HOUSE RECORD

First Year of the 159th General Court
Calendar and Journal of the 2005 Session

Vol. 27 Concord, N. H. Wednesday, January 5, 2005 No. 12

HOUSE JOURNAL No. 1(cont.)

(Wednesday, December 1, 2005)

Rep. O'Neil moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 2

(Wednesday, January 5, 2005)

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

Prayer was offered by House Chaplain, The Reverend Hays M. Junkin, Rector of Saint Andrew's Episcopal Church in Hopkinton.
Lord of all Creation, as we begin a new year, our hearts and prayers are with all those who have lost their lives, homes, loved ones, health and occupations in the tragedy of the South Asia tsunami. May we, by our example, empower each and every citizen of our beloved New Hampshire to join in the tsunami of compassion from around the world that seeks to comfort all those who are suffering. Bless the work of the honorable House today. Bless those who stand guard to protect us, and receive those who have given their lives that we may remain free. Amen.

Rep. Matthew J. Quandt led the Pledge of Allegiance.

The National Anthem was sung by Tori Caruso, an 8th grade student at Whitefield Elementary School in Twin Mountain.

LEAVES OF ABSENCE

Reps. Dyer and Stepanek, the day, illness.

Reps. Stephanie Eaton, Hilliard, Klose, Parker, Pelkey, Reeves, Serlin and Sorg, the day, important business.
Rep. Butynski, the day, illness in the family.

INTRODUCTION OF GUESTS

Bruce and Allison, Christopher and David Scamman; son, daughter-in-law, and grandsons of the Speaker and Rep. Stella Scamman.
Honorable William Craig, former member from Manchester, father of Rep. Craig.
Frank and Roxanne Caruso, parents of today's singer, guests of the House.

COMMUNICATION

December 15, 2005

Karen Wadsworth, Clerk of the House
The following representatives-elect were sworn into office by the Governor and Executive Council on December 15, 2004.
Grafton County District 8, Burton W. Williams, r&d, Bristol (222 Cardigan Mountain Road) 03222
Grafton County District 9, Sharon Nordgren, d, Hanover (23 Rope Ferry Road) 03755
Hillsborough County District 7, Robert L. Wheeler, r&d, Goffstown (PO Box 455) 03045
Hillsborough County District 18, Edward P. Moran, r, Bedford (19 Ministerial Road) 03110
Hillsborough County District 22, David L. Smith, d, Nashua (12 Gettysburg Drive) 03064-1235
Hillsborough County District 27, Peter R. Goyette, Jr., r, Hudson (6 Linda Street) 03051
Merrimack County District 6, Roger G. Wells, r&d, Hampstead (4 Fieldstone Drive) 03841
Rockingham County District 9, Robert K. Dodge, r, Fremont (92 Bean Road #3) 03044
Strafford County District 4, Katherine L. Taylor, d, Dover (5 Country Club Estates) 03820

Sincerely,
William M. Gardner, Secretary of State

RESOLUTION

Reps. O'Neil and Craig offered the following:
RESOLVED, that the House of Representatives inform the Honorable Senate it is ready to meet in Joint Convention for the purpose of canvassing the votes for Governor and Executive Council.
Adopted.

SENATE MESSAGE

The Senate is ready to meet with the House of Representatives in Joint Convention for the purpose of canvassing the votes for Governor and Council.

JOINT CONVENTION

(Speaker Scamman presiding)

RESOLUTION

Rep. O'Neil and Sen. Clegg offered the following:
RESOLVED, that the Honorable Deputy Secretary of State be requested to lay before the Joint Convention the return votes for Governor and Executive Council.
Adopted.

In accordance with Article 42, Part 2 of the New Hampshire Constitution, David M. Scanlan, Deputy Secretary of State, appeared before the Joint Convention and presented the return votes for Governor and the Executive Council cast in the General Election held November 2, 2004 as follows:

FOR GOVERNOR

	John H. Lynch, d	**Craig R. Benson, r**
Belknap	14,304	17,598
Carroll	12,003	15,797
Cheshire	24,085	16,225
Coos	8,884	7,790
Grafton	24,671	20,375
Hillsborough	94,344	100,867
Merrimack	45,403	30,443
Rockingham	75,885	80,174
Strafford	31,912	26,261
Sullivan	11,436	9,984
TOTALS	339,927	325,514

John H. Lynch, having a plurality of 14,413 votes, was elected.

FOR EXECUTIVE COUNCILORS

First District

Raymond S. Burton, r&d	117,952

Second District

Peter J. Spaulding, r	67,696
John D. Shea, d	57,430
Plurality for Spaulding	10,266

Third District

Ruth L. Griffin, r&d	117,002

Fourth District

Raymond J. Wieczorek, r,	65,185
Raymond Buckley, d	50,562
Plurality for Wieczorek	14,623

Fifth District

Debora B. Pignatelli, d	64,430
David Wheeler, r	57,870
Plurality for Pignatelli	6,560

RESOLUTION

Rep. O'Neil and Sen. Clegg offered the following:
RESOLVED, that the vote for Governor and Executive Council be referred to a committee consisting of two on the part of the Senate and three on the part of the House to compare and count the same and report thereon.
Adopted.
The Chair appointed Reps. Dickinson, Robert A. Johnson and Lefebvre and Sens. Clegg and Larsen.

Sen. Clegg and Rep. O'Neil moved that the Joint Convention arise.
Adopted.
The Joint Convention adjourned.

(Speaker Scamman in the Chair)

The Speaker reconvened the House and addressed the members.

RESOLUTION

Rep. O'Neil offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 137 through 161, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.
Adopted.

INTRODUCTION OF HOUSE BILLS
First, second reading and referral

HB 137-FN, relative to unemployment benefit eligibility. (Bishop, Rock 2; Nowe, Rock 9; Weldy, Rock 2; Forsing, Rock 2: Labor, Industrial and Rehabilitative Services)

HB 138-FN, requiring medical examiners to inventory and account for property taken from decedents. (Welch, Rock 8; Charron, Rock 7: Criminal Justice and Public Safety)

HB 139, authorizing the establishment of a moose permit raffle by the fish and game department. (R. L'Heureux, Hills 19; Gorman, Hills 23; Reed, Merr 2; Roberge, Dist 9; Gallus, Dist 1: Fish and Game)

HB 140, prohibiting the use of drugs and poisons in hunting. (R. L'Heureux, Hills 19; Gorman, Hills 23; Reed, Merr 2; Roberge, Dist 9; Gallus, Dist 1: Fish and Game)

HB 141-L, relative to the planning board's authority to limit building permits. (W. P. Campbell, Straf 3: Municipal and County Government)

HB 142, establishing a commission to study changing the local property tax abatement procedures. (Cady, Rock 1; Bicknell, Rock 1; Souza, Hills 11; Cataldo, Straf 3: Municipal and County Government)

HB 143, relative to real estate appraisals. (Scanlon, Hills 18: Commerce)

HB 144-L, relative to special elections for municipal charter amendments. (Scanlon, Hills 18; Moran, Hills 18: Municipal and County Government)

HB 145, relative to the healthy kids corporation. (Hunt, Ches 7; O'Neil, Rock 15; Estabrook, Dist 21: Commerce)

HB 146, establishing a commission to study health care delivery at the Veterans Administration Hospital. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8; Introne, Rock 3; Albert, Straf 1; Hassan, Dist 23: State-Federal Relations and Veterans Affairs)

HB 147, relative to the death penalty. (Vaillancourt, Hills 15; Pilliod, Belk 5; Splaine, Rock 16: Criminal Justice and Public Safety)

HB 148, transferring the New Hampshire estuaries project from the department of environmental services to the university of New Hampshire. (Gillick, Rock 15; Weare, Rock 14; M. Blanchard, Rock 16; S. Francoeur, Rock 15; Fuller Clark, Dist 24: Resources, Recreation and Development)

HB 149-FN, prohibiting the use or installation of radar scrambler devices in motor vehicles. (P. Smith, Rock 3; Dumaine, Rock 3; Waterhouse, Rock 4; Bettencourt, Rock 4: Transportation)

HB 150, defining truancy. (Snyder, Straf 2: Education)

HB 151, requiring school districts to develop a school age nutrition and physical activity committee. (Price, Hills 26; French, Merr 5; Miller, Straf 7; Carter, Hills 3; Foster, Dist 13; Larsen, Dist 15; Odell, Dist 8: Education)

HB 152-FN, requiring heating oil sellers to purchase biodiesel. (W. P. Campbell, Straf 3;

Essex, Hills 1; Rous, Straf 7; Flanders, Dist 7: Science, Technology and Energy)
HB 153-FN, relative to the collection of debts owed to the state. (Mooney, Hills 19; R. L'Heureux, Hills 19; Hinkle, Hills 19; Gibson, Hills 19; Roberge, Dist 9; D'Allesandro, Dist 20: Executive Departments and Administration)
HB 154, relative to changes of party registration on primary day. (Hunter, Hills 7; Manney, Hills 7: Election Law)
HB 155, relative to bail conditions. (Dumaine, Rock 3; Hagan, Hills 17: Judiciary)
HB 156, relative to licensing private investigators. (Dumaine, Rock 3; Hagan, Hills 17: Executive Departments and Administration)
HB 157, establishing a study committee to review contracting practices for public works. (Infantine, Hills 13; Slocum, Hills 6; Graham, Hills 18: Public Works and Highways)
HB 158, relative to the Auburn District Court. (Weldy, Rock 2; Bishop, Rock 2; Forsing, Rock 2; Nowe, Rock 9; Buxton, Rock 10; Barnes, Dist 17: Judiciary)
HB 159, relative to insurance coverage for persons having deafness and hearing loss. (MacKay, Merr 11; Pilliod, Belk 5; Batula, Hills 19; D'Allesandro, Dist 20; Martel, Dist 18: Commerce)
HB 160, naming a certain bridge on New Hampshire Route 3 between Pembroke and Allenstown. (Rush, Merr 7; Greco, Merr 7; Field, Merr 7; Yeaton, Merr 8; Larsen, Dist 15; Barnes, Dist 17: Public Works and Highways)
HB 161, relative to vacancies in the office of United States senator. (Wendelboe, Belk 1: Executive Departments and Administration)

MOTION TO VACATE

Rep. Packard moved that the House vacate the reference of ***HB 90***, relative to private driving instruction and exhibition facilities, to the Committee on Transportation.
Rep. Weyler spoke in favor.
Motion adopted.
The Speaker referred ***HB 90***, relative to private driving instruction and exhibition facilities, to the Committee on Municipal and County Government.

RECESS MOTION

Rep. O'Neil moved that the House stand in recess until Thursday, January 6, 2005 at 11:00 a.m.
The House recessed at 11:00 a.m.
Adopted.

RECESS