

HOUSE RECORD

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

Vol. 27

Concord, N.H.

Wednesday, March 23, 2005

No. 27

HOUSE JOURNAL No. 8 (cont.)

Wednesday, March 9, 2005

RECESS

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

HOUSE JOURNAL No. 9

Wednesday, March 23, 2005

The House assembled at 1:00 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

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

Prayer was offered by Guest Chaplain, The Reverend Karen Maleri, Director of Pastoral Care, Heritage Heights in Concord.

O precious God of many names and faces; as we struggle against the weight of doubt lead us to the altar of confidence that we may find community wellness gathered there amidst our own agendas and sense of success.

As we confront the sting of failure lead us to the altar of your unfailing love that we may kneel and call out beyond ourselves for guidance and that sense of WE, not I; and as we struggle against the reproach of complacency lead us to the altar of humility that we may find faith, grace, success and confidence as the prevailing commandments for us to follow as we live and serve the state of New Hampshire.

Shalom. Amen. And blessed be.

Rep. Mary Stuart Gile led the Pledge of Allegiance.

The National Anthem was sung by Elizabeth Potter, accompanied by violinist, Amanda Laprise, students from Manchester West High School.

COMMUNICATION

	March 23, 2005
Karen Wadsworth, Clerk of the House. Please be advised that the following representative-elect was sworn into office by the Governor and Council on this day: Strafford County District No. 3, Lawrence Brown, d, Milton (1362 White Mountain Highway) 03851 Sullivan County District No. 4, Philip Osgood, r, Claremont (19 Whitcomb Lane) 03743	
	William M. Gardner, Secretary of State

LEAVES OF ABSENCE

Reps. Mary Allen, Carolyn Brown, Langley, Palangas, Palazzo and Philbrick, the day, illness.
Reps. Bicknell, William Chase, Grassie, Hagan, Hall, Hollinger, Lawrence, Mirski, Mitchell, Price, Reed and Rosenwald, the day, important business.
Rep. Mark Clark, the day, illness in the family.
Rep. Kennedy, the day, death in the family.

INTRODUCTION OF GUESTS

Sydni, Michael, Ashley, Franklin and Katelin Garrity, wife and children of Rep. James M. Garrity. Morgan Baumann, granddaughter of Rep. Barry. Roger Goode, guest of Rep. Essex. Susan Foster Brown, guest of Rep. Larry Brown.

INTRODUCTION OF SPECIAL GUESTS

Members of the New Hampshire Association of the National Honor Society who recently were awarded the 2004 Ardis Kyker Service Award for their work in providing 50,000 books for "America Reads" program; providing emergency 911 cellular phone access to the elderly; and the contribution of formal dresses for the Cinderella Project. Courtney Chisholm, Andrew Czyzowski, Jake Dembow, Kaity Funk, Maureen Kenney, Cindy Lambert, Amanda Laprise, Lindsey Levesque, Isaak Poirer, Jr., Elizabeth Potter, Alexa Rogers, Kristen Sapowicz, President Melissa Kohari, and advisor, James P. McGeough, were guests of the House and were presented with a Declaration from the House by the Speaker.

MEMORIAL REMARKS

Rep. O'Neil moved that the remarks of Rep. Patten be printed in the Journal.
Adopted.

Rep. Patten: Thank you, Mr. Speaker. Today I rise to give you in loving memory, Earle W. Chandler. Earle was born at the Chandler farm in Bartlett, New Hampshire on September 6, 1913, the son of Walter and Helen Archibald Chandler. Earle died in New London, New Hampshire on March 12, 2005. Earle was community spirited and devoted 12 years to the town of Bartlett and later 27 years to the town of Wilmot as selectman. His father and grandfather served as selectmen in previous years. He also served in the New Hampshire House as representative from Bartlett in 1955-1961, as Majority Leader and Chairman of the Ways and Means Committee, and later served four terms from Wilmot on the Finance Committee.

I was honored to serve with Representative Earle Chandler. As a rookie that has grown to love and honor the House of Representatives, I watched Rep. Chandler being assisted by our former Mr. Speaker, Gene Chandler. I saw the caring that the Chandler family had for each other, but higher than that for the tradition of New Hampshire, for their family, for their constituents, for their House and then for themselves.

It is with sadness that we say goodbye to Representative Earle Chandler and for me, I want to give you a large, warm hug for what he gave and what he taught to us. God bless you,

Representative Chandler.

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 38, relative to credit card theft, removed by Rep. Welch.

HB 636-FN, requiring the electronic recording of statements by persons subject to custodial interrogation, removed by Rep. Timothy Robertson.

HB 151, requiring school districts to develop a school age nutrition and physical activity committee, removed by Rep. Boehm.

CACR 19, relating to representation in cities and towns whose population is equal to, or greater than, the minimum number of persons per house district. Providing that a city or town shall have at least one representative from the city or town if its population is equal to or greater than the apportionment figure for house districts, removed by Rep. Vaillancourt.

HB 521, relative to medical insurance coverage for members of the Manchester employees' contributory retirement system, removed by Rep. Infantine.

CACR 1, relating to taxation, removed by Rep. Camm.

HB 323-FN, relative to excluding social security numbers and other information from documents filed with registries of deeds, removed by Rep. Kurk.

HB 679-FN-L, authorizing the electronic enforcement of traffic signal violations, removed by Rep. Kurk.

HB 601-FN, allowing businesses to apply the investment tax credit to contributions made to scholarship funding organizations, removed by Rep. Slocum.

HB 613-FN, exempting prepared take-out food items sold in supermarkets from the meals and rooms tax, removed by Rep. Field.

Consent Calendar adopted.

HB 138-FN, requiring medical examiners to inventory and account for property taken from decedents. **OUGHT TO PASS**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill establishes a requirement requiring the state medical examiner to inventory and account for any property taken from a decedent and to provide a copy of the inventory to the next of kin. No one appeared in opposition to this bill and at the subcommittee meeting the state medical examiner and a representative of the Attorney General's office appeared and agreed that the bill would codify a procedure already being developed and implemented by the medical examiner's office. Vote 16-1.

HB 228-FN, prohibiting cellular telephone directories in New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The committee felt that the federal laws that are in place now would take care of any problems that might occur in the future. The directory that the cell phone companies plan to put in place will not be a phone book. The only way you can get a cell phone number is through the 411 number which costs the person who asks for the number. The only way you can have your cell phone number listed is by you asking to have your number listed. Vote 13-4.

HB 332, relative to harassment by telephone. **OUGHT TO PASS**

Rep. Jordan G. Ulery for Criminal Justice and Public Safety: Following testimony by the Attorney General's office and NH Chapter of the ACLU, the committee felt a minor modification to the current telephone harassment law was in order. The current law was effectively nullified by a recent Supreme Court decision as lacking specificity regarding the

purpose of a call made by a “harasser.” The new wording requires that telephonic communication be for a “legitimate communicative purpose.” The intent of the language was to prohibit hang-up type calls, threatening calls, heavy breathing into the phone, anonymous vague threats and the like, but to allow personal, professional and business telephone calls, regardless of source. The Attorney General’s office assisted in crafting the language of the bill. Vote 14-0.

HB 372, relative to notification of interested parties in medical parole cases. **OUGHT TO PASS**

Rep. Jordan G. Ulery for Criminal Justice and Public Safety: The committee listened to the data relative to rapid humanitarian medical parole. This bill establishes requirements for notifying interested parties of a medical parole hearing and release. The process saves money and transfers medical costs to private insurance where appropriate. Vote 14-2.

HB 379, establishing a committee to study funding for the multiple offender program. **INEXPEDIENT TO LEGISLATE**

Rep. Lee M. Hammond for Criminal Justice and Public Safety: The Multiple Offender Program (MOP) is currently functioning and is highly endorsed by the committee. It is funded by participant fees with waivers granted for those unable to pay. The program should be continued and funded as per current procedure. There is no need to establish a committee to study its funding. Vote 16-0.

HB 475, relative to access to certain criminal records. **INEXPEDIENT TO LEGISLATE**

Rep. Maurice Villeneuve for Criminal Justice and Public Safety: This bill would allow any person hired by an attorney for the defense in any criminal case access to any and all criminal records and current addresses of any person who is a defendant, complainant or potential witness in the case. This bill clearly is a violation of privacy issue and could lead to unforeseen problems. Vote 15-1.

HB 497, relative to stolen checks. **INEXPEDIENT TO LEGISLATE**

Rep. George D. Winchell for Criminal Justice and Public Safety: This bill is very similar to HB 38 which was voted OTP by this committee. The language in HB 38 satisfies the intent of the sponsor of HB 497. Vote 14-0.

HB 498, establishing a study committee relative to the sale of fire-safe cigarettes. **OUGHT TO PASS WITH AMENDMENT**

Rep. E. Albert Weare for Criminal Justice and Public Safety: The use of fire-safe cigarettes has been shown by national fire prevention organizations to greatly reduce the loss of life and property damage by fires due to the improper disposal of cigarettes. This bill will establish a study committee to develop the standards for fire-safe cigarettes to be sold in New Hampshire. The study will examine the feasibility, regulatory, and enforcement mechanisms for the state to require the sale of fire-safe cigarettes. The amendment extends the reporting requirement to November 1, 2006. The outcome of HB 645 that was recently passed by the House is unknown at this time, but the sale and use of fire-safe cigarettes is already known to be a big deterrent in saving lives and protecting property from loss by fire caused by the improper disposal of smoking material and therefore should be explored to its fullest extent. Vote 15-0.

Amendment (0579h)

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 November 1, 2006.

HB 526, relative to temporary hearings on domestic violence petitions. **INEXPEDIENT TO LEGISLATE**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill would provide that a temporary hearing on a domestic violence petition shall not serve as the final hearing. The language of the bill says, "The court shall hear the matter de novo and shall not be bound by any prior findings, or determinations made in granting temporary relief under RSA 173-B:4." The current statute already creates a de novo hearing and is separate and distinct from the temporary relief that is granted under RSA 173-B:4. This bill is unnecessary. Vote 16-0.

HB 609-FN, establishing the protection of liberty act. **INEXPEDIENT TO LEGISLATE**

Rep. Lori A. Movsesian for Criminal Justice and Public Safety: This bill would establish the protection of liberty act. The bill replicates HB 1385 from 2004 which was voted Inexpedient to Legislate. The assistant commissioner of safety and the Assistant Attorney General testified in opposition. The bill presents significant constitutional problems. It criminalizes acts undertaken by law enforcement officials and it appears to do away with the legal concept of absolute or qualified immunity for acts undertaken by a government official in good faith belief of their legality. For these reasons, the committee unanimously found the bill Inexpedient to Legislate. Vote 13-0.

HB 620-FN, relative to the accountability of public officials and interference with constitutional and legal rights. **INEXPEDIENT TO LEGISLATE**

Rep. Peter M. Sullivan for Criminal Justice and Public Safety: The sponsors of this bill have identified a very real problem. Too often, public officials, be they elected or appointed, are unresponsive to the needs of their constituents. Such indifference reflects poorly on all of us in the public arena. Unfortunately, this legislation uses "overkill" to solve the problem. Under this bill, public officials who fail to respond to a poorly-defined "affidavit" within 30 days would be subject to criminal prosecution and removal from office. It is easy to foresee a situation where a band of disgruntled individuals bring government to a screeching halt by burying an official with a blizzard of affidavits. The folks who volunteer their time as members of the local planning board, conservation commission, or library board of trustees should not be subject to such abuse. In addition, this bill makes reference to "violations of criminal and legal rights," yet leaves such rights largely undefined. To impose criminal penalties when the public can not determine the letter of the law is not only unconscionable, it is unconstitutional. The committee hopes that the sponsors will revisit this issue in a different manner in the future and looks forward to crafting a reasonable and constitutional solution to a very real problem. Vote 16-0.

HB 628-FN, relative to the authority of law enforcement officers to close an area for the purpose of abating a threat to public health or safety. **OUGHT TO PASS**

Rep. Karl I. Gilbert for Criminal Justice and Public Safety: This bill was introduced at the request of the Attorney General's office. This bill would allow a peace officer who has grounds to believe that a serious threat to the public health or safety is created by a flood, storm, fire, earthquake, explosion, imminent riot, ongoing criminal activity that poses a risk of bodily injury, or other disaster to close the area where the threat exists and the adjacent area necessary to control the threat, or to prevent its spread, for the duration of the threat, until related law enforcement operations are complete. Vote 10-4.

HB 696-FN, relative to enhanced penalties for crimes against the elderly and persons with disabilities. **OUGHT TO PASS WITH AMENDMENT**

Rep. William V. Knowles for Criminal Justice and Public Safety: The amendment approved

by the committee replaced the entire bill and adds a new paragraph (L) to RSA 651:6 (extended term of imprisonment) to protect the elderly and those persons who have a physical or mental condition that impairs the victim's ability to manage his/her property or financial resources, or to protect his/her rights or interests. Vote 14-0.

Amendment (0658h)

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

AN ACT relative to enhanced penalties for certain crimes against the elderly and persons with disabilities.

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Enhanced Penalties for Certain Crimes Against the Elderly or Persons With Disabilities. Amend RSA 651:6, I by inserting after subparagraph (k) the following new subparagraph:

(l) Has committed or attempted to commit any of the crimes defined in RSA 637 or RSA 638 against a victim who is 65 years of age or older or who has a physical or mental condition that impairs the victim's ability to manage his or her property or financial resources or to protect his or her rights or interests.

AMENDED ANALYSIS

This bill imposes enhanced penalties for certain crimes against the elderly and persons with disabilities.

HB 129-FN-L, establishing a high performance school incentive. **OUGHT TO PASS**

Rep. Deanna P. Rush for Education: This bill establishes an incentive for towns to build environmentally sound, quality schools. A high performance building is healthy and productive for students and teachers. It provides high levels of acoustic, thermal, and visual comfort and also has superior air quality. These buildings are cost effective to operate and maintain. The bill overwhelmingly passed the Education Committee, the Finance Committee, and the New Hampshire House last year, but was killed in the Senate. Vote 11-3.

HB 351, relative to the time for counting absentee ballots. **OUGHT TO PASS WITH AMENDMENT**

Rep. Michael D. Whalley for Election Law: This bill, as amended, would change the time from 1:00 P.M. to 11:00 A.M. on the day of the election as the time when the processing of absentee ballots may begin. This change would provide more time for the processing of absentee ballots and would be consistent throughout the state. Vote 14-2.

Amendment (0653h)

Amend the bill by replacing section 1 with the following:

1 Processing Absentee Ballots. Amend RSA 659:49 to read as follows:
659:49 Processing Absentee Ballots.

I. Processing of previously received absentee ballots shall begin at ~~[1:00 p.m.]~~ **11:00 a.m.** The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time during the processing of such ballots. Absentee ballots which are received after ~~[1:00 p.m.]~~ **11:00 a.m.** and prior to 5:00 p.m. shall be processed as soon after receipt as possible. Under no circumstances shall absentee ballots be counted prior to the closing of the polls.

II. Notwithstanding the provisions of paragraph I, upon the written challenges of 10 or more voters who are present at the polls no later than ~~[1:00 p.m.]~~ **11:00 a.m.**, the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election.

AMENDED ANALYSIS

This bill changes the time for beginning the processing of absentee ballots from 1:00 p.m. to 11:00 a.m.

HB 362, relative to statutes to be posted at polling places. **OUGHT TO PASS**

Rep. Thomas J. Langlais for Election Law: This bill modifies the list of statutes that must be posted outside the guardrail in the polling places that define the laws more pertinent to the voting process. This bill adds existing statutes and further defines and clarifies laws already in place. These statutes shall be posted at each polling place. This bill removes statutes which address rights not typically exercised at the polls on election day and adds statutes which do address election day polling place activity. This bill is supported by the secretary of state and attorney general. Vote 15-1.

HB 195, establishing a committee to study the department of insurance and whether it should be combined with any other agency. **OUGHT TO PASS WITH AMENDMENT**

Rep. Nelson S. Allan for Executive Departments and Administration: This bill establishes a study committee for consideration of changes to the insurance department. The committee heard testimony on the need to improve responsiveness to consumer complaints and the need to improve inter-department communications with other financial departments. The committee amendment names membership from the Commerce and Executive Departments and Administration Committees as well as two others appointed by the speaker of the house and three appointed by the senate president. Vote 16-0.

Amendment (0467h)

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

AN ACT establishing a committee to study the department of insurance.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the department of insurance.

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

(a) Four members of the house of representatives, one of whom shall be from the house executive departments and administration committee and one of whom shall be from the house commerce committee, appointed by the speaker of the house of representatives.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the department of insurance, including whether it should be combined with any other agency, consumer issues, and efficiency of operation.

AMENDED ANALYSIS

This bill establishes a committee to study the department of insurance, including whether it should be combined with any other agency.

HB 335, relative to the review of final proposed rules by the joint legislative committee on administrative rules. **INEXPEDIENT TO LEGISLATE**

Rep. Pamela V. Manney for Executive Departments and Administration: This committee has a more comprehensive bill that includes this area of concern. Therefore, it was the decision of the committee that it would be prudent to combine both bills into one. Vote 13-0.

HB 388, establishing a commission to study the retirement system medical benefits subsidy for retired teachers. **INEXPEDIENT TO LEGISLATE**

Rep. Francis B. Sullivan for Executive Departments and Administration: It is the feeling of the committee that the intent of this bill is redundant to HB 181 which was passed unanimously by this committee and by the house on the consent calendar. It is believed that HB 181, establishing a committee to study the special account in the New Hampshire Retirement System, will pass the senate and be signed by the Governor and as a result, resolve all of the issues in this bill. Vote 17-1.

HB 415, excepting installation of fuel gas equipment from regulation by the electrician's board. **OUGHT TO PASS WITH AMENDMENT**

Rep. Ken Hawkins for Executive Departments and Administration: This bill will allow heating technicians to install and hook up the wires to a heating system. Current law allows them to do this for fuel oil, not for other forms of energy such as natural gas, propane, methane, etc. This bill will now legalize what many technicians have been doing. Vote 18-0.

Amendment (0678h)

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

AN ACT excepting installation of heating equipment from regulation by the electrician's board.

Amend the bill by replacing section 1 with the following:

1 Electricians; Exception Added. Amend RSA 319-C:3, IX to read as follows:

IX. Installation of ~~[fuel oil]~~ **heating** equipment and controls connected thereto.

AMENDED ANALYSIS

This bill adds heating equipment installation to the exceptions to the regulatory authority of the electrician's board.

HB 499, relative to participation in and administration of the Manchester employees' contributory retirement system. **OUGHT TO PASS**

Rep. William R. Zolla for Executive Departments and Administration: In that the Manchester retirement system was authorized by the state legislature all changes thereto must also be approved by the state legislature. This bill was presented to the committee as a housekeeping bill to rectify some areas of the Manchester system and was presented by it's director as such with no additional expense to the city. Vote 16-0.

HB 546, relative to the status of the board of trustees of the retirement system. **OUGHT TO PASS**

Rep. William R. Zolla for Executive Departments and Administration: This bill provides that the board of trustees has the powers, privileges, and immunity of a corporation in managing the retirement system. This bill would alleviate the need for the retirement system to purchase insurance for the board's trustees presently costing \$125,000.00 per year for 13 million in liability protection for individual members should the board of trustees be penetrated by litigation and involve the individual members. This protection was originally in the trust documents and was omitted by mistake when they were re-written several years ago. Vote 14-0.

HB 552, proclaiming March as New Hampshire Irish American Month. **INEXPEDIENT TO LEGISLATE**

Rep. Patricia M. McMahon for Executive Departments and Administration: Consistent with prior deliberations, the committee believes that while the contribution of the Irish to our state have been numerous, meritorious and renowned, this legislation is not recommended and cannot enhance the admirable accomplishments that are duly acknowledged and appreciated by the populace. Vote 19-1.

HB 582, relative to the policy for records management. **OUGHT TO PASS**

Rep. James B. Coburn for Executive Departments and Administration: This bill specifies that the state record management program is intended, in part, to promote integrity in the day to day record keeping activities of state and local government. The committee discussed the definition of integrity as being the accuracy and reliability of the archive process and that adding the word integrity provided support for the archive department to properly fulfill its

mission. Vote 17-2.

HB 596-FN, relative to the salary of the state veterinarian. **INEXPEDIENT TO LEGISLATE**

Rep. Ken Hawkins for Executive Departments and Administration: The committee heard testimony that the state veterinarian is retiring and that the salary currently being paid could be an impediment to hiring a replacement. We were asked to change the salary group range so that the new state veterinarian could move from group FF step 5 to group II step 5 which would result in a salary increase of 24.7%. There is currently a pay schedule for all positions in all state agencies that was derived from the Hay Study. This study looked at every job description and recommended a classification level. It also allowed for a review of the position if the duties changed. We felt that this change should go through the Hay Study review to see if the job description has changed enough to warrant the change in classification. Vote 15-0.

HB 647-FN, relative to restructuring the department of revenue administration. **OUGHT TO PASS WITH AMENDMENT**

Rep. James M. Fitzgerald for Executive Departments and Administration: This bill is the result of a summer study of the Department of Revenue Administration. The bill makes technical corrections, creates a central tax service unit and reorganizes the Department of Revenue Administration into two former operating divisions: the Division of Property Appraisal and the Municipal Services Division. This bill also deletes the Community Services Division which was created in 2001 to handle the certification of all the municipalities' assessments. The legislature changed the certification process into a review process so continuing a new division was not necessary. These changes will better serve the taxpayers and municipalities and will enhance the internal control and efficiency of the department and will save the state money. Vote 14-1.

Amendment (0680h)

Amend RSA 21-J:6-c as inserted by section 3 of the bill by replacing it with the following:

21-J:6-c Central Tax Services Unit. There is hereby established within the department of revenue administration a central tax services unit, under the supervision of an unclassified taxpayer advocate who shall be responsible for the following functions, in accordance with applicable laws:

- I. Providing general assistance to the public for all taxes administered by the department.
- II. Internal control of all tax receivables for the department.
- III. Taxpayer advocacy.

HB 652-FN, relative to the retirement system classification for the director of juvenile justice services, department of health and human services. **INEXPEDIENT TO LEGISLATE**

Rep. William R. Zolla for Executive Departments and Administration: The present classification for this position is Group I. This bill asks that it be redefined so that Group II personnel could serve in the position without giving up the individual's current Group II standing. The committee felt that as a Group I position, it should be manned by Group I personnel. Vote 13-0.

HJR 2, declaring February 12 to be Thaddeus Andrzej Bonawentura Kosciuszko day. **INEXPEDIENT TO LEGISLATE**

Rep. Anne-Marie Irwin for Executive Departments and Administration: The sponsor presented a compelling history of the contributions of Thaddeus Andrzej Bonawentura Kosciuszko. Presently, in Manchester, a monument, park and street exist to honor this

Polish Revolutionary War hero. The committee, while respectful of the contributions of all ethnic groups, decided not to put in statute this commemoration. Vote 13-0.

HB 306, relative to mandatory education for crossbow hunters. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert J. L'Heureux for Fish and Game: This bill as amended requires all applicants for a crossbow hunting permit to have successfully completed a crossbow or archery safety course before receiving such a permit. The amendment simply clarifies the wording and intent of the legislation. Vote 10-0.

Amendment (0277h)

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

1 New Paragraph; Crossbow Permit; Education. Amend RSA 214:23-a by inserting after paragraph II the following new paragraph:

II-a. Except as provided in RSA 207:10-c, no permit for hunting by crossbow shall be issued to any resident or nonresident person unless the applicant presents to the agent authorized to issue such permit either:

(a) A certificate of completion from a specialized crossbow education program in this state, or any other state, province, or country, which is equivalent to the program provided in this state;

(b) Satisfactory proof that the applicant has successfully completed a bowhunter education program in this state, or any other state, province, or country, which is equivalent to the program provided for by this chapter; or

(c) Satisfactory proof that the applicant has previously had a crossbow permit or equivalent, as determined by the executive director, issued in this state, or any other state, province, or country.

2 Effective Date. This act shall take effect January 1, 2006.

AMENDED ANALYSIS

This bill requires a person issued a crossbow permit to have completed a crossbow or bowhunter education program or equivalent.

HB 310, relative to requirements of the fish and game department before a coastal area may be closed to fishing of marine species. **INEXPEDIENT TO LEGISLATE**

Rep. Stephanie Eaton for Fish and Game: Only one third of the sponsors supported this bill in committee. Another sponsor withdrew his support in committee. Last session, the identical bill came before Fish and Game and was voted ITL. Also the Advisory Committee on Marine Fisheries, which has legislative authority to hold hearings on marine species, opposed the bill. They deem this bill "redundant and unnecessary" procedurally. Vote 10-0.

HB 447-FN, relative to black bear license and tag fees. **OUGHT TO PASS**

Rep. Robert R. Barker for Fish and Game: This bill increases the fee for a license and tag to hunt bear under the black bear management program, and clarifies the uses of the funds in the bear management fund. It requires that all money collected by the Fish and Game Department shall be used exclusively for the implementation of a comprehensive black bear management program. The committee heard no opposition to this bill and determined that the fees to hunt black bear, a state resource, should be revised. Vote 11-0.

HB 449-FN, relative to special wild turkey seasons and permits. **OUGHT TO PASS**

Rep. Robert J. Barker for Fish and Game: This bill allows the Executive Director of the Fish and Game Department to establish a special wild turkey hunting season, issue permits and establish a lottery for the permits. All money collected by the Fish and Game Department shall be used exclusively for the implementation of a comprehensive wild turkey management program. The committee determined that the increasingly larger wild turkey

population warranted the implementation of a special hunting season. Vote 13-0.

SB 27-FN, relative to an exemption from the annual inspection of health facilities.
INEXPEDIENT TO LEGISLATE

Rep. Fran Wendelboe for Health, Human Services and Elderly Affairs: This bill would have exempted certain health care facilities from the state inspection if they were inspected by an independent inspection process done by an industry accreditation entity, such as J.C.A.H.O. (Joint Commission on Accreditation for Health Care Organizations). The committee, however, felt that the language was too broad and left most of the “meat” of the issue to rule making with very little concrete information as to what accreditation groups would be acceptable and with what conditions. While the committee appreciates the intent to have our health care facilities avoid duplicate inspection processes, we felt this needed too much clarification at this time. Vote 19-0.

SB 42, establishing a pharmaceutical study committee to study direct purchasing of prescription medication by the state. **INEXPEDIENT TO LEGISLATE**

Rep. Peter L. Batula for Health, Human Services and Elderly Affairs: This was a good bill to study direct purchasing of prescription drugs by the state. The committee was in favor of this type of study committee. After a lengthy discussion on the bill, it was decided to incorporate the substance of this bill into HB 704, which is a like bill that the committee will retain for study in the months ahead. The prime sponsor was agreeable to include SB 42 with the HB 704 study. Vote 18-0.

SB 57, establishing a commission to study ways to alleviate medical malpractice premiums for high risk specialties. **OUGHT TO PASS WITH AMENDMENT**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: The committee unanimously supported this study relating to the alleviation of medical malpractice premiums. This study will not be duplicative of prior studies as this bill specifically rules out review of “the civil justice system specific to medical malpractice claims.” The committee felt that the duties outlined allowed for an in-depth consideration of the role of the insurance industries in the increasing cost of medical malpractice insurance. In addition, emphasis will be placed on high risk specialties, such as neurosurgeons and obstetricians. It is felt that this study is timely considering the current crisis in the delivery of health care services. Vote 19-0.

Amendment (0656h)

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

(j) A representative of the New Hampshire chapter of the American College of Obstetricians and Gynecologists (ACOG), appointed by such association.

HB 192, establishing a committee to study medical malpractice. **INEXPEDIENT TO LEGISLATE**

Rep. Gregory M. Sorg for Judiciary: This bill would establish a joint House and Senate committee to study medical malpractice tort reform efforts that have been enacted in the other states and Canada. Since the public hearing on this bill in January, numerous tort reform bills, together with supporting documentation, have come before the committee, most, if not all of which, will be referred to a subcommittee. The majority of Judiciary believes that the committee has the information necessary to address the issue through the subcommittee, and that creation of a study committee is not necessary. Vote 11-7.

HB 251, relative to the family division of the courts. **INEXPEDIENT TO LEGISLATE**

Rep. Gregory M. Sorg for Judiciary: This bill would amend RSA 490:33 by specifying that

the newly-created family division of the courts shall be a division of the Superior Court, rather than an independent system. The committee preferred to leave the present arrangement in place, whereby the Family and Superior Court are parallel systems both reporting directly to the Supreme Court, rather than having one trial-based court reporting to another trial-based court. The committee's position is supported by both the Supreme Court and the Chief Justice of the Superior Court. Vote 14-3.

HB 267, relative to requests for services other than counsel for indigent defendants.

OUGHT TO PASS

Rep. Gregory M. Sorg for Judiciary: This bill would incorporate into RSA 604-A:6 and make uniform in the courts a practice already followed by many judges. Counsel for indigent defendants in criminal cases would be expressly entitled to seek funds for services other than counsel by applying to the court on an ex parte basis; that is, without having to give prior notice to the prosecution. This would protect the secrecy of defense strategy and focus, thereby placing indigent defendants on the same footing as defendants able to use their own funds for investigative and other purposes. Vote 17-0.

HB 421, establishing a committee to study effective dates on legislation. **OUGHT TO PASS WITH AMENDMENT**

Rep. Paul C. Smith for Legislative Administration: This bill attempted to fix the problem of effective date changes by legislators with regard to LSR's. This left the Office of Legislative Services in a difficult position in dealing with legislators who sought changes in the effective dates without consulting RSA 14:9-a. The committee amendment clarified that any changes in any effective date has to be done through amendment. Vote 10-0.

Amendment (0475h)

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

AN ACT relative to effective dates.

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

1 Effective Dates. RSA 14:9-a is repealed and reenacted to read as follows:

14:9-a Effective Dates.

I. Except as provided in paragraphs II and III, each law passed by the general court shall take effect 60 calendar days following passage, excluding the date on which it is signed by the governor, or the last date on which the general court acts on the matter, as the case may be.

II. The office of legislative services shall include a section in each bill drafted for introduction specifying the act's effective date, if passed. The effective date section shall indicate either that the law shall take effect 60 days after the bill's passage or that the law shall take effect according to one of the following exceptions to the 60-day requirement:

(a) If the law is a resolution, it shall take effect upon its passage.

(b) Each law affecting judicial practice and procedure, or establishing or eliminating criminal prohibitions, civil causes of action or remedies, or limitations of actions, shall take effect on the January 1 following passage.

(c) Each law affecting local property taxes shall take effect on the April 1 following passage.

(d) Each law affecting state tax laws and statutory fees shall take effect on the July 1 following passage.

(e) If the law affects only one particular person, town, city, or political subdivision, it shall take effect upon its passage.

(f) Each law making appropriations shall take effect on the July 1 following passage.

(g) Each law establishing a legislative committee shall take effect upon its passage.

(h) A law may be repealed in the bill enacting the law, with the repeal taking effect at a prospective date specified in the bill.

III. The general court may amend the effective date section of a bill to indicate that a law shall take effect when specified in the amendment.

IV. Unless specifically provided otherwise, each law enacted by the general court shall take effect at midnight, 12:00 a.m., on the date the law becomes effective.

V. The secretary of state shall record the date each law was enacted and its effective date on all enrolled and printed copies of such law, and such record shall be conclusive.

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

AMENDED ANALYSIS

This bill clarifies the applicability of the effective date statute.

HB 141-L, relative to the planning board's authority to limit building permits. **OUGHT TO PASS WITH AMENDMENT**

Rep. Nancy K. Johnson for Municipal and County Government: There are some perceptions that planning boards may be abusing their power when it comes to limiting the number of building permits that can be issued within a given year in a municipality. This bill clarifies that planning boards cannot arbitrarily limit this number unless it is in accordance with applicable statutes such as emergency zoning, interim zoning and growth management ordinances. This bill does not change the powers of planning boards; rather it clarifies what is already illegal. Vote 15-0.

Amendment (0347h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Power to Regulate Subdivisions; Building Permit Limits Restricted.

Amend RSA 674:35 by inserting after paragraph II the following new paragraph:

III. The planning board shall not limit the number of building permits that may be issued except in accordance with an innovative land use control ordinance addressing timing incentives and phased development under RSA 674:21 and adopted under RSA 674:16; or an ordinance to regulate and control the timing of development, adopted under RSA 674:22; or an ordinance to regulate growth via interim regulation, adopted under RSA 674:23. This paragraph shall not be construed to limit the planning board's authority to deny a subdivision application on the basis that it is scattered or premature.

AMENDED ANALYSIS

This bill prohibits a planning board from limiting the number of building permits issued unless the town has adopted certain growth management ordinances.

HB 230-L, relative to default budgets. **OUGHT TO PASS WITH AMENDMENT**

Rep. Paul R. Hopfgarten for Municipal and County Government: This bill as amended provides clarity as to what costs can be included in the default budget in so-called "SB-2" (RSA 40:13) towns and school districts. This bill seeks to strike a balance by defining continuing costs that must be funded as opposed to those costs desired to be added by the town school district but not voted on by the legislative body. It is hoped by the committee that this amendment will mitigate the contentious nature involved in attempting to determine default budgets. Vote 16-0.

Amendment (0347h)

Amend the bill by replacing section 1 with the following:

1 Default Budget; Definition. RSA 40:13, IX(b) is repealed and reenacted to read as follows:

(b) "Default budget" as used in this subdivision means the amount of the same appropriations as contained in the operating budget authorized for the previous year, adjusted by:

- (1) Debt service.
- (2) Obligations required by contracts entered into before the previous year.
- (3) Obligations incurred by approved warrant articles.
- (4) Obligations mandated by law.
- (5) One-time expenditures contained in the previous year's operating budget.

One-time expenditures shall be appropriations not likely to recur in the succeeding budget, as determined by the governing body, unless the provisions of RSA 40:14-b are adopted by the local political subdivision.

AMENDED ANALYSIS

This bill includes, in the calculation of a default budget amount, obligations incurred by approved warrant articles and contractual obligations made before the previous year.

HB 284, excluding the value of a view from property tax assessments. INEXPEDIENT TO LEGISLATE

Rep. Eric G. Stohl for Municipal and County Government: This bill would prohibit the appraisal of property from using the value of the view from that property. When an assessor places a value on a property, he or she must consider the many types of value that the property has. Some examples of these values may be waterfront, road frontage and terrain. The committee heard testimony on another bill that dealt with the view component as well. HB 245 establishes a committee to study property appraisals of features of land and the view from residential property and unimproved land. The committee feels the best way to address the view issue in this bill would be to roll it into the subject matter of HB 245. Vote 16-0.

HB 338, allowing municipalities to adopt a low income property tax credit. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: This bill sets up a mechanism for the local community to adopt a low income property tax credit by the vote of the legislative body. There are parameters for the income and the percentage amount of tax credit to be received. No resident with an income over \$47,000 would be eligible for the credit and the credit could not exceed \$1,500 in any year. The legislature recodified property tax exemptions, credits and deferrals during the 2003-2004 session and made many changes that need to be dealt with at the local level. It is important to realize that if there is an exemption or credit on one parcel of property in a municipality the difference has to be made up by another taxpayer, which is cost shifting. The local municipalities already have the ability to grant property tax relief that is voted on by their legislative bodies. Vote 18-0.

HB 358, establishing a committee to study the efficacy of the municipal budget committee and cooperative school district budget committee processes. INEXPEDIENT TO LEGISLATE

Rep. Eric G. Stohl for Municipal and County Government: RSA 32:14 allows for the adoption of a municipal or school district budget committee and RSA 195:12-a allows for the adoption of a cooperative school district budget committee. All budget committees have the authority and duty to prepare a budget for submission, conduct public hearings with respect to budget preparation, and forward copies of the final budgets to the town or district clerk, commissioner of revenue administration and also to the governing body or bodies. The committee feels that the current budget committee process is effective and can be rescinded by voters if they choose to do so. Vote 17-0.

HB 377, relative to property assessment records posted on the Internet. INEXPEDIENT TO LEGISLATE

Rep. John P. Dowd for Municipal and County Government: The committee appreciates the concern of the sponsor for removing personal information from records posted on the internet. As testified by town assessors, there are already suppression mechanisms in place.

Having this information readily accessible for elderly and handicapped individuals is important so they can make sure their information on assessment cards is correct. An additional benefit to having information available is less congestion in the assessor offices, freeing up workers and reducing assessing budgets in communities. Vote 13-3.

HB 408, relative to the sale of town-owned land. **OUGHT TO PASS**

Rep. David L. Buhlman for Municipal and County Government: This bill reduces the time between a second public hearing on the sale of town-owned land and the selectmen's vote on the sale from 10 days to 7 days. This is beneficial because the 7 days conforms to the weekly selectmen's meeting. Vote 14-0.

HB 411, relative to the North Conway water precinct. **OUGHT TO PASS**

Rep. Eric G. Stohl for Municipal and County Government: This bill amends chapter law 1905 170:1 as amended by 1987 417:1 by authorizing the North Conway Water Precinct to raise and appropriate money for the establishment of capital reserve and expandable trust funds. This first part of the bill re-affirms the authority previously granted that the voters acting as the legal body politic of the North Conway Water Precinct voted to establish and fund capital reserve trust funds. The second part of the bill simply ratifies the votes and the proceedings of the annual meeting of the North Conway Water Precinct of March 31, 2004. The committee heard testimony that the Commissioners of the North Conway Water Precinct unanimously supported this bill. Vote 16-0.

HB 416, relative to billing for the semi-annual collection of property taxes. **INEXPEDIENT TO LEGISLATE**

Rep. David L. Buhlman for Municipal and County Government: This bill allows municipalities to choose a percentage for the first tax bill in the semi-annual collection of taxes which is different than the current formula of $\frac{1}{2}$ of the previous year's property tax bill in order to even out the semi-annual tax bills. Although the sponsor's intentions with this bill are laudable, the committee felt that there was potential to create confusion on the local level by having to estimate the adjustments for half year tax bills. Vote 15-2.

HB 418, allowing towns with town charters to have wards. **INEXPEDIENT TO LEGISLATE**

Rep. Eric G. Stohl for Municipal and County Government: This bill attempts to do two things. First of all, it proposes to amend RSA 44:4 to allow a town to be able to divide into wards just as a city does. Secondly, it addresses allowing towns with town charters to be able to divide themselves into wards. RSA 44:4 mandates that each ward shall be treated as a town for the purpose of the election of governor, councilor, state senator, representative to the general court, all county officers, senator and representative in congress, and electors of president and vice-president of the United States, and all matters relating to jurors. RSA 44:12 takes the issue a step further by mandating that each ward shall elect three selectmen, a moderator and a clerk and that they shall have the powers, perform the duties, and be subject to the liabilities, of those officers in towns in relation to the warning of meetings, conducting elections, counting and declaring votes, recording the votes, certifying the elections, and all other matters relating to elections. The committee feels the added expense of this expansion of government was unnecessary in any town, whether it is by charter or not. Vote 16-1.

HB 425-FN-L, increasing fees paid to municipalities for registering current model year vehicles. **INEXPEDIENT TO LEGISLATE**

Rep. David L. Buhlman for Municipal and County Government: This bill would increase the motor vehicle registration mil rate by either 20-25% depending on the model year of the motor vehicle. According to the fiscal note, this bill would increase fees for motor vehicle

registration by \$20 million each year. The bill limits this increase to “current model year vehicles” in order to single out this segment of the population that can afford to buy new cars. Though the increased revenue was tempting, the committee could not see any compelling reason to change the current fee that our constituents now pay. Vote 16-1.

HB 431-FN-L, requiring run-offs in certain local elections. **OUGHT TO PASS WITH AMENDMENT**

Rep. Eric G. Stohl for Municipal and County Government: The intent of this bill is to provide a mechanism for determining which competing warrant article on the ballot in an official ballot referendum (SB2) town or school district actually prevails. The competing articles could be ones that require a 2/3 or 3/5 percentage vote to pass or some could be ones that require only a simple majority. The bill came to the committee with what we thought was excessive language. With the assistance of the sponsors, we were able to develop a bill that we feel deserves passage. This bill states in the event that there are 2 or more competing articles on the ballot and 2 or more of such articles receive the requisite vote to pass, the article that receives the greatest number of votes shall prevail. Vote 14-0.

Amendment (0478h)

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

AN ACT relative to competing articles and official ballot voting.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Competing Articles. Amend RSA 40:13 by inserting after paragraph XVI the following new paragraph:

XVII. In the event that there are 2 or more competing articles on the ballot and 2 or more of such articles receive the requisite vote to pass, the article that receives the greatest number of votes shall prevail.

AMENDED ANALYSIS

This bill provides that when 2 competing articles in an official ballot proceeding receive the minimum number of votes to pass, the article with the most votes shall prevail.

HB 467, relative to naming private roads. **OUGHT TO PASS**

Rep. Suzanne Harvey for Municipal and County Government: The governing body has the authority to change the names of roads and streets that are under the control of the town. However, there is no authority for it to change the name of private roads. The committee heard testimony describing the potential confusion and crucial time lost by fire and EMS teams when answering a call to a road that has a name similar to another road in the same area. This bill would enable governing bodies to change the name of a private street or highway when necessary to conform to the requirements of the enhanced 911 telecommunications system. The committee unanimously agreed that passing this bill can save property and lives. Vote 16-0.

HB 504, relative to the assessment or refund of real estate transfer taxes, and the recording of plans with the register of deeds. **OUGHT TO PASS WITH AMENDMENT**

Rep. Laurie J. Boyce for Municipal and County Government: When the department of revenue administration (DRA) performs a financial audit that involves a parcel of land an additional amount of taxes or refunds usually is the outcome of the audit. Currently there is a cumbersome mechanism for the registrars of deeds to collect or refund those taxes. This bill creates a new procedure that is user friendly to the registrars and the department. When the results of an audit are known – both for assessment of additional taxes or a refund- the commissioner shall issue a notice of the results to the registrars and then upon receipt of that notice the registrars shall record the notice. This leaves a paper trail for the payment or refund of taxes for the property owner, the registrars and the department. In addition, the DRA shall certify the amount of 4 percent of the additional tax assessed and

collected to the state treasurer so that such amount will be paid the registrars within one month of the audit results. The amendment adds the “location” of the property to the information given to the registrars in the notice. The bill also changes a statutory reference regarding the filing of floor plans (RSA 479-A: 12). Vote 15-0.

Amendment (0352h)

Amend RSA 78-B:9-a, II(a) as inserted by section 1 of the bill by inserting after subparagraph (4) the following new subparagraph:

(5) The location of the property.

Amend RSA 78-B:9-a, III(a) as inserted by section 1 of the bill by inserting after subparagraph (4) the following new subparagraph:

(5) The location of the property.

HB 505, relative to recording mailing addresses on property deeds. OUGHT TO PASS WITH AMENDMENT

Rep. Andrew L. Dorsett for Municipal and County Government: When a parcel of land is sold, the information put in the new deed is not always specific enough so that the new owner’s mailing address may not appear on the deed. If the correct mailing address of the new owner is not known, then the tax bill cannot be sent to the proper owner and delay and perhaps late charges may occur. This legislation inserts the words “complete address” into the required form on quit claim and warranty deeds. The amendment adds the mailing address of the new property owner to mortgage, fiduciary, foreclosure and manufactured housing deeds. The committee knows that the information on any deed is the starting point of all correct information concerning the parcel of land. Vote 15-0.

Amendment (0361h)

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

1 Statutory Form of Warranty and Quitclaim Deeds; Mailing Address Included. Amend RSA 477:27-28 to read as follows:

477:27 Statutory Form of Warranty Deed. A deed in substance following the form appended to this section shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, heirs, successors and assigns, to ~~[his and]~~ their own use, with covenant on the part of the grantor, for himself **or herself**, ~~[his]~~ heirs, executors and administrators, that, at the time of the delivery of such deed, ~~[he]~~ **the grantor** was lawfully seized in fee simple of the granted premises, that the said premises were free from all incumbrances, except as stated, that ~~[he]~~ **the grantor** had good right to sell and convey the same to the grantee, ~~[his]~~ heirs, successors and assigns, and that ~~[he]~~ **the grantor** will, and ~~[his]~~ **the** heirs, executors, and administrators shall, warrant and defend the same to the grantee and ~~[his]~~ heirs, successors and assigns, against the lawful claims and demands of all persons.

(Form for warranty deed)

_____, of _____ County, State of _____, for consideration paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____, _____ County, State of _____, with warranty covenants, the _____ (Description of land or interest being conveyed: incumbrances, exceptions, reservations, if any) _____, (wife) (husband) of said grantor, release to said grantee all rights of homestead and other interests therein.

(Here add acknowledgment)

477:28 Statutory Form of Quitclaim Deed. A deed in substance following the form appended to this section shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, heirs, successors and assigns, to ~~[his and]~~ their own use, with covenants on the part of the grantor, for himself, ~~[his]~~ **or herself**, heirs, executors and administrators with the grantee, ~~[his]~~ heirs, successors and assigns, that at the time of the

delivery of such deed the premises were free from all incumbrances made by the grantor, except as stated, and that ~~[he]~~ **the grantor** will, and ~~[his]~~ **the** heirs, executors and administrators shall, warrant and defend the same to the grantee and ~~[his]~~ heirs, successors and assigns forever against the lawful claims and demands of all persons claiming, by, through or under the grantor, but against none other.

(Form for quitclaim deed)

_____, of _____ County, State of _____, for consideration paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____ County, State of _____, with quitclaim covenants, the _____ (Description of land or interest therein being conveyed: incumbrances, exceptions, reservations, if any) _____, (wife) (husband) of said grantor, release to said grantee all rights of homestead and other interests therein.
(Here add acknowledgment)

2 Statutory Form of Power of Sale Mortgage; Mailing Address Included. Amend RSA 477:29, III to read as follows:

III. The words "statutory power of sale" shall be understood as giving the mortgagee and ~~[his]~~ executors, administrators, successors and assigns the right, upon any default of the performance of the statutory condition as defined in paragraph II, or any other condition contained in the mortgage, to foreclose by sale under the provisions of RSA 479:25-27-a inclusive.

(Form for mortgage deed, with power of sale)

_____ of _____ County, State of _____, for consideration paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____, _____ County, State of _____ with mortgage covenants, to secure the payments of _____ dollars, with _____ percent interest payable semiannually and also perform all the agreements and conditions as provided in note _____ of even date, the _____ (Description of land or interest therein being conveyed: incumbrances, reservations, exceptions, if any) _____. This mortgage is upon the statutory conditions, for any breach of which the mortgagee shall have the statutory power of sale. _____ (Wife) (husband) of said mortgagor, release all rights of homestead and other interests in the mortgage premises.

(Here add acknowledgment)

3 Statutory Form of Fiduciary Deed and Foreclosure Deed Under Power of Sale; Mailing Address Included. Amend RSA 477:30-31 to read as follows:

477:30 Statutory Form of Fiduciary Deed. A deed in substance following the form appended to this section shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, ~~[his]~~ heirs, successors and assigns, to ~~[his and]~~ their own use, with covenants on the part of the grantor, for himself **or herself**, that, at the time of the delivery of such deed, ~~[he]~~ **the grantor** was duly authorized to make the sale of the premises; that in all of ~~[his]~~ **the grantor's** proceedings in the sale thereof, ~~[he]~~ **the grantor** has complied with the requirements of the statute in such case provided; and that ~~[he]~~ **the grantor** will warrant and defend the same to the grantee, ~~[his]~~ heirs, successors and assigns, against the lawful claims of all persons claiming by, from or under him **or her** in the capacity aforesaid.

(Form for fiduciary deed)

_____ of _____ County, State of _____, executor under the will (administrator of the _____ estate) (trustee under the will) (guardian) (conservator) (receiver of the estate) (commissioner) of _____ of _____, by the power conferred by _____ and every other power, for _____ dollars paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____, _____ County, State of _____ the _____ (Insert description of land or interest therein being conveyed: incumbrances, reservations, exceptions.)

(Here add acknowledgment)

477:31 Statutory Form for Foreclosure Deed Under Power of Sale. Where a mortgage is foreclosed under a statutory power of sale, the mortgagee may give a deed to the purchaser, whether the purchaser be a stranger or the mortgagee, in the following form:

_____ of _____ County, _____ State of _____, holder of a mortgage from _____ to _____ dated _____, recorded in _____ Registry of Deeds, Vol. ___, page ___, by the power conferred by said mortgage and every other power, for ___ dollars paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____, _____ County, State of _____, the premises conveyed by said mortgage.

(Here add acknowledgment)

A deed in substance in that form shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, ~~[his]~~ heirs, successors and assigns, to ~~[his and]~~ their own use, with covenants on the part of the grantor, for himself **or herself**, that, at the time of the delivery of such deed, ~~[he]~~ **the grantor** was duly authorized to make sale of the premises; that in all of ~~[his]~~ **the grantor's** proceedings in the sale thereof, ~~[he]~~ **the grantor** has complied with the requirements of the statute in such case provided; and that ~~[he]~~ **the grantor** will warrant and defend the same to the grantee, ~~[his]~~ heirs, successors and assigns, against the lawful claims of all persons claiming by, from or under him **or her**.

4 Form of Manufactured Housing Warranty Deed, Quitclaim Deed, and Out-of-State Transfer Statement; Mailing Address Included. Amend RSA 477:44, II to read as follows:

II. MANUFACTURED HOUSING. Manufactured housing, as defined by RSA 674:31, shall be deemed a building for the purpose of paragraph I when such manufactured housing is placed on a site and tied into required utilities. Any deed conveying manufactured housing or evidencing its relocation within this state shall be substantially in the form provided in subparagraphs (a) and (b). If a deed for any manufactured housing is recorded in the registry of deeds of one county of this state and if such manufactured housing is relocated to another site in that county or to a site in another county of this state, a deed evidencing the change of location shall be recorded in the registry of deeds of the county in which it was originally located and a duplicate original shall also be recorded in the registry of deeds of the county to which it was relocated. If such manufactured housing is relocated to a site outside of this state, a statement evidencing the change of location substantially in the form provided in subparagraph (c) shall be recorded in the registry of deeds of the county in this state in which it was previously located. An attachment, lien or other encumbrance on manufactured housing, when properly created and recorded as required by law, shall continue to be enforceable until released or discharged notwithstanding the relocation of the manufactured housing within or outside of this state.

(a) A deed in substance following the form provided in this subparagraph shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, heirs, successors and assigns, to their own use, with covenant on the part of the grantor, for the grantor, the grantor's heirs, executors and administrators that, at the time of the delivery of such deed, the grantor was lawfully seized in fee simple of the manufactured housing; that such manufactured housing was free from all incumbrances, except as stated; that the grantor had good right to sell and convey the same to the grantee, the grantee's heirs, successors and assigns; and that the grantor and the grantor's heirs, executors and administrators shall warrant and defend the same to the grantee and the grantee's heirs, successors and assigns, against the lawful claims and demands of all persons. No owner of land shall unreasonably withhold the consent required by this statutory form.

Form for Manufactured Housing Warranty Deed

_____, of _____, _____ County, State of _____, for consideration paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____, _____ County, State of _____, with warranty covenants, the _____ (Description of manufactured housing being conveyed: name of manufacturer, model and serial number and incumbrances, exceptions, reservations, if any) which

manufactured housing is situated, or is to be situated, at ____ (state name of park, if any, and street address), Town (City) of _____, _____ County, State of New Hampshire.

The tract or parcel of land upon which the manufactured housing is situated, or is to be situated, is owned by _____ by deed dated ____ and recorded at Book ____, Page in the _____ County Registry of Deeds. _____ (wife) (husband) of said grantor, release to said grantee all rights and other interests therein.

Signed this _____ day of ____, ____.
(Here add acknowledgment)

_____, owner of the tract or parcel of land upon which the aforesaid manufactured housing is situated, or is to be situated, hereby consents to the conveyance of the manufactured housing.

Signed this _____ day of ____, ____.
(Here add acknowledgment)

☐ Check box if the manufactured housing has been relocated from one site to another within New Hampshire. The manufactured housing was previously located at _____ (state name of park, if any, and street address), Town (City) of _____, _____ County, State of New Hampshire and title, if any, to the same was recorded at Book ____, Page ____, in the _____ County Registry of Deeds. If the relocation is to a county of the State of New Hampshire other than the county in which the deed to the grantor was recorded, a duplicate original of the deed must be recorded in the registry of deeds of that county at the same time this deed is recorded.

(b) A deed in substance following the form provided in this paragraph shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, heirs, successors and assigns, to their own use, with covenants on the part of the grantor, for the grantor, the grantor's heirs, executors and administrators with the grantee, the grantee's heirs, successors and assigns that at the time of the delivery of such deed the manufactured housing was free from all incumbrances made by the grantor, except as stated, and that the grantor and the grantor's heirs, executors and administrators shall warrant and defend the same to the grantee and the grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons claiming, by, through or under the grantor, but against none other. No owner of land shall unreasonably withhold the consent required by this statutory form.

Form for Manufactured Housing Quitclaim Deed

_____, of _____, _____ County, State of _____, for consideration paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____, _____ County, State of _____, with quitclaim covenants, the (Description of manufactured housing being conveyed: name of manufacturer, model and serial number and incumbrances, exceptions, reservations, if any) which manufactured housing is situated, or is to be situated, at _____ (state name of park, if any, and street address), Town (City) of _____, _____ County, State of New Hampshire.

The tract or parcel of land upon which the manufactured housing is situated, or is to be situated, is owned by _____ by deed dated ____ and recorded at Book ____, Page ____, in the ____ County Registry of Deeds. ____ (wife) (husband) of said grantor, release to said grantee all rights and other interest therein.

Signed this _____ day of ____, ____.
(Here add acknowledgment)

_____, owner of the tract or parcel of land upon which the aforesaid manufactured housing is situated, or is to be situated, hereby consents to the conveyance of the manufactured housing.

Signed this _____ day of ____, ____.
(Here add acknowledgment)

[] Check box if the manufactured housing has been relocated from one site to another within New Hampshire. The manufactured housing was previously located at ____ (state name of park, if any, and street address), Town (City) of ____, ____ County, State of New Hampshire and title, if any, to the same was recorded at Book ____, Page ____, in the ____ County Registry of Deeds. If the relocation is to a county of the State of New Hampshire other than the county in which the deed to the grantor was recorded, a duplicate original of the deed must be recorded in the registry of deeds of that county at the same time this deed is recorded.

(c) An out-of-state transfer statement in substance following the form appended to this paragraph shall, when duly executed and recorded in the registry of deeds of the county in which the manufactured housing was previously located, have the force and effect of transferring title of the manufactured housing to the grantee, the grantee's heirs, successors and assigns and terminating the record title of the manufactured housing in such registry of deeds under circumstances by which the manufactured housing is relocated to a site outside of this state. No owner of land shall unreasonably withhold the consent required by this statutory form. No manufactured housing may be relocated to a site outside of this state unless all holders of liens, attachments or incumbrances, if any, consent thereto in writing on the transfer statement.

Form for Out-of-State Transfer Statement

_____, of _____, County, State of _____, for consideration paid, grant to _____, **(complete mailing address)** _____, of _____ Street, Town (City) of _____, _____ County, State of _____, the _____ (Description of manufactured housing being conveyed: name of manufacturer, model and serial number and incumbrances, exceptions, reservations, if any) which manufactured housing, was situated at _____ (state name of park, if any, and street address), Town (City) _____ of _____ County, State of New Hampshire.

The tract or parcel of land upon which the manufactured housing was situated is owned by _____ by deed ____ dated ____ and recorded at Book ____, Page ____ in the _____ County Registry of Deeds. _____ (wife) (husband) of said grantor, release to said grantee all rights and other interest therein.

Signed this _____ day of ____, ____.
(Here add acknowledgment)

_____, owner of the tract or parcel of land upon which the aforesaid manufactured housing was situated, hereby consents to the conveyance of the manufactured housing.

Signed this _____ day of ____, ____.
(Here add acknowledgment)

_____, holder of (lien, attachment or encumbrance) hereby consent to the conveyance of the aforesaid manufactured housing, subject to condition that the aforesaid (lien, attachment or encumbrance) shall remain in force and effect thereon.

Signed this _____ day of ____, ____.
(Here add acknowledgment)

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

HB 509, relative to election of police chiefs. INEXPEDIENT TO LEGISLATE

Rep. David L. Buhlman for Municipal and County Government: A town may vote to elect a police chief at an annual town meeting by putting a warrant article forth for said meeting. If a town chooses to do so, the election of the police chief occurs at the next succeeding annual meeting. The committee heard testimony that there were no qualifications for a police chief and anyone – of good or bad character – could be elected. Current law now requires any elected police chief to be certified (RSA 188-F: 27) and if the elected person could not be certified the governing body shall appoint a police chief until a certifiable chief is elected. This bill would have allowed any certified New Hampshire law enforcement officer in the state to seek this office. The police chief serves an important role in a community. In

municipalities that choose to elect their police chiefs, it is important that a resident serve in this role because residents have more at stake in their own community. The committee also felt that if non-residency were allowed for this position then why not the road agent, selectmen or any other town official. The committee did not want to open the gateway. Vote 12-0.

HB 519-L, relative to the authority to accept dedicated streets and to subdivision roads.
INEXPEDIENT TO LEGISLATE

Rep. Nancy K. Johnson for Municipal and County Government: This bill gives the local governing body exclusive authority to accept dedicated streets and prohibits a planning board from requiring private roads as a condition of subdivision approval. The committee unanimously agreed that the legislative body is the place where the ultimate authority needs to be, since now it can delegate that authority to the governing body if it wants to make that decision. Vote 16-0.

HB 169-FN-A, relative to completion of a sidewalk on Hazen Drive in the city of Concord and making an appropriation therefore. **INEXPEDIENT TO LEGISLATE**

Rep. John A. Graham for Public Works and Highways: The sponsor is working with the Department of Transportation to improve pedestrian safety along Hazen Drive and requested the legislature to find the bill Inexpedient to legislate. Vote 15-0.

HB 565-FN-A, relative to the demolition of a certain building to provide access for a public boat ramp for Winnisquam Lake and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**

Rep. Bernard L. Benn for Public Works and Highways: This bill would appropriate \$350,000 to the Department of Environmental Services for the demolition of a large brick structure for the purpose of providing unencumbered public access to the Winnepesaukee River and Winnisquam Lake. The committee supports the construction of a public boat ramp, but found that proper access to the proposed ramp site was possible without the demolition. The net advantage of the demolition would only be an additional nine parking spaces. At a cost of approximately \$39,000 per space, the committee could not support such an appropriation. Vote 14-0.

HB 457, relative to excavating and dredging permit exemptions for water conveyance systems. **OUGHT TO PASS WITH AMENDMENT**

Rep. Donald A. Brueggemann for Resources, Recreation and Development: This bill amends RSA 482-A:IV(b) which currently allows non-tidal drainage ditches, culverts, catch basins fire ponds and other man-made ponds that have been legally constructed to collect and convey storm water and spring run-off or to store water to be cleared without a permit from the Department of Environmental Services (DES) so long as such structures are not enlarged. The bill adds to this exemption man-made water conveyance systems used for the commercial or industrial purposes of collecting, conveying, storing or recycling water. These include various industrial processes such as stone cutting and gravel cleaning which require the installation of retention ponds to settle out the fine materials suspended in the water. Wetland vegetation becomes established in these water systems, which must be cleaned from time to time in order to function as designed. The committee unanimously supports This bill which exempts these types of water systems from the need to obtain dredge and fill permits from DES. The amendment clarifies the intention of the original bill. Vote 17-0.

Amendment (0368h)

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

1 Excavating and Dredging Permit; Certain Exemptions; Water Conveyance Systems for Commercial or Industrial Purposes Added. Amend RSA 482-A:3, IV(b) to read as follows:

(b) **Man-made** nontidal drainage ditches, culverts, catch basins, and ~~[man-made detention]~~ ponds that have been legally constructed to collect ~~[and]~~ **or** convey storm water and spring run-off, ~~[and that have been maintained so that wetlands vegetation has not become dominant, or]~~ fire ponds and intake areas of dry hydrants that have been legally constructed to provide water for municipal firefighting purposes as approved by a local fire chief, **and man-made water conveyance systems that are used for the commercial or industrial purpose of collecting, conveying, storing, and recycling water**, may be cleaned out when necessary to preserve their usefulness without a permit from the department. Such drainage facilities, fire ponds, ~~or~~ intake areas of any hydrants, **or man-made water conveyance systems** may be cleaned out by hand or machine; provided, that the facility is neither enlarged nor extended into any area of wetlands jurisdiction of the department of environmental services, dredged spoils are deposited in areas outside wetlands jurisdiction of the department of environmental services, and wetlands or surface waters outside the limits of the constructed drainage facility, fire pond, ~~or~~ intake area of a dry hydrant, **or man-made water conveyance system** are neither disturbed nor degraded.

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

HB 571-FN, relative to moorings on Bow Lake. **INEXPEDIENT TO LEGISLATE**

Rep. Duncan D. Chaplin for Resources, Recreation and Development: This bill would add Bow Lake in Strafford and Northwood to the list of six lakes (Winnepesaukee, Winnisquam, Squam, Newfound, Ossipee, and Sunapee) which are already under control of the New Hampshire mooring control program (RSA 270:61). Furthermore, all present mooring on Bow Lake would be grandfathered, a concept which is contrary to our mooring program. A similar bill was filed in 2004 (HB 1164), which was sent to Interim Study and reported out late last year as "Inexpedient to Legislate" by this committee. Nothing has changed in the past six months. Vote 17-0.

HB 152-FN, requiring heating oil sellers to purchase biodiesel. **OUGHT TO PASS WITH AMENDMENT**

Rep. Gene F. Andersen for Science, Technology & Energy: This bill establishes a commission to study the uses of biodiesel in both heating oil and motor transport. The original bill required the use of biodiesel in heating oil. Testimony indicated that New Hampshire's fuel delivery infrastructure is not developed to meet the requirements of the original bill. The bill's amendment provides a study commission to determine the use of biodiesel and removes any requirement for use at this time. Other states are requiring biodiesel use in fuel stocks and biodiesel is currently in use in neighboring states. Biodiesel is a renewable energy fuel processed from a variety of vegetative stock including stock and other vegetation available or grown in New Hampshire. Testimony of both citizens and industry indicates biodiesel will provide a renewable domestic fuel source with environmental benefits. Testimony by industry showed their willingness to work on a commission to study and promote biodiesel. Vote 12-0.

Amendment (0404h)

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

AN ACT establishing a commission to study the uses of biodiesel for home heating and vehicular transportation.

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

1 Commission Established. There is established a commission to study the uses of biodiesel for home heating and vehicular transportation.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Three members of the senate, appointed by the president of the senate.
(c) The commissioner of the department of environmental services, or designee.
(d) The commissioner of transportation, or designee.
(e) The commissioner of agriculture, markets, and food, or designee.
(f) Three public members, appointed by the governor, one of whom shall represent the interests of the home heating industry, one of whom shall represent the interests of the motorized transportation industry, and one of whom shall represent the interests of the general business community.

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

3 Duties. The commission shall study the uses of biodiesel as a renewable source of energy for home heating and vehicular transportation.

4 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

5 Report. The commission 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 November 1, 2005.

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

AMENDED ANALYSIS

This bill establishes a commission to study the uses of biodiesel for home heating and vehicular transportation.

HB 202, establishing a commission to study options for reducing the impact of exhaust emissions from mobile diesel engines. **OUGHT TO PASS WITH AMENDMENT**

Rep. Jacqueline Cali-Pitts for Science, Technology and Energy: This bill is a very simple and straightforward bill instructing the Department of Environmental Services (DES) to coordinate and compile a report on all existing state and federal regulations regarding diesel exhaust emissions. DES is further instructed to make recommendations concerning these programs and submit a report to the air pollution advisory committee. Vote 12-3.

Amendment (0603h)

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

AN ACT directing the commissioner of the department of environmental services to review options for reducing diesel engine exhaust emissions.

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

1 Diesel Engine Exhaust Emissions; Review and Report.

I. The commissioner of the department of environmental services is hereby directed to conduct a thorough and comprehensive review of current state and federal laws, regulations, policies, rules, and programs that relate to the reduction of diesel engine exhaust emissions.

II. Upon completion of the review, the commissioner, or designated representative, shall report the findings of the review and the commissioner's recommendations. The commissioner shall submit the report to the chairperson of the air pollution advisory committee established in 125-J:11 no later than September 1, 2005. The report shall include:

- (a)(1) Identification of existing applicable state and federal laws, regulations, policies, rules, and programs.
- (2) Identification of costs associated with each program, and in total.
- (3) Identification of all public benefits that derive from each program and collectively.

(4) Recommended prioritization of current efforts to reduce diesel engine exhaust emissions in terms of results achieved, public benefit derived, and costs required to achieve these benefits.

(5) Identification of current funding sources available to reduce diesel engine exhaust emissions in the state.

(b)(1) An overall assessment of the current efforts to reduce diesel engine exhaust emissions.

(2) Deficiencies that exist in current programs that inhibit or restrict full or improved effectiveness.

(3) Recommendations to integrate various related programs in order to achieve maximum effectiveness and public benefit.

(4) Costs associated with such integration recommendations, and costs associated with eliminating deficiencies in current programs.

(5) Identification of potential funding sources that may be applied to reducing diesel engine exhaust emissions.

(6) An assessment of state legislation needed to enhance current programs or to implement any new programs.

(7) Funding requirements for implementation of any proposed legislation.

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

AMENDED ANALYSIS

This bill directs the commissioner of the department of environmental services to review options for reducing diesel engine exhaust emissions and to report findings and recommendations to the chairperson of the air pollution advisory committee.

HB 261, relative to title to salvage vehicles. **OUGHT TO PASS WITH AMENDMENT**

Rep. Brenda L. Ferland for Transportation: The bill and the amendment clarify when a vehicle that is five years old or newer sustains damage in an accident of 75 percent or greater has a salvage title issued to it. The committee felt that this is a consumer protection issue. This will ensure that when someone buys a used car that has sustained damage of 75 percent or more they will be informed of what they are buying. Vote 14-0.

Amendment (0578h)

Amend RSA 261:22, VI as inserted by section 1 of the bill by replacing it with the following:

VI. For purposes of this section, a total loss vehicle shall mean either an unrecovered stolen vehicle or ~~[one which has sustained damage or injury so extensive that it is]~~ **a damaged vehicle:**

(a) That is determined to be physically or economically impractical to repair in connection with an insurance claim settlement; or

(b) For which the cost of repairing the vehicle is 75 percent or more of its fair market value prior to the vehicle being damaged, if the damage occurs during its model year or the 4 subsequent calendar years. The total cost of repairing the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, or entertainment systems.

HB 326, relative to motorcycle noise levels. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stephen H. Nedeau for Transportation: This bill clarifies what are considered unmuffled exhaust pipes and sets fines for the use of such pipes. The fine for using what are considered straight pipes will be \$200 not to exceed \$500. The fine for exceeding RSA 266:59A which is the motorcycle noise statute and testing procedure will be \$100 not to exceed \$300. This agreement was worked out with the representatives of the Portsmouth, Rye and Seabrook police departments, and the representatives of the motorcycling organizations. We hope this will solve most of the problems associated with loud motorcycles. Vote 14-0.

Amendment (0577h)

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

AN ACT relative to motorcycle noise levels and mufflers.

Amend the bill by replacing sections 1 and 2 with the following:

1 New Paragraph; Equipment of Vehicles; Prevention of Noise; Motorcycle Exhaust Modifications. Amend RSA 266:59 by inserting after paragraph III the following new paragraph:

IV. No person shall operate a motorcycle with a straight pipe exhaust system; “straight pipe exhaust system” means any straight-through muffler that does not contain baffles, including, but not limited to, glass packs, steel packs, and straight pipes. Any person who violates the provisions of this paragraph shall be guilty of a violation and shall be fined not less than \$200 nor more than \$500.

2 Motorcycle Noise Levels; Fines. Amend RSA 266:59-a, III to read as follows:

III. Any person who violates the provisions of this section shall be guilty of a violation ***and shall be fined not less than \$100 nor more than \$300.***

AMENDED ANALYSIS

This bill clarifies that a person may not operate a motorcycle with a straight pipe exhaust system. This bill also establishes fines for operating a motorcycle with a straight pipe exhaust system and for exceeding permissible motorcycle noise levels.

HB 352, relative to speed limits. INEXPEDIENT TO LEGISLATE

Rep. Stephen H. Nedeau for Transportation: This bill would have permitted local authorities to decrease speed limits in urban districts. After discussions with the Department of Transportation it was decided that we would let the department resolve this issue. The committee felt that this was dealing with one special area and could be handled in a different way. Vote 14-0.

HB 357, relative to negligent driving. OUGHT TO PASS WITH AMENDMENT

Rep. Brenda L. Ferland for Transportation: This bill came to the committee as a fine for negligent driving with a minor in the vehicle. The committee wants to get the message out that people must take the job of driving carefully. Therefore, we amended the bill to include the offense to cover negligent driving with anyone in the vehicle and have set the fine at not less than \$250 nor more than \$500 for a first offense and not less than \$500 nor more than \$1,000 for a second or subsequent offense. Vote 12-0.

Amendment (0250h)

Amend the bill by replacing section 1 with the following:

1 Negligent Driving; Fines. Amend RSA 265:79-b to read as follows:

265:79-b Negligent Driving. Whoever upon any way drives a vehicle negligently or causes a vehicle to be driven negligently, as defined in RSA 626:2, I(d), or in a manner that endangers or is likely to endanger any person or property shall be guilty of a violation ***and shall be fined not less than \$250 nor more than \$500 for a first offense and not less than \$500 nor more than \$1,000 for a second or subsequent offense.***

HB 550-FN, requiring placards in vehicles operated by persons learning to drive.

INEXPEDIENT TO LEGISLATE

Rep. Stephen H. Nedeau for Transportation: This bill would have required placards in driver training automobiles. Operators teaching someone to drive would be required to have some type of placard attached to the automobile that would make it visible to other drivers. We understand that other drivers being too close or right on their bumper causes concerns for the driving instructors. The committee feels there are ample laws on the books now for driver training schools. Vote 13-0.

HB 243, relative to boat registration fees. **INEXPEDIENT TO LEGISLATE**

Rep. Priscilla P. Lockwood for Ways and Means: This bill would raise boat registration fees by \$1, which would be retained by the agent registering the boat. The committee was reluctant to raise boat fees again. We raised them last session. The boat registration fee structure is diverse and involves compensation to different marine funds. We should first examine how the existing fee structure is divided up and the committee felt that this topic would be better served first in a policy committee. Vote 15-0.

HB 260-FN, relative to motor vehicle equipment and registration. **OUGHT TO PASS**

Rep. Susan W. Almy for Ways and Means: This bill was amended by the House to remove the fiscally significant portion (drivers' license less than five years). The only other item that relates to Ways and Means is an ongoing practice which the auditors pointed out had no legislative authority behind it. The House has voted for this authority, and there is no change in existing revenues that results. Vote 16-0.

HB 268-FN, increasing certain motor vehicle fees. **OUGHT TO PASS**

Rep. Peyton B. Hinkle for Ways and Means: This bill increases the fee for the replacement of each motor vehicle plate which has been lost, mutilated or made illegible from \$3.50 to \$4.00, and it charges a fee for replacement of a lost or illegible validation sticker of \$1.00. This is a housekeeping item that places current practice into law and charges for plates and stickers based on the cost to produce them. Vote 16-0.

HB 344, relative to the consensus revenue estimating panel. **INEXPEDIENT TO LEGISLATE**

Rep. Catherine Mulholland for Ways and Means: This legislation, while laudable in its objective to reach a consensus estimate of external economic fluctuations which may affect the various revenues and expenses of the state, was deemed both redundant and unaffordable by the majority of the committee. This task is undertaken and monitored throughout each biennium both for the purposes of building a budget and tracking its course. A permanent panel would require an appropriation to compensate its members for their services. In spite of our limited means it is doubtful that such a panel would enhance the ways in which we currently gain access to the appropriate information. Vote 14-1.

HB 554-FN-A, establishing a state property tax relief program for seniors and the disabled. **INEXPEDIENT TO LEGISLATE**

Rep. Shawn N. Jasper for Ways and Means: The issue of property tax relief is already being studied by a committee which will issue its final report on November 1, 2005. Rather than duplicate the work already ongoing, the Ways and Means Committee recommends that the concept contained within this bill be considered by the Property Tax Relief Study Committee. Vote 15-0.

HB 602-FN-A, relative to the unbundling of communications services for purposes of the application of the communications services tax. **OUGHT TO PASS WITH AMENDMENT**

Rep. Susan W. Almy for Ways and Means: Three years ago, the legislature enacted a bill for wireless companies allowing them to present a package of services to the consumer for a discount price and only charge tax for the taxable services portion of the package. Wireline (traditional phone) companies are in a different section of the statute. They are anticipating packaging (bundling) services in the future. If they did, under existing statute the consumer would be charged tax on nontaxable services. This bill prevents that. The amendment corrects a typo and retains in statute the duplicate wireless section for purposes of clarity. This is a consumer protection bill. Vote 16-0.

Amendment (0604h)

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

1 Communications Services Tax; Definition of "Gross Charge;" Non-Taxable Charges.
Amend RSA 82-A:2, V(e) to read as follows:

(e) Charges for services which are not provided in connection with originating or receiving communications services and which are not necessary for or directly related to the provision of communications services, to the extent that the charges for such services are disaggregated and separately identified from other charges on the customer's bill. *In instances where the retailer does not separately list charges for taxable and non-taxable communications services, such charges shall be subject to the taxes imposed by this chapter, unless the retailer can reasonably identify charges not subject to such tax from its books and records kept in the ordinary course of business. A taxpayer may not rely upon the nontaxability of charges for communications services unless the taxpayer's retailer separately states the charges for nontaxable communications services from taxable charges or the retailer elects, after receiving written notice from the taxpayer in the form required by the provider, to provide verifiable data based upon the retailer's books and records that are kept in the regular course of business that reasonably identify the nontaxable charges.*

2 Effective Date. This act shall take effect July 1, 2005.

AMENDED ANALYSIS

This bill permits the exclusion of nontaxable components of bundled communications services packages from the communications services tax if the retailer can identify the charges not subject to the tax from its books and records kept in the ordinary course of business.

HB 675-FN, exempting agricultural tower silos from the education property tax.

INEXPEDIENT TO LEGISLATE

Rep. Christine C. Hamm for Ways and Means: While committee members sympathized with the sponsors' intent to preserve tower silos as a symbol of the state's agricultural heritage and understood many owners' reluctance to pay taxes on a structure that no longer provides economic benefit, the committee rejected the proposed legislation. As with HB 676-FN, committee members would have been more inclined to support this bill had it provided enabling legislation to seek tax relief from a more appropriate source. Vote 16-0.

HB 676-FN, exempting agricultural buildings from the education property tax.

INEXPEDIENT TO LEGISLATE

Rep. Christine C. Hamm for Ways and Means: The committee voted not to pass this bill because it was not structured properly to accomplish its objectives. While many committee members expressed support for the bill's intent to preserve the viability of the state's farming industry, all agreed that exemption from the education property tax was not the appropriate way to provide relief. An amendment, proposed by one of the committee members to resolve this concern, resulted in additional questions. Some members suggested the sponsors consider submitting an alternative bill with enabling legislation at a later date. Vote 16-0.

HB 707-FN-A, establishing a credit against the business enterprise tax for certain borrowed and invested money. **INEXPEDIENT TO LEGISLATE**

Rep. Kevin L. Camm for Ways and Means: This bill would provide tax credits for new businesses that commence operations in the state for five years. As interesting as the concept sounds, the committee was not swayed for several reasons. The bill created special circumstances for some businesses to begin operations, while other businesses that have to invest in similar aspects would not be similarly rewarded. This creates an unfair and unequal taxing situation. Realizing the state needs all the revenue it can generate at this time, such treatment is not warranted. We revised the Net Operating Loss (NOL) statute for

all businesses a few years ago, the results (and costs) for which are still unknown. Some members had reservations that the preferential treatment given this select group of businesses may not be constitutional. The committee felt it best to leave the business taxes as they are. Vote 16-0.

REGULAR CALENDAR

HB 147, relative to the death penalty. **OUGHT TO PASS**

Rep. Lee M. Hammond for Criminal Justice and Public Safety: This bill which simply states that no one under the age of 18 at the time the offense was committed may be culpable of a capital murder was passed by both House and Senate last session, only to be vetoed by the governor. Since then, further scientific evidence has emerged reinforcing our awareness that the 17 year old human brain has not fully developed and is not capable of consistent responsible adult behavior. Impulsivity and lack of judgment are commonplace, resulting in irresponsible actions, horrendous behaviors – even murder. But a child in an adult body should not be held culpable of capital murder, and New Hampshire should join the rest of the civilized world in refraining from executing any person who has yet to reach the age of majority. Vote 9-6.

Rep. Welch spoke in favor.

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

The question being adoption of the committee report.

YEAS 285 NAYS 74			
YEAS 285			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Millham, Alida	Morrison, Gail	Nedeau, Stephen
Pilliod, James	Rosen, Ralph	Thomas, John	Tilton, Franklin
Veazey, John			
CARROLL			
Ahlgren, Christopher	Buco, Thomas	Dickinson, Howard	Knox, J David
Martin, James	Olimpio, J Lisbeth	Patten, Betsey	
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Dexter, Judson
Dunn, J Timothy	Eaton, Daniel	Emerson, Susan	Espieffs, Peter
Hogancamp, Deborah	Hunt, John	Parkhurst, Henry	Pelkey, Stephen
Plifka, Stanley Jr	Pratt, John	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sawyer, Sheldon	Sinclair, Stephanie	Tilton, Anna
Weed, Charles			
COOS			
Buzzell, Bernard	King, Frederick	Lary, Bruce	Mears, Edgar
Merrick, Scott	Morneau, Renney	Remick, William	Stohl, Eric
Theberge, Robert			
GRAFTON			
Alger, John	Almy, Susan	Andersen, Gene	Barker, Robert

Benn, Bernard	Bleyler, Ruth	Cooney, Mary	Eaton, Stephanie
Gionet, Edmond	Ham, Bonnie	Hammond, Lee	Harding, A Laurie
Ingbretson, Paul	Mulholland, Catherine	Naro, Debra	Nordgren, Sharon
Sokol, Hilda	Solomon, Peter	Williams, Burton	
HILLSBOROUGH			
Aboshar, Jeffrey	Allan, Nelson	Baines, Stephen	Baroody, Benjamin
Barry, J Gail	Batula, Peter	Beaulieu, Jane	Bergin, Peter
Brassard, Paul	Brundige, Robert	Calawa, Leon Jr	Campbell, David
Carew, James	Carlson, Donald	Chabot, Robert	Chase, Claudia
Christensen, D L Chris	Christiansen, Lars	Clayton, William	Clemons, Jane
Cote, David	Cote, Peter	Coughlin, Pamela	Craig, James
Daniuk, Caitlin	DeVries, Betsi	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Egbers, Fran	Essex, David	Foster, Linda
Gargas, Carolyn	Garrity, Patrick	Ginsburg, Ruth	Golding, William
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Graham, John
Haley, Robert	Harvey, Suzanne	Hebert, Raymond	Infantine, William
Irwin, Anne-Marie	Jean, Claudette	Johnson, Paula	Kopka, Angeline
Kurk, Neal	Lasky, Bette	Lefebvre, Roland	Manney, Pamela
Martin, Mary Ellen	Matarazzo, Anthony Sr	McRae, Karen	Messier, Irene
Michon, Stephen	Mooney, Maureen	Movsesian, Lori	O'Brien, William
O'Connell, Timothy	Ober, Lynne	Pappas, Christopher	Pilotte, Maurice
Reeves, Sandra	Rochette, Eric	Rowe, Robert	Scanlon, Michael
Schulze, Joan	Shaw, Barbara	Shaw, Kimberly	Smith, David
Souza, Kathleen	Stepanek, Stephen	Sullivan, Francis	Sullivan, Peter
Vaillancourt, Steve	Velez, Hector	Villeneuve, Maurice	
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	Currier, David	Danforth, James	DeJoie, John
DeStefano, Stephen	Field, William	Foose, Robert	French, Barbara
Gile, Mary	Greco, Vincent	Hager, Elizabeth	Hamm, Christine
Klose, John	Lockwood, Priscilla	MacKay, James	Marple, Richard
Maxfield, Roy	McMahon, Patricia	Oliver, James	Osborne, Jessie
Owen, Derek	Potter, Frances	Reardon, Tara	Rush, Deanna
Ryan, Jim	Shurtleff, Stephen	Soltani, Tony	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Whiting, Herbert
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Bishop, Franklin	Blanchard, MaryAnn
Bridle, Russell	Buxton, Donald	Cady, Harriet	Cali-Pitts, Jacqueline
Carson, Sharon	Casey, Kimberley	Coburn, James	Cooney, Richard
DiFruscia, Anthony	Dodge, Robert	Donahue, Richard Ken	Dowling, Patricia
Doyle, Christopher	Fesh, Bob	Flanders, John Sr	Flockhart, Eileen
Francoeur, Sheila	Garrity, James	Gillick, Thomas	Gould, Kenneth
Griffin, Mary	Hughes, Daniel	Ingram, Russell	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Major, Norman

Mason, April	McKinney, Betsy	McMahon, Charles	Moody, Marcia
Morris, Richard	Norelli, Terie	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Pantelakos, Laura	Powers, James	Priestley, Anne
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	Wells, Roger	Weyler, Kenneth	Winchell, George
Zolla, William			
STRAFFORD			
Berube, Roger	Brown, Jennifer	Brown, Lawrence	Callaghan, Frank
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia
Goodwin, Earle	Heon, Richard	Hilliard, Dana	Hofemann, Roland
Johnson, Nancy	Keans, Sandra	Knowles, William	Miller, Joseph
Newton, Clifford	Rollo, Michael	Rous, Emma	Schmidt, Peter
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Katherine
Twombly, James	Wall, Janet		
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Gale, Harry	Houde-Quimby, Charlotte	Jillette, Arthur Jr
Osgood, Philip Sr	Phinizy, James	Prichard, Stephen	Rodeschin, Beverly
NAYS 74			
BELKNAP			
Heald, Bruce	Russell, David	Tobin, William	Wendelboe, Fran
Whalley, Michael			
CARROLL			
Babson, David Jr	Chandler, Gene	McConkey, Mark	Merrow, Harry
Stevens, Stanley			
CHESHIRE			
Foote, Sheila			
COOS			
Richardson, Herbert	Tholl, John Jr		
GRAFTON			
Giuda, Robert	Maybeck, Margie	Sorg, Gregory	
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Bergeron, Jean-Guy	Biundo, Michael
Boehm, Ralph	Buhlman, David	Carter, Mark	Crane, Elenore Casey
Desmarais, Vivian	Elliott, Nancy	Emerton, Larry	Francoeur, Bea
Gibson, John	Goyette, Peter Jr	Hansen, Ryan	Hawkins, Ken
Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith	Hunter, Bruce

Jasper, Shawn	Kelly, Eugene Jr	L'Heureux, Robert	Mead, Robert
Pepino, Leo	Renzullo, Andrew	Ross, Lawrence	Ryder, Donald
Slocum, Lee	Tahir, Saghir	Ulery, Jordan	Wheeler, James
MERRIMACK			
Kidder, David	Langlais, Thomas		
ROCKINGHAM			
Bettencourt, David	Camm, Kevin	Charron, Gene	Dumaine, Dudley
Forsing, Robert	Gilbert, Karl	Headd, James	Hopfgarten, Paul
Hutchinson, Karen	Introne, Robert	Itse, Daniel	Johnson, Rogers
Lund, Howie	Parker, Benjamin	Quandt, Marshall Lee	Quandt, Matthew
Smith, Paul	Weldy, Norman	Wiley, Robert	
STRAFFORD			
Albert, Russell	Cataldo, Sam	Chaplin, Duncan	Easson, Timothy
SULLIVAN			
Irish, Christopher			

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

HB 363, relative to parking at polling places. **OUGHT TO PASS WITH AMENDMENT**
Rep. Richard B. Drisko for Election Law: This bill authorizes the moderator to provide parking in the immediate area of the polling places and establish time limitations on said parking. If the moderator decides time limitations are necessary, he must notify the governing body and the chief of police at least seven days prior to an election. The RSAs specify that the moderator be the governing official at the polling place. The majority felt that this was a “parking” issue and that if it were necessary to better clarify the role of the moderator or the role of the city clerk, relative to elections, it should be addressed in separate legislation. Vote 13-4.

Amendment (0651h)

Amend the bill by replacing section 1 with the following:

1 New Section; Preparation of Polling Place; Parking. Amend RSA 658 by inserting after section 9-a the following new section:

658:9-b Parking. The governing body of each town and ward shall ensure that there is parking available in the immediate area of the polling place. The moderator may establish time limitations on the use of parking spaces in the immediate area of the polling place, if he or she determines that doing so is necessary to ensure the availability of convenient parking for voters. The time limitations may be applied to any areas where a motorist may lawfully park on public property and to any private property suitable for parking made available for the use of the town or ward for the purpose of conducting the election. The moderator may determine the time limitation based on the character of the election, the anticipated voter turnout, and the number of offices or questions to be voted. If the moderator determines that time limitations are necessary, the moderator shall notify the governing body and the chief of police no later than 7 days prior to the date of the election. The governing body or the chief of police shall ensure that appropriate temporary signs are installed prior to election day or prior to the time for the opening of the polls on election day. The moderator shall cause signs to be posted inside the polling place giving voters notice of the time limitations. If a waiting line for voting or for election day registration forms that causes voters to wait for a period of

time longer than the established time limitations, the moderator shall suspend enforcement of the time limitations on parking. Once the waiting period for voting or registering has been reduced so that a voter has a reasonable opportunity to register and vote within the time limitations, the moderator may reinstate enforcement of the time limitations. The moderator shall give immediate notice to the law enforcement officer on duty at the polls, or, if none, to the chief of police, of any suspension or reinstatement of the time limitations on parking. Any person parking in violation of a properly-posted time limitation shall be guilty of a violation.

AMENDED ANALYSIS

This bill requires parking at polling places. This bill also authorizes the moderator to establish time limitations on parking in the immediate area of the polling place.

Adopted.

Report adopted and ordered to third reading.

HB 365, relative to recount fees. **OUGHT TO PASS**

Rep. Richard B. Drisko for Election Law: This bill clarifies the fee requirements for state general election recounts. If the difference in the total vote is greater than 3%, then the candidate applying for the recount must file application and pay the estimated cost to the secretary of state five days prior to the start of the recount. The majority felt with that difference, the state should receive the payment in advance. If the amount charged is greater than the actual cost, then a refund will be made to the applicant. Vote 11-4. Report adopted and ordered to third reading.

HB 55-FN-A, relative to industrial hemp and establishing an industrial hemp special program fund. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. J. Lisbeth Olimpio for the Majority of Environment and Agriculture: This bill offers New Hampshire farmers the opportunity for diversity in their crops. Industrial hemp with too low a THC content (Tetrahydrocannabinis) is not to be confused with marijuana. Hemp has been raised for fiber (textiles and paper) and food for at least 12,000 years. Raising it was required in the American colonies. Only one individual testified against this bill. A manufacturer in Washington, D.C. is currently spending \$800,000 in Canada on hemp seeds for his soaps, lotions, and snack foods and would much prefer to buy in America. Another manufacturer's agent in Portsmouth purchases hemp fiber for Flex Form, which makes bio composite body panels for cars and trucks. They buy six million tons of hemp fiber from China annually. This is our opportunity to promote a program of sustainable agriculture. Vote 15-5.

Rep. Ryan N. Hansen for the Minority of Environment and Agriculture: The Minority of the committee felt two major points raised in our hearings on this bill warranted a recommendation of ITL. First, the state of New Hampshire does not have the existing infrastructure required to produce a viable and marketable hemp crop. Second, law enforcement does not support this legislation and current federal law will curtail the licensing of the growing of hemp even with this bill's passage. Until the Drug Enforcement Agency acts to loosen its rules and permitting process in regard to hemp, none can be grown for commercial use in the United States. The minority of the committee feels the bill is premature and not a viable long-term solution for New Hampshire's farmers.

Majority Amendment (0333h)

Amend RSA 433-C:2, III as inserted by section 1 of the bill by replacing it with the following:

III. "Process" means to produce a product from harvested industrial hemp that may be transported off a licensed site which shall consist only of mature stalks, fiber produced from such stalks, oil or cake made from the seeds, any other compound, manufacture, salt,

derivative, mixture, or preparation of such mature stalks except the resin extracted therefrom, fiber, oil or cake, or the sterilized seeds which are incapable of germination. Amend RSA 433-C:3 as inserted by section 1 of the bill by replacing it with the following:

433-C:3 Industrial Hemp an Agricultural Crop. Industrial hemp is recognized as an agricultural crop.

Amend RSA 433-C:4, I as inserted by section 1 of the bill by replacing it with the following:

I. A license from the commissioner shall authorize the holder to legally plant grow, harvest, and process industrial hemp only at a site or sites as specified by the license. A license shall also allow the holder to transport industrial hemp seeds obtained from the commissioner to such sites.

Amend RSA 433-C:7, I as inserted by section 1 of the bill by replacing it with the following:

I. The commissioner shall deny, suspend, revoke, or refuse to renew a license in the following cases:

(a) If false or misleading information, statements, misrepresentation, or false or falsified documents have been submitted on or with an application or renewal for a license.

(b) If the licensee fails to take any action required by the commissioner under the provisions of this chapter.

(c) If the license holder or applicant, or in the case of a corporation, cooperative, partnership, LLC or trust, any of its officers, directors or partners, has a record that includes within the previous 10 years:

(1) Any designated drug offense as provided in RSA 318-B:26; or

(2) If he or she ordinarily resides in a country other than the United States, an offense that if committed in the United States would constitute a designated drug offense.

Amend RSA 433-C:8, II as inserted by section 1 of the bill by replacing it with the following:

II. The commissioner shall establish hemp seed prices to be charged growers equivalent to the cost of acquiring the seed as provided in RSA 433-C:5. The establishment of hemp seed prices shall be exempt from RSA 541-A. All proceeds, if any, of seed sales shall be deposited in the industrial hemp special program fund established in paragraph III.

Majority amendment adopted.

Rep. Hansen spoke against and yielded to questions.

Rep. Batula spoke against.

Reps. Olimpio and Owen spoke in favor and yielded to questions.

Rep. Hansen requested a roll call; sufficiently seconded.

The question being adoption of the majority committee report..

YEAS 199 NAYS 168			
YEAS 199			
BELKNAP			
Flanders, Donald	Morrison, Gail	Rosen, Ralph	
CARROLL			
Babson, David Jr	Dickinson, Howard	Olimpio, J Lisbeth	
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Dexter, Judson
Dunn, J Timothy	Eaton, Daniel	Espieffs, Peter	Hogancamp, Deborah
Parkhurst, Henry	Pelkey, Stephen	Plifka, Stanley Jr	Pratt, John
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Sawyer, Sheldon
Sinclair, Stephanie	Tilton, Anna	Weed, Charles	

COOS			
Buzzell, Bernard	Lary, Bruce	Mears, Edgar	Merrick, Scott
Theberge, Robert			
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Cooney, Mary
Gionet, Edmond	Giuda, Robert	Ham, Bonnie	Hammond, Lee
Harding, A Laurie	Ingbretson, Paul	McLeod, Martha	Mulholland, Catherine
Naro, Debra	Nordgren, Sharon	Sokol, Hilda	Sorg, Gregory
Ward, John	Williams, Burton		
HILLSBOROUGH			
Baines, Stephen	Balboni, Michael	Baroody, Benjamin	Beaulieu, Jane
Bergin, Peter	Buhlman, David	Calawa, Leon Jr	Carlson, Donald
Chase, Claudia	Clayton, William	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Crane, Elenore Casey	Daniuk, Caitlin
Desmarais, Vivian	DeVries, Betsi	Dyer, Donald	Egbers, Fran
Essex, David	Garrity, Patrick	Ginsburg, Ruth	Golding, William
Gonzalez, Carlos	Gorman, Mary	Haley, Robert	Harvey, Suzanne
Hinkle, Peyton	Holden, Randolph	Irwin, Anne-Marie	Jean, Claudette
Kopka, Angeline	Kurk, Neal	Lasky, Bette	Lefebvre, Roland
Manney, Pamela	Martin, Mary Ellen	McRae, Karen	Mead, Robert
Messier, Irene	Michon, Stephen	O'Brien, William	Ober, Lynne
Pappas, Christopher	Pilotte, Maurice	Renzullo, Andrew	Rochette, Eric
Ross, Lawrence	Scanlon, Michael	Schulze, Joan	Shaw, Barbara
Shaw, Kimberly	Smith, David	Souza, Kathleen	Sullivan, Francis
Sullivan, Peter	Ulery, Jordan	Vaillancourt, Steve	Velez, Hector
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
Foose, Robert	French, Barbara	Gile, Mary	Greco, Vincent
Hager, Elizabeth	Hamm, Christine	Lockwood, Priscilla	Marple, Richard
Osborne, Jessie	Owen, Derek	Potter, Frances	Reardon, Tara
Ryan, Jim	Shurtleff, Stephen	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Whiting, Herbert	Williams, Robert
Yeaton, Charles			
ROCKINGHAM			
Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Casey, Kimberley	Charron, Gene
Coburn, James	DiFruscia, Anthony	Donahue, Richard Ken	Flockhart, Eileen
Gillick, Thomas	Gould, Kenneth	Hughes, Daniel	Hutchinson, Karen
Itse, Daniel	Katsakiores, George	Lund, Howie	McKinney, Betsy
Moody, Marcia	Morris, Richard	Norelli, Terie	Pantelakos, Laura
Powers, James	Putnam, Ed II	Rolston, James	Sanders, Elisabeth
Serlin, Christopher	Splaine, James	Stiles, Nancy	Waterhouse, Kevin
Wells, Roger			

STRAFFORD			
Berube, Roger	Bickford, David	Brown, Jennifer	Brown, Julie
Brown, Lawrence	Chaplin, Duncan	Cilley, Jacalyn	Creteau, Irene
Domingo, Baldwin	Dunlap, Patricia	Goodwin, Earle	Heon, Richard
Hilliard, Dana	Hofemann, Roland	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Miller, Joseph	Newton, Clifford
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Katherine	Taylor, Kathleen
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			
NAYS 168			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Heald, Bruce	Millham, Alida	Nedean, Stephen	Pilliod, James
Russell, David	Thomas, John	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Chandler, Gene	Knox, J David	Martin, James
McConkey, Mark	Merrow, Harry	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Emerson, Susan	Foote, Sheila	Hunt, John	
COOS			
King, Frederick	Morneau, Renney	Remick, William	Richardson, Herbert
Stohl, Eric	Tholl, John Jr		
GRAFTON			
Alger, John	Barker, Robert	Bleyler, Ruth	Eaton, Stephanie
Maybeck, Margie	Solomon, Peter		
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Allan, Nelson	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Biundo, Michael	Boehm, Ralph
Brassard, Paul	Brundige, Robert	Campbell, David	Carew, James
Chabot, Robert	Christensen, D L Chris	Christiansen, Lars	Coughlin, Pamela
Dokmo, Cynthia	Drisko, Richard	Elliott, Nancy	Emerton, Larry
Foster, Linda	Francoeur, Bea	Gargas, Carolyn	Gibson, John
Goley, Jeffrey	Goyette, Peter Jr	Graham, John	Hansen, Ryan
Hawkins, Ken	Hebert, Raymond	Hellwig, Steve	Hirschmann, Keith
Hunter, Bruce	Infantine, William	Jasper, Shawn	Johnson, Paula

Kelly, Eugene Jr	L'Heureux, Robert	Matarazzo, Anthony Sr	Mooney, Maureen
Movsesian, Lori	O'Connell, Timothy	Pepino, Leo	Reeves, Sandra
Rowe, Robert	Ryder, Donald	Slocum, Lee	Stepanek, Stephen
Tahir, Saghir	Villeneuve, Maurice	Wheeler, James	Wheeler, Robert
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Currier, David	Danforth, James
DeStefano, Stephen	Field, William	Kidder, David	Klose, John
L'Heureux, Stephen	Langlais, Thomas	Mackay, James	Maxfield, Roy
McMahon, Patricia	Oliver, James	Rush, Deanna	Soltani, Tony
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Bettencourt, David	Bishop, Franklin
Bridle, Russell	Buxton, Donald	Cady, Harriet	Camm, Kevin
Carson, Sharon	Cooney, Richard	Dodge, Robert	Dowd, John
Dowling, Patricia	Doyle, Christopher	Dumaine, Dudley	Fesh, Bob
Flanders, John Sr	Forsing, Robert	Francoeur, Sheila	Garrity, James
Gilbert, Karl	Griffin, Mary	Headd, James	Hopfgarten, Paul
Ingram, Russell	Introne, Robert	Johnson, Robert	Johnson, Rogers
Katsakiores, Phyllis	Kobel, Rudolph	Major, Norman	Mason, April
McMahon, Charles	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Parker, Benjamin	Priestley, Anne	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robertson, Carl	Scamman, Stella	Smith, Paul
Stone, Joseph	Weare, E Albert	Welch, David	Weldy, Norman
Weyler, Kenneth	Wiley, Robert	Winchell, George	Zolla, William
STRAFFORD			
Albert, Russell	Callaghan, Frank	Cataldo, Sam	Easson, Timothy
Twombly, James	Wall, Janet		
SULLIVAN			
Gale, Harry	Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly

and the majority committee report was adopted.

Ordered to third reading.

HB 386, relative to agricultural best management practices. **OUGHT TO PASS**

Rep. Timothy D. O'Connell for Environment and Agriculture: This bill clarifies the definition of agricultural composting and commercial fertilizer. In addition, it directs the commissioner of the Department of Agriculture, Markets and Food to identify and publish best management practices for handling manure, agricultural compost and commercial fertilizer. Vote 17-1.

Report adopted and ordered to third reading.

HB 283, relative to the commission to examine all aspects of same sex civil marriage and its legal equivalents. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. James E. Wheeler for the Majority of Judiciary: The majority of the committee believes this bill is unnecessary, the commission is in place, the vacancies are in the process of being filled, and the commission has been informally gathering information and has scheduled a public hearing. The chairman of the commission believes that they can finish their task by

the deadline, that new members and a mandate to meet monthly are not needed and if they cannot finish their task they can request a reenactment of the commission in their final report. Vote 12-6.

Rep. Gail C Morrison for the Minority of Judiciary: Last May, after hearings at which hundreds testified indicating interest in the subject, this legislature established a commission to study all aspects of same sex marriage and its equivalents. The commission has met just once in eleven months. When the legislature creates a commission, it does so with certain expectations. This bill assures that regular meetings and hearings will be held in preparation for the report date of December 1, 2005. It amends membership categories, adds members and requires that vacancies be filled. The bill is intended to activate this commission of the legislature.

Rep. Morrison spoke against.

Rep. Soltani requested a roll call; sufficiently seconded.

The question being adoption of the majority committee report.

YEAS 217 NAYS 133			
YEAS 217			
BELKNAP			
Boyce, Laurie	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Nedeau, Stephen	Pilliod, James	Rosen, Ralph
Thomas, John	Tilton, Franklin	Tobin, William	Veazey, John
Wendelboe, Fran	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Babson, David Jr	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	Plifka, Stanley Jr	Roberts, Kris	Sawyer, Sheldon
COOS			
King, Frederick	Morneau, Renney	Remick, William	Stohl, Eric
Tholl, John Jr			
GRAFTON			
Alger, John	Barker, Robert	Eaton, Stephanie	Gionet, Edmond
Giuda, Robert	Ingbretson, Paul	Maybeck, Margie	Sorg, Gregory
Ward, John	Williams, Burton		
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	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	Coughlin, Pamela

Crane, Elenore Casey	Desmarais, Vivian	Dokmo, Cynthia	Dyer, Donald
Elliott, Nancy	Emerton, Larry	Gargasz, Carolyn	Gibson, John
Ginsburg, Ruth	Golding, William	Gonzalez, Carlos	Goyette, Peter Jr
Graham, John	Hansen, Ryan	Hawkins, Ken	Hebert, Raymond
Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith	Hunter, Bruce
Infantine, William	Irwin, Anne-Marie	Jasper, Shawn	Johnson, Paula
Kelly, Eugene Jr	Kopka, Angeline	Kurk, Neal	L'Heureux, Robert
Martin, Mary Ellen	McRae, Karen	Mead, Robert	Mooney, Maureen
O'Brien, William	Ober, Lynne	Pilotte, Maurice	Reeves, Sandra
Renzullo, Andrew	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Shaw, Kimberly	Slocum, Lee	Smith, David	Souza, Kathleen
Stepanek, Stephen	Tahir, Saghir	Ulery, Jordan	Villeneuve, Maurice
Wheeler, James	Wheeler, Robert		
MERRIMACK			
Anderson, Eric	Currier, David	Danforth, James	Kidder, David
Klose, John	L'Heureux, Stephen	Langlais, Thomas	MacKay, James
Marple, Richard	Oliver, James	Soltani, Tony	Whiting, Herbert
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Bettencourt, David	Bishop, Franklin
Bridle, Russell	Buxton, Donald	Cady, Harriet	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Dodge, Robert	Donahue, Richard Ken	Dowd, John	Dowling, Patricia
Doyle, Christopher	Dumaine, Dudley	Fesh, Bob	Flanders, John Sr
Forsing, Robert	Francoeur, Sheila	Garrity, James	Gilbert, Karl
Gillick, Thomas	Griffin, Mary	Headd, James	Hopfgarten, Paul
Hughes, Daniel	Ingram, Russell	Introne, Robert	Itse, Daniel
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Lund, Howie	Major, Norman	Mason, April
McKinney, Betsy	McMahon, Charles	Morris, Richard	O'Neil, Michael
Packard, Sherman	Parker, Benjamin	Priestley, Anne	Putnam, Ed II
Quandt, Marshall Lee	Quandt, Matthew	Rausch, James	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
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Callaghan, Frank
Cataldo, Sam	Chaplin, Duncan	Creteau, Irene	Dunlap, Patricia
Easson, Timothy	Goodwin, Earle	Hofemann, Roland	Kaen, Naida
Knowles, William	Newton, Clifford	Taylor, Kathleen	Twombly, James
SULLIVAN			
Donovan, Thomas	Ferland, Brenda	Gale, Harry	Irish, Christopher
Osgood, Philip Sr	Rodeschin, Beverly		

NAYS 133			
BELKNAP			
Allen, Janet	Millham, Alida	Morrison, Gail	Russell, David
CARROLL			
None			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Dunn, J Timothy
Eaton, Daniel	Espiefs, Peter	Foote, Sheila	Parkhurst, Henry
Pratt, John	Richardson, Barbara	Robertson, Timothy	Sinclair, Stephanie
Tilton, Anna	Weed, Charles		
COOS			
Mears, Edgar	Merrick, Scott		
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Bleyler, Ruth
Cooney, Mary	Ham, Bonnie	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Naro, Debra	Nordgren, Sharon
Sokol, Hilda	Solomon, Peter		
HILLSBOROUGH			
Allan, Nelson	Baroody, Benjamin	Beaulieu, Jane	Campbell, David
Chase, Claudia	Clayton, William	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Daniuk, Caitlin	DeVries, Betsi
Egbers, Fran	Essex, David	Foster, Linda	Garritty, Patrick
Goley, Jeffrey	Gorman, Mary	Haley, Robert	Harvey, Suzanne
Holden, Randolph	Jean, Claudette	Lasky, Bette	Lefebvre, Roland
Manney, Pamela	Matarazzo, Anthony Sr	Messier, Irene	Michon, Stephen
Movsesian, Lori	O'Connell, Timothy	Pappas, Christopher	Rochette, Eric
Ross, Lawrence	Schulze, Joan	Shaw, Barbara	Sullivan, Francis
Sullivan, Peter	Vaillancourt, Steve	Velez, Hector	
MERRIMACK			
Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
DeJoie, John	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Greco, Vincent	Hager, Elizabeth	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	Williams, Robert
Yeaton, Charles			
ROCKINGHAM			
Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Casey, Kimberley	Flockhart, Eileen
Gould, Kenneth	Moody, Marcia	Norelli, Terie	Nowe, Ronald

Pantelakos, Laura	Powers, James	Robertson, Carl	Serlin, Christopher
Splaine, James			
STRAFFORD			
Brown, Jennifer	Brown, Julie	Brown, Lawrence	Cilley, Jacalyn
Domingo, Baldwin	Hilliard, Dana	Keans, Sandra	Miller, Joseph
Rous, Emma	Schmidt, Peter	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Katherine	Wall, Janet	
SULLIVAN			
Cloutier, John	Converse, Larry	Franklin, Peter	Houde-Quimby, Charlotte
Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen	

and the majority committee report was adopted.

Reps. Dickinson and DiFruscia did not vote and wished to be recorded against.

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

HB 318-FN-L, relative to providing municipal water supply services. **INEXPEDIENT TO LEGISLATE**

Rep. David L. Buhlman for Municipal and County Government: This bill would require a municipal water company to hook up any person within its established area no matter what the situation. There was a request for water hookup in an elderly housing complex in Northfield. Federal funds were obtained to build the senior housing. However, a moratorium on new hookups was established in September 2002 due to possible MTBE contamination created by the increased draw on the aquifer. Within 60 days after the end of the moratorium, those hookups can be made. The moratorium will end when DES and the water companies complete studies of the situation. If the legislature steps in on this, there can be unintended consequences for other water companies. Vote 15-3.

Rep. Cady spoke against.

Rep. Patten spoke in favor.

Report adopted.

Rep. Biundo declared a conflict of interest and did not participate.

HB 367, allowing municipalities to adopt a homestead exemption for property tax assessments on a person's principal place of residence. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laurie J. Boyce for the Majority of Municipal and County Government: This bill would allow a municipality to adopt a homestead exemption in the amount of \$5,000 by a vote of the legislative body, or if the resident was 65 years of age or older, the exemption would be \$10,000. The bill is well intended but there is already a procedure in place for property tax relief by applying for low and moderate income property tax relief from the state or by applying for an elderly exemption at the local level. This committee went through the property tax exemptions, credits and deferrals during the 2003-2004 session and the legislature made many changes that need to be dealt with at the local level. It is important to realize that if there is an exemption or credit on one parcel of property in a municipality the difference has to be made up by another taxpayer, which is cost shifting. The local municipalities already have the ability to grant property tax relief that is voted on by their legislative bodies. Vote 11-6.

Rep. Nancy L. Johnson for the Minority of Municipal and County Government: The minority of the committee understands that this bill has a number of flaws. However, the concept of allowing municipalities to adopt a homestead exemption on a person's principal place of residence would significantly reduce a resident's property tax. The reduction of property

taxes for residence is a goal that has merit and needs to be pursued now and in the future.
Majority report adopted.

HB 661-FN, relative to radiological monitoring in nuclear emergency planning zones.
INEXPEDIENT TO LEGISLATE

Rep. Lee G. Slocum for Science, Technology and Energy: This bill would add real time radiological monitoring devices in New Hampshire communities surrounding Seabrook. The committee feels this bill is unnecessary. The Bureau of Emergency Management testified that the monitoring capabilities at Seabrook are appropriate and in compliance with regulations. The bureau has daily contact with the plant and would be aware of a problem even before any release might occur. In addition, in the opinion of the bureau, if we waited for the radioactive material to travel off site, we would be too late. Seabrook representatives testified that they had over 100 real time monitoring devices on the property and numerous non-real time devices already in the surrounding communities. There has never been a radiological incident at Seabrook and many of the plant families live in the surrounding neighborhoods. Vote 13-1.
Committee report adopted.

HB 118, relative to bicycle helmet use by certain minors. **WITHOUT RECOMMENDATION**

Rep. Scanlon moved Ought to Pass, spoke in favor and yielded to questions.
Rep. Ferland spoke against.
Reps. Cilley and Jennifer Brown spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Danforth moved that **HB 118**, relative to bicycle helmet use by certain minors, be laid on the table, and the motion failed.

REGULAR CALENDAR (CONT'D.)

Rep. Scanlon requested a roll call; sufficiently seconded.

The question being adoption of the motion of Ought to Pass.

YEAS 202 NAYS 165			
YEAS 202			
BELKNAP			
Boyce, Laurie	Clark, Charles	Flanders, Donald	Heald, Bruce
Millham, Alida	Morrison, Gail	Pilliod, James	Thomas, John
Tilton, Franklin	Wendelboe, Fran		
CARROLL			
Ahlgren, Christopher	Buco, Thomas	Knox, J David	Martin, James
McConkey, Mark	Olimpio, J Lisbeth		
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Dexter, Judson
Dunn, J Timothy	Eaton, Daniel	Emerson, Susan	Espieffs, Peter
Foote, Sheila	Hogancamp, Deborah	Parkhurst, Henry	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy

Sinclair, Stephanie	Weed, Charles		
COOS			
Buzzell, Bernard	King, Frederick	Mears, Edgar	Remick, William
Theberge, Robert			
GRAFTON			
Alger, John	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Ham, Bonnie	Hammond, Lee
Harding, A Laurie	McLeod, Martha	Mulholland, Catherine	Naro, Debra
Nordgren, Sharon	Sokol, Hilda	Solomon, Peter	Williams, Burton
HILLSBOROUGH			
Baines, Stephen	Baroody, Benjamin	Barry, J Gail	Beaulieu, Jane
Bergeron, Jean-Guy	Bergin, Peter	Brassard, Paul	Brundige, Robert
Calawa, Leon Jr	Campbell, David	Carlson, Donald	Chase, Claudia
Cote, David	Coughlin, Pamela	Craig, James	Daniuk, Caitlin
Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard	Egbers, Fran
Essex, David	Foster, Linda	Gargas, Carolyn	Ginsburg, Ruth
Golding, William	Graham, John	Haley, Robert	Harvey, Suzanne
Irwin, Anne-Marie	Jean, Claudette	Kelly, Eugene Jr	Kopka, Angeline
L'Heureux, Robert	Lasky, Bette	Matarazzo, Anthony Sr	Messier, Irene
Michon, Stephen	O'Connell, Timothy	Ober, Lynne	Pappas, Christopher
Pilotte, Maurice	Rochette, Eric	Ross, Lawrence	Rowe, Robert
Scanlon, Michael	Schulze, Joan	Smith, David	Sullivan, Francis
Wheeler, Robert			
MERRIMACK			
Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
DeJoie, John	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hager, Elizabeth	Hamm, Christine	MacKay, James
McMahon, Patricia	Oliver, James	Osborne, Jessie	Owen, Derek
Potter, Frances	Reardon, Tara	Rush, Deanna	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Bridle, Russell	Buxton, Donald
Cali-Pitts, Jacqueline	Casey, Kimberley	Coburn, James	Doyle, Christopher
Dumaine, Dudley	Flockhart, Eileen	Garrity, James	Gilbert, Karl
Gillick, Thomas	Gould, Kenneth	Griffin, Mary	Hughes, Daniel
Ingram, Russell	Katsakiores, George	Katsakiores, Phyllis	Mason, April
Moody, Marcia	Morris, Richard	Norelli, Terie	O'Neil, Michael
Parker, Benjamin	Powers, James	Priestley, Anne	Robertson, Carl
Rolston, James	Serlin, Christopher	Splaine, James	Stiles, Nancy
Stone, Joseph	Waterhouse, Kevin	Weare, E Albert	Weldy, Norman
Weyler, Kenneth	Winchell, George		
STRAFFORD			

Albert, Russell	Berube, Roger	Brown, Jennifer	Brown, Julie
Brown, Lawrence	Callaghan, Frank	Cataldo, Sam	Chaplin, Duncan
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia
Goodwin, Earle	Hilliard, Dana	Hofemann, Roland	Johnson, Nancy
Kaen, Naida	Knowles, William	Miller, Joseph	Rollo, Michael
Rous, Emma	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Taylor, Katherine	Taylor, Kathleen	Wall, Janet	
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Prichard, Stephen	
NAYS 165			
BELKNAP			
Allen, Janet	Fitzgerald, James	Nedeau, Stephen	Rosen, Ralph
Russell, David	Tobin, William	Veazey, John	Whalley, Michael
CARROLL			
Babson, David Jr	Chandler, Gene	Dickinson, Howard	Merrow, Harry
Patten, Betsey	Stevens, Stanley		
CHESHIRE			
Hunt, John	Pelkey, Stephen	Sawyer, Sheldon	Tilton, Anna
COOS			
Lary, Bruce	Merrick, Scott	Morneau, Renney	Richardson, Herbert
Stohl, Eric	Tholl, John Jr		
GRAFTON			
Barker, Robert	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	Sorg, Gregory	Ward, John
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Allan, Nelson	Balboni, Michael
Batula, Peter	Biundo, Michael	Boehm, Ralph	Buhlman, David
Carew, James	Carter, Mark	Chabot, Robert	Christensen, D L Chris
Christiansen, Lars	Clayton, William	Clemons, Jane	Cote, Peter
Crane, Elenore Casey	DeVries, Betsi	Dyer, Donald	Elliott, Nancy
Emerton, Larry	Francoeur, Bea	Garrity, Patrick	Gibson, John
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Goyette, Peter Jr
Hansen, Ryan	Hawkins, Ken	Hebert, Raymond	Hellwig, Steve
Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph	Hunter, Bruce
Infantine, William	Jasper, Shawn	Johnson, Paula	Kurk, Neal
Lefebvre, Roland	Manney, Pamela	Martin, Mary Ellen	McRae, Karen
Mead, Robert	Mooney, Maureen	Movsesian, Lori	O'Brien, William

Pepino, Leo	Reeves, Sandra	Renzullo, Andrew	Ryder, Donald
Shaw, Barbara	Shaw, Kimberly	Slocum, Lee	Souza, Kathleen
Stepanek, Stephen	Sullivan, Peter	Tahir, Saghir	Ulery, Jordan
Vaillancourt, Steve	Velez, Hector	Villeneuve, Maurice	Wheeler, James
MERRIMACK			
Anderson, Eric	Currier, David	Danforth, James	Field, William
Greco, Vincent	Kidder, David	Klose, John	Langlais, Thomas
Lockwood, Priscilla	Marple, Richard	Maxfield, Roy	Soltani, Tony
Tupper, Frank	Whiting, Herbert		
ROCKINGHAM			
Belanger, Ronald	Bettencourt, David	Bishop, Franklin	Cady, Harriet
Camm, Kevin	Carson, Sharon	Charron, Gene	Cooney, Richard
DiFruscia, Anthony	Dodge, Robert	Donahue, Richard Ken	Dowd, John
Dowling, Patricia	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Headd, James	Hopfgarten, Paul	Hutchinson, Karen
Introne, Robert	Itse, Daniel	Johnson, Robert	Johnson, Rogers
Kobel, Rudolph	Lund, Howie	Major, Norman	McKinney, Betsy
McMahon, Charles	Nowe, Ronald	Packard, Sherman	Pantelakos, Laura
Putnam, Ed II	Quandt, Marshall Lee	Quandt, Matthew	Rausch, James
Sanders, Elisabeth	Scamman, Stella	Smith, Paul	Welch, David
Wells, Roger	Wiley, Robert	Zolla, William	
STRAFFORD			
Bickford, David	Easson, Timothy	Heon, Richard	Keans, Sandra
Newton, Clifford	Twombly, James		
SULLIVAN			
Ferland, Brenda	Gale, Harry	Irish, Christopher	Osgood, Philip Sr
Phinizy, James	Rodeschin, Beverly		

and the motion of Ought to Pass was adopted.

Ordered to third reading.

Rep. Morneau voted Nay and intended to vote Yea.

HB 593, requiring motor vehicle drivers' schools to post bonds. **INEXPEDIENT TO LEGISLATE**

Rep. James W. Danforth for Transportation: This bill would have required driving schools and independent instructors to post a \$25,000 bond or cash equivalent to cover the cost of instruction should they be unable to complete a course for which they had already been paid. Although the Department of Safety supported this bill, the committee felt that this would impose an unfair burden on smaller independent driving instructors. The testimony did not justify passage of this bill. Vote 11-2.

Report adopted.

CACR 15, relating to the use of certain revenues. Providing that revenues raised by a statewide property tax, income tax, or general sales tax be used exclusively to support local public schools. **INEXPEDIENT TO LEGISLATE**

Rep. Steve Vaillancourt for Ways and Means: This is another in a series of constitutional amendments which would impose restrictions on how future legislatures could either raise or

spend monies. This CACR is even more restrictive than CACR 3, which was killed by the House earlier this year. That CACR mandated that revenues raised from any future income tax would be earmarked exclusively for education funding. This adds a future sales tax and the current statewide property tax to revenue streams which would be limited to education funding. Once again, the committee does not believe such restrictions should be made part of the Constitution. We are asked to restrict use of tax revenue from taxes which do not even exist and may never exist. We are asked to handcuff future legislatures. Beyond that, it becomes clearer all the time that education funding is inextricably linked with the general fund, so such restrictions, even if wise, might prove ineffective. Vote 15-0.
Report adopted.

HB 466-FN-A, establishing a research and development tax credit against the business profits tax and the business enterprise tax. **INEXPEDIENT TO LEGISLATE**
Rep. John M. Pratt for Ways and Means: With the prospect of major cuts in the next biennial budget looming, the committee concluded that now was not the time to reduce state revenues, however laudatory the motive. Vote 17-1.
Rep. Hinkle spoke to the bill and yielded to questions.
Rep. Paul Smith requested a roll call; sufficiently seconded.
The question being adoption of the committee report.

YEAS 236 NAYS 124			
YEAS 236			
BELKNAP			
Allen, Janet	Flanders, Donald	Heald, Bruce	Millham, Alida
Morrison, Gail	Nedeau, Stephen	Russell, David	Thomas, John
Tilton, Franklin	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Chandler, Gene	Knox, J David
McConkey, Mark	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Dexter, Judson
Dunn, J Timothy	Eaton, Daniel	Emerson, Susan	Espieffs, Peter
Hogancamp, Deborah	Hunt, John	Parkhurst, Henry	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sinclair, Stephanie	Tilton, Anna	Weed, Charles	
COOS			
King, Frederick	Mears, Edgar	Merrick, Scott	Richardson, Herbert
Stohl, Eric	Theberge, Robert	Tholl, John Jr	
GRAFTON			
Almy, Susan	Andersen, Gene	Barker, Robert	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Eaton, Stephanie	Gionet, Edmond
Ham, Bonnie	Hammond, Lee	Harding, A Laurie	McLeod, Martha
Mulholland, Catherine	Naro, Debra	Nordgren, Sharon	Sokol, Hilda

Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Aboshar, Jeffrey	Allan, Nelson	Baroody, Benjamin	Beaulieu, Jane
Bergin, Peter	Brassard, Paul	Brundige, Robert	Calawa, Leon Jr
Campbell, David	Carew, James	Carter, Mark	Chabot, Robert
Clayton, William	Clemons, Jane	Cote, David	Cote, Peter
Coughlin, Pamela	Dokmo, Cynthia	Drisko, Richard	Egbers, Fran
Emerton, Larry	Foster, Linda	Gargas, Carolyn	Garrity, Patrick
Ginsburg, Ruth	Golding, William	Goley, Jeffrey	Gorman, Mary
Haley, Robert	Hawkins, Ken	Hunter, Bruce	Jasper, Shawn
Jean, Claudette	Johnson, Paula	Kurk, Neal	L'Heureux, Robert
Lasky, Bette	Lefebvre, Roland	Manney, Pamela	Martin, Mary Ellen
Matarazzo, Anthony Sr	Messier, Irene	Movsesian, Lori	O'Connell, Timothy
Ober, Lynne	Pappas, Christopher	Pepino, Leo	Pilotte, Maurice
Reeves, Sandra	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Schulze, Joan	Shaw, Barbara	Shaw, Kimberly	Smith, David
Sullivan, Francis	Vaillancourt, Steve	Velez, Hector	Villeneuve, Maurice
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Clarke, Claire	Currier, David
DeJoie, John	DeStefano, Stephen	Gile, Mary	Greco, Vincent
Hager, Elizabeth	Klose, John	Lockwood, Priscilla	MacKay, James
McMahon, Patricia	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	Belanger, Ronald	Bishop, Franklin	Blanchard, MaryAnn
Bridle, Russell	Buxton, Donald	Cali-Pitts, Jacqueline	Camm, Kevin
Carson, Sharon	Coburn, James	Cooney, Richard	Dowd, John
Dowling, Patricia	Doyle, Christopher	Dumaine, Dudley	Fesh, Bob
Flanders, John Sr	Flockhart, Eileen	Francoeur, Sheila	Garrity, James
Gilbert, Karl	Gillick, Thomas	Gould, Kenneth	Griffin, Mary
Hughes, Daniel	Ingram, Russell	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Major, Norman	Mason, April	McKinney, Betsy
Morris, Richard	Norelli, Terie	Nowe, Ronald	Packard, Sherman
Pantelakos, Laura	Parker, Benjamin	Priestley, Anne	Rausch, James
Robertson, Carl	Scamman, Stella	Serlin, Christopher	Stiles, Nancy
Stone, Joseph	Weare, E Albert	Welch, David	Weldy, Norman
Wells, Roger	Wiley, Robert	Zolla, William	
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Julie
Brown, Lawrence	Callaghan, Frank	Domingo, Baldwin	Dunlap, Patricia
Goodwin, Earle	Heon, Richard	Hilliard, Dana	Hofemann, Roland
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Knowles, William
Miller, Joseph	Rous, Emma	Schmidt, Peter	Smith, Marjorie

Snyder, Clair	Spang, Judith	Taylor, Katherine	Taylor, Kathleen
Wall, Janet			
SULLIVAN			
Cloutier, John	Donovan, Thomas	Ferland, Brenda	Franklin, Peter
Gale, Harry	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Osgood, Philip Sr
Phinizy, James	Rodeschin, Beverly		
NAYS 124			
BELKNAP			
Boyce, Laurie	Clark, Charles	Fitzgerald, James	Pilliod, James
Rosen, Ralph	Tobin, William	Veazey, John	
CARROLL			
Buco, Thomas	Dickinson, Howard	Martin, James	Merrow, Harry
CHESHIRE			
Foote, Sheila	Pelkey, Stephen	Sawyer, Sheldon	
COOS			
Buzzell, Bernard	Lary, Bruce	Morneau, Renney	Remick, William
GRAFTON			
Alger, John	Giuda, Robert	Ingbretson, Paul	Maybeck, Margie
Solomon, Peter			
HILLSBOROUGH			
Adams, Jarvis IV	Baines, Stephen	Balboni, Michael	Batula, Peter
Bergeron, Jean-Guy	Biundo, Michael	Boehm, Ralph	Buhlman, David
Carlson, Donald	Christensen, D L Chris	Christiansen, Lars	Crane, Elenore Casey
Daniuk, Caitlin	Desmarais, Vivian	DeVries, Betsi	Dyer, Donald
Elliott, Nancy	Essex, David	Francoeur, Bea	Gibson, John
Gonzalez, Carlos	Goyette, Peter Jr	Graham, John	Hansen, Ryan
Harvey, Suzanne	Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton
Hirschmann, Keith	Holden, Randolph	Infantine, William	Irwin, Anne-Marie
Kopka, Angeline	McRae, Karen	Mead, Robert	Michon, Stephen
Mooney, Maureen	O'Brien, William	Renzullo, Andrew	Rochette, Eric
Ross, Lawrence	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Sullivan, Peter	Tahir, Saghir	Ulery, Jordan	Wheeler, James
MERRIMACK			
Blanchard, Elizabeth	Brueggemann, Donald	Danforth, James	Field, William
Foose, Robert	French, Barbara	Hamm, Christine	Kidder, David
Langlais, Thomas	Marple, Richard	Soltani, Tony	Whiting, Herbert

ROCKINGHAM			
Bettencourt, David	Cady, Harriet	Casey, Kimberley	Charron, Gene
DiFruscia, Anthony	Dodge, Robert	Donahue, Richard Ken	Forsing, Robert
Headd, James	Hopfgarten, Paul	Hutchinson, Karen	Introne, Robert
Itse, Daniel	Johnson, Rogers	Kobel, Rudolph	Lund, Howie
McMahon, Charles	Moody, Marcia	Powers, James	Putnam, Ed II
Quandt, Marshall Lee	Quandt, Matthew	Rolston, James	Sanders, Elisabeth
Smith, Paul	Splaine, James	Waterhouse, Kevin	Weyler, Kenneth
Winchell, George			
STRAFFORD			
Brown, Jennifer	Cataldo, Sam	Chaplin, Duncan	Cilley, Jacalyn
Creteau, Irene	Easson, Timothy	Newton, Clifford	Rollo, Michael
Twombly, James			
SULLIVAN			
Converse, Larry	Irish, Christopher	Prichard, Stephen	

and the committee report was adopted.

Rep. Claudia Chase declared a conflict of interest and did not participate.

HB 522, establishing a committee to study gaming options for New Hampshire. **OUGHT TO PASS WITH AMENDMENT**

Rep. Susan W. Almy for Ways and Means: The majority of the committee, including those in favor and opposed to bringing slots into our state, agreed that it was time to do a thorough study of the huge amount of conflicting information on the costs and benefits of slot-machine and other casino gambling developed in the last decade, as it applies to New Hampshire. The amendment adds to the duties a requirement to study the economic and social costs, and the estimation of revenue ranges and revenue losses due to expected competition were our state to legalize slot machines. It also requests the speaker and senate president to appoint a balance of opponents and proponents to the study committee. Vote 14-4.

Amendment (0421h)

Amend subparagraphs I(a) and I(b) of section 2 of the bill by replacing them with the following:

(a) Five members of the house of representatives, appointed by the speaker of the house of representatives, two of which shall be proponents of casino gambling, two of which shall be opponents of casino gambling, and the remaining member shall be initially undecided.

(b) Five members of the senate, appointed by the president of the senate, two of which shall be proponents of casino gambling, two of which shall be opponents of casino gambling, and the remaining member shall be initially undecided.

Amend paragraph IV of section 3 of the bill by inserting after subparagraph (f) the following new subparagraph:

(g) Recognized experts on the subject of the economic and social effects of casino operations.

Amend section 3 of the bill by inserting after paragraph IV the following new paragraphs:

V. Evaluate the total revenues attainable by the state given existing market conditions and assuming projections of additional casinos and casino expansion in adjacent states.

VI. Determine and quantify, to the extent possible, the social and economic affects of casinos in various sites around the state on the state, county, and local governments, and on tourism and other industries, including but not limited to:

- (a) Property crimes.
- (b) Crimes against persons.
- (c) Social welfare costs.
- (d) Competition for entertainment market share.

Adopted.

Committee report adopted and ordered to third reading.

HB 563-FN-A, increasing the tobacco tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kevin L. Camm for the Majority of Ways and Means: This bill would require the commissioner of revenue administration to set the tobacco tax rate annually, on July 1, at a rate that is 25 percent below the lowest tax rate of our three neighboring states. A majority of the committee had many problems with such a scheme. It enables an executive branch official to raise taxes without approval of a future legislative body. It allows our tax policy on tobacco to be controlled by out of state legislators who are not elected by New Hampshire citizens. It removes those affected by the tobacco tax from due process that all the other taxpayer interests enjoy. It erodes the governor's power to veto tax increases. It makes the legislature faceless and nameless in regards to raising taxes. The majority of the committee felt it best to leave the procedure for raising all taxes as they are. Vote 10-8.

Rep. William Butynski for the Minority of Ways and Means: Passage of this bill would provide increased revenue to New Hampshire of approximately \$52.9 million during fiscal year 2006, and likely more in future years. We have a budget deficit which cannot be solved without tax increases. This bill protects the New Hampshire tax advantage for our retailers by annually raising the tobacco tax to a level that is 25 percent below the combined tobacco and sales tax of the state on New Hampshire's border which has the lowest total tax. Under this formula, New Hampshire's cigarette taxes would increase by 36 cents per pack (from 52 cents to 88 cents) as of July 1, 2005 – well below our largest neighbor. Finally, this increase in the cigarette tax would reduce youth initiation of tobacco use, encourage some current smokers to quit, and thus result in a long term reduction in New Hampshire's Medicaid costs.

Rep. Butynski spoke against and yielded to questions.

Rep. Camm spoke in favor.

(Rep. Weyler in the Chair)

LAI D ON THE TABLE

Reps. Major and Pratt moved that **HB 563-FN-A**, increasing the tobacco tax, be laid on the table.

Adopted.

REGULAR CALENDAR (CONT'D.)

HB 576, establishing a New Hampshire advantage commission. **INEXPEDIENT TO LEGISLATE**

Rep. Shawn N. Jasper for Ways and Means: The idea of a commission to study tax incentives offered within and outside of the United States has some real appeal, but without a substantial appropriation to support such a mammoth undertaking, it is beyond the practical ability of a group of already busy individuals to accomplish by November 1, 2006.

Vote 15-0.

Adopted.

BILLS REMOVED FROM CONSENT CALENDAR

HB 38, relative to credit card theft. OUGHT TO PASS WITH AMENDMENT

Rep. George D. Winchell for Criminal Justice and Public Safety: This amended bill includes personal checks and credit cards in the Theft: Definitions statute, RSA 637:2, V, and places a value of \$250.00 on each stolen check or credit card in one's possession. Under current statute, checks and credit cards have no value until they are tendered for goods or services. The committee heard testimony of cases where individuals were caught in possession of stolen checks and credit cards and could not be charged under current law. The committee voted to fix this problem. Vote 16-1.

Amendment (0097h)

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

AN ACT relative to the value of a stolen credit card or stolen blank check.

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Theft; Definitions. Amend RSA 637:2, V by inserting after subparagraph (b) the following new subparagraph:

(c) For the purposes of this chapter, the value of a credit card shall be the unused amount of credit at the time the actor obtained such credit card, and the value of a blank check shall be the amount of funds in the account at the time the actor obtained such check.

AMENDED ANALYSIS

This bill clarifies the value of a stolen credit card or check for the purposes of the theft statute.

Rep. Welch spoke against.

Amendment failed.

Rep. Welch offered floor amendment (0817h) and spoke in favor.

Floor Amendment (0817h)

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

AN ACT relative to theft of personal checks and credit cards.

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

1 New Subparagraph; Theft; Definitions. Amend RSA 637:2, V by inserting after subparagraph (b) the following new subparagraph:

(c) Each personal check or credit card shall have a value of \$250.

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

AMENDED ANALYSIS

This bill clarifies the applicability of the theft statute to personal checks and credit cards and assigns a value to each for the purpose of determining penalties.

Floor amendment (0817h) adopted.

Report adopted and ordered to third reading.

HB 636-FN, requiring the electronic recording of statements by persons subject to custodial interrogation. INEXPEDIENT TO LEGISLATE

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill attempts to create a solution to a problem that does not seem to exist. Credibility of witnesses is the province of the jury and it attempts to create a right that the Supreme Court has already ruled does not exist. It mandates what the Court would not. Vote 12-3.

Rep. Timothy Robertson spoke against.

Rep. Stevens spoke in favor.

Committee report adopted.

HB 151, requiring school districts to develop a school age nutrition and physical activity committee. OUGHT TO PASS WITH AMENDMENT

Rep. Nancy F. Stiles for Education: This bill requires local school districts to develop an

advisory committee or use an existing committee, to develop a policy on nutrition and physical activity during the school day. The amendment removes a restriction on committee membership and eliminates a mandate in the bill. There was overwhelming support for the bill from many health organizations. Vote 12-3.

Amendment (0559h)

Amend RSA 189:11-a, VII(a) as inserted by section 1 of the bill by replacing it with the following:

VII.(a) Each school board shall establish, maintain, or utilize existing committees to form a school age nutrition and physical activity advisory committee which shall develop school district policy on nutrition and physical activity during the school day. The committee may include food service directors, health education and physical education faculty, school nurses, parents, pupils, nutritionists, health care professionals, a school administration representative, and community members, in such proportions as deemed appropriate and available by the school board. The committee shall submit its policies, recommendations, or reports annually to the school board. A summary of the policy shall be made available in print or electronic form to the community no later than July 1, 2006. When aggregate data on the height, weight, and fitness scores for New Hampshire's school children is made available to the department of education, the department shall provide a link to such data on its website.

Amend RSA 189:11-a, VII(b)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) Food quality and choices.

Amend RSA 189:11-a, VII (b)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) Addressing physical activity of all pupils and recommending that all pupils engage in physical activity throughout the school day.

Amendment adopted.

Reps. Boehm and Ober spoke against.

Rep. Hess yielded to questions.

Rep. Stiles and French spoke in favor.

(Speaker Scamman in the Chair)

Rep. Danforth requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 189 NAYS 162			
YEAS 189			
BELKNAP			
Fitzgerald, James	Flanders, Donald	Heald, Bruce	Morrison, Gail
Pilliod, James	Rosen, Ralph	Russell, David	Thomas, John
CARROLL			
Ahlgren, Christopher	Buco, Thomas	Dickinson, Howard	Martin, James
McConkey, Mark	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Dunn, J Timothy
Eaton, Daniel	Emerson, Susan	Espieffs, Peter	Foote, Sheila
Hogancamp,	Hunt, John	Plifka, Stanley Jr	Pratt, John

Deborah			
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	
COOS			
Mears, Edgar	Merrick, Scott	Morneau, Renney	Remick, William
Tholl, John Jr			
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Cooney, Mary
Hammond, Lee	Harding, A Laurie	McLeod, Martha	Mulholland, Catherine
Naro, Debra	Nordgren, Sharon	Sokol, Hilda	Ward, John
HILLSBOROUGH			
Baroody, Benjamin	Batula, Peter	Beaulieu, Jane	Brassard, Paul
Brundige, Robert	Carter, Mark	Chase, Claudia	Clayton, William
Cote, David	Cote, Peter	Daniuk, Caitlin	Desmarais, Vivian
DeVries, Betsi	Dokmo, Cynthia	Dyer, Donald	Foster, Linda
Gargas, Carolyn	Garritty, Patrick	Ginsburg, Ruth	Golding, William
Goley, Jeffrey	Gonzalez, Carlos	Haley, Robert	Hansen, Ryan
Harvey, Suzanne	Hinkle, Peyton	Holden, Randolph	Irwin, Anne-Marie
Jasper, Shawn	Kopka, Angeline	Lasky, Bette	Lefebvre, Roland
Martin, Mary Ellen	Matarazzo, Anthony Sr	Movsesian, Lori	Pappas, Christopher
Pilotte, Maurice	Scanlon, Michael	Schulze, Joan	Smith, David
Sullivan, Peter	Ulery, Jordan	Velez, Hector	Villeneuve, Maurice
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Greco, Vincent	Hager, Elizabeth
Hamm, Christine	Hess, David	MacKay, James	McMahon, Patricia
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	Belanger, Ronald	Blanchard, MaryAnn	Bridle, Russell
Buxton, Donald	Cali-Pitts, Jacqueline	Casey, Kimberley	DiFruscia, Anthony
Dowd, John	Doyle, Christopher	Flanders, John Sr	Flockhart, Eileen
Francoeur, Sheila	Gillick, Thomas	Gould, Kenneth	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Major, Norman
Mason, April	Morris, Richard	Norelli, Terie	O'Neil, Michael
Pantelakos, Laura	Powers, James	Priestley, Anne	Robertson, Carl
Rolston, James	Scamman, Stella	Serlin, Christopher	Splaine, James
Stiles, Nancy	Stone, Joseph	Weare, E Albert	Weldy, Norman
Weyler, Kenneth	Wiley, Robert	Winchell, George	
STRAFFORD			
Albert, Russell	Brown, Lawrence	Callaghan, Frank	Cataldo, Sam

Chaplin, Duncan	Goodwin, Earle	Heon, Richard	Hilliard, Dana
Hofemann, Roland	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Miller, Joseph	Rollo, Michael	Rous, Emma	Schmidt, Peter
Smith, Marjorie	Snyder, Clair	Spang, Judith	Taylor, Katherine
Taylor, Kathleen	Wall, Janet		
SULLIVAN			
Cloutier, John	Donovan, Thomas	Franklin, Peter	Houde-Quimby, Charlotte
Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen	
NAYS 162			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Millham, Alida
Nedeau, Stephen	Tilton, Franklin	Tobin, William	Veazey, John
Wendelboe, Fran	Whalley, Michael		
CARROLL			
Babson, David Jr	Chandler, Gene	Knox, J David	Merrow, Harry
CHESHIRE			
Dexter, Judson	Parkhurst, Henry	Pelkey, Stephen	Sawyer, Sheldon
Sinclair, Stephanie	Tilton, Anna		
COOS			
Buzzell, Bernard	King, Frederick	Lary, Bruce	Richardson, Herbert
Stohl, Eric	Theberge, Robert		
GRAFTON			
Alger, John	Barker, Robert	Bleyler, Ruth	Eaton, Stephanie
Giuda, Robert	Ingbretson, Paul	Maybeck, Margie	Sorg, Gregory
Williams, Burton			
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Baines, Stephen	Balboni, Michael
Bergeron, Jean-Guy	Bergin, Peter	Biundo, Michael	Boehm, Ralph
Buhlman, David	Calawa, Leon Jr	Carew, James	Carlson, Donald
Chabot, Robert	Christensen, D L Chris	Christiansen, Lars	Coughlin, Pamela
Crane, Elenore Casey	Egbers, Fran	Elliott, Nancy	Essex, David
Francoeur, Bea	Gibson, John	Gorman, Mary	Goyette, Peter Jr
Graham, John	Hawkins, Ken	Hebert, Raymond	Hellwig, Steve
Hirschmann, Keith	Hunter, Bruce	Infantine, William	Jean, Claudette
Johnson, Paula	Kurk, Neal	L'Heureux, Robert	Manney, Pamela
McRae, Karen	Mead, Robert	Messier, Irene	Michon, Stephen
Mooney, Maureen	O'Brien, William	O'Connell, Timothy	Ober, Lynne
Pepino, Leo	Reeves, Sandra	Renzullo, Andrew	Rochette, Eric

Ross, Lawrence	Rowe, Robert	Ryder, Donald	Shaw, Barbara
Shaw, Kimberly	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Tahir, Saghir	Vaillancourt, Steve	Wheeler, James	Wheeler, Robert
MERRIMACK			
Currier, David	Danforth, James	Field, William	Kidder, David
Klose, John	Langlais, Thomas	Lockwood, Priscilla	Marple, Richard
Oliver, James	Soltani, Tony		
ROCKINGHAM			
Bettencourt, David	Bishop, Franklin	Cady, Harriet	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Donahue, Richard Ken	Dowling, Patricia	Dumaine, Dudley	Fesh, Bob
Forsing, Robert	Garrity, James	Gilbert, Karl	Griffin, Mary
Headd, James	Hopfgarten, Paul	Hughes, Daniel	Ingram, Russell
Introne, Robert	Itse, Daniel	Lund, Howie	McKinney, Betsy
McMahon, Charles	Moody, Marcia	Nowe, Ronald	Packard, Sherman
Parker, Benjamin	Putnam, Ed II	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Sanders, Elisabeth	Smith, Paul	Waterhouse, Kevin
Welch, David	Wells, Roger	Zolla, William	
STRAFFORD			
Berube, Roger	Bickford, David	Brown, Jennifer	Brown, Julie
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia
Easson, Timothy	Knowles, William	Newton, Clifford	Twombly, James
SULLIVAN			
Converse, Larry	Ferland, Brenda	Gale, Harry	Irish, Christopher
Osgood, Philip Sr	Rodeschin, Beverly		

and the committee report was adopted.

Ordered to third reading.

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

CACR 19, relating to representation in cities and towns whose population is equal to, or greater than, the minimum number of persons per house district. Providing that a city or town shall have at least one representative from the city or town if its population is equal to or greater than the apportionment figure for house districts. **INEXPEDIENT TO LEGISLATE**

Rep. William L. O'Brien for Election Law: This proposed constitutional amendment concurrent resolution would require that each town or city that has a population with a minimum number of people to elect one representative to the general court shall elect at least one such representative without combining such representation with any other town or city. The majority disagreed with this approach because the only way to implement it would be to use floteria districts that would provide certain small towns with diluted representation and therefore are, or likely may be, held unconstitutional. The solution to this legitimate concern addressed by this CACR cannot be implemented. Vote 14-1.

Rep. Vaillancourt spoke against and yielded to questions.

Reps. Itse and Chaplin spoke against.

Rep. Whalley spoke in favor.

Rep. John Flanders moved the previous question.

Adopted.

Rep. Vaillancourt requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 244 NAYS 101			
YEAS 244			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Morrison, Gail	Nedean, Stephen
Pilliod, James	Rosen, Ralph	Russell, David	Thomas, John
Tilton, Franklin	Tobin, William	Veazey, John	Whalley, Michael
CARROLL			
Ahlgren, Christopher	Buco, Thomas	Chandler, Gene	Martin, James
Morrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Dunn, J Timothy	Eaton, Daniel
Emerson, Susan	Espieffs, Peter	Foot, Sheila	Hogancamp, Deborah
Parkhurst, Henry	Pelkey, Stephen	Sawyer, Sheldon	Sinclair, Stephanie
Tilton, Anna			
COOS			
King, Frederick	Lary, Bruce	Mears, Edgar	Morneau, Renney
Remick, William	Richardson, Herbert	Stohl, Eric	
GRAFTON			
Almy, Susan	Andersen, Gene	Barker, Robert	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Eaton, Stephanie	Giuda, Robert
Hammond, Lee	Harding, A Laurie	McLeod, Martha	Naro, Debra
Nordgren, Sharon	Sokol, Hilda	Solomon, Peter	
HILLSBOROUGH			
Allan, Nelson	Baroody, Benjamin	Batula, Peter	Beaulieu, Jane
Biundo, Michael	Brassard, Paul	Brundige, Robert	Carew, James
Carlson, Donald	Carter, Mark	Chabot, Robert	Chase, Claudia
Christensen, D L Chris	Christiansen, Lars	Clayton, William	Cote, David
Cote, Peter	Coughlin, Pamela	Desmarais, Vivian	DeVries, Betsi
Dokmo, Cynthia	Drisko, Richard	Elliott, Nancy	Foster, Linda
Francoeur, Bea	Gargas, Carolyn	Ginsburg, Ruth	Goley, Jeffrey
Gorman, Mary	Graham, John	Haley, Robert	Hansen, Ryan
Harvey, Suzanne	Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith
Hunter, Bruce	Infantine, William	Jasper, Shawn	Kopka, Angeline
Lasky, Bette	Lefebvre, Roland	Manney, Pamela	Mead, Robert
Michon, Stephen	Mooney, Maureen	Movsesian, Lori	O'Brien, William
O'Connell, Timothy	Ober, Lynne	Pappas, Christopher	Pilotte, Maurice
Reeves, Sandra	Rochette, Eric	Ross, Lawrence	Rowe, Robert

Ryder, Donald	Schulze, Joan	Slocum, Lee	Smith, David
Stepanek, Stephen	Tahir, Saghir	Ulery, Jordan	Villeneuve, Maurice
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	Currier, David	Danforth, James	DeJoie, John
DeStefano, Stephen	Field, William	French, Barbara	Gile, Mary
Hamm, Christine	Kidder, David	Klose, John	L'Heureux, Stephen
Langlais, Thomas	Lockwood, Priscilla	MacKay, James	Marple, Richard
McMahon, Patricia	Oliver, James	Osborne, Jessie	Potter, Frances
Ryan, Jim	Shurtleff, Stephen	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Williams, Robert	Yeaton, Charles
ROCKINGHAM			
Belanger, Ronald	Bettencourt, David	Bishop, Franklin	Blanchard, MaryAnn
Cady, Harriet	Cali-Pitts, Jacqueline	Casey, Kimberley	Charron, Gene
Coburn, James	Cooney, Richard	Dowd, John	Dowling, Patricia
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
Introne, Robert	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Major, Norman	Mason, April	McKinney, Betsy	McMahon, Charles
Moody, Marcia	Morris, Richard	Norelli, Terie	Nowe, Ronald
O'Neil, Michael	Packard, Sherman	Powers, James	Priestley, Anne
Putnam, Ed II	Rausch, James	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Smith, Paul	Stiles, Nancy	Stone, Joseph
Waterhouse, Kevin	Weare, E Albert	Weldy, Norman	Wells, Roger
Weyler, Kenneth	Wiley, Robert	Winchell, George	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Brown, Jennifer	Brown, Lawrence
Callaghan, Frank	Cataldo, Sam	Creteau, Irene	Domingo, Baldwin
Dunlap, Patricia	Goodwin, Earle	Heon, Richard	Hofemann, Roland
Johnson, Nancy	Miller, Joseph	Newton, Clifford	Rous, Emma
Schmidt, Peter	Smith, Marjorie	Snyder, Clair	Spang, Judith
Taylor, Katherine	Taylor, Kathleen	Twombly, James	Wall, Janet
SULLIVAN			
Cloutier, John	Franklin, Peter	Gale, Harry	Irish, Christopher
Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen	Rodeschin, Beverly
NAYS 101			
BELKNAP			
Boyce, Laurie	Wendelboe, Fran		
CARROLL			
Babson, David Jr	Dickinson, Howard	Knox, J David	McConkey, Mark

CHESHIRE			
Butynski, William	Dexter, Judson	Hunt, John	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
COOS			
Buzzell, Bernard	Merrick, Scott	Theberge, Robert	Tholl, John Jr
GRAFTON			
Alger, John	Ingbretson, Paul	Maybeck, Margie	Mulholland, Catherine
Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Aboshar, Jeffrey	Adams, Jarvis IV	Balboni, Michael	Bergeron, Jean-Guy
Boehm, Ralph	Buhlman, David	Calawa, Leon Jr	Crane, Elenore Casey
Daniuk, Caitlin	Dyer, Donald	Egbers, Fran	Essex, David
Garrity, Patrick	Gibson, John	Golding, William	Gonzalez, Carlos
Goyette, Peter Jr	Hawkins, Ken	Hebert, Raymond	Holden, Randolph
Irwin, Anne-Marie	Jean, Claudette	Johnson, Paula	Kurk, Neal
Martin, Mary Ellen	Matarazzo, Anthony Sr	McRae, Karen	Messier, Irene
Renzullo, Andrew	Scanlon, Michael	Shaw, Barbara	Shaw, Kimberly
Souza, Kathleen	Sullivan, Peter	Vaillancourt, Steve	Velez, Hector
Wheeler, James			
MERRIMACK			
Foose, Robert	Greco, Vincent	Reardon, Tara	Rush, Deanna
Soltani, Tony	Whiting, Herbert		
ROCKINGHAM			
Abbott, Dennis	Buxton, Donald	Camm, Kevin	Carson, Sharon
DiFruscia, Anthony	Dumaine, Dudley	Hopfgarten, Paul	Hughes, Daniel
Itse, Daniel	Johnson, Robert	Lund, Howie	Parker, Benjamin
Quandt, Marshall Lee	Quandt, Matthew	Robertson, Carl	Serlin, Christopher
Splaine, James	Welch, David		
STRAFFORD			
Bickford, David	Brown, Julie	Chaplin, Duncan	Cilley, Jacalyn
Easson, Timothy	Hilliard, Dana	Kaen, Naida	Keans, Sandra
Knowles, William	Rollo, Michael		
SULLIVAN			
Converse, Larry	Donovan, Thomas	Ferland, Brenda	Houde-Quimby, Charlotte
Osgood, Philip Sr			

and the committee report was adopted.

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

HB 521, relative to medical insurance coverage for members of the Manchester employees' contributory retirement system. **OUGHT TO PASS WITH AMENDMENT**

Rep. Maurice L. Pilotte for Executive Departments and Administration: The Manchester system originated in the state legislature and as such all changes thereto must also originate in the state legislature. This bill increases the medical subsidy for retired employees and as such will go before the voters of Manchester in a city wide referendum once approved by the state. The amendment to this bill simply reschedules employee payments and benefits to facilitate implementation. Vote 18-0.

Amendment 0719h)

Amend the bill by replacing section 3 with the following:

3 Effective Date. Section 2 of this act, relative to the referendum, shall take effect upon its passage. If the provisions of section 1 of this act shall be adopted as provided in section 2, said provisions shall be declared adopted and shall become effective as follows:

I. Creation of the 401(h) subtrust pursuant to 218:28 as inserted by section 1 of this act and contributions by the member shall commence 90 days after the date of the election.

II. Contributions by the employer shall commence with payrolls paid after July 1, 2006.

III. Commencement of benefits to retirees in the form of subsidies paid to their former employer shall commence with remittances made after July 1, 2006 for group health insurance purposes.

Adopted.

Reps. Infantine and Hirschmann spoke against.

Reps. Baroody and Zolla spoke in favor.

Rep. Adams requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 281 NAYS 49			
YEAS 281			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Morrison, Gail	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	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	Dexter, Judson
Dunn, J Timothy	Eaton, Daniel	Emerson, Susan	Espieffs, Peter
Foote, Sheila	Hogancamp, Deborah	Parkhurst, Henry	Pelkey, Stephen
Plifka, Stanley Jr	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sawyer, Sheldon	Sinclair, Stephanie	Tilton, Anna	
COOS			
Buzzell, Bernard	King, Frederick	Mears, Edgar	Merrick, Scott
Morneau, Renney	Remick, William	Richardson, Herbert	Stohl, Eric

Theberge, Robert	Tholl, John Jr		
GRAFTON			
Alger, John	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Eaton, Stephanie	Hammond, Lee
Harding, A Laurie	Ingbretson, Paul	Maybeck, Margie	McLeod, Martha
Mulholland, Catherine	Naro, Debra	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter	Sorg, Gregory	Ward, John	
HILLSBOROUGH			
Aboshar, Jeffrey	Allan, Nelson	Baroody, Benjamin	Batula, Peter
Beaulieu, Jane	Bergeron, Jean-Guy	Bergin, Peter	Brassard, Paul
Brundige, Robert	Buhlman, David	Calawa, Leon Jr	Carlson, Donald
Carter, Mark	Chabot, Robert	Chase, Claudia	Christensen, D L Chris
Clayton, William	Cote, David	Cote, Peter	Coughlin, Pamela
Crane, Elenore Casey	Daniuk, Caitlin	Dokmo, Cynthia	Egbers, Fran
Essex, David	Foster, Linda	Gargas, Carolyn	Garrity, Patrick
Ginsburg, Ruth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Graham, John	Haley, Robert	Harvey, Suzanne	Hawkins, Ken
Hellwig, Steve	Holden, Randolph	Infantine, William	Irwin, Anne-Marie
Jasper, Shawn	Jean, Claudette	Kopka, Angeline	Kurk, Neal
Lasky, Bette	Lefebvre, Roland	Manney, Pamela	Martin, Mary Ellen
Matarazzo, Anthony Sr	McRae, Karen	Messier, Irene	Movsesian, Lori
O'Connell, Timothy	Pappas, Christopher	Pilotte, Maurice	Reeves, Sandra
Rochette, Eric	Rowe, Robert	Ryder, Donald	Schulze, Joan
Shaw, Barbara	Shaw, Kimberly	Smith, David	Souza, Kathleen
Stepanek, Stephen	Sullivan, Peter	Ulery, Jordan	Velez, Hector
Villeneuve, Maurice	Wheeler, Robert		
MERRIMACK			
Bouchard, Candace	Clarke, Claire	Danforth, James	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Hager, Elizabeth	Hamm, Christine	Kidder, David
Klose, John	L'Heureux, Stephen	Langlais, Thomas	Lockwood, Priscilla
MacKay, James	McMahon, Patricia	Osborne, Jessie	Potter, Frances
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	Belanger, Ronald	Bettencourt, David	Blanchard, MaryAnn
Buxton, Donald	Cady, Harriet	Cali-Pitts, Jacqueline	Camm, Kevin
Casey, Kimberley	Charron, Gene	Coburn, James	Cooney, Richard
DiFruscia, Anthony	Dodge, Robert	Dowd, John	Dowling, Patricia
Dumaine, Dudley	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Gillick, Thomas	Gould, Kenneth	Griffin, Mary
Headd, James	Hughes, Daniel	Ingram, Russell	Introne, Robert

Itse, Daniel	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Lund, Howie	Major, Norman	Mason, April
McKinney, Betsy	McMahon, Charles	Moody, Marcia	Morris, Richard
Norelli, Terie	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Parker, Benjamin	Powers, James	Priestley, Anne	Quandt, Marshall Lee
Quandt, Matthew	Rausch, James	Robertson, Carl	Rolston, James
Sanders, Elisabeth	Serlin, Christopher	Smith, Paul	Splaine, James
Stiles, Nancy	Stone, Joseph	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman	Wells, Roger	Weyler, Kenneth
Wiley, Robert	Winchell, George	Zolla, William	
STRAFFORD			
Berube, Roger	Bickford, David	Brown, Jennifer	Brown, Julie
Brown, Lawrence	Callaghan, Frank	Cataldo, Sam	Chaplin, Duncan
Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia	Easson, Timothy
Heon, Richard	Hofemann, Roland	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Miller, Joseph	Rollo, Michael	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	Gale, Harry	Houde-Quimby, Charlotte	Jillette, Arthur Jr
Phinizy, James	Prichard, Stephen	Rodeschin, Beverly	
NAYS 49			
BELKNAP			
Boyce, Laurie			
CARROLL			
None			
CHESHIRE			
Hunt, John			
COOS			
None			
GRAFTON			
Giuda, Robert	Williams, Burton		
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Biundo, Michael	Boehm, Ralph
Carew, James	Christiansen, Lars	Desmarais, Vivian	DeVries, Betsi
Drisko, Richard	Dyer, Donald	Elliott, Nancy	Francoeur, Bea
Gibson, John	Golding, William	Goyette, Peter Jr	Hebert, Raymond
Hinkle, Peyton	Hirschmann, Keith	Mead, Robert	Mooney, Maureen

O'Brien, William	Ober, Lynne	Renzullo, Andrew	Scanlon, Michael
Slocum, Lee	Tahir, Saghir	Vaillancourt, Steve	Wheeler, James
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Currier, David	Field, William
Marple, Richard	Oliver, James	Soltani, Tony	
ROCKINGHAM			
Carson, Sharon	Flockhart, Eileen	Garriy, James	Hopfgarten, Paul
Scamman, Stella			
STRAFFORD			
Albert, Russell	Newton, Clifford	Twombly, James	
SULLIVAN			
Irish, Christopher	Osgood, Philip Sr		

and the committee report was adopted.

Ordered to third reading.

CACR 1, relating to taxation. Providing that the maximum increase in any budget bill in the state or its political subdivisions shall be limited by the rates of inflation and population growth unless overridden. **INEXPEDIENT TO LEGISLATE**

Rep. Elizabeth S. Hager for Finance: No evidence or third party testimony was presented to the committee in support of any benefits to be derived from this legislation. The majority of the committee concluded that this proposed constitutional amendment would unduly restrict the legislature's ability to fully consider and respond to future revenue and spending requirements and thus it would not serve the best interests of all of the state's citizens. The committee also considered commentary from several of its members that the only other state that has enacted a similar constitutional provision, Colorado, has experienced a serious fiscal crisis that is still unresolved. Vote 22-1.

Rep. Camm spoke against.

Rep. Hager spoke in favor and yielded to questions.

Rep. Soltani requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 251 NAYS 72			
YEAS 251			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Morrison, Gail	Nedeau, Stephen
Pilliod, James	Rosen, Ralph	Russell, David	Thomas, John
Tobin, William	Veazey, John	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	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	Dexter, Judson
Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter	Foote, Sheila
Hogancamp, Deborah	Hunt, John	Parkhurst, Henry	Plifka, Stanley Jr
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Sawyer, Sheldon
Sinclair, Stephanie	Tilton, Anna		
COOS			
Buzzell, Bernard	King, Frederick	Mears, Edgar	Merrick, Scott
Remick, William	Richardson, Herbert	Stohl, Eric	Theberge, Robert
Tholl, John Jr			
GRAFTON			
Almy, Susan	Andersen, Gene	Benn, Bernard	Bleyler, Ruth
Cooney, Mary	Eaton, Stephanie	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Naro, Debra	Nordgren, Sharon
Sokol, Hilda	Solomon, Peter	Ward, John	
HILLSBOROUGH			
Allan, Nelson	Baroody, Benjamin	Beaulieu, Jane	Bergin, Peter
Brassard, Paul	Brundige, Robert	Calawa, Leon Jr	Carlson, Donald
Carter, Mark	Chabot, Robert	Chase, Claudia	Clayton, William
Cote, David	Cote, Peter	Coughlin, Pamela	Daniuk, Caitlin
Desmarais, Vivian	DeVries, Betsi	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Egbers, Fran	Essex, David	Foster, Linda
Gargas, Carolyn	Garrity, Patrick	Ginsburg, Ruth	Golding, William
Goley, Jeffrey	Gorman, Mary	Graham, John	Hebert, Raymond
Holden, Randolph	Infantine, William	Irwin, Anne-Marie	Jasper, Shawn
Jean, Claudette	Kopka, Angeline	Kurk, Neal	Lasky, Bette
Lefebvre, Roland	Manney, Pamela	Martin, Mary Ellen	Matarazzo, Anthony Sr
Messier, Irene	Movsesian, Lori	O'Connell, Timothy	Pappas, Christopher
Pilotte, Maurice	Reeves, Sandra	Rochette, Eric	Ryder, Donald
Scanlon, Michael	Shaw, Barbara	Smith, David	Sullivan, Peter
Vaillancourt, Steve	Velez, Hector	Villeneuve, Maurice	Wheeler, Robert
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Clarke, Claire
Currier, David	Danforth, James	DeJoie, John	DeStefano, Stephen
Foose, Robert	French, Barbara	Gile, Mary	Greco, Vincent
Hager, Elizabeth	Kidder, David	Klose, John	Lockwood, Priscilla
MacKay, James	McMahon, Patricia	Oliver, James	Osborne, Jessie
Potter, Frances	Rush, Deanna	Ryan, Jim	Shurtleff, Stephen
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Bishop, Franklin	Blanchard, MaryAnn
Buxton, Donald	Cali-Pitts, Jacqueline	Casey, Kimberley	Charron, Gene

Coburn, James	Cooney, Richard	DiFruscia, Anthony	Dowd, John
Dowling, Patricia	Doyle, Christopher	Flanders, John Sr	Flockhart, Eileen
Forsing, Robert	Francoeur, Sheila	Gillick, Thomas	Gould, Kenneth
Griffin, Mary	Headd, James	Hughes, Daniel	Ingram, Russell
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Major, Norman	Mason, April	McKinney, Betsy	McMahon, Charles
Moody, Marcia	Morris, Richard	Norelli, Terie	Nowe, Ronald
O'Neil, Michael	Parker, Benjamin	Powers, James	Priestley, Anne
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			
Berube, Roger	Bickford, David	Brown, Jennifer	Brown, Julie
Brown, Lawrence	Callaghan, Frank	Cataldo, Sam	Cilley, Jacalyn
Domingo, Baldwin	Dunlap, Patricia	Heon, Richard	Hilliard, Dana
Hofemann, Roland	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Miller, Joseph	Rollo, Michael	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	Gale, Harry	Houde-Quimby, Charlotte	Jillette, Arthur Jr
Phinizy, James	Prichard, Stephen	Rodeschin, Beverly	
NAYS 72			
BELKNAP			
Boyce, Laurie	Tilton, Franklin	Wendelboe, Fran	
CARROLL			
Babson, David Jr			
CHESHIRE			
Emerson, Susan			
COOS			
Morneau, Renney			
GRAFTON			
Alger, John	Giuda, Robert	Ingbretson, Paul	Maybeck, Margie
Sorg, Gregory	Williams, Burton		
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Batula, Peter	Bergeron, Jean-Guy

Biundo, Michael	Boehm, Ralph	Buhlman, David	Carew, James
Christensen, D L Chris	Christiansen, Lars	Crane, Elenore Casey	Elliott, Nancy
Francoeur, Bea	Gibson, John	Gonzalez, Carlos	Goyette, Peter Jr
Hawkins, Ken	Hellwig, Steve	Hinkle, Peyton	McRae, Karen
Mead, Robert	Mooney, Maureen	O'Brien, William	Renzullo, Andrew
Rowe, Robert	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Ulery, Jordan	Wheeler, James		
MERRIMACK			
Field, William	L'Heureux, Stephen	Langlais, Thomas	Marple, Richard
Soltani, Tony	Whiting, Herbert		
ROCKINGHAM			
Bettencourt, David	Cady, Harriet	Camm, Kevin	Carson, Sharon
Dodge, Robert	Dumaine, Dudley	Fesh, Bob	Garritty, James
Hopfgarten, Paul	Introne, Robert	Itse, Daniel	Lund, Howie
Packard, Sherman	Quandt, Marshall Lee	Quandt, Matthew	Smith, Paul
Weyler, Kenneth			
STRAFFORD			
Albert, Russell	Chaplin, Duncan	Easson, Timothy	Newton, Clifford
Twombly, James			
SULLIVAN			
Irish, Christopher	Osgood, Philip Sr		

and the committee report was adopted.

HB 323-FN, relative to excluding social security numbers and other information from documents filed with registries of deeds. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen G. Prichard for Municipal and County Government:

While the committee strongly agrees with the bill's intent to protect our privacy and avoid misuse of our social security numbers, the real "fix" needs to come on a larger scale. Several committees in Congress are studying the issue and it is being debated nationally on television almost daily. Because it is such a complex problem with the possibility of many unintended consequences, it is the better part of wisdom to see how the issue sorts itself out and then act accordingly. The cost and trouble of redacting all old deeds to remove social security numbers, and the problems created for banks and assessors by having some deeds withheld from internet access raises a number of new issues. Putting your finger in just one hole in the dike while leaving dozens still open doesn't solve the problem. A more inclusive solution for protecting our privacy needs to be found without imposing the burden only on the Registry of Deeds. Vote 18-0.

Rep. Kurk spoke against and yielded to questions.

Rep. Patten spoke in favor.

Rep. Giuda requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 164 NAYS 153			
YEAS 164			

BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Morrison, Gail
Nedeau, Stephen	Russell, David	Thomas, John	Veazey, John
CARROLL			
Buco, Thomas	Chandler, Gene	Knox, J David	Martin, James
Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley	
CHESHIRE			
Allen, Peter	Butynski, William	Dexter, Judson	Espieffs, Peter
Foote, Sheila	Hogancamp, Deborah	Hunt, John	Parkhurst, Henry
Plifka, Stanley Jr	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sawyer, Sheldon	Tilton, Anna		
COOS			
King, Frederick	Remick, William	Richardson, Herbert	Stohl, Eric
Theberge, Robert	Tholl, John Jr		
GRAFTON			
Andersen, Gene	Bleyler, Ruth	Cooney, Mary	Maybeck, Margie
McLeod, Martha	Mulholland, Catherine	Naro, Debra	Nordgren, Sharon
Sokol, Hilda	Solomon, Peter	Ward, John	
HILLSBOROUGH			
Allan, Nelson	Bergin, Peter	Boehm, Ralph	Brundige, Robert
Buhlman, David	Carew, James	Carter, Mark	Chabot, Robert
DeVries, Betsi	Drisko, Richard	Egbers, Fran	Essex, David
Gargas, Carolyn	Ginsburg, Ruth	Golding, William	Goyette, Peter Jr
Harvey, Suzanne	Hawkins, Ken	Hebert, Raymond	Holden, Randolph
Jean, Claudette	Kopka, Angeline	Movsesian, Lori	O'Connell, Timothy
Pilotte, Maurice	Reeves, Sandra	Renzullo, Andrew	Ryder, Donald
Scanlon, Michael	Shaw, Kimberly	Smith, David	Ulery, Jordan
Velez, Hector	Villeneuve, Maurice		
MERRIMACK			
Blanchard, Elizabeth	Bouchard, Candace	Clarke, Claire	Currier, David
DeJoie, John	Foose, Robert	Hager, Elizabeth	Hamm, Christine
Kidder, David	Klose, John	L'Heureux, Stephen	Lockwood, Priscilla
Oliver, James	Osborne, Jessie	Potter, Frances	Rush, Deanna
Ryan, Jim	Shurtleff, Stephen	Walz, Mary Beth	Williams, Robert
Yeaton, Charles			
ROCKINGHAM			
Belanger, Ronald	Blanchard, MaryAnn	Buxton, Donald	Casey, Kimberley
Charron, Gene	Coburn, James	Cooney, Richard	DiFruscia, Anthony
Dowd, John	Dowling, Patricia	Dumaine, Dudley	Flanders, John Sr

Flockhart, Eileen	Francoeur, Sheila	Garrity, James	Gillick, Thomas
Griffin, Mary	Headd, James	Hopfgarten, Paul	Introne, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Major, Norman
McMahon, Charles	Norelli, Terie	O'Neil, Michael	Priestley, Anne
Rausch, James	Robertson, Carl	Rolston, James	Sanders, Elisabeth
Smith, Paul	Stiles, Nancy	Stone, Joseph	Weare, E Albert
Weyler, Kenneth	Wiley, Robert	Winchell, George	Zolla, William
STRAFFORD			
Berube, Roger	Brown, Julie	Callaghan, Frank	Cilley, Jacalyn
Dunlap, Patricia	Hilliard, Dana	Hofemann, Roland	Johnson, Nancy
Miller, Joseph	Twombly, James		
SULLIVAN			
Donovan, Thomas	Franklin, Peter	Gale, Harry	Houde-Quimby, Charlotte
Irish, Christopher	Jillette, Arthur Jr	Osgood, Philip Sr	Prichard, Stephen
Rodeschin, Beverly			
NAYS 153			
BELKNAP			
Pilliod, James	Rosen, Ralph	Tilton, Franklin	Tobin, William
Wendelboe, Fran	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Dickinson, Howard	McConkey, Mark
Merrow, Harry			
CHESHIRE			
Butcher, Suzanne	Emerson, Susan		
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Morneau, Renney
GRAFTON			
Alger, John	Almy, Susan	Benn, Bernard	Eaton, Stephanie
Giuda, Robert	Hammond, Lee	Ingbretson, Paul	Sorg, Gregory
Williams, Burton			
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Baroody, Benjamin	Batula, Peter
Beaulieu, Jane	Bergeron, Jean-Guy	Brassard, Paul	Calawa, Leon Jr
Carlson, Donald	Chase, Claudia	Christensen, D L Chris	Christiansen, Lars
Clayton, William	Cote, David	Cote, Peter	Coughlin, Pamela
Crane, Elenore Casey	Daniuk, Caitlin	Desmarais, Vivian	Dokmo, Cynthia
Dyer, Donald	Elliott, Nancy	Foster, Linda	Francoeur, Bea

Garrity, Patrick	Gibson, John	Gonzalez, Carlos	Gorman, Mary
Graham, John	Hellwig, Steve	Hinkle, Peyton	Infantine, William
Irwin, Anne-Marie	Kurk, Neal	Lasky, Bette	Lefebvre, Roland
Manney, Pamela	Martin, Mary Ellen	Matarazzo, Anthony Sr	McRae, Karen
Mead, Robert	Messier, Irene	Mooney, Maureen	O'Brien, William
Ober, Lynne	Pappas, Christopher	Rowe, Robert	Shaw, Barbara
Slocum, Lee	Souza, Kathleen	Stepanek, Stephen	Sullivan, Peter
Vaillancourt, Steve	Wheeler, James	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Danforth, James	DeStefano, Stephen	Field, William
French, Barbara	Greco, Vincent	Langlais, Thomas	MacKay, James
Marple, Richard	McMahon, Patricia	Soltani, Tony	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Whiting, Herbert	
ROCKINGHAM			
Abbott, Dennis	Bettencourt, David	Bishop, Franklin	Cady, Harriet
Cali-Pitts, Jacqueline	Camm, Kevin	Carson, Sharon	Dodge, Robert
Doyle, Christopher	Fesh, Bob	Forsing, Robert	Gould, Kenneth
Hughes, Daniel	Ingram, Russell	Itse, Daniel	Johnson, Robert
Lund, Howie	Mason, April	McKinney, Betsy	Moody, Marcia
Morris, Richard	Nowe, Ronald	Packard, Sherman	Parker, Benjamin
Powers, James	Quandt, Marshall Lee	Quandt, Matthew	Scamman, Stella
Splaine, James	Waterhouse, Kevin	Welch, David	Weldy, Norman
Wells, Roger			
STRAFFORD			
Albert, Russell	Bickford, David	Brown, Jennifer	Brown, Lawrence
Cataldo, Sam	Chaplin, Duncan	Domingo, Baldwin	Easson, Timothy
Heon, Richard	Kaen, Naida	Keans, Sandra	Newton, Clifford
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Wall, Janet
SULLIVAN			
Cloutier, John	Converse, Larry	Ferland, Brenda	Phinizy, James

and the committee report was adopted.

MOTION TO SPECIAL ORDER

Rep. O'Neil moved that ***HB 679-FN-L***, authorizing the electronic enforcement of traffic signal violations, ***HB 601-FN***, allowing businesses to apply the investment tax credit to contributions made to scholarship funding organizations, and ***HB 613-FN***, exempting prepared take-out food items sold in supermarkets from the meals and rooms tax, be made Special Orders for Wednesday, March 30, 2005 in the Regular Calendar order. Adopted.

RESOLUTION

Rep. O'Neil offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 2, shall be by this resolution read a first and second time by the therein listed title, sent for printing, and referred to the therein designated committee.

Adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 2-FN-A, relative to state fees, funds, revenue, and expenditures. (King, Coos 1: Finance)

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 Wednesday, March 30, 2005 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 138-FN, requiring medical examiners to inventory and account for property taken from decedents.

HB 332, relative to harassment by telephone.

HB 372, relative to notification of interested parties in medical parole cases.

HB 498, establishing a study committee relative to the sale of fire-safe cigarettes.

HB 628-FN, relative to the authority of law enforcement officers to close an area for the purpose of abating a threat to public health or safety.

HB 696-FN, relative to enhanced penalties for certain crimes against the elderly and persons with disabilities.

HB 129-FN-L, establishing a high performance school incentive.

HB 351, relative to the time for counting absentee ballots.

HB 362, relative to statutes to be posted at polling places.

HB 195, establishing a committee to study the department of insurance.

HB 415, excepting installation of heating equipment from regulation by the electrician's board.

HB 499, relative to participation in and administration of the Manchester employees' contributory retirement system.

HB 546, relative to the status of the board of trustees of the retirement system.

HB 582, relative to the policy for records management.

HB 647-FN, relative to restructuring the department of revenue administration.

HB 306, relative to mandatory education for crossbow hunters.

HB 447-FN, relative to black bear license and tag fees.

HB 449-FN, relative to special wild turkey seasons and permits.

SB 57, establishing a commission to study ways to alleviate medical malpractice premiums for high risk specialties.

HB 267, relative to requests for services other than counsel for indigent defendants.

HB 421, relative to effective dates.

HB 141-L, relative to the planning board's authority to limit building permits.

HB 230-L, relative to default budgets.

HB 408, relative to the sale of town-owned land.

HB 411, relative to the North Conway water precinct.

HB 431-FN-L, relative to competing articles and official ballot voting.

HB 467, relative to naming private roads.

HB 504, relative to the assessment or refund of real estate transfer taxes, and the recording of plans with the register of deeds.

HB 505, relative to recording mailing addresses on property deeds.

HB 457, relative to excavating and dredging permit exemptions for water conveyance systems.
HB 152-FN, establishing a commission to study the uses of biodiesel for home heating and vehicular transportation.
HB 202, directing the commissioner of the department of environmental services to review options for reducing diesel engine exhaust emissions.
HB 261, relative to title to salvage vehicles.
HB 326, relative to motorcycle noise levels and mufflers.
HB 357, relative to negligent driving.
HB 260-FN, relative to motor vehicle equipment and registration.
HB 268-FN, increasing certain motor vehicle fees.
HB 602-FN-A, relative to the unbundling of communications services for purposes of the application of the communications services tax.
HB 147, relative to the death penalty.
HB 363, relative to parking at polling places.
HB 365, relative to recount fees.
HB 55-FN-A, relative to industrial hemp and establishing an industrial hemp special program fund.
HB 386, relative to agricultural best management practices.
HB 118, relative to bicycle helmet use by certain minors.
HB 522, establishing a committee to study gaming options for New Hampshire
HB 38, relative to the value of a stolen credit card or stolen blank check.
HB 151, requiring school districts to develop a school age nutrition and physical activity committee.
HB 521, relative to medical insurance coverage for members of the Manchester employees' contributory retirement system.

RECONSIDERATION

Having voted with the prevailing side, Rep. Babson moved that the House reconsider its action whereby it voted **HB 55-FN-A**, relative to industrial hemp and establishing an industrial hemp special program fund, Ought to Pass as Amended.

On a division vote, 107 members having voted in the affirmative and 209 in the negative, the reconsideration motion failed.

UNANIMOUS CONSENT

Rep. Flockhart addressed the House.

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 5:40 p.m.

RECESS

(Speaker Scamman in the Chair)

COMMITTEE ASSIGNMENTS

Rep. Phillip G. Osgood, Sr., on Ways and Means.

Rep. Lawrence D. Brown on Municipal and County Government.

Rep. Jane A. Clemons off Election Law.

Rep. Suzanne Harvey off Municipal and County Government; on Election Law

RECESS

(Rep. O'Neil in the Chair)

RESOLUTION

Rep. Price offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 11, 13, 19, 46, 60, 102, 106, 111, 120, 127, 156, 157, 164, 173, 175, 176, 184, 188, 189, 195, 202, 208 and 212, and Senate Concurrent Resolution numbered 2, 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 SCR

First, second reading and referral

SB 11-FN, extending the local property tax exemption for wooden poles and conduits. (Ways and Means)

SB 13, relative to placement and removal of political advertising. (Election Law)

SB 19, relative to qualifications to sell lottery, bingo, and lucky 7 tickets. (Judiciary)

SB 46, relative to the duties of law enforcement officials upon receiving reports of missing adults. (Criminal Justice and Public Safety)

SB 60, clarifying probate court procedures in cases involving the Uniform Transfers to Minors Act. (Judiciary)

SB 102-FN, limiting liability for failure to arrest persons under 21 years of age illegally transporting alcoholic beverages. (Judiciary)

SB 106-FN, making unauthorized recording in a motion picture theater a crime. (Criminal Justice and Public Safety)

SB 111, relative to persons conducting securities broker-dealer and investment advisor businesses.

SB 120, relative to the purchase of rail properties. (Transportation)

SB 127-FN, relative to the regional community-technical college system's acquisition of the building currently leased from the Pease development authority. (Public Works)

SB 156-FN, relative to criminal trespass. (Criminal Justice and Public Safety)

SB 157-FN, relative to all terrain vehicles used for agricultural purposes.

SB 164-FN, relative to the disposal of real property purchased with highway or turnpike funds. (Public Works and Highways)

SB 173, relative to exceptions to licensure for electricians. (Executive Departments and Administration)

SB 175, requiring insurance coverage for certified midwives. (Commerce)

SB 176, creating a public safety exception to a municipality's denial of an appropriation or budgetary item. (Municipal and County Government)

SB 184-FN, adopting the Uniform Child-Custody Jurisdictional Enforcement Act. (Children and Family Law)

SB 188, relative to the construction of buildings on properties without street frontage. (Municipal and County Government)

SB 189, authorizing the use of interest rate swap agreements and other similar agreements by the cities of Manchester and Nashua. (Municipal and County Government)

SB 195, relative to the effective date of the law requiring the elimination of certain substances from gasoline supplies and removing a certain requirement relative to opting out of the reformulated gasoline program. (Science, Technology and Energy)

SB 202, relative to property taxable as utility property. (Ways and Means)

SB 208-FN, relative to certification of driver education instructors. (Education)

SB 212, relative to the railroad tax. (Ways and Means)

SCR 2, relative to reauthorization of the Transportation Equity for the 21st Century Act (TEA-21). (State-Federal Relations and Veterans Affairs)

RECESS

(Rep. Nedeau in the Chair)

RESOLUTION

Rep. Bridle offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 37, 49, 62, 64, 69, 93, 108, 110, 112, 113, 115, 124, 128, 138, 148, 180, 206, 209, 215, 223 and 224 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees. Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 37, relative to disclosure of expert testimony. (Judiciary)

SB 49-FN, including multiple sclerosis in the catastrophic illness program.(Health, Human Services and Elderly Affairs)

SB 62-FN, allowing court fees to be paid by credit card. (Ways and Means)

SB 64, establishing a committee to study small group health insurance plans. (Commerce)

SB 69-L, relative to certain insurance liens. (Municipal and County Government)

SB 93-FN, transferring the electricians' board to the department of safety. (Executive Departments and Administration)

SB 108-FN, relative to newborn screening tests and fees for newborn screening tests. (Health, Human Services and Elderly Affairs)

SB 110-FN-A, establishing the New Hampshire Rx plus program for prescription drugs. (Health, Human Services and Elderly Affairs)

SB 112-FN, establishing a committee to study viatical settlements. (Commerce)

SB 113-FN, relative to the use of federal funds for technology improvements within the department of employment security. (Labor, Industrial and Rehabilitative Services)

SB 115-FN, relative to the transfer of responsibility for asbestos-related issues from the department of health and human services to the department of environmental services.(Executive Departments and Administration)

SB 124, relative to the regulation of real estate brokers by the real estate commission. (Executive Departments and Administration)

SB 128-FN, relative to the establishment of emissions reduction standards as required by the Clean Power Act. (Science, Technology and Energy)

SB 138-L, relative to motor vehicle liability for municipal workers. (Transportation)

SB 148, relative to motorcycle inspections and relative to electronic inspection information. (Transportation)

SB 180-FN-A-L, increasing certain motor vehicle registration fees and appropriating the funds for local government records management programs. Municipal and County Government)

SB 206-FN, relative to the state code of ethics and establishing an executive ethics commission. (Election Law)

SB 209-FN, relative to licensing of money transmitters and check cashers. (Executive Departments and Administration)

SB 215-FN, creating a committee to study banning the incineration of construction and demolition debris. (Science, Technology and Energy)

SB 223-FN, relative to licensing nondepository mortgage bankers and brokers. (Executive Departments and Administration)

SB 224, relative to the committee on judicial conduct. (Judiciary)

RECESS