

HOUSE RECORD

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

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Concord, N. H.

Wednesday, April 13, 2005

No. 34

HOUSE JOURNAL No. 11 (cont.)

Wednesday, April 6, 2005

RECESS

(Rep. McKay in the Chair)

RESOLUTION

Rep. Nedeau offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 38, 43, 79, 88, 101, 125, 145, 146, 147, 169, 170, 171, 186, and 214 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 38-FN, relative to school building aid for certain receiving districts. (Education)

SB 43, relative to the administration of estates of persons presumed dead. (Judiciary)

SB 79, relative to the governance of the regional community-technical colleges. (Executive Departments and Administration)

SB 88, relative to emergency medical transportation. (Health, Human Services and Elderly Affairs)

SB 101-FN, relative to developmentally disabled services for persons under 21 years of age. (Health, Human Services and Elderly Affairs)

SB 125-FN, repealing health status and geographic location as small group rating factors, clarifying certain other issues relating to small group insurance, and establishing a reinsurance mechanism. (Commerce)

SB 145-FN-A-L, establishing a medical/vision advisory board. (Transportation)

SB 146-FN, establishing a civil legal services fund consisting of court filing fee surcharges for the purpose of establishing and operating a New Hampshire Legal Assistance office in Nashua and to provide for additional staff in other New Hampshire Legal Assistance offices. (Finance)

SB 147-FN-L, relative to eligibility for local assistance. (Municipal and County Government)

SB 169, relative to access to confidential court records. (Judiciary)

SB 170, revising the nurse practice act. (Executive Departments and Administration)

SB 171, establishing a committee to study HIV/AIDS service delivery. (Health, Human Services and Elderly Affairs)

SB 186, allowing probate court judges and district court justices to sit on probate or district

court cases. (Judiciary)

SB 196, requiring a hearing when medical malpractice insurance rates change. (Commerce)

SB 214, relative to screening panels for medical injury claims. (Judiciary)

RECESS

Rep. O'Neil moved that the House adjourn.

Adopted.

HOUSE JOURNAL No. 12

Wednesday, April 13, 2005

The House assembled at 10:00 a.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 Angelo Pappas of St. Nicholas Greek Orthodox Church in Portsmouth.

Eternal God, in whose hands lie the destinies of all persons, help us to feel our sacred unity as members of the human family and children of a common Father. Make us alert, vigilant and in concord to our service to our communities.

May the spirit of love and goodwill possess and control our hearts as we bring blessedness to needy humanity and especially to those who look to us for guidance. Teach us to look to You for assistance. Direct our thoughts and decisions and allow us to have the awareness that You are the giver of every good worthwhile gift; that our lives are in Your keeping. That our endeavors are directed by Your leadership, that our successes and failures are known to You. Favor us with Your blessings and great mercy as we attempt to fulfill the assignments of this state legislature. We also ask You, Lord, to keep in mind and restore to good health those members who are lying ill. This we ask in Your name. Amen

Rep. Dennis F. Abbott led the Pledge of Allegiance.

The National Anthem was sung by the Merrimack Middle School Quartet, 8th grade students Allison Graham, Aubrey Pearson, Ashley Reynolds and Michael White.

LEAVES OF ABSENCE

Reps. Albert, Alger, David Cote, Peter Cote, Crane, Donahue, Gonzalez, Hirschmann, Lessard, Mirski, Palangas, Palazzo, Philbrick and Timothy Robertson, the day, illness.

Reps. Balboni, Barker, Bergin, Bicknell, Biundo, Brundige, William Chase, Creteau, Danforth, Stephanie Eaton, Giuda, Hellwig, Hollinger, Infantine, Paula Johnson, Moran, Morris, Owen, Packard, Pantelakos, Pelkey, Serlin and Stiles, the day, important business.

Reps. Emerton and Hagan, the day, illness in the family.

INTRODUCTION OF GUESTS

Amanda Mead, student from Amherst Middle School, Page for the day. Shawna Pearson, Lisa Graham, Barry and Anne Reynolds, Kim White, Joseph and Jean Johnson, parents and

grandparents of the day's singers along with Kate Stevens, Music Director, Mary Pelrine and Rick Peason, all guests of the House. Barbara and Cassandra Stepanek, Tony and Barbara Pluhar and John Falvia, wife, daughter, father-in-law, mother-in-law and friend, guests of Rep. Stepanek. Linda Teagan, guest of Rep. Carolyn Brown.

CLERK'S NOTE

When less than two-thirds of the elected membership is present, Part II, Article 20 of the state constitution requires the assent of two-thirds of those present and voting to render their acts and proceedings valid.

MOTION TO VACATE

Rep. Batula moved that the House vacate the reference of **SB 30**, establishing the Collaborative Practice for Emergency Contraception Act, to the Committee on Health, Human Services and Elderly Affairs.

Motion adopted by the necessary two-thirds.

The Speaker referred **SB 30**, establishing the Collaborative Practice for Emergency Contraception Act, to the Committee on Executive Departments and Administration.

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.

Consent Calendar adopted by the necessary two-thirds.

HB 623-FN, relative to licensing requirements in the insurance and financial services industries. **OUGHT TO PASS**

Rep. Karl I. Gilbert for Criminal Justice and Public Safety: This bill was referred to Criminal Justice and Public Safety as a second committee to review the increased penalties applied to those who practice without a license as real estate brokers, public adjusters, managing general agent, reinsurance intermediary, insurance producer, life insurance agent, health service agent, or securities brokers and dealers. The committee found no reason to change what the Commerce Committee has done and agrees with the March 9th House vote to pass this bill. Vote 18-0.

HB 257, relative to emergency medical and trauma service protocols and quality assurance program. **OUGHT TO PASS WITH AMENDMENT**

Rep. Ken Hawkins for Executive Departments and Administration: This bill will allow the Emergency Medical and Trauma Services to establish a quality management program. This will allow for the continuous evaluation and a measurement system to be established to help identify trends so corrective action can be taken in patient protocols. This bill also removes the ability of having local options for protocols. The committee felt very strongly that the Medical Control Board should be the entity to set patient protocols statewide. Vote 15-0.

Amendment (0951h)

Amend the bill by replacing section 4 with the following:

4 Emergency Medical and Trauma Services; Duties of Commissioner. Amend RSA 153-A:7, II to read as follows:

II. The commissioner shall:

(a) Adopt rules, **under RSA 541-A**, with the advice and assistance of the coordinating board, the emergency medical services medical control board, and the trauma medical review committee, in accordance with RSA 153-A:20.

(b) Oversee the administration of the division by the director.

Amend the bill by replacing all after section 5 with the following:

6 Emergency Medical and Trauma Services; Rulemaking. Amend RSA 153-A:20, II to read as follows:

II. Protocols recommended by the emergency medical services medical control board for provision of emergency medical care~~[, which shall provide for the provision of local options under medical control]~~. The protocols shall address living wills established under RSA 137-H, durable powers of attorney for health care established under RSA 137-J, and patient-requested, physician generated orders relative to resuscitation.

7 Repeal. RSA 153-A:2, XII, relative to the definition of a local option, is repealed.

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

AMENDED ANALYSIS

This bill:

I. Directs the commissioner of the department of safety to adopt rules under RSA 541-A. The bill removes the reference in current law to the provision of local options under medical control and repeals the definition of "local option."

II. Establishes a quality management program for emergency and trauma service providers.

This bill is a request of the department of safety.

HB 59-FN-L, relative to municipal responsibility for septage disposal. **OUGHT TO PASS**
Rep. Kenneth L. Weyler for Finance: Just as a municipality must make solid waste arrangements for its citizen's waste, it also has responsibility for liquid waste arrangements. Problems have arisen when private septage haulers took most of a town's waste to another municipality. When the receiving municipality found its facility at capacity, it would refuse waste from out of town. This is a problem that each municipality must deal with, either by creating its own receiving facility or having a contract with an out-of-town facility or facilities, that will always be honored. The original bill had penalty fines for a town's non-compliance. That section was removed prior to its coming to the Finance committee. Vote 17-2.

HB 78-FN-L, relative to state funding of regional vocational education centers. **OUGHT TO PASS**
Rep. Robert K. Dodge for Finance: This bill clarifies the capital appropriation requirements for funding regional vocational education projects, provides that the state shall fund a maximum of 75% of the cost of renovation or expansion of a regional vocational education center, and adds a definition of a qualified project. Vote 19-0.

HB 210-FN, relative to the determination of absence and return of contributions of members of the retirement system. **OUGHT TO PASS**
Rep. Kenneth L. Weyler for Finance: The Finance Committee concurs with the policy committee, Executive Departments and Administration, that this bill ought to pass. The state retirement system is designed to provide for public employees in their retirement. One of its basic goals is to produce earnings of nine percent for its beneficiaries. When it fails to produce nine percent, the contribution rate for the employers (state, county and municipal governments) must increase. There are also occasions when the employee's contribution must increase. Formerly a member who left the system was allowed to leave his or her contributions in the fund, and be guaranteed nine percent for up to six years. Since the member was not expected to be a future beneficiary, and was not impacted by the increased contribution during the absence period, this was regarded as an unreasonable benefit to give a now, non-member. The allowed absence period is reduced from six to two years by this legislation. Contributions will then be distributed within three months of the termination after the two years. Vote 19-0.

Rep. Robert A. Johnson declared a conflict of interest and did not participate.

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

Rep. Robert L. Wheeler for Finance: This bill continues the independent operations started with the relief from administrative charges to the state from the retirement system. With respect to purchasing supplies and services, it removes the need to obtain external approvals, which at times can slow the process, when the system needs to meet ever increasing demands of members and employers. Vote 19-0.

HB 433-FN-A, relative to planning for public access, recreation, and road management in the Connecticut Lakes headwaters working forest and making an appropriation therefore. **OUGHT TO PASS WITH AMENDMENT**

Rep. MaryAnn N. Blanchard for Finance: The amendment reduces the appropriation to \$1.00 due to the present uncertain financial situation. Hopefully, as revenues stabilize and the budget works through the process, the Senate may be able to fund this essential task. Vote 21-0.

Amendment (0992h)

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2006 is hereby appropriated to the division of parks and recreation, department of resources and economic development for the purposes set forth in this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill appropriates \$1 for 2 plans, one for public access and recreational use and the other for road management in the Connecticut Lakes headwaters working forest.

HB 643-FN, establishing an integrated criminal justice information system. **OUGHT TO PASS WITH AMENDMENT**

Rep. MaryAnn N. Blanchard for Finance: The amendment to this bill removes section 5 which is a budget, but not an appropriation, for the J-One system in the bill. There is no general fund money in this bill for FY '06 and '07. The amendment has no effect on the important policy of the bill. Vote 19-0.

Amendment (1013h)

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

HB 644-FN, transferring certain responsibilities from the department of transportation and the department of health and human services to the department of administrative services. **OUGHT TO PASS WITH AMENDMENT**

Rep. Beverly T. Rodeschin for Finance: This bill transfers public works from the Department of Transportation and the Department of Health and Human Services to the Department of Administrative Services. The amendment allows all transfers except for the following buildings – acute psychiatric services building, Anna Philbrook Center and all transitional house buildings, including Howard recreation building. The reason for excluding this transfer is the special training of these personnel. Vote 17-2.

Amendment (1015h)

Amend paragraph V of section 3 of the bill by replacing it with the following:

V.(a) Except as provided in subparagraph (b), as of July 1, 2005, all personnel under the supervision of the department of health and human services whose function it is to care for and maintain state-owned buildings on the New Hampshire hospital campus as described

in RSA 4:39-a shall be transferred to the department of administrative services, division of plant and property management, together with all of the books, papers, payroll, records, equipment, unexpended appropriations for personnel and all building and grounds maintenance functions relating to the New Hampshire hospital campus, or other available funds in any account or subdivision of any account of the department of health and human services related to building and property care and maintenance at the New Hampshire hospital campus.

(b) Personnel under the supervision of the department of health and human services who provide patient care functions and maintenance inside the following buildings shall not be transferred to the department of administrative services:

- (1) The acute psychiatric services building.
- (2) The Anna Philbrook center.
- (3) All transitional housing buildings, including the Howard recreation

building.

Amend RSA 21-I:11, X as inserted by section 4 of the bill by replacing it with the following:

X. Subject to the direction and supervision of the commissioner of administrative services, act as custodian of the state house, legislative office building, state house annex, state library, and, *with the exception of interior maintenance of the acute psychiatric services building, the Anna Philbrook center and all transitional housing buildings including the Howard recreation building, all state-owned buildings located on the campus of the New Hampshire hospital as described in RSA 4:39-a, as well as the grounds connected with each of the foregoing properties*, and have charge of all matters relating to the care, maintenance and repair of said property.

HB 662-FN-A, making an appropriation to the department of health and human services for family mutual support services. **INEXPEDIENT TO LEGISLATE**

Rep. Sharon Nordgren for Finance: The Finance Committee recommends an ITL motion on this bill and has instead inserted a line item in the budget that would appropriate money as requested in the bill, money moved from an existing line. The money would be allocated to a "family support organization." The committee supports a non-profit volunteer organization continuing this service to families of the mentally ill. Vote 21-0.

HB 686-FN, relative to the judicial branch family division. **INEXPEDIENT TO LEGISLATE**

Rep. Robert L. Wheeler for Finance: Since the family court is memorialized in the budget and trailer bills this bill is no longer necessary. Vote 20-0.

HB 687-FN, relative to free tuition at New Hampshire public institutions of higher education for children of veterans who die while on active duty or from a service-connected disability. **OUGHT TO PASS**

Rep. Daniel M. Hughes for Finance: This bill offers an academic stipend of up to \$2,500/yr. for up to 4 years and free tuition at New Hampshire public institutions of higher education for children of veterans who die while on active duty or from a verified service-connected disability. The small cost of this expenditure is incomparable to the price that has been paid by the recipients of these stipends. Vote 18-0.

HB 302, relative to the mileage rate for service of documents by county sheriffs. **OUGHT TO PASS WITH AMENDMENT**

Rep. Kevin L. Camm for Ways and Means: This bill, as amended, establishes uniform mileage rates for the delivery of writs from the sheriff's office at the maximum rate per mile as allowed by the IRS. Vote 17-3.

Amendment (0936h)

Amend RSA 104:31, IV as inserted by section 1 of the bill by replacing it with the following:

IV. In every county for actual travel to serve any writ, notice, subpoena, process, or execution, to be reckoned from the place of service to the ~~[residence of the officer]~~ **sheriff's office**, and for travel to attend any court by the order thereof, to be reckoned from the ~~[residence of the officer]~~ **sheriff's office** to the court, each mile, each way, ~~[\$.45]~~ **at the maximum rate per mile allowed by the Internal Revenue Code and regulations.**

AMENDED ANALYSIS

This bill allows the mileage reimbursement rate for service of any writ, notice, subpoena, process, or execution by county sheriffs to be the rate allowed by the Internal Revenue Service.

HB 313-FN, relative to registration of business entities. **OUGHT TO PASS**

Rep. Susan W. Almy for Ways and Means: Last term most fees of the Secretary of State's Corporate Division were standardized and updated, but a few were overlooked. This bill increases the few remaining fees from \$10 to \$25 and equates the fees for belated reinstatement of limited liability companies to those of ordinary corporations. Vote 19-1.

HB 407-FN-L, relative to licensing of dogs. **INEXPEDIENT TO LEGISLATE**

Rep. Roger G. Wells for Ways and Means: This bill would raise the tax on dog owners by 45 percent for each dog registered. The licensing of dogs was originally designed to provide a fund to reimburse livestock owners for damage by stray dogs. The fee has since become a source of funding numerous projects, including the diagnostic laboratory at UNH and the animal overpopulation (spay and neuter) program. The spay and neuter program has been so successful that there is now a shortage of dogs for shelters to sell. They now import dogs from other states and from out of the country to be sold. The shelters then grant certificates for discount neutering by veterinarians at state expense. Most of the neutering is now done on cats, which is being paid for by the tax on dog owners. All warm blooded animals can get and transmit rabies, yet dogs are the only ones required to be taxed through licensing. Raising the fee 45 percent will likely increase the amount of non-compliance by dog owners. Veterinarians must prepare and keep far more paperwork than town clerks, as well as mailing, at their own expense, vaccination certificates to each of the towns from which they have vaccinated dogs. This bill is unfair to dog owners and veterinarians. Vote 18-3.

HB 430-FN-A, establishing a one-day resident fishing license. **OUGHT TO PASS WITH AMENDMENT**

Rep. Steve Vaillancourt for Ways and Means: This bill would allow the Fish and Game Department to sell fishing licenses to in-state residents on a daily basis. The amendment does two things. At the request of Fish and Game, the effective date is moved from July 1, 2005, to January 1, 2006. Also, the committee lowered the fee from \$10 for a one day license to \$7. Note that the bill actually says \$5 and the original bill said \$8. The \$2 difference is because \$1 is added for the agent who sells the license and \$1 is added for a habitat program. Thus, the committee amendment is \$3 a day less than the original request. The committee felt this would actually encourage more people to get the license rather than fish illegally for a day. Also, the 365 day license is \$35 (plus \$2), so at \$10, the one day fee would be more than 25 percent of the year long fee. The committee believed that was too much for one day of fishing. Those over 68 and under 16 would continue to fish free. Vote 20-1.

Amendment (0945h)

Amend RSA 214:9, II-b as inserted by section 1 of the bill by replacing it with the following:

II-b. If the applicant is a resident of this state and wishes to fish for one day, \$5, and the agent shall thereupon issue a one-day resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, saltwater smelt, saltwater shad, and saltwater salmonoids, for said time only, under the restrictions of this title.

Amend the bill by replacing section 2 with the following:

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

HB 477-FN, increasing registration fees for pesticides and commercial feeds. **OUGHT TO PASS WITH AMENDMENT**

Rep. Susan W. Almy for Ways and Means: Registration fees for manufacturers of commercial pesticide and feed brands sold in this state have not been raised in 13 years. The increases in this bill still leave us below neighboring states, and are necessary for the functioning of our Department of Agriculture, Markets, and Food. The amendment corrects the name of a class of pesticide and was done at the request of the Environment and Agriculture Committee. Vote 21-0.

Amendment (0935h)

Amend RSA 430:38, III(a) as inserted by section 1 of the bill by replacing it with the following:

- (a) For a ~~registered~~ **restricted** use pesticide, ~~[\$50]~~ **\$80** per product per year;
AMENDED ANALYSIS

This bill increases registration fees for pesticides and commercial feeds, and makes a technical correction from “registered use pesticide” to “restricted use pesticide”.

This bill is a request from the department of agriculture, markets, and food.

HB 651-FN-L, relative to federal lien registration. **OUGHT TO PASS WITH AMENDMENT**

Rep. Howie Lund for Ways and Means: The committee felt this bill, as amended, consolidated the federal lien process from local and state to just state filing. These are federal lien filings on personal property. The bill, as amended, would end federal lien filings with city and town clerks effective January 1, 2006. Cities and towns would retain federal liens in their possession thru 2017. All future federal liens after January 1, 2006 will be filed in the office of the Secretary of State. The amendment also has the \$30 fee associated with filing a federal lien, collected by the Secretary of State’s office, deposited in the Federal Lien Registration Fund. The administration, staffing and maintenance of the federal lien process shall be paid out of the Federal Lien Registration Fund. Vote 17-0.

Amendment (0953h)

Amend RSA 454-B:5, II as inserted by section 5 of the bill by replacing it with the following:

II. Fees collected under this section shall be deposited in the federal lien registration fund and allocated to the secretary of state for the purposes specified in this chapter.

Amend RSA 454-B:5-a as inserted by section 6 of the bill by replacing it with the following:

454-B:5-a Disposition of Funds. The expenses of administering, staffing, maintaining, and improving services provided by the secretary of state under this chapter shall be paid out of a fund to be known as the federal lien registration fund herein established in the office of the state treasurer.

AMENDED ANALYSIS

This bill:

- I. Ends filing of federal liens and related notices with town and city clerks.
- II. Contains provisions for town and city clerks to retain federal lien records already in their possession until 2017.
- III. Establishes a federal lien registration fund for federal lien filing fees and allocates the fund to the secretary of state.

**REGULAR CALENDAR
SPECIAL ORDER**

HB 635, relative to education funding. **INEXPEDIENT TO LEGISLATE**

Rep. Mark S. Carter for Education: At the request of the sponsor, the Education Committee took dispositive action on HB 635. The unanimous 18-0 committee vote to inexpedient to legislate is a clear indication of a lack of support for the funding method proposed by this bill. Vote 18-0.

Adopted by the necessary two-thirds.

REGULAR CALENDAR (CONT'D.)

HB 25-FN-A, making appropriations for capital improvements. OUGHT TO PASS WITH AMENDMENT

Rep. Robert K. Dodge for Finance: After making a few technical corrections and changing the agency request for funding for one program which was approved by the Public Works and Highways Committee, the Committee approved the excellent work of the Public Works and Highways Committee on HB 25, which made our work on Finance much easier. Vote 23-0.

Floor Amendment (1011h)

Amend paragraphs III – VI of section 1 of the bill by replacing them with the following:

III. Community-Technical College System.	
A. Critical Maintenance NH Technical Institute	\$965,000
B. Critical Maintenance Berlin/Laconia	1,500,000
C. Critical Maintenance Nashua/Claremont	1,200,000
D. Critical Maintenance Manchester/Stratham	900,000
E. Nursing Education Center - Design	250,000
F. Renovation of Cafeteria - Nashua	297,000
Less Student Fees Supporting Debt Service	<u>-297,000</u>
Net state appropriation subparagraph F	0
G. Student Wellness Center - Nashua	6,531,000
Less Student Fees Supporting Debt Service	<u>-6,531,000</u>
Net state appropriation subparagraph G	0
H. Sweeney Hall Snack Bar, Patio and Auditorium Renovations-Concord	1,007,000
Less Student Fees Supporting Debt Service	<u>-1,007,000</u>
Net state appropriation subparagraph H	0
I. Residence Hall Suites - NHTI Concord	7,259,000
Less Student Fees Supporting Debt Service	<u>-7,259,000</u>
Net state appropriation subparagraph I	0
J. Little Hall Dining Services Renovation - NHTI Concord	1,928,000
Less Student Fees Supporting Debt Service	<u>-1,928,000</u>
Net state appropriation subparagraph J	0
K. Library Learning Resource Center- Claremont	2,305,000
L. Health Education and Tech. Center-Manchester	9,100,000
M. Planetarium - Projector	<u>564,000</u>
Total state appropriation paragraph III	\$16,784,000
IV. Department of Corrections.	
A. Electronic Security Upgrades - Men's Prison	\$775,000
B. Roof Repairs - Men's Prison	2,434,000
C. Fire Alarm and Sprinkler System Upgrades - Men's Prison	589,000
D. Upgrade Boiler Rm EPA Control and Replace 3 Smoke Stacks	<u>119,000</u>
Total state appropriation paragraph IV	\$3,917,000
V. Department of Education.	
A. Renovation Regional Career and Tech Ed Center, Concord – State Share	
\$3,494,073	
B. Renovation Regional Career and Tech Ed Center, Conway – State Share	
5,951,550	

C. Pre-Engineering Technology	<u>200,000</u>
Total state appropriation paragraph V	\$9,645,623
VI. Department of Environmental Services.	
A. Dam Repairs, Removal and Reconstruction	\$1,270,000
Less Other*	<u>-94,969</u>
Net state appropriation subparagraph A	1,175,031
* Source of other funds in subparagraph A is prior bond authorization as amended in section 18 of this act.	
B. Drinking Water SRF Matching Funds	3,150,000
C. Wastewater SRF Matching Funds	3,450,000
D. Bedrock Aquifer Monitoring	103,420
E. Technical Services Bureau - Air Monitoring Program	103,000
F. North Country Gorham Office	175,000
Less Other *	<u>-5,565</u>
Net state appropriation subparagraph F	169,435
* Source of other funds in subparagraph F is prior bond authorization as amended in section 14 of this act.	
G. Laboratory Clean Room	<u>497,110</u>
Total state appropriation paragraph VI	\$8,647,996
Amend paragraph XIII of section 1 of the bill by replacing it with the following:	
XIII. Department Of Transportation	
A. 2 1/2-5 Percent Match for FAA Projects	\$50,835,614
Less Federal	-42,273,824
Less Other	<u>-6,273,286</u>
Net state appropriation subparagraph A	2,288,504
B. Public Transit Bus Replacement	440,000
C. Public Transit Bus Facility Improvements	410,000
D. Railroad Bridge Repairs	800,000
Less Other *	<u>-150,000</u>
Net state appropriation subparagraph D	650,000
* Source of other funds in subparagraph D is prior bond authorization as amended in section 19 of this act.	
E. Railroad Acquisition, Right of First Refusal	500,000
Less Other *	<u>-51,140</u>
Net state appropriation subparagraph E	448,860
* Source of other funds in subparagraph E is prior bond authorization as amended in section 15 of this act.	
Total state appropriation paragraph XIII	<u>\$4,237,364</u>
Total state appropriation section 1	\$76,222,177
Amend paragraph I of section 4 of the bill by replacing it with the following:	
I. Department of Safety.	
A. Enhanced Road Toll System	\$1,500,000
B. Fire Station Addition for Equipment and Vehicle Storage	648,000
Less Fire Standards and Training and	
Emergency Medical Services Fund	<u>-648,000</u>
Net state appropriation subparagraph B	0
C. DMV Storage Building (23 Hazen Drive)	264,000
D. DMV Offices Add Fire and Intrusion Alarms	172,000
E. Milford DMV Office Addition	462,000
F. 33 Hazen Drive Renovations	575,000
G. Radio Maintenance Expansion	500,000
Less Turnpike Fund	<u>-95,000</u>
Net state appropriation subparagraph G	<u>405,000</u>

Total state appropriation paragraph I \$3,378,000
Amendment adopted by the necessary two-thirds.
Report adopted by the necessary two-thirds.
Ordered to third reading.

CLERK'S NOTE

The constitutionally required two-thirds of the membership for action by majority vote was declared present.

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

Rep. Robert L. Wheeler for Finance: This bill would extend by one year the eligibility of Group II disabled members relative to their payment of medical benefits. However under the terms of the priority statement for special accounts the benefit is not affordable. The committee felt that under the current state of fiscal affairs the priority list should be observed. Vote 19-0.

Rep. Zolla spoke against.

Rep. Robert Wheeler spoke in favor and yielded to questions.

On a division vote, 194 members having voted in the affirmative and 135 in the negative, the committee report was adopted.

HB 304-FN-A, relative to federal highway grant anticipation bonds. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert K. Dodge for Finance: This bill will allow the state to issue bonds for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border. These bonds are referred to as GARVEE bonds and the amendment will provide for overview by the Capital Budget Overview Committee. Vote 20-0.

Amendment (0994h)

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

4 Report. The department of transportation shall submit a progress report on the construction and financing of the Interstate 93 widening project to the capital budget overview committee, established under RSA 17-J:2, at least every 6 months.

Adopted.

Report adopted and ordered to third reading.

SPECIAL ORDER

HCR 3, urging Congress to require the Department of Justice to conduct a review and release information to the public regarding mistreatment and restrictions placed on Italian-American citizens of the United States during World War II. **INEXPEDIENT TO LEGISLATE**

Rep. James E. Twombly for State-Federal Relations and Veterans Affairs: The United States government has acknowledged the wartime campaign against Japanese-Americans and enacted a reparation law in August of 1988. For some reason, the Federal Bureau of Investigation refused to declassify 60-year old World War II documents of Italian-Americans. The committee felt that information released by the United States Department of Justice might not reveal the information that the sponsors of this resolution had hoped for. Vote 13-0.

Rep. Pepino spoke against and yielded to questions.

Rep. Twombly spoke in favor and yielded to questions.

On a division vote, 190 members having voted in the affirmative and 144 in the negative, the committee report was adopted.

REGULAR CALENDAR (CONT'D.)

HB 597-FN-A, relative to the natural heritage inventory program. **OUGHT TO PASS**
Rep. Benjamin E. Parker for Ways and Means: The committee considered that portion of the bill related to a \$25 fee for requests for environmental reviews by the Natural Heritage Inventory Program and a fee not to exceed \$25 to offset the program's cost of providing publications and/or reports to the public. The amounts collected would be deposited in a non-lapsing fund for the purposes mentioned above. Estimated annual revenues through FY 2009 do not exceed \$30,000. The majority of the committee believed the fees appropriate and supported the self-funding of the program's cost of publications and/or reports. Vote 12-9. Report adopted and ordered to third reading.

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, April 20, 2005 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

HB 623-FN, relative to licensing requirements in the insurance and financial services industries.

HB 257, relative to emergency medical and trauma service protocols and quality assurance program.

HB 59-FN-L, relative to municipal responsibility for septage disposal.

HB 78-FN-L, relative to state funding of regional vocational education centers.

HB 210-FN, relative to the determination of absence and return of contributions of members of the retirement system.

HB 216-FN, relative to the authority of the New Hampshire retirement system to purchase supplies and services.

HB 433-FN-A, relative to planning for public access, recreation, and road management in the Connecticut Lakes headwaters working forest and making an appropriation therefore.

HB 643-FN, establishing an integrated criminal justice information system. .

HB 644-FN, transferring certain responsibilities from the department of transportation and the department of health and human services to the department of administrative services.

HB 687-FN, relative to free tuition at New Hampshire public institutions of higher education for children of veterans who die while on active duty or from a service-connected disability.

HB 302, relative to the mileage rate for service of documents by county sheriffs.

HB 313-FN, relative to registration of business entities.

HB 430-FN-A, establishing a one-day resident fishing license.

HB 477-FN, increasing registration fees for pesticides and commercial feeds.

HB 651-FN-L, relative to federal lien registration.

HB 25-FN-A, making appropriations for capital improvements.

HB 304-FN-A, relative to federal highway grant anticipation bonds.

HB 597-FN-A, relative to the natural heritage inventory program.

UNANIMOUS CONSENT

Reps. Dickinson and Paul Smith addressed the House.

REMARKS

Without objection, the Chair ordered that the remarks of Rep. Paul C. Smith be printed in the Permanent Journal.

Rep. Paul Smith: Thank you, Mr. Speaker. Mr. Speaker, 34 years ago a gentleman, a Lieutenant Colonel in the United States Army from Pelham, New Hampshire was in a helicopter crash over Laos. Christmas of 2004, his remains were found. When I was in fifth grade, I went to Washington, DC and got this. This, as many of you know, is a POW-MIA bracelet. In keeping with tradition, I will break this in half and send it to the family members of Lieutenant Colonel Brunett who is today being buried in Arlington Cemetery. Thank you.

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 11:00 a.m.

RECESS