	Fletcher, Richard	Gorman, Mary	Hallyburton, Margaret
Holden, Randolph	Hopper, Gary	Irwin, Anne-Marie	Jean, Claudette
Johnson, Lionel	Katsiantonis, Thomas	Konys, Christine	Kopka, Angeline
Kurk, Neal	Lasky, Bette	Leach, Edward	Lefebvre, Roland
Malloy, Chris	McRae, Karen	Movsesian, Lori	O'Brien, Lori
Pappas, Christopher	Pilotte, Maurice	Ross, Lawrence	Schulze, Joan
Shaw, Barbara	Slocum, Lee	Spiess, Paul	Stepanek, Stephen
Sweeney, Cynthia			

MERRIMACK

Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Colcord, J D	Davis, Frank	DeJoie, John	DeStefano, Stephen
French, Barbara	Gile, Mary	Hager, Elizabeth	Hamm, Christine
Jacobson, Alf	Lockwood, Priscilla	Osborne, Jessie	Owen, Derek
Perkins, Randy	Potter, Frances	Reed, Dennis	Rush, Deanna
Seldin, Gloria	Soltani, Tony	Wallner, Mary Jane	

ROCKINGHAM

Bishop, Franklin	Carson, Sharon	Casey, Kimberley	Clark, Vivian
Coes, Betsy	Cooney, Richard	Corbin, Corey	DiFruscia, Anthony
Gould, Kenneth	Hughes, Daniel	Introne, Robert	Johnson, Robert
Manning, John	McKinney, Betsy	Packard, Sherman	Robertson, Carl
Vallone, Matthew	Weare, E Albert	Zolla, William	

STRAFFORD

Bickford, David
Grassie, Anne
Kaen, Naida
Newton, Clifford
Smith, Marjorie
Wall, Janet

Brown, Julie
Heon, Richard
Keans, Sandra
Rollo, Deanna
Snyder, Clair

Creteau, Irene
Hofemann, Roland
Knowles, William
Rous, Emma
Spang, Judith

Dunlap, Patricia
Johnson, Nancy
Miller, Joseph
Schmidt, Peter
Taylor, Kathleen

SULLIVAN

Allison, David
Ferland, Brenda
Harris, Sandra

Burling, Peter
Flint, Gordon Sr
Phinizy, James

Cloutier, John
Franklin, Peter

Donovan, Thomas
Harris, Joseph

and the Committee of Conference Report was adopted.

HB 615-FN, relative to the requirements for registration of sexual offenders. (Report printed in SJ 6/24/03)
Report adopted.

HB 619-FN-A, expanding opportunities for dropout prevention and dropout recovery. (Report printed in SJ 6/24/03)
Report adopted.

HB 621-FN-A-L, establishing an early childhood literacy program. (Report printed in SJ 6/24/03)
Rep. Hagan spoke against.
Rep. Stephen L'Heureux spoke in favor.
On a division vote, 216 members having voted in the affirmative and 118 in the negative, the Committee of Conference Report was adopted.

HB 627-FN, relative to domicile for voting purposes and penalties for voter fraud. (Report printed in SJ 6/24/03)
Report adopted.

HB 654-FN, relative to criminal liability for the destruction or disconnection of a smoke detector by a tenant in a rental dwelling. (Report printed in SJ 6/24/03)
Report adopted.

HB 663-FN-A-L, relative to county and state funding of long-term care medical programs. (Report printed in SJ 6/24/03)
Rep. Norelli requested a roll call; sufficiently seconded.
The question being adoption of the Committee of Conference Report.

YEAS 322 NAYS 14

YEAS 322

BELKNAP

Ahern, Omer Jr
Clark, Charles
Laflam, Robert
Rice, Thomas
Whalley, Michael

Allen, Janet
Fitzgerald, James
Lawton, David
Russell, David

Bartlett, Gordon
Flanders, Donald
Nedeau, Stephen
Thomas, John

Boyce, Laurie
Holbrook, Robert
Pilliod, James
Wendelboe, Fran

CARROLL

Babson, David Jr
Hatch, Paul
Mock, Henry
Stevens, Stanley

Brown, Carolyn
Kenney, Bettie
Olimpio, J Lisbeth

Derby, Mark
McConkey, Mark
Patten, Betsey

Dickinson, Howard
Merrow, Harry
Philbrick, Donald

CHESHIRE

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

COOS

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

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Barker, Robert
Bleyler, Ruth	Densmore, Edward	Dorsett, Andrew	Eaton, Stephanie
Gilman, G Michael	Gionet, Edmond	Giuda, Robert	Ham, Bonnie
Hammond, Lee	Ingbretson, Paul	Maybeck, Margie	Naro, Debra
Nordgren, Sharon	Scovner, Nancy	Sokol, Hilda	Solomon, Peter
Sorg, Gregory	Williams, Burton		

HILLSBOROUGH

Allan, Nelson	Arnold, Thomas Jr	Artz, Lawrence	Balboni, Michael
Balcom, John	Baroody, Benjamin	Barry, J Gail	Batula, Peter
Beaton, William	Bergeron, Jean-Guy	Bouchard, David	Brassard, Paul
Brundige, Robert	Bruno, Pierre	Buckley, Raymond	Buhlman, David
Carlson, Donald	Carter, Jeffrey	Carter, Mark	Chabot, Robert
Christensen, D L	Christiansen, Lars	Clemons, Jane	Cote, David
Chris			
Cote, Peter	Coughlin, Pamela	Desmarais, Vivian	Dionne, Kimberley
Dokmo, Cynthia	Drisko, Richard	Emerton, Larry	Fields, Dennis
Fletcher, Richard	Furman, Christine	Gargasz, Carolyn	Gibson, John
Gorman, Mary	Goyette, Peter Jr	Graham, John	Hagan, Barbara
Hall, Charles	Hallyburton, Margaret	Hansen, Ryan	Harrington, Paul
Hawkins, Ken	Haytayan, Harry Jr	Hinkle, Peyton	Hopper, Gary
Jean, Claudette	Johnson, Lionel	Katsiantonis, Thomas	Konys, Christine
Kopka, Angeline	Kurk, Neal	L'Heureux, Robert	Lawrence, James
Lefebvre, Roland	Lessard, Rudy	Malloy, Chris	McElroy, Henry Jr
McHugh, Claire	McRae, Karen	Mercer, Robert	Messier, Irene
Milligan, Robert	Mooney, Maureen	Moran, Edward	Mosher, William
Movsesian, Lori	O'Brien, Lori	Pappas, Christopher	Pepino, Leo
Pilotte, Maurice	Price, Pamela	Reeves, Sandra	Rowe, Robert
Schulze, Joan	Shaw, Barbara	Souza, Kathleen	Spiess, Paul
Stepanek, Stephen	Sullivan, Francis	Sullivan, Peter	Tahir, Saghir
Tate, Joan	Vaillancourt, Steve	Wheeler, James	Wheeler, Robert

MERRIMACK

Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
			Daniels, Eric
Clarke, Claire	Colcord, J D	Currier, David	Dunne, Christopher
Davis, Frank	DeJoie, John	DeStefano, Stephen	French, Barbara
Field, William	Foley, Albert	Fraser, Leo Jr	Jacobson, Alf
Gile, Mary	Hamm, Christine	Hess, David	Langer, Ray
Kenison, Leon	Kennedy, Richard	L'Heureux, Stephen	Marple, Richard
Leber, William	Lockwood, Priscilla	MacKay, James	Osborne, Jessie
McCormick, Tom	Nutter, Edward	Oliver, James	Soltani, Tony
Perkins, Randy	Potter, Frances	Rush, Deanna	

Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald	Bicknell, Elbert	Bishop, Franklin	Blanchard, MaryAnn
Bridle, Russell	Cady, Harriet	Camm, Kevin	Carson, Sharon
Casey, Kimberley	Clark, Vivian	Coes, Betsy	Cooney, Richard
Dalrymple, Janeen	DiFruscia, Anthony	Dodge, Robert	Dumaine, Dudley
Dupuis, Roland	Fesh, Bob	Flanders, John Sr	Flayhan, Mary Lou
Francoeur, Sheila	Gilbert, Jeffrey	Gilbert, Karl	Gillick, Thomas
Gleason, John	Gould, Kenneth	Griffin, Mary	Hamel, Albert
Headd, James	Hughes, Daniel	Ingram, Russell	Introne, Robert
Itse, Daniel	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kelley, Jane	Kobel, Rudolph	Langley, Jane
Langone, John	Letourneau, Robert	Major, Norman	Manning, John
McCann, Richard	McEachern, Paul	McKinney, Betsy	McMahon, Charles
Morris, Richard	Norelli, Terie	O'Neil, Michael	Packard, Sherman
Pantelakos, Laura	Pitts, Jacqueline	Priestley, Anne	Quandt, Matthew
Rausch, James	Robertson, Carl	Roessner, Kurt	Scamman, Stella
Shultis, Elizabeth	Smith, Paul	Splaine, James	Stone, Joseph
Tufts, J Arthur	Vallone, Matthew	Varrell, Thomas	Waterhouse, Kevin
Weare, E Albert	Welch, David	Weyler, Kenneth	Wiley, Robert
Zolla, William			

STRAFFORD

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

SULLIVAN

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

NAYS 14

BELKNAP

None

CARROLL

None

CHESHIRE

Liebl, George

COOS

None

GRAFTON

None

HILLSBOROUGH

Adams, Jarvis	Allen, Timothy	Crane, Elenore	Elliott, Larry
		Casey	
Holden, Randolph	Irwin, Anne-Marie	Jasper, Shawn	Leach, Edward
Ross, Lawrence	Slocum, Lee	Sweeney, Cynthia	

MERRIMACK

Reed, Dennis

ROCKINGHAM

Corbin, Corey

STRAFFORD

None

SULLIVAN

None

and the Committee of Conference Report was adopted.

HB 669-FN, relative to dental insurance benefits and eligibility for medical benefits for retired state employees. (Report printed in SJ 6/24/03)
Report adopted.

HB 670-FN, establishing a procedure for release by a state agency of statistical information for research purposes. (Report printed in SJ 6/24/03)
Report adopted.

HB 671-FN-A, establishing a contributory defined benefit judicial retirement plan. (Report printed in SJ 6/24/03)
Report adopted.
Rep. Burling declared a conflict of interest and did not participate.

HB 680-FN, establishing a committee to study service contracts and repealing the law regarding legal services insurance. (Report printed in SJ 6/24/03)
Report adopted.

HB 702-FN, relative to payment of medical benefits costs for disabled group II members of the retirement system. (Report printed in SJ 6/24/03)
Report adopted.

HB 705, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wood poles and conduits. (Report printed in SJ 6/24/03)
Rep. Gibson requested a roll call; sufficiently seconded.
The question being adoption of the Committee of Conference Report.

YEAS 159 NAYS 172

YEAS 159

BELKNAP

Flanders, Donald
Pilliod, James

Holbrook, Robert
Russell, David

Lawton, David
Thomas, John

Neddeau, Stephen
Whalley, Michael

CARROLL

Derby, Mark
Philbrick, Donald

Dickinson, Howard
Stevens, Stanley

Hatch, Paul

Patten, Betsey

CHESHIRE

Allen, Peter
Hunt, John
Mitchell, McKim

Dexter, Judson
Laurent, John
Pratt, Irene

Dunn, James
Manning, Joseph
Royce, H Charles

Eaton, Daniel
Meador, David
Smith, Edwin

Tilton, Anna Webber, Amy Weed, Charles

COOS

Guay, Lawrence King, Frederick Tholl, John Jr

GRAFTON

Akins, Ralph	Almy, Susan	Bleyler, Ruth	Densmore, Edward
Eaton, Stephanie	Giuda, Robert	Ham, Bonnie	Hammond, Lee
Nordgren, Sharon	Scovner, Nancy	Sokol, Hilda	

HILLSBOROUGH

Allan, Nelson	Arnold, Thomas Jr	Baroody, Benjamin	Beaton, William
Brundige, Robert	Buckley, Raymond	Carter, Mark	Chabot, Robert
Christensen, D L	Clemons, Jane	Cote, Peter	Coughlin, Pamela
Chris			
Dokmo, Cynthia	Drisko, Richard	Emerton, Larry	Fields, Dennis
Furman, Christine	Gorman, Mary	Graham, John	Hansen, Ryan
Haytayan, Harry Jr	Hopper, Gary	Jasper, Shawn	Jean, Claudette
Katsiantonis, Thomas	Konys, Christine	Kurk, Neal	Lasky, Bette
Lessard, Rudy	McRae, Karen	Mercer, Robert	Messier, Irene
Moran, Edward	Pappas, Christopher	Pilotte, Maurice	Reeves, Sandra
Rowe, Robert	Stepanek, Stephen	Vaillancourt, Steve	Wheeler, Robert

MERRIMACK

Brueggemann, Donald	Colcord, J D	Daniels, Eric	Dunne, Christopher
Field, William	Fraser, Leo Jr	French, Barbara	Hamm, Christine
Hess, David	Jacobson, Alf	Kenison, Leon	L'Heureux, Stephen
Langer, Ray	Leber, William	Lockwood, Priscilla	MacKay, James
Nutter, Edward	Perkins, Randy	Potter, Frances	Wallner, Mary Jane

ROCKINGHAM

Bridle, Russell	Casey, Kimberley	Clark, Vivian	Cooney, Richard
Dalrymple, Janeen	DiFruscia, Anthony	Dodge, Robert	Flanders, John Sr
Francoeur, Sheila	Gilbert, Jeffrey	Gillick, Thomas	Gleason, John
Gould, Kenneth	Griffin, Mary	Hamel, Albert	Hughes, Daniel
Ingram, Russell	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Kobel, Rudolph	Langone, John	Major, Norman
Norelli, Terie	O'Neil, Michael	Pantelakos, Laura	Priestley, Anne
Rausch, James	Roessner, Kurt	Shultis, Elizabeth	Stone, Joseph
Tufts, J Arthur	Weare, E Albert	Welch, David	Weyler, Kenneth
Winchell, George			

STRAFFORD

Berube, Roger	Creteau, Irene	Dunlap, Patricia	Keans, Sandra
Knowles, William	Miller, Joseph	Musler, George	Smith, Marjorie
Snyder, Clair	Spang, Judith	Twombly, James	Wall, Janet

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Flint, Gordon Sr
Franklin, Peter	Leone, Richard	Rodeschin, Beverly	

NAYS 172

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Boyce, Laurie
Clark, Charles	Fitzgerald, James	Laflam, Robert	Rice, Thomas
Wendelboe, Fran			

CARROLL

Babson, David Jr
Mock, Henry

Brown, Carolyn
Olimpio, J Lisbeth

Kenney, Bettie

Merrow, Harry

CHESHIRE

Batchelder, Robert
Richardson, Barbara

Fish, Douglas
Robertson, Timothy

Liebl, George
Slack, Pamela

Parkhurst, Henry

COOS

Brady, Mark
Stohl, Eric

Poulin, Richard
Theberge, Robert

Pratt, Leighton

Richardson, Herbert

GRAFTON

Alger, John
Gionet, Edmond
Solomon, Peter

Barker, Robert
Ingretson, Paul
Sorg, Gregory

Dorsett, Andrew
Maybeck, Margie
Williams, Burton

Gilman, G Michael
Naro, Debra

HILLSBOROUGH

Adams, Jarvis
Balcom, John
Bouchard, David
Carlson, Donald
Crane, Elenore Casey
Fletcher, Richard
Hagan, Barbara
Hawkins, Ken
Johnson, Lionel
Lefebvre, Roland
Milligan, Robert
O'Brien, Lori
Shaw, Barbara
Sullivan, Francis
Tate, Joan

Allen, Timothy
Barry, J Gail
Brassard, Paul
Carter, Jeffrey
Desmarais, Vivian
Gargas, Carolyn
Hall, Charles
Hinkle, Peyton
Kopka, Angeline
Malloy, Chris
Mooney, Maureen
Price, Pamela
Slocum, Lee
Sullivan, Peter
Wheeler, James

Artz, Lawrence
Batula, Peter
Bruno, Pierre
Christiansen, Lars
Dionne, Kimberley
Gibson, John
Hallyburton, Margaret
Holden, Randolph
L'Heureux, Robert
McElroy, Henry Jr
Mosher, William
Ross, Lawrence
Souza, Kathleen
Sweeney, Cynthia

Balboni, Michael
Bergeron, Jean-Guy
Buhlman, David
Cote, David
Elliott, Larry
Goyette, Peter Jr
Harrington, Paul
Irwin, Anne-Marie
Lawrence, James
McHugh, Claire
Movsesian, Lori
Schulze, Joan
Spiess, Paul
Tahir, Saghir

MERRIMACK

Anderson, Eric
Currier, David
Foley, Albert
Oliver, James
Soltani, Tony

Blanchard, Elizabeth
Davis, Frank
Kennedy, Richard
Osborne, Jessie

Bouchard, Candace
DeJoie, John
Marple, Richard
Reed, Dennis

Clarke, Claire
DeStefano, Stephen
McCormick, Tom
Rush, Deanna

ROCKINGHAM

Belanger, Ronald
Cady, Harriet
Corbin, Corey
Flayhan, Mary Lou
Itse, Daniel
Manning, John
McMahon, Charles
Quandt, Matthew
Splaine, James
Wiley, Robert

Bicknell, Elbert
Camm, Kevin
Dumaine, Dudley
Gilbert, Karl
Johnson, Rogers
McCann, Richard
Morris, Richard
Robertson, Carl
Vallone, Matthew
Zolla, William

Bishop, Franklin
Carson, Sharon
Dupuis, Roland
Headd, James
Langley, Jane
McEachern, Paul
Packard, Sherman
Scamman, Stella
Varrell, Thomas

Blanchard, MaryAnn
Coes, Betsy
Fesh, Bob
Introne, Robert
Letourneau, Robert
McKinney, Betsy
Pitts, Jacqueline
Smith, Paul
Waterhouse, Kevin

STRAFFORD

Bickford, David
Harrington, Michael
Kaen, Naida
Scott, David

Brown, Julie
Heon, Richard
Newton, Clifford
Taylor, Kathleen

Cataldo, Sam
Hofemann, Roland
Rollo, Deanna
Woods, Phyllis

Grassie, Anne
Johnson, Nancy
Schmidt, Peter

SULLIVAN

Donovan, Thomas Ferland, Brenda Harris, Sandra Jones, Constance
Phinizy, James
and the Committee of Conference Report failed.

HB 709-FN, relative to nursing homes in receivership. (Report printed in SJ 6/24/03)
Report adopted.

HB 718-FN, relative to endangering the welfare of a minor and relative to criminal responsibility for the commission of certain acts. (Report printed in SJ 6/24/03)
Report adopted.

HB 733-FN, relative to drivers' licenses held by members of the national guard or military reserve. (Report printed in SJ 6/24/03)
Report adopted.

HB 748, making changes to the laws governing off highway recreational vehicles and the multi-use statewide trail system. (Report printed in SJ 6/24/03)
Report adopted.

HB 751-FN-L, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants. (Report printed in SJ 6/24/03)
Report adopted.

HB 768, establishing a committee to study the flow in the Connecticut River and the effect of the flow on water levels in Lake Francis and the Connecticut Lakes, and to study the use of certain state-owned property along the Baker River. (Report printed in SJ 6/24/03)
Report adopted.

HB 773, establishing a committee to study a tuition tax credit program. (Report printed in SJ 6/24/03)
Report adopted.

HB 796-FN-L, relative to the taxation of manufactured housing. (Report printed in SJ 6/24/03)
Rep. Soltani spoke against.
Rep. Hunt spoke in favor.
On a division vote, 175 members having voted in the affirmative and 154 in the negative, the Committee of Conference Report was adopted.

HB 798, relative to gifts by fiduciaries. (Report printed in SJ 6/24/03)
Report adopted.

HB 811, relative to limiting the liability of manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from misuse. (Report printed in SJ 6/24/03)
Rep. Boyce requested a roll call; sufficiently seconded.
The question being adoption of the Committee of Conference Report.

YEAS 259 NAYS 71

YEAS 259

BELKNAP

Ahern, Omer Jr Allen, Janet Boyce, Laurie Clark, Charles

Fitzgerald, James
Lawton, David
Russell, David

Flanders, Donald
Nedeau, Stephen
Thomas, John

Holbrook, Robert
Pilliod, James
Wendelboe, Fran

Laflam, Robert
Rice, Thomas
Whalley, Michael

CARROLL

Babson, David Jr
Hatch, Paul
Patten, Betsey

Brown, Carolyn
Kenney, Bettie
Philbrick, Donald

Derby, Mark
Merrow, Harry
Stevens, Stanley

Dickinson, Howard
Mock, Henry

CHESHIRE

Allen, Peter
Laurent, John
Royce, H Charles

Dexter, Judson
Liebl, George
Smith, Edwin

Eaton, Daniel
Manning, Joseph
Tilton, Anna

Hunt, John
Parkhurst, Henry

COOS

Brady, Mark
Pratt, Leighton

Guay, Lawrence
Richardson, Herbert

King, Frederick
Stohl, Eric

Poulin, Richard
Tholl, John Jr

GRAFTON

Akins, Ralph
Dorsett, Andrew
Giuda, Robert
Sorg, Gregory

Alger, John
Eaton, Stephanie
Ham, Bonnie
Williams, Burton

Almy, Susan
Gilman, G Michael
Ingbretson, Paul

Barker, Robert
Gionet, Edmond
Maybeck, Margie

HILLSBOROUGH

Adams, Jarvis
Artz, Lawrence
Barry, J Gail
Bouchard, David
Buhlman, David
Christensen, D L
Chris
Desmarais, Vivian
Emerton, Larry
Gibson, John
Hall, Charles
Hawkins, Ken
Hopper, Gary
Kurk, Neal
Lefebvre, Roland
McRae, Karen
Mooney, Maureen
O'Brien, Lori
Rowe, Robert
Spiess, Paul
Tate, Joan

Allan, Nelson
Balboni, Michael
Batula, Peter
Brassard, Paul
Carlson, Donald
Christiansen, Lars

Dionne, Kimberley
Fields, Dennis
Goyette, Peter Jr
Hallyburton, Margaret
Haytayan, Harry Jr
Infantine, William
L'Heureux, Robert
Lessard, Rudy
Mercer, Robert
Moran, Edward
Price, Pamela
Shaw, Barbara
Stepanek, Stephen
Vaillancourt, Steve

Allen, Timothy
Balcom, John
Beaton, William
Brundige, Robert
Carter, Jeffrey
Coughlin, Pamela

Drisko, Richard
Furman, Christine
Graham, John
Hansen, Ryan
Hinkle, Peyton
Jasper, Shawn
Lawrence, James
McElroy, Henry Jr
Messier, Irene
Mosher, William
Reeves, Sandra
Slocum, Lee
Sweeney, Cynthia
Wheeler, James

Arnold, Thomas Jr
Baroody, Benjamin
Bergeron, Jean-Guy
Bruno, Pierre
Carter, Mark
Crane, Elenore
Casey
Elliott, Larry
Gargasz, Carolyn
Hagan, Barbara
Harrington, Paul
Holden, Randolph
Johnson, Lionel
Leach, Edward
McHugh, Claire
Milligan, Robert
Movsesian, Lori
Ross, Lawrence
Souza, Kathleen
Tahir, Saghir
Wheeler, Robert

MERRIMACK

Anderson, Eric
Currier, David
Field, William
Hess, David
Langer, Ray
Marple, Richard
Reed, Dennis

Blanchard, Elizabeth
Daniels, Eric
Foley, Albert
Kenison, Leon
Leber, William
McCormick, Tom
Soltani, Tony

Clarke, Claire
DeStefano, Stephen
Fraser, Leo Jr
Kennedy, Richard
Lockwood, Priscilla
Nutter, Edward

Colcord, J D
Dunne, Christopher
Hager, Elizabeth
L'Heureux, Stephen
MacKay, James
Oliver, James

ROCKINGHAM

Belanger, Ronald
Cady, Harriet

Bicknell, Elbert
Camm, Kevin

Bishop, Franklin
Carson, Sharon

Bridle, Russell
Clark, Vivian

Coes, Betsy
Dodge, Robert
Flanders, John Sr
Gilbert, Karl
Hamel, Albert
Introne, Robert
Katsakiores, George
Langley, Jane
Manning, John
Morris, Richard
Quandt, Matthew
Scamman, Stella
Varrell, Thomas
Weyler, Kenneth

Cooney, Richard
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas
Headd, James
Itse, Daniel
Katsakiores, Phyllis
Langone, John
McCann, Richard
O'Neil, Michael
Rausch, James
Smith, Paul
Waterhouse, Kevin
Wiley, Robert

Dalrymple, Janeen
Dupuis, Roland
Francoeur, Sheila
Gleason, John
Hughes, Daniel
Johnson, Robert
Kelley, Jane
Letourneau, Robert
McKinney, Betsy
Packard, Sherman
Robertson, Carl
Stone, Joseph
Weare, E Albert
Winchell, George

DiFruscia, Anthony
Fesh, Bob
Gilbert, Jeffrey
Griffin, Mary
Ingram, Russell
Johnson, Rogers
Kobel, Rudolph
Major, Norman
McMahon, Charles
Priestley, Anne
Roessner, Kurt
Tufts, J Arthur
Welch, David
Zolla, William

STRAFFORD

Berube, Roger
Creteau, Irene
Hofemann, Roland
Miller, Joseph
Spang, Judith

Bickford, David
Dunlap, Patricia
Johnson, Nancy
Musler, George
Taylor, Kathleen

Brown, Julie
Harrington, Michael
Kaen, Naida
Newton, Clifford
Twombly, James

Cataldo, Sam
Heon, Richard
Knowles, William
Scott, David
Woods, Phyllis

SULLIVAN

Allison, David
Harris, Sandra
Rodeschin, Beverly

Cloutier, John
Jones, Constance

Ferland, Brenda
Leone, Richard

Flint, Gordon Sr
Phinizy, James

NAYS 71

BELKNAP

None

CARROLL

Olimpio, J Lisbeth

CHESHIRE

Batchelder, Robert
Mitchell, McKim
Slack, Pamela

Dunn, James
Pratt, Irene
Webber, Amy

Fish, Douglas
Richardson, Barbara
Weed, Charles

Meador, David
Robertson, Timothy

COOS

Mears, Edgar

Theberge, Robert

GRAFTON

Bleyler, Ruth
Scovner, Nancy

Densmore, Edward
Sokol, Hilda

Hammond, Lee
Solomon, Peter

Nordgren, Sharon

HILLSBOROUGH

Buckley, Raymond
Dokmo, Cynthia
Jean, Claudette
Lasky, Bette
Schulze, Joan

Clemons, Jane
Fletcher, Richard
Katsiantonis, Thomas
Malloy, Chris
Sullivan, Francis

Cote, David
Gorman, Mary
Konys, Christine
Pappas, Christopher
Sullivan, Peter

Cote, Peter
Irwin, Anne-Marie
Kopka, Angeline
Pilotte, Maurice

MERRIMACK

Bouchard, Candace

Brueggemann,
Donald

Davis, Frank

DeJoie, John

French, Barbara
Perkins, Randy

Hamm, Christine
Potter, Frances

Jacobson, Alf
Rush, Deanna

Osborne, Jessie
Wallner, Mary Jane

ROCKINGHAM

Blanchard, MaryAnn
Norelli, Terie
Splaine, James

Casey, Kimberley
Pantelakos, Laura
Vallone, Matthew

Gould, Kenneth
Pitts, Jacqueline

McEachern, Paul
Shultis, Elizabeth

STRAFFORD

Keans, Sandra
Snyder, Clair

Rollo, Deanna
Wall, Janet

Schmidt, Peter

Smith, Marjorie

SULLIVAN

Burling, Peter
and the Committee of Conference was adopted.

HB 817, relative to the regulation of first and second mortgage brokers and mortgage servicers. (Report printed in SJ 6/24/03)
Report adopted.

RECONSIDERATION

Having voted on the prevailing side, Rep. Mock moved that the House reconsider its action whereby it failed to adopt the Committee of Conference Report on **HB 705**, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits.
Reps. Hess and Burling spoke in favor.
Adopted.

HB 705, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wood poles and conduits. (Report printed in SJ 6/24/03)
Rep. Hess spoke in favor.
Committee of Conference Report adopted.

SUSPENSION OF RULES

Reps. Hess and Burling moved that the deadline in House Rule 64, of Tuesday, June 24th, as the last day for introduction of supplemental bills, be suspended.
Adopted by the necessary two-thirds.

AMENDMENT TO HOUSE RULES

Reps. Hess and Burling moved that the House adopt the Amendment to House Rule 64, adding deadlines for legislative action in the second-year session for reporting of and action on retained and supplemental bills.
Adopted by the necessary two-thirds.

Add the following to House Rule 64:

Wednesday, December 3, 2003	Last day to report retained House and Senate bills.
Wednesday, January 7, 2004	First session day.
Thursday, January 29, 2004	Last day to report supplemental House bills going to a second committee.
Thursday, February 5, 2004	Last day to act on retained House and Senate bills and supplemental House bills going to a second committee.
Thursday, March 11, 2004	Last day to report all remaining supplemental House bills.
Thursday, March 18, 2004	CROSSOVER. Last day to act on all remaining retained bills and supplemental House bills.

PERSONAL PRIVILEGE

Reps. Thomas and Soltani addressed the House.

Rep. Patten moved that the remarks of Rep. John Thomas be entered in the Journal.
Adopted.

REMARKS

Rep. John Thomas: House Bill 787 originally came to the House in the last session as House Bill 1447. Because of certain issues that were not resolvable in the committee, House Bill 1447 was turned into a study committee to save the bill. The results of that study committee was a recommendation which was basically the same bill. Therefore, House Bill 787 was introduced.

After many long hearings and testimony from state agencies, the Governor, members of the New Hampshire Timberland Owners Association, loggers and electric utilities, the House Science, Technology and Energy Committee agreed to re-write the legislation.

As Whitefield is, in the eyes of the committee, no longer in the same position as the other wood burning plants who are operating profitable and are under rate orders, there were six requirements that the legislation had to meet. These were:

1. The bill had to be Whitefield specific. As stated, the other plants are currently operating in the black. The committee felt that as the Whitefield plant received a \$40 million buyout of its rate order and said rate order no longer exists, it is a much different facility than the other plants.
2. The books of the facility had to be open. The committee feels that any entity taking ratepayer money shall have full financial oversight. The difference between the funding mechanisms and rate orders is that all ratepayers will be affected, not just Public Service of New Hampshire ratepayers.
3. The bill did not raise rates, hence the revenue would come from the energy efficiency part of the existing systems benefit charge.
4. There would be a sunset date bringing it more in line with the expiration of the rate orders of the other plants. The thought for this was, we wouldn't have to deal with each plant individually, but as a group.
5. There would be an economic development component by the inclusion of Department of Resources and Economic Development in the process so that working with chambers of commerce, economic development organizations and trade groups, markets for low grade wood could be explored and utilized to the fullest benefit of that economic sector. It cannot be stated strongly enough that the committee's prime concern was the survival and enhancement of the logging and other segments of the wood products industry, not the plant itself.
6. Trading credits were included to maximize sales revenues. The age of the plant was also a consideration.

The Senate amendment attempted to treat Whitefield like the other plants operating under a rate order. Their books would not be open. They would have an opt-out provision allowing them to take subsidies when the market price was low and then leave the program when the market was favorable. The amount of the subsidy was 80% higher than the House position, contrary to what the committee was told was needed to keep the plant open. The Senate version also increased the rate by connecting it to the consumer price index, thereby giving the Whitefield plant an unfair advantage over the other power producers.

The House conferees had the same concerns about the amendment as the members of the Senate policy and Finance committees which rejected attempts to change the House version. To save the bill, House Leadership asked the Senate to accept the amendment, hence the committee of conference.

As previously stated, by not being able to reach an agreement on the differences, the House and Senate conferees agreed to disagree.

As you know, without agreement in the committee of conference there is no blurb, so I use this opportunity to set the record straight as to the negative press my committee has received on this issue by some members of the media and certain trade publications. You also probably know the old saying of, "Shot at and missed, bleep, bleep and hit." Well, on occasion I've felt like I've been hit both times so it doesn't bother me so much if on wants to spread untruths about me. I do take exception to one spreading untruths about my committee. They all worked very hard on this issue and had to make decisions that I know they were not totally comfortable with. So I say to those that I mentioned, do as you wish to me but leave my committee alone.

UNANIMOUS CONSENT

Rep. Burling addressed the House.

RECESS MOTION

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

Adopted.

The House recessed to the Call of the Chair at 5:25 p.m.

RECESS

(Rep. Francoeur in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1.

Rep. Letourneau for the Committee

RECESS

(Rep. Giuda in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 47.

Rep. Letourneau, Sen. Clegg for the Committee

RECESS

(Rep. Rogers Johnson in the Chair)

ENROLLED BILL AMENDMENT

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures

Amendment (2276-EBA)

Amend RSA 188-D:18-a as inserted by section 3 of the bill by replacing line 6 with the following:

programs at the regional community-technical institute and colleges. To address this

Amend RSA 188-D:18-e, II-b as inserted by section 5 of the bill by replacing line 1 with the following:

II-b. Licensed nursing assistants and medication nursing assistants shall be eligible to apply

Amend RSA 162-L:11, V as inserted by section 13 of the bill by replacing line 1 with the following:

V. "Federal act" means Title I of the Housing and Community Development Act of 1974, as amended,

Amend RSA 162-L:15, II as inserted by section 13 of the bill by replacing line 1 with the following:

II. The committee shall consist of 10 voting members as follows:

Amend RSA 162-L:18, I(b) as inserted by section 13 of the bill by replacing line 1 with the following:

(b) Limit the availability of payments under this subdivision under such conditions as the

Amend RSA 162-N:2 as inserted by section 47 of the bill by replacing line 2 with the following:

state jobs grant fund. The state jobs grant fund shall be administered by the commissioner and

Amend RSA 162-N:3, II(a) as inserted by section 47 of the bill by replacing line 1 with the following:

(a) Up to \$1,000 per job created at a wage which is at least 1 $\frac{3}{4}$

Amend RSA 162-N:3, II(f) as inserted by section 47 of the bill by replacing line 2 with the following:

more above the 2003 minimum wage.

Amend RSA 162-N:3, IV as inserted by section 47 of the bill by replacing line 3 with the following:

jobs grant fund on a pro-rated share basis for the amount of the 5-year period when the job does not

Amend RSA 290:1 as inserted by section 66 of the bill by replacing line 6 with the following: provided in RSA 5-C:7. The cause or causes of death shall be printed or typed on all records required

Amend RSA 126:24-e, I as inserted by section 77 of the bill by replacing line 2 with the following:

attached, pursuant to RSA 21-G:10, to the department to review requests for vital records

Amend section 105 of the bill by replacing line 1 with the following:

105 Department of Safety; Fire Standards and Training Commission. Amend RSA 21-P:26, I to

Amend RSA 21-P:36, II as inserted by section 108 of the bill by replacing line 7 with the following:

as provided for personnel of other state agencies. With the approval of the [director] **assistant commissioner**, the

Amend RSA 21-P:48, I(h) as inserted by section 113 of the bill by replacing it with the following:

(h) The director of the governor's [energy] office **of state planning and energy programs**.

Amend the bill by replacing section 131 with the following:

131 Repeal. The following are repealed:

I. RSA 21-P:12, V, relative to oversight of the office of emergency management by the state fire marshal.

II. RSA 21-P:35, II, relative to the coordinator of emergency management.

III. RSA 21-P:37, V, relative to the delegation of administrative authority to the coordinator of emergency management.

IV. RSA 106-H:4, relative to the administrative attachment of the bureau of emergency communications to the office of the commissioner of the department of administrative services.

V. RSA 106-H:7, relative to rulemaking authority of the bureau of emergency communications.

Amend section 157 of the bill by replacing lines 2-3 with the following:

any other act of the 2003 legislative session, then section 156 of this act shall take effect. If RSA 4-D is not enacted by HB 663-FN-A or by any other act of the 2003 legislative session, then section 156 of

Amend the bill by replacing all after section 174 with the following:

175 Appointment Change. RSA 5-C:24, I(h) is repealed and reenacted to read as follows:

(h) The chief information officer, office of information technology, or designee.

176 Contingency. If HB 663-FN-A-LOCAL of the 2003 session becomes law, then section 175 of this act shall take effect July 1, 2003 at 12:01 a.m. If HB 663-FN-A-LOCAL does not become law, then section 175 of this act shall not take effect.

177 Name Change. Amend RSA 216-J:2, I(g) to read as follows:

(g) The director of the office of state planning *and energy programs*, or designee.

178 Effective Date.

I. Sections 12, 25, 34, 134, 135, 171, and 174 of this act shall take effect June 30, 2003.

II. Sections 21 and 22 of this act shall take effect as provided in section 24 of this act.

III. Sections 31, 99-132, 133, 138-143, and 146-150 of this act shall take effect upon its passage.

IV. Sections 80-98, and 172 of this act shall take effect January 1, 2004.

V. Section 152 of this act shall take effect June 30, 2005.

VI. Section 156 of this act shall take effect as provided in section 157 of this act.

VII. Section 175 of this act shall take effect as provided in section 176 of this act.

VIII. The remainder of this act shall take effect July 1, 2003.

Adopted.

RECESS

(Rep. Francoeur in the Chair)

ENROLLED BILL AMENDMENT

HB 663-FN-A-L, relative to county and state funding of long-term care medicaid programs.

Amendment (2277-EBA)

Amend RSA 28-B:3, II as inserted by section 2 of the bill by replacing line 4 with the following:

services by the division for children, youth, and families, and the division of juvenile justice services,

Amend RSA 28-B:3, V as inserted by section 2 of the bill by replacing line 3 with the following:
under RSA 167-18-b, IV.

Amend section 9 of the bill by replacing line 1 with the following:

9 New Chapter; Nursing Facility Quality Assessment. Amend RSA by inserting after chapter 84-B

Amend RSA 151-E:14 as inserted by section 11 of the bill by replacing line 2 with the following:
facility trust fund for the receipts from the nursing facility quality assessment under RSA 84-C:3,

Amend RSA 21-J:31 as inserted by section 12 of the bill by replacing line 7 with the following:
RSA 77-E:8, RSA 83-C:6, RSA 83-E:5 [oe], RSA 84-A:7, ***or RSA 84-C:7***, or the failure to file was due to

Amend the bill by replacing all after section 24 with the following:

25 Contingency. If HB 2-FN-A of the 2003 legislative session becomes law, section 22 of this act shall not take effect. If HB 2-FN-A does not become law, section 22 of this act shall

take effect on July 1, 2003.

26 Effective Date.

I. Section 8 of this act shall take effect June 30, 2003.

II. Paragraph I of section 17 of this act shall take effect as provided in section 18 of this act.

III. Section 22 of this act shall take effect as provided in section 25 of this act.

IV. The remainder of this act shall take effect July 1, 2003.

Adopted.

RECESS

(Rep. Rogers Johnson in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 2 and 663.

Rep. Letourneau, Sen. D'Allesandro for the Committee

RECESS

(Rep. Major in the Chair)

ENROLLED BILL AMENDMENTS

HB 105, relative to sexual assaults committed by corrections officers, probation and parole officers, and juvenile probation and parole officers against individuals under their supervision, making a technical correction, and permitting the court to prohibit visitation between a parent convicted of sexual abuse or sexual assault against a minor child or stepchild and a sibling or step-sibling of the victim.

Amendment (2271-EBA)

Amend the bill by replacing section 7 with the following:

7 Contingency. If HB 278-FN of the 2003 regular legislative session becomes law, section 9 of this act shall take effect January 1, 2004 at 12:01 a.m. If HB 278-FN of the 2003 regular legislative session does not become law, section 9 of this act shall not take effect. Amend RSA 458:17, IV-a as inserted by section 8 of the bill by replacing line 6 with the following:

XXVII-a, and "sexual assault" shall mean sexual assault as provided in RSA 632-A:2, RSA 632-A:3,

Amend the bill by replacing all after section 8 with the following:

9 Sexual Assault and Related Offenses; Sexual Assault. RSA 632-A:4 is repealed and reenacted to read as follows:

632-A:4 Sexual Assault.

I. A person is guilty of a class A misdemeanor under any of the following circumstances:

(a) When the actor subjects another person who is 13 years of age or older to sexual contact under any of the circumstances named in RSA 632-A:2.

(b) In the absence of any of the circumstances set forth in RSA 632-A:2, when the actor engages in sexual penetration with a person, other than the actor's legal spouse, who is 13 years of age or older and under 16 years of age where the age difference between the actor and the other person is 4 years or less.

II. A person found guilty under subparagraph I(b) of this section shall not be required to register as a sexual offender under RSA 651-B.

III. A person is guilty of a misdemeanor if such person engages in sexual contact or sexual penetration with another person when the actor is in a position of authority over the

person under any of the following circumstances:

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

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

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

10 Effective Date.

I. Section 9 of this act shall take effect as provided in section 7 of this act.

II. Sections 7 and 8 of this act shall take effect upon its passage.

III. Section 6 of this act shall take effect January 1, 2004 at 12:01 a.m.

IV. The remainder of this act shall take effect January 1, 2004.

Adopted.

HB 521-FN, relative to requiring treatment for persons convicted of DWI offenses.

Amendment (2268-EBA)

Amend RSA 263:65-a, V as inserted by section 8 of the bill by replacing line 1 with the following:

V. A person shall be presumed to have furnished proof of successful completion of an impaired

Amend RSA 265:82-b, IV(d) as inserted by section 9 of the bill by replacing line 1 with the following:

(d) A person shall be presumed to have furnished proof of successful completion of an

Adopted.

HB 598-FN-A, relative to the agriculture nutrient management program and making an appropriation therefor.

Amendment (2256-EBA)

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

AN ACT relative to the agricultural nutrient management program and making an appropriation therefor.

Amend section 1 of the bill by replacing line 1 with the following:

1 Appropriation.

Adopted.

HB 633-FN, establishing the interstate compact for adult offender supervision.

Amendment (2248-EBA)

Amend RSA 651-A:26, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. "Bylaws" mean those bylaws established by the interstate commission for its

Amend RSA 651-A:27, III as inserted by section 1 of the bill by replacing line 6 with the following:

The interstate commission may provide in its bylaws for such additional, exofficio, non-voting

Amend RSA 651-A:27, IV as inserted by section 1 of the bill by replacing line 3 with the following:

transaction of business, unless a larger quorum is required by the bylaws of the interstate

Amend RSA 651-A:27, VI as inserted by section 1 of the bill by replacing lines 7 and 8 with the following:

provisions of the compact, its bylaws and as directed by the interstate commission and

performs other duties as directed by the commission or set forth in the bylaws.
Amend RSA 651-A:28, III as inserted by section 1 of the bill by replacing line 2 with the following:
terms of this compact and any bylaws adopted and rules adopted by the compact commission.
Amend RSA 651-A:28, IV as inserted by section 1 of the bill by replacing line 2 with the following:
bylaws, using all necessary and proper means, including but not limited to, the use of judicial
Amend RSA 651-A:29, II as inserted by section 1 of the bill by replacing line 1 with the following:
II. Establishing an executive committee and such other committees as may be necessary;
Amend RSA 651-A:29, VI as inserted by section 1 of the bill by replacing line 4 with the following:
programs of the interstate commission;
Amend RSA 651-A:29, VIII as inserted by section 1 of the bill by replacing line 1 with the following:
VIII. Providing transition rules for start up administration of the compact; and
Amend RSA 651-A:31, V as inserted by section 1 of the bill by replacing line 1 with the following:
V. The interstate commission's bylaws shall establish conditions and procedures under
Amend RSA 651-A:33, V as inserted by section 1 of the bill by replacing line 1 with the following:
V. The interstate commission shall enact a law or adopt a rule providing for both mediation
Adopted.

HB 646-FN, relative to liquor licenses and fees.

Amendment (2105-EBA)

Amend RSA 78-A:3, X(c)(7) as inserted by section 1 of the bill by replacing it with the following:

(7) Meals prepared and sold by nonprofit organizations other than educational institutions. However, if the nonprofit organization is required to have a license issued by the liquor commission other than licenses issued pursuant to RSA ~~[178:20, V(l)]~~ **178:22, V(l)** for 3 or fewer days per year, the meals are taxable meals;
Amend RSA 178:12, V as inserted by section 13 of the bill by replacing line 1 with the following:

V. Beverage manufacturers shall pay a fee as required by RSA 178:26 for each gallon of

Amend RSA 178:13, II as inserted by section 13 of the bill by replacing line 4 with the following:

beverage and liquor as permitted by RSA 178:21, II(a)(l) and RSA 178:22, V(q).

Amend RSA 178:22, V(h)(1) as inserted by section 13 of the bill by replacing line 11 with the following:

, V(h)(9)(B)-(C), and V(h)(10)-(12).

Amend RSA 178:22, V(n)(2) as inserted by section 13 of the bill by replacing line 3 with the following:

the cocktail lounge definition of RSA 175:1, XXIII and requirements under RSA 178:22, V(n)(1) to sell

Amend the bill by replacing section 57 with the following:

57 Effective Date.

I. Section 1 of this bill shall take effect July 1, 2003, at 12:01 a.m.

II. Section 54 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect July 1, 2003.
Adopted.

HB 677-FN, increasing the number of reserved student slots in medical programs, establishing a reduction of medical indebtedness program for physicians who practice in underserved areas, and making an appropriation therefor.

Amendment (2272-EBA)

Amend RSA 200-J:2, IV as inserted by section 3 of the bill by replacing line 2 with the following:
enrollment of not more than 5 students each for veterinary~~[-medical]~~ and optometric school for each class year,
Adopted.

HB 719-FN-A, relative to the duties, function, and operation of the Pease development authority.

Amendment (2262-EBA)

Amend 2001, 290:1-a as inserted by section 1 of the bill by replacing line 1 with the following:

290:1-a Department of Resources and Economic Development Rules Relative to

Amend 2001, 290:1-a as inserted by section 1 of the bill by replacing line 4 with the following:

Hampton Harbor shall remain in effect until amended or superseded by rules of the Pease

Amend RSA 12-G:50-a, III(b) as inserted by section 16 of the bill by replacing line 3 with the following:

assistant harbor master to secure such vessel to such mooring; or

Amend RSA 12-G:52-b, I as inserted by section 16 of the bill by replacing line 3 with the following:

RSA 12-G:50-a or any rule adopted pursuant to this chapter. All reasonable charges for such

Amend RSA 12-G:52-b, V as inserted by section 16 of the bill by replacing line 6 with the following:

storage, and shall obtain release of the lien identified in paragraph I. Any money received by
Adopted.

RECESS

(Rep. Daniel Eaton in the Chair)

ENROLLED BILL AMENDMENT

HB 25-FN-A, making appropriations for capital improvements.

Amendment (2278-EBA)

Amend paragraph LXXXVIII as inserted by section 34 of bill by replacing line 2 with the following:

regional vocational center renovation – Keene

Adopted.

RECESS