HOUSE RECORD

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

Vol. 27 Concord, N. H. Wednesday, February 9, 2005 No. 17

HOUSE JOURNAL No. 4 (cont.)

Wednesday, January 26, 2005

RECESS

(Rep. Daniel Eaton in the Chair)
RESOLUTION

Rep. Gile offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 716, 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 committee.
Adopted.

INTRODUCTION OF HOUSE BILL
First, second reading and referral

HB 716-FN, relative to securities regulation. (S. Francoeur, Rock 15; Flanders, Dist 7: Commerce)

RECESS

(Speaker Scamman in the Chair)

The Speaker called the recessed session of January 26, 2005 to order at 1:00 p.m. and declared a quorum present.

RECONSIDERATION

Having voted with the prevailing side, Rep. Russell Albert moved that the House reconsider its action whereby it adopted an amendment to House Rules by voice vote and defeated floor amendment (0053h) on a roll call vote of 161 -162.
Reps. Albert, Giuda and Hall spoke in favor.
Reps. Price and Chandler spoke against.
Rep. O'Neil requested a roll call; sufficiently seconded.
The question being adoption of the motion to reconsider.

YEAS 150 NAYS 219			
YEAS 150			
BELKNAP			

Boyce, Laurie	Morrison, Gail	Rosen, Ralph	Wendelboe, Fran
CARROLL			
Olimpio, J Lisbeth			
CHESHIRE			
Allen, Peter	Butynski, William	Dunn, J Timothy	Eaton, Daniel
Espiefs, Peter	Mitchell, Bonnie	Plifka, Stanley Jr	Roberts, Kris
Robertson, Timothy	Sinclair, Stephanie	Weed, Charles	
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Cooney, Mary
Eaton, Stephanie	Giuda, Robert	Hammond, Lee	Harding, A Laurie
Ingbretson, Paul	Maybeck, Margie	McLeod, Martha	Mirski, Paul
Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda	Solomon, Peter
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Jean-Guy	Brassard, Paul	Buhlman, David	Calawa, Leon Jr
Campbell, David	Chase, Claudia	Christiansen, Lars	Clemons, Jane
Cote, David	Craig, James	Daniuk, Caitlin	Egbers, Fran
Essex, David	Foster, Linda	Garrity, Patrick	Gibson, John
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Goyette, Peter Jr
Hagan, Barbara	Haley, Robert	Hall, Betty	Harvey, Suzanne
Hinkle, Peyton	Holden, Randolph	Kopka, Angeline	Lasky, Bette
Lefebvre, Roland	Martin, Mary Ellen	Matarazzo, Anthony Sr	Messier, Irene
Michon, Stephen	Pappas, Christopher	Rochette, Eric	Rosenwald, Cindy
Rowe, Robert	Scanlon, Michael	Schulze, Joan	Shaw, Barbara
Shaw, Kimberly	Slocum, Lee	Smith, David	Souza, Kathleen
Tahir, Saghir	Vaillancourt, Steve	Velez, Hector	Wheeler, James
MERRIMACK			
DeStefano, Stephen	Field, William	Foose, Robert	French, Barbara
Gile, Mary	Marple, Richard	McMahon, Patricia	Osborne, Jessie
Owen, Derek	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Yeaton, Charles
ROCKINGHAM			
Blanchard, MaryAnn	Cady, Harriet	Cali-Pitts, Jacqueline	DiFruscia, Anthony
Dumaine, Dudley	Flockhart, Eileen	Hughes, Daniel	Itse, Daniel
Norelli, Terie	Powers, James	Serlin, Christopher	Splaine, James
Weldy, Norman			
STRAFFORD			

Albert, Russell	Brown, Jennifer	Brown, Julie	Campbell, W Packy
Chaplin, Duncan	Cilley, Jacalyn	Creteau, Irene	Dunlap, Patricia
Goodwin, Earle	Grassie, Anne	Heon, Richard	Hofemann, Roland
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Newton, Clifford
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Katherine	Taylor, Kathleen
Wall, Janet			
SULLIVAN			
Cloutier, John	Converse, Larry	Ferland, Brenda	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen
NAYS 219			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Nedeau, Stephen	Pilliod, James
Russell, David	Thomas, John	Tilton, Franklin	Tobin, William
Veazey, John	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Buco, Thomas
Chandler, Gene	Dickinson, Howard	Knox, J David	Martin, James
McConkey, Mark	Merrow, Harry	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Butcher, Suzanne	Chase, William	Dexter, Judson	Emerson, Susan
Hogancamp, Deborah	Hunt, John	Parkhurst, Henry	Pelkey, Stephen
Pratt, John	Richardson, Barbara	Sawyer, Sheldon	Tilton, Anna
COOS			
King, Frederick	Lary, Bruce	Morneau, Renney	Remick, William
Richardson, Herbert	Stohl, Eric	Tholl, John Jr	
GRAFTON			
Alger, John	Barker, Robert	Bleyler, Ruth	Dorsett, Andrew
Gionet, Edmond	Ham, Bonnie	Naro, Debra	Sorg, Gregory
Ward, John	Williams, Burton		
HILLSBOROUGH			
Aboshar, Jeffrey	Allan, Nelson	Baines, Stephen	Barry, J Gail
Batula, Peter	Bergin, Peter	Biundo, Michael	Boehm, Ralph
Brundige, Robert	Carew, James	Carlson, Donald	Carter, Mark
Chabot, Robert	Christensen, D L Chris	Clark, Mark	Coughlin, Pamela
Crane, Elenore Casey	Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Elliott, Larry	Elliott, Nancy	Emerton, Larry
Francoeur, Bea	Gargasz, Carolyn	Golding, William	Gonzalez, Carlos

Graham, John	Hansen, Ryan	Hawkins, Ken	Hebert, Raymond
Hellwig, Steve	Hirschmann, Keith	Hunter, Bruce	Infantine, William
Jasper, Shawn	Jean, Claudette	Kelly, Eugene Jr	L'Heureux, Robert
Manney, Pamela	McRae, Karen	Mead, Robert	Mooney, Maureen
Moran, Edward	Movsesian, Lori	O'Brien, William	O'Connell, Timothy
Ober, Lynne	Pepino, Leo	Pilotte, Maurice	Price, Pamela
Reeves, Sandra	Renzullo, Andrew	Ross, Lawrence	Ryder, Donald
Stepanek, Stephen	Sullivan, Francis	Ulery, Jordan	Villeneuve, Maurice
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	Currier, David	Danforth, James	Greco, Vincent
Hager, Elizabeth	Hamm, Christine	Hess, David	Kidder, David
Klose, John	L'Heureux, Stephen	Langlais, Thomas	Lockwood, Priscilla
MacKay, James	Maxfield, Roy	Oliver, James	Potter, Frances
Reardon, Tara	Rush, Deanna	Soltani, Tony	Whiting, Herbert
Williams, Robert			
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Bridle, Russell	Buxton, Donald
Camm, Kevin	Carson, Sharon	Casey, Kimberley	Charron, Gene
Coburn, James	Cooney, Richard	Dalrymple, Janeen	Dodge, Robert
Donahue, Richard Ken	Dowd, John	Doyle, Christopher	Fesh, Bob
Flanders, John Sr	Forsing, Robert	Francoeur, Sheila	Garrity, James
Gilbert, Karl	Gillick, Thomas	Gould, Kenneth	Griffin, Mary
Headd, James	Hopfgarten, Paul	Ingram, Russell	Introne, Robert
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Lund, Howie	Major, Norman
Manning, John	Mason, April	McKinney, Betsy	McMahon, Charles
Moore, Benjamin	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Putnam, Ed II	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robertson, Carl	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Smith, Paul	Stiles, Nancy	Stone, Joseph
Waterhouse, Kevin	Weare, E Albert	Welch, David	Wells, Roger
Weyler, Kenneth	Wiley, Robert	Winchell, George	Zolla, William
STRAFFORD			
Berube, Roger	Cataldo, Sam	Easson, Timothy	Knowles, William
Miller, Joseph	Twombly, James		
SULLIVAN			
Donovan, Thomas	Gale, Harry	Irish, Christopher	Rodeschin, Beverly

and reconsideration failed.

Rep. O'Neil moved that the House adjourn from the session of January 26, 2005. Adopted.

HOUSE JOURNAL No. 5

Wednesday, February 9, 2005

The Speaker call the February 9, 2005 session to order at 1:30 p.m.

His Excellency, Governor John H. Lynch, joined the Speaker on the podium for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, The Reverend David Keller, of the First Congregational Church in Concord.
Holy One, You who are far beyond whatever we might make You out to be, we thank You that You are with us. Not only now, as we gather to serve the people of this state, but through all the goings and comings of our separate lives. We acknowledge that, behind the willingness of these men and women to do the work of this legislature, Your generous and sustaining Spirit has been working, and we thank You for shaping their spirits for service to others. We pray Your blessing and Your guidance on our work today and every day. We pray Your special favor on any in the assembly facing any trouble that saps their spirits and burdens their hearts. Take that pain and worry, merciful God, and replace it with Your healing touch, Your forgiving grace, Your deep peace. We pray also for those whose lives are affected by the decisions made in this assembly, especially for the most vulnerable – those who are poor, or addicted, or aged, or young, or imprisoned. Cultivate among the people gathered in this hall today open and attentive hearts that seek both to understand the real and complex needs of people and to listen carefully to the counsel of their colleagues in this assembly. Let Your light, which reveals righteousness and exposes injustice, shine upon the efforts of those who serve here, not only on the legislation they produce, but also on the way that they work with each other and with others who serve in government. And as we do our work, continually remind us that You are sovereign over all people, over all governments, over all of creation, so that in all things we gratefully acknowledge Your rule and humbly seek to act in concert with Your will. Amen.

Rep. Saghir A. Tahir led the Pledge of Allegiance.

The National Anthem was sung by Allison Wilson, a sixth grade student at Exeter Cooperative Middle School.

LEAVES OF ABSENCE

Reps. Callaghan, Clayton, Peter Cote, DeVries, Foote, Philbrick and Reed, the day, illness.
Reps. DeJoie, Domingo, Dowling, Hollinger, Irwin, Paula Johnson, Lawrence, Palazzo, Pantelakos and Parker, the day, important business.
Reps. Bicknell and Hutchinson, the day, illness in the family.

INTRODUCTION OF GUESTS

Michael and Lisa Wilson, William Childs, parents and grandfather of the singer, guests of the House. Claudia Nixon and Talia Glesner, guests of Rep. Gile. Roxanne O'Brien, wife of Rep. O'Brien. Grace Kane and Dana Lindsay, guests of the Lebanon delegation. Casey Bessette, guest of Reps. Pilliod and Emerson.

INTRODUCTION OF SPECIAL GUEST

Coach of Concord High School's boys tennis team, Harvey Smith, accompanied by his wife, Betty, whose distinguished 30 year career included 1988 National Federation High School Coach of the Year, 16 times chosen NH Coach of the Year, 14 state tennis championships and a 112-match unbeaten streak since 1998, guest of the House.

INTRODUCTION OF ADDITIONAL SPECIAL GUESTS

2004 University of New Hampshire "Wildcats" football team reached NCAA Division 1-AA playoffs and tied University record for most wins in a season, represented by players David Bailey, David Ball, Tim Beckett, Tim Carignan, Shaun Diner, Corey Dix, Joe Kreider, Christian Leibl-Cote, Dan McClean, Amir Saadich, Ricky Santos, Derek Stank, Adam Triscila, John Williams, David Wyman, Captains Mike Granieri and George Peterson, Offensive Coordinator Chip Kelly and Head Coach Sean McDonnell, guests of the House.

RESOLUTION

Rep. O'Neil offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 23, 28, 39, 41, 44, 45, 53, 54, 59 and 73 and Senate Joint Resolution numbered 1 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.
Adopted.

INTRODUCTION OF SENATE BILLS AND SJR

First, second reading and referral

SB 23, relative to membership on the public water access advisory board. (Resources, Recreation and Development)
SB 28, relative to confidentiality and workers' compensation. (Labor, Industrial and Rehabilitative Services)
SB 39, relative to disinterment of dead bodies. (Health, Human Services and Elderly Affairs)
SB 41, relative to penalties for certain OHRV violations. (Fish and Game)
SB 44, establishing a study committee on student credit card debt and regulation of credit card solicitation on college campuses. (Commerce)
SB 45-L, relative to the Hanover school district tax stabilization fund. (Education)
SB 53-FN, relative to increased funding for publication of certain materials by the department of environmental services and changing the title of chief operations officer to chief financial officer in the department of environmental services. (Executive Departments and Administration)
SB 54, clarifying the role of a guardian ad litem in guardianship proceedings. (Children and Family Law)
SB 59, relative to the general powers and duties of guardianship. (Judiciary)
SB 73, relative to market conduct record retention and production. (Commerce)
SJR 1, declaring the month of April 2005 to be Boston Red Sox Month. (Legislative Administration)

MOTIONS TO VACATE

Rep. Hunt moved that the House vacate the reference of the following House Bills to the Committee on Legislative Administration.
HB 270, relative to procedures of the legislative ethics committee.
HB 289-FN, relative to registration fees for lobbying and lobbyists and requiring registration of employers of lobbyists.
HB 309-FN-A, establishing a commission to recodify laws relating to financial contributions and disclosures and conflicts of interest and making an appropriation therefor.

HB 403, limiting permissible gifts to elected officials.
HB 424-FN, prohibiting gifts to elected officials.
Motion adopted.
The Speaker referred ***HB 270, 289, 309, 403*** and ***424*** to the Committee on Election Law.

Rep. Robert L'Heureux moved that the House vacate the reference of ***HB 491,*** relative to the inherent dangers of OHRV operation and limiting landowner liability for certain fish and game related land uses, to the Committee on Fish and Game.
Motion adopted.
The Speaker referred ***HB 491*** to the Committee on Resources, Recreation and Development.

Rep. Batula moved that the House vacate the reference of ***HB 473,*** relative to the creation of screening panels for medical injury claims, ***HB 489,*** relative to disclosing an ownership interest in certain health care facilities and businesses, and ***HB 566,*** relative to eligibility for public benefits and drivers' licenses, to the Committee on Health, Human Services and Elderly Affairs.
Motion adopted.
The Speaker referred ***HB 473*** to the Committee on Judiciary, ***HB 489*** to the Committee on Criminal Justice and Public Safety, and ***HB 566*** to the Committee on Transportation.

Rep. Dokmo moved that the House vacate the reference of ***HB 294***, relative to criminal records and evidence, and ***HB 405***, to discovery depositions in criminal cases of persons under 16 years of age, to the Committee on Judiciary.
Motion adopted.
The Speaker referred ***HB 294*** to the Committee on Criminal Justice and Public Safety, and ***HB 405*** to the Committee on Children and Family Law.

Rep. Dickinson moved that the House vacate the reference of ***HB 572***, granting regional water districts the power of eminent domain, and ***HB 619***, relative to skier safety and ski area responsibility, to the Committee on Resources, Recreation and Development.
Motion adopted.
The Speaker referred ***HB 572*** to the Committee on Municipal and County Government, and ***HB 619*** to the Committee on Judiciary.

COMMITTEE REPORTS

CONSENT CALENDAR

Rep. O'Neil moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
HB 35**,** relative to bank reserve and lending procedures, removed by Rep. Marple.
HB 67, prohibiting excessive overpricing of essential commodities during a declared state of emergency, removed by Rep. Osborne.
HB 154, relative to changes of party registration on primary day, removed by Rep. Graham.
HB 142, establishing a commission to study changing the local property tax abatement procedures, removed by Rep. Cady.
HB 165, relative to cellular telephone use during motor vehicle operation, removed by Rep. Scanlon.
Consent Calendar adopted.

HB 63, establishing a committee to study the feasibility of requiring that liquor brought into the state of New Hampshire be brought in through the port of Portsmouth. **INEXPEDIENT TO LEGISLATE**

Rep. Charles L. Clark for Commerce: The intent of this bill was to establish a study committee to explore the feasibility of requiring that liquor brought into the state of New Hampshire be brought in through the Port of Portsmouth. The committee found that, although the idea is well intended, it would be counter productive as the liquor commission's present distribution is much more effective and financially viable than the alternative proposed to be studied. Vote 21-0.

HB 143, relative to real estate appraisals. **INEXPEDIENT TO LEGISLATE**
Rep. Donald H. Flanders for Commerce: This bill requires a real estate appraiser to provide a certified copy of the appraisal to the mortgage applicant as well as the lending institution, whereas current law permits the applicant to make a written request to the lender and receive a copy of the appraisal from them. The committee felt that the present plan was working efficiently and did not need to be changed. The lender has the necessary information in its files to provide a copy promptly, whereas the appraiser frequently does not know who the borrower is or how to contact him. Vote 21-0.

CACR 6, relating to state representative and state senate districts. Providing that there shall be 36 senate districts and 4 house districts within each senate district.
INEXPEDIENT TO LEGISLATE
Rep. Richard B. Drisko for Election Law: The intent of this bill is to restructure the General Court to increase the senate districts to 36, each to contain four house districts. Each four districts will have a single representative. The four districts will have equalized populations that will not deviate more than 5% of each other. The General Court would be constitutionally reduced from 424 to 180. Further the bill repeals current constitutional provisions for redistricting and promotes increased compensation for the legislators. The committee felt that the redistricting controversy could eventually be resolved in a constitutional convention. The changes offered in CACR 6 would not satisfactorily solve the need for an increase in the senate. The committee was in favor of retaining the "citizen legislature" of 400 members assuring more districts and smaller districts for strong constituent contact. In addition, a reduction in size would tend towards a "professional legislature" at greatly increased cost to the state and to candidates' campaign costs while weakening constituent contact. Vote 14-4.

HB 95, relative to delegates to state party conventions. **OUGHT TO PASS**
Rep. Michael G. Biundo for Election Law: The intent of this bill is to cultivate more grassroots participation in state party conventions. Often a person will run for both an elected office as well as a delegate to the state party convention. The possibility exists that a person will win both seats, therefore, qualifying twice to serve as a delegate to a state party convention. This bill will simply allow the next highest eligible vote getter running for delegate to take the spot of a party nominee who is already entitled to serve due to being nominated to an office. The committee voted unanimously "ought to pass" because it feels this will open up and encourage more people to get involved in the political process. Vote 18-0.

HB 171, relative to nicknames on ballots. **OUGHT TO PASS WITH AMENDMENT**
Rep. William L. O'Brien for Election Law: This bill amends RSA 655:14-b in order to clarify what nicknames are allowed on the ballot and the process for obtaining approval of contested nicknames. The original bill would allow any nicknames that a candidate can show by three affidavits he or she has been known by for five years in the community. Based on review by a subcommittee, the bill was amended to limit nicknames to one word, unless it is a common derivative of a candidate's name, and to prohibit offensive or profane nicknames, as well as those that imply the candidate is someone else, constitute a slogan or associate a candidate with a cause or issue. The amendment also requires that the demonstration of the use of the

nickname for five years in the community has to be by clear and convincing evidence, which may include three affidavits. Vote 15-1.

Amendment (0096h)

Amend the bill by replacing section 1 with the following:

1 Form of Candidate's Name on Ballot; Nicknames. Amend RSA 655:14-b, I-II to read as follows:

I. Every candidate for state or federal office who intends to have his ***or her*** name printed upon the ballot of any party for a primary shall designate in [~~his~~] ***the*** declaration of candidacy, or on [~~his~~] ***the*** primary petitions and assents to candidacy, the form in which [~~his~~] ***the candidate's*** name shall be printed on the ballot. The candidate may designate his ***or her*** given, first, and middle name, the initials of his ***or her*** given, first, and middle name, a nickname, or any combination thereof as the form in which [~~his~~] ***the candidate's*** name shall be printed on the ballot, but [~~he~~] ***the candidate*** shall not designate a deceptive name. If the candidate designates a nickname in place of or in combination with [~~his~~] ***the candidate's*** given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately before his ***or her*** surname. If the candidate designates a nickname, the nickname shall be customarily related to the candidate's given name***, or, if the nickname is not customarily related to the candidate's given name, the candidate shall submit clear and convincing evidence that the candidate has been known by the nickname for at least the 5 years immediately preceding the time of filing. If deemed sufficient by the appropriate official, 3 affidavits from voters in the district who are not related to the candidate stating that the candidate has been known by the nickname for at least 5 years may constitute clear and convincing evidence. Nicknames shall be limited to one word, except for 2-word nicknames customarily related to the candidate's given name. No candidate may designate a nickname that implies that the candidate is some other person, that constitutes a slogan or otherwise associates the candidate with a cause or issue, or that has an offensive or profane meaning.*** A candidate shall include his ***or her*** surname in [~~his~~] ***the*** designation of the form in which [~~his~~] ***the candidate's*** name shall be printed on the ballot.

II. Every candidate for state or federal office who intends to have his ***or her*** name placed on the ballot for the state general election by means other than nomination by party primary shall designate in [~~his~~] ***the*** declaration of intent the form in which [~~his~~] ***the candidate's*** name shall be printed on the ballot. The candidate may designate his ***or her*** given, first, and middle name, the initials of his ***or her*** given, first, and middle name, a nickname, or any combination thereof as the form in which [~~his~~] ***the candidate's*** name shall be printed on the ballot, but [~~he~~] ***the candidate*** shall not designate a deceptive name. If the candidate designates a nickname in place of or in combination with [~~his~~] ***the candidate's*** given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately before his ***or her*** surname. If the candidate designates a nickname, the nickname shall be customarily related to the candidate's given name***, or, if the nickname is not customarily related to the candidate's given name, the candidate shall submit clear and convincing evidence that the candidate has been known by the nickname for at least the 5 years immediately preceding the time of filing. If deemed sufficient by the appropriate official, 3 affidavits from voters in the district who are not related to the candidate stating that the candidate has been known by the nickname for at least 5 years may constitute clear and convincing evidence. Nicknames shall be limited to one word, except for 2-word nicknames customarily related to the candidate's given name. No candidate may designate a nickname that implies that the candidate is some other person, that constitutes a slogan or otherwise associates the candidate with a cause or issue, or that has an offensive or profane meaning.*** A candidate shall include his ***or her*** surname in [~~his~~] ***the*** designation of the form in which [~~his~~] ***the candidate's*** name shall be printed on the ballot.

AMENDED ANALYSIS

This bill establishes limitations on nicknames that may be used by candidates for state or federal office and permits a candidate to use a nickname that is not customarily related to his or her given name if the candidate has been known by that nickname for at least 5 years.

HB 201, establishing a study committee to consider amending voter identification and public assistance requirements as a means of discouraging illegal voting and illegal access to public assistance. **INEXPEDIENT TO LEGISLATE**

Rep. Charles F. Weed for Election Law: This bill would establish a committee to study the potential for amending voter identification and public assistance requirements to discourage illegal voting and access to public assistance associated with immigration. Having heard that the requested study committee would include several complex issues associated with immigration, public assistance, and voter identification, the committee believes that these subjects may need to be separated. Some of the issues relate to granted privileges and others to fundamental rights. At present, the committee is not convinced that the issues to be studied present a public policy problem for New Hampshire. Vote 18-0.

HB 33, establishing retainage procedures for public contracts. **OUGHT TO PASS WITH AMENDMENT**

Rep. Nelson S. Allan for Executive Departments and Administration: The amendment of the bill directs the commissioner of administrative services to study retainage practices relative to state construction and highway contracts. The study, conducted with the commissioner of the department of transportation and director of public works, reviews the rules governing retainage practices culminating in a written report containing findings and observations of eight specific issues. The study report will contain recommended guidelines, rules or legislation for subcontractors' retainage practices in the state. Vote 19-0.

Amendment (0088h)

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

AN ACT relative to the study of state retainage practices.

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

1 Study of State Retainage Practices by Department of Administrative Services.

I. The commissioner of administrative services, shall study, in consultation with the commissioner of the department of transportation and the director of public works, retainage practices relative to state construction and highway contracts. The study shall include a review of rules governing retainage practices and the extent to which the following issues are addressed by rule or other agency procedures:

(a) Retainage by state agencies from payment to contractors and retainage by contractors to subcontractors.

(b) Retainage from periodic payments and final payments including a maximum allowable amount of retainage.

(c) A time certain for an owner's release of retainage based upon the owner's occupancy, substantial completion of work, or the owner's use of the improvements.

(d) A time certain for the contractor's release of retainage to a subcontractor.

(e) Conditions permitting withholding of retention beyond the date of release and limitations on the amount of retainage for a condition permitting withholding.

(f) Conditions permitting interest on wrongfully withheld retainage.

(g) Reimbursement of attorney fees incurred to recover wrongfully withheld retainage.

(h) The line item release of retainage for specified work that has been completed and approved by the owner.

II. On or before September 1, 2005, the commissioner of administrative services shall submit a written report of findings and recommendations relative to retainage

practices, including any recommendations for subcontractor guidelines, rules, or legislation, to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

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

AMENDED ANALYSIS

This bill directs the commissioner of administrative services, in consultation with the commissioner of department of transportation and director of public works, to study retainage practices on state construction and highway contracts.

HB 42, establishing a statutory joint committee to review and propose changes to state unclassified officers' salaries. **OUGHT TO PASS**

Rep. Judson K. Dexter for Executive Departments and Administration: The purpose of this legislation is to establish a statutory committee which will have the responsibility of reviewing and recommending to the legislature the approval of the appropriate salary grade for unclassified state employee positions. The bill contains language explaining the process for setting the salary grade for any new unclassified position as well as for the upgrade or downgrade of existing unclassified positions. The acting director or administrative head of any agency or department shall submit a recommendation to the commissioner of administrative services. The commissioner shall submit the recommendation to an outside consultant retained for the purpose of assessing the appropriate letter grade of unclassified state officers. The consultant shall assess the recommendation and report to the joint committee on compensation of state officers. The committee shall set a temporary letter grade allocation for each position referred. The committee shall subsequently propose to the general court legislation recommending permanent salary levels. This is the second time this bill has come to this committee. The bill passed 16-0 last year on the consent calendar. The bill went to study in the senate and was defeated. This was a good idea last year and is still a good idea. Vote 16-2.

HB 65, allowing licensed barbers and cosmetologists to employ shampoo assistants. **INEXPEDIENT TO LEGISLATE**

Rep. Maurice L. Pilotte for Executive Departments and Administration: The committee heard testimony on two bills dealing with shampoo assistants (HB 65 and HB 239) and recognizes the advisability of accepting the provisions of HB 239, as amended, for a shampoo assistant apprentice program rather than the exemption provision in this bill. Vote 18-0.

HB 168, relative to the licensure of electrologists and establishing an electrology advisory committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. A. Laurie Harding for Executive Departments and Administration: The Department of Health and Human Services is requesting legislative intent to formalize a process which is currently used for the inspection of offices where electrology is practiced. Vote 16-2.

Amendment 0042(h)

Amend the bill by replacing section 1 with the following:

1 Powers of the Commissioner; Inspections. Amend RSA 314:2, V to read as follows:

V. Conducting [~~inspections and~~] investigations ***and directing inspections of each office identified by a licensee***, in accordance with RSA 314:9.

HB 181, establishing a committee to study the special account in the New Hampshire retirement system. **OUGHT TO PASS WITH AMENDMENT**

Rep. James M. Fitzgerald for Executive Departments and Administration: There was unanimous bipartisan support to establish this important committee to study the special accounts of the New Hampshire Retirement System. The special accounts are running low and could have an adverse effect on member benefits. The amendment changes the reporting

date from December l to September 1, 2005. Vote 18-0.

Amendment (0073h)

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before September 1, 2005.

HB 216-FN, relative to the authority of the New Hampshire retirement system to purchase supplies and services. **OUGHT TO PASS WITH AMENDMENT**

Rep. William R. Zolla for Executive Departments and Administration: This bill exempts the retirement system from provisions on the purchase of supplies by the department of administrative services. Exemptions of this sort are fairly common and are contained in RSA 21-I:18,I. The amendment to this bill also allows the retirement system to purchase through the director of plant and property management when it wishes to do so to employ the states purchasing power when appropriate. When making such purchases, the retirement system shall be required to follow the provisions of this chapter and shall make purchases under competitive bidding requirements except when waived by the executive director or his or her authorized agent upon written justification. Vote 17-l.

Amendment (0061h)

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Administrative Services; Purchase of Supplies; Exemptions; Retirement System Added. Amend RSA 21-I:18, I by inserting after subparagraph (n) the following new subparagraph:

(o) The New Hampshire retirement system shall not be required to make any purchases through the director of plant and property management, unless it wishes to do so. If it does, the executive director shall be required to follow the provisions of this chapter. The retirement system shall make purchases under competitive bidding requirements except when waived by the executive director or his or her authorized agent upon written justification.

AMENDED ANALYSIS

This bill allows the retirement system to be exempt from provisions on purchases of supplies administered by the department of administrative services.

Referred to Finance.

HB 222-FN, relative to payment of medical benefits costs for disabled group II members of the retirement system. **OUGHT TO PASS**

Rep. William R. Zolla for Executive Departments and Administration: This bill extends the year of eligibility of group II members who become disabled for the payment of benefit costs by the retirement system. This benefit is terminally funded each year for new members employed after July 1, 2005 thru June 30, 2006. Without this bill, there would be no medical benefit for the employee other than workman's compensation. Vote 18-0.

Referred to Finance.

HB 239-FN, relative to certification of shampoo assistants by the board of barbering, cosmetology and esthetics. **OUGHT TO PASS WITH AMENDMENT**

Rep. Judson K. Dexter for Executive Departments and Administration: This bill was brought forward at the request of Joint Legislative Committee on Administrative Rules to clarify the responsibilities and qualification of shampoo assistants. The bill is crafted so it does not impede anyone from becoming a shampoo assistant. The bill establishes registration requirements, direct supervision and fees. The board of barbering, cosmetology

and esthetics approves of this solution. Vote 18-0.

Amendment (0126h)

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

AN ACT relative to registration of shampoo assistants by the board of barbering, cosmetology and esthetics.

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

1 New Paragraph; Definition; Shampoo Assistant. Amend RSA 313-A:1 by inserting after paragraph XIII the following new paragraph:

XIII-a. "Shampoo assistant" means any person registered with the board as an assistant who performs any of the following functions:

(a) Shampooing.

(b) Rinsing and pulling rods.

(c) Rinsing treated or untreated hair.

(d) Other cleaning or sink-related functions as determined by the board.

2 New Paragraph; Rulemaking; Shampoo Assistants. Amend RSA 313-A:8 by inserting after paragraph XIII:

XIII-a. The application, qualification, and fees for registration of shampoo assistants.

3 New Section; Qualifications; Shampoo Assistants. Amend RSA 313-A by inserting after section 13 the following new section:

313-A:13-a Qualifications; Shampoo Assistants. In order to be registered as a shampoo assistant by the board, a person shall:

I. Be at least 16 years of age or have successfully completed the eighth grade or equivalent.

II. Work under the direct supervision of a licensed barber or cosmetologist.

III. Pay a fee as established by the board.

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

AMENDED ANALYSIS

This bill requires shampoo assistants to be registered with the board of barbering, cosmetology and esthetics, and requires the board to adopt rules for the registration.

HB 107, relative to the use of artificial light to view moose in Coos County. **OUGHT TO PASS**

Rep. Renney E. Morneau for Fish and Game: This bill would extend the permissible hours from 9:00 to 11:00 p.m. to allow for moose tours to bring tourists on excursions late enough to see moose in their habitat, benefiting not only the local economy, but also providing tourists with a social activity. Vote 12-0.

HB 179-FN, permitting certain hunting activities on one's own land without a license. **INEXPEDIENT TO LEGISLATE**

Rep. Vincent E. Greco for Fish and Game: This bill would have exempted property owners from purchasing special hunting stamps for a variety of wildlife such as turkey, pheasant, bear, etc. This would have resulted in an undeterminable loss of revenue for the year 2005 and beyond. It was the committees' opinion that wildlife is a state resource and everyone should pay their share to help manage the resource. Vote 10-1.

HB 199, relative to fish and game department expenditures for marine fisheries. **OUGHT TO PASS**

Rep. Stephanie Eaton for Fish and Game: The committee voted unanimously to support this Fish and Game Department request. Efficiency of process promotes that the Fish and Game Executive Director may adopt marine fisheries' rules as provided by statute. This bill also repeals provisions directing marine fisheries funds, leaving that responsibility to the Director. Vote 12-0.

HB 206, relative to alcohol education and abuse prevention and treatment programs.
OUGHT TO PASS WITH AMENDMENT
Rep. Thomas E. Donovan for Health, Human Services and Elderly Affairs: In 2000, the legislature created the Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention and Treatment. The commission has received various levels of funding using monies determined through a formula from profits from the sale of liquor. The purpose of these monies was to provide for alcohol and drug abuse education and prevention.
This bill will ensure that the formula for the distribution of designated profits will be used as the previous legislation calls for, primarily used for alcohol and other drug abuse prevention, Vote 17-0.

Amendment (0125h)
Amend RSA 176-A:1, III as inserted by section 1 of the bill by replacing it with the following:
III. Moneys shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment established pursuant to RSA 12-J:1. [~~At least ½ of the money~~] ***Funds*** disbursed [~~from the fund~~] shall be used [~~primarily~~]-for alcohol [~~education~~] and ***other drug*** abuse prevention [~~activities~~]***, intervention, and treatment services, and other purposes related to the duties of the commission under RSA 12-J:3***.

HB 224-FN, relative to the collection of data on hospital-acquired infection rates.
INEXPEDIENT TO LEGISLATE
Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: This bill, relative to the collection of data on hospital acquired infections, is a subject matter of good intentions. After the bill was entered, the prime sponsor and the co-sponsors requested that the bill be withdrawn from consideration due to the fact that late information became available that this data is currently being monitored and recorded by the Medicaid Commission and currently by the New Hampshire hospitals. Vote 19-0.

HB 247, extending the law regarding receivership of care facilities for a certain length of time. **OUGHT TO PASS**
Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This bill was introduced at the request of the long term care ombudsman. Two years ago the legislature passed and the governor signed a law regarding health care facilities going into receivership. That law was scheduled to sunset in July 2005. The legislature was concerned that in the event a health care facility ceased to function that the residents be protected. Any change in housing, particularly for elderly in institutional care, can lead to psychological trauma and severe reactions. The legislation, in part, was based on a 2002 national AARP. study of nursing home closures. That legislation, if anything, is needed even more so today. There is considerable concern over the future of nursing home beds as the GraniteCare Plan is studied. In addition, it was announced that many nursing homes have waiting lists, further complicating the ability of individuals to relocate if closure occurs. This bill has the unanimous support of the committee. In addition, it was supported by the Long Term Care ombudsman and his advisory committee. No one spoke in opposition. Vote 19-0.

HB 269, establishing a statutory committee for the protection of human research subjects.
OUGHT TO PASS
Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This bill was initiated at the request of the Department of Health and Human Services. The D.H.H.S., for several years, has had an existing committee for the protection of human subjects. This practice is common, particularly to agencies who carry on research utilizing federal research funds. This bill covers research in the areas of mental health, developmental disabilities, or

any other dependence disorders or addictions. The bill was unanimously supported by the committee. It is an essential ingredient for the state to participate in competition for federal funding for research in mental health and addiction. This bill fulfills a federal and scientific requirement to protect consumers participating in research studies. The committee agrees that this is required to receive federal funding. Vote 15-0.

HB 41, relative to the right-to-know study commission. **OUGHT TO PASS WITH AMENDMENT**

Rep. Gregory M. Sorg for Judiciary: This bill would transform the right-to-know commission into a permanent oversight commission that would report annually on findings and recommendations for proposed legislation considered necessary to keep the right-to-know law, RSA 91-A, current and consistent with its purposes in light of on-going advances in information technology. The amendment changed the number of House members on the commission from three to four. Vote 15-0.

Amendment (0044h)

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

AN ACT relative to the right-to-know oversight commission.

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

1 New Subdivision; Right-to-Know Oversight Commission. Amend RSA 91-A by inserting after section 10 the following new subdivision:

Right-to-Know Oversight Commission

91-A:11 Oversight Commission Established. There is established an oversight commission to study and oversee the right-to-know law in light of the supreme court's decision in *Hawkins v. N.H. Department of Health and Human Services* and increasing use of electronic communications in the transaction of governmental business.

91-A:12 Membership and Compensation.

I. The members of the oversight commission shall be as follows:

(a) Four members of the house of representatives, one from the science, technology and energy committee, one from the municipal and county government committee, one from the judiciary committee, and one other member, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

(c) Three municipal officials, appointed by the New Hampshire Municipal Association.

(d) One school board member, appointed by the New Hampshire School Boards Association.

(e) One school administrator, appointed by the New Hampshire School Administrators Association.

(f) Two county officials, appointed by the New Hampshire Association of Counties.

(g) Four members of the public, one of whom shall be an attorney who has knowledge of and experience with the right-to-know law, one of whom shall be an information technology professional, and one of whom shall be a telecommunications professional, all appointed by the governor with the consent of the council.

(h) The attorney general, or designee.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

91-A:13 Duties. The commission shall study:

I. The need for disclosure requirements or guidelines for email and other electronic communication occurring between and among state, county, and local government appointed and elected officials and employees of governmental entities.

II. The need for disclosure requirements or guidelines for electronic communications with constituents of state, county, and local government appointed and elected officials and employees of governmental entities.

III. Archival requirements for electronic documents.

IV. The status of proprietary data within the definitions of the right-to-know law.

V. The ability to recover costs relative to the retrieval of electronic files and communications.

VI. Issues relative to public records posted to web sites of governmental entities.

VII. Whether a member of a body subject to the right-to-know law may participate in a meeting by teleconference or other electronic means.

VIII. The extent to which the public will be provided access to stored computer data under the right-to-know law.

IX. Any other matter deemed relevant by the commission.

91-A:14 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. Nine members of the commission shall constitute a quorum.

91-A:15 Report. The commission shall make an annual report beginning on November 1, 2005, together with its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, and the governor.

2 Repeal. RSA 91-A:11 – RSA 91-A:15, relative to the right-to-know oversight commission, are repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2010.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill changes the name of the right-to-know study commission to the right-to-know oversight commission, and extends the commission for 5 years.

This bill is a request of the right-to-know study commission established in 2003, 287.

HB 44, allowing municipalities to require certain current use landowners to file a bond for the payment of the land use change tax. **INEXPEDIENT TO LEGISLATE**

Rep. Eric G. Stohl for Municipal and County Government: The committee felt that even though this was enabling legislation, there was potential for complications and confusion. One issue that was raised was the added expense burden onto the property owner for obtaining and maintaining a bond. According to the bill, the reason for this bond was because sometime during ownership of the property, the owner had been in arrears on the property taxes. Another issue that was of concern to the committee was that the owner would be guilty of a misdemeanor if he or she failed to provide the bond within 30 days of a notice to do so from the local assessing official. We feel that the sponsor has good intentions to address this issue, but this bill is not the best method to achieve the results that are sought. Vote 18-0.

HB 53, repealing a 1901 law relating to the apportionment of library funds in the town of Haverhill. **OUGHT TO PASS**

Rep David L. Buhlman for Municipal and County Government: In the 1880's, three libraries were founded in the town of Haverhill. Due to a local conflict, the Legislature settled the dispute in 1904 when it passed Act 180: "An Act to prevent the Misappropriation of Funds Raised by Taxation for Public Libraries in the Town of Haverhill," which allocated a specific percentage of funds to one of those libraries. At the town meeting in 2004, Article 17 of the warrant requested that the legislature repeal 1901, 180 relative to the apportionment of library funds in the town of Haverhill. The committee received a signed confirmation of that article from the three Town Library Trustees. The warrant article passed with a showing of strong local support and the committee voted to recommend repeal of 1901, 180. Vote 18-0.

HB 64, establishing a committee to study assessing local education costs on a county-wide basis. **INEXPEDIENT TO LEGISLATE**
Rep. Eric G. Stohl for Municipal and County Government: The committee received limited testimony in reference to this bill. We unanimously feel that this bill raises the possibility of establishing the foundation of county-wide donor towns with respect to educational funding. The bill also raised questions with regard to education costs in school districts that expand beyond county boundaries that could not be accurately determined. Vote 17-0.

HB 84, relative to compensation of Rockingham county convention members for county business. **OUGHT TO PASS WITH AMENDMENT**
Rep. Nancy K. Johnson for Municipal and County Government: The current law allows only delegation members of county committees to be eligible for compensation for any mileage and time. This bill started out as a Rockingham County bill only but in looking at the issue, the committee amended RSA 24:9 to allow all county conventions to decide if and when any member of the convention would be compensated for mileage and time when attending to, discharging, or participating in county business at the county complex or other locations, as authorized by the county convention. Vote 17-0.

Amendment (0032h)
Amend the title of the bill by replacing it with the following:
AN ACT relative to compensation of county convention members for county business.
Amend the bill by replacing all after the enacting clause with the following:

1 County Conventions; Compensation For County Business. RSA 24:9-e is repealed and reenacted to read as follows:

24:9-e Compensation for County Conventions. Members of each county convention may receive from the county treasury a sum not to exceed $25 per day for actual attendance at meetings of their respective conventions and an allowance for travel expenses to and from the place of meeting at a rate per mile not in excess of the rate allowed by the United States Internal Revenue Service to be set by a vote of the respective county convention. In addition, the county convention chair may approve compensation for members attending to, discharging, or participating in other official county business, as provided in RSA 24:9-f. The members are not entitled to receive any compensation or mileage for attending such meetings when county meetings are held at the state house in Concord on a legislative day.

2 Meetings; Official Business. Amend RSA 24:9-f to read as follows:

24:9-f Meetings of Committees***; Official Business***. Either the chairperson of the convention or the chairperson of the executive committee may call meetings of the executive committee to be held at any time either at the state house in Concord or at any place within the respective county. The members of the executive committee shall be entitled to the same compensation and travel expenses for actual attendance at such meetings as is provided for attendance at meetings of the convention of said county[~~; members of subcommittees, study committees and committees of investigation~~]**.** ***In addition, any member of the convention*** may receive such compensation as determined by [~~their~~] ***his or her*** respective county [~~conventions~~] ***convention and appointed by the county convention chairperson*** for the discharge of [~~their~~] official business plus an allowance for travel expenses at the rate set for attendance at meetings of the convention of said county for travel to and from the place of meetings ***or official business***; said sums to be paid from the county treasury, provided that no such compensation and expenses shall be allowed when such meeting ***or business*** is held at the state house in Concord.

3 Repeal. RSA 24:9-ee, relative to compensation for county conventions, is repealed.

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

AMENDED ANALYSIS

This bill allows county convention members to receive compensation for attending to, discharging, or participating in county business, as approved by the county chair and authorized by the county convention.

HB 87, relative to the authority of the Carroll county public water system. **OUGHT TO PASS**
Rep. Robert W. Brundige for Municipal and County Government: The county of Carroll was authorized to have jurisdiction over, operate and maintain a public water system within the borders of the town of Ossipee and on their own land in 2002. There are 51 private users, besides the county, which receive water from this public water system. In the process of setting up the accounting of this system, it was discovered that the county did not have the authority to keep the funds separate from the general funds of the county itself. This bill is the correction to that situation where the funds received from the collection of water rates shall be kept as a separate and distinct fund. The revenues and expenditures will still be a part of the county budget which shall be within the amounts appropriated by the county convention. Vote 18-0.

HB 122-FN-L, relative to airing general court sessions on local government access channels. **INEXPEDIENT TO LEGISLATE**
Rep. Harry Gale for Municipal and County Government: This bill would require municipalities operating a local government cable access channel to air sessions of the General Court provided to it on tapes delivered by State Representatives. During testimony, the committee was able to determine that this would amount to a sufficient cost to the cable access channels that would need to be absorbed by the local access channel. There was considerable question within the committee as to whether this was a Part 1 Article, 28-a of the NH Constitution issue due to the requiring of the transmission of the submitted tape. The only remedy to the situation would be to pass along the expense of the transmission to the state representative. Further testimony indicated that if time allowed, the airing of session tapes was presently allowed. Vote 18-0.

HB-163, establishing a committee to study the provision of education through the county government system**. INEXPEDIENT TO LEGISLATE**
Rep. Robert L. Theberge for Municipal and County Government: Since 1962 the legislature has undertaken 12 (twelve) separate School Administrative Unit (SAU) studies which indicated that the comprehensive studies of SAU's is almost as extensive as the structure itself. In order to establish a study committee that could entail shifting the control and funding of public education from the local communities to the ten counties, the duties of the study committee would need to be more specific than to "study the provision of education through the county government system and the committee may solicit advice and expertise which it deems necessary". There was also acknowledgement that current SAU boundaries cross county and, in some instances, state boundaries and there was no detailed charge to address that issue either. The committee also thought that this idea would be shifting the obligation of public education to the counties who are dealing with supplying costly services already. Vote 18-0.

HB 193, relative to efficient renewable energy programs. **INEXPEDIENT TO LEGISLATE**
Rep. Lee G. Slocum for Science, Technology and Energy: The committee has received three bills, including HB 185 relating to the use of renewable energy, and intends to combine them into one study bill which will make a comprehensive study of renewable energy sources for New Hampshire. The option to purchase renewable energy is available now as part of transition service. The committee does not support mandating use of a portion of the systems benefits charge for renewables. Sponsors can apply now to the PUC for this

purpose. The purpose of the study would be to maximize incentives to use renewables without mandates. Vote 10-1

HB 194, establishing a study committee to examine regulatory practices pertaining to the telecommunications industry. **OUGHT TO PASS WITH AMENDMENT**
Rep. Jim Ryan for Science, Technology and Energy: The committee conducted a hearing on the bill and conducted a subcommittee review with the prime sponsor. The bill, as amended by committee action, creates a study committee to review regulatory or deregulatory action and makes recommendations to the PUC with a view towards allowing traditional phone service providers to become more competitive, while assuring affordable basic telephone service. Vote 11-0.

Amendment (0111h)
Amend the bill by replacing section 1 with the following:
1 Committee Established. Since incumbent local exchange carriers face competition from services that are not regulated, a committee is established to study regulatory practices pertaining to the telecommunications industry.
Amend paragraph III of section 3 of the bill by replacing it with the following:
III. Innovative regulatory approaches, which have been implemented in other jurisdictions, which lessen business restrictions of the companies in return for price stability.
IV. The impact of competition and the potential for alternatives other than the typical rate of return regulation that will provide incentives for infrastructure investment and the offering of new and innovative services while preserving universal access to affordable basic telephone services.

HB 40, relative to inspection dates for certain vehicles. **OUGHT TO PASS**
Rep. Stephen H. Nedeau for Transportation: The committee felt that motor homes should be included in this bill, in order to protect the so called "snowbirds" who are either in the south or cover for the season. In reading the RSA, recreational vehicles as defined in RSA 259:84-a does cover this class of vehicles. This requirement of inspection shall be annually by July 1st for all motor homes without regard to the owner's birth date or registration month. Vote 9-0.

HB 93-FN, relative to farm plates for motor vehicles. **INEXPEDIENT TO LEGISLATE**
Rep. Brenda L. Ferland for Transportation: This bill, if passed, would have allowed vans to have farm plates so that any vehicle would be permitted to haul farm workers around. The Department of Safety receives more complaints on the abuse of farm and agricultural plates than any other plates. A van with these plates could end up being used to transport groceries, go to the movies, for teens dating and just about anything else that isn't farm related. This would be a loss of revenue for the local municipalities and the Department of Safety. Based on years of testimony, the committee chooses not to continue or help this abuse of plates and lost revenue. Vote 10-0.

HB 149-FN, prohibiting the use or installation of radar scrambler devices in motor vehicles. **INEXPEDIENT TO LEGISLATE**
Rep. Brenda L. Ferland for Transportation: This bill would prohibit the use of a radar scrambler device in motor vehicles. Unlike the bill we passed last year on traffic signal preemptive devices, this radar scrambler is not a hazard to the motoring public. As a matter of fact, the state police have only seen two of these devices and they were in the cars of the drivers who were stopped for speeding. Obviously they don't work. Buyer beware would be a better enforcement then this law. The committee expects that someone has found a way to sell another gadget to the motoring public. The only prohibiting here should be for the consumer not to purchase a radar scrambling device. Vote 10-0.

HB 166, relative to notice of driver's license suspension or revocation. **INEXPEDIENT TO LEGISLATE**
Rep. Stephen H. Nedeau for Transportation: This bill would require the Department of Safety to send a letter by certified mail when a person's driver's license is going to be suspended. Currently the letter is sent by registered mail. Most people that have their licenses suspended either have had a court or motor vehicle hearing. The committee felt that you should be responsible to make sure that any ticket you receive is paid or contested in court. Vote 13-0.

HB 212, requiring any driver to have headlights on when continuously operating windshield wipers during inclement weather. **INEXPEDIENT TO LEGISLATE**
Rep. Stephen H. Nedeau for Transportation: Current law states that your headlights shall be on thirty minutes after sunset to thirty minutes before sunrise and any time when rain, snow or fog shall interfere with the proper view of the road or visibility is under 1000 feet. With daytime running lights being offered as standard equipment on more new vehicles, the committee felt that this bill was unnecessary. Federal Law in 2008 will make this mandatory for all vehicles. Vote 14-0.

REGULAR CALENDAR

HB 145, relative to the healthy kids corporation. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Stephen B. Stepanek for the Majority of Commerce: The committee heard a great deal of testimony on this bill. Everyone was in unanimous agreement that the Healthy Kids program was one of the most successful programs of its kind in the country. In fact it is being held up as a national model on how to do it right. The Healthy Kids Corporation was created by the legislature. The Speaker of the House appoints a board member, the Senate President appoints a board member, the insurance department appoints a board member and the Governor appoints a board member. In total the state appoints approximately 40% of the Healthy Kids board. Currently, Healthy Kids puts out to bid, every 3 years, the contract for health insurance. In addition, they solicit both federal money and private donations all of which are used to provide health insurance to uninsured kids. Healthy Kids has reduced the number of uninsured children in New Hampshire by over 50%. Health and Human Services has attempted to not only bid out the insurance for Healthy Kids but also the administrative services which Healthy Kids provides. Healthy Kids was created by the legislature and has legislative oversight through its appointments to the Board of Directors. By putting the administrative portion of Healthy Kids out to bid, Healthy Kids as it was created by the legislature would cease to exist. This bill insures that Healthy Kids continues as envisioned by the legislature, to be the highly successful model program it is today. Vote 19-2.
Rep. Marshall Lee Quandt for the Minority of Commerce: The minority of the committee agrees with the majority that the Healthy Kids Program has done a good job at what they have done and what they do. The minority disagrees on two issues. This bill appears to be putting the legislature in the middle of a dogfight between Healthy Kids and Health and Human Services; we believe we do not belong there. The second issue is of sole source contracting where we are guaranteeing a contract with Healthy Kids to administer the program without putting the management of the program out to bid. We believe that competitive bidding is a good tool to insure a program continues to re-evaluate itself for the best service to our children and the taxpayers.
Majority committee report adopted.
Ordered to third reading.
Rep. Langlais declared a conflict of interest and did not participate.

HB 32, establishing a committee to study the feasibility of implementing the Second Chance

drug rehabilitation program in the New Hampshire prison system. **OUGHT TO PASS WITH AMENDMENT**
Rep. Gene P. Charron for Criminal Justice and Public Safety: "Second Chance" is a prison based rehabilitation program that assists government in addressing criminal behavior and substance abuse. Four key modules are utilized: (1.) Drug Rehab Module, (2.) Education Module, (3.) Self-Respect Module and (4.) Life Skills Module. Currently the program has been implemented successfully in the prisons of Ensenada and Tijuana, Mexico and in Puerto Rico. The majority of the committee voted to study *HOW* and *IF* this program might assist our state in positively reducing recidivism. The amendment changes line 23 to read: Senate Clerk, the Governor and the State Library on or before November 1, 2006 The purpose of the extension of time was to be able to provide enough time to conduct research into the pros and cons of the program, and for those state agencies to provide their input into this progressive program. Vote 12-7.

Amendment (0029h)
Amend the bill by replacing section 5 with the following:
5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2006.
Adopted.
Report adopted and ordered to third reading.

HB 49, establishing an independent legislative redistricting commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT**
Rep. Richard B. Drisko the Majority of for Election Law: This bill would establish an independent legislative redistricting commission to prepare a redistricting plan for both the house and senate which would then be considered by the legislature. This is the third time in as many years that this proposal has been considered. The majority believes once again that it is the responsibility of the legislature to develop and propose redistricting plans. The majority of the committee also believes that passage of this bill would add another layer to the already complicated process of redistricting and that it would be inappropriate for the legislature to bind a future legislature when redistricting will be considered. Vote 12-4.
Rep. Charles F. Weed for the Minority of Election Law: The minority of the committee believed that insulating the next decennial redistricting from partisan sitting legislators would serve to increase both the appearance and reality of fairness in the redistricting process. The advisory board would provide a carefully drafted model which could be adjusted by the legislature. The appearance of fairness is supremely important to democracy and maintaining the position of New Hampshire as an exemplar for the rest of the nation. The minority believes that the experience in the previous two decennial redistricting efforts created unnecessary divisiveness and rancor between the major parties and an unfortunate Supreme Court intervention. This would be a better way.
The question being adoption of the majority committee report.
Rep. Weed spoke against.
Rep. Drisko spoke in favor and did not yield.
Rep. Weed requested a roll call; sufficiently seconded.
The question being adoption of the majority committee report.

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YEAS 241			

BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Rosen, Ralph	Russell, David	Thomas, John
Tilton, Franklin	Tobin, William	Veazey, John	Wendelboe, Fran
Whalley, Michael			
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Buco, Thomas
Chandler, Gene	Knox, J David	Martin, James	McConkey, Mark
Merrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Dexter, Judson	Emerson, Susan	Hogancamp, Deborah	Hunt, John
Pelkey, Stephen	Sawyer, Sheldon		
COOS			
King, Frederick	Lary, Bruce	Morneau, Renney	Remick, William
Richardson, Herbert	Stohl, Eric	Tholl, John Jr	
GRAFTON			
Alger, John	Barker, Robert	Dorsett, Andrew	Eaton, Stephanie
Gionet, Edmond	Giuda, Robert	Ham, Bonnie	Ingbretson, Paul
Maybeck, Margie	Mirski, Paul	Naro, Debra	Sorg, Gregory
Ward, John	Williams, Burton		
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Allan, Nelson	Baines, Stephen
Balboni, Michael	Barry, J Gail	Batula, Peter	Bergeron, Jean-Guy
Bergin, Peter	Biundo, Michael	Boehm, Ralph	Brundige, Robert
Buhlman, David	Calawa, Leon Jr	Carew, James	Carlson, Donald
Carter, Mark	Chabot, Robert	Christensen, D L Chris	Christiansen, Lars
Clark, Mark	Coughlin, Pamela	Crane, Elenore Casey	Desmarais, Vivian
Dokmo, Cynthia	Drisko, Richard	Dyer, Donald	Elliott, Larry
Elliott, Nancy	Emerton, Larry	Francoeur, Bea	Gargasz, Carolyn
Gibson, John	Golding, William	Gonzalez, Carlos	Goyette, Peter Jr
Graham, John	Hagan, Barbara	Hansen, Ryan	Hawkins, Ken
Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith
Holden, Randolph	Hunter, Bruce	Infantine, William	Jasper, Shawn
Jean, Claudette	Kelly, Eugene Jr	Kopka, Angeline	Kurk, Neal
L'Heureux, Robert	Manney, Pamela	McRae, Karen	Mead, Robert
Messier, Irene	Mooney, Maureen	Moran, Edward	Movsesian, Lori
O'Brien, William	O'Connell, Timothy	Ober, Lynne	Pepino, Leo
Price, Pamela	Reeves, Sandra	Renzullo, Andrew	Rowe, Robert
Ryder, Donald	Scanlon, Michael	Slocum, Lee	Souza, Kathleen
Stepanek, Stephen	Tahir, Saghir	Ulery, Jordan	Vaillancourt, Steve
Velez, Hector	Villeneuve, Maurice	Wheeler, James	Wheeler, Robert

MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Currier, David	DeStefano, Stephen
Field, William	Hager, Elizabeth	Hess, David	Kennedy, Richard
Kidder, David	Klose, John	L'Heureux, Stephen	Langlais, Thomas
Lockwood, Priscilla	MacKay, James	Marple, Richard	Maxfield, Roy
Oliver, James	Soltani, Tony	Whiting, Herbert	
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Buxton, Donald	Camm, Kevin
Charron, Gene	Coburn, James	Cooney, Richard	Dalrymple, Janeen
DiFruscia, Anthony	Dodge, Robert	Donahue, Richard Ken	Dowd, John
Doyle, Christopher	Dumaine, Dudley	Fesh, Bob	Flanders, John Sr
Forsing, Robert	Francoeur, Sheila	Garrity, James	Gilbert, Karl
Gillick, Thomas	Gould, Kenneth	Griffin, Mary	Headd, James
Hopfgarten, Paul	Hughes, Daniel	Ingram, Russell	Introne, Robert
Itse, Daniel	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Lund, Howie
Major, Norman	Manning, John	Mason, April	McKinney, Betsy
McMahon, Charles	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Putnam, Ed II	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robertson, Carl	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Smith, Paul	Stiles, Nancy	Stone, Joseph
Waterhouse, Kevin	Weare, E Albert	Welch, David	Weldy, Norman
Wells, Roger	Weyler, Kenneth	Wiley, Robert	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Julie
Campbell, W Packy	Cataldo, Sam	Chaplin, Duncan	Dunlap, Patricia
Easson, Timothy	Goodwin, Earle	Keans, Sandra	Knowles, William
Newton, Clifford	Rollo, Michael	Twombly, James	
SULLIVAN			
Gale, Harry	Irish, Christopher	Rodeschin, Beverly	
NAYS 122			
BELKNAP			
Morrison, Gail			
CARROLL			
None			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter	Mitchell, Bonnie

Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sinclair, Stephanie	Tilton, Anna
Weed, Charles			
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Bleyler, Ruth
Cooney, Mary	Hammond, Lee	Harding, A Laurie	McLeod, Martha
Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda	Solomon, Peter
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Chase, Claudia
Clemons, Jane	Cote, David	Craig, James	Daniuk, Caitlin
Egbers, Fran	Essex, David	Foster, Linda	Garrity, Patrick
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Haley, Robert
Hall, Betty	Harvey, Suzanne	Lefebvre, Roland	Matarazzo, Anthony Sr
Michon, Stephen	Pappas, Christopher	Pilotte, Maurice	Rochette, Eric
Rosenwald, Cindy	Ross, Lawrence	Schulze, Joan	Shaw, Barbara
Shaw, Kimberly	Smith, David	Sullivan, Francis	
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	Foose, Robert
French, Barbara	Gile, Mary	Greco, Vincent	Hamm, Christine
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Potter, Frances
Reardon, Tara	Rush, Deanna	Ryan, Jim	Shurtleff, Stephen
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Casey, Kimberley
Flockhart, Eileen	Norelli, Terie	Powers, James	Serlin, Christopher
Splaine, James			
STRAFFORD			
Brown, Jennifer	Cilley, Jacalyn	Creteau, Irene	Grassie, Anne
Heon, Richard	Hilliard, Dana	Hofemann, Roland	Johnson, Nancy
Kaen, Naida	Miller, Joseph	Rous, Emma	Schmidt, Peter
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Kathleen
Wall, Janet			
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			

and the majority committee report was adopted.

Rep. Dickinson did not vote and notified the Clerk that he wished to be recorded in favor.

HB 82, relative to defining political committees of political parties. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**
Rep. William L. O'Brien for the Majority of Election Law: The bill expands the definition of "political committee of a political party" under the statute concerning political expenditures and contributions. The existing definition is limited to state, county, city, ward and town party committees. The sponsors sought to allow a single party committee to cover any combination of towns, cities or counties. By amendment, the definition of a political committee of a political party would be expanded to allow a contiguous area within a county so long as it does not include more than one city or include an area covered by a current political committee of a political party. Multi-county committees were found not to be desirable because they would be disruptive of the hierarchal organization of the parties. It was also found to be important that existing town and ward committees should not be superseded by regional committees unless the parties want a regional committee to take over. The amendment also accommodates a request of the secretary of state's office that each political committee of a political party be incorporated into the by-laws of the party as filed with the secretary of state and makes explicit a requirement that all political committees are required to make certain financial disclosure filings with the secretary of state. Vote 12-6.
Rep. James R. Splaine for the Minority of Election Law: The minority believes that by expanding the definition of a "political committee of a political party" in RSA 664:2 V, the sponsors of HB 82 clearly intended the bill to enable political parties to create regional committees made up of contiguous towns/cities with some commonality of interests whether within one or more counties. It is also the intent of the sponsors to maintain and reinforce existing town and county committees. Their purpose is to broaden citizen participation in the political process by offering multi-levels of political organization: town, regional, county and state. The amendment to the bill impedes these objectives and inhibits the formation of new town committees. The amendment even implies that existing town committees would have to dissolve if they chose to participate in a multi-town group. This is clearly not in the interest of either state party nor is it the intent of the sponsors. The minority supports the original bill.

Amendment (0040h)

Amend the title of the bill by replacing it with the following:
AN ACT relative to political committees of political parties.
Amend the bill by replacing all after the enacting clause with the following:

1 Political Expenditures and Contributions; Definitions; Political Committee of a Political Party. Amend RSA 664:2, V to read as follows:

V. "Political committee of a political party" means***:***

(a) A [~~the~~] state, county, city, ward***,*** or town committee of a political party ***that has been approved by and incorporated into the by-laws of a political party, as filed with the secretary of state before the first Wednesday in June of that year; or***

(b) A committee that:

(1) Covers any contiguous area within a county which does not include more than one city and which does not include a city, ward, or town with its own political committee of a political party; and

(2) Has been approved by and incorporated into the by-laws of a political party, as filed with the secretary of state before the first Wednesday in June of that year.

2 Reporting by Political Committee. Amend RSA 664:6, II-III to read as follows:

II. ***A political committee shall file*** an itemized statement in the same form as in paragraph I [~~shall be filed~~] with the secretary of state not later than the Wednesday 3 weeks immediately preceding a primary and a general election, before 5 o'clock in the afternoon.

The statement shall summarize the period under paragraph I if a statement is filed and shall itemize all receipts and expenditures since the cutoff of that statement up until the Monday preceding the filing of the statement under this paragraph.

II-a. A ***political committee shall file a*** statement in the same form as in paragraph I [~~shall be filed~~] with the secretary of state not later than the Wednesday immediately preceding a primary and a general election, before 5 o'clock in the afternoon. The statement shall summarize the statements under paragraphs I and II if such statements are filed and itemize all receipts and expenditures since the cutoff of the statement under paragraph II up until the Monday preceding the filing of the statement under this paragraph. In addition to the reporting requirements contained in this section, the secretary of state shall be notified by the fiscal agent within 24 hours of any contribution exceeding $500 which is received after the statement under this paragraph is filed and prior to the day of election.

III. ***A political committee shall file*** an itemized statement in the same form as in paragraph I summarizing the previous statements if such statements are filed and itemizing all receipts and expenditures since the cutoff of the previous report and ending on the day of the primary or the general election [~~shall be filed~~] with the secretary of state not later than the second Wednesday after the election, before 5 o'clock in the afternoon.

3 Reporting by Political Committee; Reference Corrected. Amend RSA 664:6, VI to read as follows:

VI. Copies of the statements required by paragraphs [~~I~~] ***II*** through V of the state committee of a political party shall be filed with the secretary of state in sufficient numbers so as to provide a copy for the state committee of each party on the ballot, which they may obtain by application to the secretary of state.

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

AMENDED ANALYSIS

This bill changes the definition of "political committee of a political party" to include certain committees covering areas within a county. This bill also clarifies certain reporting requirements for political committees.

On a division vote, 234 members having voted in the affirmative and 127 in the negative, the majority committee amendment was adopted.

Majority committee report adopted and ordered to third reading.

HB 210-FN, relative to the determination of absence and return of contributions of members of the retirement system. **OUGHT TO PASS WITH AMENDMENT**

Rep. William R. Zolla for Executive Departments and Administration: This bill reduces the time a member can be absent from service from 7 years to 2 years. A majority of the committee felt two years was more than sufficient for maternity leave and/or education purposes. In addition the accumulated contributions of a member shall be returned after a 2 year period of absence rather than holding them for 7 years. After such a long period it is difficult to locate the member or in most cases his or her beneficiary. The member may request these contributions be returned any time within the two-year period. This change was an audit observation of the 2003 audit report. The amendment to this bill simply changes the time of implementation from passage to June 30, 2006 to give the system time to incorporate the change. Vote 12-6.

Amendment (0060h)

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect June 30, 2006.

Adopted.

Rep. Hawkins spoke against.

Rep. Zolla spoke in favor.

Report adopted.

Rep. Robert Johnson declared a conflict of interest and did not participate.
Referred to Finance.

HB 238-FN, relative to the use of marijuana for medicinal purposes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Charles E. McMahon for the Majority of Health, Human Services and Elderly Affairs: This bill asks that the state of New Hampshire allow the use of marijuana in its plant form for personal use in the treatment of pain and other diseases once a patient obtains written certification from the patient's physician. Further, it specifies that an "adequate" supply of marijuana be allowed for this use by the patient, which includes 3 mature plants, 4 immature plants, and 1 ounce of useable marijuana per each plant. The committee heard testimony from citizens in support of the medical use of smoked marijuana for pain. However, it was significant that no physicians, of which there are over 4,000 in the state, testified in support of this bill and no evidence was offered to prove that smoked marijuana did in fact alleviate pain. In contrast however, the F.D.A. has approved the use of a component of marijuana called "T.H.C.", in synthetic form which is available as Marinol. Taken orally as a pill, it has been found effective for cancer and AIDS patients in the treatment of nausea and vomiting and stimulating weight gain. The position that smoking marijuana would reduce pain was offered via anecdotal testimony by those in support of the bill. However, upon review of the information provided for consideration, virtually no data via scientific studies or other empirical resources were provided to support this claim. Law enforcement also expressed deep concern with this measure on grounds of the inherent enforcement conflicts that would arise, documentation fraud, doctor shopping, and that it would clearly promote illegal drug use. As a Schedule 1 controlled drug, the use of herbal marijuana is placed in the category with the highest potential of abuse and with no accepted medical benefit. Its use remains prohibited under state and federal law and, as stated in information supplied to the committee in hearings, the advocacy of its use for medical purposes could be but a part of a larger strategy to win broader legalization.
Information was also reviewed from organizations of the medical community such as the A.M.A., the New Hampshire Medical Society, and the Institute of Medicine. The consensus of the current research has shown that smoked marijuana is not helpful as medicine and in fact, by its use increases the chance of cancer, lung damage, and poor pregnancy outcomes. There is support for research on developing additional synthetic compounds for medical use from marijuana based on controlled studies in the treatment of disease and pain and it is here that efforts should be focused.
The committee recognizes the need and has compassion for people searching for additional choices in the relief of pain. But, marijuana in its smoked form has never been shown in controlled scientific studies to be safe and effective. Therefore, it is the belief of the committee that responsible public policy relative to drugs and their effectiveness be based on demonstrated research to ensure the safety of all New Hampshire citizens. That is not the case here and the committee voted accordingly in a non-partisan manner. Vote 14-5.
Rep. Barbara C. French for Minority of Health, Human Services and Elderly Affairs: We support the medicinal use of marijuana for the purpose of relieving chronic, severe pain, critical or terminal medical conditions in order to insure that these individuals have the best possible quality of life. Ten states have already approved marijuana for this purpose; it was legal in the state of New Hampshire in the 1980's. The bill will ensure extremely tight procedures for its use.
The question being adoption of the majority committee report.
Reps. French, Donovan and Timothy Robertson spoke against.
Reps. McMahan, Miller and Rogers Johnson spoke in favor.
Rep. Miller requested a roll call; sufficiently seconded.
The question being adoption of the majority committee report.

YEAS 252 NAYS 116

YEAS 252			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Rosen, Ralph	Russell, David	Thomas, John
Tilton, Franklin	Tobin, William	Wendelboe, Fran	Whalley, Michael
CARROLL			
Ahlgren, Christopher	Brown, Carolyn	Buco, Thomas	Chandler, Gene
Knox, J David	Martin, James	McConkey, Mark	Merrow, Harry
Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley	
CHESHIRE			
Butynski, William	Chase, William	Dexter, Judson	Emerson, Susan
Hogancamp, Deborah	Hunt, John	Pelkey, Stephen	
COOS			
King, Frederick	Lary, Bruce	Morneau, Renney	Remick, William
Richardson, Herbert	Stohl, Eric	Tholl, John Jr	
GRAFTON			
Alger, John	Barker, Robert	Bleyler, Ruth	Eaton, Stephanie
Gionet, Edmond	Giuda, Robert	Ham, Bonnie	Maybeck, Margie
Naro, Debra	Solomon, Peter	Sorg, Gregory	Ward, John
Williams, Burton			
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Allan, Nelson	Baines, Stephen
Balboni, Michael	Barry, J Gail	Batula, Peter	Bergeron, Jean-Guy
Bergin, Peter	Biundo, Michael	Boehm, Ralph	Brassard, Paul
Brundige, Robert	Calawa, Leon Jr	Carew, James	Carlson, Donald
Carter, Mark	Chabot, Robert	Christensen, D L Chris	Christiansen, Lars
Clark, Mark	Coughlin, Pamela	Daniuk, Caitlin	Desmarais, Vivian
Dokmo, Cynthia	Drisko, Richard	Dyer, Donald	Elliott, Larry
Elliott, Nancy	Emerton, Larry	Foster, Linda	Francoeur, Bea
Gargasz, Carolyn	Gibson, John	Golding, William	Goley, Jeffrey
Gonzalez, Carlos	Goyette, Peter Jr	Graham, John	Hagan, Barbara
Hansen, Ryan	Hawkins, Ken	Hebert, Raymond	Hellwig, Steve
Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph	Hunter, Bruce
Infantine, William	Jasper, Shawn	Kelly, Eugene Jr	Kopka, Angeline
Kurk, Neal	L'Heureux, Robert	Lefebvre, Roland	Matarazzo, Anthony Sr
McRae, Karen	Mead, Robert	Messier, Irene	Michon, Stephen
Mooney, Maureen	Moran, Edward	Movsesian, Lori	O'Brien, William
O'Connell, Timothy	Pepino, Leo	Pilotte, Maurice	Price, Pamela
Reeves, Sandra	Rosenwald, Cindy	Ross, Lawrence	Rowe, Robert
Ryder, Donald	Scanlon, Michael	Schulze, Joan	Shaw, Kimberly

Slocum, Lee	Smith, David	Souza, Kathleen	Stepanek, Stephen
Sullivan, Francis	Sullivan, Peter	Tahir, Saghir	Ulery, Jordan
Villeneuve, Maurice	Wheeler, James	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Clarke, Claire	Currier, David	DeStefano, Stephen
Greco, Vincent	Hager, Elizabeth	Hamm, Christine	Hess, David
Kidder, David	Klose, John	L'Heureux, Stephen	Langlais, Thomas
MacKay, James	Maxfield, Roy	McMahon, Patricia	Oliver, James
Reardon, Tara	Rush, Deanna	Soltani, Tony	Whiting, Herbert
Williams, Robert			
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Bridle, Russell	Buxton, Donald
Camm, Kevin	Carson, Sharon	Casey, Kimberley	Charron, Gene
Coburn, James	Cooney, Richard	Dalrymple, Janeen	DiFruscia, Anthony
Dodge, Robert	Donahue, Richard Ken	Dowd, John	Doyle, Christopher
Dumaine, Dudley	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Garrity, James	Gilbert, Karl	Gillick, Thomas
Gould, Kenneth	Griffin, Mary	Headd, James	Hopfgarten, Paul
Hughes, Daniel	Ingram, Russell	Introne, Robert	Itse, Daniel
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Major, Norman	Manning, John
Mason, April	McKinney, Betsy	McMahon, Charles	Morris, Richard
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Putnam, Ed II
Quandt, Marshall Lee	Quandt, Matthew	Rausch, James	Robertson, Carl
Rolston, James	Sanders, Elisabeth	Scamman, Stella	Smith, Paul
Stiles, Nancy	Stone, Joseph	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman	Weyler, Kenneth	Wiley, Robert
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Brown, Julie	Cataldo, Sam
Chaplin, Duncan	Creteau, Irene	Dunlap, Patricia	Easson, Timothy
Goodwin, Earle	Heon, Richard	Knowles, William	Miller, Joseph
Rollo, Michael	Snyder, Clair	Twombly, James	Wall, Janet
SULLIVAN			
Ferland, Brenda	Gale, Harry	Irish, Christopher	Rodeschin, Beverly
NAYS 116			
BELKNAP			
Morrison, Gail			
CARROLL			
Babson, David Jr	Dickinson, Howard		

CHESHIRE			
Allen, Peter	Butcher, Suzanne	Dunn, J Timothy	Eaton, Daniel
Espiefs, Peter	Mitchell, Bonnie	Parkhurst, Henry	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sawyer, Sheldon	Sinclair, Stephanie	Tilton, Anna	Weed, Charles
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Cooney, Mary
Dorsett, Andrew	Hammond, Lee	Harding, A Laurie	Ingbretson, Paul
McLeod, Martha	Mirski, Paul	Mulholland, Catherine	Nordgren, Sharon
Sokol, Hilda			
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Buhlman, David	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Crane, Elenore Casey
Egbers, Fran	Essex, David	Garrity, Patrick	Ginsburg, Ruth
Gorman, Mary	Haley, Robert	Hall, Betty	Harvey, Suzanne
Jean, Claudette	Lasky, Bette	Manney, Pamela	Martin, Mary Ellen
Ober, Lynne	Pappas, Christopher	Renzullo, Andrew	Rochette, Eric
Shaw, Barbara	Vaillancourt, Steve	Velez, Hector	
MERRIMACK			
Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Field, William
Foose, Robert	French, Barbara	Gile, Mary	Kennedy, Richard
Lockwood, Priscilla	Marple, Richard	Osborne, Jessie	Owen, Derek
Potter, Frances	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Yeaton, Charles
ROCKINGHAM			
Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Flockhart, Eileen	Lund, Howie
Norelli, Terie	Powers, James	Serlin, Christopher	Splaine, James
Wells, Roger			
STRAFFORD			
Bickford, David	Brown, Jennifer	Campbell, W Packy	Cilley, Jacalyn
Grassie, Anne	Hilliard, Dana	Hofemann, Roland	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Newton, Clifford	Rous, Emma
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Taylor, Kathleen
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen

and the majority committee report was adopted.

HB 70, repealing the law requiring town selectmen to perambulate borders of towns. **INEXPEDIENT TO LEGISLATE**
Rep. Peter Schmidt for Municipal and County Government: This bill would repeal RSA 51:2, relative to required perambulation of the town borders. The committee heard convincing testimony that the maintenance of communities' borders is a vital function, specifically by attending to the condition, position and visibility of marker monuments, with necessary repair or replacement of damaged or lost monuments. This requires perambulation by the selectmen or their designee, not merely some type of GPS involvement. Whether these functions are currently being faithfully executed or dishonored in the breach, elected officials can not neglect or disregard their sworn duty to protect and maintain their towns' borders Vote 14-2.
Adopted.

HB 89, relative to establishing non-amendable articles by voter petition. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**
Rep. Jessie L. Osborne for the Majority of Municipal and County Government: The majority feels that this bill will limit choice in the deliberative session by making petitioned warrant articles non-amendable in an official ballot referenda town or school district. Not allowing a petitioned warrant article to be amended limits the voter to only one choice thus not allowing for different solutions and full discussion of the subject by the participants in the deliberative session. This disenfranchises the voter who attends the deliberative session believing that changes could be made to warrant articles and would actually prohibit corrections to petitioned warrant articles by the sponsor. Official ballot referenda towns and school districts were created to have a deliberative session which mirrors the traditional town meeting process that encourages discussion and possible amending of petitioned warrant articles. The ability to amend petition warrant articles is necessary because it fulfills the intention of the legislature. Vote 11-5.
Rep. Daivd L. Buhlman for the Minority of Municipal and County Government: This bill is intended to prevent an abuse of the democratic process that has been occurring all over the state with petitioned articles presented to towns and school districts in an official ballot referenda jurisdiction. The first session meeting, also known as the deliberative session, is often controlled by the school board or the board of selectmen due to poor attendance by the electorate. As a result, petitioned articles are often amended to mean the exact opposite of the original petition in the first session. This bill creates a new class of petitioned articles which are nonamendable. It requires a minimum of 100 signatures or 5% of the voters in the previous election, whichever is less. Without this bill, the constitutional guarantee that citizens have to petition government is not available to citizens living in these jurisdictions. It does not replace the current petitioning mechanism, it simply adds to it in order to provide more enthusiastic and fruitful participation by citizens in their local government.
The question being adoption of the majority committee report.
Reps. Slocum and Hopfgarten spoke against and yielded to questions.
Reps. Nancy Johnson and Stohl spoke in favor.
Rep. Slocum requested a roll call; sufficiently seconded.
The question being adoption of the majority committee report.

YEAS 272 NAYS 90			
YEAS 272			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Millham, Alida	Morrison, Gail	Nedeau, Stephen	Russell, David

Thomas, John	Tobin, William	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Buco, Thomas	Chandler, Gene
Knox, J David	McConkey, Mark	Merrow, Harry	Olimpio, J Lisbeth
Patten, Betsey			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dexter, Judson	Dunn, J Timothy	Eaton, Daniel	Emerson, Susan
Espiefs, Peter	Hogancamp, Deborah	Mitchell, Bonnie	Parkhurst, Henry
Pelkey, Stephen	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sinclair, Stephanie	Tilton, Anna
Weed, Charles			
COOS			
Buzzell, Bernard	King, Frederick	Lary, Bruce	Mears, Edgar
Merrick, Scott	Morneau, Renney	Remick, William	Richardson, Herbert
Stohl, Eric	Theberge, Robert	Tholl, John Jr	
GRAFTON			
Andersen, Gene	Barker, Robert	Benn, Bernard	Bleyler, Ruth
Cooney, Mary	Dorsett, Andrew	Gionet, Edmond	Ham, Bonnie
Hammond, Lee	Harding, A Laurie	McLeod, Martha	Mulholland, Catherine
Naro, Debra	Nordgren, Sharon	Sokol, Hilda	Solomon, Peter
Ward, John			
HILLSBOROUGH			
Aboshar, Jeffrey	Allan, Nelson	Baines, Stephen	Baroody, Benjamin
Beaulieu, Jane	Bergin, Peter	Boehm, Ralph	Brassard, Paul
Brundige, Robert	Calawa, Leon Jr	Campbell, David	Carlson, Donald
Carter, Mark	Chabot, Robert	Chase, Claudia	Clemons, Jane
Cote, David	Coughlin, Pamela	Craig, James	Daniuk, Caitlin
Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard	Egbers, Fran
Elliott, Nancy	Emerton, Larry	Essex, David	Foster, Linda
Gargasz, Carolyn	Garrity, Patrick	Ginsburg, Ruth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Haley, Robert	Hall, Betty
Hansen, Ryan	Harvey, Suzanne	Hebert, Raymond	Hellwig, Steve
Hirschmann, Keith	Holden, Randolph	Hunter, Bruce	Infantine, William
Jasper, Shawn	Jean, Claudette	Kelly, Eugene Jr	Kopka, Angeline
Kurk, Neal	L'Heureux, Robert	Lasky, Bette	Lefebvre, Roland
Manney, Pamela	Martin, Mary Ellen	Matarazzo, Anthony Sr	McRae, Karen
Messier, Irene	Michon, Stephen	Movsesian, Lori	O'Connell, Timothy
Ober, Lynne	Pappas, Christopher	Pepino, Leo	Pilotte, Maurice
Price, Pamela	Reeves, Sandra	Rochette, Eric	Rosenwald, Cindy
Ross, Lawrence	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Schulze, Joan	Shaw, Barbara	Shaw, Kimberly	Smith, David
Stepanek, Stephen	Sullivan, Francis	Sullivan, Peter	Tahir, Saghir
Wheeler, Robert			

MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	Currier, David	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Greco, Vincent	Hager, Elizabeth
Hamm, Christine	Hess, David	Kidder, David	Lockwood, Priscilla
MacKay, James	McMahon, Patricia	Oliver, James	Osborne, Jessie
Owen, Derek	Potter, Frances	Reardon, Tara	Rush, Deanna
Ryan, Jim	Shurtleff, Stephen	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Williams, Robert	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Asselin, Michael	Belanger, Ronald	Blanchard, MaryAnn
Bridle, Russell	Buxton, Donald	Cali-Pitts, Jacqueline	Casey, Kimberley
Charron, Gene	Coburn, James	Cooney, Richard	Dalrymple, Janeen
DiFruscia, Anthony	Dodge, Robert	Dowd, John	Doyle, Christopher
Flanders, John Sr	Flockhart, Eileen	Forsing, Robert	Francoeur, Sheila
Garrity, James	Gillick, Thomas	Gould, Kenneth	Griffin, Mary
Headd, James	Ingram, Russell	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Major, Norman
Mason, April	McKinney, Betsy	Morris, Richard	Norelli, Terie
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Parker, Benjamin
Powers, James	Putnam, Ed II	Rausch, James	Robertson, Carl
Rolston, James	Scamman, Stella	Serlin, Christopher	Splaine, James
Stiles, Nancy	Stone, Joseph	Weare, E Albert	Welch, David
Weldy, Norman	Weyler, Kenneth	Wiley, Robert	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Brown, Julie	Cataldo, Sam
Dunlap, Patricia	Grassie, Anne	Heon, Richard	Hilliard, Dana
Hofemann, Roland	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Miller, Joseph	Rollo, Michael	Rous, Emma
Schmidt, Peter	Smith, Marjorie	Snyder, Clair	Spang, Judith
Taylor, Kathleen	Twombly, James	Wall, Janet	
SULLIVAN			
Cloutier, John	Donovan, Thomas	Ferland, Brenda	Franklin, Peter
Gale, Harry	Houde-Quimby, Charlotte	Irish, Christopher	Jillette, Arthur Jr
Phinizy, James	Prichard, Stephen	Rodeschin, Beverly	
NAYS 90			
BELKNAP			
Boyce, Laurie	Heald, Bruce	Pilliod, James	Rosen, Ralph
Tilton, Franklin	Wendelboe, Fran		
CARROLL			

Brown, Carolyn	Dickinson, Howard	Martin, James	Stevens, Stanley
CHESHIRE			
Hunt, John	Sawyer, Sheldon		
COOS			
None			
GRAFTON			
Alger, John	Almy, Susan	Eaton, Stephanie	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	Mirski, Paul	Sorg, Gregory
Williams, Burton			
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Barry, J Gail	Batula, Peter
Bergeron, Jean-Guy	Biundo, Michael	Buhlman, David	Carew, James
Christiansen, Lars	Clark, Mark	Crane, Elenore Casey	Dyer, Donald
Elliott, Larry	Francoeur, Bea	Gibson, John	Golding, William
Goyette, Peter Jr	Graham, John	Hagan, Barbara	Hinkle, Peyton
Mead, Robert	Mooney, Maureen	Moran, Edward	O'Brien, William
Renzullo, Andrew	Slocum, Lee	Souza, Kathleen	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Maurice	Wheeler, James	
MERRIMACK			
Field, William	Kennedy, Richard	Langlais, Thomas	Marple, Richard
Soltani, Tony	Whiting, Herbert		
ROCKINGHAM			
Allen, Mary	Bettencourt, David	Camm, Kevin	Carson, Sharon
Donahue, Richard Ken	Dumaine, Dudley	Fesh, Bob	Gilbert, Karl
Hopfgarten, Paul	Introne, Robert	Itse, Daniel	Johnson, Rogers
Lund, Howie	Manning, John	McMahon, Charles	Quandt, Marshall Lee
Quandt, Matthew	Sanders, Elisabeth	Smith, Paul	Waterhouse, Kevin
Wells, Roger	Winchell, George		
STRAFFORD			
Bickford, David	Brown, Jennifer	Campbell, W Packy	Chaplin, Duncan
Cilley, Jacalyn	Creteau, Irene	Easson, Timothy	Goodwin, Earle
Newton, Clifford			
SULLIVAN			
Converse, Larry			

and the majority committee report was adopted.

HB 180, relative to appeals of decisions relating to current use taxation. **MAJORITY: INEXPEDIENT TO LEGISLATE MINORITY: OUGHT TO PASS.**

Rep. Dudley D. Dumaine for the Majority of Municipal and County Government: At the present time, statutes give a citizen the option of taking a current use appeal before the

Superior Court or the Board of Tax and Land Appeals (BTLA). The majority agrees that the BTLA has knowledge and expertise when it comes to land and tax issues. There was testimony that approximately eighty percent of these types of appeals go before the BTLA and roughly twenty percent go before the Superior Court of jurisdiction. However, to remove the Superior Court option will limit the due process of those twenty percent, who for whatever reason, choose the Superior Court Vote 10-5.
Rep. Peter B. Schmidt for the Minority of Municipal and County Government: In the view of the minority, this bill would produce a more uniform and expert handling of appeals of decisions relating to current use taxation. Under present statutes, aggrieved parties may elect to bring such appeals either before the Board of Tax and Land
Appeals (BTLA) or before the Superior Court. This bill would remove the Superior Court as an option. The minority strongly believes that aggrieved parties stand to receive substantially more experienced and consistent handling of their cases before the BTLA. An additional advantage arises from the fact that the BTLA is composed of five members, all bringing their expertise, their intellect and their insight to achieving a fair and accurate decision.
The question being adoption of the majority committee report.
Rep. Schmidt spoke against.
Majority committee report adopted.

HB 58, relative to the effective date for the elimination of certain substances from gasoline supplies. **OUGHT TO PASS WITH AMENDMENT**
Rep. Roy D. Maxfield for Science, Technology and Energy: This bill, as amended, establishes a date certain effective date (1-1-2007) for the elimination of certain substances, including methyl-tertiary-butyl ether (MtBE), from gasoline supplies and removes the requirement relative to opting out of the federal reformulated gasoline program. Vote 16-0.

Amendment (0048h)
Amend the title of the bill by replacing it with the following:
AN ACT relative to the effective date for the elimination of certain substances from gasoline supplies and removing a certain requirement relative to opting out of the reformulated gasoline program.

Amend the bill by replacing all after section 1 with the following:
2 Repeal. 2004, 175:1, II, relative to opting out of the reformulated gasoline program is repealed.
3 Construction. Nothing in this act shall abrogate, limit, or restrict any right to recover damages or other legal, equitable, or administrative relief under any theory of liability that the state or any other entity or person may have under federal or state statutes or common law with respect to methyl tertiary-butyl ether.
4 Effective Date. This act shall take effect upon its passage.
AMENDED ANALYSIS
This bill:
I. Deletes a contingency provision from 2004, 175 and requires the elimination of gasoline ethers and TBA from gasoline supplies.
II. Deletes the requirement that the department of environmental services seek federal approval to opt out of the reformulated gasoline program.
Adopted.
Report adopted and ordered to third reading.

HB 54, relative to responsibility for child passenger restraints. **INEXPEDIENT TO LEGISLATE**
Rep. Stephen H. Nedeau for Transportation: This bill allows police to ticket 16 or 17-year-

olds who are passengers in a motor vehicle, not just the operator, when they fail to wear a seat belt. The committee felt that this abrogated the responsibility of the operator of the vehicle and sends the wrong message about being responsible. We want to commend the "Youth to Youth" students from Dover for getting involved in the political process. The students' goals are to increase seat belt use among kids under 18 as required by law. The committee did not feel that telling the operator that he or she is no longer responsible for the actions of others in the vehicle was the right thing to do. Vote 11-3.
Rep. Knowles spoke against.
Rep. Packard spoke in favor and yielded to questions.
Rep. Packard requested a roll call; sufficiently seconded.
The question being adoption of the committee report.

YEAS 208 NAYS 148			
YEAS 208			
BELKNAP			
Allen, Janet	Boyce, Laurie	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Nedeau, Stephen	Pilliod, James
Russell, David	Thomas, John	Tilton, Franklin	Wendelboe, Fran
Whalley, Michael			
CARROLL			
Brown, Carolyn	Buco, Thomas	Chandler, Gene	Knox, J David
McConkey, Mark	Merrow, Harry	Olimpio, J Lisbeth	Patten, Betsey
CHESHIRE			
Allen, Peter	Dunn, J Timothy	Emerson, Susan	Hunt, John
Parkhurst, Henry	Plifka, Stanley Jr	Sawyer, Sheldon	Tilton, Anna
COOS			
Buzzell, Bernard	King, Frederick	Merrick, Scott	Morneau, Renney
Richardson, Herbert	Stohl, Eric		
GRAFTON			
Barker, Robert	Benn, Bernard	Eaton, Stephanie	Gionet, Edmond
Giuda, Robert	Ham, Bonnie	Ingbretson, Paul	Maybeck, Margie
Mirski, Paul	Sokol, Hilda	Solomon, Peter	Sorg, Gregory
Ward, John	Williams, Burton		
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Balboni, Michael	Barry, J Gail
Batula, Peter	Biundo, Michael	Brundige, Robert	Buhlman, David
Calawa, Leon Jr	Carew, James	Chabot, Robert	Christiansen, Lars
Clark, Mark	Coughlin, Pamela	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Egbers, Fran	Emerton, Larry	Foster, Linda
Francoeur, Bea	Garrity, Patrick	Gibson, John	Ginsburg, Ruth
Golding, William	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Goyette, Peter Jr	Graham, John	Hagan, Barbara	Hellwig, Steve
Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph	Hunter, Bruce

Kelly, Eugene Jr	Kopka, Angeline	Kurk, Neal	Lefebvre, Roland
McRae, Karen	Mead, Robert	Michon, Stephen	Mooney, Maureen
Moran, Edward	Movsesian, Lori	O'Brien, William	O'Connell, Timothy
Ober, Lynne	Pepino, Leo	Pilotte, Maurice	Price, Pamela
Reeves, Sandra	Renzullo, Andrew	Rowe, Robert	Scanlon, Michael
Shaw, Barbara	Shaw, Kimberly	Slocum, Lee	Smith, David
Souza, Kathleen	Stepanek, Stephen	Sullivan, Francis	Tahir, Saghir
Villeneuve, Maurice	Wheeler, James	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Currier, David	Foose, Robert	Greco, Vincent	Hager, Elizabeth
Hess, David	Kidder, David	Langlais, Thomas	Lockwood, Priscilla
MacKay, James	Marple, Richard	McMahon, Patricia	Oliver, James
Owen, Derek	Reardon, Tara	Shurtleff, Stephen	Soltani, Tony
Tupper, Frank			
ROCKINGHAM			
Allen, Mary	Belanger, Ronald	Bettencourt, David	Bishop, Franklin
Bridle, Russell	Camm, Kevin	Carson, Sharon	Charron, Gene
Cooney, Richard	Dalrymple, Janeen	Dodge, Robert	Donahue, Richard Ken
Dowd, John	Doyle, Christopher	Dumaine, Dudley	Fesh, Bob
Flanders, John Sr	Forsing, Robert	Francoeur, Sheila	Gillick, Thomas
Griffin, Mary	Headd, James	Hopfgarten, Paul	Ingram, Russell
Introne, Robert	Itse, Daniel	Johnson, Robert	Johnson, Rogers
Katsakiores, George	Kobel, Rudolph	Langley, Jane	Lund, Howie
Major, Norman	McKinney, Betsy	McMahon, Charles	Morris, Richard
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Parker, Benjamin
Putnam, Ed II	Quandt, Marshall Lee	Quandt, Matthew	Rausch, James
Robertson, Carl	Sanders, Elisabeth	Smith, Paul	Waterhouse, Kevin
Weldy, Norman	Weyler, Kenneth	Wiley, Robert	Winchell, George
Zolla, William			
STRAFFORD			
Albert, Russell	Brown, Julie	Cataldo, Sam	Chaplin, Duncan
Creteau, Irene	Dunlap, Patricia	Easson, Timothy	Heon, Richard
Kaen, Naida	Newton, Clifford	Twombly, James	Wall, Janet
SULLIVAN			
Converse, Larry	Ferland, Brenda	Gale, Harry	Irish, Christopher
Prichard, Stephen	Rodeschin, Beverly		
NAYS 148			
BELKNAP			
Clark, Charles	Morrison, Gail	Rosen, Ralph	Tobin, William

CARROLL			
Ahlgren, Christopher	Babson, David Jr	Martin, James	Stevens, Stanley
CHESHIRE			
Butcher, Suzanne	Butynski, William	Chase, William	Dexter, Judson
Eaton, Daniel	Espiefs, Peter	Hogancamp, Deborah	Mitchell, Bonnie
Pelkey, Stephen	Pratt, John	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sinclair, Stephanie		
COOS			
Lary, Bruce	Remick, William	Theberge, Robert	Tholl, John Jr
GRAFTON			
Alger, John	Almy, Susan	Andersen, Gene	Bleyler, Ruth
Cooney, Mary	Dorsett, Andrew	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Naro, Debra	Nordgren, Sharon
HILLSBOROUGH			
Allan, Nelson	Baines, Stephen	Baroody, Benjamin	Beaulieu, Jane
Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph	Brassard, Paul
Campbell, David	Carlson, Donald	Carter, Mark	Chase, Claudia
Clemons, Jane	Cote, David	Craig, James	Crane, Elenore Casey
Daniuk, Caitlin	Desmarais, Vivian	Elliott, Larry	Elliott, Nancy
Essex, David	Gargasz, Carolyn	Haley, Robert	Harvey, Suzanne
Hebert, Raymond	Infantine, William	Jasper, Shawn	L'Heureux, Robert
Lasky, Bette	Manney, Pamela	Martin, Mary Ellen	Matarazzo, Anthony Sr
Pappas, Christopher	Rochette, Eric	Rosenwald, Cindy	Ross, Lawrence
Ryder, Donald	Schulze, Joan	Sullivan, Peter	Ulery, Jordan
Vaillancourt, Steve			
MERRIMACK			
Clarke, Claire	DeStefano, Stephen	Field, William	French, Barbara
Gile, Mary	Hamm, Christine	Kennedy, Richard	Osborne, Jessie
Potter, Frances	Rush, Deanna	Ryan, Jim	Tilton, Joy
Wallner, Mary Jane	Walz, Mary Beth	Whiting, Herbert	Williams, Robert
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Asselin, Michael	Blanchard, MaryAnn	Buxton, Donald
Cali-Pitts, Jacqueline	Casey, Kimberley	Coburn, James	DiFruscia, Anthony
Flockhart, Eileen	Garrity, James	Gilbert, Karl	Gould, Kenneth
Katsakiores, Phyllis	Manning, John	Mason, April	Norelli, Terie
Powers, James	Rolston, James	Scamman, Stella	Serlin, Christopher
Splaine, James	Stiles, Nancy	Stone, Joseph	Weare, E Albert
Welch, David	Wells, Roger		

STRAFFORD			
Berube, Roger	Bickford, David	Brown, Jennifer	Campbell, W Packy
Cilley, Jacalyn	Goodwin, Earle	Grassie, Anne	Hilliard, Dana
Hofemann, Roland	Johnson, Nancy	Keans, Sandra	Knowles, William
Miller, Joseph	Rollo, Michael	Rous, Emma	Schmidt, Peter
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Kathleen
SULLIVAN			
Cloutier, John	Donovan, Thomas	Franklin, Peter	Houde-Quimby, Charlotte
Jillette, Arthur Jr	Phinizy, James		

and the committee report was adopted.

CACR 3, relating to state income tax revenue. Providing that all state income tax revenue shall be dedicated to the funding of public education. **INEXPEDIENT TO LEGISLATE**
Rep. Steve Vaillancourt for Ways and Means: The sponsor of this CACR acknowledged that he is a proponent of an income tax and this amendment is intended to make such a tax more palatable to the general public. In other words, if an income tax were limited to funding public education, people might be more willing to accept it. The sponsor, under questioning, further acknowledged that should an income tax pass in the wake of this amendment and should a future legislature decide the tax should be applied to things other than education an effort could be made to repeal the amendment. The majority of the committee holds our Constitution sacred and does not believe the amendment process should be used as a referendum or to push interests on any particular issue. Rather, our constitution is the basic law of the state and its formulations should stand the test of time. We should not change it today with the thought of removing the change tomorrow. The committee respects the sponsor's devotion to education funding but is convinced that funding in all areas of government is essential. If a future majority ever deems it wise to move for the implementation of an income tax, the committee believes a legislature should not be hamstrung by the Constitution to use that tax for any particular purpose. Vote 17-2.
Rep. Timothy Robertson spoke against and yielded to questions.
Rep. Vaillancourt spoke in favor.
Adopted.

CACR 4, relating to taxation. Providing that a 3/5 vote is required to pass a new tax or to increase a tax after it is levied. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Shawn N. Jasper for the Majority of Ways and Means: The majority of the committee believes that the "one man one vote" rule should apply to the taxation policy of the state. Recommending a constitutional amendment such as this is tantamount to saying that we do not trust ourselves to be responsible with our tax policy. No evidence was presented which would show that the legislature has been reckless in setting tax rates. Quite to the contrary, evidence shows that New Hampshire has the lowest per capita taxes of any state, with the exception of Alaska, which pays royalties to it's citizens from the sale of oil. Vote 16-3.
Rep. Kevin L. Camm for the Minority Ways and Means: This CACR, if ratified, would require 3/5 approval by members of the house and senate present and voting to institute or raise any tax, tariff or fee. This is a component of the taxpayer's bill of rights initiative (TABOR). Since the ability to tax is the ability to extract our hard earned money, the minority believes that the citizens should have the opportunity to require the legislature to do so by super majority.
The question being adoption of the majority committee report.
Rep. Camm spoke against.

Rep. Jasper spoke in favor and yielded to questions.
Rep. Camm requested a roll call; sufficiently seconded.
The question being adoption of the majority committee report.

YEAS 286 NAYS 65			
YEAS 286			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Morrison, Gail	Nedeau, Stephen
Pilliod, James	Thomas, John	Tilton, Franklin	Tobin, William
Whalley, Michael			
CARROLL			
Ahlgren, Christopher	Brown, Carolyn	Buco, Thomas	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark
Merrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dexter, Judson	Dunn, J Timothy	Eaton, Daniel	Emerson, Susan
Espiefs, Peter	Hogancamp, Deborah	Hunt, John	Mitchell, Bonnie
Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sinclair, Stephanie	Tilton, Anna
COOS			
Buzzell, Bernard	King, Frederick	Lary, Bruce	Mears, Edgar
Merrick, Scott	Morneau, Renney	Remick, William	Richardson, Herbert
Stohl, Eric	Theberge, Robert	Tholl, John Jr	
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Bleyler, Ruth
Cooney, Mary	Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond
Ham, Bonnie	Hammond, Lee	Harding, A Laurie	McLeod, Martha
Mulholland, Catherine	Naro, Debra	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter	Sorg, Gregory	Ward, John	Williams, Burton
HILLSBOROUGH			
Aboshar, Jeffrey	Allan, Nelson	Baines, Stephen	Baroody, Benjamin
Beaulieu, Jane	Bergeron, Jean-Guy	Bergin, Peter	Brassard, Paul
Brundige, Robert	Calawa, Leon Jr	Campbell, David	Carew, James
Carlson, Donald	Carter, Mark	Chabot, Robert	Chase, Claudia
Clemons, Jane	Cote, David	Coughlin, Pamela	Craig, James
Daniuk, Caitlin	Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Egbers, Fran	Elliott, Larry	Elliott, Nancy
Emerton, Larry	Essex, David	Foster, Linda	Gargasz, Carolyn
Garrity, Patrick	Ginsburg, Ruth	Golding, William	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Graham, John	Harvey, Suzanne

Hebert, Raymond	Hellwig, Steve	Holden, Randolph	Hunter, Bruce
Infantine, William	Jasper, Shawn	Kelly, Eugene Jr	Kopka, Angeline
L'Heureux, Robert	Lasky, Bette	Lefebvre, Roland	Manney, Pamela
Martin, Mary Ellen	Matarazzo, Anthony Sr	Michon, Stephen	Mooney, Maureen
Moran, Edward	Movsesian, Lori	O'Brien, William	O'Connell, Timothy
Ober, Lynne	Pappas, Christopher	Pilotte, Maurice	Price, Pamela
Reeves, Sandra	Renzullo, Andrew	Rochette, Eric	Rosenwald, Cindy
Ryder, Donald	Scanlon, Michael	Schulze, Joan	Shaw, Barbara
Shaw, Kimberly	Smith, David	Sullivan, Francis	Sullivan, Peter
Vaillancourt, Steve	Villeneuve, Maurice	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	Currier, David	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Greco, Vincent	Hager, Elizabeth
Hamm, Christine	Hess, David	Kidder, David	Lockwood, Priscilla
MacKay, James	Oliver, James	Osborne, Jessie	Potter, Frances
Reardon, Tara	Rush, Deanna	Ryan, Jim	Shurtleff, Stephen
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Belanger, Ronald
Bishop, Franklin	Blanchard, MaryAnn	Bridle, Russell	Buxton, Donald
Cali-Pitts, Jacqueline	Carson, Sharon	Casey, Kimberley	Charron, Gene
Coburn, James	Cooney, Richard	Dalrymple, Janeen	DiFruscia, Anthony
Dowd, John	Doyle, Christopher	Fesh, Bob	Flanders, John Sr
Flockhart, Eileen	Forsing, Robert	Francoeur, Sheila	Garrity, James
Gillick, Thomas	Gould, Kenneth	Griffin, Mary	Headd, James
Ingram, Russell	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Major, Norman	Manning, John	Mason, April
McKinney, Betsy	McMahon, Charles	Morris, Richard	Norelli, Terie
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Parker, Benjamin
Powers, James	Putnam, Ed II	Rausch, James	Robertson, Carl
Rolston, James	Sanders, Elisabeth	Scamman, Stella	Serlin, Christopher
Splaine, James	Stiles, Nancy	Stone, Joseph	Waterhouse, Kevin
Weare, E Albert	Weldy, Norman	Wells, Roger	Wiley, Robert
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Jennifer
Brown, Julie	Cataldo, Sam	Cilley, Jacalyn	Creteau, Irene
Dunlap, Patricia	Goodwin, Earle	Grassie, Anne	Heon, Richard
Hilliard, Dana	Hofemann, Roland	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Miller, Joseph	Rollo, Michael
Rous, Emma	Schmidt, Peter	Smith, Marjorie	Snyder, Clair
Taylor, Kathleen	Twombly, James	Wall, Janet	
SULLIVAN			

Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Gale, Harry	Houde-Quimby, Charlotte	Irish, Christopher
Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen	Rodeschin, Beverly
NAYS 65			
BELKNAP			
Boyce, Laurie	Rosen, Ralph	Wendelboe, Fran	
CARROLL			
Babson, David Jr			
CHESHIRE			
Sawyer, Sheldon			
COOS			
None			
GRAFTON			
Alger, John	Barker, Robert	Giuda, Robert	Ingbretson, Paul
Maybeck, Margie	Mirski, Paul		
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Barry, J Gail	Batula, Peter
Biundo, Michael	Buhlman, David	Christiansen, Lars	Clark, Mark
Crane, Elenore Casey	Francoeur, Bea	Gibson, John	Goyette, Peter Jr
Hagan, Barbara	Hansen, Ryan	Hinkle, Peyton	Hirschmann, Keith
Kurk, Neal	McRae, Karen	Mead, Robert	Pepino, Leo
Rowe, Robert	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Tahir, Saghir	Ulery, Jordan	Wheeler, James	
MERRIMACK			
Field, William	Kennedy, Richard	Langlais, Thomas	Marple, Richard
Soltani, Tony	Whiting, Herbert		
ROCKINGHAM			
Bettencourt, David	Camm, Kevin	Dodge, Robert	Donahue, Richard Ken
Dumaine, Dudley	Gilbert, Karl	Hopfgarten, Paul	Introne, Robert
Itse, Daniel	Johnson, Robert	Johnson, Rogers	Lund, Howie
Quandt, Marshall Lee	Quandt, Matthew	Smith, Paul	Welch, David
Weyler, Kenneth			
STRAFFORD			
Campbell, W Packy	Chaplin, Duncan	Easson, Timothy	Newton, Clifford
SULLIVAN			

None			

and the majority committee report was adopted.

CACR 9, relating to taxation. Providing that a 2/3 vote is required to pass a new tax or to increase a tax after it is levied and that the maximum increase in any budget bill shall be limited by the rates of inflation and population growth. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peyton B. Hinkle for the Majority of Ways and Means: The committee was told by the sponsor that the 2/3 vote is to be based on the total number of representatives. Thus, the number of representatives absent on the day a vote was taken, on a new tax or increase in the budget, would automatically represent a no vote. As a result, the requirement would be greater than 2/3 vote of those attending. This would make it even more difficult for the house to make changes as might be needed by circumstances. Setting the spending limit to the rates of inflation and population growth can easily be viewed as a standard. It makes it easier to justify an increase as long as it remains within the rate increases. Connecting any increases in spending to inflation could create another problem. A big increase in inflation would justify a corresponding increase in spending. At the same time, the increase in inflation would tend to depress business and state revenues, requiring a larger increase in taxes and creating an even bigger burden on businesses. Vote 17-2.

Rep. John M. Gibson for the Minority Ways and Means: Since 1995 New Hampshire has witnessed a near doubling of state spending while population has increased by a factor of less than 12 percent. This legislation is a much needed tool in protecting the New Hampshire Advantage by getting state spending under control and requiring a super majority in passage of new taxes.

The question being adoption of the majority committee report.

Rep. Gibson spoke against.

Rep. Hinkle spoke in favor.

Rep. Gibson requested a roll call; sufficiently seconded.

The question being adoption of the majority committee report.

YEAS 298 NAYS 53			
YEAS 298			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Morrison, Gail
Nedeau, Stephen	Pilliod, James	Thomas, John	Tilton, Franklin
Tobin, William	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Buco, Thomas
Chandler, Gene	Dickinson, Howard	Knox, J David	Martin, James
McConkey, Mark	Merrow, Harry	Olimpio, J Lisbeth	Patten, Betsey
Stevens, Stanley			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dexter, Judson	Dunn, J Timothy	Eaton, Daniel	Emerson, Susan
Espiefs, Peter	Hogancamp, Deborah	Hunt, John	Mitchell, Bonnie
Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara

Roberts, Kris	Robertson, Timothy	Sawyer, Sheldon	Sinclair, Stephanie
Tilton, Anna			
COOS			
Buzzell, Bernard	King, Frederick	Lary, Bruce	Mears, Edgar
Merrick, Scott	Remick, William	Richardson, Herbert	Stohl, Eric
Theberge, Robert	Tholl, John Jr		
GRAFTON			
Alger, John	Almy, Susan	Andersen, Gene	Barker, Robert
Benn, Bernard	Bleyler, Ruth	Cooney, Mary	Dorsett, Andrew
Eaton, Stephanie	Gionet, Edmond	Ham, Bonnie	Hammond, Lee
Harding, A Laurie	McLeod, Martha	Mirski, Paul	Mulholland, Catherine
Naro, Debra	Nordgren, Sharon	Sokol, Hilda	Solomon, Peter
Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Aboshar, Jeffrey	Baines, Stephen	Baroody, Benjamin	Beaulieu, Jane
Bergin, Peter	Brassard, Paul	Brundige, Robert	Calawa, Leon Jr
Campbell, David	Carew, James	Carlson, Donald	Carter, Mark
Chabot, Robert	Chase, Claudia	Christensen, D L Chris	Clemons, Jane
Cote, David	Coughlin, Pamela	Craig, James	Daniuk, Caitlin
Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard	Dyer, Donald
Egbers, Fran	Elliott, Larry	Elliott, Nancy	Emerton, Larry
Essex, David	Foster, Linda	Gargasz, Carolyn	Garrity, Patrick
Ginsburg, Ruth	Golding, William	Goley, Jeffrey	Gorman, Mary
Graham, John	Hansen, Ryan	Harvey, Suzanne	Hawkins, Ken
Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton	Holden, Randolph
Hunter, Bruce	Infantine, William	Jasper, Shawn	Kelly, Eugene Jr
Kopka, Angeline	Kurk, Neal	L'Heureux, Robert	Lasky, Bette
Lefebvre, Roland	Manney, Pamela	Martin, Mary Ellen	Matarazzo, Anthony Sr
Michon, Stephen	Moran, Edward	Movsesian, Lori	O'Brien, William
O'Connell, Timothy	Ober, Lynne	Pappas, Christopher	Pepino, Leo
Pilotte, Maurice	Price, Pamela	Reeves, Sandra	Renzullo, Andrew
Rochette, Eric	Rosenwald, Cindy	Ross, Lawrence	Ryder, Donald
Scanlon, Michael	Schulze, Joan	Shaw, Barbara	Shaw, Kimberly
Smith, David	Sullivan, Francis	Sullivan, Peter	Tahir, Saghir
Vaillancourt, Steve	Villeneuve, Maurice	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	Currier, David	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Greco, Vincent	Hager, Elizabeth
Hamm, Christine	Hess, David	Kidder, David	Langlais, Thomas
Lockwood, Priscilla	MacKay, James	Oliver, James	Osborne, Jessie
Potter, Frances	Reardon, Tara	Rush, Deanna	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Whiting, Herbert	Williams, Robert	Yeaton, Charles

ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Belanger, Ronald
Blanchard, MaryAnn	Bridle, Russell	Buxton, Donald	Cali-Pitts, Jacqueline
Carson, Sharon	Casey, Kimberley	Charron, Gene	Coburn, James
Dalrymple, Janeen	DiFruscia, Anthony	Dowd, John	Doyle, Christopher
Fesh, Bob	Flanders, John Sr	Flockhart, Eileen	Forsing, Robert
Francoeur, Sheila	Garrity, James	Gilbert, Karl	Gillick, Thomas
Gould, Kenneth	Griffin, Mary	Headd, James	Ingram, Russell
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Major, Norman	Manning, John	Mason, April
McMahon, Charles	Morris, Richard	Norelli, Terie	Nowe, Ronald
O'Neil, Michael	Packard, Sherman	Parker, Benjamin	Powers, James
Putnam, Ed II	Rausch, James	Robertson, Carl	Rolston, James
Sanders, Elisabeth	Scamman, Stella	Serlin, Christopher	Splaine, James
Stiles, Nancy	Stone, Joseph	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman	Wells, Roger	Wiley, Robert
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Jennifer
Brown, Julie	Campbell, W Packy	Cataldo, Sam	Cilley, Jacalyn
Creteau, Irene	Dunlap, Patricia	Goodwin, Earle	Grassie, Anne
Heon, Richard	Hilliard, Dana	Hofemann, Roland	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Knowles, William	Miller, Joseph
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Twombly, James
Wall, Janet			
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Irish, Christopher	Jillette, Arthur Jr
Phinizy, James	Prichard, Stephen	Rodeschin, Beverly	

NAYS 53			
BELKNAP			
Rosen, Ralph	Wendelboe, Fran		
CARROLL			
None			
CHESHIRE			
None			
COOS			
Morneau, Renney			

GRAFTON			
Giuda, Robert	Ingbretson, Paul	Maybeck, Margie	
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Biundo, Michael	Buhlman, David
Christiansen, Lars	Clark, Mark	Crane, Elenore Casey	Francoeur, Bea
Gibson, John	Gonzalez, Carlos	Goyette, Peter Jr	Hagan, Barbara
Hirschmann, Keith	McRae, Karen	Mead, Robert	Mooney, Maureen
Rowe, Robert	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Ulery, Jordan	Wheeler, James		
MERRIMACK			
Field, William	Kennedy, Richard	Marple, Richard	Soltani, Tony
ROCKINGHAM			
Bettencourt, David	Camm, Kevin	Dodge, Robert	Donahue, Richard Ken
Dumaine, Dudley	Hopfgarten, Paul	Introne, Robert	Itse, Daniel
Johnson, Rogers	Lund, Howie	Quandt, Marshall Lee	Quandt, Matthew
Smith, Paul	Weyler, Kenneth		
STRAFFORD			
Chaplin, Duncan	Easson, Timothy	Newton, Clifford	
SULLIVAN			
None			

and the majority committee report was adopted.

BILLS REMOVED FROM CONSENT CALENDAR

HB 35, relative to bank reserve and lending procedures. **INEXPEDIENT TO LEGISLATE**
Rep. Stephen B. Stepanek for Commerce: This bill would require that all state chartered banks maintain 100% reserves for all loans which means that for every dollar deposited in the bank, the bank would have to keep on hand that dollar. Therefore the only money available to loan would be the money invested by the stockholders. This would have a number of consequences. First, depositors would not be able to be paid interest on their deposits. Second, depositors for both savings and checking accounts would see their fees increase dramatically. Third, the banks would be forced to call in for immediate payment most of their mortgages, car loans, personal loans, business loans, etc. This legislation would not impact any of the federally chartered banks such as Bank of America, Citizens Bank of New Hampshire, Ocean National Bank, etc. The committee heard additional testimony that all state chartered banks would have to convert to federally chartered banks or go out of business. The committee heard no credible evidence as to any advantage to be gained for New Hampshire citizens. Vote 21-0.
Rep. Marple spoke against.
Rep. Sheila Francoeur spoke in favor.
Report adopted.

HB 67, prohibiting excessive overpricing of essential commodities during a declared state of emergency. **INEXPEDIENT TO LEGISLATE**
Rep. Stella Scamman for Commerce: The subcommittee met twice and reviewed the laws of several other states. The Attorney General's Office had received no complaints with regard to any price gouging. Only two states of emergency have been declared in the state of New Hampshire in limited areas since 1998, an ice storm in the higher elevations in 1998, and flooding in the western part. The Attorney General stated that New Hampshire businesses generally do not face such problems with respect to price gouging. Vote 18-3.
Rep. Osborne spoke against.
Rep. Charles Clark spoke in favor.
On a division vote, 241 members having voted in the affirmative and 90 in the negative, the committee report was adopted.

HB 154, relative to changes of party registration on primary day. **OUGHT TO PASS WITH AMENDMENT**
Rep. William L. O'Brien for Election Law: Under current law, previously undeclared voters voting in a primary and thereby affiliating with a party may return to undeclared status on primary day. Previously declared voters voting in a primary have no such right. In order to address this disparity and because the choice to participate in a party's primary should signify allegiance to a party (adherence to a party's philosophy), the original bill that would allow all primary voters to change registrations on primary day was amended to provide all primary voters will remain affiliated with his or her party of choice for at least 90 days following the primary. The period of 90 days is believed appropriate because it approximately relates to the period before primaries that declared voters are not allowed to change their party registrations. Vote 16-0.

Amendment (0149h)
Amend the bill by replacing all after the enacting clause with the following:
1 Elections; Voters and Checklists; Provisions for Primary Elections; Change of Registration. Amend RSA 654:34, II-IV to read as follows:
II. Change of registration of a voter who has been registered as an undeclared voter.
(a) Any legal voter who has been registered as an undeclared voter may register as a member of the party of the voter's choice by appearing before the supervisors of the checklist for the voter's town or ward any time they meet, except as prohibited by paragraph IV, and stating to them, under oath or affirmation, if required, that the voter intends to affiliate with and generally supports the candidates of the party with which the voter offers to register, in which case the voter shall be registered as a member of such party.
(b) A voter may also register as a member of a party at any primary by requesting to be registered as a member and voting the ballot of the party of the voter's choice. [~~A voter may also register once again as an undeclared voter after voting in a primary as a registered member of a party by returning the card provided for in paragraph V to the person at the polls designated by the town or city clerk to accept the card. All such cards shall be in the possession of the supervisors of the checklist at the close of the polls on election day.~~]
III. Notwithstanding any provision of paragraphs I and II to the contrary, no person who has voted in a primary may thereafter on the day of said primary change the person's party registration[~~, unless, prior to voting in the primary, the person was registered as an undeclared voter, in which case the person may once again register as an undeclared voter, as provided in subparagraph II(b)~~].
IV. No person, who is already registered to vote, whether his ***or her*** party membership has been previously registered or not, shall affiliate with a party or disaffiliate from a party between the first Wednesday in June and the day before the state primary

election. ***No person shall disaffiliate from a party during the 90 days following a state or presidential primary election.***

2 Repeal. RSA 654:34, V, relative to change of registration cards for undeclared voters, is repealed.

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

AMENDED ANALYSIS

This bill:

I. Eliminates the special provisions permitting undeclared voters to revert to undeclared status after voting in a primary election.

II. Requires undeclared voters to follow the same procedures for change of registration as voters whose party affiliations were declared prior to voting in the primary election.

III. Prohibits disaffiliation from a party during the 90 days following a state or presidential primary election.

Adopted.

Rep. John Pratt spoke against.

Rep. O'Brien spoke in favor and yielded to questions.

Rep. Mirski requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 197 NAYS 134			
YEAS 197			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Nedeau, Stephen	Pilliod, James
Rosen, Ralph	Thomas, John	Tilton, Franklin	Tobin, William
Wendelboe, Fran	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark
Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley	
CHESHIRE			
Eaton, Daniel	Emerson, Susan	Plifka, Stanley Jr	Sawyer, Sheldon
Sinclair, Stephanie			
COOS			
King, Frederick	Morneau, Renney	Remick, William	Stohl, Eric
Tholl, John Jr			
GRAFTON			
Alger, John	Dorsett, Andrew	Eaton, Stephanie	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	Mirski, Paul	Naro, Debra
Sorg, Gregory			
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Allan, Nelson	Balboni, Michael
Barry, J Gail	Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter

Biundo, Michael	Brundige, Robert	Calawa, Leon Jr	Carew, James
Chase, Claudia	Clark, Mark	Clemons, Jane	Cote, David
Coughlin, Pamela	Craig, James	Crane, Elenore Casey	Daniuk, Caitlin
Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard	Dyer, Donald
Elliott, Larry	Elliott, Nancy	Emerton, Larry	Essex, David
Foster, Linda	Francoeur, Bea	Gargasz, Carolyn	Gibson, John
Golding, William	Gonzalez, Carlos	Goyette, Peter Jr	Graham, John
Hansen, Ryan	Hellwig, Steve	Hinkle, Peyton	Hunter, Bruce
Infantine, William	Jasper, Shawn	Kopka, Angeline	Kurk, Neal
L'Heureux, Robert	Lasky, Bette	Lefebvre, Roland	Manney, Pamela
Mead, Robert	Mooney, Maureen	Moran, Edward	O'Brien, William
O'Connell, Timothy	Ober, Lynne	Price, Pamela	Reeves, Sandra
Renzullo, Andrew	Rosenwald, Cindy	Rowe, Robert	Ryder, Donald
Scanlon, Michael	Schulze, Joan	Slocum, Lee	Smith, David
Souza, Kathleen	Stepanek, Stephen	Ulery, Jordan	Villeneuve, Maurice
Wheeler, James	Wheeler, Robert		
MERRIMACK			
Anderson, Eric	Currier, David	Field, William	Hager, Elizabeth
Kennedy, Richard	Langlais, Thomas	Lockwood, Priscilla	MacKay, James
Marple, Richard	Oliver, James	Soltani, Tony	Walz, Mary Beth
ROCKINGHAM			
Asselin, Michael	Belanger, Ronald	Bettencourt, David	Bridle, Russell
Buxton, Donald	Camm, Kevin	Carson, Sharon	Charron, Gene
Coburn, James	Dodge, Robert	Donahue, Richard Ken	Dowd, John
Doyle, Christopher	Fesh, Bob	Flanders, John Sr	Francoeur, Sheila
Gilbert, Karl	Gillick, Thomas	Gould, Kenneth	Griffin, Mary
Ingram, Russell	Introne, Robert	Itse, Daniel	Johnson, Robert
Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Lund, Howie	Major, Norman	Mason, April
McKinney, Betsy	McMahon, Charles	Morris, Richard	Nowe, Ronald
O'Neil, Michael	Packard, Sherman	Putnam, Ed II	Quandt, Marshall Lee
Quandt, Matthew	Rausch, James	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Splaine, James	Stiles, Nancy	Stone, Joseph
Waterhouse, Kevin	Weare, E Albert	Welch, David	Weldy, Norman
Wells, Roger	Weyler, Kenneth	Wiley, Robert	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Brown, Julie	Cataldo, Sam
Chaplin, Duncan	Creteau, Irene	Dunlap, Patricia	Easson, Timothy
Keans, Sandra	Newton, Clifford	Rollo, Michael	Twombly, James
SULLIVAN			
Donovan, Thomas	Irish, Christopher	Rodeschin, Beverly	
NAYS 134			

BELKNAP			
Boyce, Laurie	Morrison, Gail		
CARROLL			
Buco, Thomas	Merrow, Harry		
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dexter, Judson	Dunn, J Timothy	Espiefs, Peter	Hunt, John
Mitchell, Bonnie	Pratt, John	Richardson, Barbara	Tilton, Anna
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Richardson, Herbert
Theberge, Robert			
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Bleyler, Ruth
Cooney, Mary	Ham, Bonnie	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter	Ward, John	Williams, Burton	
HILLSBOROUGH			
Baines, Stephen	Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul
Buhlman, David	Campbell, David	Carlson, Donald	Carter, Mark
Christensen, D L Chris	Christiansen, Lars	Egbers, Fran	Garrity, Patrick
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Hagan, Barbara
Harvey, Suzanne	Hawkins, Ken	Hebert, Raymond	Hirschmann, Keith
Holden, Randolph	Martin, Mary Ellen	Matarazzo, Anthony Sr	McRae, Karen
Michon, Stephen	Movsesian, Lori	Pappas, Christopher	Pilotte, Maurice
Rochette, Eric	Shaw, Barbara	Shaw, Kimberly	Sullivan, Francis
Sullivan, Peter	Vaillancourt, Steve		
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeStefano, Stephen
Foose, Robert	French, Barbara	Gile, Mary	Greco, Vincent
Hamm, Christine	Osborne, Jessie	Potter, Frances	Reardon, Tara
Rush, Deanna	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Whiting, Herbert	Williams, Robert
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Blanchard, MaryAnn	Cali-Pitts, Jacqueline
Casey, Kimberley	DiFruscia, Anthony	Dumaine, Dudley	Flockhart, Eileen
Garrity, James	Headd, James	Hopfgarten, Paul	Manning, John
Norelli, Terie	Parker, Benjamin	Powers, James	Robertson, Carl
Serlin, Christopher	Smith, Paul	Winchell, George	

STRAFFORD			
Bickford, David	Campbell, W Packy	Grassie, Anne	Heon, Richard
Hilliard, Dana	Hofemann, Roland	Johnson, Nancy	Kaen, Naida
Miller, Joseph	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Wall, Janet
SULLIVAN			
Cloutier, John	Converse, Larry	Ferland, Brenda	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen

and the committee report was adopted.
Ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. O'Neil moved that ***HB 142,*** establishing a commission to study changing the local property tax abatement procedures, be made a Special Order for Tuesday, February 15, 2005 in Regular Calendar order.
Adopted.

HB 165, relative to cellular telephone use during motor vehicle operation. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: Today's youth are just as responsible as today's adults when it comes to cell phone use while operating a motor vehicle. Law enforcement would prefer that people would just drive. Today's driving public has somehow gotten the mind set that it is okay to do anything but drive. In the past the committee has dealt with the issue by passing the negligent driving law. The new statute went into effect on January 1, 2002 and has been working. People have to start driving and that is all they should be doing as they travel on the highways. Negligent driving addresses all kinds of distractions that cause a vehicle to be driven negligently, that endangers or is likely to endanger any person or property. Based on this law the committee voted to ITL this bill. There is no need to single out one group or one distraction at this time. Vote 11-2.
Rep. Scanlon spoke against.
Rep. Ferland spoke in favor and yielded to questions.
Rep. Scanlon requested a roll call; sufficiently seconded.
The question being adoption of the committee report.

YEAS 246 NAYS 82			
YEAS 246			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Rosen, Ralph	Thomas, John	Tilton, Franklin
Tobin, William	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Brown, Carolyn	Buco, Thomas	Chandler, Gene
Dickinson, Howard	Knox, J David	McConkey, Mark	Merrow, Harry
Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley	

CHESHIRE			
Allen, Peter	Chase, William	Dexter, Judson	Dunn, J Timothy
Eaton, Daniel	Emerson, Susan	Hunt, John	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Sawyer, Sheldon	Sinclair, Stephanie
Tilton, Anna			
COOS			
Buzzell, Bernard	King, Frederick	Mears, Edgar	Merrick, Scott
Morneau, Renney	Stohl, Eric	Tholl, John Jr	
GRAFTON			
Alger, John	Almy, Susan	Bleyler, Ruth	Dorsett, Andrew
Eaton, Stephanie	Giuda, Robert	Ingbretson, Paul	Mulholland, Catherine
Solomon, Peter	Sorg, Gregory	Ward, John	Williams, Burton
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Allan, Nelson	Balboni, Michael
Baroody, Benjamin	Barry, J Gail	Batula, Peter	Bergin, Peter
Biundo, Michael	Brassard, Paul	Brundige, Robert	Buhlman, David
Calawa, Leon Jr	Carew, James	Carlson, Donald	Carter, Mark
Chabot, Robert	Christensen, D L Chris	Christiansen, Lars	Clark, Mark
Cote, David	Coughlin, Pamela	Crane, Elenore Casey	Daniuk, Caitlin
Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard	Dyer, Donald
Elliott, Larry	Elliott, Nancy	Emerton, Larry	Essex, David
Foster, Linda	Francoeur, Bea	Garrity, Patrick	Gibson, John
Ginsburg, Ruth	Golding, William	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Goyette, Peter Jr	Graham, John	Hagan, Barbara
Hansen, Ryan	Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith
Holden, Randolph	Hunter, Bruce	Jasper, Shawn	Kopka, Angeline
Lasky, Bette	Lefebvre, Roland	Mead, Robert	Michon, Stephen
Mooney, Maureen	Movsesian, Lori	O'Brien, William	O'Connell, Timothy
Pappas, Christopher	Price, Pamela	Reeves, Sandra	Rochette, Eric
Rowe, Robert	Ryder, Donald	Shaw, Barbara	Shaw, Kimberly
Slocum, Lee	Smith, David	Souza, Kathleen	Sullivan, Francis
Sullivan, Peter	Vaillancourt, Steve	Villeneuve, Maurice	Wheeler, James
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Currier, David	DeStefano, Stephen
Field, William	French, Barbara	Greco, Vincent	Kennedy, Richard
Langlais, Thomas	Lockwood, Priscilla	MacKay, James	Marple, Richard
Oliver, James	Reardon, Tara	Ryan, Jim	Shurtleff, Stephen
Soltani, Tony	Tupper, Frank	Whiting, Herbert	Williams, Robert
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Belanger, Ronald

Bettencourt, David	Blanchard, MaryAnn	Bridle, Russell	Buxton, Donald
Camm, Kevin	Carson, Sharon	Charron, Gene	DiFruscia, Anthony
Dodge, Robert	Donahue, Richard Ken	Dowd, John	Doyle, Christopher
Fesh, Bob	Flanders, John Sr	Forsing, Robert	Francoeur, Sheila
Gilbert, Karl	Gillick, Thomas	Griffin, Mary	Headd, James
Hopfgarten, Paul	Ingram, Russell	Introne, Robert	Itse, Daniel
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Lund, Howie	Major, Norman	McKinney, Betsy
McMahon, Charles	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Parker, Benjamin	Putnam, Ed II	Quandt, Marshall Lee
Quandt, Matthew	Rausch, James	Robertson, Carl	Rolston, James
Sanders, Elisabeth	Serlin, Christopher	Splaine, James	Stiles, Nancy
Stone, Joseph	Weare, E Albert	Welch, David	Weldy, Norman
Wells, Roger	Weyler, Kenneth	Wiley, Robert	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Cataldo, Sam
Chaplin, Duncan	Creteau, Irene	Dunlap, Patricia	Easson, Timothy
Grassie, Anne	Heon, Richard	Hilliard, Dana	Hofemann, Roland
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Miller, Joseph
Newton, Clifford	Rollo, Michael	Snyder, Clair	Spang, Judith
Taylor, Kathleen	Twombly, James	Wall, Janet	
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Irish, Christopher	Jillette, Arthur Jr	Phinizy, James	Rodeschin, Beverly
NAYS 82			
BELKNAP			
Morrison, Gail			
CARROLL			
Babson, David Jr	Martin, James		
CHESHIRE			
Butcher, Suzanne	Butynski, William	Espiefs, Peter	Mitchell, Bonnie
COOS			
Remick, William	Richardson, Herbert	Theberge, Robert	
GRAFTON			
Andersen, Gene	Benn, Bernard	Cooney, Mary	Ham, Bonnie
Harding, A Laurie	Maybeck, Margie	McLeod, Martha	Mirski, Paul
Naro, Debra	Nordgren, Sharon	Sokol, Hilda	
HILLSBOROUGH			

Baines, Stephen	Beaulieu, Jane	Bergeron, Jean-Guy	Campbell, David
Chase, Claudia	Clemons, Jane	Craig, James	Egbers, Fran
Gargasz, Carolyn	Harvey, Suzanne	Hawkins, Ken	Hebert, Raymond
Infantine, William	L'Heureux, Robert	Manney, Pamela	Matarazzo, Anthony Sr
McRae, Karen	Moran, Edward	Ober, Lynne	Pilotte, Maurice
Renzullo, Andrew	Rosenwald, Cindy	Scanlon, Michael	Schulze, Joan
Stepanek, Stephen	Ulery, Jordan		
MERRIMACK			
Brueggemann, Donald	Clarke, Claire	Foose, Robert	Gile, Mary
Hamm, Christine	Osborne, Jessie	Potter, Frances	Rush, Deanna
Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth	Yeaton, Charles
ROCKINGHAM			
Cali-Pitts, Jacqueline	Casey, Kimberley	Coburn, James	Dumaine, Dudley
Flockhart, Eileen	Garrity, James	Gould, Kenneth	Langley, Jane
Manning, John	Norelli, Terie	Powers, James	Scamman, Stella
Smith, Paul	Waterhouse, Kevin	Winchell, George	
STRAFFORD			
Brown, Julie	Campbell, W Packy	Rous, Emma	Schmidt, Peter
Smith, Marjorie			
SULLIVAN			
Franklin, Peter	Houde-Quimby, Charlotte	Prichard, Stephen	

and the committee report was adopted.

MOTION TO VACATE

Rep. Stephen L'Heureux moved that the House vacate the reference of ***HB 695-FN,*** requiring the university system of New Hampshire to make payments in lieu of taxes for purchased property, to the Committee on Education.
Motion adopted.
The Speaker referred ***HB 695-FN,*** to the Committee on Municipal and County Government.

RESOLUTION

Rep. O'Neil offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Tuesday, February 15, 2005 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

HB 95**,** relative to delegates to state party conventions.
HB 171**,** relative to nicknames on ballots.
HB 33**,** relative to the study of state retainage practices.
HB 42**,** establishing a statutory joint committee to review and propose changes to state

unclassified officers' salaries.
HB 168, relative to the licensure of electrologists and establishing an electrology advisory committee.
HB 181**,** establishing a committee to study the special account in the New Hampshire retirement system.
HB 239-FN**,** relative to registration of shampoo assistants by the board of barbering, cosmetology and esthetics.
HB 107, relative to the use of artificial light to view moose in Coos County.
HB 199, relative to fish and game department expenditures for marine fisheries.
HB 206**,** relative to alcohol education and abuse prevention and treatment programs.
HB 247**,** extending the law regarding receivership of care facilities for a certain length of time.
HB 269, establishing a statutory committee for the protection of human research subjects.
HB 41**,** relative to the right-to-know oversight commission.
HB 53**,** repealing a 1901 law relating to the apportionment of library funds in the town of Haverhill.
HB 84**,** relative to compensation of county convention members for county business.
HB 87**,** relative to the authority of the Carroll county public water system.
HB 194, establishing a study committee to examine regulatory practices pertaining to the telecommunications industry.
HB 40, relative to inspection dates for certain vehicles.
HB 145, relative to the healthy kids corporation.
HB 32**,** establishing a committee to study the feasibility of implementing.
HB 82**,** relative to political committees of political parties.
HB 58**,** relative to the effective date for the elimination of certain substances from gasoline supplies and removing a certain requirement relative to opting out of the reformulated gasoline program.
HB 154, relative to changes of party registration on primary day.

CONSIDERATION OF MEETING DAY

There being no rule specifying a meeting day, The Speaker offered the members the opportunity to choose the day on which House sessions would be scheduled whenever possible. On a division vote, 172 members voted in favor of Wednesday and 152 members in favor of Thursday. Session will usually be held on Wednesdays.

RECESS MOTION

Rep. O'Neil moved that the House stand in recess for the purpose of introduction of bills, enrolled bill amendments, enrolled bill reports and receiving Senate messages only. Adopted.
The House recessed at 5:20 p.m.

RECESS