

HOUSE RECORD

Second Year of the 159th General Court Calendar and Journal of the 2006 Session

Vol. 28 Concord, N. H.

Wednesday, January 4, 2006

No. 7

HOUSE JOURNAL No. 1

Wednesday, January 4, 2006

This day, January 4, 2006, the first Wednesday following the first Tuesday in January, being the day designated by the Constitution (Art. 3rd, Part 2nd) for assembling of the second-year session of the 159th General Court of the State of New Hampshire, at the Capitol in the city of Concord, the Speaker convened the 2006 House of Representatives and called the session to order at 10:10 a.m.

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

Prayer was offered by Reverend Jared Rardin, Pastor of the South Congregational Church in Concord.

O God whose very name transcends anything and everything we deal with in this place,
Whose loving presence silences our deepest fears

And whose divine justice disquiets our false sense of security,

We gather at the beginning of this new session to serve YOUR people.

The wealthy and the poor.

The sick and the healthy.

The overeducated and the undereducated.

Those who live in comfortable homes and those who live in shelters.

The young and the old.

The gay and the straight.

The insured and the uninsured.

The religious and the non-religious.

In our work this session, help us to remember that they are not belong to us and we to them,
but that together we all belong to You.

Give to us today and in the weeks to come a spirit of renewed energy and focus for the work at hand. Let us legislate with both hearts and minds fully operational. Where there is disagreement among us, let it be healthy and constructive. Where there is agreement, let it reveal our common bonds and hopes. And as we work, bless those we hold near and dear: family members, friends and associates who are sick, or hurting, or dying.

And if there are any in this chamber who may be suffering silently in mind, or body or spirit. Hold them close in your caring grace, and bring them to peace and healing.

This we ask together in Your name. Amen.

Rep. Russell F. Ingram, member from Salem, led the Pledge of Allegiance.

The National Anthem was sung by Tori Caruso, a 9th grade student at White Mountain Regional High School.

LEAVES OF ABSENCE

Reps. Biundo, Cady, Chabot, Donahue, Gillick, Goodwin, Heon, Palangas, Philbrick, Putnam, Stone and Thomas, the day, illness.

Reps. Elizabeth Blanchard, W. Packy Campbell, Carlson, Morneau, Priestley, Soltani and Katherine Taylor, the day, important business.

INTRODUCTION OF GUESTS

Glen, Michael and Ann Marie Morse, guests of Reps. Infantine and DeJoie. Heather Bopp, guest of Rep. Irish. The New Hampshire Liberty Alliance, guests of Reps. Headd and Dumaine.

INTRODUCTION OF SPECIAL GUEST

Honorable Harold W. Burns, former Speaker of the House, guest of the House.

COMMUNICATION

	December 21, 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: Grafton County, District 6, James D. Aguiar, d, Campton (21 Depot Street) 03223	
	William M. Gardner, Secretary of State

CALL OF THE ROLL

With 351 members having answered the call, the Chair declared a quorum present.

REPORT OF THE CHAPLAIN COMMITTEE

Rep. Weyler reported the Chaplain Committee's selection of Reverend Jared Rardin, Pastor of the South Congregational Church in Concord, who will serve as the House Chaplain for the 2006 session.

AMENDMENT TO HOUSE RULES

Reps. O'Neil and Craig moved, that as proposed by the Rules Committee, the House adopt the proposed amendment to House Rule 64, adding the following deadlines for legislative action in the second-year session:

January 4 th , Wednesday	Last day to introduce 2006 House Bills*
February 9 th , Thursday	Last day to REPORT HBs going to 2 nd committee (noon)
February 15 th , Wednesday	Last day to ACT on House Bills going to 2 nd committee
February 23, Thursday	Last day to REPORT all other House Bills (noon)
March 16 th , Thursday	Last day to REPORT House Bills from 2 nd committee (noon)
March 22 nd , Wednesday	CROSSOVER Last day to ACT on House Bills
April 6 th , Thursday	Last day to REPORT Senate Bills going to 2 nd committee (noon)
April 12 th , Wednesday	Last day to ACT on Senate Bills going to 2 nd committee
April 20 th , Thursday	Last day to REPORT all other Senate Bills (noon)
April 27 th , Thursday	Last day to REPORT Senate Bills from 2 nd committee (noon)

May 3 rd , Wednesday	Last day to ACT on Senate Bills
May 11 th , Thursday	Last day to FORM Committees of Conference
May 18 th , Thursday	Last day to SIGN Committee of Conference Reports (3:00 pm)
May 24 th , Wednesday	Last day to ACT on Committee of Conference Reports

Rep. O'Neil spoke in favor.
Adopted.

RESOLUTION

Rep. O'Neil offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1101 through 1149, 1151 through 1174, 1176 through 1199, 1201 through 1249, 1251 through 1274, 1276 through 1299, 1301 through 1349, 1351 through 1374, 1376 through 1399, 1401 through 1449, 1451 through 1474, 1476 through 1499, 1501 through 1549, 1551 through 1474, 1476 through 1599, 1601 through 1649, 1651 through 1674 1676 through 1699, and 1701 through 1748, and, House Joint Resolutions numbered 20 through 25, House Concurrent Resolutions numbered 20 through 25, House Resolutions numbered 20 through 22, and Constitutional Amendment Concurrent Resolutions numbered 30 through 42, shall be by this resolution read a first and second time by the therein listed titles, sent for printing, and referred to the therein designated committees.
Adopted.

INTRODUCTION OF HOUSE BILLS, HJR, HCR, HR, and CACR

First, second reading and referral

HB 1101-FN-L, relative to the definition of “hotel” for purposes of exclusion from the meals and rooms tax. (Almy, Graf 11: Ways and Means)

HB 1102, allowing municipalities to adopt a property tax credit for homeowners supporting a disabled adult child in the home. (Ober, Hills 27: Municipal and County Government)

HB 1103, relative to creating county commissioner districts in Strafford county. (Goodwin, Straf 6; Bickford, Straf 3; Cataldo, Straf 3; W.P. Campbell, Straf 3; Marjorie Smith, Straf 7: Municipal and County Government)

HB 1104-FN-A, making an appropriation to the Good Neighbor Health Clinic. (Houde-Quimby, Sull 1; Harding, Graf 11; Hammond, Graf 11; Sokol, Graf 9; Prichard, Sull 1; Burling, Dist 5: Health, Human Services and Elderly Affairs)

HB 1105, relative to eyewitness identification procedures. (Hammond, Graf 11; Ulery, Hills 27: Criminal Justice and Public Safety)

HB 1106-L, relative to charter commissions. (Hunter, Hills 7; Pepino, Hills 11; Emerton, Hills 7; Manney, Hills 7: Municipal and County Government)

HB 1107, relative to requirements for commercial construction contracts. (Infantine, Hills 13; Carter, Hills 3: Commerce)

HB 1108, relative to the transfer of funds among PAUs within a department. (King, Coos 1; Morse, Dist 22: Finance)

HB 1109, establishing a committee to study the calculation of unemployment benefits. (Cali-Pitts, Rock 16: Labor, Industrial and Rehabilitative Services)

HB 1110, relative to exemptions from licensing requirements for athletic trainers. (Pilotte, Hills 16; F. Sullivan, Hills 12; Martel, Dist 18: Executive Departments and Administration)

HB 1111, designating the pumpkin as the New Hampshire state fruit. (Peter Allen, Ches 6; Dunn, Ches. 3; Matarazzo, Hills 20; Butynski, Ches 4; R. Flanders, Dist 7: Environment and Agriculture)

HB 1112, relative to disclosure of appeals processes under insurance policies. (Dexter, Ches 6: Commerce)

HB 1113, adding a definition of “public academy” to New Hampshire law. (S. L'Heureux,

Merr 9; Carter, Hills 3; Snyder, Straf 2: Education)

HB 1114, relative to regulation by the board of licensure of interpreters for the deaf and hard of hearing. (Bergin, Hills 6; MacKay, Merr 11: Executive Departments and Administration)

HB 1115, relative to the definition of resident for purposes of fish and game laws. (R. L'Heureux, Hills 19; Gallus, Dist 1; Roberge, Dist 9; Johnson, Dist 2: Fish and Game)

HB 1116, relative to service of the notice to quit and writ of possession in landlord tenant actions. (Wendelboe, Belk 1: Judiciary)

HB 1117, relative to the economic development section of a master plan. (Patten, Carr 4; Theberge, Coos 4; Fuller Clark, Dist 24: Municipal and County Government)

HB 1118, requiring paper ballots at all elections. (Clemons, Hills 24; Splaine, Rock 16; C. Chase, Hills 2; Clegg, Dist 14: Election Law)

HB 1119, relative to naming the Richard Monahan Bridge in the town of Carroll. (Tholl, Coos 2; Merrick, Coos 2; H. Richardson, Coos 2; Bouchard, Merr 11; French, Merr 5; D'Allesandro, Dist 20; Gallus, Dist 1: Public Works and Highways)

HB 1120-FN-L, relative to Internet access in public libraries. (Adams, Hills 2: Science, Technology and Energy)

HB 1121-L, relative to licensure levels of care in residential care facilities. (MacKay, Merr 11; Pilliod, Belk 5; Hogancamp, Ches 4; Emerson, Ches 7; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 1122, relative to special elections. (Winchell, Rock 6: Election Law)

HB 1123, requiring equestrian helmets for first-time riders. (Olimpio, Carr 5: Environment and Agriculture)

HB 1124, relative to the wording of ballot questions and specifying that a simple majority is required to pass a ballot question, unless a supermajority vote is otherwise required. (Winchell, Rock 6: Municipal and County Government)

HB 1125, relative to the filing period for candidates at the presidential primary. (Splaine, Rock 16: Election Law)

HB 1126, relative to licenses for first mortgage bankers and brokers. (S. Francoeur, Rock 15: Commerce)

HB 1127, relative to the obligation of religious leaders to report child abuse. (Gile, Merr 10; Brueggemann, Merr 12: Children and Family Law)

HB 1128-FN, relative to definition of teacher in the New Hampshire retirement system. (Zolla, Rock 5; Hawkins, Hills 18; Flanders, Dist 7: Executive Departments and Administration)

HB 1129, relative to eminent domain. (Villeneuve, Hills 18; Gibson, Hills 19; Itse, Rock 9; Roberge, Dist 9: Judiciary)

HB 1130, relative to the definition of necessary shelter for dogs. (P. Allen, Ches 6; Espieffs, Ches 3; B. Richardson, Ches 5: Environment and Agriculture)

HB 1131, increasing the payment in lieu of taxes paid to the city of Portsmouth by the Pease development authority. (Pantelakos, Rock 16; Splaine, Rock 16; Powers, Rock 16; Serlin, Rock 16; Fuller Clark, Dist 24: Finance)

HB 1132, relative to qualifications for the Global War on Terrorism operations service bonus payment. (Hofemann, Straf 6; Brassard, Hills 17; Hawkins, Hills 18; Albert, Straf 1; Heon, Straf 2; Estabrook, Dist 21; Letourneau, Dist 19: Municipal and County Government)

HB 1133, establishing the employee civic duty act. (Mooney, Hills 19; DiFruscia, Rock 4; Soltani, Merr 8; Brassard, Hills 17; Infantine, Hills 13; Larsen, Dist 15; Hassan, Dist 23; Estabrook, Dist 21: Labor, Industrial and Rehabilitative Services)

HB 1134, relative to membership of the state building code review board. (Harding, Graf 11; Hammond, Graf 11; Bergin, Hills 6; DeJoie, Merr 11; Burling, Dist 5: Executive Departments and Administration)

HB 1135, making a technical correction to the Uniform Interstate Family Support Act. (Harding, Graf 11: Children and Family Law)

HB 1136, establishing a commission to study the care needs of medically-fragile students in the school system. (Harding, Graf 11; French, Merr 5; Burling, Dist 5: Education)

HB 1137, relative to criminal trespass. (Renzullo, Hills 27; Buhlman, Hills 27; Ulery, Hills 27; Rowe, Hills 6; Itse, Rock 9: Criminal Justice and Public Safety)

HB 1138, relative to required pay for employees called into work. (Renzullo, Hills 27: Labor, Industrial and Rehabilitative Services)

HB 1139, relative to the time required between mandatory shifts or other work periods. (Renzullo, Hills 27: Labor, Industrial and Rehabilitative Services)

HB 1140, establishing a committee to study the establishment and enforcement of protection zones for nesting loons. (Mirski, Graf 10: Fish and Game)

HB 1141, relative to innovative land use controls. (Mirski, Graf 10: Municipal and County Government)

HB 1142, establishing a committee to study whether a general business license should replace the licensure of trades and professions. (Mirski, Graf 10: Executive Departments and Administration)

HB 1143, renaming the bridge located on Main Street in Enfield, New Hampshire and crossing the Mascoma River as the Enfield Ladies' Bridge. (Mirski, Graf 10: Public Works and Highways)

HB 1144, allowing dental hygienists to engage in independent practice. (Mirski, Graf 10; Hopfgarten, Rock 5; Bicknell, Rock 1: Executive Departments and Administration)

HB 1145, permitting vehicles to proceed straight through an intersection after stopping for a red light. (Field, Merr 7; Cady, Rock 1: Transportation)

HB 1146, establishing a committee to study renewable portfolio standards. (Harvey, Hills 21; Ross, Hills 3; Ryan, Merr 2; Hassan, Dist 23; Green, Dist 6: Science, Technology and Energy)

HB 1147, relative to the conduct of recounts. (Harvey, Hills 21; Hall, Hills 5; Drisko, Hills 5; Hassan, Dist 23: Election Law)

HB 1148-FN-A, making an appropriation to the Seacoast Shipyard Association. (Splaine, Rock 16; Serlin, Rock 16; Powers, Rock 16; Pantelakos, Rock 16; Cali-Pitts, Rock 16; Fuller Clark, Dist 24; Hassan, Dist 23: Finance)

HB 1149, regarding public notification of sexual offender information and establishing a committee to study the creation of a sexual offender classification system. (Dokmo, Hills 6; Buhlman, Hills 27; Slocum, Hills 6; Price, Hills 26; Langley, Rock 18: Criminal Justice and Public Safety)

HB 1151, relative to the prohibition of illegal aliens. (Ulery, Hills 27; Renzullo, Hills 27; Buhlman, Hills 27; Mirski, Graf 10: Criminal Justice and Public Safety)

HB 1152, naming a certain bridge over the Merrimack River. (Shurtleff, Merr 10: Public Works and Highways)

HB 1153, establishing a commission to study the laws and rules relating to subpoenas, summonses, and complaints. (Ulery, Hills 27; Rowe, Hills 6; Boyce, Belk 5; Bettencourt, Rock 4: Judiciary)

HB 1154-FN, relative to eligibility for special number plates for veterans. (Stiles, Rock 15; Gillick, Rock 15: Transportation)

HB 1155, creating a violation for failure to pay a highway toll. (J. Flanders, Rock 8; P. Cote, Hills 25: Transportation)

HB 1156, changing the notification for public hearings on ski area passenger tramway rules from registered mail to first class mail. (J. Flanders, Rock 8: Executive Departments and Administration)

HB 1157, relative to the definition of a sending district. (Foote, Ches 6; Hogancamp, Ches 4; Emerson, Ches 7: Education)

HB 1158, relative to eligibility for the property tax exemption for the disabled. (Weare, Rock 14: Municipal and County Government)

HB 1159, relative to procedures for certain court ordered out-of-district placements.

(Grassie, Straf 1; Foote, Ches 6: Education)

HB 1160, establishing a committee to study the effects of willful, habitual misconduct by individuals on their subsequent well-being which may impose a burden on public funds.

(Rosen, Belk 4: Health, Human Services and Elderly Affairs)

HB 1161, requiring vehicles to be equipped with a useable spare tire. (P. Johnson, Hills 26: Transportation)

HB 1162, relative to village districts. (Patten, Carr 4; Stohl, Coos 1; Chandler, Carr 1: Municipal and County Government)

HB 1163, establishing a commission to study the feasibility of developing a conversion system for motor vehicles to operate on multiple fuels. (Buzzell, Coos 4; C. Chase, Hills 2: Science, Technology and Energy)

HB 1164, requiring cellular telephone service providers to have a minimum 72-hour power backup capacity at each cell tower location. (McRae, Hills 7; Pilliod, Belk 5: Science, Technology and Energy)

HB 1165, relative to absentee voting. (Hall, Hills 5: Election Law)

HB 1166, relative to electronic ballot counting machines. (Hall, Hills 5: Election Law)

HB 1167-FN-A, making an appropriation to the land and community heritage investment program. (Hess, Merr 9; Hager, Merr 12; Dickinson, Carr 1; Pratt, Ches 2; Johnson, Dist 2; Larsen, Dist 15; Martel, Dist 18: Finance)

HB 1168, establishing a commission to determine how to optimize boating safety on water bodies. (Spang, Straf 7; Currier, Merr 5; Johnson, Dist 2: Resources, Recreation and Development)

HB 1169-L, relative to highway construction safety. (Whiting, Merr 2; Reed, Merr 2: Public Works and Highways)

state education aid to be used exclusively for public education. (Gale, Sull 3: Education)

HB 1170, requiring state education aid to be used exclusively for public education. (Gale, Sull 3: Education)

HB 1171, relative to the violation of protective orders. (J. Wheeler, Hills 6: Criminal Justice and Public Safety)

HB 1172-FN, relative to registration of political committees. (Rowe, Hills 6: Election Law)

HB 1173, relative to designating the clerk in municipalities with multiple polling places the chief elections officer for the municipality. (Clemons, Hills 24; Drisko, Hills 5; J. Allen, Belk 5; Lasky, Hills 26: Election Law)

HB 1174, requiring that voters who request a secret ballot be present at the town meeting. (Anderson, Merr 13; Walz, Merr 13: Municipal and County Government)

HB 1176, establishing a committee to study statutes relating to railroads. (Danforth, Merr 6; Green, Dist 6: Transportation)

HB 1177, prohibiting smoking in restaurants and cocktail lounges. (S. Francoeur, Rock 15; MacKay, Merr 11; Infantine, Hills 13; Dokmo, Hills 6; Norelli, Rock 16; D'Allesandro, Dist 20; Hassan, Dist 23; Fuller Clark, Dist 24; Odell, Dist 8; Gottesman, Dist 12: Commerce)

HB 1178, relative to the definition of an adequate education. (P. Allen, Ches 6: Education)

HB 1179, repealing a requirement that the department of transportation spend a certain amount for litter removal that is determined based on fees paid to the liquor commission. (Graham, Hills 18; Calawa, Hills 27; F. Tilton, Belk 4; Cloutier, Sull 4; Bouchard, Merr 11; Letourneau, Dist 19; Hassan, Dist 23; D'Allesandro, Dist 20; Morse, Dist 22: Ways and Means)

HB 1180, relative to distributing sexual offender registry information. (Buhlman, Hills 27; Ober, Hills 27; Renzullo, Hills 27; Gibson, Hills 19; Ulery, Hills 27; Clegg, Dist 14: Criminal Justice and Public Safety)

HB 1181, establishing a committee to study the composition of the retirement system board of trustees. (O'Neil, Rock 15: Executive Departments and Administration)

HB 1182-FN, relative to the recreational taking of lobster by scuba divers. (Emerton, Hills 7: Fish and Game)

HB 1183, relative to the terms of office for state department commissioners. (Kennedy, Merr 4; Boyce, Belk 5: Executive Departments and Administration)

HB 1184, relative to the majority vote required for the use of bond proceeds in certain school districts or municipalities. (S. L'Heureux, Merr 9; Hess, Merr 9: Municipal and County Government)

HB 1185, relative to Volunteer NH. (Gargasz, Hills 5; Martel, Dist 18: Executive Departments and Administration)

HB 1186, relative to the location of the Cheshire county superior court. (Pratt, Ches 2; D. Eaton, Ches 2; Dexter, Ches 6: Public Works and Highways)

HB 1187, requiring a school district to disclose the percentage of its total education budget used for direct support of education. (Giuda, Graf 5: Education)

HB 1188, relative to notice before entry into a condominium unit. (Bouchard, Merr 11: Commerce)

HB 1189, relative to audits by the legislative budget assistant. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8; Clegg, Dist 14: Finance)

HB 1190, establishing a committee to study refunds of insurance premiums overcharged under SB 110. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8; Fuller Clark, Dist 24: Commerce)

HB 1191, making technical corrections to the chapter governing vital records. (Pilotte, Hills 16; F. Sullivan, Hills 12; Martel, Dist 18: Executive Departments and Administration)

HB 1192, relative to property and casualty insurance. (S. Francoeur, Rock 15; Flanders, Dist 7; Hassan, Dist 23; Martel, Dist 18: Commerce)

HB 1193-FN, directing the secretary of state to remove certain language from the text of Part II, Article 73-a of the New Hampshire constitution. (Marple, Merr 9; L. Christiansen, Hills 27: Judiciary)

HB 1194, relative to job protection for volunteer firefighters, rescue workers, and emergency medical personnel. (Wiley, Rock 5: Labor, Industrial and Rehabilitative Services)

HB 1195, relative to salary and compensation increases included in a default budget. (Slocum, Hills 6; O'Brien, Hills 4: Municipal and County Government)

HB 1196, relative to cost items submitted to the town meeting. (Slocum, Hills 6; O'Brien, Hills 4: Municipal and County Government)

HB 1197, establishing a committee to study requiring state government to consider using open source software when acquiring new software. (Cataldo, Straf 3; Maxfield, Merr 6: Executive Departments and Administration)

HB 1198, establishing a committee to study highway rest areas. (Rausch, Rock 5; Major, Rock 8; King, Coos 1; Chandler, Carr 1; Bouchard, Merr 11; Letourneau, Dist 19; Clegg, Dist 14; Morse, Dist 22; D'Allesandro, Dist 20; Hassan, Dist 23: Public Works and Highways)

HB 1199-FN, requiring out-of-state owners to register unflyable aircraft. (Rausch, Rock 5; Cloutier, Sull 4; Bouchard, Merr 11: Transportation)

HB 1201, relative to child passenger restraints. (Packard, Rock 3; Letourneau, Dist 19: Transportation)

HB 1202, relative to the minimum age required for marriage. (Mitchell, Ches 7; Rosenwald, Hills 22: Children and Family Law)

HB 1203-FN-L, relative to school building costs for athletic fields. (Scanlon, Hills 18; Graham, Hills 18; Hawkins, Hills 18: Education)

HB 1204, relative to human immunodeficiency virus education, prevention, and control. (MacKay, Merr 11: Health, Human Services and Elderly Affairs)

HB 1205, relative to service of process by New Hampshire plaintiffs on foreign corporations. (Ulery, Hills 27; Rowe, Hills 6: Judiciary)

HB 1206, relative to the assessing standards board. (Patten, Carr 4; Chandler, Carr 1: Municipal and County Government)

HB 1207, establishing a committee to study the creation of a flag to honor all police departments in the state. (Dickinson, Carr 1: Legislative Administration)

HB 1208, establishing a committee to study transferring case management responsibilities for home and community-based care programs from the department of health and human services to the counties. (Buzzell, Coos 4: Health, Human Services and Elderly Affairs)

HB 1209, relative to notification requirements for criminal offenders. (Thomas, Belk 5; J. Allen, Belk 5: Criminal Justice and Public Safety)

HB 1210, restricting the speed of remote-controlled model boats. (N. Johnson, Straf 3; L. Brown, Straf 3: Resources, Recreation and Development)

HB 1211, relative to tinted glass on motor vehicles. (M. Cooney, Graf 7: Transportation)

HB 1212-FN, relative to the relocation of manufactured housing having delinquent property taxes. (Cady, Rock 1; Bicknell, Rock 1; Barnes, Dist 17: Municipal and County Government)

HB 1213, prohibiting tampering with a motorcycle's noise control system. (Buco, Carr 1: Transportation)

HB 1214, establishing a task force to identify and assess community-based, educational and social/human services programs that serve families with children 8 years of age and younger. (Gile, Merr 10; Gargas, Hills 5: Children and Family Law)

HB 1215, relative to the winter maintenance of Diamond Pond Road in the towns of Colebrook and Stewartstown. (Stohl, Coos 1; King, Coos 1; Chandler, Carr 1; Graham, Hills 18; Gallus, Dist 1: Finance)

HB 1216, relative to the sale of unpasteurized milk. (Dalrymple, Rock 4: Environment and Agriculture)

HB 1217, requiring the secretary of state to publish certain information on campaign contributions. (Itse, Rock 9; Rowe, Hills 6; Giuda, Graf 5: Election Law)

HB 1218, relative to the unauthorized use of the name of a financial institution. (Stepanek, Hills 6; Reardon, Merr 11; Flanders, Dist 7: Commerce)

HB 1219, prohibiting the use of public funds to advocate for the success or defeat of a candidate or ballot question. (Kennedy, Merr 4: Election Law)

HB 1220, establishing a committee to study a statewide review of all unanticipated fatalities and serious injury involving incapacitated adults and individuals 60 years of age or older. (MacKay, Merr 11; Pilliod, Belk 5; Hogancamp, Ches 4; Emerson, Ches 7; French, Merr 5; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 1221-FN, relative to recovery of medical assistance from a decedent's estate. (Kidder, Merr 1: Judiciary)

HB 1222-FN, relative to unlawful voting. (O'Neil, Rock 15: Election Law)

HB 1223-FN, relative to the use of real estate brokers by the department of transportation. (D. Campbell, Hills 24; Graham, Hills 18; D'Allesandro, Dist 20: Public Works and Highways)

HB 1224-FN, establishing reciprocity for liability limitations on claims against the state and against foreign jurisdictions. (D. Campbell, Hills 24; Rausch, Rock 5; Graham, Hills 18; D'Allesandro, Dist 20: Judiciary)

HB 1225-FN-A, making a capital appropriation to the department of administrative services for siting, design, and construction of the new Henniker-Hillsborough courthouse. (Essex, Hills 1; Shattuck, Hills 1; French, Merr 5; Carew, Hills 1; Currier, Merr 5; Flanders, Dist 7: Public Works and Highways)

HB 1226-FN, relative to the New Hampshire Humanities Council. (M. Smith, Straf 7; Gile, Merr 10; Fuller Clark, Dist 24: Finance)

HB 1227-FN, relative to late fees and reinstatement fees paid by business entities. (Ferland, Sull 5; Phinizy, Sull 5; Odell, Dist 8: Commerce)

HB 1228-FN, relative to the sale or lease of state-owned real estate. (Chandler, Carr 1; Rausch, Rock 5; Gould, Rock 5; Cloutier, Sull 4; D'Allesandro, Dist 20; Clegg, Dist 14; Flanders, Dist 7; Boyce, Dist 4: Public Works and Highways)

HB 1229-FN, prohibiting the use of false documentation for employment, government services, or permits. (Renzullo, Hills 27; Buhlman, Hills 27; Ulery, Hills 27; Villeneuve, Hills 18: Criminal Justice and Public Safety)

HB 1230-FN, relative to clinical trials for pharmaceuticals. (Matarazzo, Hills 20; Cloutier, Sull 4; P. Allen, Ches 6; Pilliod, Belk 5: Health, Human Services and Elderly Affairs)

HB 1231-FN, relative to the penalty for assaulting a firefighter, emergency medical technician, or law enforcement officer. (Wiley, Rock 5: Criminal Justice and Public Safety)

HB 1232-FN, applying the enhanced 911 system surcharge to voice over Internet protocol telephone service providers. (S. L'Heureux, Merr 9: Science, Technology and Energy)

HB 1233-FN, including public officials under the real estate practice act. (Newton, Straf 1; Giuda, Graf 5: Commerce)

HB 1234-FN, reducing the maximum amount of debt or damages for small claims actions. (Rowe, Hills 6: Judiciary)

HB 1235-FN, establishing a criminal penalty for driving a commercial motor vehicle while violating an out-of-service order. (Rowe, Hills 6: Criminal Justice and Public Safety)

HB 1236-FN-L, relative to disclosure of public expenditures related to lobbying and electioneering. (O'Brien, Hills 4; Mead, Hills 4; Roberge, Dist 9: Election Law)

HB 1237-FN-L, requiring matching expenditures when public money is paid for purposes of electioneering. (O'Brien, Hills 4; Mead, Hills 4; Roberge, Dist 9: Election Law)

HB 1238-FN, relative to centralized voter registration database information. (O'Brien, Hills 4; O'Neil, Rock 15: Election Law)

HB 1239-FN, relative to dog licensure. (Weare, Rock 14: Environment and Agriculture)

HB 1240-FN, establishing the position of state ethics officer. (Splaine, Rock 16: Executive Departments and Administration)

HB 1241-FN-L, mandating the inclusion of kindergarten as part of an elementary school. (P. Allen, Ches 6; Gile, Merr 10; Matarazzo, Hills 20; Rush, Merr 7; E. Blanchard, Merr 10: Education)

HB 1242-FN, relative to providing copies of the house and senate calendars to public libraries. (Mead, Hills 4; Rowe, Hills 6; O'Neil, Rock 15; O'Brien, Hills 4: Legislative Administration)

HB 1243-FN, reducing certain fines for motor vehicle violations. (Buhlman, Hills 27; Mirski, Graf 10; Gibson, Hills 19; Renzullo, Hills 27; Welch, Rock 8: Ways and Means)

HB 1244-FN, relative to eligibility to receive moneys from the driver training fund. (DeJoie, Merr 11: Transportation)

HB 1245-FN-L, allowing municipalities to be paid usage fees for services provided to county government. (Buxton, Rock 10: Municipal and County Government)

HB 1246-FN, relative to assault on law enforcement, corrections, and probation-parole officers. (Dumaine, Rock 3: Criminal Justice and Public Safety)

HB 1247-FN, relative to licensure of pharmacy benefit managers. (Nowe, Rock 9: Executive Departments and Administration)

HB 1248-FN, relative to the alteration of a portion of the town line between Milford and Amherst. (Dokmo, Hills 6; Slocum, Hills 6; Rowe, Hills 6; Bergin, Hills 6; O'Connell, Hills 6; Bragdon, Dist 11: Municipal and County Government)

HB 1249-FN-A-L, relative to state reimbursement for school breakfasts and making an appropriation therefor. (Stiles, Rock 15; Pilliod, Belk 5; Rush, Merr 7; Weyler, Rock 8; MacKay, Merr 11; Green, Dist 6; Martel, Dist 18; Larsen, Dist 15; Foster, Dist 13: Education)

HB 1251-FN, relative to receipt by counties of federal funds for public assistance. (Gale, Sull 3: Municipal and County Government)

HB 1252, authorizing the use of a credit freeze as a means of deterring identity theft. (Villeneuve, Hills 18; Giuda, Graf 5; Mirski, Graf 10; Ulery, Hills 27; Newton, Straf 1: Commerce)

HB 1253, authorizing contracts and probationary periods for the hiring of appointed police chiefs. (Boehm, Hills 27; Jasper, Hills 27; Ober, Hills 27; Ulery, Hills 27: Municipal and County Government)

HB 1254, relative to eminent domain. (Mooney, Hills 19; Rowe, Hills 6; Dokmo, Hills 6;

Sorg, Graf 3; Hinkle, Hills 19; F. Tilton, Belk 4; Clemons, Hills 24: Judiciary)

HB 1255, establishing a committee to study improvements to the Amoskeag Street interchange at exit 6 of the F. E. Everett Turnpike. (Hirschmann, Hills 17; Reed, Merr 2; Biundo, Hills 15; Hebert, Hills 17: Public Works and Highways)

HB 1256, establishing a committee to study the feasibility of creating an independent administrative office of the courts. (Mirski, Graf 10; Soltani, Merr 8; Sorg, Graf 3; Itse, Rock 9; Boyce, Dist 4; Roberge, Dist 9: Judiciary)

HB 1257, relative to conflicts of interest of municipal officials. (Mirski, Graf 10: Municipal and County Government)

HB 1258-FN-A, establishing a sunset review process for executive agency and judicial programs and making an appropriation therefor. (Mirski, Graf 10; Hinkle, Hills 19; Hopfgarten, Rock 5; Gallus, Dist 1; Johnson, Dist 2; Kenney, Dist 3; Boyce, Dist 4: Executive Departments and Administration)

HB 1259, relative to the classification of wetlands as contributing or noncontributing. (Mirski, Graf 10: Resources, Recreation and Development)

HB 1260, relative to informing first-time driver's license applicants of the controlled drug laws, and prohibiting the issuance of a youth operator's license to controlled drug violators. (Hinkle, Hills 19; Albert, Straf 1: Transportation)

HB 1261, relative to driver's license revocation or denial for drugs or alcohol involvement. (Hinkle, Hills 19; Cataldo, Straf 3; Albert, Straf 1; Mooney, Hills 19: Transportation)

HB 1262, legalizing actions taken at town meeting relative to increasing the board of selectmen from 3 members to 5 members in the town of Pittsfield. (Langlais, Merr 8; Soltani, Merr 8; Klose, Merr 8: Municipal and County Government)

HB 1263, requiring certain notification before a person with a mental illness may be discharged from a state mental health services facility. (Cady, Rock 1; Bicknell, Rock 1; Dumaine, Rock 3; Souza, Hills 11: Health, Human Services and Elderly Affairs)

HB 1264, establishing an advisory committee to study the information practices act and establishing a temporary moratorium on reports filed under the information practices act. (Dokmo, Hills 6; Bergin, Hills 6: Executive Departments and Administration)

HB 1265, establishing the council on the relationship between public health and the environment. (French, Merr 5; Pilliod, Belk 5; Foster, Dist 13; Martel, Dist 18; Fuller Clark, Dist 24: Environment and Agriculture)

HB 1266, relative to acceptance of consular identification documents. (Velez, Hills 12: Judiciary)

HB 1267, establishing a committee to study the use of money in dedicated funds. (Klose, Merr 8: Finance)

HB 1268-FN-A, making a capital appropriation for air conditioning in the house of representatives chamber in the state house. (Pepino, Hills 11: Public Works and Highways)

HB 1269, relative to the taking of red deer or elk. (Chandler, Carr 1; Currier, Merr 5; Patten, Carr 4; R. L'Heureux, Hills 19; Mirski, Graf 10; Clegg, Dist 14; Boyce, Dist 4; D'Allesandro, Dist 20: Fish and Game)

HB 1270, relative to the use of wireless telephones while driving. (P. Johnson, Hills 26: Transportation)

HB 1271, relative to speed limits on municipal ways. (P. Johnson, Hills 26: Transportation)

HB 1272, relative to the authority of elected police chiefs in towns with populations of more than 3,000. (Solomon, Graf 10; Kurk, Hills 7: Municipal and County Government)

HB 1273, relative to the disposition of municipal records. (Patten, Carr 4: Municipal and County Government)

HB 1274, relative to certain disclosures to the department of health and human services. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8; Wendelboe, Belk 1; Fuller Clark, Dist 24; Martel, Dist 18: Commerce)

HB 1276, relative to automobile insurance. (Manney, Hills 7; Rosenwald, Hills 22; Donovan, Sull 4: Commerce)

HB 1277, providing limited immunity to mental health care providers caring for voluntarily admitted patients. (Buzzell, Coos 4: Judiciary)

HB 1278, increasing the fine for violating certain laws relative to labor. (Buzzell, Coos 4: Labor, Industrial and Rehabilitative Services)

HB 1279, establishing a commission to study state medicaid reimbursement. (Buzzell, Coos 4: Health, Human Services and Elderly Affairs)

HB 1280, establishing a committee to study all sources of grant funding received by the state. (Buzzell, Coos 4: Finance)

HB 1281, establishing a committee to study the effectiveness of the department of health and human services. (Buzzell, Coos 4: Health, Human Services and Elderly Affairs)

HB 1282, establishing a committee to study the reasons why the economically disadvantaged are relocating to rural communities. (Buzzell, Coos 4: Municipal and County Government)

HB 1283, relative to sheep and goat identification requirements. (Rausch, Rock 5: Environment and Agriculture)

HB 1284-FN-A, increasing the appropriation to the firemen's relief fund. (Price, Hills 26; R. Wheeler, Hills 7; Currier, Merr 5; Stone, Rock 1; D. Eaton, Ches 2; Gallus, Dist 1; Martel, Dist 18; Green, Dist 6; Kenney, Dist 3: Finance)

HB 1285, making certain technical corrections to the adoption statute. (McRae, Hills 7: Children and Family Law)

HB 1286, authorizing the secretary of state to initiate recounts. (Hall, Hills 5: Election Law)

HB 1287, requiring legislative approval of any rules proposed by the state board of education. (Balboni, Hills 21; Newton, Straf 1: Executive Departments and Administration)

HB 1288, requiring an audit of federal funds received by the department of education. (Balboni, Hills 21: Finance)

HB 1289, relative to Pennichuck Brook and its watershed. (Balboni, Hills 21; Crane, Hills 21; M. Martin, Hills 26: Resources, Recreation and Development)

HB 1290, requiring the attorney general to enforce city and town charters and to prosecute suspected violations of city and town charters. (Balboni, Hills 21: Municipal and County Government)

HB 1291, relative to automobile insurance coverage for drivers in the same household as the policyholder. (Balboni, Hills 21: Commerce)

HB 1292, relative to the application of the capital murder statute. (Bettencourt, Rock 4; Mirski, Graf 10: Criminal Justice and Public Safety)

HB 1293, establishing a procedure for towns to change county affiliation. (Gale, Sull 3: Municipal and County Government)

HB 1294, relative to antique snowmobiles. (Morrow, Carr 3; Babson, Carr 3; McConkey, Carr 3; Dickinson, Carr 1; Philbrick, Carr 2; Kenney, Dist 3; Johnson, Dist 2: Fish and Game)

HB 1295, requiring disclosure regarding brake shift interlock by automobile dealers. (W. P. Campbell, Straf 3; Easson, Straf 3: Commerce)

HB 1296, relative to the voluntary scrapie flock certification program. (Rausch, Rock 5: Environment and Agriculture)

HB 1297, relative to requirements for a vehicle dealer license. (Rowe, Hills 6: Transportation)

HB 1298, establishing a commission to evaluate disciplinary procedures of the board of medicine. (Rowe, Hills 6; Itse, Rock 9; Introne, Rock 3; Mooney, Hills 19; Putnam, Rock 8: Executive Departments and Administration)

HB 1299, establishing a medical malpractice insurance study commission. (Rowe, Hills 6; Introne, Rock 3; Mooney, Hills 19; Itse, Rock 9: Commerce)

HB 1301-L, relative to the purchase of conservation, preservation, and agricultural preservation restrictions. (Newton, Straf 1; Giuda, Graf 5: Municipal and County Government)

HB 1302, relative to hunting in the town of Bow. (E. Anderson, Merr 13; DeStefano, Merr 13; Walz, Merr 13: Fish and Game)

HB 1303-FN, requiring sex offenders to renew their drivers' licenses annually. (Langley, Rock 18; Dokmo, Hills 6; Lockwood, Merr 6; S. Scamman, Rock 13; Clemons, Hills 24; Roberge, Dist 9: Transportation)

HB 1304-FN, relative to the scope of registration of lobbyists and statements of lobbying activities. (P. Sullivan, Hills 10; Gibson, Hills 19; Splaine, Rock 16: Election Law)

HB 1305-L, relative to license fees charged by municipalities for coin operated amusement devices. (P. Sullivan, Hills 10: Municipal and County Government)

HB 1306, relative to threats made by pupils against a school. (Cloutier, Sull 4; Osgood, Sull 4; Donovan, Sull 4; Tholl, Coos 2; D'Allesandro, Dist 20; Johnson, Dist 2: Education)

HB 1307, relative to application requirements for motor vehicle recycling yard licenses. (Bergeron, Hills 27; Weyler, Rock 8; Soltani, Merr 8: Transportation)

HB 1308, establishing a committee to study revising the New Hampshire special education statutes. (Prichard, Sull 1; Houde-Quimby, Sull 1; Burling, Dist 5; Hassan, Dist 23: Education)

HB 1309, relative to commercial driver licenses when the license holder fails a drug or alcohol test. (Villeneuve, Hills 18; Ulery, Hills 27; Roberge, Dist 9: Transportation)

HB 1310, relative to strikes by public employees. (Weed, Ches 3: Labor, Industrial and Rehabilitative Services)

HB 1311-FN-A, relative to the electronic filing of reports and applications with the secretary of state and relative to certain fees paid to the secretary of state. (Weed, Ches 3; Splaine, Rock 16: Election Law)

HB 1312, relative to the definition of gift as it applies to elected officials. (Weed, Ches 3; Splaine, Rock 16: Election Law)

HB 1313, naming a bridge between the towns of Newfields and Stratham the United States Submarine Veterans of World War II Memorial Bridge. (Gilbert, Rock 12; S. Scamman, Rock 13: Public Works and Highways)

HB 1314, relative to an adult roles and responsibilities curriculum. (French, Merr 5; B. Richardson, Ches 5; Naro, Graf 7; Moran, Hills 18; Wallner, Merr 12; Larsen, Dist 15; Estabrook, Dist 21; D'Allesandro, Dist 20; Kenney, Dist 3; Johnson, Dist 2: Education)

HB 1315, relative to the definition and classification of dams. (R. Cooney, Rock 4; Whalley, Belk 5; Currier, Merr 5; Parkhurst, Ches 4; Johnson, Dist 2; Barnes, Dist 17; Gallus, Dist 1: Resources, Recreation and Development)

HB 1316, exempting records of the National Animal Identification System from the right-to-know law. (Babson, Carr 3; O'Connell, Hills 6; Owen, Merr 4: Judiciary)

HB 1317, relative to the eradication of exotic aquatic weeds. (Drisko, Hills 5; R. Cooney, Rock 4; Whalley, Belk 5; Russell, Belk 6; J. Allen, Belk 5; D'Allesandro, Dist 20; Clegg, Dist 14: Resources, Recreation and Development)

HB 1318, relative to prohibiting services for illegal immigrants. (Buhlman, Hills 27; Renzullo, Hills 27; Ulery, Hills 27; Slocum, Hills 6: Health, Human Services and Elderly Affairs)

HB 1319-FN-A, decreasing the rate of the tobacco tax. (Buhlman, Hills 27; Mirski, Graf 10; Bettencourt, Rock 4; Balboni, Hills 21: Ways and Means)

HB 1320, relative to penalties for planning and zoning violations. (Buhlman, Hills 27: Municipal and County Government)

HB 1321, relative to qualifications for police chiefs in towns with populations of more than 3,000. (Solomon, Graf 10; Green, Dist 6: Municipal and County Government)

HB 1322, relative to the establishment of allodial rights. (Marple, Merr 9; L. Christiansen, Hills 27; Buhlman, Hills 27: Judiciary)

HB 1323, relative to the statement of purpose in the statewide education improvement and assessment program. (Marple, Merr 9; L. Christiansen, Hills 27; Buhlman, Hills 27: Education)

HB 1324, relative to leasing the Cannon Mountain ski area. (O'Neil, Rock 15; Chandler, Carr 1; King, Coos 1: Resources, Recreation and Development)

HB 1325, relative to state regulation of martial arts schools. (Holden, Hills 7; Weyler, Rock 8; Plifka, Ches 4; Clegg, Dist 14; D'Allesandro, Dist 20: Commerce)

HB 1326, relative to donation of compensation by members of the general court. (L. Christiansen, Hills 27; Hellwig, Hills 27; Marple, Merr 9; Weyler, Rock 8: Legislative Administration)

HB 1327, requiring a vote by the tenants who are owners of manufactured housing park units prior to purchase of the manufactured housing park by the tenant or tenants' association. (Emerton, Hills 7; Hunter, Hills 7: Commerce)

HB 1328-FN, relative to motor vehicle inspections. (Vaillancourt, Hills 15; Infantine, Hills 13; Mirski, Graf 10: Transportation)

HB 1329-FN-A-L, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected. (Vaillancourt, Hills 15; Bickford, Straf 3; Pratt, Ches 2; Butynski, Ches 4; J. Tilton, Merr 6: Ways and Means)

HB 1330, clarifying the laws relative to municipal enrollment in the National Flood Insurance Program and relative to adopting flood insurance rate map amendments. (Rodeschin, Sull 2; Patten, Carr 4; Hogancamp, Ches 4; McRae, Hills 7; D. Eaton, Ches 2; Eaton, Dist 10; Morse, Dist 22; D'Allesandro, Dist 20; Flanders, Dist 7; Odell, Dist 8: Municipal and County Government)

HB 1331, establishing a committee to study the Temporary Assistance to Needy Families (TANF) reauthorization. (Dalrymple, Rock 4: Health, Human Services and Elderly Affairs)

HB 1332, establishing a commission to study health care in New Hampshire prisons. (Hamm, Merr 4; Wall, Straf 7; Hammond, Graf 11; Charron, Rock 7; MacKay, Merr 11; Fuller Clark, Dist 24; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 1333, relative to solid waste reduction goals. (Phinizy, Sull 5; Babson, Carr 3; O'Connell, Hills 6; Powers, Rock 16; Hamm, Merr 4; Fuller Clark, Dist 24; Green, Dist 6; Hassan, Dist 23: Environment and Agriculture)

HB 1334, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts. (Bishop, Rock 2; Barnes, Dist 17: Labor, Industrial and Rehabilitative Services)

HB 1335, relative to the authority of law enforcement officers during a state of emergency. (Bicknell, Rock 1; Kennedy, Merr 4; Cataldo, Straf 3: Criminal Justice and Public Safety)

HB 1336, relative to administrators of estates. (Cady, Rock 1; Hagan, Hills 17; Souza, Hills 11: Judiciary)

HB 1337, relative to the regulation of carnival and amusement ride operators. (Splaine, Rock 16: Commerce)

HB 1338, relative to medical malpractice insurance rates. (Phinizy, Sull 5; Baroody, Hills 13; Houde-Quimby, Sull 1; Pratt, Ches 2; Gorman, Hills 23: Commerce)

HB 1339, relative to voting procedures for local land use boards. (Mirski, Graf 10; O'Brien, Hills 4; Mead, Hills 4; Hopfgarten, Rock 5; Boyce, Dist 4; Clegg, Dist 14: Municipal and County Government)

HB 1340, relative to references to "United States citizen" in the New Hampshire statutes. (Marple, Merr 9; L. Christiansen, Hills 27: Judiciary)

HB 1341, relative to the use of land for hunting. (Kennedy, Merr 4: Fish and Game)

HB 1342, relative to the development of land and cutting of trees on land surrounding burial grounds and cemeteries. (Keans, Straf 1; Lockwood, Merr 6; Julie Brown, Straf 1; Lawrence Brown, Straf 3: Municipal and County Government)

HB 1343, establishing a committee to study the administration and jurisdiction of the council on resources and development. (Chandler, Carr 1; Rausch, Rock 5; Cloutier, Sull 4; D'Allesandro, Dist 20; Clegg, Dist 14; Flanders, Dist 7; Boyce, Dist 4: Resources, Recreation and Development)

HB 1344, relative to a certain highway project in Merrimack. (Calawa, Hills 27; Ober, Hills

27; Ulery, Hills 27; Renzullo, Hills 27; Jasper, Hills 27: Public Works and Highways)
HB 1345, establishing a commission to study community relations between the town of Plymouth and Plymouth state university. (Naro, Graf 7; M. Cooney, Graf 7; Asselin, Rock 7: Municipal and County Government)

HB 1346, requiring certain persons to keep the contents of prescriptions confidential. (Rosenwald, Hills 22; MacKay, Merr 11; Miller, Straf 7; Price, Hills 26; Gottesman, Dist 12; Foster, Dist 13; Martel, Dist 18; Larsen, Dist 15: Health, Human Services and Elderly Affairs)

HB 1347, relative to licensure, registration, or certification of regulated professions. (Patten, Carr 4; N. Allan, Hills 26; S. Francoeur, Rock 15; Pilote, Hills 16: Executive Departments and Administration)

HB 1348, requiring hunters to wear hunter orange. (Patten, Carr 4: Fish and Game)

HB 1349, relative to costs of personnel and rates for equipment use in hazardous waste incidents. (Patten, Carr 4; Bicknell, Rock 1; Welch, Rock 8: Finance)

HB 1351, relative to the rulemaking process. (Patten, Carr 4; Stohl, Coos 1; Millham, Belk 5; N. Allan, Hills 26; Clegg, Dist 14; Morse, Dist 22: Executive Departments and Administration)

HB 1352, relative to the placement of regional electronic toll collection system transponder readers. (Dickinson, Carr 1; M. Smith, Straf 7: Public Works and Highways)

HB 1353, relative to addresses on motor vehicle registrations. (Almy, Graf 11: Transportation)

HB 1354, relative to physical force in defense of a person. (Dickinson, Carr 1; Merrow, Carr 3; Bicknell, Rock 1; Mirski, Graf 10; Bishop, Rock 2; Camm, Rock 8; Albert, Straf 1; Cataldo, Straf 3; Greco, Merr 7; Goyette, Hills 27; Itse, Rock 9; Pepino, Hills 11; Hellwig, Hills 27; Dumaine, Rock 3; R. L'Heureux, Hills 19; Renzullo, Hills 27; Winchell, Rock 6; Nowe, Rock 9; Headd, Rock 3; Hinkle, Hills 19; Tupper, Merr 6; Marple, Merr 9; Gallus, Dist 1; Boyce, Dist 4; Roberge, Dist 9; Letourneau, Dist 19: Judiciary)

HB 1355, permitting the use of certain campers or recreational vehicles in manufactured housing parks. (Belanger, Rock 4; Gibson, Hills 19; Wells, Rock 8: Commerce)

HB 1356, relative to on-board diagnostic system inspections. (Dickinson, Carr 1; Kennedy, Merr 4; Gallus, Dist 1; Kenney, Dist 3: Transportation)

HB 1357, changing the name of the joint committee on legislative facilities and codifying the powers and duties of the committee. (Dickinson, Carr 1; Keans, Straf 1; Bergin, Hills 6; King, Coos 1; Welch, Rock 8; D'Allesandro, Dist 20: Legislative Administration)

HB 1358, establishing an investigatory commission for unethical conduct in state government. (Buzzell, Coos 4: Executive Departments and Administration)

HB 1359-FN, establishing a committee to study case management responsibility for certain elderly and adult services. (Buzzell, Coos 4: Health, Human Services and Elderly Affairs)

HB 1360-FN-L, relative to law enforcement accounts in the regional electronic toll collection system. (R. L'Heureux, Hills 19; Batula, Hills 19; N. Elliott, Hills 19; Hinkle, Hills 19; Mooney, Hills 19; Roberge, Dist 9; Gottesman, Dist 12; Green, Dist 6; Martel, Dist 18: Public Works and Highways)

HB 1361, relative to the penalty for shoplifting. (Winchell, Rock 6; Oliver, Merr 9; Berube, Straf 2: Criminal Justice and Public Safety)

HB 1362, relative to permitting audio and video recording on school buses. (Winchell, Rock 6; S. L'Heureux, Merr 9; Knowles, Straf 6; Movsesian, Hills 22; Martel, Dist 18; Letourneau, Dist 19; Morse, Dist 22: Education)

HB 1363, relative to financial statements used to determine child support obligations. (Jennifer Brown, Straf 5; Flockhart, Rock 13; Grassie, Straf 1: Children and Family Law)

HB 1364, establishing a commission to study the best use and possible transfer of certain state-owned land in the town of Brentwood. (Buxton, Rock 10; Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Nowe, Rock 9; Weyler, Rock 8; Barnes, Dist 17; Hassan, Dist 23: Public Works and Highways)

HB 1365, relative to public pooled risk management. (Snyder, Straf 2; Stone, Rock 1; R. Wheeler, Hills 7; King, Coos 1; Yeaton, Merr 8; Green, Dist 6: Commerce)

HB 1366, relative to a planning board's authority to require public access to open space as a condition of subdivision approval. (W.P. Campbell, Straf 3: Municipal and County Government)

HB 1367, prohibiting vehicle number plate covers that obscure the plate numbers. (Morris, Rock 14: Transportation)

HB 1368, requiring elementary school instruction in proverbs. (Morris, Rock 14: Education)

HB 1369, relative to the posting of signs restricting the bearing of arms. (Bicknell, Rock 1; Kennedy, Merr 4; Cataldo, Straf 3: Criminal Justice and Public Safety)

HB 1370, transferring certain surplus moneys to the revenue stabilization reserve account. (Major, Rock 8; O'Neil, Rock 15; King, Coos 1; Whalley, Belk 5; Kurk, Hills 7; Morse, Dist 22; Clegg, Dist 14; D'Allesandro, Dist 20; Barnes, Dist 17; Eaton, Dist 10: Finance)

HB 1371, relative to requiring approval for extended absences for elected county officers. (Babson, Carr 3: Municipal and County Government)

HB 1372, establishing a committee to study affordable and accessible health care services for all uninsured citizens of New Hampshire. (Morris, Rock 14: Commerce)

HB 1373, establishing a commission to study ways to encourage the proper recycling and disposal of grease trap wastes and to determine ways to develop additional disposal capacity. (Philbrick, Carr 2; Patten, Carr 4; Johnson, Dist 2: Environment and Agriculture)

HB 1374, establishing a committee to require personal information holders to disclose a security breach. (Ryan, Merr 2: Commerce)

HB 1376, relative to the duties of the legislative oversight committee on electric utility restructuring. (Ryan, Merr 2; Burling, Dist 5: Science, Technology and Energy)

HB 1377, relative to certain mandatory minimum sentences. (Knowles, Straf 6; Pantelakos, Rock 16; Charron, Rock 7; Hammond, Graf 11; Green, Dist 6; Gallus, Dist 1: Criminal Justice and Public Safety)

HB 1378, establishing a committee to study the financial implications on local school districts when special education students attend charter schools. (Casey, Rock 11; Stiles, Rock 15: Education)

HB 1379, relative to the investment of trust funds. (Shattuck, Hills 1: Municipal and County Government)

HB 1380, establishing the New Hampshire forensic science oversight commission. (Hammond, Graf 11; Ulery, Hills 27: Criminal Justice and Public Safety)

HB 1381, requiring the department of environmental services to do a criminal background check on any applicant for a permit. (Owen, Merr 4; Phinizy, Sull 5: Executive Departments and Administration)

HB 1382, regulating the disclosure of personal information. (Kurk, Hills 7; Dokmo, Hills 6; M. Smith, Straf 7; Mirski, Graf 10; Letourneau, Dist 19: Judiciary)

HB 1383-L, defining deconstruction for purposes of solid waste management. (Tupper, Merr 6; E. Blanchard, Merr 10; Cloutier, Sull 4; Dickinson, Carr 1; Larsen, Dist 15; Estabrook, Dist 21; Burling, Dist 5: Science, Technology and Energy)

HB 1384, relative to standardizing the format for special education budgets. (Mead, Hills 4; Rowe, Hills 6; O'Neil, Rock 15: Education)

HB 1385, relative to nomination papers and the definition of "party." (Bicknell, Rock 1; Cady, Rock 1; Mirski, Graf 10; Ingbretson, Graf 5; Kennedy, Merr 4: Election Law)

HB 1386, relative to exceptions to the prohibition on carrying and selling knives. (Bicknell, Rock 1; Cady, Rock 1; Welch, Rock 8; Itse, Rock 9; Kennedy, Merr 4; Clegg, Dist 14; Boyce, Dist 4: Criminal Justice and Public Safety)

HB 1387, relative to emergency management powers of the governor concerning medical and health care professionals from other jurisdictions. (Bicknell, Rock 1; Kennedy, Merr 4: Criminal Justice and Public Safety)

HB 1388, relative to tenant security deposits and termination of tenancy. (Bicknell, Rock 1;

Cady, Rock 1; Kennedy, Merr 4: Judiciary)

HB 1389, relative to firearms in locked vehicles. (Bicknell, Rock 1; Cady, Rock 1; Welch, Rock 8; Dickinson, Carr 1; Itse, Rock 9; Clegg, Dist 14: Criminal Justice and Public Safety)

HB 1390, relative to official oppression. (Bicknell, Rock 1; Itse, Rock 9; Kennedy, Merr 4; Villeneuve, Hills 18: Criminal Justice and Public Safety)

HB 1391, relative to the default budget in official ballot towns. (Weyler, Rock 8; Asselin, Rock 7; N. Johnson, Straf 3; Gallus, Dist 1: Municipal and County Government)

HB 1392, relative to school budget committee membership. (Weyler, Rock 8; Welch, Rock 8; J. Flanders, Rock 8; Hassan, Dist 23; Barnes, Dist 17: Municipal and County Government)

HB 1393, requiring horse owners to inoculate horses against eastern equine encephalitis. (Morris, Rock 14; Weyler, Rock 8; Welch, Rock 8: Environment and Agriculture)

HB 1394, relative to determination of value of property in current use. (Dickinson, Carr 1; Merrow, Carr 3; Babson, Carr 3; Phinizy, Sull 5; Kenney, Dist 3; Burling, Dist 5: Environment and Agriculture)

HB 1395, relative to public drinking water protection. (M. Martin, Hills 26; Crane, Hills 21; Balboni, Hills 21; Spang, Straf 7; Hall, Hills 5; Johnson, Dist 2: Resources, Recreation and Development)

HB 1396, relative to competency of juvenile offenders. (Knowles, Straf 6; B. Richardson, Ches 5; Tholl, Coos 2; Roberge, Dist 9; Foster, Dist 13; Fuller Clark, Dist 24; Burling, Dist 5: Children and Family Law)

HB 1397, prohibiting an agency from adopting rules over the objection of the joint legislative committee on administrative rules. (Kennedy, Merr 4: Executive Departments and Administration)

HB 1398, relative to titles for motor vehicles of a certain age. (Hagan, Hills 17; Cady, Rock 1; Dumaine, Rock 3; Gibson, Hills 19; Slocum, Hills 6: Transportation)

HB 1399, relative to the compensation paid to directors or officers of a charitable trust. (Hagan, Hills 17; Cady, Rock 1: Commerce)

HB 1401, exempting certain all terrain vehicle (ATV) and trail bike trail criteria from the change in use designation of rail trails. (B. Richardson, Ches 5; Drisko, Hills 5; Spang, Straf 7: Resources, Recreation and Development)

HB 1402, defining “occupant” for purposes of liability for construction or maintenance of recreational trails. (Stohl, Coos 1; King, Coos 1; Chandler, Carr 1; Merrow, Carr 3; Bridle, Rock 15; Gallus, Dist 1; Flanders, Dist 7: Resources, Recreation and Development)

HB 1403, relative to explanations of proposed constitutional amendments appearing on the ballot. (Itse, Rock 9; Rowe, Hills 6; Hopfgarten, Rock 5: Election Law)

HB 1404, relative to breach of security of computerized personal information. (Stepanek, Hills 6; Lasky, Hills 26; Mooney, Hills 19: Commerce)

HB 1405, relative to the schedule for the adoption, revision, and amendment of municipal charters. (Brundige, Hills 19; Dowd, Rock 5; L. Brown, Straf 3; Gale, Sull 3: Municipal and County Government)

HB 1406-FN, adding to the penalty provisions of the controlled drug act and relative to fines for violations of the controlled drug act. (Hinkle, Hills 19; Mooney, Hills 19; Danforth, Merr 6; Albert, Straf 1: Criminal Justice and Public Safety)

HB 1407-FN-A, relative to funding exotic aquatic weeds eradication and control. (Drisko, Hills 5; R. Cooney, Rock 4; Brueggemann, Merr 12; Hinkle, Hills 19; Russell, Belk 6: Resources, Recreation and Development)

HB 1408-FN, allowing reserve and national guard members returning to New Hampshire after full-time active duty to take courses tuition free at any community-technical institute or college. (Baroody, Hills 13: Education)

HB 1409-FN, relative to organ and tissue donation. (MacKay, Merr 11; Rush, Merr 7; Batula, Hills 19; Pilliod, Belk 5; C. Chase, Hills 2; Fuller Clark, Dist 24; Kenney, Dist 3; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 1410-FN-L, relative to the cost to counties of convicted inmates awaiting sentencing in a

county correctional facility. (Dickinson, Carr 1; Patten, Carr 4; Babson, Carr 3; Phinizy, Sull 5; Stevens, Carr 4; Gallus, Dist 1; Boyce, Dist 4; Larsen, Dist 15; Green, Dist 6; Hassan, Dist 23: Criminal Justice and Public Safety)

HB 1411-FN, reducing certain fines for motor vehicle violations and repealing the surcharge on entry fees for small claims actions and the district court mediation fund. (Vaillancourt, Hills 15; Biundo, Hills 15; Mirski, Graf 10: Judiciary)

HB 1412-FN, establishing a remedy for failing to file a copy of the annual town report with the department of education. (Marple, Merr 9; L. Christiansen, Hills 27; Buhlman, Hills 27: Education)

HB 1413-FN, relative to daylight saving time. (Schmidt, Straf 4: Commerce)

HB 1414-FN, relative to the protection of personal information by mandatory notice of security breach. (Maxfield, Merr 6; Cataldo, Straf 3: Commerce)

HB 1415-FN-A, establishing the office of corrections ombudsman. (Gilbert, Rock 12; Tholl, Coos 2; Dowling, Rock 5; Weyler, Rock 8; Welch, Rock 8: Executive Departments and Administration)

HB 1416-FN-A, relative to the promotion, acquisition, and retention of a large animal veterinarian in the north country, and making an appropriation therefor. (Babson, Carr 3; Wells, Rock 8: Environment and Agriculture)

HB 1417-FN, establishing gold star number plates. (Bettencourt, Rock 4; Renzullo, Hills 27; Merrick, Coos 2: Transportation)

HB 1418-FN, relative to road toll refunds. (D. L. Christensen, Hills 19; Drisko, Hills 5; Hinkle, Hills 19; Brueggemann, Merr 12; B. Richardson, Ches 5; Johnson, Dist 2: Ways and Means)

HB 1419-FN, relative to mandatory mediation in divorce proceedings. (Nowe, Rock 9; Marshall Quandt, Rock 13; Buxton, Rock 10; Dokmo, Hills 6: Children and Family Law)

HB 1420-FN, prohibiting remote control and Internet hunting. (Nowe, Rock 9; R. L'Heureux, Hills 19; Bicknell, Rock 1; Reed, Merr 2; Gallus, Dist 1; Roberge, Dist 9: Fish and Game)

HB 1421-FN, relative to campaign contributions and expenditures. (Splaine, Rock 16; Weed, Ches 3; C. Chase, Hills 2; Clemons, Hills 24; Harvey, Hills 21: Election Law)

HB 1422-FN, relative to the death penalty. (Splaine, Rock 16; DiFruscia, Rock 4; Powers, Rock 16; Pilliod, Belk 5: Criminal Justice and Public Safety)

HB 1423-FN, relative to prorating the initial registration fee for off highway recreational vehicles. (King, Coos 1; Stohl, Coos 1; H. Richardson, Coos 2; Gallus, Dist 1: Fish and Game)

HB 1424, relative to persons permitted to attend child abuse and neglect hearings. (Gargas, Hills 5; Gile, Merr 10; Itse, Rock 9; Roberge, Dist 9; Gallus, Dist 1: Children and Family Law)

HB 1425, establishing a commission to study the efficacy of current laws in reducing exposure of children to lead hazards. (DeVries, Hills 15; Marshall Quandt, Rock 13; Langley, Rock 18; DeJoie, Merr 11; D'Allesandro, Dist 20; Hassan, Dist 23: Science, Technology and Energy)

HB 1426, granting a right-of-way over and a license to use certain parcels of state-owned land. (Bouchard, Merr 11; Brueggemann, Merr 12; MacKay, Merr 11; Reardon, Merr 11: Public Works and Highways)

HB 1427, relative to the principles for developmentally disabled services. (Butcher, Ches 3; J. Garrity, Rock 6; Hogancamp, Ches 4; Green, Dist 6; Hassan, Dist 23: Health, Human Services and Elderly Affairs)

HB 1428, relative to the duties of the advisory committee on the education of children/students with disabilities. (Hagan, Hills 17; Naro, Graf 7; Carson, Rock 3; Claire Clarke, Merr 6: Education)

HB 1429, relative to municipal exemptions for hazardous waste cleanup liability. (Whalley, Belk 5; Knox, Carr 4; Patten, Carr 4; Eaton, Dist 10; D'Allesandro, Dist 20; Letourneau, Dist 19: Environment and Agriculture)

HB 1430, allowing cities, towns, and counties to adopt an October 1 fiscal year. (D. L. Christensen, Hills 19; Brundige, Hills 19; Graham, Hills 18; Roberge, Dist 9: Municipal and County Government)

HB 1431, relative to air permit applications. (Kennedy, Merr 4: Science, Technology and Energy)

HB 1432, establishing a commission on special education funding. (Kennedy, Merr 4; Boyce, Belk 5: Education)

HB 1433, establishing a committee to study secured landfills. (Kennedy, Merr 4: Environment and Agriculture)

HB 1434, establishing a study committee to investigate municipal tax exemptions for nursing homes. (Soltani, Merr 8; Langlais, Merr 8; Clegg, Dist 14: Municipal and County Government)

HB 1435, relative to the emergency plan for service dogs and other animals. (Crane, Hills 21; Morrison, Belk 2; J. Tilton, Merr 6: Criminal Justice and Public Safety)

HB 1436-L, authorizing municipal and county biennial budgets for a 24-month period. (Biundo, Hills 15; Infantine, Hills 13; Reeves, Hills 8; Hebert, Hills 17: Municipal and County Government)

HB 1437, establishing a committee to study the effects of current state and federal laws on illegal drugs and the possession and use of such drugs. (Ingbretson, Graf 5: State-Federal Relations and Veterans Affairs)

HB 1438-FN, relative to mandatory recycling of solid waste. (Kennedy, Merr 4: Environment and Agriculture)

HB 1439, relative to petitioned zoning ordinance amendments. (D. Campbell, Hills 24: Municipal and County Government)

HB 1440, prohibiting the sale of certain pets. (J. Tilton, Merr 6; Butynski, Ches 4; Claire Clarke, Merr 6; Crane, Hills 21: Commerce)

HB 1441, relative to the procedure for amending a municipal charter. (Biundo, Hills 15; Infantine, Hills 13; Reeves, Hills 8; Hebert, Hills 17: Municipal and County Government)

HB 1442, relative to identifying legislative enactments as public policy. (Marple, Merr 9; L. Christiansen, Hills 27; Itse, Rock 9; Buhlman, Hills 27: Legislative Administration)

HB 1443, relative to priorities for development of all terrain (ATV) and trail bike trails. (Spang, Straf 7; Drisko, Hills 5; B. Richardson, Ches 5; Pratt, Ches 2; Dickinson, Carr 1; Barnes, Dist 17: Resources, Recreation and Development)

HB 1444, relative to definitions under the real estate transfer tax. (Major, Rock 8; D'Allesandro, Dist 20: Ways and Means)

HB 1445, relative to including "none of the above" on official ballot budgetary questions. (Dumaine, Rock 3; Hagan, Hills 17: Municipal and County Government)

HB 1446, establishing requirements for the development of a regional all terrain vehicle (ATV) park in the city of Berlin. (P. McMahon, Merr 3; Abbott, Rock 12; Cilley, Straf 3: Resources, Recreation and Development)

HB 1447, requiring a New Hampshire bank to credit a customer's account within 24 hours of notification that a check is good. (Dickinson, Carr 1; Marshall Quandt, Rock 13; Merrow, Carr 3; Kenney, Dist 3; Gallus, Dist 1: Commerce)

HB 1448, relative to the applicability of drivers' license revocations for drugs or alcohol involvement. (Knowles, Straf 6; Welch, Rock 8; Movsesian, Hills 22; Tholl, Coos 2; Estabrook, Dist 21; Letourneau, Dist 19; Green, Dist 6: Transportation)

HB 1449-FN-L, requiring a reduced property assessment when a building is damaged. (Lasky, Hills 26: Municipal and County Government)

HB 1451-FN-L, requiring a prorated assessment of new construction in the year completed. (Lasky, Hills 26: Municipal and County Government)

HB 1452-FN, requiring insurance coverage for the cost of testing for bone marrow donation. (N. Johnson, Straf 3; Rosenwald, Hills 22; Langley, Rock 18; Marshall Quandt, Rock 13; Foster, Dist 13; Gottesman, Dist 12: Commerce)

HB 1453-FN, relative to fireworks. (L. Christiansen, Hills 27: Criminal Justice and Public Safety)

HB 1454-FN, relative to delivery sales of cigarettes. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Nowe, Rock 9; Johnson, Dist 2: Commerce)

HB 1455-FN-A, relative to the recovery, reuse, and recycling of used electronic devices. (Butcher, Ches 3; Babson, Carr 3; O'Connell, Hills 6: Environment and Agriculture)

HB 1456-FN, relative to licensure of septic system inspectors. (R. Cooney, Rock 4; Chaplin, Straf 3: Executive Departments and Administration)

HB 1457-FN-A-L, establishing an electricity transmission utility property tax. (Kurk, Hills 7; Weyler, Rock 8; Spang, Straf 7; Norelli, Rock 16; Odell, Dist 8; Larsen, Dist 15: Ways and Means)

HB 1458-FN, relative to the regulation of landscape architects. (Bergin, Hills 6; Dokmo, Hills 6; F. Sullivan, Hills 12; Harding, Graf 11; Martel, Dist 18; Roberge, Dist 9; Fuller Clark, Dist 24; Kenney, Dist 3; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 1459-FN-A, relative to the department of regional community-technical colleges and making an appropriation therefor. (Weyler, Rock 8; Hager, Merr 12; M. Smith, Straf 7; Ryan, Merr 2; Johnson, Dist 2; Larsen, Dist 15; Green, Dist 6; D'Allesandro, Dist 20: Finance)

HB 1460-FN-A, establishing a deduction against the business profits tax. (Jasper, Hills 27: Ways and Means)

HB 1461, establishing a task force to study Temporary Assistance to Needy Families (TANF) benefits. (Wallner, Merr 12; MacKay, Merr 11; Emerton, Hills 7; Schulze, Hills 26; Barnes, Dist 17; Estabrook, Dist 21: Health, Human Services and Elderly Affairs)

HB 1462-FN-L, placing a temporary moratorium on the issue of certain water permits. (Cilley, Straf 3; Keans, Straf 1; Cataldo, Straf 3; Spang, Straf 7; Hassan, Dist 23; Estabrook, Dist 21: Resources, Recreation and Development)

HB 1463-FN, relative to boating and water safety. (D.L. Christensen, Hills 19; Russell, Belk 6; Currier, Merr 5; Johnson, Dist 2; Gallus, Dist 1: Resources, Recreation and Development)

HB 1464-FN-A-L, relative to mosquito control, establishing a mosquito control fund and making an appropriation therefor. (MacKay, Merr 11; Gorman, Hills 23; Pilliod, Belk 5; Batula, Hills 19; Emerton, Hills 7; Dalrymple, Rock 4; Morse, Dist 22; Martel, Dist 18; Hassan, Dist 23: Health, Human Services and Elderly Affairs)

HB 1465-FN, relative to food stamp overpayments. (Donovan, Sull 4; Rosenwald, Hills 22: Health, Human Services and Elderly Affairs)

HB 1466-FN, relative to registration of slow-moving vehicles. (Babson, Carr 3: Transportation)

HB 1467-FN, requiring the registration of drug offenders. (Hinkle, Hills 19; Cataldo, Straf 3; Kennedy, Merr 4; Mooney, Hills 19: Criminal Justice and Public Safety)

HB 1468-FN-L, relative to Reservoir Road in the town of Deering. (Adams, Hills 2: Public Works and Highways)

HB 1469-FN, requiring hospitals to make the price of certain common procedures available to the public. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8; Fuller Clark, Dist 24: Commerce)

HB 1470, relative to overweight vehicle permit fees. (Graham, Hills 18; Cloutier, Sull 4; Dyer, Hills 26; Waterhouse, Rock 4; Benn, Graf 9: Transportation)

HB 1471-FN, repealing the statutes relative to regional highway conferences. (Rausch, Rock 5; Cloutier, Sull 4; Buco, Carr 1; F. Tilton, Belk 4; Gionet, Graf 3; Morse, Dist 22; Hassan, Dist 23; Johnson, Dist 2: Public Works and Highways)

HB 1472-FN-A, establishing a home energy assistance program in the department of health and human services and making an appropriation therefor. (Kurk, Hills 7; Hager, Merr 12; Batula, Hills 19; Wendelboe, Belk 1; Martel, Dist 18: Health, Human Services and Elderly

Affairs)

HB 1473-FN-A, temporarily reducing the road toll. (Hagan, Hills 17; Souza, Hills 11: Ways and Means)

HB 1474-FN, relative to unemployment compensation contribution rates and benefits. (Bridle, Rock 15; Infantine, Hills 13; Bishop, Rock 2; Mirski, Graf 10; Kenney, Dist 3; Fuller Clark, Dist 24; Larsen, Dist 15: Labor, Industrial and Rehabilitative Services)

HB 1476, relative to electronic tracking and monitoring of sexual offenders. (Pantelakos, Rock 16; Villeneuve, Hills 18: Criminal Justice and Public Safety)

HB 1477, implementing the federal Law Enforcement Officers Safety Act of 2004. (Pepino, Hills 11: State-Federal Relations and Veterans Affairs)

HB 1478, relative to penalties for employers who give false or incomplete required information about employees to the department of employment security and establishing an amnesty period for certain unpaid contributions. (Infantine, Hills 13; Bishop, Rock 2; Bridle, Rock 15: Labor, Industrial and Rehabilitative Services)

HB 1479, relative to debris and solid waste removal at manufactured housing parks. (Phinizy, Sull 5; Ferland, Sull 5; Odell, Dist 8; Fuller Clark, Dist 24: Environment and Agriculture)

HB 1480, amending the provisions relative to registration of criminal offenders. (Knowles, Straf 6; Gilbert, Rock 12; Tholl, Coos 2; Movsesian, Hills 22; Naro, Graf 7: Criminal Justice and Public Safety)

HB 1481, establishing a moratorium period for lobbying by certain state officers. (P. Sullivan, Hills 10; Splaine, Rock 16: Election Law)

HB 1482, relative to false information provided in connection with registering a motor vehicle belonging to a foreign national. (Renzullo, Hills 27; Buhlman, Hills 27; Ulery, Hills 27; Villeneuve, Hills 18: Criminal Justice and Public Safety)

HB 1483, authorizing vehicle licensing, title, and registration recovery fees by motor vehicle rental companies. (Packard, Rock 3: Commerce)

HB 1484, relative to including motorcycle safety in driver education courses. (Packard, Rock 3; Letourneau, Dist 19: Transportation)

HB 1485, establishing a commission to study the feasibility of forming self-insurance groups for medical malpractice. (Mitchell, Ches 7; Morrison, Belk 2; W. Chase, Ches 1; Miller, Straf 7: Commerce)

HB 1486, relative to the definition of "moped." (Thomas, Belk 5: Transportation)

HB 1487, relative to marriage licenses. (Scanlon, Hills 18; Graham, Hills 18; Hawkins, Hills 18: Municipal and County Government)

HB 1488, establishing a committee to study regulation of employers' self-insured group health plans. (Jennifer Brown, Straf 5; Marshall Quandt, Rock 13: Commerce)

HB 1489, relative to school emergency response plans. (Hammond, Graf 11: Education)

HB 1490, relative to procedures on ethics violations by legislators. (Owen, Merr 4: Election Law)

HB 1491, establishing a committee to study the publicly owned treatment plant needs of New Hampshire. (Owen, Merr 4: Resources, Recreation and Development)

HB 1492, granting immunity from liability to pharmacists who refuse to dispense an emergency contraceptive pill. (Hunter, Hills 7; Hagan, Hills 17; McRae, Hills 7; Souza, Hills 11; Pepino, Hills 11; Roberge, Dist 9: Judiciary)

HB 1493, declaring that groundwater is part of the public trust. (Spang, Straf 7; Cilley, Straf 3; Phinizy, Sull 5; Powers, Rock 16; Green, Dist 6; Burling, Dist 5; Johnson, Dist 2; Larsen, Dist 15; Fuller Clark, Dist 24: Resources, Recreation and Development)

HB 1494, relative to public use of groundwater. (Tupper, Merr 6; Dickinson, Carr 1; Powers, Rock 16; N. Johnson, Straf 3; Abbott, Rock 12; Johnson, Dist 2: Resources, Recreation and Development)

HB 1495, relative to setback requirements for landfills located near rivers. (Tupper, Merr 6; Dickinson, Carr 1; Babson, Carr 3; Powers, Rock 16; Hassan, Dist 23; Johnson, Dist 2:

Resources, Recreation and Development)

HB 1496, establishing a right to work act which provides for freedom of choice on whether to join a labor union. (J. Wheeler, Hills 6; Souza, Hills 11; Field, Merr 7; Kenney, Dist 3; Bragdon, Dist 11; Barnes, Dist 17: Labor, Industrial and Rehabilitative Services)

HB 1497-L, assessing a fine against a school superintendent for late filings of school enrollment information. (W. P. Campbell, Straf 3: Education)

HB 1498, establishing a risk management unit within the department of administrative services. (Coburn, Rock 4: Executive Departments and Administration)

HB 1499, relative to the oversight committee on health and human services. (Coburn, Rock 4; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 1501, making various changes to the lottery commission. (Rep. Weyler, Rock 8; Rep. Hinkle, Hills 19; Rep. Jasper, Hills 27; Rep. Wells, Rock 8: Executive Departments and Administration)

HB 1502, relative to the use of surplus funds from the education trust fund. (Weyler, Rock 8; W. P. Campbell, Straf 3; Carson, Rock 3; Balboni, Hills 21; Boyce, Belk 5: Education)

HB 1503, relative to financial programs administered by the postsecondary education commission. (King, Coos 1; Morse, Dist 22: Executive Departments and Administration)

HB 1504-L, establishing a committee to study reimbursing towns for emergency services on interstate highways. (P. McMahon, Merr 3: Finance)

HB 1505, relative to private actions under the consumer protection act. (Hunt, Ches 7: Judiciary)

HB 1506, requiring children under 12 to wear personal flotation devices. (D. Campbell, Hills 24; Rodeschin, Sull 2; Dickinson, Carr 1: Resources, Recreation and Development)

HB 1507, requiring the department of environmental services to report on and make recommendations on global warming issues in New Hampshire. (Ryan, Merr 2; Harvey, Hills 21; Burling, Dist 5: Science, Technology and Energy)

HB 1508, relative to acceptance of applications by planning boards. (Patten, Carr 4: Municipal and County Government)

HB 1509, relative to campaign expenditures for the office of governor. (Coburn, Rock 4: Election Law)

HB 1510, relative to leave of absences to serve as a legislator. (Cali-Pitts, Rock 16: Labor, Industrial and Rehabilitative Services)

HB 1511, relative to business replacement costs resulting from government program displacement. (Wendelboe, Belk 1: Judiciary)

HB 1512, relative to civil liability for volunteers. (Rodeschin, Sull 2; Wendelboe, Belk 1; Wallner, Merr 12; Ingram, Rock 4; Theberge, Coos 4; Odell, Dist 8; Flanders, Dist 7; Gallus, Dist 1: Judiciary)

HB 1513, requiring legislative approval for changes to the purpose of a special corporation. (Hagan, Hills 17; Cady, Rock 1: Commerce)

HB 1514-FN-A, relative to the business enterprise tax credit allowed against the business profits tax. (Lasky, Hills 26; C. Hamm, Merr 4: Ways and Means)

HB 1515-FN-A, increasing the tobacco tax and dedicating certain tobacco tax revenues to the tobacco use prevention fund. (Almy, Graf 11; Pilliod, Belk 5; Naro, Graf 7: Ways and Means)

HB 1516, relative to the modification and enforcement of child support orders. (Slocum, Hills 6; Bickford, Straf 3: Children and Family Law)

HB 1517-FN, relative to membership on the board of medicine and the medical review subcommittee. (Bergin, Hills 6; C. Robertson, Rock 13; Dokmo, Hills 6; Clegg, Dist 14: Executive Departments and Administration)

HB 1518, relative to the joint board of a school administrative unit. (Bergin, Hills 6; Dokmo, Hills 6: Education)

HB 1519, relative to all-terrain vehicle and trail bike trails. (B. Richardson, Ches 5; Drisko, Hills 5; Spang, Straf 7; Rush, Merr 7: Resources, Recreation and Development)

HB 1520, requiring certain information in the financial reports of counties. (Dokmo, Hills 6: Municipal and County Government)

HB 1521, requiring the appointment of alternate members to the juvenile parole board. (Itse, Rock 9: Executive Departments and Administration)

HB 1522, relative to extended authority for law enforcement assistance. (Itse, Rock 9: Criminal Justice and Public Safety)

HB 1523, relative to certain rulemaking authority of the commissioner of environmental services. (Patten, Carr 4: Resources, Recreation and Development)

HB 1524, relative to regulation of dog training by the fish and game department. (Reed, Merr 2: Fish and Game)

HB 1525, relative to the safety of school bus stops. (C. Hamm, Merr 4; Owen, Merr 4; Walz, Merr 13; French, Merr 5; Scanlon, Hills 18; Flanders, Dist 7: Education)

HB 1526, relative to the composition of the medical review subcommittee of the medical review board. (Baroody, Hills 13; French, Merr 5: Executive Departments and Administration)

HB 1527, allowing municipalities to establish local community services and care planning boards. (Hager, Merr 12; Essex, Hills 1; Wallner, Merr 12; French, Merr 5; Butynski, Ches 4: Municipal and County Government)

HB 1528, establishing a committee to study the adequacy of consumer protection laws in New Hampshire. (Hager, Merr 12: Commerce)

HB 1529, establishing a committee to study the implementation and use of growth management ordinances. (Patten, Carr 4: Municipal and County Government)

HB 1530, naming the road to the supreme court and the administrative office of the courts Charles Doe Drive and naming the campus of the supreme court and the administrative office of the courts Charles Doe Place. (Chandler, Carr 1; Clegg, Dist 14: Public Works and Highways)

HB 1531, establishing a commission to study implementing the Regional Greenhouse Gas Initiative (RGGI) program. (Ross, Hills 3: Science, Technology and Energy)

HB 1532, revising the special education statutes. (S. L'Heureux, Merr 9; Snyder, Straf 2: Education)

HB 1533, relative to services provided by manufacturers and distributors of beer to beer retailers. (Hinkle, Hills 19: Commerce)

HB 1534, relative to maintaining construction and demolition debris as a solid waste. (Hamm, Merr 4; Butynski, Ches 4; Fuller Clark, Dist 24; Larsen, Dist 15: Environment and Agriculture)

HB 1535, relative to best available control technology rules. (C. Hamm, Merr 4; Butynski, Ches 4; Fuller Clark, Dist 24: Science, Technology and Energy)

HB 1536, relative to bonds required from persons excavating or disturbing certain highways. (Stohl, Coos 1; Johnson, Dist 2: Public Works and Highways)

HB 1537, relative to the procedure for resolving disputes regarding construction defects between homeowners and contractors. (Wall, Straf 7; Shurtleff, Merr 10: Commerce)

HB 1538, relative to penalties for toll evasion. (O'Neil, Rock 15: Criminal Justice and Public Safety)

HB 1539, establishing a committee to study the shortage in speech language services and the criteria for certification as a speech language specialist. (Naro, Graf 7; Claire Clarke, Merr 6; Rush, Merr 7; Hagan, Hills 17; W. P. Campbell, Straf 3; Hassan, Dist 23: Education)

HB 1540, establishing a committee to study the implementation of the regional electronic toll collection system. (Boyce, Belk 5: Public Works and Highways)

HB 1541, requiring applicants for large groundwater withdrawal permits to comply with local ordinances. (Cilley, Straf 3; Keans, Straf 1; Cataldo, Straf 3; Spang, Straf 7; Estabrook, Dist 21; Hassan, Dist 23: Resources, Recreation and Development)

HB 1542, relative to responsible drug advertising. (DeJoie, Merr 11; Harvey, Hills 21; Marshall Quandt, Rock 13; Harding, Graf 11: Commerce)

HB 1543, relative to protections for temporary workers. (DeJoie, Merr 11: Labor, Industrial and Rehabilitative Services)

HB 1544, establishing a committee to study the propriety of a university of New Hampshire employee working in and being paid by the governor's office. (Boyce, Belk 5; Mirski, Graf 10: Election Law)

HB 1545, requiring mediation as part of participation in a juvenile diversion program. (Morrison, Belk 2: Children and Family Law)

HB 1546, establishing a committee to study the application of the patients' bill of rights to all licensed health practitioners and their facilities. (Hunt, Ches 7; Hagan, Hills 17: Health, Human Services and Elderly Affairs)

HB 1547, clarifying what constitutes physical presence for purposes of establishing domicile under the election laws. (O'Brien, Hills 4; O'Neil, Rock 15; Price, Hills 26; Mirski, Graf 10; Roberge, Dist 9; Clegg, Dist 14: Election Law)

HB 1548, relative to termination of tenancy. (O'Brien, Hills 4; O'Neil, Rock 15; Mirski, Graf 10; Whalley, Belk 5; Wendelboe, Belk 1; Roberge, Dist 9; Eaton, Dist 10: Judiciary)

HB 1549, excluding certain acts based on bona fide economic and public safety considerations from the prohibition against age discrimination in public accommodations. (O'Brien, Hills 4; O'Neil, Rock 15; Mirski, Graf 10; Roberge, Dist 9: Commerce)

HB 1551, establishing a committee to study incentives for reducing consumer solid waste for disposal in landfills and incinerators. (Tupper, Merr 6; Cloutier, Sull 4; Bouchard, Merr 11; E. Blanchard, Merr 10; Powers, Rock 16; Hassan, Dist 23: Environment and Agriculture)

HB 1552, relative to the authority of land surveyors to enter onto land to make surveys. (O'Neil, Rock 15; Johnson, Dist 2: Judiciary)

HB 1553, relative to electioneering. (Kennedy, Merr 4: Election Law)

HB 1554, relative to the amount paid for property in eminent domain. (Kennedy, Merr 4: Judiciary)

HB 1555, establishing a commission to investigate cost drivers in providing health care. (MacKay, Merr 11; S. Francoeur, Rock 15; Pilliod, Belk 5; Rosenwald, Hills 22; Hogancamp, Ches 4; Estabrook, Dist 21; Kenney, Dist 3; Fuller Clark, Dist 24; Martel, Dist 18; D'Allesandro, Dist 20: Commerce)

HB 1556, relative to the disclosure of certain financial documents filed with the probate court. (MacKay, Merr 11; Harding, Graf 11: Judiciary)

HB 1557, establishing guidelines for leaving children home alone and establishing babysitter age guidelines. (L. Christiansen, Hills 27; Marple, Merr 9: Children and Family Law)

HB 1558, relative to regulation of smoking by cities and towns. (Pilliod, Belk 5; Stohl, Coos 1; Emerson, Ches 7: Municipal and County Government)

HB 1559, relative to training requirements for barbers, cosmetologists, manicurists, and estheticians. (Hopfgarten, Rock 5: Executive Departments and Administration)

HB 1560, shortening the enforcement period for a restraining order against one's spouse. (Cady, Rock 1; Bicknell, Rock 1: Judiciary)

HB 1561, relative to equal treatment for fathers in the determination of parental rights and responsibilities. (Cady, Rock 1; Itse, Rock 9; Dumaine, Rock 3: Children and Family Law)

HB 1562, relative to fertility insurance coverage for out-of-state coverage holders who are living in New Hampshire. (Crane, Hills 21; J. Tilton, Merr 6: Commerce)

HB 1563, establishing a committee to study the effects of immigration on the social services system. (Rosen, Belk 4; Renzullo, Hills 27; Villeneuve, Hills 18; Ober, Hills 27; Fitzgerald, Belk 4; Johnson, Dist 2: Health, Human Services and Elderly Affairs)

HB 1564, prohibiting mandatory tip charges for small parties. (Rosen, Belk 4: Labor, Industrial and Rehabilitative Services)

HB 1565, relative to evictions in cases involving incidents of domestic violence. (Morrison, Belk 2; J. Tilton, Merr 6; Julie Brown, Straf 1: Judiciary)

HB 1566, relative to the definitions of resident for motor vehicle law purposes and domicile for voting purposes. (O'Neil, Rock 15: Election Law)

HB 1567, relative to removing names from the checklist. (O'Neil, Rock 15: Election Law)

HB 1568, establishing a committee to study the siting and construction of industrial wind energy facilities. (Ward, Graf 1; Phinizy, Sull 5; Remick, Coos 2; Powers, Rock 16: Science, Technology and Energy)

HB 1569, relative to trust protectors, trust advisors, and directed trusts. (Moran, Hills 18; Dowling, Rock 5: Judiciary)

HB 1570, relative to health insurance coverage for part-time college students. (Moran, Hills 18; Dowling, Rock 5; M. Smith, Straf 7; Gile, Merr 10; Estabrook, Dist 21: Commerce)

HB 1571, relative to reports of legislative standing committees on environmental legislation and relative to the adoption of rules concerning environmental regulation. (Moran, Hills 18; Itse, Rock 9; Dowling, Rock 5: Environment and Agriculture)

HB 1572, establishing a commission to study the mission and organization of the fish and game department. (Craig, Hills 9; Dickinson, Carr 1; Abbott, Rock 12: Executive Departments and Administration)

HB 1573, establishing a committee to study the scheduling and conduct of state construction projects. (Ingbertson, Graf 5: Public Works and Highways)

HB 1574, relative to membership on the public employees deferred compensation commission. (Kennedy, Merr 4; Putnam, Rock 8; Mirski, Graf 10: Executive Departments and Administration)

HB 1576, implementing a voluntary Meth Watch program in New Hampshire. (J. Tilton, Merr 6; Wall, Straf 7; Batula, Hills 19; Tupper, Merr 6; Shurtleff, Merr 10: Health, Human Services and Elderly Affairs)

HB 1577, relative to the eligibility of persons with nontraditional domicile to vote. (J. Tilton, Merr 6; C. Chase, Hills 2; Clemons, Hills 24: Election Law)

HB 1578, to provide enhanced awareness of and education on methamphetamine to the citizens of New Hampshire. (J. Tilton, Merr 6; Wall, Straf 7; Butynski, Ches 4; Tupper, Merr 6; Morrison, Belk 2; Larsen, Dist 15: Health, Human Services and Elderly Affairs)

HB 1579, relative to membership of the air resources council. (Ross, Hills 3: Science, Technology and Energy)

HB 1580, relative to the child support formula. (Bickford, Straf 3: Children and Family Law)

HB 1581, relative to drivers' licenses issued to persons under the age of 21. (Butynski, Ches 4; Gilbert, Rock 12; Owen, Merr 4; J. Tilton, Merr 6; G. Katsakiores, Rock 5: Transportation)

HB 1582, prohibiting New Hampshire from participating in a national identification card system. (Marple, Merr 9; Souza, Hills 11; Phinizy, Sull 5; L. Christiansen, Hills 27; Kurk, Hills 7: Transportation)

HB 1583, relative to grounds for modification of parental rights and responsibilities. (Bickford, Straf 3: Children and Family Law)

HB 1584, relative to cemetery setbacks and septic systems. (Bickford, Straf 3: Municipal and County Government)

HB 1585, relative to enforcement of orders regarding parenting plans. (Bickford, Straf 3: Children and Family Law)

HB 1586, prohibiting enforcement of support orders for college or other postsecondary education expenses. (Bickford, Straf 3: Children and Family Law)

HB 1587, establishing a committee to study the use of electronic traffic monitoring systems. (Morris, Rock 14: Transportation)

HB 1588, relative to unemployment compensation requirements for governmental and non-profit employers. (Bishop, Rock 2; Infantine, Hills 13; Barnes, Dist 17: Labor, Industrial and Rehabilitative Services)

HB 1589, establishing a committee to study the feasibility of using certain state-owned buildings as transition housing for 17-year-olds and 18-year-olds who are ready to leave foster care or the youth development center. (E. Blanchard, Merr 10; Gile, Merr 10; MacKay, Merr 11; Flockhart, Rock 13; Larsen, Dist 15: Public Works and Highways)

HB 1590-FN, relative to the pari-mutuel commission. (F. Sullivan, Hills 12; Pilotte, Hills 16; Velez, Hills 12; Martel, Dist 18; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 1591-FN-A, requiring tobacco tax revenue attributable to tobacco sales to minors and tobacco consumption by minors to be deposited in the tobacco use prevention fund for youth tobacco use prevention programs and purposes. (Knowles, Straf 6; Naro, Graf 7; Wall, Straf 7; Goodwin, Straf 6; Tholl, Coos 2; Estabrook, Dist 21: Finance)

HB 1592-FN, making certain changes in the insurance laws. (S. Francoeur, Rock 15; Langley, Rock 18; Flanders, Dist 7; Hassan, Dist 23; Martel, Dist 18: Commerce)

HB 1593-FN-L, relative to the construction of high school athletic fields in the town of Bedford. (Scanlon, Hills 18; Graham, Hills 18; Hawkins, Hills 18: Education)

HB 1594-FN, relative to eligibility of an owner of a dog or cat to participate in the animal population control program. (Wells, Rock 8; Phinizy, Sull 5; Asselin, Rock 7: Environment and Agriculture)

HB 1595-FN, relative to voluntary certification of electronic systems technicians. (Rep. Nowe, Rock 9: Executive Departments and Administration)

HB 1596-FN, relative to eminent domain compensation. (Kurk, Hills 7: Judiciary)

HB 1597-FN-L, relative to municipal obligations for indigent medical expenses. (Kurk, Hills 7; Patten, Carr 4; Wendelboe, Belk 1; N. Johnson, Straf 3; Martel, Dist 18: Municipal and County Government)

HB 1598-FN, relative to publication of the New Hampshire Revised Statutes Annotated. (Weyler, Rock 8; Mirski, Graf 10; Marshall Quandt, Rock 13; Marple, Merr 9; Soltani, Merr 8: Judiciary)

HB 1599-FN-A-L, reducing the rate of the business profits tax and repealing the business enterprise tax. (Hagan, Hills 17: Ways and Means)

HB 1601-FN-L, relative to the funding of catastrophic special education aid. (Itse, Rock 9: Education)

HB 1602-FN, eliminating the reduction of a New Hampshire retirement system annuity at age 65. (Morrison, Belk 2; J. Tilton, Merr 6; Mitchell, Ches 7: Executive Departments and Administration)

HB 1603-FN, relative to administration and enforcement by the division of forests and lands over forest resources and timber harvesting. (Patten, Carr 4; Solomon, Graf 10: Resources, Recreation and Development)

HB 1604-FN-A-L, establishing business tax credits for employer-sponsored shared commuting costs. (Norelli, Rock 16; Fuller Clark, Dist 24; Larsen, Dist 15; Green, Dist 6; D'Allesandro, Dist 20: Ways and Means)

HB 1605-FN, relative to transfers from the prepaid fish and game license fund. (D. Smith, Hills 22; Morneau, Coos 4; Klose, Merr 8; Nowe, Rock 9; Almy, Graf 11: Fish and Game)

HB 1606-FN, relative to coupons and rebates used to purchase alcohol. (Hinkle, Hills 19: Commerce)

HB 1607-FN, relative to reckless endangerment of roadway workers. (Bouchard, Merr 11; Benn, Graf 9; F. Tilton, Belk 4; Welch, Rock 8; Tholl, Coos 2; D'Allesandro, Dist 20; Morse, Dist 22; Johnson, Dist 2; Flanders, Dist 7: Criminal Justice and Public Safety)

HB 1608-FN-A, making an appropriation to reimburse certain health and human services providers for the increased cost of utilities, heating, and mileage. (Wallner, Merr 12; Nordgren, Graf 9; Green, Dist 6; Larsen, Dist 15: Finance)

HB 1609-FN, requiring an impact study before a large groundwater withdrawal permit may be issued. (Cilley, Straf 3; Wall, Straf 7; Phinizy, Sull 5; Cataldo, Straf 3; Spang, Straf 7; Estabrook, Dist 21; Hassan, Dist 23; Johnson, Dist 2: Resources, Recreation and Development)

HB 1610-FN, relative to a determination of incompetence under the CHINS statute. (Wendelboe, Belk 1: Children and Family Law)

HB 1611-FN, relative to reimbursement for personal care services. (Villeneuve, Hills 18;

Roberge, Dist 9: Health, Human Services and Elderly Affairs)

HB 1612-FN, relative to the use of lottery revenue as purses for horse and dog racing. (Vaillancourt, Hills 15; Gibson, Hills 19; Barry, Hills 16; Roberge, Dist 9; Barnes, Dist 17: Ways and Means)

HB 1613-FN-L, relative to polling place arrangement and accessibility. (Kennedy, Merr 4: Election Law)

HB 1614-FN-L, relative to bonding requirements for certain roads. (W. P. Campbell, Straf 3: Municipal and County Government)

HB 1615-FN-A, establishing a fund for improvement of the state veterans cemetery. (F. Tilton, Belk 4; D. Smith, Hills 22; Headd, Rock 3: Public Works and Highways)

HB 1616-FN, establishing a performance measurement system for state agencies. (Moran, Hills 18; Kurk, Hills 7; Itse, Rock 9; McRae, Hills 7; M. Smith, Straf 7: Finance)

HB 1617-FN-L, relative to the Franklin school district. (Hellwig, Hills 27: Finance)

HB 1618-FN-A, relative to net operating loss deductions under the business profits tax. (Major, Rock 8; D'Allesandro, Dist 20: Ways and Means)

HB 1619-FN, relative to a certain toll plaza in Merrimack. (Graham, Hills 18; Batula, Hills 19; Gibson, Hills 19; Mooney, Hills 19; D. L. Christensen, Hills 19; Roberge, Dist 9: Public Works and Highways)

HB 1620-FN, relative to hunting restrictions of certain convicted felons. (Bicknell, Rock 1; Kennedy, Merr 4; R. L'Heureux, Hills 19: Criminal Justice and Public Safety)

HB 1621-FN, prohibiting overpricing of fuel. (Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Weyler, Rock 8; Packard, Rock 3; Plifka, Ches 4; Fuller Clark, Dist 24: Commerce)

HB 1622-FN, relative to the state recycling program. (Morrison, Belk 2; Rous, Straf 7; Spang, Straf 7; Hamm, Merr 4: Environment and Agriculture)

HB 1623-FN, relative to harm or threats to public officials. (Shurtleff, Merr 10: Criminal Justice and Public Safety)

HB 1624-FN, relative to boat noise. (Whalley, Belk 5; Currier, Merr 5; Johnson, Dist 2; Gottesman, Dist 12; Boyce, Dist 4: Transportation)

HB 1625, establishing penalties for court-appointed advocates who fail to file reports which are required by the court. (Cady, Rock 1; Itse, Rock 9; Bettencourt, Rock 4; Bickford, Straf 3: Criminal Justice and Public Safety)

HB 1626-FN-A, making an appropriation to the office of energy and planning for the fuel assistance program. (DeJoie, Merr 11; Craig, Hills 9; Foster, Hills 4; Rowe, Hills 6; Clegg, Dist 14; Larsen, Dist 15; Fuller Clark, Dist 24: Finance)

HB 1627, relative to the assessment of open space land. (Patten, Carr 4; Chandler, Carr 1: Municipal and County Government)

HB 1628, relative to expenses of operating bingo games. (Weare, Rock 14; Palazzo, Rock 14: Ways and Means)

HB 1629-FN-L, relative to property revaluation schedules in towns and cities and review by the department of revenue administration. (Gale, Sull 3: Municipal and County Government)

HB 1630-L, relative to land use change taxes imposed for certain road construction on rights-of-way. (Babson, Carr 3; Dickinson, Carr 1: Environment and Agriculture)

HB 1631-FN-L, relative to property taxation of certain property of the Appalachian Mountain Club. (King, Coos 1; Tholl, Coos 2; Chandler, Carr 1; Lary, Coos 3; Gallus, Dist 1: Municipal and County Government)

HB 1632, relative to qualifications for the elderly property tax exemption. (Shattuck, Hills 1; Jillette, Sull 2: Municipal and County Government)

HB 1633-FN, relative to membership, eligibility, and financing of the New Hampshire retirement system. (Zolla, Rock 5; Flanders, Dist 7: Executive Departments and Administration)

HB 1634-FN, making technical changes to the law governing the New Hampshire retirement system. (Zolla, Rock 5: Executive Departments and Administration)

HB 1635-FN-L, relative to direct recall elections. (Mulholland, Graf 10: Election Law)

HB 1636-FN, relative to appeals from class A misdemeanor sentences imposed by the district courts. (Dokmo, Hills 6; Foster, Dist 13: Judiciary)

HB 1637-FN-L, reducing the rate of the timber tax. (Hagan, Hills 17; Newton, Straf 1; Marshall Quandt, Rock 13: Municipal and County Government)

HB 1638-FN-A, reducing the rate of the communications services tax. (Hagan, Hills 17; Newton, Straf 1; Marshall Quandt, Rock 13; Souza, Hills 11; Mirski, Graf 10; Martel, Dist 18: Ways and Means)

HB 1639-FN, prohibiting the confiscation of lawfully owned and lawfully carried firearms during a state of emergency. (Hopfgarten, Rock 5; Bicknell, Rock 1; Lund, Rock 5; Hellwig, Hills 27; Mirski, Graf 10; Maybeck, Graft 8; Boyce, Belk 5; Gonzales, Hills 17; Biundo, Hills 15: Criminal Justice and Public Safety)

HB 1640-FN-L, requiring school boards to disclose financial costs of contracts to the voters. (Cady, Rock 1; Souza, Hills 11; Itse, Rock 9; Newton, Straf 1; Bicknell, Rock 1; Barnes, Dist 17: Education)

HB 1641-FN, establishing a common law court. (Marple, Merr 9; L. Christiansen, Hills 27; Itse, Rock 9; Buhlman, Hills 27: Judiciary)

HB 1642-FN, relative to criminal penalties and forfeiture for activities in support of illegal immigration. (Ulery, Hills 27; Renzullo, Hills 27; Buhlman, Hills 27; Mirski, Graf 10: Criminal Justice and Public Safety)

HB 1643-FN, relative to enhanced penalties for committing an assault in the presence of a minor. (Mooney, Hills 19; Lasky, Hills 26; Rowe, Hills 6; Mead, Hills 4; Roberge, Dist 9: Criminal Justice and Public Safety)

HB 1644-FN, relative to funding the fuel assistance program in the office of energy and planning and requiring a one-time reduction in the rate of the statewide enhanced education tax and making appropriations therefor. (Rowe, Hills 6; Carew, Hills 1; Field, Merr 7; Putnam, Rock 8: Finance)

HB 1645-FN, relative to fireworks permit fees and the position of permissible fireworks inspector. (Hunt, Ches 7: Criminal Justice and Public Safety)

HB 1646-FN, relative to the use of a leashed tracking dog in the recovery of a wounded deer, moose, or bear. (Mirski, Graf 10; Phinizy, Sull 5; Dickinson, Carr 1; Chandler, Carr 1; Gallus, Dist 1: Fish and Game)

HB 1647-FN, relative to lowering the legal drinking age for members of the armed forces. (Splaine, Rock 16; Powers, Rock 16: Judiciary)

HB 1648-FN, relative to legal residency and financial liability for children in certain residential placements. (Foote, Ches 6; Hogancamp, Ches 4; Emerson, Ches 7; Grassie, Straf 1: Children and Family Law)

HB 1649-FN, including “unborn child” in the definition of “another” for the purpose of first and second degree murder, manslaughter, and negligent homicide. (Souza, Hills 11; Hagan, Hills 17; Bettencourt, Rock 4; Itse, Rock 9; Cady, Rock 1; Barnes, Dist 17; Martel, Dist 18: Criminal Justice and Public Safety)

HB 1651-FN-A-L, repealing the statewide enhanced education tax. (Craig, Hills 9; DeJoie, Merr 11; Clemons, Hills 24; D’Allesandro, Dist 20; Fuller Clark, Dist 24: Ways and Means)

5HB 1652-FN, relative to certain insurance claims. (S. Francoeur, Rock 15; Marshall Quandt, Rock 13; Egbers, Hills 10; Hassan, Dist 23; Clegg, Dist 14: Commerce)

HB 1653-FN, requiring handrails on stairways in public buildings. (Ginsburg, Hills 20: Public Works and Highways)

HB 1654-FN, relative to the probate court mediation fund and fee. (Dokmo, Hills 6; Foster, Dist 13: Judiciary)

HB 1655-FN-A, making rail system development a complement to the Interstate Route 93 highway expansion project. (G. Katsakiores, Rock 5; P. Cote, Hills 25; Nowe, Rock 9; John Flanders, Rock 8: Public Works and Highways)

HB 1656-FN-A, establishing an electronic toll collection transponder inventory fund.

(Graham, Hills 18; Cloutier, Sull 4; F. Tilton, Belk 4; Waterhouse, Rock 4; Gionet, Graf 3; Morse, Dist 22; Hassan, Dist 23: Finance)

HB 1657, relative to uses of charitable donations for fish and wildlife conservation programs. (D. Smith, Hills 22; Nowe, Rock 9; Rodeschin, Sull 2; Bicknell, Rock 1; Clegg, Dist 14; Gallus, Dist 1; Johnson, Dist 2; D'Allesandro, Dist 20; Roberge, Dist 9: Fish and Game)

HB 1658, relative to the use by the fish and game department of charitable donations for the general administration of the department. (D. Smith, Hills 22; Nowe, Rock 9; Rodeschin, Sull 2; Bicknell, Rock 1; Clegg, Dist 14; Gallus, Dist 1; Johnson, Dist 2; D'Allesandro, Dist 20; Roberge, Dist 9: Fish and Game)

HB 1659, relative to the use of certain small caliber firearms in taking wildlife. (Morneau, Coos 4: Fish and Game)

HB 1660-FN, regulating identity theft. (Hogancamp, Ches 4; Kurk, Hills 7; Maxfield, Merr 6; Ulery, Hills 27; Ryan, Merr 2; Schulze, Hills 26; Wall, Straf 7; Roberge, Dist 9; Letourneau, Dist 19; Fuller Clark, Dist 24; D'Allesandro, Dist 20; Gottesman, Dist 12: Commerce)

HB 1661-FN, relative to the practice of real estate sales and eliminating the real estate commission. (Mirski, Graf 10: Executive Departments and Administration)

HB 1662-FN, establishing the crime of peonage. (Ulery, Hills 27; Renzullo, Hills 27; Buhlman, Hills 27; Kennedy, Merr 4; Mirski, Graf 10: Criminal Justice and Public Safety)

HB 1663-FN-L, relative to the licensing fee for motor vehicle recycling yards. (Bergeron, Hills 27; Soltani, Merr 8: Transportation)

HB 1664-FN, relative to nondriver identification cards. (Danforth, Merr 6; Rodeschin, Sull 2; Hinkle, Hills 19: Transportation)

HB 1665-FN, creating an offense for the injury of another resulting in miscarriage or stillbirth. (Gilbert, Rock 12; Winchell, Rock 6; Knowles, Straf 6; Marshall Quandt, Rock 13: Criminal Justice and Public Safety)

HB 1666-FN-A, authorizing a memorandum of understanding between state and local law enforcement and the United States Department of Homeland Security regarding immigration enforcement and making an appropriation therefor. (Renzullo, Hills 27; Buhlman, Hills 27; Ulery, Hills 27: State-Federal Relations and Veterans Affairs)

HB 1667-FN, establishing penalties for methamphetamine manufacturing and possession of substances with intent to manufacture methamphetamine. (Hogancamp, Ches 4; Knowles, Straf 6; MacKay, Merr 11; Harvey, Hills 21; Butynski, Ches 4; P. Katsakiores, Rock 5; Gallus, Dist 1; Clegg, Dist 14: Criminal Justice and Public Safety)

HB 1668, relative to providing bank account balance information. (Kurk, Hills 7: Commerce)

HB 1669-FN-L, increasing the penalties for littering. (Newton, Straf 1; Bettencourt, Rock 4: Criminal Justice and Public Safety)

HB 1670-FN, relative to membership on certain professional regulatory boards. (Bergin, Hills 6; Houde-Quimby, Sull 1: Executive Departments and Administration)

HB 1671-FN, relative to the regulation of dentists and dental hygienists by the board of dental examiners. (Langley, Rock 18; Fuller Clark, Dist 24: Executive Departments and Administration)

HB 1672-FN, relative to a registry for founded cases of abuse, neglect, or exploitation of incapacitated adults. (Naro, Graf 7; Carson, Rock 3; Whalley, Belk 5; Bleyler, Graf 9; Hagan, Hills 17; Ober, Hills 27; Martel, Dist 18; Estabrook, Dist 21; Green, Dist 6; Hassan, Dist 23: Health, Human Services and Elderly Affairs)

HB 1673-FN, relative to the reduction of mercury emissions. (Ross, Hills 3; Slocum, Hills 6; Kaen, Straf 7; Phinizy, Sull 5; Maxfield, Merr 6; Green, Dist 6; Johnson, Dist 2; Burling, Dist 5; Odell, Dist 8; Hassan, Dist 23: Science, Technology and Energy)

HB 1674-FN, requiring emergency care providers to report information on certain sexual assault crimes to law enforcement officials. (Knowles, Straf 6; Gilbert, Rock 12; Charron, Rock 7; Movsesian, Hills 22; Green, Dist 6; Roberge, Dist 9: Criminal Justice and Public

Safety)

HB 1676-FN, relative to misdemeanor jury trials. (Soltani, Merr 8; Marshall Quandt, Rock 13; Weyler, Rock 8; Mooney, Hills 19; Clegg, Dist 14: Judiciary)

HB 1677-FN, relative to the annulment of the arrest record of a person found not guilty by a jury. (Dumaine, Rock 3; Hagan, Hills 17: Judiciary)

HB 1678-FN-A, relative to state reimbursement of public safety expenditures made by the town of Plymouth on behalf of Plymouth state university. (Naro, Graf 7; M. Cooney, Graf 7; DeJoie, Merr 11; Asselin, Rock 7: Finance)

HB 1679-FN-L, relative to the taxation of nongovernmental uses of university system property. (M. Cooney, Graf 7; Asselin, Rock 7; Naro, Graf 7: Municipal and County Government)

HB 1680-FN, requiring law enforcement and corrections officers to complete training in appropriate techniques for dealing with persons with mental health conditions. (Cady, Rock 1; Bicknell, Rock 1; Souza, Hills 11; Dumaine, Rock 3: Criminal Justice and Public Safety)

HB 1681-FN, establishing the unused prescription drug program. (Pepino, Hills 11; Hunter, Hills 7; Lund, Rock 5; Beaulieu, Hills 17; Barnes, Dist 17; Kenney, Dist 3; Green, Dist 6; Fuller Clark, Dist 24; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 1682, relative to parental notification of a parent or legal guardian of a child who has been provided with emergency contraception by a pharmacist. (Balboni, Hills 21; Carson, Rock 3; Elliott, Hills 19; Barnes, Dist 17; Boyce, Dist 4; Bragdon, Dist 11: Judiciary)

HB 1683-FN, establishing a homestead food license for residential, non-commercial kitchens. (Babson, Carr 3; O'Connell, Hills 6: Executive Departments and Administration)

HB 1684-FN, establishing a commission to study the effects of leasing state-owned waterfront property and placing a moratorium on the leasing of state-owned waterfront property. (Millham, Belk 5; Johnson, Dist 2: Resources, Recreation and Development)

HB 1685-FN, establishing a special needs scholarship program. (Hunt, Ches 7: Education)

HB 1686-FN, relative to the allocation of certain off highway recreational vehicle fees. (Spang, Straf 7; Drisko, Hills 5; B. Richardson, Ches 5; Pratt, Ches 2; Dickinson, Carr 1: Resources, Recreation and Development)

HB 1687, extending certain studies. (MacKay, Merr 11: Legislative Administration)

HB 1688, prohibiting the use of gasoline-powered watercraft on Head's Pond in Hooksett. (Marple, Merr 9: Resources, Recreation and Development)

HB 1689, relative to the New Hampshire-Vermont interstate waste compact. (Rodeschin, Sull 2; Jillette, Sull 2; Odell, Dist 8: Environment and Agriculture)

HB 1690, relative to renewable energy. (Slocum, Hills 6; Harvey, Hills 21: Science, Technology and Energy)

HB 1691-FN, establishing a geothermal assessment project. (Cataldo, Straf 3; Slocum, Hills 6; Harvey, Hills 21; Green, Dist 6: Science, Technology and Energy)

HB 1692-FN, establishing the New Hampshire sexual predators act. (Batula, Hills 19; Foster, Dist 13: Criminal Justice and Public Safety)

HB 1693-FN-A-L, relative to funding an adequate education. (Asselin, Rock 7; Weyler, Rock 8; Holden, Hills 7; Clemons, Hills 24; DiFruscia, Rock 4: Ways and Means)

HB 1694-FN-L, relative to a spending cap on municipal and school district budgets. (Asselin, Rock 7; Weyler, Rock 8; Carson, Rock 3; Wells, Rock 8: Municipal and County Government)

HB 1695-FN, defining an adequate education and relative to calculating the cost of an adequate education and adequate education grants. (Asselin, Rock 7; Weyler, Rock 8; Dunn, Ches 3; Naro, Graf 7; Carson, Rock 3: Education)

HB 1696-FN, relative to the cremation of human remains. (Bicknell, Rock 1; Kennedy, Merr 4; Cataldo, Straf 3: Executive Departments and Administration)

HB 1697-FN, relative to certain state salaries. (Marshall Quandt, Rock 13; Weyler, Rock 8; Matthew Quandt, Rock 13; DeJoie, Merr 11; Goley, Hills 8: Finance)

HB 1698-FN-A-L, relative to determination of town's share on county taxes. (Gale, Sull 3: Municipal and County Government)

HB 1699-FN-A-L, establishing a tax on fees charged by railroad companies for transiting of cargo over, under, or across railroad rights-of-way. (Danforth, Merr 6; Green, Dist 6: Ways and Means)

HB 1701-FN-A, relative to boat fee agents of the department of safety, increasing the boat registration fee, and relative to the prevention of exotic aquatic weeds. (Drisko, Hills 5: Resources, Recreation and Development)

HB 1702-FN-A, establishing a New Hampshire health access corporation, continually appropriating a special fund, and allowing the healthy kids corporation to cover adults. (Schmidt, Straf 4; French, Merr 5; Fuller Clark, Dist 24: Commerce)

HB 1703-FN, requiring certain employers to report on the percentage of payroll which is being spent on health insurance premiums for employees. (Walz, Merr 13; Moody, Rock 12; Matthew Quandt, Rock 13; Marshall Quandt, Rock 13; Harvey, Hills 21; Hassan, Dist 23; Fuller Clark, Dist 24: Labor, Industrial and Rehabilitative Services)

HB 1704-FN-A, establishing a health care fund, continually appropriating a special fund, and requiring certain employers to report certain information to the department of health and human services. (Moody, Rock 12; Walz, Merr 13; Marshall Quandt, Rock 13; Matthew Quandt, Rock 13; Harvey, Hills 21; Fuller Clark, Dist 24: Commerce)

HB 1705-FN, relative to limited driving privileges for certain persons whose licenses have been revoked or suspended. (Knowles, Straf 6; Welch, Rock 8; Charron, Rock 7; Craig, Hills 9; Jennifer Brown, Straf 5; Burling, Dist 5; Estabrook, Dist 21; Gallus, Dist 1: Transportation)

HB 1706-FN, requiring certain persons to have Transportation Security Administration training and certification to provide airport security support in emergency situations. (Crane, Hills 21: Criminal Justice and Public Safety)

HB 1707-FN-A-L, establishing a school choice certificate program. (Slocum, Hills 6; Lund, Rock 5; Langlais, Merr 8; McKinney, Rock 3; W. P. Campbell, Straf 3; Green, Dist 6; Roberge, Dist 9: Education)

HB 1708-FN, relative to Temporary Assistance to Needy Families (TANF) eligibility for 2-parent families. (Dalrymple, Rock 4: Health, Human Services and Elderly Affairs)

HB 1709-FN, establishing an autism registry in the department of health and human services. (DeJoie, Merr 11; Butcher, Ches 3; Bleyler, Graf 9; Burling, Dist 5: Health, Human Services and Elderly Affairs)

HB 1710-FN-A, relative to appropriations to the department of health and human services for health care providers. (D. Eaton, Ches 2; Phinizy, Sull 5; Wallner, Merr 12; Burling, Dist 5: Finance)

HB 1711-FN, relative to the regulation of fuel gas fitters. (Mitchell, Ches 7; S. Francoeur, Rock 15; DiFruscia, Rock 4; Kenney, Dist 3: Executive Departments and Administration)

HB 1712-FN-A, making an appropriation for design and engineering costs for the expansion of the northern New Hampshire correctional facility and for the design, engineering, and construction of a minimum security building at the northern New Hampshire correctional facility. (Pantelakos, Rock 16: Public Works and Highways)

HB 1713-FN, restricting the over-the-counter sale of pseudoephedrine base and ephedrine base drugs and establishing a commission to study the feasibility of an electronic tracking system for sales of pseudoephedrine base and ephedrine base drugs. (Hogancamp, Ches 4; Knowles, Straf 6; Batula, Hills 19; MacKay, Merr 11; Harvey, Hills 21; J. Tilton, Merr 6; P. Katsakiores, Rock 5; Gallus, Dist 1: Health, Human Services and Elderly Affairs)

HB 1714-FN, relative to an electronic controlled drug prescription monitoring program. (Pilliod, Belk 5; MacKay, Merr 11; Emerson, Ches 7: Health, Human Services and Elderly Affairs)

HB 1715-FN, relative to funding of the professional assistance program of dentists. (MacKay, Merr 11; Hassan, Dist 23; Martel, Dist 18: Executive Departments and

Administration)

HB 1716-FN, relative to state reimbursement for public safety expenditures made by towns on behalf of public higher education residence halls. (Naro, Graf 7; M. Cooney, Graf 7; DeJoie, Merr 11; Asselin, Rock 7; Larsen, Dist 15: Finance)

HB 1717-FN, requiring certain direct care services in nursing homes. (Gile, Merr 10; Gargas, Hills 5: Health, Human Services and Elderly Affairs)

HB 1718-FN, relative to the provision of medical services at nursing facilities. (Gile, Merr 10: Health, Human Services and Elderly Affairs)

HB 1719-FN, defining human life as beginning at the moment of fertilization. (Hagan, Hills 17; Souza, Hills 11; Dumaine, Rock 3; Martel, Dist 18; Barnes, Dist 17: Judiciary)

HB 1720-FN, relative to notice of parent liability in CHINS proceedings. (Morrison, Belk 2; Crane, Hills 21: Children and Family Law)

HB 1721-FN, relative to changes in the use of weighted caseload statistics in the calculation of the salaries of part-time district court justices. (Dokmo, Hills 6; Foster, Dist 13: Judiciary)

HB 1722-FN, relative to the New Hampshire council on developmental disabilities. (Wendelboe, Belk 1; Foster, Hills 4; Foote, Ches 6; Bleyler, Graf 9: Health, Human Services and Elderly Affairs)

HB 1723-FN, relative to health care and health insurance data. (Kurk, Hills 7; Batula, Hills 19; Wendelboe, Belk 1; Hogancamp, Ches 4; Martel, Dist 18; Kenney, Dist 3: Commerce)

HB 1724-FN, relative to compensation and benefits for reserve and national guard members who are state employees. (Weyler, Rock 8; Stone, Rock 1; R. Wheeler, Hills 7; Graham, Hills 18; Gallus, Dist 1; Odell, Dist 8: Finance)

HB 1725-FN, extending the pilot project relative to abuse and neglect hearings and relative to confidentiality in abuse and neglect cases. (Gargas, Hills 5; Gile, Merr 10: Children and Family Law)

HB 1726-FN, requiring the state to pay legal fees for certain supreme court justices. (King, Coos 1: Finance)

HB 1727-FN-L, relative to transfer or discharge of patients in residential care facilities. (MacKay, Merr 11; Pilliod, Belk 5; Hogancamp, Ches 4; Emerson, Ches 7; Wendelboe, Belk 1; Martel, Dist 18; Johnson, Dist 2: Health, Human Services and Elderly Affairs)

HB 1728-FN-L, relative to time limits on eligibility for Temporary Assistance for Needy Families (TANF). (Crane, Hills 21: Health, Human Services and Elderly Affairs)

HB 1729-FN, implementing a “good time” sentence reduction system for inmates in the state prison system. (Vaillancourt, Hills 15: Criminal Justice and Public Safety)

HB 1730-FN-L, relative to long-term care program management and cost controls. (Kurk, Hills 7; Johnson, Dist 2: Health, Human Services and Elderly Affairs)

HB 1731-FN, making pseudoephedrine products available only by prescription. (Butynski, Ches 4; J. Tilton, Merr 6: Health, Human Services and Elderly Affairs)

HB 1732-FN-A, repealing the fund for the domestic violence grant program and relative to marriage license fees. (Bickford, Straf 3: Criminal Justice and Public Safety)

HB 1733-FN, establishing a reporting system for court decisions relative to residential responsibility under parenting plans. (Bickford, Straf 3: Children and Family Law)

HB 1734-FN-A-L, establishing a homestead exemption for seniors against the statewide enhanced education tax and a tax cap credit for seniors against local and state property taxes. (Espieffs, Ches 3: Municipal and County Government)

HB 1735-FN, relative to awarding the state employees’ health insurance plan. (R. Wheeler, Hills 7; D. Flanders, Belk 4; DeStefano, Merr 13; Bergin, Hills 6; Flanders, Dist 7; D’Allesandro, Dist 20; Clegg, Dist 14: Executive Departments and Administration)

HB 1736-FN-L, relative to tuition payments made to charter schools. (Balboni, Hills 21; Newton, Straf 1: Education)

HB 1737-FN-A, establishing a beverage fee to be paid by beverage manufacturers and distributors. (R. Cooney, Rock 4; Spang, Straf 7; Chaplin, Straf 3; M. Allen, Rock 11; Ingram,

Rock 4; Green, Dist 6; Johnson, Dist 2; Larsen, Dist 15; Fuller Clark, Dist 24: Resources, Recreation and Development)

HB 1738-FN, prohibiting the use of surveillance devices to identify motor vehicles. (Kurk, Hills 7; Mead, Hills 4: Transportation)

HB 1739-FN, relative to body art practitioners. (Dalrymple, Rock 4: Executive Departments and Administration)

HB 1740-FN-A, making an appropriation to increase the hourly rate of pay for care providers for persons with developmental and acquired disabilities. (Wendelboe, Belk 1; Emerton, Hills 7: Finance)

HB 1741-FN, relative to reporting requirements concerning infections in hospitals. (Pepino, Hills 11; Lund, Rock 5; Powers, Rock 16; Hess, Merr 9; Rogers Johnson, Rock 13; Guida, Graf 5; Boyce, Dist 4; Gallus, Dist 1: Health, Human Services and Elderly Affairs)

HB 1742-FN, relative to disclosing infections in hospitals and nursing homes. (P. Johnson, Hills 26: Health, Human Services and Elderly Affairs)

HB 1743-FN, relative to reimbursing towns for the operating expenses of certain railroad passenger facilities. (C. Robertson, Rock 13; S. Scamman, Rock 13; Casey, Rock 11: Municipal and County Government)

HB 1744-FN-A, authorizing the pari-mutuel commission to regulate games of chance conducted by charitable organizations and relative to tournaments conducted by charitable organizations where chips have no monetary face value. (Weyler, Rock 8; Dickinson, Carr 1; Asselin, Rock 7; F. Sullivan, Hills 12; D'Allesandro, Dist 20; Green, Dist 6: Executive Departments and Administration)

HB 1745-FN, relative to methamphetamine-related crimes involving children and incapacitated adults. (Harvey, Hills 21; Pilliod, Belk 5; Gile, Merr 10; Hogancamp, Ches 4; Knowles, Straf 6; J. Tilton, Merr 6; Martel, Dist 18; D'Allesandro, Dist 20: Criminal Justice and Public Safety)

HB 1746-FN-L, relative to eligibility for Temporary Assistance to Needy Families (TANF). (Kurk, Hills 7; Wendelboe, Belk 1; Clegg, Dist 14; Martel, Dist 18: Health, Human Services and Elderly Affairs)

HB 1747-FN, establishing a New Hampshire healthy tidal waters and shellfish protection program and fund and establishing fees. (Gillick, Rock 15; Weare, Rock 14; S. Francoeur, Rock 15; Stiles, Rock 15; Bridle, Rock 15; Fuller Clark, Dist 24; Hassan, Dist 23: Fish and Game)

HB 1748, prohibiting candidates who did not get elected from serving as alternate members of the planning board or zoning board of adjustment. (Babson, Carr 3: Municipal and County Government)

HJR 20, supporting stem cell research. (Hammond, Graf 11; Buxton, Rock 10; Sokol, Graf 9; Wall, Straf 7; Pilliod, Belk 5; Burling, Dist 5; Larsen, Dist 15: Health, Human Services and Elderly Affairs)

HJR 21, urging the university of New Hampshire to restore intercollegiate baseball and softball. (Bettencourt, Rock 4; Renzullo, Hills 27: Education)

HJR 22, in recognition and support of New Hampshire's participation in the Experimental Program to Stimulate Competitive Research. (Thomas, Belk 5; Maxfield, Merr 6; Estabrook, Dist 21; Johnson, Dist 2: Science, Technology and Energy)

HJR 23, designating a Purple Heart Trail spur to the New Hampshire state veterans cemetery and providing additional signs for the Purple Heart Trail. (D. Smith, Hills 22; Morneau, Coos 4; Almy, Graf 11; Coughlin, Hills 4; Klose, Merr 8; Clegg, Dist 14; Barnes, Dist 17; Kenney, Dist 3; Letourneau, Dist 19: Public Works and Highways)

HJR 24, supporting efforts for commuter rail in the state of New Hampshire. (Lasky, Hills 26; Clemons, Hills 24; Cilley, Straf 3; Foster, Dist 13; Gottesman, Dist 12: Transportation)

HJR 25, encouraging the United States Congress to propose an amendment to the Constitution concerning eminent domain. (Itse, Rock 9; Souza, Hills 11: State-Federal

Relations and Veterans Affairs)

HCR 20, commending the New Hampshire Committee for Employer Support of the Guard and Reserve. (Graham, Hills 18; Weyler, Rock 8; Coughlin, Hills 4; Heon, Straf 2; Hawkins, Hills 18; Letourneau, Dist 19; Barnes, Dist 17; Kenney, Dist 3: Legislative Administration)

HCR 21, urging the Department of Homeland Security to study New Hampshire's northern border and protection for our dam network. (Buzzell, Coos 4: State-Federal Relations and Veterans Affairs)

HCR 22, relative to the right to pursue a livelihood in natural resources industries. (Morris, Rock 14; Gibson, Hills 19; Goyette, Hills 27; Marshall Quandt, Rock 13; Gallus, Dist 1; Fuller Clark, Dist 24: State-Federal Relations and Veterans Affairs)

HR 20, recognizing Mendon McDonald for his service as chairman of the state committee on aging. (Forsing, Rock 2: Legislative Administration)

HR 21, urging Congress to reimburse New Hampshire municipalities for the amounts granted in veterans' tax credits. (Bucio, Carr 1: State-Federal Relations and Veterans Affairs)

HR 22, urging Congress to promote and publicize the report to the Congress of the United States entitled "A Review of the Restrictions on Persons of Italian Ancestry During World War II." (Pepino, Hills 11; Movsesian, Hills 22; Matarazzo, Hills 20; Roberge, Dist 9; Green, Dist 6; D'Allesandro, Dist 20; Fuller Clark, Dist 24: State-Federal Relations and Veterans Affairs)

CACR 30, relating to limits on the taking of private property. Providing that eminent domain shall not be used to transfer ownership of real property for private use or economic development. (Giuda, Graf 5; Green, Dist 6: Judiciary)

CACR 31, relating to the attorney general. Providing that the attorney general be elected for the same term as the governor. (DiFruscia, Rock 4; Phinizy, Sull 5; Weyler, Rock 8; Bishop, Rock 2; Splaine, Rock 16: Executive Departments and Administration)

CACR 32, relating to eminent domain. Providing that property can only be taken for public benefit other than increased tax revenues. (Cady, Rock 1; Newton, Straf 1; Dumaine, Rock 3; Souza, Hills 11: Judiciary)

CACR 33, relating to the number of members of the senate and senatorial districts. Providing that the senate shall consist of 30 members with 3 elected at large from each district and that senate districts shall conform to county boundaries. (Buzzell, Coos 4: Legislative Administration)

CACR 34, relating to the definition of marriage. Providing that marriage between one man and one woman shall be the only legal union that shall be valid or recognized in this state. (Balboni, Hills 21; Elliott, Hills 19; Itse, Rock 9; Brassard, Hills 17; Villeneuve, Hills 18; Chaplin, Straf 3; Barnes, Dist 17; Boyce, Dist 4; Roberge, Dist 9: Judiciary)

CACR 35, relating to an automatic address of judges every 10 years. Providing that all judges shall be reviewed every 10 years by governor and council as if there has been an address for removal of the judge by both houses of the legislature. (J. Wheeler, Hills 6; Boyce, Belk 5: Judiciary)

CACR 36, relating to the rulemaking authority of the supreme court. Providing that the supreme court may adopt rules, that the general court may regulate these matters by statute, and that in the event of a conflict between a statute and a rule, the statute, if otherwise valid, shall prevail over the rule. (J. Wheeler, Hills 6: Judiciary)

CACR 37, relating to the legislature. Providing that compensation shall be based on present value. (DiFruscia, Rock 4; Weyler, Rock 8; Bishop, Rock 2: Legislative Administration)

CACR 38, relating to funding for education. Providing that revenue from lotteries and games of chance may only be used for educational purposes. (DiFruscia, Rock 4; Phinizy, Sull 5; Weyler, Rock 8; Splaine, Rock 16; Bishop, Rock 2; Kenney, Dist 3: Ways and Means)

CACR 39, relating to the administration of the supreme court. Providing that supreme court rules shall no longer have the force and effect of law. (L. Christiansen, Hills 27; Marple, Merr 9: Judiciary)

CACR 40, relating to taking of property. Providing that property may not be taken for a public purpose, but only for a public use. (Kurk, Hills 7: Judiciary)

CACR 41, relating to representative districts. Providing that representative districts shall be apportioned according to specified standards. (Kurk, Hills 7; Kennedy, Merr 4; Flanders, Dist 7: Election Law)

CACR 42, relating to sessions of the legislature. Providing that the legislature meet biennially and only on weekday nights and weekends. (Hopfgarten, Rock 5: Legislative Administration)

MOTIONS TO VACATE

Rep. Francoeur moved that the House vacate the reference of **HB 1337**, relative to the regulation of carnival and amusement ride operators, to the Committee on Commerce. Motion adopted.

The Speaker referred **HB 1337** to the Committee on Executive Departments and Administration.

Rep. King moved that the House vacate the reference of **HB 1215**, relative to the winter maintenance of Diamond Pond Road in the towns of Colebrook and Stewartstown, to the Committee on Finance.

Motion adopted.

The Speaker referred **HB 1215** to the Committee on Public Works and Highways.

Rep. King moved that the House vacate the reference of **HB 1616**, establishing a performance measurement system for state agencies to the Committee on Finance.

Motion adopted.

The Speaker referred **HB 1616** to the Committee on Executive Departments and Administration.

Rep. Patten moved that the House vacate the reference of **HB 1132**, relative to qualifications for the Global War on Terrorism operations service bonus payment to the Committee on Municipal and County Government.

Motion adopted.

The Speaker referred **HB 1132** to the Committee on State-Federal Relations and Veterans Affairs.

Rep. Currier moved that the House vacate the reference of **HB 1343**, establishing a committee to study the administration and jurisdiction of the council on resources and development, to the Committee on Resources, Recreation and Development.

Motion adopted.

The Speaker referred **HB 1343** to the Committee on Public Works and Highways.

Rep. Currier moved that the House vacate the reference of **HB 1684**, establishing a commission to study the effects of leasing state-owned waterfront property and placing a moratorium on the leasing of state-owned waterfront property, to the Committee on Resources, Recreation and Development.

Motion adopted.

The Speaker referred **HB 1684** to the Committee on Public Works and Highways.

SUSPENSION OF RULES

Reps. O'Neil and Craig moved that the Rules be so far suspended as to permit introduction and consideration at the present time of **SB 392-FN-A**, relative to the payment of Medicare Part D. Phased down state contribution, known as "clawback," without the required referral to committee, public hearing and report from committee.

Adopted by the necessary two-thirds.

RESOLUTION

Rep. O'Neil offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 392 shall be by this resolution read a first and second time by the therein listed title.

Adopted.

INTRODUCTION OF SENATE BILL

First, second reading and referral

SB 392-FN-A, relative to the payment of Medicare Part D. Phased down state contribution, known as "clawback."

CONSIDERATION OF SENATE BILL 392

SB 392-FN-A, relative to the payment of Medicare Part D. Phased down state contribution, known as "clawback."

Reps. O'Neil and Craig moved Ought to Pass.

Adopted and ordered to third reading.

SUSPENSION OF RULES

Rep. O'Neil moved that the Rules be so far suspended as to permit immediate third reading and final passage at the present time.

Adopted by the necessary two-thirds.

Third reading and final passage

SB 392-FN-A, relative to the payment of Medicare Part D. Phased down state contribution, known as "clawback."

COMMITTEE REPORTS – RETAINED BILLS

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 397, relative to authority to file an abuse or neglect petition under the Child Protection Act, removed by Rep. Mirski.

HB 203-FN, relative to the use of tracking devices in consumer products, removed by Rep. Lund.

SB 211-FN, relative to pharmaceutical marketers, removed by Rep. DeJoie.

HB 459, relative to access to criminal records and enhanced 911 system records and excluding information brokers from private detective licensing, removed by Rep. Kurk.

HB 249, relative to delivery of absentee ballots to city or town clerks, removed by Rep. Vaillancourt.

HB 524, relative to outsourcing of jobs, removed by Rep. Weed.

HB 642-FN-L, relative to the regulation of home inspectors, removed by Rep. Mirski.

HB 657-FN-L, relative to promoting community revitalization, removed by Rep. Mirski.

SB 140, relative to the acceptance of in-lieu payments for the restoration or creation of wetlands and the preservation of upland areas adjacent to wetland areas, removed by Rep. Spang.

HR 13, condemning the genocide in the Darfur region of the Sudan and urging Congress, with the support of the president, to pass the Darfur Accountability Act (S. 495) and the Darfur Genocide Accountability (H.R. 1424), removed by Rep. Anna Tilton.

HB 669-FN, setting the laboratory fee schedule for certain environmental samples, removed by Rep. Camm.

Consent Calendar adopted.

HB 312, relative to the appointment of parenting coordinators in child custody cases.

OUGHT TO PASS WITH AMENDMENT

Rep. Carolyn M. Gargasz for Children and Family Law: This bill permits the court to appoint a parenting coordinator to assist parents who demonstrate a pattern of continuing high conflict. Both parents must agree to a parenting coordinator. Vote 13-0.

Amendment (0163h)

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

AN ACT relative to the appointment of parenting coordinators.

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

1 New Section; Parental Rights and Responsibilities; Parenting Coordinators. Amend RSA 461-A by inserting after section 11 the following new section:
461-A:11-a Parenting Coordinators.

I. In this section:

(a) "Parenting coordination" is a child-focused dispute resolution process in which an impartial parenting coordinator assists high conflict parents to implement their parenting plan by facilitating the resolution of their disputes in a timely manner, educating parents about children's needs, and with the prior approval of the parties or of the court, making decisions within the scope of the court order or appointment contract.

(b) "Parenting Coordinator" means a person who assists the parties in resolving issues related to parenting by educating them about communication skills and about children's needs, and by mediating disputes, and if necessary, arbitrating disputes.

II. In any proceeding under this chapter involving the determination or enforcement of parental rights and responsibilities, if both parents agree, the court may appoint a parenting coordinator if the court finds that the parties demonstrate a pattern of continuing high conflict, or if the court otherwise determines the appointment is in the best interest of the child or children. The parenting coordinator may be appointed at any stage of the proceeding to assist parents in developing and/or implementing a parenting plan.

III. The order of appointment shall specify the duration of appointment, to be a specific number of hours or a period of time that is one year or less.

IV. If both parents agree to the appointment of a parenting coordinator, reasons the court may choose to order a parenting coordinator include, but are not limited to:

(a) An issue or issues appear to be intractable or have been subject to re-occurring litigation.

(b) The well-being of a minor child is placed at risk by the parents' inability to co-parent civilly.

(c) There is a finding of domestic violence.

(d) One or both parents are chemically dependent or mentally ill.

V. Even if both parents agree to the appointment of a parenting coordinator, reasons the court may choose not to order a parenting coordinator include, but are not limited to:

(a) A showing of undue hardship to a party.

(b) An agreement between the parties for alternate dispute resolution.

(c) A qualified parenting coordinator is not available within a reasonable period of time.

VI. The role of the parenting coordinator in a particular case shall be specified in the appointment order. The role of the parenting coordinator is to promote the best interests of the child or children by assisting the parents to implement any part of the parenting plan or other duties as designated by the court including:

(a) Educating the parents about effective communication and their child's needs.

(b) Facilitating resolution of ongoing disagreements on the following issues:

(1) Minor alterations in parenting schedule which do not alter the basic time share allocation.

(2) Childcare arrangements.

(3) Parenting exchanges and transportation responsibility.

(4) Medical, dental, and vision care.

(5) Psychological counseling and related arrangements for the children.

(6) Education, including but not limited to, school choice, tutoring, and participation in special education programs.

(7) Discipline.

(8) Manner and methods of communication between parties and each party and the child or children.

(9) Schedule and conditions of telephone or electronic communication with the child or children.

(10) Other issues as the parents may agree or the court may order.

(c) Co-parenting arbitration about issues such as those listed in subparagraph (b), except as provided in paragraph VII.

VII. Either parent or the parenting coordinator may seek a further order of the court to clarify or change the list of issues set out in the order.

VIII. A parenting coordinator shall not have the authority to decide:

(a) Termination of parenting plans or court orders.

(b) Changes in the parenting schedule other than minor alterations, as specified in subparagraph VI(b)(1).

(c) Modification of parenting plans other than the issues listed in paragraph VI.

(d) The need for supervised visitation by either parent.

(e) Relocation of the residence of children.

(f) Formal or informal religious training.

(g) Legal residence of a child for school attendance.

(h) The need for psychological or psychiatric treatment for either parent.

IX. After a decision by the parenting coordinator, either party may, by motion, submit the disputed issue for de novo hearing by the court. The decision of the parenting coordinator shall remain in effect until the court enters an order.

X. The parenting coordinator shall have access to non-parties and, if the parties agree to a release, privileged information, including school officials, physicians, mental health providers, guardians ad litem, other professionals involved with the family and related court records.

XI. The fee for the parenting coordinator shall be the responsibility of the parents in the proportion ordered by the court. The court shall determine the ability of parents to pay by evidence of the financial affidavit as filed. The parties shall sign an agreement with the parenting coordinator as to the fee, hourly rate, and deposit if any.

XII. A parenting coordinator shall submit a written report to the court and to the parties on decisions and recommendations as often as ordered by the court. In the report, the parenting coordinator may give an opinion regarding whether the parenting coordination is succeeding and should continue. Parties may file an objection to the report with the court within 10 days.

XIII. The court shall remove the parenting coordinator:

(a) On the request and agreement of both parties; or

(b) On the motion of a party or by court order, if good cause is shown, or

(c) By request of the parenting coordinator.

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

AMENDED ANALYSIS

This bill establishes a procedure for appointing parenting coordinators in family law cases.

HB 316, relative to neutral evaluations in child custody cases. **INEXPEDIENT TO**

LEGISLATE

Rep. Carolyn M. Gargasz for Children and Family Law: Neutral evaluation currently is taking place in the court system. At this time legislation is not needed. Vote 13-0.

HB 325, relative to the burden of proof in child abuse and neglect proceedings. **OUGHT TO PASS WITH AMENDMENT**

Rep. Daniel C. Itse for Children and Family Law: This bill creates a definite opportunity for parents, their attorney and advocates to review evidence in abuse and neglect cases. This ensures the capacity to refute allegations, subpoena witnesses, and request continuances. The bill gives parents the capacity to obtain their own medical evaluation of the child in abuse cases. Finally, the bill requires that all interviews be recorded ensuring the integrity of evidence. Vote 13-0.

Amendment (0225h)

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

AN ACT relative to proceedings under the Child Protection Act.

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

1 Filing Reports, Evaluations, and Other Records. Amend RSA 169-C:12-b to read as follows:

169-C:12-b Filing Reports, Evaluations, and Other Records. All reports, evaluations, and other records from the department of health and human services, counselors, and guardians ad litem in proceedings under this chapter shall be filed with the court and all other parties at least 5 **business** days prior to any hearing. ***Any reports, evaluations, or other records filed after this deadline shall be inadmissible as evidence in such hearing.*** Once filed with the court and given to all other parties, the report, evaluation, or other record need not be re-filed during the proceeding. Failure to comply with the provisions of this section shall not be grounds for dismissal of the petition.

2 New Sections; Medical Examinations of Child; Department Interviews With Child.

Amend RSA 169-C by inserting after section 12-b the following new sections:

169-C:12-c Medical Examinations of Child. Parents who are the subject of an abuse or neglect petition not involving sexual abuse shall be entitled to request a medical examination of each child involved by a physician of the parents' choice at the parents' expense. If timeliness of an examination to verify or dispute an injury is an issue for trial, the department shall cooperate by promptly delivering the child for the requested medical examination with or without court order.

169-C:12-d Department Interviews With Child. Any interview of a child conducted by the department or its contractors, other than caregivers or therapeutic counseling, pursuant to this chapter shall be videotaped or audio recorded. If the interview is videotaped, it shall be videotaped in its entirety. If the interview cannot be videotaped in its entirety, an audio recording of the entire interview shall be made.

3 Effective Date. This act shall take effect January 1, 2007.

AMENDED ANALYSIS

This bill changes the filing deadlines for certain reports and records to 5 business days prior to a child abuse or neglect hearing. The bill establishes certain requirements for medical examinations of children who are alleged to have been abused or neglected. This bill also requires interviews of children who may be victims of child abuse or neglect to be videotaped or audio recorded in their entirety.

HB 327, relative to enforcement of support orders. **INEXPEDIENT TO LEGISLATE**

Rep. David A. Bickford for Children and Family Law: The committee decided not to go forward with creating a process for parents to develop contracts to pay college costs of their children. Vote 16-0.

HB 529, establishing a presumption in favor of shared parental rights and responsibilities.
OUGHT TO PASS WITH AMENDMENT

Rep. David A. Bickford for Children and Family Law: This bill reinforces the legislative intent to promote comparable parental rights and responsibilities, absent evidence to the contrary. The amendment requires the court to use evidence when adjusting a parent's proposed parenting plan for rights and responsibilities. It also requires the court to set forth in detail its decision in a written order. Vote 14-0.

Amendment (0196h)

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

AN ACT relative to the determination of parental rights and responsibilities.

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

1 Statement of Purpose; Comparable Parenting. RSA 461-A:2, II is repealed and reenacted to read as follows:

II. This chapter shall be construed so as to promote comparable parental rights and responsibilities.

2 Determination of Parental Rights and Responsibilities; Comparable Parenting.

Amend RSA 461-A:6, IV-VII to read as follows:

IV. *If the court finds upon consideration of the evidence that comparable parenting or the parents proposed allocation of parental rights and responsibilities is not in the child's best interest, the court shall set forth in detail the reasons for its decision in a written order.*

V. If the court finds that a parent has been convicted of sexual abuse or sexual assault against such parent's minor child or minor stepchild, the court may prohibit contact between such parent and the victim of the abuse and any sibling or step-sibling of the victim. The court shall make orders that best protect the victim of the abuse and the siblings and step-siblings of such victim. In this paragraph, "sexual abuse" shall mean sexual abuse as defined in RSA 169-C:3, XXVII-a, and "sexual assault" shall mean sexual assault as provided in RSA 632-A:2, RSA 632-A:3, and RSA 632-A:4.

~~[V-]~~ VI. If the court determines that it is in the best interest of the children, it shall in its decree grant reasonable visitation privileges to a party who is a stepparent of the children or to the grandparents of the children pursuant to RSA 461-A:13. Nothing in this paragraph shall be construed to prohibit or require an award of parental rights and responsibilities to a stepparent or grandparent if the court determines that such an award is in the best interest of the child.

~~[V-]~~ VII. The court may appoint a guardian ad litem to represent the interests of the child according to RSA 461-A:16.

~~[VII. At the request of an aggrieved party,]~~ VIII. The court shall set forth *in detail* the reasons for its decision in a written order.

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

AMENDED ANALYSIS

This bill requires the court to consider comparable parenting as part of the determination of parental rights and responsibilities.

HB 587, relative to child abuse and neglect investigations by the department of health and human services. **OUGHT TO PASS WITH AMENDMENT**

Rep. Daniel C. Itse for Children and Family Law: This bill ensures that the parent's rights in an abuse and neglect investigation as defined in the Department of Children, Youth and Families (DCYF) protocol are verbally disclosed to the parent(s) at the beginning of the investigation. Vote 16-0.

Amendment (0161h)

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

1 New Paragraph; Child Protection Act; Duties of Department of Health and Human Services; Required Disclosure. Amend RSA 169-C:34 by inserting after paragraph V the following new paragraph:

VI. At the first contact in person, any person investigating a report abuse or neglect on behalf of the department shall inform verbally the parents of a child suspected of being a victim of abuse or neglect of the specific nature of the charges and shall inform the parents that they are under no obligation to allow a social worker or state employee on their premises or surrender their children to interviews unless that social worker or state employee is in possession of a court order to that effect.

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

AMENDED ANALYSIS

This bill requires the department of health and human services to inform parents of a child suspected of being a victim of abuse and neglect of the nature of the charges and that they are not required to admit state employees to their property and are not required to allow them to interview their child without a court order to that effect.

HB 591, relative to the calculation of health and dental insurance costs as part of the child support obligation. **OUGHT TO PASS WITH AMENDMENT**

Rep. Eileen C. Flockhart for Children and Family Law: This bill gives a credit to the parent who pays for medical and or dental insurance for the minor children when gross adjusted income is calculated for child support. It also states that co-payments for services are shared equally unless otherwise determined by the parties involved. Vote 16-0.

Amendment (0117h)

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

AN ACT relative to the inclusion of health insurance in the calculation of child support.

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

1 Child Support Guidelines; Definition of Adjusted Gross Income; Credit for Cost of Medical Insurance. Amend RSA 458-C:2, I(e) to read as follows:

(e) Amounts actually paid by the obligor for allowable child care expenses ~~or medical insurance coverage for the minor children to whom the child support order applies~~.

(f) Amounts actually paid by the obligor for family medical insurance coverage for the minor children to whom the child support order applies.

(g) Amounts actually paid by the obligor for dental insurance coverage for the minor children to whom the child support order applies.

2 Child Support Formula; Reference to Family Added. Amend RSA 458-C:3, II(b) and (c) to read as follows:

(b) The total child support obligation shall be divided between the parents in proportion to their respective incomes as adjusted by this section, except when there are incurred by the obligee child care expenses or for the actual amount paid for **family medical and dental** insurance coverage for the minor children to whom the child support order applies.

(c) For those cases involving allowable child care expenses or **family medical and dental** insurance expenses incurred by the obligee, the same methodology described in subparagraphs (a) and (b) shall be used, except that as part of the determination of each parent's share of the child support obligation, the obligee's allowable child care expenses or **family medical and dental** insurance expenses shall be deducted from the adjusted gross income of the obligee.

3 Child Support Orders; Responsibility for Insurance Costs. Amend RSA 458:17, IX to read as follows:

IX. Each child support order shall include the court's determination and findings relative to health insurance and the payment of uninsured medical expenses for the children. **Medical co-payments for in-network care shall be apportioned between the parties**

on an equal basis or in a proportion that is otherwise agreed upon by the parties and approved by the court.

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

AMENDED ANALYSIS

This bill provides that the amount paid by either parent for family medical and dental insurance coverage for the minor children reduces their income for purposes of calculating child support. The bill also requires the child support order to address responsibility for medical insurance co-payments.

HB 592, relative to the child support guidelines. **OUGHT TO PASS WITH AMENDMENT**
Rep. Eileen C. Flockhart for Children and Family Law: The economic consequences to either party for state or federally guaranteed or licensed commercial student loan payments paid by the obligor or obligee for his or her postsecondary educational expenses will now be provided for in statute as a special circumstance. In addition this bill provides some additional discretion to a judge to determine minimum child support payments. Vote 15-0.

Amendment (0139h)

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

1 New Subparagraphs; Child Support Guidelines; Student Loan Payments and Postsecondary Education Expenses Deducted From Adjusted Gross Income. Amend RSA 458-C:2, I by inserting after subparagraph (e) the following new subparagraph:

(f) Court-ordered payments for an adult child's postsecondary educational expenses, made pursuant to a New Hampshire court order issued prior to February 2, 2004, or an out-of-state court order.

2 Adjustment to Child Support Guidelines Under Special Circumstances; School Loan Obligations. Amend RSA 458-C:5, I by replacing subparagraph (j) with the following:

(j) ***The economic consequences to either party for state or federally guaranteed or licensed commercial student loan payments paid by the obligor or obligee for his or her postsecondary educational expenses.***

(k) Other special circumstances found by the court to avoid an unreasonably low or confiscatory support order, taking all relevant circumstances into consideration.

3 Definition of Minimum Support Order; Judicial Discretion Added. Amend RSA 458-C:2, V to read as follows:

V. "Minimum support order" means an order of support equal to \$50 per month, ***unless the court determines that a lesser amount is appropriate under the particular circumstances of the case.***

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

AMENDED ANALYSIS

This bill provides a deduction under the child support formula for court-ordered, postsecondary educational expenses. The bill also permits the court to adjust child support based on either parent's school loan obligations. The bill also gives the court discretion to order less than the minimum child support order.

HB 77-FN, relative to geographic location for small group insurance coverage.

INEXPEDIENT TO LEGISLATE

Rep. Jane S. Langley for Commerce: Geographical rating was eliminated with the passage of SB 125 last session – thus this bill is now unnecessary. Vote 17-0.

HB 92, limiting access to certain business records. **REFER FOR INTERIM STUDY**
Rep. Stephen B. Stepanek for Commerce: This bill, in one form or another, has been around for many sessions. It is introduced, retained and then referred to interim study each session. Its goal is to put the tax authorities of our neighboring states on notice that in their zeal to collect sales taxes from our border businesses, they must follow certain procedures. By

keeping this bill “pending” it has achieved this goal. By a vote of 18-0 the committee recommends that this bill be sent to interim study. Vote 18-0.

HB 159, relative to insurance coverage for persons having deafness and hearing loss.

REFER FOR INTERIM STUDY

Rep. Stephen T. DeStefano for Commerce: The committee heard extensive testimony and received a report under the mandate review process of the Insurance Department. Although not willing to pass this law as written, the issue is worthy of further study. Vote 18-0.

HB 374, establishing a commission on economic independence. **INEXPEDIENT TO LEGISLATE**

Rep. Charles L. Clark for Commerce: This was a well intended bill but was very vague as to its real purpose. It was retained with the expectation that the sponsor would be adding definition to the bill. The subcommittee met twice in the fall. The sponsor didn’t attend either meeting. Apparently his interest waned. Vote 19-0.

HB 678-FN, relative to the insurance premium tax. **OUGHT TO PASS WITH AMENDMENT**

Rep. Charles L. Clark for Commerce: This bill encourages the retention of domestic insurers and the recruitment of insurers domiciled in other states. It also encourages the retention and recruitment of jobs in the insurance and financial services industry by providing an economic tool, a reduction of the insurance premium tax. The Department of Resources and Economic Development supports this initiative and will actively promote it. Vote 19-0.

Amendment (0189h)

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

1 Purpose and Findings. The general court finds that over the last decade the state has witnessed a significant loss of insurance companies that were domesticated in New Hampshire. The loss of a domestic insurance company to another state takes revenue and jobs from the state and impacts the overall welfare of the general public by the absence of a corporate good citizen no longer available to participate in good works in the communities of New Hampshire. A tool that may be used to retain current domestic insurers and recruit other companies is a reduction in the premium tax rate. A reduction in the premium tax rate will be an effective way to spur economic development and reverse recent losses of domestic insurers. Such a reduction will stimulate growth in financial services and other sectors in New Hampshire. States that have lowered their insurance premium taxes have experienced significant economic gain as many insurers have moved to incorporate in those states. Those states that lowered their insurance premium tax rates have found that investment by insurers in the form of new employment, acquisition of property, and consumption of services have stimulated economic growth. By reducing the insurance premium tax, New Hampshire will give itself a competitive advantage over other eastern states with higher rates. The general court finds that the economic development stimulated by a reduction in the insurance premium tax rate in New Hampshire will be of great benefit to the state.

2 Retention and Recruitment of Domestic Insurers. The insurance commissioner, or designee, shall work with the commissioner of the department of resources and economic development to retain domestic insurers and recruit insurers to domesticate in New Hampshire.

3 Insurance; Premium Tax Decreased. Amend RSA 400-A:32, I to read as follows:

I. **(a)** Every insurer shall pay to the insurance commissioner a tax ~~[of 2 percent]~~ upon such net premiums, **for lines of business written**, as set forth in the report filed pursuant to RSA 400-A:31, I, less estimated payments made in accordance with RSA 400-A:32, II~~[-]~~, **as follows:**

(1) A tax of one percent for all lines of business written pursuant to RSA 401:1, I-III and V-VIII, and RSA 401:1-a, I and II;

(2) A tax of 2 percent for all lines of business written pursuant to RSA 401:1, IV, including, but not limited to, insurers licensed pursuant to RSA 420-A, RSA 420-B, and RSA 420-F;

(b) Provided, however, that every authorized insurer shall pay to the insurance commissioner a minimum annual premium tax of no less than \$200.

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

AMENDED ANALYSIS

This bill reduces the insurance premium tax in an effort to retain companies that are presently domesticated in New Hampshire and attract other companies to domesticate in New Hampshire.

This bill is a result of the committee established in 2004, 84.
Referred to Ways and Means.

HB 689-FN, relative to the jurisdiction of the New Hampshire commission for human rights over housing discrimination cases. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stella Scamman for Commerce: This bill amends state laws that address housing discrimination. These changes were recommended by the United States Department of Housing and Urban Development to allow state law to be certified as substantially equivalent to federal fair housing law. This certification will allow the New Hampshire Commission for Human Rights to hear both state and federal discrimination cases. Increased funding will be provided by HUD, sufficient to fund the increased case load. Vote 19-0.

Amendment (0033h)

Amend the bill by replacing section 5 with the following:

5 Choice of Forum. Amend RSA 354-A:21-a, I to read as follows:

I. Any party alleging to be aggrieved by any practice made unlawful under this chapter may, at the expiration of 180 days after the timely filing of a complaint with the commission, or sooner if the commission assents in writing, but not later than 3 years after the alleged unlawful practice occurred, bring a civil action for damages or injunctive relief or both, in the superior court for the county in which the alleged unlawful practice occurred or in the county of residence of the party~~[-to the same extent as damages and injunctive relief could be awarded by the commission in a complaint not removed]~~. Any party alleged to have committed any practice made unlawful under this chapter may, in any case in which a determination of probable cause has been made by the investigating commissioner, remove said complaint to superior court for trial. ***A court in cases so removed may award all damages and relief which could have been awarded by the commission, except that in lieu of an administrative fine, enhanced compensatory damages may be awarded when the court finds the respondent's discriminatory conduct to have been taken with willful or reckless disregard of the charging party's rights under this chapter.*** A superior court trial shall not be available to any party if a hearing before the commission has begun or has concluded pursuant to RSA 354-A:21, II(b), or to a complainant whose charge has been dismissed as lacking in probable cause who has not prevailed on an appeal to superior court pursuant to RSA 354-A:21, II(a). In superior court, either party is entitled to a trial by jury on any issue of fact in an action for damages regardless of whether the complaining party seeks affirmative relief.

Amend the bill by replacing section 7 with the following:

7 Effective Date. This act shall take effect July 1, 2006.

HB 716-FN, relative to securities regulation. **OUGHT TO PASS WITH AMENDMENT**

Rep. Tara G. Reardon for Commerce: This bill was at the request of the Secretary of State

and modernizes securities regulation in the State of New Hampshire. The final version is a collaborative effort of the office of the Secretary of State, the Banking Department and attorneys practicing in the securities area. Definitions have been expanded and clarified regarding fraudulent or deceptive devices, authority and jurisdiction of the Secretary of State, exemption for isolated sales, and when an offer to buy or sell is made. Additionally, the bill modifies requirements for securities licenses and licensing of broker-dealers, record-keepers of complaints and litigation, examinations, and changes fees for licensing and filings. It also adds a penalty for late notice filings. Vote 19-0.

Amendment (0045h)

Amend the bill by deleting sections 1-3 and renumbering the original sections 1-34 to read as 1-31, respectively.

Amend RSA 421-B:3, II as inserted by section 2 of the bill by replacing it with the following:

II. For purposes of this section, a fraudulent or deceptive device or contrivance shall include, but shall not be limited to:

(a) Representing in the offer or sale of securities, in writing or orally, that there is a guarantee against risk or loss.

(b) Inducing excessive trading in a customer's account, or inducing trading beyond that customer's known financial resources.

(c) Effecting transactions in the account of a customer without his or her knowledge or maintaining discretionary accounts without written authorization.

(d) Engaging or aiding in any act, practice, or course of business that encourages a prospective purchaser to make a quick decision to invest, irrespective of his or her investment needs and objectives.

Amend RSA 421-B:6, V(b) as inserted by section 7 of the bill by replacing it with the following:

(b) It is prohibited for any branch office or agent of a broker-dealer or investment adviser to conduct a securities or investment advisory business in this state under any name other than that of the broker-dealer or investment adviser with which the branch office is associated or agent is licensed. If more than one business enterprise is conducted from a branch office location, disclosures shall clearly ~~and equally~~ set forth what business activity is conducted by each organization and each licensed agent's relationship to each organization[-]; ***provided, however, that this requirement shall not apply to television, radio, or billboard advertising that pertains exclusively to a non-securities product.***

Amend RSA 421-B:7, VIII(a) as inserted by section 10 of the bill by replacing it with the following:

VIII. Except for applicants subject to issuer-dealer licensing under RSA 421-B:6, I-a and I-b:

(a) Applications for an issuer-dealer's license in New Hampshire may be obtained from and shall be filed at the office of the secretary of state.

Amend RSA 421-B:7, X(a) as inserted by section 10 of the bill by replacing it with the following:

X. Except for applicants subject to issuer-dealer licensing under RSA 421-B:6, I-a and I-b:

(a) Application for renewal of an issuer-dealer license shall be made by December 31 of each year to the secretary of state and shall include the fee prescribed by RSA 421-B:31.

Amend RSA 421-B:17, II(a)(1) as inserted by section 15 of the bill by replacing it with the following:

(a)(1) Any non-issuer transactions, whether or not effected by or through a broker-dealer resulting in the completion of 5 or fewer sales within any period of 12 consecutive months. The secretary of state, on a case-by-case basis, may by rule or order,

retroactively or prospectively, increase the number of persons to whom sales may be made under this exemption.

Amend RSA 421-B:17-a as inserted by section 18 of the bill by replacing it with the following:

421-B:17-a Registered Securities Offerings and Filings for Exemption from Registration; General Standards of Conduct and Disclosure. The following standards shall apply to all registered offerings of securities and to any exempt offerings which require a filing with the secretary of state.

I. Additional disclosures shall be made in offering documents or registration statements, or an application for registration or a filing for exemption from the registration requirement shall be denied, or further conditions for an exemption or registration shall be imposed, if any of the persons, other than persons licensed in this state, issuing or offering securities in this state:

(a) Has filed a registration statement which is the subject of a currently effective registration stop order entered pursuant to any state's securities law within 5 years prior to the instant securities offering in this state.

(b) Has been convicted within 5 years prior to making the instant offer of a security in this state of:

(1) Any felony or misdemeanor in connection with the offer, purchase, or sale of any security.

(2) Any felony involving fraud or deceit, including but not limited to:

(A) Forgery.

(B) Embezzlement.

(C) Obtaining money under false pretenses.

(D) Larceny.

(E) Conspiracy to defraud.

(c) Is currently subject to a material administrative enforcement order or judgment entered by a state's securities administrator within 5 years prior to offering securities in this state or is subject to any state's administrative enforcement order or judgment in which fraud or deceit, including, but not limited to, making untrue statements of material facts and omitting to state material facts, was found and the order or judgment was entered within 5 years prior to offering securities in this state.

(d) Is subject to a material administrative enforcement order or judgment which prohibits, denies, or revokes the use of any exemption from registration in connection with the offer, purchase, or sale of securities.

(e) Is currently subject to any order, judgment, or decree of any court of competent jurisdiction temporarily, preliminarily, or permanently restraining or enjoining such party from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security or involving the making of any false filing with the state entered within 5 years prior to offering securities in this state.

II. Offering documents filed with the secretary of state shall be delivered to prospective investors at least 48 hours before investors commit to the investment, provided that the secretary of state, for good cause shown, shall suspend this requirement by order.

III. In addition to the disclosures required pursuant to RSA 421-B, additional disclosures shall be included in any offering document for a registered offering of securities pursuant to the policies and guidelines promulgated by the North American Securities Administrators Association (NASAA) for the benefit of investors to provide full and fair disclosure of a particular investment opportunity to investors. In addition, such offerings shall be subject to any further standards, including suitability standards, promulgated by NASAA for such offerings.

Amend RSA 421-B:21, I-a(b) as inserted by section 20 of the bill by replacing it with the following:

(b)(1) To license the following:

(A) Broker-dealers.

- (B) Investment advisers.
- (C) Issuer-dealers.
- (D) Agents.
- (E) Investment adviser representatives.

(2) The exclusive authority and jurisdiction to issue licenses pursuant to RSA 421-B:21, I-a(b) shall not be read to limit the authority of the department of insurance to license sellers of products where licensure is required both by RSA 421-B and Title XXXVII. Amend the bill by deleting section 21 and renumbering the original sections 22-28 to read as 21-30, respectively.

Amend RSA 421-B:31, I(b)(1) as inserted by section 22 of the bill by replacing it with the following:

- (1) Agent's initial license fee \$100

Amend the bill by inserting after section 22 the following and renumbering the original sections 23-30 to read as 24-31, respectively:

23 Penalty for Late Notice Filing. Amend RSA 421-B:31, IV to read as follows:

IV.(a) Any person who offers or sells securities in New Hampshire under (1) RSA 421-B:12, 13, or 14, where less than the maximum filing fee has been paid in this state, (2) RSA 421-B:17, II(r) or (h), (3) a notice filing under section 18(b)(4)(D) of the Securities Act of 1933, or (4) a notice filing under section 18(b) of the Securities Act of 1933 where less than the maximum filing fee has been paid in this state shall file a sales report with the secretary of state. Such reports shall be filed one year from (1) the effective date of the registration or exemption or (2) the date the notice filing under section 18(b) of the Securities Act of 1933 was made with the secretary of state, and a final sales report shall be filed within 60 days of the termination of the offering. The sales report shall indicate the termination date, the total number and amount of sales in this state, and the total number and amount of sales in all jurisdictions. Any person who (1) fails to file a sales report or (2) fails to submit annual audited financial statements to the secretary of state under RSA 421-B:15, II-a shall pay a penalty of \$25 for each day of delinquency; provided, however, that the secretary of state may, for good cause shown, abate all or a portion of said delinquency penalty. The provisions of this paragraph shall not apply to federal covered securities pursuant to section 18(b)(2) of the Securities Act of 1933.

(b) Any person who fails to timely file the notice required pursuant to RSA 421-B:11, I-a(e) shall pay a penalty of \$500 if the notice filing is delinquent by no more than 90 days or a penalty of \$1,000 if the notice filing is delinquent by more than 90 days; provided, however, that if the filing is delinquent by more than one year, the person failing to timely file the required notice may be subject to the provisions of RSA 421-B:23, RSA 421-B:24, RSA 421-B:25, and RSA 421-B:26 for such failure.

Amend the bill by replacing section 31 with the following:

31 Effective Date. This act shall take effect January 1, 2007.

AMENDED ANALYSIS

This bill:

- I. Expands the definition of "issuer-dealer."
- II. Defines fraudulent or deceptive devices in sales or purchases of securities.
- III. Expands unlawful activities to include manipulative, deceptive, or other devices.
- IV. Makes changes to the requirements for securities licensing.
- V. Establishes additional licensing requirements for issuer-dealers.
- VI. Requires investment adviser licensees to keep files of complaints and litigation for the secretary of state to inspect.
- VII. Requires examination of an issuer-dealer's accounts within 4 years of licensing.
- VIII. Clarifies the exemption for isolated sales of securities from regulation.
- IX. Establishes general standards of conduct in securities offerings.
- X. Permits the secretary of state to appoint deputy directors.

- XI. Clarifies the authority and jurisdiction of the secretary of state over securities regulation.
 - XII. Clarifies when an offer to buy or sell is made.
 - XIII. Changes fees for securities licenses and filings.
 - XIV. Adds a penalty for late notice filings.
 - XV. Makes the secretary of state a member of the deferred compensation commission, replacing the director of the office of securities regulation.
- This bill is a request of the secretary of state.
Referred to Ways and Means.

HB 719-FN, recodifying the Articles 1 and 7 of the Uniform Commercial Code. **OUGHT TO PASS WITH AMENDMENT**

Rep. Tara G. Reardon for Commerce: This bill adopts the recodified version of Articles 1 and 7 as promulgated by the Commissioners on Uniform Laws. Like other states that have adopted this Uniform version, New Hampshire maintained the choice of law provision currently available. Vote 19-0.

Amendment (0128h)

Amend RSA 382-A:1-301 as inserted by section 1 of the bill by replacing it with the following:
382-A:1-301 Territorial Application of Chapter; Parties' Power to Choose Applicable Law.

(a) Except as provided in paragraph (b), if a transaction bears a reasonable relation to this state and also to another state or nation, the parties may agree that the law either of this state or of such other state or nation shall govern their rights and duties. In the absence of such an agreement, this chapter applies to transactions bearing a reasonable relation to this state.

(b) Where one of the following provisions of this chapter specifies the applicable law, that provision governs and a contrary agreement is effective only to the extent permitted by the law, including the conflict of laws rules, so specified:

- (1) Rights of creditors against sold goods, Section 2-402.
- (2) Applicability of the Article on Leases, Sections 2A-105 and 2A-106.
- (3) Applicability of the Article on Bank Deposits and Collections, Section 4-102.
- (4) Governing law in the Article on Funds Transfer, Section 4A-507.
- (5) Letters of Credit, Section 5-116.
- (6) Applicability of the Article on Investment Securities, Section 8-110.
- (7) Law governing perfection, the effect of perfection or nonperfection, and the priority of security interests and agricultural liens, Sections 9-301 through 9-307.

Amend the bill by replacing section 48 with the following:

48 Effective Date. This act shall take effect January 1, 2007.

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

INEXPEDIENT TO LEGISLATE

Rep. Marshall Lee Quandt for Commerce: The committee believes that we now have an oversight committee to ensure SB 125 (2004) is implemented as smoothly as possible. Small group health insurance has been adequately studied to this point. If any future problems exist this bill can be reintroduced. Vote 18-0.

SB 175, requiring insurance coverage for certified midwives. **OUGHT TO PASS WITH AMENDMENT**

Rep. James R. Martin for Commerce: This bill requires insurance carriers to cover the services of certified midwives provided in licensed health care facilities, under policies providing maternity benefits, and subject to each insurer's standards and mechanisms for

credentialing and contracting pursuant to RSA 420-J:4 and RSA 420-J:8. Vote 18-0.

Amendment (0168h)

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

1 New Section; Coverage for Certified Midwives; Individual. Amend RSA 415 by inserting after section 6-k the following new section:

415:6-l Coverage for Certified Midwives. Each insurer that issues or renews any individual policy, plan, or contract of accident or health insurance providing maternity benefits, shall also provide to certificate holders of such insurance, who are residents of this state, coverage consistent with the terms and conditions of the policy for services rendered by a midwife certified under RSA 326-D. Such coverage shall be subject to each insurer's standards and mechanisms for credentialing and contracting pursuant to RSA 420-J:4 and RSA 420-J:8 respectively, where applicable, and contingent upon services being provided in a licensed health care facility and within the scope of practice of a certified midwife. Benefits provided shall not be subject to any greater co-payment, deductible, or coinsurance than any other similar benefits provided by the insurer.

2 New Section; Coverage for Certified Midwives; Group. Amend RSA 415 by inserting after section 18-p the following new section:

415:18-q Coverage for Certified Midwives. Each insurer that issues or renews any policy of group or blanket accident or health insurance providing maternity benefits shall also provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage consistent with the terms and conditions of the policy for services rendered by a midwife certified under RSA 326-D. Such coverage shall be subject to each insurer's standards and mechanisms for credentialing and contracting pursuant to RSA 420-J:4 and RSA 420-J:8 respectively, where applicable, and contingent upon services being provided in a licensed health care facility and within the scope of practice of a certified midwife. Benefits provided shall not be subject to any greater co-payment, deductible, or coinsurance than any other similar benefits provided by the insurer.

3 New Section; Coverage for Certified Midwives; Health Service Corporations. Amend RSA 420-A by inserting after section 17-e the following new section:

420-A:17-f Coverage for Certified Midwives. Every health service corporation and every other similar corporation licensed under the laws of another state that issues or renews any policy of group or blanket accident or health insurance providing maternity benefits shall also provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage consistent with the terms and conditions of the policy for services rendered by a midwife certified under RSA 326-D. Such coverage shall be subject to each insurer's standards and mechanisms for credentialing and contracting pursuant to RSA 420-J:4 and RSA 420-J:8 respectively, where applicable, and contingent upon services being provided in a licensed health care facility and within the scope of practice of a certified midwife. Benefits provided shall not be subject to any greater co-payment, deductible, or coinsurance than any other similar benefits provided by the insurer.

4 New Section; Coverage for Certified Midwives. Amend RSA 420-B by inserting after section 8-o the following new section:

420-B:8-p Coverage for Certified Midwives. Every health maintenance organization and every similar corporation licensed under the laws of another state that issues or renews any policy, plan, or contract of individual or group or blanket health insurance providing maternity benefits shall also provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage consistent with the terms and conditions of the policy for services rendered by a midwife certified under RSA 326-D. Such coverage shall be subject to each insurer's standards and mechanisms for credentialing and contracting pursuant to RSA 420-J:4 and RSA 420-J:8 respectively, where

applicable, and contingent upon services being provided in a licensed health care facility and within the scope of practice of a certified midwife. Benefits provided shall not be subject to any greater co-payment, deductible, or coinsurance than any other similar benefits provided by the insurer.

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

SB 209-FN, relative to licensing of money transmitters and check cashers. **REFER FOR INTERIM STUDY**

Rep. Tara G. Reardon for Commerce: This bill seeks to regulate money transmitters and check cashers. Resolution of the issues surrounding these activities relies partly on a pending suit involving “stored value cards,” The New Hampshire Attorney General’s Office is currently a participant in that matter. The committee feels this is an important bill and would like to work further studying the issue and gaining more insight into the check cashing practice as it currently exists in the state. Vote 19-0.

HB 113, establishing a committee to study mandatory sentencing in criminal cases. **INEXPEDIENT TO LEGISLATE**

Rep. William V. Knowles for Criminal Justice and Public Safety: The intent of this bill was to establish a study committee, which the committee did by means of a subcommittee to study these sentences. It was determined that most of the mandatory sentences involved murder, rape and DWI, which they felt shouldn’t be changed. The subcommittee also decided to submit legislation to allow discretion to judges in cases involving felonious use of a firearm in a crime not considered a violent crime. Vote 15-0.

HB 373, relative to eligibility for parole for nonviolent offenders with Immigration and Naturalization Service detainers or deportation orders, or a federal prison sentence. **INEXPEDIENT TO LEGISLATE**

Rep. Karl I. Gilbert for Criminal Justice and Public Safety: The State of New Hampshire should support its own laws. When these offenders are prosecuted, the state considers the status of the offender. The judge also has knowledge of the status during sentencing. The process in this bill, if implemented, would send the wrong message to crime victims. Vote 15-0.

HB 385, establishing a committee to study the repeal of the felony count for fourth and subsequent DWI offenders. **OUGHT TO PASS WITH AMENDMENT**

Rep. John E. Tholl for Criminal Justice and Public Safety: The committee believes that there is a serious problem with substance abuse treatment within the state prison system. As originally drafted, the bill would have limited the study to just felony DWI inmates. The amendment broadens the study to all offenses that need substance abuse treatment that a more comprehensive treatment program can result from the study. Vote 15-0.

Amendment (0058h)

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

AN ACT establishing a committee to study the adequacy of current substance abuse treatment available in the state prison system.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the adequacy of current substance abuse treatment available in the state prison system.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall evaluate the adequacy of current substance abuse treatment available in the state prison system.

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.

AMENDED ANALYSIS

This bill establishes a committee to study the adequacy of current substance abuse treatment available in the state prison system.

HB 489-FN, relative to disclosing an ownership interest in certain health care facilities and businesses. **OUGHT TO PASS WITH AMENDMENT**

Rep. Patricia A. Dowling for Criminal Justice and Public Safety: Currently, health care practitioners disclose ownership interests in ancillary services to the Department of Health and Human Services. The Department of Health and Human Services had indicated it lacked the staff to enforce the disclosure by doctors of their ownership in other health care facilities to which they may refer patients. The original bill required fines and suspension of licenses to force the disclosure. The amendment requires the license application to include such disclosures. If the license is not sufficiently filled out, it will not be granted or could be suspended. False information on the license application shall be subject to perjury. Vote 15-0.

Amendment (0200h)

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

1 Disclosure to Respective Boards; Ownership Interest. RSA 125:25-c is repealed and reenacted to read as follows:

125:25-c Disclosure to the Licensing Authority.

I. Notwithstanding any other section of the law, any health care practitioner who has an ownership interest in an entity which provides diagnostic or therapeutic services shall disclose such interest to the appropriate licensing authority regardless of whether any referrals are provided to the health care practitioner's entity or any other entity. In the disclosure to the appropriate licensing authority, the health care practitioner shall list all diagnostic and therapeutic services provided by any entity in which the health care practitioner has an ownership interest. Disclosure of ownership, as well as the percentage of ownership interest in each entity or entities, shall be made upon application for and renewal of the health care practitioner's license, on the application and renewal form.

II. An entity which provides diagnostic and therapeutic services shall include services provided by an entity within a hospital, but which is not owned by the hospital.

III. This section shall not apply to in-office ancillary services.

IV. Failure to report such ownership interest may result in the suspension of one's professional license or registration. Any applicant who falsifies disclosure information shall be subject to perjury.

2 Repeal. RSA 125:15-a, VIII, relative to rulemaking for certain disclosures, is repealed.

3 Effective Date. This act shall take effect July 1, 2006.

AMENDED ANALYSIS

This bill requires a health care practitioner to report an ownership interest in certain health care facilities and businesses to their respective licensing boards instead of the department of health and human services.

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

HB 654-FN-L, prohibiting the sale or resale of goods or services produced using inmate labor. **INEXPEDIENT TO LEGISLATE**

Rep. Karl I. Gilbert for Criminal Justice and Public Safety: After reviewing concerns of the committee, it appears the Grafton County Commissioners have resolved any issues surrounding the sale of produce grown at the county farm using inmate labor. Passage of this bill would impact all ten county jails and the four state prisons in New Hampshire.

HB 673-FN, making it a felony to knowingly transmit the human immunodeficiency virus or hepatitis to another person. **INEXPEDIENT TO LEGISLATE**

Rep. William V. Knowles for Criminal Justice and Public Safety: A case was decided in Rockingham Superior Court in which a man was charged with second degree assault with a deadly weapon for having unprotected sex while infected with H.I.V. without informing his partner in sex of his condition until after the event. The material elements in this case alleged in his indictment were: (1) a reckless mental state; (2) causing bodily injury (psychological); and (3) using a deadly weapon. He pled guilty and was sentenced 3-7 years. Prosecutors feel this decision will form a standard and that additional legislation is not necessary. Vote 14-1.

HB 292, establishing a procedure for a town to withdraw from a 3-town school district. **INEXPEDIENT TO LEGISLATE**

Rep. Stephen R. L'Heureux for Education: The committee retained this bill to monitor a situation in Mason. During the summer, the local parties resolved their local issue making this legislation unnecessary. Vote 15-0.

HB 297-FN, relative to charter schools. **INEXPEDIENT TO LEGISLATE**

Rep. Claire D. Clarke for Education: The committee felt that the appropriate vehicle for any amendments to charter school language should be HB 76, in order to prevent duplication of provisions within bills. Therefore elements of this bill as it relates to direct payment to Charter Schools by the state were incorporated into HB 76. Vote 19-0.

HB 606-FN-A-L, revising the calculation and distribution of education funding and special education funding. **INEXPEDIENT TO LEGISLATE**

Rep. David W. Hess for Education: The committee retained six of the seven education funding bills introduced in 2005 in order to have vehicles available to correct and/or modify HB 616 as enacted into law. One of these bills, HB 100, is being used to make technical corrections to the law as enacted in June, 2005. Only one other proposal regarding educational funding was brought forth. Consequently, this bill is not necessary. Vote 19-0.

HB 614-FN-A-L, providing for state funding of the statewide average education cost per pupil. **INEXPEDIENT TO LEGISLATE**

Rep. David W. Hess for Education: The committee retained six of the seven education funding bills introduced in 2005 in order to have vehicles available to correct and/or modify HB 616 as enacted into law. One of these bills, HB 100, is being used to make technical corrections to the law as enacted in June, 2005. Only one other proposal regarding educational funding was brought forth. Consequently, this bill is not necessary. Vote 18-0.

HB 684-FN-L, relative to education funding and the distribution of targeted aid and transition education grants. **INEXPEDIENT TO LEGISLATE**

Rep. David W. Hess for Education: The committee retained six of the seven education funding bills introduced in 2005 in order to have vehicles available to correct and/or modify HB 616 as enacted into law. One of these bills, HB 100, is being used to make technical corrections to the law as enacted in June, 2005. Only one other proposal regarding educational funding was brought forth. Consequently, this bill is not necessary. Vote 19-0.

HB 221, relative to eligibility for absentee ballots. **OUGHT TO PASS WITH AMENDMENT**

Rep. Richard B. Drisko for Election Law: This bill will permit persons who are unable to appear at a polling place during polling hours, because of employment obligations, to be considered as absent and thereby eligible for an absentee ballot. This legislation will amend

the application forms to include this additional eligibility category. Vote 18-0.

Amendment (0062h)

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

1 Absence, Religious Observance, and Disability Absentee Voting. Amend RSA 657:1 to read as follows:

657:1 Absence, Religious Observance, and Disability Absentee Voting. Any person who is absent on the day of any state election from the city, town, or unincorporated place in which he **or she** is registered to vote or who cannot appear in public on any election day because of his **or her** observance of a religious commitment or who is unable to vote there in person by reason of physical disability may vote at such elections as provided in this chapter. ***A person who is unable to appear at any time during polling hours at his or her polling place because an employment obligation requires the person to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close shall be considered absent for purposes of this chapter.***

2 Absentee Voter Affidavit; Absence from City or Town. Amend RSA 657:7, II(a) to read as follows:

(a) Absence from City or Town. A person voting by absentee ballot because of absence from the city or town in which he or she is entitled to vote shall fill out and sign the following certificate:

I do hereby certify under the penalties for voting fraud set forth below that I am a voter in the city or town of _____, New Hampshire, in ward _____; that I will be ***unable to appear at any time during polling hours at my polling place because I will be working on election day or will be otherwise*** absent on election day from said city or town and will be unable to vote in person; that I have carefully read (or had read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind).

(Signature) _____

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000.

Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

3 Town Elections; Absentee Voting. Amend RSA 669:26 to read as follows:

669:26 Absentee Voting. Every town which has adopted an official ballot system for town elections as provided in RSA 669:12 or 669:13 shall provide for absentee voting. Any registered voter or armed services voter who is absent from such a town on the day of a town election, or who cannot appear in public on election day because of his observance of a religious commitment, or who, by reason of physical disability, is unable to vote in person may vote at a town election in accordance with the provisions of this section and RSA 669:27-***669:29. A person who is unable to appear at any time during polling hours at his or her polling place because an employment obligation requires the person to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close shall be considered absent for purposes of this section and RSA 669:27-669:29.***

4 Absentee Voter Affidavit. Amend RSA 669:27, III to read as follows:

III. Envelopes of sufficient size to contain the ballots specified in paragraph I, on which shall be printed the following affidavit:

Absence. A person voting by absentee ballot because of absence from the place in which he or she is entitled to vote shall fill out and sign the following certificate:

I do hereby certify, under the penalties for voting fraud set forth below, that I am a voter in the town (city, village district, school district) of _____, New Hampshire, that I

will be ***unable to appear at any time during polling hours at my polling place because I will be working on election day or will be otherwise*** absent on election day from said town (city, village district, school district) and will be unable to vote in person; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the within ballot and enclosed and sealed it in this envelope.

(Signature) _____

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000.

Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Absence Because of Religious Observance or Physical Disability. A person voting by absentee ballot because of religious observance or physical disability shall fill out and sign the following certificate:

I do hereby certify, under the penalties for voting fraud set forth below, that I am a voter in the town (city, village district, school district) of _____, New Hampshire, that I will be observing a religious commitment which prevents me from voting in person, or that on account of physical disability I am unable to vote in person; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the within ballot and sealed it in this envelope.

(Signature) _____

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000.

Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

5 Absentee Voting; Application Forms. RSA 657:4 is repealed and reenacted to read as follows:

657:4 Forms. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

I. Absence (Excluding Absence Due to Residence Outside the Continental United States), Religious Observance, and Disability:

New Hampshire law requires that you vote in person at the polling place for your town or ward unless you:

- a. Plan to be absent on the day of the election from the city, town, or unincorporated place in which you are registered to vote.
- b. Cannot appear in public on election day because of observance of a religious commitment.
- c. Are unable to vote in person due to a disability.

RSA 657:1. Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an absentee ballot for the following election:

_____ State Primary. I am member of the:

_____ Republican Party

_____ Democratic Party

or I am now declaring my affiliation with that party and am requesting a ballot for that party's primary.

_____ General Election

Applicant's Name _____

(Last)

(First)

(Middle)

(DOB)

Applicant's Voting Domicile (home address): _____

(Street) (City/Town) (zip)
Mail the ballot to me at this address: _____

I hereby declare that:

_____ I am a duly qualified voter who is currently registered to vote in this town/ward.

_____ I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

I will be entitled to vote by absentee ballot at the election designated above because:

_____ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

_____ I cannot appear in public on election day because of observance of a religious commitment.

_____ I am unable to vote in person due to a disability.

This application form must be signed by the applicant. The absentee ballot forms you receive will require you to sign an affidavit confirming that you are entitled to vote by absentee ballot due to one of the reasons stated above. The moderator is required to compare the signature on the affidavit to your signature on this form. The absentee ballot will not be counted if the affidavit and this form do not appear to have been signed by the same person. RSA 659:50.

Signature of the Applicant: _____

II. Any person that publishes, mails, or distributes in any manner any written communication that contains a form or postcard which a reasonable person would consider as intended to be used by the recipient of the communication to submit a request for an absentee ballot shall attach a copy of the form prepared by the secretary of state pursuant to paragraph I of this section to the communication or include in the communication a complete facsimile of the form prepared by the secretary of state pursuant to paragraph I of this section. Any person that violates this paragraph shall be subject to a civil penalty not to exceed \$1,000, to be imposed in the manner set forth in RSA 659:34, III-V.

III.(a) Absence Due to Residence Outside the Continental United States:

To the city or town clerk of _____

I, _____, hereby apply for an official absentee ballot. I am a duly qualified voter and entitled to vote in ward _____, city or town of _____.

Mail absentee ballot to _____.

Signature

Street and Number

City or Town, State and Country

(b) Overseas Voting:

To the city or town clerk of _____

I, _____, hereby apply for an official overseas citizens federal election absentee ballot. I am a duly qualified overseas voter and entitled to vote in federal elections held in the city or town of _____. Mail overseas citizens federal election absentee ballot to _____.

Signature

Street and Number

City or Town, Province, Country

(c) Armed Services Voting:

To the town or city clerk of _____

I, _____, hereby apply for an official armed services absentee ballot. I am:

a. A member of the armed forces of the United States. ☐

Service Organization _____

b. A member of the merchant marine of the United States. ☐

c. A civilian employee of the United States government serving outside the United States. ☐

d. A member of a religious group or welfare agency assisting members of the armed forces. ☐

Organization _____

e. A spouse or dependent of a person listed in a, b, c, or d above. ☐

My complete service address is:

My (non-military) domicile in New Hampshire immediately prior to such service was:
street and number _____ city or town _____

Signature of Applicant

6 Effective Date.

I. Section 5 of this act shall take effect January 1, 2007.

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

AMENDED ANALYSIS

This bill:

I. Permits persons who are unable to appear during polling hours at the polling place because of employment obligation to vote by absentee ballot.

II. Modifies the application form for state election absentee ballots.

III. Requires that persons publishing absentee ballot forms attach a copy or facsimile of the form prepared by the secretary of state.

HB 250, permitting certain election day workers to vote by absentee ballot.

INEXPEDIENT TO LEGISLATE

Rep. Keith D. Hirschmann for Election Law: The legislative remedy requested in this bill was incorporated in HB 221 which, as amended, allows any voter who is unable to vote because of employment obligations, including commuting time, which would prevent one from voting while the polls are open to vote by absentee ballot. Vote 18-0.

HB 282, establishing a committee to study issues relating to voter registration and identification requirements. **INEXPEDIENT TO LEGISLATE**

Rep. William L. O'Brien for Election Law: The committee retained six bills that are related to the subjects of voter registration and voter identification, including this bill that would establish a committee to study those issues and report findings and recommendations to the legislative leadership. The subcommittee that was established to consider those bills conducted a wide-ranging inquiry into voter registration and voter identification issues. Its efforts included receiving testimony from representatives of state and local agencies as well as interested citizens, reviews of laws and materials from the federal government and other states, and discussions among subcommittee members during many work sessions. As a consequence of these studies and deliberations, the subcommittee recommended various

reforms that have been incorporated as amendments into the five other bills and have been adopted by a majority of the Election Law Committee for recommendations to the House. Once these reforms are put into practice, a subsequent session of the legislature should consider whether further study and recommendations are required. Vote 18-0.

HB 349, relative to placement and removal of political advertising. **OUGHT TO PASS WITH AMENDMENT**

Rep. Janet F. Allen for Election Law: This bill, as amended, allows removal of political advertising on private property without 24 hour notice to the candidate by the police. It eliminates the date requirements for placement of political signs on private property and allows for placement of political advertising on highway rights-of-way with the permission of the landowner. It states that signs shall not be placed on or affixed to utility poles. Vote 17-0.

Amendment (0027h)

Amend the bill by replacing section 1 with the following:

1 Placement and Removal of Political Advertising. Amend RSA 664:17 to read as follows:

664:17 Placement and Removal of Political Advertising. No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. ~~[The earliest date on which political advertising may be placed or affixed shall be the last Friday in July prior to a state primary. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary.]~~ ***Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes.*** No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to any private property except the owner of the property or a law enforcement officer removing improper advertising~~[- provided, however, that, before a law enforcement officer removes any advertisement, he shall notify the candidate that it is improper, and allow the candidate 24 hours to remove the advertisement himself].~~ ***Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept for one week at a place designated by the state, city, or town so that the candidate may retrieve the items.***

AMENDED ANALYSIS

This bill:

- I. Establishes procedures for the removal of political advertising placed on public property.
- II. Eliminates the requirement that law enforcement provide 24-hour notice to a candidate before removing political advertising improperly placed on private property.
- III. Eliminates the date requirements for placement of political advertising.
- IV. Permits the placement of political advertising in state-owned rights-of-way under certain circumstances.

HB 482-FN, relative to the application form for absentee ballots. **INEXPEDIENT TO LEGISLATE**

Rep. Richard B. Drisko for Election Law: Action relative to absentee ballots was taken up in HB 221. Vote 18-0.

SB 13, relative to placement and removal of political advertising. **INEXPEDIENT TO LEGISLATE**

Rep. Janet F. Allen for Election Law: The language in this bill was incorporated into the amendment of HB 349. Vote 17-0.

HB 331, establishing a committee to study stock and working dogs for agricultural purposes. **OUGHT TO PASS WITH AMENDMENT**

Rep. James G. Phinizy for Environment and Agriculture: This bill was retained in committee, as Environment and Agriculture felt it could best address this issue without having to establish a "study committee." The bill, as amended, clarifies the use of dogs for agricultural purposes, specifically guarding and herding livestock. As city and suburban development encroach on farms, it has become increasingly necessary to clarify and differentiate between rural and urban usage. This bill protects the ability of farmers to manage livestock without being in violation of statute while using dogs for agricultural purposes. Vote 13-0.

Amendment (0040h)

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

AN ACT relative to restraining dogs and relative to livestock working dogs.

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

1 Dog Control Law; Working Livestock Dogs Exempt. Amend RSA 466:30-a, I to read as follows:

I. Notwithstanding any other provisions of this chapter, it shall be unlawful for any dog to run at large, except when accompanied by the owner or custodian, and when used for hunting, for ***guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4),*** for supervised competition and exhibition, or ***for*** training for such. For the purpose of this section, "accompanied" means that the owner or custodian must be able to see or hear, or both, or have reasonable knowledge of where the dog is hunting, ~~herding, or~~ where training is being conducted ~~[or]~~, where trials are being held, ***or where the dog is guarding, working, or herding livestock.*** Nothing herein provided shall mean that the dog must be within sight at all times.

2 Working Livestock Dogs and Dogs at Home not a Menace. Amend RSA 466:31, II(a)-(e) to read as follows:

(a) If a dog is "at large," which means it is off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian. This subparagraph shall not include a dog which is being used for hunting, ~~herding,~~ supervised competition, ~~or~~ exhibition, or training for such activities if accompanied by the owner or custodian, ***or a dog which is guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4),*** meaning that the owner or custodian must be able to see or hear the dog, or have reasonable knowledge of where the dog is hunting or herding, or where training is being conducted or where trials are being held, provided that such dog does not have to be within sight at all time;

(b) If it barks for sustained periods of more than 1/2 hour, or during the night hours so as to disturb the peace and quiet of a neighborhood or area, ***not including a dog which is guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4);***

(c) If it digs, scratches, or excretes, or causes waste or garbage to be scattered on property other than its owner's;

(d) If any female dog in season (heat) is permitted to run at large or be off the premises of the owner or keeper during this period except when being exercised on a leash by a responsible adult. At all other times such dog shall be confined within a building or

enclosure in such manner that she will not come in contact (except for intentional breeding purposes) with a male dog. A female dog in heat shall not be used for hunting;

(e) If it growls, snaps at, runs after, or chases any person or persons ***not on the premises of the owner or keeper***;

3 Dogs at Large; Working Livestock Dogs Exempt. Amend RSA 466:33 to read as follows:

466:33 Dogs at Large. It shall be unlawful for the owner or custodian of any dog to permit such dog to run at large in territory inhabited by game birds or quadrupeds, or on lands where livestock is pastured, at any time of the year; provided that hares and rabbits may be hunted with dogs during the open season ~~[therefor]~~ under the owner's control and supervision. Any organized club may hold a club licensed or sanctioned field trial on game which is otherwise protected. Said club shall secure permission from the owner of the land on which said trial is to be held, and shall notify the executive director of the fish and game department at least 2 weeks in advance of the date and place of the trial. Whoever violates the provisions of this section shall be guilty of a violation. ***Dogs which are guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4), shall be exempt from this section.***

4 Livestock Working Dogs Added to Dogs Wearing Rabies Vaccination Tag. Amend RSA 436:102 to read as follows:

436:102 Duties of Veterinarian. It shall be the duty of each veterinarian, at the time of vaccinating any dog, cat, or ferret, to complete a certificate of rabies vaccination in triplicate which includes the following information: owner's name and address, description of dog, cat, or ferret (breed, sex, markings, age, name), date of vaccination, rabies vaccination tag number, type of rabies vaccine administered, manufacturer's serial number of vaccine, and the expiration date of the vaccination. Distribution of copies of the certificate shall be: the original to the owner, one copy retained by the issuing veterinarian and, within 40 days of the vaccination, one copy to the town or city clerk where the dog, cat, or ferret is kept. The veterinarian and the owner shall retain their copies for the interval between vaccinations specified in RSA 436:100. A metal or durable plastic tag, serially numbered, shall be securely attached to the collar or harness of the dog. Whenever the dog is out-of-doors, off the owner's premises, and not under the control of the owner or handler while working the dog, the collar or harness with the vaccination tag shall be worn. For the purposes of this section, "working the dog" means a dog doing a defined functional canine activity with its owner or handler such as hunting, field work, drafting, and ***guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4)***, or participating in any lawful competitive event, including, but not limited to, conformation shows or obedience trials, field trials, agility events, hunts, sled races, or training activities pertinent to functional canine activities. Cats and ferrets shall not be required to wear the collar or harness with the tag.

5 New Subparagraph; Definition of Farming; Livestock Working Dogs Added. Amend RSA 21:34-a, II(b) by inserting after subparagraph (6) the following new subparagraph:

(7) The use of dogs for herding, working, or guarding livestock, as defined in RSA 21:34-a, II(a)(4).

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

AMENDED ANALYSIS

This bill adds dogs who are guarding, working, or herding livestock to:

- I. Dogs that must be accompanied by an owner or custodian.
- II. The exceptions from dogs at large.
- III. The requirements for wearing a rabies vaccination tag.
- IV. The definition of "farming."

HB 538, relative to disposing of construction and demolition debris. **OUGHT TO PASS WITH AMENDMENT**

Rep. Timothy D. O'Connell for Environment and Agriculture: The amendment replaces the

bill. It extends the 40% solid waste reduction goal date from 2000 to 2008 and introduces deconstruction into the solid waste hierarchy established in RSA 149-M:3. Vote 17-0.

Amendment (0167h)

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

AN ACT relative to deconstruction of structures.

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

1 Waste Reduction Goal. Amend RSA 149-M:2, I to read as follows:

I. The general court declares its concern that there are environmental and economic issues pertaining to the disposal of solid waste in landfills and incinerators. It is important to reserve landfill and incinerator capacity for solid wastes which cannot be reduced, reused, recycled, or composted. The general court declares that the goal of the state, by the year ~~[2000]~~ **2008**, is to achieve a 40 percent minimum weight diversion of solid waste landfilled or incinerated on a per capita basis. Diversion shall be measured with respect to changes in waste generated and subsequently landfilled or incinerated in New Hampshire. The goal of weight diversion may be achieved through source reduction, recycling, reuse, and composting, or any combination of such methods. The general court discourages the disposal of recyclable materials in landfills or processing of recyclable materials in incinerators **and encourages the use of deconstruction techniques wherever possible.**

2 Solid Waste Hierarchy. Amend RSA 149-M:3, II to read as follows:

II. Recycling and reuse, **including deconstruction.**

3 New Paragraph; Definitions; Deconstruction. Amend RSA 149-M:4 by inserting after paragraph IV the following new paragraph:

IV-a. "Deconstruction" means the process of taking apart a structure with the primary goal of preserving the value of all useful building materials, so that the may be recycled or reused.

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

AMENDED ANALYSIS

This bill modifies the solid waste goals and hierarchy.

HB 544, relative to the land and community heritage program. OUGHT TO PASS WITH AMENDMENT

Rep. Derek Owen for Environment and Agriculture: This bill provides for limited restricted access for lands acquired for term easements under the Community Heritage Investment Program. Restrictions include camping by members of the public and during times of the growing season, and planting on cropland and harvesting, and forestry land during harvesting or establishing a plantation. Vote 16-0.

Amendment (0227h)

Amend the bill by replacing section 2 with the following:

2 Community Heritage Investment Program; Public Access. Amend RSA 227-M:15, I to read as follows:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public. A grantor may reserve the right to post against vehicles, motorized or otherwise and against ~~[hunting on]~~ **access to** active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations. ***Such term easements as described in RSA 227-M:2, IV will be granted where participation in such program fosters farm viability entered into by the authority or the department of agriculture, markets, and food.***

AMENDED ANALYSIS

This bill provides that easements acquired by the land and community heritage investment authority or the department of agriculture, markets, and food shall foster farm viability.

HB 578, relative to construction or development constituting a change in use for purposes of assessing the land use change tax. **OUGHT TO PASS WITH AMENDMENT**
Rep. Donald R. Philbrick for Environment and Agriculture: This bill clarifies the criteria in RSA 79-A to assessing officials when land comes out of current use and is subject to the land use change tax. It also permits the vice chair of the current use board to act in the absence of the chair. Vote 18-0.

Amendment (0159h)

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

AN ACT relative to the current use advisory board and relative to construction or development constituting a change in use for purposes of assessing the land use change tax. Amend the bill by replacing all after the enacting clause with the following:

1 Current Use Advisory Board; Vice Chair. Amend RSA 79-A:3, IV to read as follows:

IV. The board shall annually elect ~~[one of its members as chairman]~~ **from its members a chair and a vice-chair who shall serve in the chair's absence with all associated responsibilities, including rulemaking.**

2 New Section; Current Use; Contiguous Parcels. Amend RSA 79-A by inserting after section 4 the following new section:

79-A:4-a Contiguous Parcels.

I. Parcels of land that are contiguous and under the same ownership, as defined by the board, shall be considered one tract of land for purposes of determining whether any area within such tract meets the criteria for open space land established by the board. This standard shall be applied when determining:

- (a) Eligibility for current use assessment under RSA 79-A:5; and
- (b) The existence and extent of a change in use under RSA 79-A:7.

II. Paragraph I shall apply to contiguous parcels whether or not they are part of a subdivision or other similar type of development.

3 Current Use; Land Use Change Tax. Amend RSA 79-A:7 to read as follows:

79-A:7 Land Use Change Tax.

I. Land which has been classified as open space land and assessed at current use values on or after April 1, 1974, pursuant to this chapter shall be subject to a land use change tax when it is changed to a use which does not qualify for current use assessment. ***Except as otherwise provided for in this section, a change in use has occurred to any portion of land under current use assessment if it no longer meets the criteria for open space land established by the board due either to actual physical changes made to such land or minimum acreage requirements not being met. Unless the change in use is due to not meeting minimum acreage requirements, only the land area on which the actual physical changes took place shall be considered changed in use. The amount of land which has changed in use under this section shall be determined according to rules adopted pursuant to RSA 541-A by the chair of the board, based upon the recommendation of the board. A change in use shall occur only as provided for in this section and land not changed in use shall remain under current use assessment.***

I-a. Notwithstanding the provisions of RSA 75:1, the tax shall be at the rate of 10 percent of the full and true value determined without regard to the current use value of the land which is subject to a non-qualifying use or any equalized value factor used by the municipality or the county in the case of unincorporated towns or unorganized places in which the land is located. Notwithstanding the provisions of RSA 76:2, such assessed value shall be determined as of the ~~[actual]~~ date ~~[of the change in land use]~~ ***prescribed in***

paragraph I-b if such date is not April 1. This tax shall be in addition to the annual real estate tax imposed upon the property~~[-and shall be due and payable upon the change in land use]~~. Nothing in this paragraph shall be construed to require payment of an additional land use change tax when the use is changed from one non-qualifying use to another non-qualifying use.

~~[I-a. Land which is classified as open space land and assessed at current use values shall be assessed at current use values until a change in land use occurs pursuant to RSA 79-A:7, IV, V, or VI.]~~

I-b. The full and true value of land that has changed in use shall be based on its highest and best use as of the date the actual physical change began or the minimum acreage requirements were not met. The date upon which actual physical change began on a specific parcel of land shall be when road construction, utility installation, site excavation or grading, or any other act on such parcel integral to a construction or building project commenced, provided that all required local, state, or federal approvals were received prior to the commencement of activities. In the event that these activities commenced prior to receipt of all required approvals, the assessing officials may delay the assessment of the land use change tax until all required approvals have been secured, or illegal actions remedied. In addition, the assessing officials may determine the full and true value of such land based on the highest and best use of the land as of this later time.

I-c. The provisions of this section shall be applied in the same manner whether a construction or building project takes place on a solitary parcel or on one that is part of a subdivision or other similar type of development.

II. The land use change tax shall be due and payable by the owner at the time of the change in use to the town or city in which the property is located. If the property is located in an unincorporated town or unorganized place, the tax shall be due and payable by the owner at the time of the change in use to the county in which the property is located. Moneys paid to a county from the land use change tax shall be used, in addition to any other funds, to pay for the cost of the services provided in RSA 28:7-a and **RSA 28:7-b**. The land use change tax shall be due and payable according to the following procedure:

(a) The commissioner shall prescribe and issue forms to the local assessing officials for the land use change tax bill which shall provide a description of the property which is subject to a non-qualifying use, the RSA 75:1 full value assessment, and the tax payable.

(b) The prescribed form shall be prepared in quadruplicate; the original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the land use change tax along with a special tax warrant authorizing the collector to collect the land use change tax assessed under the warrant; the quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the land use change tax warrant and the prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 12 months of the date upon which the local assessing officials receive written notice of the change of use from the landowner or his agent, or within 12 months of the date the local assessing officials actually discover that the land use change tax is due and payable. Upon receipt of payment, the collector shall forward the original tax bill to the register of deeds of the county in which the land is located for the purpose of releasing recorded contingent liens required under RSA 79-A:5, VI. The tax bill shall state clearly whether all, or only a portion, of the land affected by the notice of contingent lien is subject to release. The recording fee charged by the register of deeds shall be paid by the owner of the land in accordance with the fees to which the register of deeds is entitled under RSA 478:17; 478:17-f or 478:17-g, I as applicable.

(d) Payment of the land use change tax, together with the recording fees due the register of deeds, shall be due not later than 30 days after mailing of the tax bills for such

tax, and interest at the rate of 18 percent per annum shall be due thereafter on any taxes not paid within the 30-day period.

(e) All land use change tax assessments levied under this section shall, on the date of the change in use, create a lien upon the lands on account of which they are made and against the owner of record of such land. Furthermore, such liens shall continue for a period of 18 months following the date upon which the local assessing officials receive written notice of the change of use from the landowner or his agent, or the date the local assessing officials actually discover that the land use change tax is due and payable, and such assessment shall be subject to statutory collection proceedings against real estate as prescribed by RSA 80.

(f) Thereafter, the land which has changed to a use which does not qualify for current use assessment shall be taxed at its full RSA 75:1 value. The land shall again become eligible for current use assessment if it meets the open space criteria established by the board under RSA 79-A:4, I.

III. Whenever land of nonuniform value shall be subject to the land use change tax under this section, or whenever the full value assessment for the land subject to the tax shall not be readily available then the local assessing officials shall assess the RSA 75:1 full value of such land and the land use change tax shall be paid upon such assessed value.

IV. ~~[For purposes of this section land use shall be considered changed and the land use change tax shall become payable when:~~

~~(a) Actual construction begins on the site causing physical changes in the earth, such as building a road to serve existing or planned residential, commercial, industrial, or institutional buildings; or installation of sewer, water, electrical or other utilities or services to serve existing or planned residential, commercial, industrial, institutional or commercial buildings; or excavating or grading the site for present or future construction of buildings; or any other act consistent with the construction of buildings on the site; except that roads for agricultural, recreational, watershed or forestry purposes are exempt.~~

~~(b) Topsoil, gravel or minerals are excavated or dug from the site; except:~~

(a) In addition to the provisions of paragraph I, land use shall be considered changed when topsoil, gravel, or minerals are excavated or dug from a site; except:

(1) Removal of topsoil in the process of harvesting a sod farm crop in amounts which will not deplete the topsoil; and

(2) Removal of gravel and other materials for construction and maintenance of roads and lands for agricultural and forestry purposes within the qualifying property of the owner or, with the approval of local authorities, to other qualifying property of the owner.

(b) Sale of excavated materials shall constitute a land use change of the property from which the material was excavated. The site shall be reclaimed when the construction or maintenance project is completed to mitigate environmental and aesthetic effects of the excavation. Both project completion time and acceptability of reclamation shall be determined by local authorities. The owner shall keep local officials informed in writing of plans to remove and use of soil material from qualifying lands for purposes of this subparagraph and to assure conformance with any local ordinances, as well as plans for reclamation of the site. Fully reclaimed land shall be eligible for current use assessment if it meets open space criteria established by the board under RSA 79-A:4, I, whether or not such land was under current use assessment prior to the excavation.

~~(c) By reason of size, the site no longer conforms to criteria established by the board under RSA 79-A:4, I.]~~

V. ~~[The amount of land which has changed to a use which does not qualify for current use assessment and on which the land use change tax shall be assessed in the circumstances delineated in RSA 79-A:7, IV shall be according to rules adopted pursuant to RSA 541-A by the chairman of the board, based upon the recommendation of the board. Except in the case of land which has changed to a use which does not qualify for current use assessment due to size, only the number of acres on which an actual physical change has~~

taken place shall become subject to the land use change tax, and land not physically changed shall remain under current use assessment, except as follows:

~~(a) When a road is constructed or other utilities installed pursuant to a development plan which has received all necessary local, state or federal approvals, all lots or building sites, including roads and utilities, shown on the plan and served by such road or utilities shall be considered changed in use, with the exception of any lot or site, or combination of adjacent lots or sites under the same ownership, large enough to remain qualified for current use assessment under the completed development plan; provided, however, that if any physical changes are made to the land prior to the issuance of any required local, state or federal permit or approval, or if such changes otherwise violate any local, state or federal law, ordinance or rule, the local assessing officials may delay the assessment of the land use change tax until any and all required permits or approvals have been secured, or illegal actions remedied, and may base the land use change tax assessed under RSA 79-A:7 upon the land's full and true value at that later time.~~

~~(b)~~ When land, though not physically changed, is used in the satisfaction of density, setback, or other local, state or federal requirements as part of a contiguous development site, such land shall be considered changed in use at the time the development site is changed in use.

VI. ~~[For purposes of this section,]~~ Land use shall not be considered changed ~~[and the land use change tax shall not be assessed]~~ when:

(a) Land under current use is taken by eminent domain or any other type of governmental taking which would cause the use change penalty to be invoked because, by reason of an actual physical change or by reason of size, the site no longer conforms to criteria established by the board under RSA 79-A:4, I.

(b) Land abutting a site taken by eminent domain or any other governmental taking upon which construction is in progress is used to stockpile earth taken from the construction site. Stockpiled earth may be removed at a later date after written notification to the appropriate local official.

(c) Land accorded current use assessment in one category is changed in use to any other qualifying category.

(d) Land under current use assessment is eligible for conservation restriction assessment pursuant to RSA 79-B. Such land shall then be allowed to change from current use assessment to conservation restriction assessment with no land use change tax being applied.

(e) Roads are constructed for agricultural, recreational, watershed, or forestry purposes.

VII. When land which is accorded current use assessment in one category is changed in use to any other qualifying category as provided in subparagraph VI(c), the owner of the land shall notify the local assessing officials in writing of the change in use at the time that the change in use is made. If a land owner fails to provide the notice required under this paragraph, he may be fined not more than \$50 at the discretion of the town or city.

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

AMENDED ANALYSIS

This bill clarifies the criteria for the determination by assessing officials of when current use land being developed is subject to the land use change tax.

The bill also permits the vice-chair of the current use board to act in the chair's absence.

HB 632-FN-L, creating an environmental policy for New Hampshire. REFER FOR INTERIM STUDY

Rep. Timothy D. O'Connell for Environment and Agriculture: The primary objective of this bill is to establish a comprehensive environmental policy for New Hampshire, ensuring interagency communication and collaboration, not only at agency levels, but also with the citizens of New Hampshire. The current bill is too broad, subjective, and is not crafted to

reflect existing agency interactions. It needs to be resubmitted in a form that is tailored to the needs of New Hampshire, that takes into account ongoing communication between state agencies, and that is in a form that could obtain majority support in the General Court .
Vote 16-2.

HB 659-FN-A, establishing a state recycling program to provide technical services to municipalities and establishing a fee on take-out food and beverages. **INEXPEDIENT TO LEGISLATE**

Rep. Burton W. Williams for Environment and Agriculture: This bill is similar to other bills being considered to enhance the state's recycling program. It only targets the fast food industry. Trying to define fast food establishments from the local deli to the major chains would be difficult at best. Vote 17-0.

HB 663-FN, establishing a New Hampshire municipal recycling authority and establishing a commission to study the tax exemption for water and air pollution control facilities. **INEXPEDIENT TO LEGISLATE**

Rep. Burton W. Williams for Environment and Agriculture: This bill tries to address two entirely different subjects, both of which are being addressed in other separate bills. Vote 17-0.

HB 115, allowing pharmacists to establish collaborative practice agreements with medical practitioners. **OUGHT TO PASS WITH AMENDMENT**

Rep. Alida I. Millham for Executive Departments and Administration: This bill will establish a definition, education standards, and standards of practice for collaborative pharmacy practice between a pharmacist and a health care provider with patient agreement in specific settings (hospitals, long term care facilities, licensed inpatient or outpatient hospice settings, as well as ambulatory care clinics with on-site supervision by the attending practitioner and with a collaborating pharmacist who has no connection to any on-site pharmacy). The change in pharmacy practice is very limited and reflects modern health care practice in current institutionally related care. The definition of the "practice of pharmacy" has also been updated to reflect changes required by federal initiatives such as the new Medicare Part D Pharmaceutical benefit. It is the intent of this legislation to bring carefully specified changes in the Pharmacy Practice Act, which will enhance patient care and bring about better collaboration between the health care practitioner, the pharmacist and the patient. Vote 14-4.

Amendment (0184h)

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

1 Pharmacists; Definition of Practice; Administration of Drugs. Amend RSA 318:1, XIV to read as follows:

XIV. "Practice of pharmacy" means the professional acts performed by a pharmacist and shall include the interpretation and evaluation of prescription orders; the **administration**, compounding, dispensing, labeling and distribution of drugs and devices; the participation in drug selection [~~and drug utilization reviews~~] **and drug-related device selection; drug evaluation; utilization or regimen review; the monitoring of drug therapy and use; medication therapy management in accordance with collaborative pharmacy practice agreements**; the proper and safe storage and distribution of drugs and devices, and the proper maintenance of proper records; the responsibility of advising, when necessary or when regulated, of therapeutic values, hazards, and use of drugs and devices; and the offering or performing of these acts, services, operations, or transactions necessary in the conduct, operation, management, and control of pharmacy.

2 Pharmacists; Definition; Prescription. Amend RSA 318:1, XVI to read as follows:

XVI. "Prescription" means a verbal, or written, or facsimile or electronically transmitted order for drugs, medicines and devices by a licensed practitioner, to be compounded and dispensed by licensed pharmacists in a duly registered pharmacy, and to be kept on file for a period of 4 years. A written order shall include an electronic transmission prescription received and retained in a form complying with rules adopted pursuant to RSA 319:5-a, XV. Prescriptions may also apply to the finished products dispensed **or administered** by the licensed pharmacist in the registered pharmacy, on order of a licensed practitioner as defined in this section.

3 New Paragraphs; Pharmacists; Definitions Added; Collaborative Practice. Amend RSA 318:1 by inserting after paragraph XXIV the following new paragraphs:

XXV. "Attending practitioner" means the physician or advanced registered nurse practitioner who has the primary responsibility for the treatment and care of the patient.

XXVI. "Collaborative pharmacy practice" means the practice of pharmacy whereby one or more pharmacists jointly agree, on a voluntary basis, to work in conjunction with one or more attending practitioners under written protocol whereby the collaborating pharmacist or pharmacists may perform medication therapy management authorized by the attending practitioner or practitioners under certain specified conditions and limitations.

XXVII. "Collaborative pharmacy practice agreement" means a written and signed specific agreement between a pharmacist, an attending practitioner, and the patient or patient's authorized representative who has granted his or her informed consent, that provides for collaborative pharmacy practice for the purpose of medication therapy management for the patient.

XXVIII. "Medication therapy management" means the review of medication therapy regimens of patients by a pharmacist for the purpose of evaluating and rendering advice to a practitioner, or evaluating and modifying the medication regimen in accordance with the collaborative pharmacy practice agreement. Decisions involving medication therapy management shall be made in the best interest of the patient. Medication therapy management shall be limited to:

(a) Implementing, modifying, and managing medication therapy according to the terms of the collaborative pharmacy practice agreement;

(b) Collecting and reviewing patient histories within the context of needs for pharmacy practice;

(c) Obtaining and checking vital signs, such as pulse, temperature, blood pressure and respiration;

(d) Ordering laboratory tests as specifically set out in the collaborative pharmacy practice agreement between the pharmacist and the attending practitioner that are specific to the medication or protocol driven;

(e) Formulating a medication treatment plan that will be shared with the patient's attending practitioner;

(f) Monitoring and evaluating the patient's response to therapy, including safety and effectiveness;

(g) Performing a comprehensive medication review, in conjunction with the attending practitioner, to identify, resolve, and prevent medication-related problems, including adverse drug events;

(h) Documenting the care delivered and, if applicable, communicating essential information to the patient's other health care providers; and

(i) Providing education and training designed to enhance patient understanding and the appropriate use of his or her medications.

4 New Paragraph; Rulemaking Added; Pharmacy Board. Amend RSA 318:5-a by inserting after paragraph XVI the following new paragraph:

XVII. The education and training standards and other requirements for pharmacists who, pursuant to prescriber-approved protocol:

(a) Administer prescription medications, including influenza immunizations.

(b) Engage in collaborative pharmacy practices.

5 New Paragraph; Prescription Drugs. Amend RSA 318:42 by inserting after paragraph VII-a the following new paragraph:

VII-b. The management of medication therapy and administration of non-controlled prescription drugs including injectable medications, biologicals, and immunizations by qualified pharmacists pursuant to collaborative pharmacy practice agreements.

6 New Section; Standards for Collaborative Pharmacy Practice. Amend RSA 318 by inserting after section 16 the following new section:

318:16-a Standards for Collaborative Pharmacy Practice.

I. For a pharmacist to participate in a collaborative pharmacy practice agreement, the pharmacist shall:

(a) Hold an unrestricted and current license to practice as a pharmacist in New Hampshire.

(b) Have at least \$1,000,000 of professional liability insurance coverage.

(c) Have earned a Pharm.D. degree or completed 3 years of institutional clinical experience as a licensed pharmacist.

(d) Complete at least 5 contact hours or 0.5 continuing education units of board approved continuing education each year. Such continuing education shall address the area or areas of practice generally related to the collaborative pharmacy practice agreement or agreements. The continuing education hours may be applied to the requirements for licensure as a pharmacist in this state.

(e) In order to administer drugs by injection, have completed training that includes programs approved by the Accreditation Council on Pharmacy Education (ACPE) or curriculum-based programs from an ACPE accredited college of pharmacy or state or local health department programs or programs recognized by the board.

II. Collaborative pharmacy practice agreements shall meet the following general requirements:

(a) Each protocol developed, pursuant to the collaborative pharmacy practice agreement, shall contain detailed direction concerning the services that the pharmacist may perform for that patient. The protocol shall include, but not be limited to:

(1) The specific drug or drugs to be managed by the pharmacist.

(2) The terms and conditions under which drug therapy may be implemented, modified, or discontinued.

(3) The conditions and events upon which the pharmacist is required to notify the collaborating practitioner.

(4) The laboratory tests that may be ordered in accordance with medication therapy management.

(5) In instances where drug therapy is discontinued, the pharmacist shall notify the collaborating practitioner of such discontinuance in the time-frame and manner established by the collaborative pharmacy practice agreement.

(6) All activities performed by the pharmacist in conjunction with the protocol shall be documented as specified in the protocol.

(b) The collaborative pharmacy practice agreement and protocols shall be on file at the pharmacist's place of practice. The collaborative pharmacy practice agreement and protocols shall be available to the appropriate licensing board for review upon request.

(c) Collaborative pharmacy practice agreements shall be reviewed, at least every 2 years, by both the pharmacist and the practitioner, and may be terminated, in writing, by either party. When collaborative pharmacy practice agreements are terminated, the patient shall be informed and provided with details to allow for the uninterrupted continuation of his or her medication therapy management regimen.

(d) Neither the attending practitioner nor the pharmacist in a collaborative practice agreement may seek to gain personal financial benefit by participating in any

incentive based program that influences or encourages therapeutic or product changes or the ordering of tests or services.

III. A collaborative pharmacy practice agreement that complies with all the requirements of this section shall only be allowed in the following settings:

- (a) Hospitals.
- (b) Long-term care facilities.
- (c) Licensed inpatient or outpatient hospice settings.
- (d) Ambulatory care clinics with onsite supervision by the attending practitioner and with a collaborating pharmacist who has no connection to any onsite retail pharmacy.

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

AMENDED ANALYSIS

This bill allows licensed pharmacists to enter into collaborative practice agreements with medical practitioners for certain patient care functions. The bill defines terms and adopts standards for such collaborative practice agreements.

HB 156, relative to licensing private investigators. **INEXPEDIENT TO LEGISLATE**

Rep. Judson K. Dexter for Executive Departments and Administration: Much of the subject matter of this bill is included in HB 455, which has been recommended for Interim Study. Therefore, this bill is not needed at this time. Vote 20-0.

HB 256, revising the nurse practice act. **INEXPEDIENT TO LEGISLATE**

Rep. Judson K. Dexter for Executive Departments and Administration: This bill was retained depending on the outcome of SB 170, which passed with amendment. Therefore this bill is no longer needed. Vote 20-0.

HB 426, establishing a committee to study the transfer of a certain employee of the department of environmental services. **INEXPEDIENT TO LEGISLATE**

Rep. Carl G. Robertson for Executive Departments and Administration: This bill has become a moot point since the employee has been transferred back to her original job. Some members of the committee wanted to use this bill to send a message that state workers should not be subject to political retribution for doing their job. However, the majority of the committee felt that the wrong had been corrected. Vote 19-1.

HB 455-FN, relative to establishing a board of private investigation and security services. **REFER FOR INTERIM STUDY**

Rep. Judson K. Dexter for Executive Departments and Administration: The full committee and subcommittee spent many hours reviewing mountains of information on the need to create a standalone board for private investigators. It was abundantly clear that the time has come to establish a board, but time did not allow us to work out all the details to come forward with a final amendment. Vote 20-0.

HB 598-FN, establishing a full-time financial exploitation coordinator in the department of justice. **REFER FOR INTERIM STUDY**

Rep. Janeen A. Dalrymple for Executive Departments and Administration: The committee supports the need to coordinate local and statewide efforts to combat financial exploitation. A commission was established through the Department of Health and Human Services (DHHS) and has taken an active role in addressing this very important issue. As a result of the accomplishments of this commission, the E.D & A. Subcommittee, because of new information received, has requested to continue its work in Interim Study. Vote 15-0.

HB 688-FN, relative to the regulation of mental health practitioners and the procedures of the board of mental health. **OUGHT TO PASS WITH AMENDMENT**

Rep. James B. Coburn for Executive Departments and Administration: This bill makes

various changes to the board of mental health practice procedures for handling complaints, conducting investigations, and holding hearings, as well as adding an additional public member to the board. A major area of legislative intent of this bill is to improve public disclosure of complaints, status of investigations and monitoring closure of complaints. The amendment satisfied both the board and the public. Vote 18-0.

Amendment (0171h)

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

1 Board; Public Members Added. Amend RSA 330-A:3, I to read as follows:

I. There shall be a board of mental health practice composed of the following members: one licensed psychologist, one licensed pastoral psychotherapist, one licensed clinical social worker, one licensed marriage and family therapist, one licensed clinical mental health counselor, and ~~[2]~~ **3** public members. The members shall be appointed to a term of 3 years by the governor with the approval of the council. The members of the board shall elect a chairperson on an annual basis. No discipline's representative and no public member shall serve as chairperson for consecutive terms.

2 Advisory Committees. Amend RSA 330-A:4 to read as follows:

330-A:4 Advisory Committees Established; Duties.

I. The board shall ~~[have the authority to]~~ create **an** advisory ~~[committees]~~ **committee** for each mental health discipline it licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and ~~[VI-XIV]~~ **RSA 330-A:10, VI-XVI**. The board member of each mental health discipline shall serve as the chair of that advisory committee. The balance of the membership of each of the advisory committees shall be composed of ~~[members nominated by the New Hampshire Psychological Association, the New Hampshire Pastoral Psychotherapists Association, the New Hampshire Chapter of the National Association of Social Workers, the New Hampshire Association for Marriage and Family Therapists, and the New Hampshire Clinical Mental Health Counselors Association]~~ **at least 2 persons and no more than 4 persons licensed in the mental health discipline of that committee.**

II. ~~[The advisory committees shall be composed of at least 3 persons and no more than 5 persons, including the chair, all of whom shall be licensed in their applicable professions. No]~~ Advisory committee ~~[member shall serve more than 2 consecutive 3-year terms]~~ **members other than the chair shall be appointed by the board and shall serve at the pleasure of the board for no more than 3 consecutive, 2-year terms.**

III. The board shall not form any standing committees other than those specified in this chapter.

3 New Paragraph; Administrative Members. Amend RSA 330-A:6 by inserting after paragraph I the following new paragraph:

I-a. Each non-public member of the board and all licensed mental health professionals performing board-related duties otherwise immune from civil action pursuant to RSA 330-A:27, IV shall comply with and be subject to all provisions of this chapter and that licensee's professional ethical code in performing board-related duties.

4 Compensation. Amend RSA 330-A:7 to read as follows:

330-A:7 Compensation; Expenses. Members of the board ~~[shall serve without compensation, but]~~ **and members of the advisory committees shall receive a per diem compensation of \$100, for a meeting or any other board or committee activity requiring 2 or more hours in a 24-hour period, and** shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this chapter.

5 Meetings Quorum. Amend RSA 330-A:9 to read as follows:

330-A:9 Organization and Meetings.

I. The board shall hold regular annual meetings. Other meetings of the board shall be held at such times and upon such notice as the rules of the board provide. ~~[A majority of the board]~~ **Five members** shall constitute a quorum.

II. When a quorum is not available for just and timely resolution of a specific matter, former board members or advisory committee members may be appointed by the board to serve as acting board members for purposes of obtaining the minimum quorum in the resolution of that specific matter.

6 New Paragraph; Rulemaking; Other States. Amend RSA 330-A:10 by inserting after paragraph I the following new paragraph:

I-a. Procedures for expedited licensure for applicants from other states who qualify under RSA 330-A:26.

7 New Paragraph; Rulemaking; Disclosure. Amend RSA 330-A:10 by inserting after paragraph XXII the following new paragraph:

XXIII. Procedures relative to the disclosure to the public of the existence and status of complaints, and the final disciplinary actions by the board, including those action that occur without holding a public hearing. The rules shall provide that such disclosure shall take place within 3 business days of the initiation of an investigation of a complaint, update of investigation status, and final disciplinary action by the board.

8 Records. Amend RSA 330-A:13, I to read as follows:

I. The board shall keep records of its proceedings and ~~[a register]~~ **separate registers** of all applications for licensure **and all complaints filed against licensees**. Such records shall show information relative to the ~~[applicant and the applicant's licensure or rejection]~~ **application or complaint and the board's response to the application or complaint, without disclosing the identity of those involved**, as the rules of the board may prescribe. The records shall be public and shall be open to inspection at all reasonable times, except for records compiled in connection with disciplinary investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

9 Investigations. Amend RSA 330-A:28, I and II to read as follows:

I. The board ~~[may]~~ **shall** investigate possible misconduct by licensees and other matters within the scope of this chapter. Investigations may be conducted formally, after issuance of a board order setting forth the general scope of the investigation, or informally, **after a board vote to seek additional information**, without such an order. In either case, ~~[board investigations and the]~~ information gathered ~~[in]~~ **subsequent to the initiation of and during** such investigations shall be exempt from the public disclosure provisions of RSA 91-A, except to the extent such information may later become the subject of a public disciplinary hearing. **The existence of a complaint and status of the investigation, without disclosing the identity of those involved, shall be subject to the disclosure provisions of RSA 91-A.** The board may disclose information acquired in an investigation to law enforcement or health licensing agencies in this state or any other jurisdiction, or in response to specific statutory requirements or court orders. A licensee under this chapter shall be promptly informed of the nature and scope of any pending investigation.

II. **After determining the nature and scope of an investigation or hearing**, the board may employ or retain hearing officers, legal counsel, medical advisors, mental health advisors, or investigators to assist with ~~[any]~~ **that** investigation ~~[and with the conduct of hearings]~~ **or hearing**. Members of the board are not eligible for retention.

10 Complaints. Amend RSA 330-A:28, VII to read as follows:

VII. ~~[On its own motion, with just cause, or in response to a complaint received by one of the advisory committees]~~ **Except for good cause shown, upon its determination that a formal or informal investigation shall be conducted**, the board shall ~~[informally]~~ mail a copy of a complaint to any licensee who is the subject of the complaint, and require the licensee to provide a detailed and good faith written response to ~~[the]~~ allegations identified by the board. The licensee shall provide complete copies of the licensee's office records concerning any ~~[patient]~~ **client** identified in the complaint. The

licensee shall respond to such request within a reasonable time period of not less than ~~[15]~~ **30** days, as the board shall specify in its written request. ***The detailed complaint and licensee's response shall be exempt from disclosure under RSA 91-A unless the licensee successfully petitions the board to make them available pursuant to RSA 91-A:4.***

11 Effective Date. This act shall take effect 60 days after its passage.
Referred to Finance.

HB 715-FN-A, relative to the regulation of bingo and lucky 7. **INEXPEDIENT TO LEGISLATE**

Rep. James M. Fitzgerald for Executive Departments and Administration: Considering that legislation passed in the 2004 session putting Bingo and Lucky 7's under the Pari-Mutuel Commission and all indications were that Pari-Mutuel was doing a good job in the short time that it was in charge (less than one year), the committee felt it would be unsound policy to make another change in such a short time and with no good cause. The committee also looked at some of the language in the bill that would address charitable gaming and it was felt that the language as written would adversely impact charities in the state. We discussed some possible last minute changes in language, but the members of the committee were still uncomfortable with these changes and the possible unintended consequences that they may have on the charities' ability to fundraise. Vote 20-0.

SB 72, relative to the licensing of public adjusters. **OUGHT TO PASS WITH AMENDMENT**

Rep. Judson K. Dexter for Executive Departments and Administration: The RSA's dealing with public adjusters had not been reviewed in many years. This bill was introduced at the request of the Insurance Department. The bill updates definitions, the requirements for bonds and letters of credit, the relationship between public adjuster, employers, insurance companies, and the client/consumer. The bill also further defines the insurance companies' obligation to clearly outline the appeals process available to the policy holders to help with consumer protection. Vote 20-0.

Amendment (0094h)

Amend RSA 402-D:2 as inserted by section 1 of the bill by replacing it with the following:
402-D:2 Definitions. In this chapter:

I. "Home state" means the District of Columbia and any state or territory of the United States in which a licensee maintains his or her principal place of residence or principal place of business and is licensed to act as a public adjuster.

II. "Person" means a natural person.

III. "Public adjuster" means any person who, on behalf of an insured:

(a) Directly or indirectly solicits from the insured or his or her representative the authority to act for the insured to settle or negotiate settlement or appraisal of a loss under a fire insurance or homeowner's insurance policy and who so acts for a fee or compensation from a person other than an insurer;

(b) Acts or aids, solely in relation to first party claims arising under a fire insurance or homeowner's insurance policy, on behalf of an insured person or business entity in negotiating for, or effecting the settlement of, a claim for loss or damage covered by an insurance contract;

(c) Advertises for employment as a public adjuster of insurance claims or solicits business or represents himself or herself to the public as a public adjuster of first party insurance claims for losses or damages arising out of fire insurance or homeowner's insurance policies; or

(d) Directly or indirectly solicits business, investigates or adjusts losses, or advises an insured about first party claims for losses or damages arising out of policies of fire

or homeowner's insurance for another person engaged in the business of adjusting losses or damages covered by an insurance policy.

IV. "Uniform individual application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Individual Application for resident and nonresident persons.

Amend RSA 402-D:6 as inserted by section 1 of the bill by replacing it with the following:

402-D:6 Examination.

I. A person applying for a public adjuster license, pursuant to RSA 402-D:4, shall pass a written examination unless exempt pursuant to RSA 402-D:7. The examination shall test the knowledge of the person concerning the duties and responsibilities of an adjuster and the insurance laws and rules of this state.

II. The commissioner may make arrangements, including contracting with an outside testing service, for administering examinations.

III. An person who fails to appear for the examination as scheduled or fails to pass the examination, shall reapply for an examination and remit all required fees and forms before being rescheduled for another examination.

Amend RSA 402-D:7, I as inserted by section 1 of the bill by replacing it with the following:

I. A person who applies for a public adjuster license in this state who was previously licensed as a public adjuster in another state based on a public adjuster examination shall not be required to complete any pre-licensing examination. This exemption is only available if the person is currently licensed in that state or if the application is received within 12 months of the cancellation of the applicant's previous license and if the prior state issues a certification that, at the time of cancellation, the applicant was in good standing in the state or the state's producer database records, maintained by the NAIC, its affiliates, or subsidiaries, indicates that the public adjuster is or was licensed in good standing.

Amend RSA 402-D:7, III as inserted by section 1 of the bill by replacing it with the following:

III. A person who applies for a public adjuster license in this state who was previously licensed as a public adjuster in this state shall not be required to complete any prelicensing examination. This exemption is only available if the application is received within 12 months of the cancellation of the applicant's previous license in this state and if, at the time of cancellation, the applicant was in good standing in this state.

Amend RSA 402-D:10, I(l) as inserted by section 1 of the bill by replacing it with the following:

(l) Knowingly accepting insurance business from a person who is not licensed but who is required to be licensed by the commissioner.

Amend RSA 402-D:11 as inserted by section 1 of the bill by replacing it with the following:

402-D:11 Bond or Letter Of Credit.

I. Prior to issuance of a license as a public adjuster, the applicant shall maintain in force evidence of financial responsibility through one of the following:

(a) A surety bond executed and issued by an insurer authorized to issue surety bonds in this state, which bond:

(1) Shall be in the amount of at least \$20,000;

(2) Shall be in favor of this state and shall specifically authorize recovery by the commissioner on behalf of any person in this state who sustained damages as the result of erroneous acts, failure to act, conviction of fraud, or conviction of unfair practices in his or her capacity as a public adjuster; and

(3) Shall not be terminated unless at least 30 days prior written notice has been filed with the commissioner and given to the licensee.

(b) An irrevocable letter of credit issued by a qualified financial institution, which letter of credit:

(1) Shall be in the sum of at least \$20,000; and

(2) Shall be to an account to the commissioner and subject to lawful levy of execution by any person to whom the public adjuster has been found to be legally liable as

the result of erroneous acts, failure to act, fraudulent acts, or unfair practices in his or her capacity as a public adjuster.

II. The issuer of such evidence of financial responsibility shall notify the commissioner upon termination of such policy, bond or letter of credit, unless the public adjuster replaces this evidence of financial responsibility and has presented the evidence of such replacement to the existing issue or such instrument.

III. The commissioner may ask for the evidence of such financial responsibility at any time the commissioner deems relevant.

IV. The authority to act as a public adjuster shall automatically terminate if the evidence of financial responsibility terminates or becomes impaired.

Amend RSA 402-D:12, I as inserted by section 1 of the bill by replacing it with the following:

I. A person, who holds a public adjuster license and who is not exempt under paragraph III, shall satisfactorily complete a minimum of 15 hours of continuing education courses, including a minimum of 3 hours of ethics, specifically designed to increase the knowledge of public adjusting duties and responsibilities during each continuing education biennium.

Amend RSA 402-D:17 as inserted by section 1 of the bill by replacing it with the following:

402-D:17 Standards of Conduct of Public Adjuster.

I. A public adjuster shall be honest and fair in all communications with the insured, the insurer, and the public.

II. A public adjuster shall not solicit, or attempt to solicit, an insured during the progress of a loss-producing occurrence, as defined in the insured's insurance contract.

III. A public adjuster shall not permit an unlicensed employee or representative of the public adjuster to advertise, engage insureds, furnish reports, or present bills to insureds, or in any manner whatsoever to conduct business for which a license is required under this chapter.

IV. A public adjuster shall not have a direct or indirect financial interest in any aspect of the claim, other than the salary, fee, commission, or other consideration established in the written contract with the insured.

V. A public adjuster shall not require any interest in salvage of property subject to the contract with the insured unless the public adjuster obtains written permission from the insured after settlement of the claim with the insurer.

VI. The public adjuster shall abstain from referring or directing the insured to get needed repairs or services in connection with a loss from any person:

(a) With whom the public adjuster has a financial interest; or

(b) From whom the public adjuster may receive direct or indirect compensation for the referral.

VII. A public adjuster shall not enter into a contract with an insured where the public adjuster knows or should know that the insured will obtain full recovery without the services of an adjuster.

VIII. No public adjuster shall have any interest in any construction firm, salvage firm, building appraisal firm, motor vehicle repair shop or any other firm which performs any work in conjunction with damages caused by an insured loss. The word "firm" shall include any corporation, partnership, association, joint stock company or person.

IX. Any compensation or anything of value received by a public adjuster shall be disclosed by such adjuster to the insured in writing including the source and amount of such.

X. No public adjuster may employ, be employed by, or be in partnership with or receive or pay any remuneration whatsoever to or from any licensed insurance producer, insurer or employee of an insurer arising out of the activities as a public adjuster.

Amend RSA 402-D:19 as inserted by section 1 of the bill by replacing it with the following:

402-D:19 Additional Penalty. In addition to any of the penalties provided in this chapter, any person who shall act within this state as a public adjuster without being licensed as provided in this chapter shall be guilty of a Class A misdemeanor. Any licensee

who in the course of his or her work as a public adjuster shall misrepresent his or her identity or the identity of his or her principal or employer, or who shall wrongfully divulge information obtained by him or her in his or her capacity as a public adjuster may be subject to an administrative fine not to exceed \$2,500. Additionally, the commissioner may order a refund of any moneys gained or obtained, or restitution of any valuable consideration received.

Amend RSA 402-D:20 as inserted by section 1 of the bill by replacing it with the following:

402-D:20 Rulemaking Authority. The commissioner may adopt rules, pursuant to RSA 541-A, as are necessary or proper to carry out the purposes of this chapter.

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Insurance; Forms. Amend RSA 412:5 by inserting after paragraph III the following new paragraph:

IV. Every insurer and advisory organization shall provide reasonable means whereby any person aggrieved by the application of an insurer's rating system, claims practices, sales practices or underwriting procedures may be heard, in person or by an authorized representative, upon the person's written request to review the manner in which such procedures were applied in connection with insurance afforded or tendered to the person.

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

HB 234-FN, relative to the development of a state municipal information network by the office of information technology. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert L. Wheeler for Finance: This bill, as amended, retains the original policy that the state and its political sub-divisions ought to have an information network – both well planned and implemented. Since there were no resources allocated in this biennial budget for that purpose, a submittal date for the plan was set for March 30, 2007. Vote 19-0.

Amendment (0016h)

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

AN ACT relative to the development of a state and political subdivision information network.

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

1 Office of Information Technology; State and Political Subdivision Information Network. RSA 4-D:3 is repealed and reenacted to read as follows:

4-D:3 Special Duties; Plan for State and Political Subdivision Information Network. The chief information officer shall develop, with the advice of the information technology council established under RSA 4-D:4, the New Hampshire Municipal Association, and the New Hampshire Association of Counties, a plan for the implementation of a state and political subdivision information network. The plan shall be submitted to the joint legislative information technology oversight committee on or before March 30, 2007.

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

AMENDED ANALYSIS

This bill requires the office of information technology to develop a plan for the implementation of a state and political subdivision information network.

HB 649-FN-A-L, relative to the medical examiner's duty to investigate medicolegal cases and the fees for and costs of such investigations. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert L. Wheeler for Finance: This bill came to Finance as a bill that pitted the state against the counties for payment of autopsies. The discussion broadened out to include funeral directors, assistant deputy medical examiners, town clerks, etc. By the time we got to the end of the study period it was back to county vs. state, but with a lot of other interested parties. The committee felt that this issue was certainly deserving of further

study and so recommends creation of a study committee. Vote 19-0.

Amendment (0169h)

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

AN ACT establishing a commission to study the costs and funding of medicolegal investigations and autopsies.

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

1 Commission Established. There is established a commission to study the costs and funding of medicolegal investigations and autopsies.

2 Membership and Compensation.

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

(a) Five members of the house of representatives, 3 from the finance committee, one from the ways and means committee, and one from the municipal and county government committee, appointed by the speaker of the house of representatives.

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

(c) The attorney general, or designee.

(d) The chairperson of the board of registration of funeral directors and embalmers, or designee.

(e) The director of vital records administration, or designee.

(f) An assistant deputy medical examiner, appointed by the governor.

(g) A representative of county government, appointed by the New Hampshire Association of Counties.

(h) A representative of city and town clerks, appointed by the New Hampshire City and Town Clerks' Association.

(i) A representative of the cremation industry, appointed by the governor.

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 and recommend changes to current statutes and procedures relative to the costs of autopsies, transportation, and medico-legal investigations and the financial responsibility for those costs by the state and the counties.

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.

5 Report. The commission shall report its findings and any recommendations for proposed legislation in the 2007 legislative session 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.

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

AMENDED ANALYSIS

This bill establishes a commission to study the costs and funding of medicolegal investigations and autopsies.

HB 698-FN, relative to the penalty assessments. OUGHT TO PASS WITH AMENDMENT

Rep. Christopher C. Pappas for Finance: This bill imposes a 20% penalty assessment on suspended fines and a \$50 assessment on each case in which a negotiated plea of guilty is placed on file. These assessments are counted on in the budget signed by the Governor and will raise \$893,112 in FY 2007. The committee felt these assessments are appropriate given the costs and burden to the courts from these cases, and was satisfied that under hardship the assessment or suspended fines could still be waived. Vote 18-0.

Amendment (0015h)

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

1 Penalty Assessment; Waiver of Penalty. RSA 188-F:31, III is repealed and reenacted to read as follows:

III.(a) If a total fine for an offense or violation described in paragraph I is suspended in whole or in part, a sum equivalent to the 20 percent penalty assessment shall be imposed on the original fine amount.

(b) If, pursuant to a negotiated plea, a case as described in paragraph I is placed on file with a finding of guilty, the amount of \$50 per offense shall be collected.

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

Referred to Ways and Means.

HB 718-FN, relative to group life insurance for New Hampshire citizens serving in the military reserves or national guard and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT**

Rep. Kenneth Weyler for Finance: New Hampshire National Guard and Air National Guard have two types of active duty for which they might be called. Federal active duty was used for the bolstering of the active duty mission, such as the call ups for Iraq. State active duty is usually a response to natural disasters, such as hurricanes, floods, road washouts. Even governor-to-governor requests are state active duty, such as the disaster assistance in Louisiana. The life insurance coverage for these troops at risk is not the same. For federal active duty it is \$100,000. For state active duty it is only \$5,000. This amendment makes the life insurance for state active duty \$100,000. It puts the money in a fund, so that we are self-insured. This seemed the best way, as no death has occurred in state active duty for the 30 years that records were kept. The original bill called for the state paying the monthly premiums for each member's Serviceman's Group Life Insurance (SGLI). Testimony showed this idea to be difficult to administer, as well as costly. Vote 20-0.

Amendment (0017h)

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

AN ACT relative to a state active duty death benefit for activated members of the New Hampshire national guard and making an appropriation therefor.

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

1 Findings. The general court finds that:

I. Members of the New Hampshire army national guard and the New Hampshire air national guard should have the same life insurance protection when called to state active duty as they are provided when called to federal active duty.

II. Reimbursement for voluntary Serviceman's Group Life Insurance (SGLI) has proven difficult to administrate, and costs could reach millions of dollars per month.

III. Only members of the New Hampshire army national guard and New Hampshire air national guard take an oath to the governor of New Hampshire, and are on call for state protection and disaster assistance to the people of our state.

IV. The state shall establish and fund a \$100,000 death benefit for members of the New Hampshire army national guard and New Hampshire air national guard when called to state active duty, which is equal to the death benefit when called to federal active duty.

2 Subdivision Heading. Amend the subdivision heading preceding RSA 110-B:37 to read as follows:

Pay and Allowances; ***State Active Duty Death Benefit***

3 New Section; State Active Duty Death Benefit. Amend RSA 110-B by inserting after section 37 the following new section:

110-B:37-a State Active Duty Death Benefit; Fund.

I. The state shall fund a death benefit in the amount of \$100,000 for each activated New Hampshire army national guard or New Hampshire air national guard member who dies while on state active duty or as the result of injuries incurred on state active duty.

II. There is established in the department of the adjutant general a New Hampshire national guard state active duty death benefit fund. The adjutant general is authorized to make payments from such fund for purposes of the death benefit created under paragraph I. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. The adjutant general shall, through the operating budget, request \$100,000 for fiscal year 2008 and \$50,000 for each fiscal year thereafter for deposit into such fund. The fund shall be nonlapsing and continually appropriated to the adjutant general, except that any amount in the fund exceeding \$1,000,000 shall lapse to the general fund at the end of each biennium.

4 New Subparagraph; Special Fund; New Hampshire National Guard State Active Duty Death Benefit Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (242) the following new subparagraph:

(243) Moneys deposited in the New Hampshire national guard state active duty death benefit fund established in RSA 110-B:37-a.

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

HB 139, authorizing the establishment of a moose permit raffle by the fish and game department. **INEXPEDIENT TO LEGISLATE**

Rep. Paul A. Brassard for Fish and Game: After studying this legislation, it was determined that implementing this lottery would conflict with the existing moose lottery and could become financially detrimental to the program. Vote 9-1.

HB 254-FN, establishing additions to lifetime hunting and fishing licenses for certain activities. **OUGHT TO PASS WITH AMENDMENT**

Rep. David L. Smith for Fish and Game: This bill adds lifetime licenses for bow and arrow, muzzle loading firearm, and cross bow licenses. The bill completely mirrors the regulations pertaining to lifetime licenses for eligible pricing. Two exceptions, one must have a lifetime for muzzle loading firearm, and cross bow and bolt lifetime licenses. Also, the annual take down will be at a flat 9% with no regard for number of licenses sold. This stabilizes the fund. Vote 10-0.

Amendment (0019h)

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

AN ACT establishing lifetime licenses for bow and arrow, muzzle loading firearm, and crossbow and bolt licenses.

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

1 New Section; Fish and Game; Lifetime Licenses for Bow, Muzzleloader, and Crossbow.

Amend RSA 214 by inserting after section 9-c the following new section:

214:9-d Lifetime Licenses for Bow and Arrow, Muzzleloader, and Crossbow.

I.(a) The executive director, at the department of fish and game headquarters only, shall issue lifetime bow and arrow, muzzle loading firearm, and crossbow and bolt licenses for each type of game taken similar to that issued on an annual basis under RSA 208:5, RSA 208:5-a, or RSA 208:7-a, respectively, to any resident applicant upon payment of the proper fee, which shall be established by the executive director in accordance with the provisions of paragraph II. Lifetime bow and arrow, muzzle loading firearm, and crossbow and bolt licenses shall be issued only to residents who would be eligible to purchase annual licenses of the same type.

(b) In addition, the executive director may issue lifetime licenses under this section to any resident under 16 years of age. The parent or legal guardian of the applicant shall be a resident pursuant to RSA 207:1, XXIII. The bow and arrow, muzzle loading firearm, and crossbow and bolt licenses shall not be valid until the licensee has met all requirements for the issuance of such license. Upon meeting the requirements of RSA

214:23-a, the licensee shall have the license validated at the fish and game department headquarters only.

II. The executive director shall obtain an actuarial table based on an appropriate annuity from the commissioner of insurance and shall set the fee for the various licenses annually on July 15 of each year for the following year based on the age of the applicant. The fee for any applicant under 16 years of age shall be the same as the fee for a 16-year-old applicant. In addition the applicant shall pay the agent's fee in accordance with RSA 214:15, I.

III. In no case shall any lifetime license issued be transferable or any portion of the cost of the license refundable.

IV. Notwithstanding any other provision of law, the monies received from the sale of such lifetime bow and arrow, muzzle loading firearm, and crossbow and bolt licenses shall be deposited with the state treasurer who shall keep the same in the prepaid fish and game license fund. The state treasurer shall annually transfer to the fish and game fund from the prepaid fish and game license fund an amount equal to 9 percent of the portion of the principal balance in the fund each year attributed to lifetime bow and arrow, muzzle loading firearm, and crossbow and bolt licenses, and any interest that accrues to such portion of the prepaid fish and game license fund in excess of 5 percent.

V. In addition, the state treasurer shall pay the amount of one annual license fee to the fish and game fund from the proceeds of each lifetime bow and arrow, muzzle loading firearm, and crossbow and bolt license sold during the current year, the balance going into the prepaid fish and game license fund.

VI. Licenses issued pursuant to this section shall entitle the holder thereof to the same privileges and subject the licensee to the same restrictions as a holder of an annual license.

VII. The executive director shall, if necessary, adopt rules, pursuant to RSA 541-A, relative to the issuance and validation of the lifetime licenses.

2 Prepaid Fish and Game License Fund; Reference Added. Amend RSA 6:12, I(b) (163) to read as follows:

(163) Moneys deposited in the prepaid fish and game license fund under RSA 214:9-c, IV **and RSA 214:9-d, IV.**

3 Wildlife Habitat Stamp; Exception. Amend RSA 214:1-f, I to read as follows:

I. No person shall at any time take wild animals or wild birds in this state without first procuring, in addition to any applicable licenses required by title XVIII, a wildlife habitat stamp or license under RSA 214:9, XV, for the same period. If a stamp is issued it shall be signed across the face in a permanent manner with the applicant's signature and shall be carried upon such person while engaged in taking wild animals or wild birds. A person under the age of 16 years may take wild animals or wild birds without such a stamp or license provided that, while so doing, the person is accompanied by an adult who has procured such stamp or license. This paragraph shall not apply to any person who takes wild animals or wild birds under a complimentary license, excluding any administrative fee, issued pursuant to RSA 214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to RSA 214:9-c **or RSA 214:9-d** that was purchased in a prior calendar year.

4 Fisheries Habitat Fee; Exception. Amend RSA 214:1-g, I to read as follows:

I. A one dollar fisheries habitat fee shall be required to be paid by all persons 16 years of age or older, in addition to each applicable fishing or combination license required by Title XVIII, in order to take fish in the fresh waters of this state. This paragraph shall not apply to any person who takes fish under a complimentary license, excluding any administrative fee, issued pursuant to RSA 214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to RSA 214:9-c **or RSA 214:9-d** that was purchased in a prior calendar year.

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

AMENDED ANALYSIS

This bill establishes lifetime licenses for bow and arrow, muzzle loading firearm, and crossbow and bolt licenses which may be purchased by qualified residents.
Referred to Finance.

HB 690-FN, relative to medical services for children and pregnant women. **OUGHT TO PASS WITH AMENDMENT**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This amendment clarifies the undue hardship section of RSA 167:4. The language that was adopted came from federal government rules pertaining to penalties for transfer of assets below market value. This bill adds language to the state statute that protects an individual from having a penalty if that penalty would lead to undue hardship. Specifically, a transfer of asset penalty shall not be imposed if “application of the penalty would deprive the individual of necessary care that his or her health or life would be endangered.” The hardship language cited above is supported by the Governor, the legislature and the Department of Health and Human Services. This was a bipartisan unanimous discussion, study, agreement and vote. Vote 19-0.

Amendment (0002h)

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

1 Municipal Charters; Charter Commission, Membership, Procedure. Amend RSA 49-B:4, V to read as follows:

V. Within 14 days after its organizational meeting, the charter commission shall hold a public meeting for the purpose of receiving information, views, comments and other pertinent material relative to its functions. Within ~~[180]~~ **170** days after its election, the charter commission shall prepare a preliminary report including the text of the charter or charter revision which the commission intends shall be submitted to the voters and any explanatory information the commission deems desirable, shall cause such report to be printed and circulated throughout the municipality, and shall provide sufficient copies of the preliminary report to the municipal clerk to permit its distribution to each voter requesting it. Within ~~[225]~~ **231** days after its election, the charter commission shall submit to the municipal officers its final report, which shall include the full text and explanation of the proposed new charter or charter revision, such comments as the commission deems desirable, an indication of the major differences between any current and proposed charters and a written opinion by an attorney admitted to the bar of this state that the proposed charter or charter revision is not in conflict with the constitution or the general laws. Minority reports if filed shall not exceed 1,000 words. All public hearings before a charter commission shall be held within the municipality at such times and places as may be specified in a notice published at least 7 days prior to the hearing in a newspaper having general circulation in the municipality, but hearings may be adjourned from time to time without further published notice.

2 Municipal Charters; Joint Review by State Agencies. Amend RSA 49-B:5-a, I to read as follows:

I. Within 10 days of the filing of the preliminary report relative to any new municipal charter, charter revision, or charter amendment, the municipal clerk shall file a certified copy of said report with the secretary of state, the attorney general and the commissioner of the department of revenue administration. Within ~~[14]~~ **30** days of the receipt of said report ~~[by]~~, the secretary of state, attorney general and commissioner of the department of revenue administration, ~~[they]~~ **or their designees** shall **jointly** review the proposed charter, charter revision, or charter amendment to insure that it is consistent with the general laws of this state.

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

AMENDED ANALYSIS

This bill changes certain dates relating to the organizational meeting of a municipal charter commission.

This bill also clarifies the procedure for review of a municipal charter.
Referred to Finance.

HB 704-FN, establishing the New Hampshire Rx advantage program and continually appropriating a special fund. **INEXPEDIENT TO LEGISLATE**
Rep. Deborah J. Hogancamp for Health, Human Services and Elderly Affairs: This bill sought to establish a prescription drug program for the uninsured and underinsured of New Hampshire. The bill was based on other states' legislation and required mandatory participation by pharmacies. The bill also required pharmaceutical companies wishing to participate in the state preferred drug list to participate in this prescription drug program. Programs as proposed in this bill have engendered significant litigation because of the prescription drug program being closely tied to the Medicaid program. Vote 14-0.

HB 334, relative to consistency of notices in court proceedings. **OUGHT TO PASS WITH AMENDMENT**

Rep. Gregory M. Sorg for Judiciary: This bill seeks to amend RSA 514:14 by clarifying to whom notices must be sent of pleadings filed in judicial actions. The committee concluded that it is impractical to impose by statute notice requirements specific to every situation that could conceivably arise. The committee concluded that substantive amendment to RSA 514:14 was unnecessary, but approved a non-substantive amendment that replaced a phrase regarded by the committee as archaic. Vote 16-0.

Amendment (0179h)

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

AN ACT relative to the type of notice provided in court proceedings.

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

1 Notices; Due Process of Law Standard. Amend RSA 514:14 to read as follows:

514:14 Notices. The court shall order notice to be given, in such manner as ~~they think fit~~ **appears to the court due process of law requires**, of any petition, complaint, libel, application, or motion in writing filed therein, and no judgment ~~or~~, decree, **or ruling** shall be rendered thereon ~~without~~ **absent** compliance with such order.

2 Effective Date. This act shall take effect January 1, 2007.

AMENDED ANALYSIS

This bill requires the court to give notice about certain proceedings in such manner as it appears to the court that due process of law requires.

HB 413, relative to the appointment of the chief justice of the superior court. **OUGHT TO PASS WITH AMENDMENT**

Rep. James E. Wheeler for Judiciary: The original bill was intended to clarify a law passed last year that made the office of Chief Justice of the Superior Court a five year term. This bill added a sentence to that law that said if the Chief Justice was not reappointed as Chief Justice at the end of his or her term, he or she still remained an Associate Justice. During committee hearings, the committee realized that the bill would conflict with two contingencies in previous legislation. The amendment fixes that problem by incorporating a third contingency that combines both changes and the new change and becomes effective when both of the other contingencies have been met. Vote 16-0.

Amendment (1929h)

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

AN ACT relative to the appointment of the chief justice of the superior court and the number of superior court associate justices.

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

1 Superior Court. Contingency Appointment of Chief Justice; Contingency. Amend 2004, 74:1-2 to read as follows:

74:1 Superior Court; Appointment of Chief Justice. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and council to a 5-year term, and 28 associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided. ***The chief justice shall be appointed from among the associate justices. In the event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-year term at a time when no associate justice vacancies exist, he or she may return to the position of associate justice.***

74:2 Contingency. Section 1 of this act shall take effect upon the date the next vacancy occurs in the position of superior court chief justice, ***provided that 2004, 240:4 has not taken effect.***

2 Superior Court Justices; Applicability; Contingency. Amend 2004, 240:4-5 to read as follows:

240:4 Superior Court Justices. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice~~[- appointed by the governor and council to a 5-year term,]~~ and 21 associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided.

240:5 Applicability; Contingency. Any superior court justice appointed prior to July 1, 2004 shall retain his or her position until resignation, retirement, or removal pursuant to the New Hampshire constitution. As vacancies occur in superior court justice positions, the vacancies shall remain unfilled until the number of superior court justices is reduced to 22. Section 4 of this act shall take effect on the date on which the number of superior court justices is reduced from 23 to 22, ***provided that 2004, 74:1 has not taken effect.***

3 Superior Court Justices. RSA 491:1 is repealed and reenacted to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and council to a 5-year term, and 21 associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided. The chief justice shall be appointed from among the associate justices. In the event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-year term at a time when no associate justice vacancies exist, he or she may return to the position of associate justice.

4 Contingency. Section 3 of this act shall take effect upon the date the next vacancy occurs in the position of superior court chief justice or the date on which the number of superior court justices is reduced from 23 to 22, whichever occurs later.

5 Effective Date.

I. Section 3 of this act shall take effect as provided in section 6 of this act.

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

AMENDED ANALYSIS

This bill establishes that the chief justice shall be appointed from among the associate justices of the superior court and may return to the position of associate justice upon resignation or the expiration of his or her term.

The bill also clarifies that the number of superior court associate justices is to be reduced to 21.

HB 471, relative to probate requirements for small estates. INEXPEDIENT TO LEGISLATE

Rep. Cynthia J. Dokmo for Judiciary: The subject matter of this bill, the probate administration of small estates, was dealt with in SB 168 which was passed into law last year. Therefore, this bill was no longer necessary. Vote 16-0.

HB 473, relative to the creation of screening panels for medical injury claims.

INEXPEDIENT TO LEGISLATE

Rep. Gregory M. Sorg for Judiciary: This bill sought enactment of a new Chapter 519-B of the RSA's, which would establish and regulate the proceedings of panels to screen medical injury claims. This was one of a number of bills filed in the 2005 session and assigned to the Judiciary Committee dealing with the perceived medical malpractice insurance crisis. It was retained by the committee for possible further consideration should the bill on the same subject preferred by the committee, and recommended to and passed by the House, HB 702, fail to pass the other body, or should the bill on the same subject preferred and passed by the other body, SB 214, fail to pass the House. SB 214 having passed both chambers, and having been signed into law by the Governor, HB 473 is no longer necessary. Vote 18-0.

HB 508, relative to ex parte hearings. **INEXPEDIENT TO LEGISLATE**

Rep. John B. Hunt for Judiciary: The effect of this bill would be to eliminate ex parte hearings, (hearings at which only one party is present) which are held to address emergency situations. Orders issued at ex parte hearings are temporary, and, a full, noticed hearing in which all parties may participate is held expeditiously. A defendant can request an expedited hearing to take place within five business days. The committee is of the opinion that the need to react to emergency situations far outweighs temporary effects of court orders. Vote 18-0.

HB 608-FN, establishing a right to trial by jury prior to a nonemergency involuntary admission. **INEXPEDIENT TO LEGISLATE**

Rep. Gail C. Morrison for Judiciary: This bill was retained to consider whether there was reason to alter the present process of review of involuntary admissions to the state hospital by a probate judge. The committee determined that no change is needed. Vote 17-2.

HB 648-FN, relative to reducing frivolous medical injury actions. **INEXPEDIENT TO LEGISLATE**

Rep. Gregory M. Sorg for Judiciary: This bill sought enactment of a new Section 4 following RSA 507-E:3, which generally would require that an attorney, at the time of filing a medical malpractice claim, certify that a reasonable investigation has been made that supports a good faith belief that negligence has occurred. Like HB 473, this was one of a number of bills filed in the 2005 session and assigned to the Judiciary Committee dealing with the perceived medical malpractice insurance crisis. It was retained by the committee for possible further consideration for the same reason as HB 472. SB 214 having passed both chambers, and having been signed into law by the Governor, HB 648 is no longer necessary. Vote 19-0.

HB 713-FN, relative to a process for the request and disclosure of social security numbers. **OUGHT TO PASS WITH AMENDMENT**

Rep. John B. Hunt for Judiciary: The committee amendment is in three sections. The first section would require that any department or agency requesting a social security number must have specific statutory authority to do so. The second section is relative to internet posting of deeds and mortgages by the county registries. The amendment allows anyone to request that a social security number or bank account number be deleted from the internet. The amendment also has penalties for anyone in the future who knowingly puts a social security number on a closing document. The third section of the bill will bar any business entity from using a social security number unless specifically allowed to do by federal or state law. Vote 20-0.

Amendment (0097h)

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

1 New Chapter; Disclosure of Records. Amend RSA by inserting after chapter 275-E the following new chapter:

CHAPTER 275-F
DISCLOSURE OF SOCIAL SECURITY NUMBERS

275-F:1 Definition. In this chapter “governmental entity” means the state or any political subdivision of the state, a government branch, unit, or agency, including any authority, board, court, department, division, commission, institution, bureau, or similar entity of the state or of any political subdivision of the state, or any contractor to any of the foregoing. “Governmental entity” does not include county registries of deeds to the extent they are regulated under RSA 478:4-b.

275-F:2 Disclosure of Social Security Numbers.

I. It shall be unlawful for any governmental entity to obtain an individual’s social security number from a source other than the individual to whom it is assigned, or to disclose an individual’s social security number, unless the governmental entity is required by federal law or state statute to do so.

II. It shall be unlawful for any governmental entity to request an individual to disclose his or her social security number on a voluntary basis unless such request is explicitly authorized by state statute.

III. It shall be unlawful for any governmental entity to deny to any individual any right, benefit, or privilege provided by law because of such individual’s refusal to disclose his or her social security number, except for:

(a) Any disclosure which is required by federal law or by state statute as authorized by federal statute; or

(b) Any disclosure of a social security number to a governmental entity maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under federal or state statute or regulation enacted or adopted prior to January 1, 1975, to verify the identity of an individual.

IV. Any governmental entity which requests or requires an individual to disclose his or her social security number shall inform that individual in writing whether such disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

275-F:3 Civil Penalties. In any suit brought to enforce the provisions of RSA 275-F:2 in which the court determines that the governmental entity or an employee of the governmental entity acted in a manner which was intentional or willful, the aggrieved individual may bring against the governmental entity an action to enjoin such violation and, if successful, recover court costs and reasonable attorney’s fees.

275-F:4 Criminal Penalties.

I. Any officer or employee of a governmental entity who, by virtue of his or her employment or official position, has possession of, or access to, records of the governmental entity which contain social security numbers the disclosure of which is prohibited by this chapter, and who, knowing that disclosure of the social security number is prohibited, willfully discloses the social security number in any manner to any person or governmental entity not entitled to receive it, shall be guilty of a misdemeanor and fined not more than \$1,000.

II. Any person who knowingly and willfully requests or obtains any social security number from a governmental entity under false pretenses shall be guilty of a misdemeanor and fined not more than \$1,000.

2 New Sections; Registers of Deeds; Social Security Numbers and Financial Information. Amend RSA 478 by inserting after section 4-a the following new sections:

478:4-b Records; Social Security Numbers and Financial Information.

I. The preparer of a document shall not include an individual’s social security number, credit card number, or deposit account numbers in a document that is prepared and presented for recording in the office of the register of deeds. This paragraph shall not apply

to state or federal tax liens, certified copies of death certificates, and other documents required by law to contain such information that are filed or recorded in the office of the register of deeds. For the purpose of this section, “preparer” shall mean the person who drafts the documents that are recorded with the register of deeds. Preparer shall not include any person who hires, requires, refers, pays, or requests that the documents be drafted or recorded.

II. If a deed or instrument that includes an individual’s social security number, credit card number, or deposit account numbers, was filed with the register of deeds and is available on the Internet, the individual may request that the register of deeds redact such information from the Internet record. The register of deeds shall establish a procedure by which individuals may request that such information be redacted from its files which are available on the Internet. Upon request, the information shall be redacted.

III. The register of deeds shall comply with an individual’s request to redact his or her social security number, credit card number, or deposit account numbers within 5 business days of the receipt of the request, or sooner, if ordered to do so by a court, for good cause shown.

478:4-c Violation; Enforcement. An individual aggrieved by a violation of RSA 478:4-b, I may bring against the preparer:

I. An action to enjoin such violation.

II. An action to recover actual monetary loss from such a violation, or to receive up to \$1,000 in damages for each such violation, whichever is greater.

III. Both such actions.

3 New Chapter; Action for Unauthorized Use of Social Security Number. Amend RSA by inserting after chapter 507-G the following new chapter:

CHAPTER 507-H

ACTION FOR UNAUTHORIZED USE OF SOCIAL SECURITY NUMBER

507-H:1 Prohibition. No person may do any of the following:

I. Intentionally communicate or otherwise make available to the general public an individual’s social security number or any part thereof.

II. Require an individual to use his or her social security number to access an Internet site unless it is encrypted or otherwise comparably secure.

III. Give, sell, lease, loan, trade, rent, or otherwise disclose an individual’s social security number to a third party for any purpose without written consent by the individual to the disclosure.

IV. Treat an individual differently or refuse to do business with an individual because the individual will not provide, or consent to the receipt by such person of, the social security number of such individual.

507-H:2 Exceptions. This chapter shall not prevent:

I. The collection, use, or release of a social security number as required by state or federal law or by state or federal officials in order to carry out their official functions.

II. The use of a social security number by a person, or a contractor or affiliate of that person, to verify the identity of an individual or for administrative purposes, as long as the number was acquired for an allowable purpose.

III. The collection, use, release, or sharing of a social security number to obtain a credit report from or furnish data to a consumer reporting agency pursuant to the New Hampshire Fair Credit Reporting Act, RSA 359-B, or the Fair Credit Reporting Act, 15 U.S.C. section 1681, et seq.

IV. The collection, use, release, or sharing of a social security number in connection with providing a credit report or file, a consumer report, or consumer disclosure as permitted or required by the New Hampshire Fair Credit Reporting Act, RSA 359-B:1, or to undertake a permissible purpose enumerated in Title V of the Gramm-Leach-Bliley Act, 15 U.S.C. sections 6801 through 6809.

507-H:3 Violation; Actions.

- I. An individual aggrieved by a violation of this chapter may bring:
 - (a) An action to enjoin such violation.
 - (b) An action to recover actual monetary loss from such a violation, or to receive up to \$1000 in damages for each such violation, whichever is greater.
 - (c) Both such actions.

II. In any successful action under paragraph I, the aggrieved party shall be awarded the costs of the action together with reasonable attorney's fees as determined by the court. Upon a finding by the court that an unsuccessful pleading, motion, or paper filed in connection with an action under paragraph I was filed in bad faith or for purposes of harassment, the court shall award to the prevailing party attorney's fees reasonable in relation to the work expended in responding to the pleading, motion, or other paper.

III. It shall be an affirmative defense in any action brought under paragraph I that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of this chapter.

IV. If the court finds that the defendant willfully or knowingly or with gross negligence violated this chapter, the court may, in its discretion, increase damages to an amount equal to not more than 3 times the amount available under paragraph I.

4 Effective Date.

I. RSA 478:4-b, III as inserted by section 2 of this act of this act shall take effect March 1, 2007.

II. The remainder of this act shall take effect January 1, 2007.

AMENDED ANALYSIS

This bill:

I. Establishes a process for the request and disclosure of social security numbers by governmental entities.

II. Prohibits, with certain limited exceptions, a person from filing with the registry of deeds a document that includes an individual's social security number.

III. Authorizes private actions for unauthorized use of a social security number.

SB 172, establishing a committee to study a medical fee schedule for workers' compensation. REFER FOR INTERIM STUDY

Rep. William J. Infantine for Labor, Industrial and Rehabilitative Services: The committee was undecided on the merits of this study. Some members had significant predetermination on the possible outcome of the study and others believed a study was appropriate and necessary. All sides agreed to send the bill to Interim Study to review the results of such legislation in other states. Vote 10-0.

CACR 11, relating to the compensation of the legislature. Providing that legislative members receive a payment for each day of legislative attendance and reimbursement for certain necessary expenses. REFER FOR INTERIM STUDY

Rep. Karen K. Hutchinson for Legislative Administration: While many believe that the work of legislators is worth more than \$100 per year, an increase in compensation would have far reaching effects. Budget concerns and possible change in the dynamics of the House by allowing more people to run for office are among those to be studied. Vote 7-2.

SCR 3, relative to the Boy Scouts of America. OUGHT TO PASS WITH AMENDMENT

Rep. David P. Currier for Legislative Administration: This SCR, as amended, congratulates the Boy Scouts of America and the Daniel Webster Council for ninety plus years of enhancing citizenship skills on the top of such outdoor and leadership skills that have declined in other aspects of American life. Language objectionable to some has been removed in lieu of the language of encouragement regarding high adventure training, co-ed socialization and camaraderie. The two no votes were not anti-topic but rather votes against concurrent resolutions in general. Vote 7-2.

Amendment (0119h)

Amend the resolution by replacing all after the title with the following:

Whereas, the Boy Scouts of America is nearing 100 years since its American inception in 1910; and

Whereas, the Boy Scouts of America have been promoting strong character traits and citizenship attributes; and

Whereas, the Boy Scouts of America have produced some of our strongest national leaders and role models, including, actor and war hero Brigadier General James Stewart, Nolan Ryan, President John F. Kennedy, Walter Cronkite, Bill Gates, Dan Jansen, and Mark Spitz; and

Whereas, Eagle Scouts, including astronaut James Lovell, astronaut Neil Armstrong, President Gerald Ford, Sam Walton, John Tesh, Congressman Richard Gephardt, Congressman Thomas Foley, Senator Lamar Alexander, and Hank Aaron, have gone on to prove that character counts, by living the Scout Law; and

Whereas, scouting now includes the Venturing program for young men and women, promoting physical fitness, leadership skills, and real-world experiences; and

Whereas, scouting's many mottos include the phrases, "Be Prepared," and "Do a good turn daily;" and

Whereas, the Boy Scouts of America has been instrumental in shaping the lives of millions of boys and young men for nearly a century; and

Whereas, scouting began in England in 1907 with less than 100 scouts and now has programs in 216 countries serving over 28 million youth; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

That the general court of New Hampshire officially recognizes and supports the mission of the Boy Scouts of America and agrees that character counts; and

That copies of this resolution be sent by the senate clerk to the National Council of the Boy Scouts of America in Irving, Texas and the Daniel Webster Council, Boy Scouts of America in Manchester, New Hampshire.

HB 121, relative to local land use approval for facilities requiring air pollution control permits. **OUGHT TO PASS WITH AMENDMENT**

Rep. Thomas J. Gillick for Municipal and County Government: The Department of Environmental Services (DES) grants many permits that the legislature has granted them control over – air pollution control permits (RSA 125-C), underground storage facilities permits (RSA 146-C), solid waste facility (RSA 149-M), fill and dredge permits for wetlands (RSA 485-A) and ground water protection (RSA 485-C). It is noted in each of those statutes that the ability of the municipality to enact local ordinances covering land use issues is not pre-empted by the state. This amendment adds the words that these permits "shall not affect any obligation to obtain local approvals required under all applicable, lawful local ordinances, codes and regulations not inconsistent with this chapter." The committee intended to have consistent language regarding local control in each RSA so that there would be no misinterpretation of the municipality's ability to have limited authority over land use in these particular areas. Vote 15-0.

Amendment (0176h)

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

AN ACT relative to local land use approval for facilities requiring certain pollution control permits.

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

1 New Paragraph; Air Pollution Control Permit; Local Approval Required. Amend RSA 125-C:11 by inserting after paragraph V the following new paragraph:

VI. The issuance of an air pollution control permit by the department shall not affect any obligation to obtain local approvals required under all applicable, lawful local ordinances, codes, and regulations not inconsistent with this chapter.

2 Liability for Cleanup Costs; Municipal Regulations; Local Approvals Required. RSA 146-C:11, III is repealed and reenacted to read as follows:

III. The issuance of an underground storage facility permit by the department shall not affect any obligation to obtain local approvals required under all applicable, lawful local ordinances, codes, and regulations not inconsistent with this chapter.

3 Removal; Restoration; Equity Relief. Amend RSA 482-A:14-b, II to read as follows:

II. Municipalities may apply to a justice of the superior court for injunctive relief against existing or impending violations of this chapter, or any rule or order issued under this chapter. The municipality shall give notice of any such action to the attorney general and the commissioner of environmental services, who may take such steps as they deem necessary to ensure uniform statewide enforcement, including but not limited to joining the action, assuming sole prosecution of the action, or, as of right, dismissing the action without prejudice. Such notice shall be given at least 30 days prior to the commencement of any such action, unless more immediate action is necessary to prevent irreparable environmental damage or other serious public harm, in which case such notice shall be given as soon as practicable, but in no event later than the date of commencement of the action. ~~[This paragraph shall not be construed to affect, in any manner, existing authority of municipalities to act based upon the provisions of other statutes or local ordinances.]~~ ***The issuance of a permit by the department shall not affect any obligation to obtain local approvals required under all applicable, lawful local ordinances, codes, and regulations not inconsistent with this chapter.***

4 Groundwater Protection Act; Effect on Local Ordinances. RSA 485-C:20 is repealed and reenacted to read as follows:

485-C:20 Effect on Local Ordinances. The issuance of a permit by the department shall not affect any obligation to obtain local approvals required under all applicable, lawful local ordinances, codes, and regulations not inconsistent with this chapter.

5 Permit Required; Presumption Removed. Amend RSA 149-M:9, VII to read as follows:

VII. The issuance of a facility permit by the department shall not affect any obligation to obtain local approvals required under all applicable, lawful local ordinances, codes, and regulations not inconsistent with this chapter. ~~[Local land use regulation of facility location shall be presumed lawful if administered in good faith, but such presumption shall not be conclusive.]~~

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

AMENDED ANALYSIS

This bill clarifies that issuance of an air pollution control permit, an underground storage facility permit, a dredge and fill permit, a permit under the groundwater protection act, or a solid waste facility permit does not affect any obligation to obtain local approvals required under local ordinances, codes, and regulations.

HB 176, relative to the provision of rental and lease information of commercial and industrial property to assessing officials. **INEXPEDIENT TO LEGISLATE**
Rep. Eric G. Stohl for Municipal and County Government: This bill would require owners of commercial and industrial property to provide rental, lease and expense information, upon request, when they apply for a property tax abatement. Persons failing to comply lose their right to appeal. The committee feels that sensitive financial records are just that sensitive and confidential. The lack of an established method of securing this information may place a business at risk of having its competition obtain critical information. Testimony revealed other methods of obtaining this information to properly assess a business, including surveys. The committee felt that with other avenues of securing data available to assessors, it was unnecessary and possibly harmful to mandate the submission of sensitive information to a

municipality. Further, the loss of all property tax appeal rights for refusal to comply with such a requirement would be unduly harsh. Vote 15-0.

HB 245, establishing a committee to study property appraisals of features of land and the view from residential property and unimproved land. **REFER FOR INTERIM STUDY**
Rep. Eric G. Stohl for Municipal and County Government: This bill would establish a study committee and the committee retained the bill to work on the issue. We determined that there are weaknesses in how values of land features, which include views and waterfront properties, are computed during the assessment process. These weaknesses may not indicate that the values placed on a particular land feature are inaccurate, but they do point out the lack of transparency and documentation as to how these values were calculated. A set of criteria needs to be established outlining what information is to be documented and back-up notations that support the method of how the particular value was determined. We wish to send this bill to interim study to allow the Assessing Standards Board (ASB) a period of time to address this issue. The ASB has a duty under RSA 21-J:14-b to recommend legislation relating to property assessment. The committee will closely monitor and work with the ASB for a resolution to this very important matter. Vote 16-0.

HB 410, relative to the confidentiality of documents submitted with an application for a property tax credit, exemption, or deferral. **OUGHT TO PASS WITH AMENDMENT**
Rep. Laurie J. Boyce for Municipal and County Government: This bill changes the method of handling confidential information which is requested by assessing officials in order to verify eligibility for property tax credits, exemptions, or deferrals. The law, as written now, lists three different types of documentation that are considered confidential. This bill removes the restriction to just those three types and states all documents used to verify eligibility will be returned to the applicant at the time a decision is made on the application. By adopting this bill, we remove the need to change the law every time a different type of document is requested. Vote 14-2.

Amendment (0182h)

Amend section 1 of the bill by replacing it with the following:

1 Property Tax Credit, Exemption, or Deferral Application; Confidentiality. Amend RSA 72:34, II to read as follows:

II. For those exemptions having income or asset limitations, the assessing officials may request true copies of any [of the following,] **documents** as needed to verify eligibility. [~~Any documents submitted shall be considered confidential, handled so as to protect the privacy of the applicant, and returned to the applicant at the time a decision is made on the application. The documents are:~~

- ~~(a) Federal income tax form;~~
- ~~(b) State interest and dividends tax form; and~~
- ~~(c) Property tax inventory form filed in any other town.~~

~~RSA 350-C shall not apply to the documents requested for verification under this section.]~~

Unless otherwise provided for by law, all documents submitted with an application or as requested, as provided for in paragraphs I and II, and any copies shall be considered confidential, handled so as to protect the privacy of the individual and not used for any purpose other than the specific statutory purposes for which the information was originally obtained. All documents and copies of such documents submitted by the applicant shall be returned to the applicant after a decision is made on the application.

AMENDED ANALYSIS

This bill requires that all documents and copies of documents submitted with or requested to verify an application for a property tax credit, exemption, or deferral be

considered confidential and returned to the applicant after a decision is made on the application.

HB 581, relative to approval and review of municipal charters. **OUGHT TO PASS WITH AMENDMENT**

Rep. Robert W. Brundige for Municipal and County Government: A new or revised municipal charter, prior to being voted on by the legislative body, is reviewed by the Secretary of State, Attorney General and the Department of Revenue Administration to insure that the proposal is consistent with the general laws of the State (RSA 49-B:5). This statute gives those agencies fourteen days after receiving a copy of the charter proposal to review and comment on it. HB 581 was introduced at the request of the Secretary of State. Experience has shown that fourteen days is not enough time to do an adequate review. The committee agreed with the amendment that adjusts the charter time so that the three agencies have thirty days to review and comment on the charter proposals. Vote 15-0.

Amendment (0020h)

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

1 Municipal Charters; Charter Commission, Membership, Procedure. Amend RSA 49-B:4, V to read as follows:

V. Within 14 days after its organizational meeting, the charter commission shall hold a public meeting for the purpose of receiving information, views, comments and other pertinent material relative to its functions. Within ~~[180]~~ **170** days after its election, the charter commission shall prepare a preliminary report including the text of the charter or charter revision which the commission intends shall be submitted to the voters and any explanatory information the commission deems desirable, shall cause such report to be printed and circulated throughout the municipality, and shall provide sufficient copies of the preliminary report to the municipal clerk to permit its distribution to each voter requesting it. Within ~~[225]~~ **231** days after its election, the charter commission shall submit to the municipal officers its final report, which shall include the full text and explanation of the proposed new charter or charter revision, such comments as the commission deems desirable, an indication of the major differences between any current and proposed charters and a written opinion by an attorney admitted to the bar of this state that the proposed charter or charter revision is not in conflict with the constitution or the general laws. Minority reports if filed shall not exceed 1,000 words. All public hearings before a charter commission shall be held within the municipality at such times and places as may be specified in a notice published at least 7 days prior to the hearing in a newspaper having general circulation in the municipality, but hearings may be adjourned from time to time without further published notice.

2 Municipal Charters; Joint Review by State Agencies. Amend RSA 49-B:5-a, I to read as follows:

I. Within 10 days of the filing of the preliminary report relative to any new municipal charter, charter revision, or charter amendment, the municipal clerk shall file a certified copy of said report with the secretary of state, the attorney general and the commissioner of the department of revenue administration. Within ~~[14]~~ **30** days of the receipt of said report ~~[by]~~, the secretary of state, attorney general and commissioner of the department of revenue administration, ~~[they]~~ **or their designees** shall **jointly** review the proposed charter, charter revision, or charter amendment to insure that it is consistent with the general laws of this state.

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

AMENDED ANALYSIS

This bill changes certain dates relating to the organizational meeting of a municipal charter commission.

This bill also clarifies the procedure for review of a municipal charter.

SB 147-FN-L, relative to eligibility for local assistance. **INEXPEDIENT TO LEGISLATE**
Rep. Robert W. Brundige for Municipal and County Government: If a person has been a resident in a municipality for less than 90 days and seeks local assistance, this bill would allow that town to seek reimbursement for such assistance from the town of prior residence. The concept has been introduced in one form or another during each of the last two legislative sessions. A survey distributed to the Local Welfare Administrator Association last June asked the welfare directors to detail the number of times their town or city had rendered assistance in such cases and not been reimbursed. Only one reply was received which positively reported that no problems had been encountered in that town. Information previously given to the committee indicated that the welfare directors have developed a program to coordinate such requests with each other. There appears to be no problem in the area of reimbursement cooperation. Vote 14-0.

HB 264-FN-A, making a capital appropriation for the purchase of a boat storage and repair facility in the town of Belmont. **INEXPEDIENT TO LEGISLATE**
Rep. John A. Graham for Public Works and Highways: The provisions of this bill were incorporated into HB 25, the Capital Budget, which was passed by the General Court and signed into law by the Governor. Vote 11-0.

SB 89-FN, relative to financing federally aided highway projects. **INEXPEDIENT TO LEGISLATE**
Rep. John A. Graham for Public Works and Highways: This bill concerns Grant Anticipation Bonds for the widening of I-93. This bill is identical to HB 304 which passed the General Court and was signed into law by the Governor. Vote 11-0.

HB 175, relative to divestiture of PSNH generation assets. **OUGHT TO PASS WITH AMENDMENT**
Rep. Roy D. Maxfield for Science, Technology and Energy: The original bill would have amended RSA 369-B to prohibit sale of PSNH generation assets without legislative authorization and would have allowed PSNH and other electric utilities in the state to add or modify existing plants provided a risk sharing agreement was agreed to by the Public Utilities Commission. Based on input from the Public Utilities Commission and the several industry spokespersons, the amendment moves the April 30, 2006 generation asset control date to April 30, 2008. The amendment also establishes a comprehensive study committee comprised of electric oversight committee members and other legislative members to explore the entire divestiture issue. Our committee feels that in light of current energy issues facing the country and state, our current energy policies, set forth in RSA 378, as well as deregulation, need to be evaluated and updated to reflect our situation. Vote 12-0.

Amendment (0123h)

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

AN ACT relative to divestiture of PSNH generation assets, establishing an energy policy task force, and establishing a fund for the costs of the energy policy task force.

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

1 Divestiture of PSNH Generation Assets. Amend RSA 369-B:3-a to read as follows:

369-B:3-a Divestiture of PSNH Generation Assets. The sale of PSNH fossil and hydro generation assets shall not take place before ~~[April 30, 2006]~~ **June 30, 2008**.

Notwithstanding RSA 374:30, subsequent to ~~[April 30, 2006]~~ **June 30, 2008**, PSNH may divest its generation assets if the commission finds that it is in the economic interest of retail

customers of PSNH to do so, and provides for the cost recovery of such divestiture. Prior to any divestiture of its generation assets, PSNH may modify or retire such generation assets if the commission finds that it is in the public interest of retail customers of PSNH to do so, and provides for the cost recovery of such modification or retirement.

2 Energy Policy Task Force.

I. There is established an energy policy task force.

II. The members of the task force shall be as follows:

(a) Five members of the house of representatives, at least 2 of whom shall be members of the legislative oversight committee on electric utility restructuring, appointed by the speaker of the house of representatives.

(b) Five members of the senate, at least 2 of whom shall be members of the legislative oversight committee on electric utility restructuring, appointed by the president of the senate.

(c) Three members appointed by the governor.

III. Legislative members of the task force shall receive mileage at the legislative rate when attending to the duties of the task force.

IV. The task force shall:

(a) Review the state's energy policies and make recommendations for appropriate changes necessary to accommodate the changing energy environment in New Hampshire.

(b) Review the divestiture of PSNH generation assets, and the policies for supply.

V. The members of the task force shall elect a chairperson from among the members. The first meeting of the task force shall be called by the first-named house member. The first meeting of the task force shall be held within 45 days of the effective date of this section. Seven members of the task force shall constitute a quorum.

VI. The task force shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before September 30, 2006.

3 Fund Established. The task force shall establish a fund which shall be held by the state treasurer. The fund shall consist of \$100,000 from assessments against the state's electric utilities made by the public utilities commission pursuant to the methodology defined in RSA 363-A:2. The fund may be used, with the prior approval of the fiscal committee of the general court, to pay costs for technical assistance incurred pursuant to section 2 of this act.

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

AMENDED ANALYSIS

This bill extends the prohibition on the divestiture of PSNH generation assets to June 30, 2008 and establishes an energy policy task force. This bill also establishes for the costs of the energy policy task force.

HJR 1, recognizing that Kittery, Berwick, and the Piscataqua River are within the boundaries of the state of New Hampshire. **OUGHT TO PASS WITH AMENDMENT**
Rep. Richard Marple for State-Federal Relations and Veterans Affairs: The General Court recognizes the historical records of the Sixth and Seventh congress of the United States. Fernald Island – now known as Seavey Island – the home of the Portsmouth Naval Shipyard – was sold to the Federal Government for \$5,000.00 by William and Sarah Dennett in 1800. When Maine became a state in 1820, Seavey Island was federal property and doesn't appear to be included in the Maine or New Hampshire borders. The Piscataqua River boundary established clarified responsibility for the security of Homeland Security and other threats to the entire Piscataqua River, its bed and the Portsmouth Harbor to New Hampshire. When Maine was admitted as a state in 1820, the federal government owned and maintained Seavey Island for 20 years. Vote 11-0.

Amendment (0198h)

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

A RESOLUTION recognizing that Seavey Island and the Piscataqua River are within the boundaries of the state of New Hampshire.

Amend the resolution by replacing all after the title with the following:

Whereas, Seavey Island is in the Piscataqua River and, like Portsmouth, the island provides ready access to the Atlantic Ocean; and

Whereas, historical records support the proposition that the sixth and seventeenth Congress of the United States annexed Seavey Island to Portsmouth, New Hampshire; and

Whereas, recognizing that Seavey Island and the Piscataqua River are in New Hampshire will serve to protect the public from terrorism and similar threats to public safety and homeland security because this definition of the New Hampshire boundary will clarify responsibility for the security of the entire Piscataqua River and the Portsmouth Harbor; now, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

That the general court hereby recognizes that Seavey Island and the Piscataqua River are within the boundaries of the state of New Hampshire.

AMENDED ANALYSIS

This resolution recognizes that Seavey Island and the Piscataqua River are within the boundaries of the state of New Hampshire.

HR 13, condemning the genocide in the Darfur region of the Sudan and urging Congress, with the support of the President, to pass the Darfur Accountability Act (S. 495) and the Darfur Genocide Accountability Act (H.R. 1424). **INEXPEDIENT TO LEGISLATE**
Rep. Richard Marple for State-Federal Relations and Veterans Affairs: The committee is not insensitive to the plight of the people of Darfur but the language of the resolution would commit 10,000 U.S. forces to the mission that the committee did not feel appropriate. Vote 11-0.

HR 14, supporting Taiwan's participation in the World Health Organization, and supporting the establishment of a Taiwan-United States free trade agreement. **OUGHT TO PASS WITH AMENDMENT**

Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: Due to the threat of rapid movement of deadly diseases, such as SARS and Avian Flu, often traveling across international trade routes of which Taiwan is a major trading center, it is important to the United States for financial and health security, that Taiwan be allowed to play an active and proactive role in the prevention, treatment and cure of such diseases. Vote 14-0.

Amendment (0078h)

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

A RESOLUTION supporting Taiwan's participation in the World Health Organization.

Amend the resolution by replacing all after the title with the following:

Whereas, good health is essential to every citizen of the world and access to the highest standards of health information and services is necessary to improve public health; and

Whereas, the World Health Organization (WHO) set forth in the first chapter of its charter the objective of attaining the highest possible level of health for all people; and

Whereas, the achievements of Taiwan, the Republic of China, in the field of health are substantial, including one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those of western countries, the eradication of such infectious diseases as cholera, smallpox, and the plague, and the first to eradicate polio and provide children with Hepatitis B vaccinations; and

Whereas, the United States Centers for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues; and

Whereas, in recent years Taiwan has expressed a willingness to assist financially and technically in international health activities supported by the WHO; and

Whereas, direct, unobstructed participation in international health forums and programs is critical to limit the spread of various infectious diseases and achieve world health; and

Whereas, the United States House of Representatives and Senate authorized the Secretary of State to endorse observer status for Taiwan at the World Health Assembly; and

Whereas, President Bush and senior members of his administration have vocalized support for Taiwan's participation in the WHO; now, therefore, be it

Resolved by the House of Representatives:

That the New Hampshire house of representatives hereby supports Taiwan's participation in the World Health Organization.

AMENDED ANALYSIS

This house resolution supports Taiwan's participation in the World Health Organization.

HR 16, requesting that the New Hampshire congressional delegation support optional Social Security personal retirement accounts. **REFER FOR INTERIM STUDY**

Rep. James E. Twombly for State-Federal Relations and Veterans Affairs: The committee recommends interim study because of the complexity of how the social security retirement system can remain solvent. One of the options could be personal retirement accounts but other options could be some increase in the payroll tax or a reduction in some social security benefits. Also, some reductions in eligibility could be an option as well. Vote 11-0.

HB 119-FN, relative to commercial advertising on toll booths. **INEXPEDIENT TO LEGISLATE**

Rep. Sherman A. Packard for Transportation: The committee heard proposals from the two companies that wanted to advertise at the toll booths and on the transponder people have attached to the car window. One was looking to put billboards at the toll booths. Another was looking at some form of signage over or around the toll booths. The committee was unanimous in its belief that this was wrong for New Hampshire. We felt that the citizens of this state do not want to pull up to a toll booth and see some bank or telephone company pushing services in neon lights. Vote 9-0.

HB 273-FN, relative to licenses for persons who are not United States citizens and who are temporarily residing in New Hampshire. **INEXPEDIENT TO LEGISLATE**

Rep. James W. Danforth for Transportation: With the passage of the Real ID act in May of 2005, this bill becomes unnecessary. Every state is given three years to comply with the provision of Real ID. Before issuing a driver's license to a person who is not a United States Citizen, every state must conform to certain criteria set forth in the Real ID Act and to whatever rules and regulations are being developed by the Department of Homeland Security. Vote 9-0.

HB 579, relative to motor vehicle inspections. **INEXPEDIENT TO LEGISLATE**

Rep. Brenda L. Ferland for Transportation: This bill pertained to the OBD II inspection requirements. It provided an exemption for all vehicles from the OBD II inspection requirement until July of 2006. As this provision was adopted in other legislation, the committee saw HB 579 as redundant. Vote 9-0.

SB 148, relative to motorcycle inspections and relative to electronic inspection information. **INEXPEDIENT TO LEGISLATE**

Rep. James W. Danforth for Transportation: This bill provided that "motorcycle only"

inspection stations would be exempt from OBDII emission testing requirements. The committee feels that this issue has been addressed in other legislation. Vote 9-0.

SB 157-FN, relative to all terrain vehicles used for agricultural purposes. **REFER FOR INTERIM STUDY**

Rep. Brenda L. Ferland for Transportation: The committee believes it was time to take a look at farm vehicles of all kinds and the plates connected to their usage. This may be the time to recodify. Vote 9-0.

SB 146-FN-A-L, 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. **INEXPEDIENT TO LEGISLATE**

Rep. Shawn N. Jasper for Ways and Means: This bill was recommended as ought to pass with amendment at the end of last session; however it was reported out after the deadline and failed to receive the necessary two-thirds vote for consideration by the House. The components of the bill were deemed to be important and were included as amendments to HB 1 and 2. The essence of the Ways and Means amendment and those adopted in HB 1 and 2 was to create a pilot program to provide legal assistance for low income people and to fund it a level of \$700,000 per year, through a penalty assessment. Vote 17-0.

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

Without objection, the Speaker ordered the bills removed from Consent Calendar to be moved to the January 18th calendar.

REGULAR CALENDAR – 2005 RETAINED BILLS

HB 37-FN, relative to health insurance coverage for full-time students on medical leaves of absence. **OUGHT TO PASS WITH AMENDMENT**

Rep. Stephen B. Stepanek for Commerce: This bill, which has become known as “Michelle’s Law,” has been extensively reviewed by the committee. It is an important first step in eliminating short-comings that allowed a seriously ill college student to be cancelled from the family’s health policy. The amendment ensures that health carriers will continue to cover these students for one year after they can no longer maintain their full-time status. Vote 18-0.

Amendment (0095h)

Amend RSA 415:5, I(3-a)(b) as inserted by section 1 of the bill by replacing it with the following:

(b) If the coverage for dependent children under subparagraph (3) includes coverage for dependent children who are full-time students beyond the age of 18, such dependent coverage shall include coverage for a dependent’s medically necessary leave of absence from school for a period not to exceed 12 months or the date on which coverage would otherwise end pursuant to the terms and conditions of the policy, whichever comes first. To establish entitlement to coverage under this subparagraph, documentation and certification of the medical necessity of a leave of absence shall be submitted to the insurer by the student’s attending physician;
and

Amend RSA 415:18, V(b) as inserted by section 2 of the bill by replacing it with the following:

(b) If the coverage for dependent children under paragraph IV includes coverage for dependent children who are full-time students beyond the age of 18, such dependent coverage shall include coverage for a dependent’s medically necessary leave of absence from school for a period not to exceed 12 months or the date on which coverage would otherwise end pursuant to the terms and conditions

of the policy, whichever comes first. To establish entitlement to coverage under this subparagraph, documentation and certification of the medical necessity of a leave of absence shall be submitted to the insurer by the student's attending physician.

AMENDED ANALYSIS

This bill extends health insurance coverage to full-time students on medical leaves of absence.

Adopted.

Committee report adopted and ordered to third reading.

Rep. Rogers Johnson filed a conflict of interest and did not participate.

HB 515, relative to group health insurance coverage for certain entities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Stephen B. Stepanek for the Majority of Commerce: This bill adopts a new approach to the primary function performed by a purchasing alliance. The existing model is based on the concept of using a purchasing alliance to promote competition among carriers. The new model is based on the concept of using a purchasing alliance to foster competition based on value at the health care service level. This bill is not a "quick fix" or a "silver bullet." if a group elects to form a purchasing alliance under this legislation, it will take 2 to 4 years before savings will be realized. This bill does not change any of the mandates or rating criteria adopted under SB 125 (Chapter 225, Laws of 2005). That is now the law that regulates the small group insurance market and this bill is designed to work hand in hand with SB 125. This bill does not limit the employer groups that can join a purchasing alliance to small employer groups. It allows any employer group, large or small, to join a purchasing alliance, provided that the group meets the alliance's membership criteria. This bill provides that a purchasing alliance shall set membership criteria that allows any employer group to join, or alternatively, if it limits its membership to certain groups, that the limitation must be based on membership in an organization, entity or trade association that has been existence for at least 10 years and was created for purposes other than the provision of health coverage. The Chambers of Commerce, the Bar Association, the BIA, the Real Estate Association or other similar types of trade associations could form purchasing alliances for the exclusive benefit of their members under this bill. This bill does not require that a purchasing alliance contract with more than one carrier, or offer more than one benefit plan. This bill allows a purchasing alliance that has 3,000 or more covered lives to obtain certification as a qualified purchasing alliance by demonstrating that its membership criteria is not based on risk selection and that its health benefit plan or plans will promote more cost effective use of health care services by better aligning financial incentives with health care quality and efficiency. This bill provides that the provisions of RSA 420-G apply to coverage obtained through a qualified purchasing alliance. The application of this section to the coverage sold by a qualified purchasing alliance provides that coverage, whether sold to large or small employers through a qualified purchasing alliance, may be subject to guaranteed issue and guaranteed renewal. The intent of this bill is to create a structure that allows an association or other entity or group to develop and implement a benefit plan that will drive down the costs of health care by improving the health of the employees in that group and by promoting the cost effective use of health care services. It is designed to create financial incentives that will accrue directly to the members of the group that succeed in effecting a reduction in cost due to improved use of health care services and disease prevention. It adopted a model for doing this similar to the model that successfully reduced workers' compensation costs in New Hampshire. The committee overwhelmingly supports HB 515. Vote 15-2.

Rep. Marshall Lee Quandt for the Minority of Commerce: This bill, as amended, has not had a public hearing. After recently passing SB 125 (Chapter 225, Laws of 2005), the insurance industry and many brokers are asking that we give that time to settle down before going to

another major program. It is short-sighted on our part and unfair to our constituents and the insurance industry. The minority of the committee believes we should not go forward with this bill, but give the insurance industry a chance to catch its breath and bring this bill back next year and allow for this major piece of legislation to go through the full process. Keep in mind that we were told that no other state has moved ahead in this direction. We felt that this is another major reason for the legislature to slow down the train that is pushing this legislation through the system.

Majority Amendment (0099h)

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

AN ACT relative to purchasing alliances.

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

1 New Chapter; Purchasing Alliances. Amend RSA by inserting after chapter 420-K the following new chapter:

CHAPTER 420-L PURCHASING ALLIANCES

420-L:1 Purpose. The purpose of this chapter is to:

I. Increase the affordability, efficiency, and fairness of health insurance coverage for employers by setting standards for the licensure and oversight of purchasing alliances through which employers and their employees may purchase health coverage.

II. Allow employers and their employees to obtain better value in purchasing health insurance by consolidating purchasing responsibilities and resources, thereby increasing purchasing expertise and reducing the administrative cost of health plan contracting, enrollment, premium collection, and payment for multiple employers.

III. Foster competition based on value.

420-L:2 Definitions. In this chapter:

I. "Commissioner" means the insurance commissioner.

II. "Eligible dependent" means "eligible dependents" as defined in RSA 420-G:2, V.

III. "Eligible employee" means "eligible employee" as defined in RSA 420-G:2, VI.

IV. "Employee enrollee" means an eligible employee, self-employed individual or an eligible dependent of an eligible employee who is enrolled in a health benefit plan offered through an alliance by a participating carrier.

V. "Health benefit plan" means "health coverage" as defined in RSA 420-G:2, IX.

VI. "Health carrier" means "health carrier" as defined in RSA 420-G:2, VIII.

VII. "Member employer" means an employer who enrolls in an alliance.

VIII. "Participating carrier" means a carrier that contracts with the alliance.

IX. "Purchasing alliance" means a non-risk bearing corporation or other entity licensed pursuant to RSA 420-G:10-a that provides health insurance coverage to member employers and their employees.

X. "Qualified purchasing alliance" means a purchasing alliance that has obtained certification from the commissioner under RSA 420-L:13 as a qualified purchasing alliance with authority to operate in the same manner as a qualified association trust pursuant to RSA 420-G:10.

XI. "Small employer" means "small employer" as defined in RSA 420-G:2, XVI.

420-L:3 Jurisdiction of the Commissioner; Penalties.

I. The commissioner shall regulate the establishment and conduct of purchasing alliances.

II. No person or entity, other than a qualified association trust, shall market, sell, offer, or arrange the sale of one or more health benefit plans to 2 or more employers or their eligible employees without first being licensed by the commissioner pursuant to this chapter.

III. A person or entity, not licensed by the commissioner as a purchasing alliance and engaged in the purchase, sale, marketing, or distribution of health insurance or health

care benefit plans shall not hold itself out as a health insurance purchasing alliance, health insurance purchasing cooperative, or a health insurance purchasing association.

420-L:4 Purchasing Alliance Application and Licensing. To obtain authority to operate as a purchasing alliance, an application shall be completed and filed with the commissioner by an authorized representative of the corporation or other entity established to operate as a purchasing alliance. An application shall not be deemed filed until all information necessary to properly process the application has been received by the commissioner. Upon filing, the commissioner shall make a determination concerning the application and shall provide notice of the determination to the applicant. If approved, a copy of a license shall be provided to the purchasing alliance. The license shall serve as authorization to operate pursuant to this chapter.

420-L:5 Preparation of a Business Plan and Other Required Documents.

I. The application for a purchasing alliance shall include a business plan containing the following information:

(a) A detailed, written plan of operations explaining how the applicant intends to fulfill the purposes and requirements of this chapter;

(b) The specific steps that the alliance will use to increase affordability, efficiency, and fairness of health insurance coverage;

(c) The specific steps that the alliance will use to allow employers and their employees to obtain better value in purchasing health insurance;

(d) The scope of services to be offered and the resources and expertise to be used to implement and administer those services;

(e) A provision requiring that any coverage procured by the alliance shall require that the members of the alliance be notified directly by the insurer of cancellation due to nonpayment of premium;

(f) The personal biographical information and descriptions of the officers of the alliance;

(g) A written statement demonstrating that those involved in the operation of the alliance have the expertise and experience to effectively and professionally represent employers and their eligible employees; and

(h) An affirmative demonstration that financial controls are in place as a condition of licensure.

II. In addition to the business plan, each applicant shall file with the commissioner the following information or documents:

(a) A plan that affirmatively demonstrates that the alliance has the technical expertise and capacity to serve a significant group of employers and their eligible employees;

(b) A plan that demonstrates that the alliance has the technical capacity to provide service quality;

(c) The applicant's articles of incorporation, bylaws or other formation and business operation documents;

(d) A list of officers and directors of the applicant and the contract administrator, if one is employed, and personal biographical information or firm descriptions for each;

(e) Evidence of security and prudence in the accounting, deposit, collection, handling, and transfer of moneys; and

(f) A description of the service area in which the alliance will be marketing and offering services.

III. Material changes in the operations or the business plan shall not take effect without approval from the commissioner.

IV. The commissioner shall conduct financial and performance audits or examinations of an alliance on a regular basis. The commissioner shall require audited financial statements from an alliance. The costs of examinations or audits shall be paid by the alliance.

V. A purchasing alliance shall submit an annual report no later than April 1 of each year that includes quarterly financial statements that shows:

- (a) The alliance is operating in a sound financial fashion;
- (b) The alliance is not a risk-bearing entity; and
- (c) The alliance is utilizing sound financial controls and money management.

420-L:6 Revocation of License and Insolvency.

I. The following intentional acts shall constitute grounds for denial, non-renewal, suspension or revocation of an application or existing license, following notice and an opportunity for hearing:

- (a) Failure to comply with the provisions of RSA 420-G;
- (b) Failure to comply with the business plan filed and approved by the commissioner;
- (c) Failure to maintain adequate financial controls;
- (d) Failure to extend alliance health benefit plan coverage to eligible employees;
- (e) Failure to comply with a lawful order of the commissioner;
- (f) Engaging in an unfair or deceptive act or practice;
- (g) Filing any necessary form, including the application form, with the commissioner that contains false or materially incorrect information or omissions; or
- (h) Misappropriation, conversion, illegal withholding, or refusal to pay over upon proper demand any moneys that belong to a person or participating carrier and that have been entrusted to the alliance in its fiduciary capacity.

II. The commissioner shall require the removal and replacement of managerial or marketing staff or third party contractors if necessary to remedy compliance or performance problems.

III. In the event the alliance becomes insolvent, the commissioner shall place the alliance in receivership if necessary to protect the interests of alliance enrollees.

420-L:7 Powers and Duties of Purchasing Alliances; Restrictions on Purchasing Alliances.

I. A purchasing alliance shall:

- (a) Offer health benefit plans that are available to all member employers;
- (b) Establish administrative and accounting procedures for operating the alliance, for providing services to member employers and enrollees, and for preparing an annual budget;
- (c) Develop standard enrollment procedures for enrolling employers and their eligible employees and dependents;
- (d) Establish procedures for open enrollment periods;
- (e) Establish conditions of participation for small employers that conform to the requirements of RSA 420-G and include, but are not limited to, the following:
 - (1) Assurances that the member employer is an employer group and is not formed for the purpose of securing health benefits coverage.
 - (2) Prepayment of premiums or other mechanisms to assure that payment will be made for coverage;
- (f) Establish membership criteria that allow any employer to participate in the alliance or that limit participation to employers that are members of or affiliated with an association, trade group, or other entity that has been in existence for at least 10 years and was established and maintained for purposes other than the provision of health coverage;
- (g) Provide that each eligible employee is permitted to enroll in any health benefit plan offered by any participating carrier so long as the health benefit plan provides coverage where he or she works or lives;
- (h) Establish conditions of participation for participating carriers;
- (i) Develop and make available a list of objective criteria that shall be met by a participating carrier offering coverage to alliance members;
- (j) Establish conditions of participation for agents or brokers;

(k) Provide to alliance members clear, standardized information on the health benefit plan including information on:

- (1) Price;
- (2) Benefits;
- (3) Enrollee costs;
- (4) Quality;
- (5) Patient satisfaction;
- (6) Enrollment; and
- (7) Grievance procedures and rights and responsibilities;

(l) Transmit enrollment and eligibility information to participating carriers on a timely basis;

(m) Specify in contracts with participating carriers how all premiums shall be transmitted and the frequency of that transmission and how penalties and grace periods on late payments of premiums shall be calculated;

(n) The alliance shall have a fiduciary duty with respect to all moneys received or owed to it to assure payments of its obligations and a full accounting to its members and the commissioner; and

(o) Submit to the commissioner, quarterly financial statements, annual reports, and proposed material changes in the policy and/or operations of the business plan.

II. A purchasing alliance may:

(a) Receive, review, and act on grievances against participating carriers by member employers or enrollees;

(b) Require participating carriers to maintain health care data;

(c) Maintain a trust account or accounts for deposit of all moneys received and collected for the operation of the alliance;

(d) Establish procedures and mechanisms for billing and collection of premiums from member employers, including collection of any share of the premium paid by employee enrollees;

(e) Review information and recommendations from consumers, employers, participating carriers or health care providers and other sources, and issue periodic reports or recommendations to the commissioner to improve the delivery of health services and the purchasing of health coverage;

(f) Develop model contracts that describe for potential contractors the requirements of the alliance and provide a copy of the contract to interested carriers;

(g) Place into its contracts between the alliance and member employers the following:

(1) A provision stating that, for administrative purposes, the alliance shall be the policyholder or contract holder of the health benefit plan on behalf of member employers, their eligible employees and eligible dependents; and

(2) A provision stating that the participating carrier shall issue a certificate of coverage, or equivalent document, specifying the essential features of the health benefit plan's coverage to each enrolled eligible employee;

(h) Undertake any activity necessary to administer the alliance, including marketing and publicizing the alliance, and assuring that participating carriers, contractors, participating employers, and enrollees are in compliance with alliance requirements;

(i) Establish contracts with participating carriers to provide health coverage to alliance members;

(j) Establish contracts with employer members;

(k) Contract with qualified, independent third parties for services necessary to carry out the powers and duties of the alliance;

(l) Appoint advisory committees, as necessary, to provide technical assistance in the operation of the program and in carrying out the purposes of this chapter;

- (m) Assess member employers a fee for costs incurred or anticipated in connection with the operation of the alliance;
- (n) Require as a condition of membership that employers include a minimum percentage of employees in coverage purchased through the alliance;
- (o) Reject or allow a carrier to reject an employer from membership or drop or allow a carrier to drop a member employer if the member fails to pay premiums or engages in fraud or material misrepresentation in connection with a health benefit plan purchased through the alliance;
- (p) Contract with licensed insurance agents or brokers to market and service coverage made available through the alliance to its members. Compensation for agents and brokers shall not vary based on the actual or expected health status or medical utilization of the group to which coverage is sold;
- (q) Define a set of standardized requirements that the alliance shall use to purchase insurance from a carrier;
- (r) Require that member employers and their eligible employees continue to pay administrative fees that are part of the contract with the alliance if a member employer or enrollee cancels prior to completion of a contract period or membership period established by the alliance;
- (s) Negotiate the premium rates charged for coverage offered through the alliance and, for small employer members, ensure that rates are consistent with the rating restrictions contained in RSA 420-G;
- (t) Request such information from participating carriers as is necessary to carry out the powers and duties of this chapter;
- (u) Sue or be sued, including taking action necessary for securing legal remedies on behalf of the alliance, member employers, or enrollees;
- (v) Apply for loans or loan guarantees from the New Hampshire business finance authority for the purpose of funding startup costs;
- (w) Receive and accept loans, grants, funds, or anything of value from a public or private entity including:
 - (1) Employer premiums;
 - (2) Employer participation fees;
 - (3) Employer late fees;
 - (4) Employer reinstatement fees;
 - (5) Agent and broker fees paid by the employer;
 - (6) Interest earned on accounts;
 - (7) Funds paid by the participating carriers for a pooled marketing effort;
 - (8) Public sector and private sector grants, gifts, loans, or donations; or
 - (9) Other lawful sources;
- (x) Receive and accept contributions of property, labor, or any other thing of value;
- (y) Expend funds to pay:
 - (1) Participating carriers under their contracts;
 - (2) Third parties for services provided under contract;
 - (3) Employer billing adjustments;
 - (4) Agent and broker fees;
 - (5) The alliance's administrative expenses; and
 - (6) All other expenditures duly authorized by the board;
- (z) Exercise all powers reasonably necessary to carry out the powers granted and duties imposed under this chapter; and
- (aa) Enter into all other contracts as are necessary to carry out the powers and duties of the alliance.

III. A purchasing alliance shall not:

(a) Purchase health care services directly, assume risk for the cost or provision of health care services, or otherwise contract with health care providers for the provision of health care services to enrollees.

(b) Exclude from membership in the alliance an employer, eligible employee, or eligible dependent of an eligible employee who meets the alliance's membership criteria and who agrees to pay fees for membership and the premium for health coverage through the alliance and who abides by the bylaws and rules of the alliance.

(c) As a condition of membership, require an employer, eligible employee, or eligible dependent to subscribe to limited health coverage or non-health coverage related products or services.

(d) Engage in any act or practice that results in the selection of member employers and enrollees based on industry type, experience, gender, family status, education, health status, income, employer size, or other factors related to the risk profile of the group.

(e) Require or take any action inconsistent or in conflict with state laws or regulations.

420-L:8 Contracts with Participating Carriers.

I. The contracts entered into by the alliance shall:

(a) Establish performance standards for specific contractual elements;

(b) Set liquidated damages for breach of the contract;

(c) Require the insurer to notify the member employers of cancellation of the policy;

(d) Require the member employers in the event of cancellation to arrange for continuation coverage for their employees to the extent provided under federal and state law; and

(e) Contain a provision stating that if after timely receipt of the premium payment from the employer, the alliance fails to make the premium payment to the insurer, with the result that coverage is terminated, that the alliance shall be liable for benefits to the same extent as the insurer or carrier would have been liable if coverage had not been terminated.

420-L:9 Requirements for Participating Carriers.

I. To qualify as a participating carrier, a carrier shall demonstrate the following characteristics:

(a) That it is licensed and in good standing with the insurance department;

(b) That it has the ability to administer health coverage, to provide adequate service, and to comply with all contractual requirements of the alliance;

(c) That it has the ability to provide enrollees with access to covered services;

(d) That it has the ability to provide coverage for enrollees in any service area in which the carrier plans to participate through the alliance;

(e) That it has the ability to arrange and pay for quality health care services;

(f) That it has the ability to provide standard data required by the alliance, in a manner prescribed by the alliance, including information on:

(1) Plan performance;

(2) Enrollee satisfaction;

(3) Provider payment and incentive structures; and

(4) Such other data requirements prescribed by the alliance;

(g) That it has the ability to meet quality of care standards established by government and industry authorities; and

(h) That it is financially strong and has competent management.

II. Participating carriers that contract with or employ health care providers shall have the ability to accomplish the following in a manner satisfactory to the alliance:

(a) Review and report on the cost and quality of care covered;

(b) Review and report on the appropriateness of care covered; and

(c) Provide accessible health care services.

III. Each participating carrier shall:

- (a) Meet the standards established by the alliance pursuant to this chapter;
- (b) Provide data and information as required by the alliance;
- (c) Comply with all laws and rules regarding underwriting, rating, claims handling, sales, solicitation, licensing, fair marketing, unfair trade practices, the provisions of this chapter, and other applicable state statutes;
- (d) Enroll and terminate individuals in the manner specified by the alliance; and
- (e) Comply with other requirements established by the alliance pursuant to this chapter.

IV. Nothing in this chapter shall prohibit participating carriers from contracting with particular health care providers or types, classes, or categories of health care providers, or setting reimbursement methodology.

V. In the event that the participating carrier elects to terminate its contract with the alliance, the participating carrier shall:

- (a) Provide advance notice of its decision to the alliance; and
- (b) Provide notice of the decision at least 180 days prior to the non-renewal of health coverage to the member employers and employee enrollees.

420-L:10 Marketing Health Benefit Plans.

I. The alliance shall establish marketing standards for use by participating carriers.

II. Any marketing, advertisement, or educational material for health coverage sold through the alliance shall be approved by the alliance prior to its use.

III. The alliance shall make approved marketing materials available to member employers in an efficient and standardized manner. These materials shall include, but not be limited to, an accurate summary of benefit plans, rates, cost, and accreditation information relating to the offerings of the participating carrier.

IV. This section shall not be construed to prohibit or to compel the alliance or a participating carrier from using the services of an agent or broker.

420-L:11 Conflict of Interest. No officer or board member or director or contract administrator of a purchasing alliance or members of their households may be employed by, be a consultant for, be a member of the board of directors of, or be affiliated with, or otherwise be a representative of a carrier or other insurer. This section shall not preclude an officer or board member or director or contract administrator of a purchasing alliance from purchasing health coverage through the alliance.

420-L:12 Purchasing Alliance Distinguished From Multiple Employer Welfare Arrangement. Purchasing alliances shall not be risk bearing entities, and shall not enter into a self-insured arrangement.

420-L:13 Qualified Purchasing Alliance.

I. A purchasing alliance that has a minimum of 3,000 enrollees may elect to obtain certification from the commissioner as a qualified purchasing alliance. To obtain certification, a purchasing alliance shall demonstrate:

- (a) Either that it is open to all employers without discrimination or, if participation is based on membership in or an affiliation with an association, trade group or other entity, that the entity has been in existence for at least 10 years and was established and maintained for purposes other than the provision of health coverage; and

- (b) That the health benefit plan or plans offered to its members and the provider payment policies associated with those plans will promote more cost effective use of health care services by providing a better alignment of financial incentives with:

- (1) Health care quality improvement and efficiency; and
 - (2) Health promotion and disease prevention.

2 Insurance; Qualified Associated Trust. Amend RSA 420-G:10 to read as follows:

420-G:10 Qualified Association Trust *and Qualified Purchasing Alliance*.

I. A qualified association trust or other entity, as defined in RSA 420-G:2, XV, *and a qualified purchasing alliance, as defined in RSA 420-L:2, X*, shall:

(a) Comply with the rating restrictions outlined in RSA 420-G:4 for all small employer members with 50 or fewer employees based upon the association's *or alliance's* group experience, except that *for a qualified association trust*, no rating factor shall be utilized without the express written consent of the association.

(b) Offer all eligible members, as defined under the applicable trust or other documents, coverage and rates on a guaranteed issue and renewable basis.

(c) Comply with the regulations concerning medical underwriting in RSA 420-G:5.

(d) Comply with the preexisting conditions provision of RSA 420-G:7.

II. Nothing in this chapter shall be interpreted to limit the size of employers who may participate in coverage with a qualified association trust *or a qualified purchasing alliance*.

3 Repeal. The following are repealed:

I. RSA 420-G:2, XIV-a, relative to definition of purchasing alliance.

II. RSA 420-G:10-a, III and IV, relative to purchasing alliances.

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

AMENDED ANALYSIS

This bill establishes a law governing purchasing alliances which may be formed for the purposes of purchasing health insurance.

Majority amendment adopted.

Reps. Gibson, Marjorie Smith and Marshall Quandt spoke against.

Reps. Kathleen Taylor and Sheila Francouer spoke in favor.

Rep. Stepanek spoke in favor and yielded to questions.

(Deputy Speaker Weyler in the Chair)

Rep. Sheila Francouer requested a roll call; sufficiently seconded.

The question being adoption of the Majority committee report.

YEAS 286 NAYS 87			
YEAS 286			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Morrison, Gail
Nedeau, Stephen	Pilliod, James	Rosen, Ralph	Russell, David
Tobin, William	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Buco, Thomas
Chandler, Gene	Dickinson, Howard	Knox, J David	Martin, James
McConkey, Mark	Merrow, Harry	Olimpio, J Lisbeth	Patten, Betsey
Stevens, Stanley			
CHESHIRE			
Butcher, Suzanne	Butynski, William	Chase, William	Coates, Christopher
Dexter, Judson	Emerson, Susan	Espieffs, Peter	Footte, Sheila
Hogancamp, Deborah	Hunt, John	Mitchell, Bonnie	Pelkey, Stephen
Plifka, Stanley Jr	Richardson, Barbara	Robertson, Timothy	Sawyer, Sheldon
Tilton, Anna	Weed, Charles		

COOS			
King, Frederick	Lary, Bruce	Mears, Edgar	Merrick, Scott
Richardson, Herbert	Stohl, Eric	Tholl, John Jr	
GRAFTON			
Almy, Susan	Benn, Bernard	Bleyler, Ruth	Cooney, Mary
Dorsett, Andrew	Gionet, Edmond	Giuda, Robert	Hammond, Lee
Harding, A Laurie	Ingbretson, Paul	Maybeck, Margie	McLeod, Martha
Mirski, Paul	Mulholland, Catherine	Naro, Debra	Nordgren, Sharon
Sokol, Hilda	Solomon, Peter	Williams, Burton	
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Baroody, Benjamin
Batula, Peter	Beaulieu, Jane	Bergin, Peter	Brassard, Paul
Brundige, Robert	Calawa, Leon Jr	Campbell, David	Carew, James
Carter, Mark	Chase, Claudia	Christensen, D L Chris	Christiansen, Lars
Clark, Mark	Clemons, Jane	Cote, Peter	Coughlin, Pamela
Craig, James	Daniuk, Caitlin	Desmarais, Vivian	DeVries, Betsi
Dokmo, Cynthia	Drisko, Richard	Dyer, Donald	Elliott, Nancy
Emerton, Larry	Essex, David	Foster, Linda	Gargasz, Carolyn
Garrity, Patrick	Golding, William	Goley, Jeffrey	Gonzalez, Carlos
Graham, John	Haley, Robert	Hall, Betty	Hansen, Ryan
Hebert, Raymond	Hirschmann, Keith	Hunter, Bruce	Infantine, William
Irwin, Anne-Marie	Jasper, Shawn	Jean, Claudette	Jeudy, Jean
Kopka, Angeline	Kurk, Neal	L'Heureux, Robert	Lasky, Bette
Lawrence, James	Lefebvre, Roland	Manney, Pamela	Matarazzo, Anthony Sr
McRae, Karen	Mead, Robert	Messier, Irene	Michon, Stephen
Mooney, Maureen	Moran, Edward	Movsesian, Lori	O'Brien, William
O'Connell, Timothy	Ober, Lynne	Pappas, Christopher	Pepino, Leo
Pilotte, Maurice	Price, Pamela	Reeves, Sandra	Rochette, Eric
Rosenwald, Cindy	Ross, Lawrence	Rowe, Robert	Ryder, Donald
Scanlon, Michael	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Shaw, Kimberly	Smith, David	Stepanek, Stephen	Ulery, Jordan
Velez, Hector	Wheeler, Robert		
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Currier, David	Danforth, James	DeJoie, John	DeStefano, Stephen
Field, William	Foose, Robert	French, Barbara	Greco, Vincent
Hager, Elizabeth	Hess, David	Kennedy, Richard	Kidder, David
Klose, John	L'Heureux, Stephen	Langlais, Thomas	MacKay, James
Marple, Richard	Maxfield, Roy	McMahon, Patricia	Oliver, James
Osborne, Jessie	Reardon, Tara	Reed, Dennis	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Williams, Robert	Yeaton, Charles
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Blanchard, MaryAnn	Bridle, Russell	Buxton, Donald	Cali-Pitts, Jacqueline

Camm, Kevin	Carson, Sharon	Casey, Kimberley	Charron, Gene
Cooney, Richard	Dalrymple, Janeen	Dowd, John	Dowling, Patricia
Doyle, Christopher	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Garrity, James	Gilbert, Karl	Gould, Kenneth
Griffin, Mary	Headd, James	Hutchinson, Karen	Ingram, Russell
Introne, Robert	Itse, Daniel	Johnson, Robert	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Lund, Howie
Major, Norman	Mason, April	McKinney, Betsy	McMahon, Charles
Morris, Richard	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Pantelakos, Laura	Parker, Benjamin	Powers, James	Rausch, James
Rolston, James	Sanders, Elisabeth	Scamman, Stella	Scamman, W Douglas
Serlin, Christopher	Splaine, James	Stiles, Nancy	Waterhouse, Kevin
Weare, E Albert	Welch, David	Weldy, Norman	Wells, Roger
Wiley, Robert	Winchell, George	Zolla, William	
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Callaghan, Frank
Cataldo, Sam	Chaplin, Duncan	Domingo, Baldwin	Dunlap, Patricia
Easson, Timothy	Hilliard, Dana	Hofemann, Roland	Hollinger, Jeffrey
Johnson, Nancy	Kaen, Naida	Knowles, William	Miller, Joseph
Newton, Clifford	Rollo, Michael	Rous, Emma	Schmidt, Peter
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Twombly, James
Wall, Janet			
SULLIVAN			
Cloutier, John	Donovan, Thomas	Franklin, Peter	Gale, Harry
Houde-Quimby, Charlotte	Irish, Christopher	Jillette, Arthur Jr	Osgood, Philip Sr
Prichard, Stephen			
NAYS 87			
BELKNAP			
Tilton, Franklin	Veazey, John	Wendelboe, Fran	
CARROLL			
None			
CHESHIRE			
Allen, Peter	Dunn, J Timothy	Eaton, Daniel	Parkhurst, Henry
Pratt, John	Roberts, Kris		
COOS			
Buzzell, Bernard	Remick, William	Theberge, Robert	
GRAFTON			
Aguiar, James	Andersen, Gene	Eaton, Stephanie	Sorg, Gregory
Ward, John			

HILLSBOROUGH			
Barry, J Gail	Bergeron, Jean-Guy	Boehm, Ralph	Buhlman, David
Cote, David	Crane, Elenore Casey	Egbers, Fran	Francoeur, Bea
Gibson, John	Ginsburg, Ruth	Gorman, Mary	Goyette, Peter Jr
Hagan, Barbara	Harvey, Suzanne	Hawkins, Ken	Hellwig, Steve
Hinkle, Peyton	Holden, Randolph	Johnson, Paula	Kelly, Eugene Jr
Lessard, Rudy	Renzullo, Andrew	Slocum, Lee	Souza, Kathleen
Sullivan, Francis	Sullivan, Peter	Tahir, Saghir	Vaillancourt, Steve
Villeneuve, Maurice	Wheeler, James		
MERRIMACK			
Gile, Mary	Hamm, Christine	Lockwood, Priscilla	Owen, Derek
Potter, Frances	Rush, Deanna	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Whiting, Herbert		
ROCKINGHAM			
Abbott, Dennis	Bicknell, Elbert	Bishop, Franklin	Coburn, James
DiFruscia, Anthony	Dumaine, Dudley	Flockhart, Eileen	Hopfgarten, Paul
Hughes, Daniel	Johnson, Rogers	Manning, John	Moody, Marcia
Moore, Benjamin	Norelli, Terie	Quandt, Marshall Lee	Quandt, Matthew
Robertson, Carl			
STRAFFORD			
Brown, Jennifer	Brown, Julie	Brown, Lawrence	Cilley, Jacalyn
Creteau, Irene	Goodwin, Earle	Grassie, Anne	Keans, Sandra
Smith, Marjorie			
SULLIVAN			
Converse, Larry	Ferland, Brenda	Phinizy, James	Rodeschin, Beverly

and the Majority committee report was adopted.

Ordered to third reading.

HB 703-FN, relative to advertisement of prescription drugs and establishing the pharmaceutical marketing disclosure law. **INEXPEDIENT TO LEGISLATE**
Rep. James R. Martin for Commerce: This bill would prohibit the advertising of any prescription drug or device. As such, it is most likely in violation of the First Amendment to the United States Constitution. Commercial speech is protected under that amendment and this bill would violate that amendment. The bill also would require annual reports by pharmaceutical manufacturers with the Secretary of State of all marketing and advertising expenses. This bill would also require every pharmaceutical manufacturing company to file an annual report with the Secretary of State listing the value, nature and purpose of any gift, fee, payment, subsidy or other economic benefit provided in connection with detailing, promotion and other marketing activity, including advertising, to any physician, hospital, nursing home, pharmacist, or any other person authorized to prescribe, dispense or purchase prescription drugs. As such, the bill requires the listing of all marketing and other advertising expenses to virtually everyone, including individuals who purchase prescription drugs. The bill also provides for a penalty of \$10,000.00 for each violation. This bill would increase, not decrease, the cost of medicine. Although the purpose of the bill is nowhere stated, the sponsors probably assume that a reduction in marketing and advertising

expenses will result in the pharmaceutical manufacturers lowering their prices for prescription drugs. However, no evidence was presented to justify this assumption. Indeed, if the bill passed and resulted in less marketing and advertising in New Hampshire, the funds not spent in New Hampshire might well be expended in neighboring states or used for unrelated purposes. Many physicians learn of new drugs and the side effects of drugs from detail men and women who visit doctors since many doctors do not have time to read clinical studies. The Pharmaceutical Research and Manufacturers of America and many pharmaceutical manufacturers have adopted guidelines which prohibit improper payments to health care professionals. In addition, the Health and Human Services Office of the Inspector General has issued mandatory marketing guidelines enforced by the Department of Justice. New Hampshire need not legislate another layer of regulation. Eliminating or severely curtailing detailing, marketing and advertising in New Hampshire would harm the New Hampshire economy. Vote 15-4.

Rep. DeJoie spoke against.

Rep. James Martin spoke in favor.

On a division vote, 264 members having voted in the affirmative and 96 in the negative, the committee report was adopted.

HB 627-FN, relative to raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age. **MAJORITY: OUGHT TO PASS WITH AMENDMENT.**
MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Patricia A. Dowling for the Majority of Criminal Justice and Public Safety: This bill restores seventeen year olds who commit crimes to the juvenile justice system. If a serious crime is charged, the seventeen year old can be certified as an adult. Based on testimony and discussion the majority of the committee believes that seventeen year old offenders should be required to stay in school, adhere to strict disciplines, get proper counseling and continue monitoring. A seventeen year old, now considered as an adult, currently receives few, if any, of these services. These services will be provided within the juvenile justice system. Vote 10-5.

Rep. John E. Tholl for the Minority of Criminal Justice and Public Safety: The minority of the committee believes that this bill is ill advised for numerous reasons. The proponents of the bill stated that seventeen year olds are being sentenced to a period of incarceration and do not receive the necessary education (finish high school). Contrary to that assertion, a former correctional superintendent stated that he had a program for inmates to receive their GED's that included a graduation ceremony with cap and gowns. A seventeen year old sentenced to the state prison would be assigned to the Granite State High School and receive a full high school diploma upon graduation. The claim was made that a person sentenced to the Youth Development Center would have a better chance at rehabilitation and would thereby reduce recidivism. Unfortunately, there are no statistics that indicate that a person sentenced to the YDC have or have not committed other offenses after release, as their juvenile records are not available. Experienced police officers related personal knowledge of circumstances concerning persons committed to the YDC having later committed crimes as adults, dispelling the myth that YDC works as a rehabilitation tool in every case. In questioning the statistics offered by the proponents it was not possible to determine the crimes for which the twenty-nine seventeen year olds who were currently in the county jails had committed or for which crimes they had been convicted. The only specific crime that was indicated was violation of parole. A violation of parole indicates a conviction for a felony which means the individual had been incarcerated in the state prison. The fiscal note indicates that passage of this bill would increase expenditures by \$3,600,000.00 for the first year, \$3,700,000.00 for the next year and approximately the same for each additional year. That adds approximately \$7,300,000.00 to the biennium. This does not take into account the monies that need to be raised by the counties (transportation increases) and municipalities.

Majority Amendment (0204h)

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

AN ACT relative to including persons 17 years old in the juvenile justice system.

Amend the bill by replacing section 19 with the following:

19 Effective Date. This act shall take effect January 1, 2007.

AMENDED ANALYSIS

This bill includes persons 17 years of age in the juvenile justice system.

Majority amendment adopted.

Reps. Tholl and Winchell spoke against.

Reps. Charron and Dowling spoke in favor and yielded to questions.

(Speaker Scamman in the Chair)

Rep. Bicknell requested a roll call; sufficiently seconded.

The question being adoption of the Majority committee report.

YEAS 258 NAYS 107			
YEAS 258			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Flanders, Donald
Heald, Bruce	Millham, Alida	Pilliod, James	Tobin, William
Veazey, John	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Brown, Carolyn	Buco, Thomas	Dickinson, Howard
Knox, J David	Martin, James	Merrow, Harry	Olimpio, J Lisbeth
Patten, Betsey			
CHESHIRE			
Allen, Peter	Butynski, William	Chase, William	Coates, Christopher
Dexter, Judson	Dunn, J Timothy	Eaton, Daniel	Espieffs, Peter
Hogancamp, Deborah	Hunt, John	Mitchell, Bonnie	Parkhurst, Henry
Pelkey, Stephen	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Tilton, Anna	Weed, Charles
COOS			
Buzzell, Bernard	King, Frederick	Mears, Edgar	Remick, William
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Cooney, Mary	Eaton, Stephanie	Gionet, Edmond	Hammond, Lee
Harding, A Laurie	McLeod, Martha	Mulholland, Catherine	Naro, Debra
Nordgren, Sharon	Sokol, Hilda	Solomon, Peter	Sorg, Gregory
Ward, John	Williams, Burton		
HILLSBOROUGH			
Allan, Nelson	Baroody, Benjamin	Batula, Peter	Beaulieu, Jane
Bergin, Peter	Calawa, Leon Jr	Campbell, David	Carter, Mark

Chase, Claudia	Christensen, D L Chris	Christiansen, Lars	Clark, Mark
Clemons, Jane	Cote, David	Cote, Peter	Coughlin, Pamela
Craig, James	Daniuk, Caitlin	DeVries, Betsi	Dokmo, Cynthia
Drisko, Richard	Dyer, Donald	Egbers, Fran	Emerton, Larry
Essex, David	Foster, Linda	Gargasz, Carolyn	Garrity, Patrick
Ginsburg, Ruth	Golding, William	Gorman, Mary	Graham, John
Hagan, Barbara	Haley, Robert	Hall, Betty	Harvey, Suzanne
Hunter, Bruce	Irwin, Anne-Marie	Jean, Claudette	Johnson, Paula
Kopka, Angeline	Kurk, Neal	Lasky, Bette	Lawrence, James
Lefebvre, Roland	Manney, Pamela	Matarazzo, Anthony Sr	McRae, Karen
Messier, Irene	Michon, Stephen	Mooney, Maureen	Moran, Edward
Movsesian, Lori	O'Connell, Timothy	Pappas, Christopher	Pilotte, Maurice
Price, Pamela	Rochette, Eric	Rosenwald, Cindy	Ross, Lawrence
Ryder, Donald	Scanlon, Michael	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Shaw, Kimberly	Smith, David	Stepanek, Stephen
Sullivan, Francis	Ulery, Jordan	Vaillancourt, Steve	Velez, Hector
Villeneuve, Maurice	Wheeler, Robert		
MERRIMACK			
Anderson, Eric	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Currier, David	Danforth, James	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hager, Elizabeth	Hamm, Christine
Hess, David	Kidder, David	L'Heureux, Stephen	Lockwood, Priscilla
MacKay, James	Maxfield, Roy	McMahon, Patricia	Oliver, James
Osborne, Jessie	Owen, Derek	Potter, Frances	Reardon, Tara
Reed, Dennis	Rush, Deanna	Ryan, Jim	Shurtleff, Stephen
Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth	Whiting, Herbert
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Bishop, Franklin
Blanchard, MaryAnn	Buxton, Donald	Cali-Pitts, Jacqueline	Casey, Kimberley
Charron, Gene	Coburn, James	DiFruscia, Anthony	Dowd, John
Dowling, Patricia	Doyle, Christopher	Fesh, Bob	Flanders, John Sr
Flockhart, Eileen	Forsing, Robert	Francoeur, Sheila	Gould, Kenneth
Hughes, Daniel	Hutchinson, Karen	Introne, Robert	Itse, Daniel
Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Major, Norman	Manning, John	Mason, April
McKinney, Betsy	Moody, Marcia	Moore, Benjamin	Morris, Richard
Norelli, Terie	O'Neil, Michael	Packard, Sherman	Pantelakos, Laura
Powers, James	Rausch, James	Robertson, Carl	Rolston, James
Sanders, Elisabeth	Scamman, Stella	Serlin, Christopher	Splaine, James
Stiles, Nancy	Welch, David	Weldy, Norman	Wells, Roger
Weyler, Kenneth	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Jennifer
Brown, Julie	Brown, Lawrence	Cilley, Jacalyn	Creteau, Irene
Domingo, Baldwin	Dunlap, Patricia	Grassie, Anne	Hilliard, Dana
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Miller, Joseph

Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Kathleen	Twombly, James
Wall, Janet			
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Gale, Harry	Houde-Quimby, Charlotte	Jillette, Arthur Jr
Phinizy, James	Prichard, Stephen		
NAYS 107			
BELKNAP			
Boyce, Laurie	Nedeau, Stephen	Rosen, Ralph	Russell, David
Tilton, Franklin	Wendelboe, Fran		
CARROLL			
Babson, David Jr	Chandler, Gene	McConkey, Mark	Stevens, Stanley
CHESHIRE			
Emerson, Susan	Foote, Sheila	Sawyer, Sheldon	
COOS			
Lary, Bruce	Merrick, Scott	Richardson, Herbert	Stohl, Eric
Theberge, Robert	Tholl, John Jr		
GRAFTON			
Bleyler, Ruth	Giuda, Robert	Ingbretson, Paul	Maybeck, Margie
Mirski, Paul			
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Barry, J Gail	Bergeron, Jean-Guy
Boehm, Ralph	Brassard, Paul	Brundige, Robert	Buhlman, David
Carew, James	Crane, Elenore Casey	Desmarais, Vivian	Elliott, Nancy
Francoeur, Bea	Gibson, John	Goley, Jeffrey	Gonzalez, Carlos
Goyette, Peter Jr	Hansen, Ryan	Hawkins, Ken	Hebert, Raymond
Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph
Jasper, Shawn	Jeudy, Jean	Kelly, Eugene Jr	L'Heureux, Robert
Lessard, Rudy	Mead, Robert	O'Brien, William	Ober, Lynne
Pepino, Leo	Reeves, Sandra	Renzullo, Andrew	Rowe, Robert
Slocum, Lee	Souza, Kathleen	Sullivan, Peter	Tahir, Saghir
Wheeler, James			
MERRIMACK			
Field, William	Greco, Vincent	Kennedy, Richard	Klose, John
Langlais, Thomas	Marple, Richard	Tupper, Frank	

ROCKINGHAM			
Belanger, Ronald	Bettencourt, David	Bicknell, Elbert	Camm, Kevin
Carson, Sharon	Cooney, Richard	Dalrymple, Janeen	Dumaine, Dudley
Garrity, James	Gilbert, Karl	Griffin, Mary	Headd, James
Hopfgarten, Paul	Ingram, Russell	Johnson, Rogers	Lund, Howie
McMahon, Charles	Nowe, Ronald	Quandt, Marshall Lee	Quandt, Matthew
Waterhouse, Kevin	Weare, E Albert	Wiley, Robert	Winchell, George
STRAFFORD			
Callaghan, Frank	Cataldo, Sam	Chaplin, Duncan	Easson, Timothy
Hofemann, Roland	Hollinger, Jeffrey	Knowles, William	Newton, Clifford
SULLIVAN			
Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly	

and the Majority committee report was adopted.

Referred to Finance.

HB 100-FN-A-L, establishing an education equity index to provide state education assistance to municipalities. **OUGHT TO PASS WITH AMENDMENT**

Rep. Nancy F. Stiles for Education: This bill provides the technical correction necessary to HB 616 (Chapter 257, Laws of 2005), the education funding bill passed last session, in which the legislative intent was to eliminate all donor towns. HB 100, as amended, received unanimous support of the committee and has the support of the Speaker of the House and the President of the Senate. Vote 20-0.

Amendment (0162h)

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

AN ACT amending the formula for funding public education.

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

1 School Money; Determination of Grants and Excess Tax. Amend RSA 198:41 to read as follows:

198:41 Determination of Grants and Excess Tax.

I. For each municipality the department of education shall determine the total education grant as follows:

(a) For the fiscal years beginning July 1, 2005 and July 1, 2007, add the amounts determined in RSA 198:40-a, RSA 198:40-b, and RSA 198:40-c for each municipality. Such amount shall also be used to determine a municipality's grant in the second year of such bienniums.

(b)(1) For the fiscal year beginning July 1, 2005, if a municipality's education grant as determined in subparagraph (a) is less than 85 percent of the education grant determined for such municipality for the fiscal year beginning July 1, 2004, under the version of RSA 198:41 in effect on July 1, 2004, then the municipality shall receive a transition grant equal to the excess of 85 percent of the education grant determined for such municipality for the fiscal year beginning July 1, 2004 over the municipality's grant determined in subparagraph (a).

(2) For the fiscal year beginning July 1, 2006, an eligible municipality shall receive the same amount as determined under subparagraph (b)(1).

(c)(1) For the fiscal year beginning July 1, 2007, if a municipality's education grant as determined in subparagraph (a) is less than 85 percent of the municipality's education grant determined in subparagraph (b), then the municipality shall receive a transition grant equal to the excess of 85 percent of the education grant determined for such

municipality for the fiscal year beginning July 1, 2006 over the municipality's grant determined in subparagraph (a).

(2) For the fiscal year beginning July 1, 2008, an eligible municipality shall receive the same amount as determined under subparagraph (c)(1).

(d) The total education grant shall be the sum of subparagraphs (a), (b), and (c).

(e) The department of education shall notify municipalities of the estimated amounts of grants by the November 15 which precedes the fiscal year for which aid is determined.

II. Annually, **and in conjunction with setting tax rates under RSA 21-J:35**, the department of revenue administration shall determine the amount of excess enhanced education tax for each municipality as follows:

(a) If the average daily membership of the determination year is 2 or less, zero.

(b) If the average daily membership of the determination year is greater than 2, then ~~[the amount of the excess enhanced education tax to be remitted pursuant to RSA 198:46 shall be the greater of]~~ **revenues from all applicable sources including the municipality's equitable education grant, but excluding the statewide enhanced education tax assessment, shall be subtracted from the total school appropriation, including appropriations of village districts for school purposes, for the year for which the tax rate is being set. If the resulting balance is:**

(1) ~~[Zero; or]~~ **Greater than the statewide enhanced education tax assessment, then the excess statewide education tax shall be zero.**

(2) ~~[The remainder when the determination year local tax assessed for schools pursuant to RSA 76:8 and the determination year statewide enhanced education tax that was not excess remitted to the state is subtracted from the statewide enhanced education tax to be assessed in the year for which aid is being calculated]~~ **Less than the statewide enhanced education tax assessment, then the balance shall be subtracted from the statewide enhanced education tax assessment. The remainder shall be excess statewide enhanced education tax to be remitted under RSA 198:46.**

III. ~~[The department of education shall notify municipalities of the estimated amounts of grants and excess statewide enhanced education tax payments by the November 15 which precedes the fiscal year for which aid is determined.]~~

IV. ~~For the year in which aid is being calculated,~~ Total state aid for **an equitable** education shall be the sum total of ~~[all]~~ grants **in paragraph I**; plus the sum total of **the** statewide enhanced education tax assessed **pursuant to RSA 76:8**, less the **total** amount of excess statewide enhanced education tax ~~[to be]~~ remitted pursuant to RSA 198:46.

2 New Subparagraph; Determination of Excess Enhanced Education Tax Payments; Version Effective July 1, 2009. Amend RSA 198:41, I, as inserted by 2005, 257:8, by inserting after subparagraph I(b) the following new subparagraph:

(c) The department of education shall notify municipalities of the estimated amounts of grants by the November 15 which precedes the fiscal year for which aid is determined.

3 Excess Statewide Enhanced Education Tax Payment. Amend RSA 198:46 to read as follows:

198:46 Excess **Statewide Enhanced** Education ~~[Property]~~ Tax Payment.

I. ~~[The department of revenue administration shall annually determine a municipality's statewide enhanced education tax liability pursuant to RSA 198:41.]~~ Any excess **statewide enhanced education tax** shall be remitted to the department of revenue administration on or before March 15 of the tax year in which the excess occurs.

II. The commissioner of the department of revenue administration shall ~~[calculate and]~~ collect from the municipality the excess tax and pay the excess tax over to the state treasurer for deposit in the education trust fund established by RSA 198:39.

III. The amount of such excess to be remitted shall not include any income derived from the investment of funds by the municipal treasurers under RSA 41:29 and RSA 48:16.

Any funds remaining after full payment of the excess tax required in paragraph I shall become available for unrestricted use by the municipality.

4 Assessment and Abatement of Taxes; Commissioner's Warrant. Amend RSA 76:8, II to read as follows:

II. The commissioner shall issue a warrant under the commissioner's hand and official seal for the amount computed in paragraph I to the selectmen or assessors of each municipality by December 15 directing them to assess such sum and pay it to the municipality ~~[for the use of the school district or districts and, if there is an excess statewide enhanced education tax payment due pursuant to RSA 198:46, directing them to assess the amount of the excess payment and pay it to the department of revenue administration for deposit in the education trust fund]~~. Such sums shall be assessed at such times as may be prescribed for other taxes assessed by such selectmen or assessors of the municipality.

5 Cooperative School Districts; Certification of District Taxes. Amend RSA 195:14, I(c)-(d) to read as follows:

(c) The commissioner of revenue administration shall certify to the state department of education the ~~[total]~~ amount to be apportioned among the pre-existing school districts. ~~[Such total]~~ **This amount** shall ~~[include]~~ **be the balance before** the equitable education ~~[cost for the district and the amount above the cost of an equitable education to be assessed and collected as local educational taxes]~~ **grant revenues are applied**.

(d) **Unless the provisions of RSA 195:14-a are adopted**, the state department of education shall determine ~~[the]~~ **each municipality's** proportional share of the ~~[costs above an equitable education to be assessed as local education taxes]~~ **net appropriation after application of the grants** as follows:

(1) First, the department shall determine each pre-existing district's proportional share of the ~~[total]~~ amount to be apportioned based on the cooperative school district formula.

(2) Second, the department shall then deduct each pre-existing school district's equitable education ~~[cost from its proportional share of the total amount to be apportioned]~~ **grant**.

(3) ~~[Third, the department shall notify the commissioner of revenue administration of its determinations.]~~

(4) If the **resulting** amount ~~[determined in subparagraph (2) for any pre-existing district]~~ is less than zero, the department shall reduce the equitable education grant ~~[payable to the cooperative district under RSA 198:42]~~ **under RSA 198:41** by the difference ~~[between the amount determined in subparagraph (1) and the pre-existing district's equitable education cost]~~.

(4) The department shall notify the commissioner of the department of revenue administration of its determination.

6 Cooperative School Districts; Alternative Method of Apportioning Operating Costs. Amend RSA 195:14-a, I to read as follows:

I. As an alternative to the apportionment of operating costs set forth in RSA 195:14, the cooperative school board may fix a specific percentage of the state **equitable** education grant amount received in a given year to be applied to the operating costs of the cooperative school district, before the apportionment of remaining cooperative school district operating costs. Such percentage shall not be less than zero percent and not more than 100 percent and shall be the same in each city or town in the cooperative school district.

7 Applicability. Upon the effective date of this act, any excess statewide enhanced education tax remitted to the state by a municipality for the tax year ending March 31, 2006 shall be refunded or adjusted, as the case may be, in accordance with the provisions of this act. Any expenditure of such refund by a municipality shall comply with RSA 31:95-b.

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

AMENDED ANALYSIS

This bill amends the calculation and reporting of the statewide enhanced education tax.

Adopted.

Committee report adopted and ordered to third reading.

HB 356, relative to the presentation of a budget in a joint maintenance agreement.

INEXPEDIENT TO LEGISLATE

Rep. John L. Ward for Education: The committee decided this is a local issue and should be resolved locally. Additionally, as a committee we were concerned with the policy of mandating RSA 32, the Municipal Budget Law, without a full hearing in the appropriate committees. Vote 14-4.

Committee report adopted.

HB 646-FN-L, proposing a definition of an adequate education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen R. L'Heureux for the Majority of Education: The non-germane amendment to this bill grew out of a concern statewide surrounding the designation of a "Highly Qualified Teacher." Following House Rules, a public hearing was noticed and held on November 10, 2005. Following the public hearing, it was announced an ad hoc committee would meet the following week to work out any details of the amendment. The amendment accomplishes four goals. One, it establishes that once a teacher receives a designation of HQT, that designation is portable in New Hampshire. Two, it states that a teacher shall not be "non-renewed" solely on the basis of not having enough time to earn HQT. Third, it establishes a commission to monitor the HQT situation, and fourth, it sunsets all components September 2007. Vote 14-3.

Rep. Clifford A. Newton for the Minority of Education: It was unclear if there is any real emergency or need for this legislation since nowhere in No Child Left Behind or the Highly Qualified Teachers portion of it, does it state or require that a teacher shall be dismissed if they fail to attain the HQT designation. This is an administration decision and should be left as such. New Hampshire had a chance to reach for the stars in setting high standards for its teachers, yet chose to be anchored down in mediocrity. Because our founding fathers felt that government should be slow and deliberate, this fast and furious amended bill mandating protection that isn't necessary should be voted down.

Majority Amendment (0190h)

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

AN ACT relative to teachers who are not deemed highly qualified pursuant to the No Child Left Behind Act.

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

1 New Section; Highly Qualified Teachers. Amend RSA 189 by inserting after section 14-g the following new section:

189:14-h Highly Qualified Teachers.

I. Teachers and paraprofessionals who meet the highly qualified criteria required under the No Child Left Behind Act shall be deemed highly qualified in all New Hampshire school districts.

II. No teacher or paraprofessional shall be dismissed or nonrenewed solely for failure to meet the highly qualified criteria under the No Child Left Behind Act, provided such teacher or paraprofessional possesses a valid license or certification issued by the department of education.

III.(a) There is hereby established a highly qualified teacher oversight commission to monitor the progression for opportunities to attain the highly qualified teacher designation. The commission shall consist of the following members:

(1) Four members from the house education committee, appointed by the speaker of the house of representatives.

(2) Two members from the senate education committee, appointed by the president of the senate.

(3) The commissioner of the department of education, or designee.

(4) A representative from the New Hampshire School Boards Association, appointed by such association.

(5) A representative from the New Hampshire School Administrators Association, appointed by such association.

(6) A representative from the National Education Association-New Hampshire, appointed by such association.

(b) The commission shall monitor the progression for opportunities to attain the highly qualified teacher designation.

(c) The commission shall elect a chairperson from among its members. The first meeting of the commission shall be called by the first-named house member, and shall be held no later than 45 days from the effective date of this section. Six members of the commission shall constitute a quorum.

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

(e) The commission shall meet at least 3 times a year. Progress reports from such meetings shall be made to the chairpersons of the house and senate education committees for distribution to the committee members. The commission shall submit a final report detailing its findings and any recommendations for legislative changes to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, and the state library no later than September 1, 2007.

2 Repeal; 2007. RSA 189:14-h, II-III, relative to dismissal or nonrenewal of certain teachers and relative to the highly qualified teacher oversight commission, are repealed.

3 Effective Date.

I. Section 2 of this act shall take effect September 1, 2007.

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

AMENDED ANALYSIS

This bill:

I. Provides that teachers and paraprofessionals who meet the highly qualified criteria required under the No Child Left Behind Act shall be deemed highly qualified in all New Hampshire school districts.

II. Provides that, through September 1, 2007, no teacher or paraprofessional shall be dismissed or nonrenewed solely for failure to meet the highly qualified criteria under the No Child Left Behind Act if such teacher or paraprofessional possesses a valid license or certification issued by the department of education.

III. Establishes a highly qualified teacher oversight commission which is repealed on September 1, 2007.

Majority amendment adopted.

Rep. Stephen L'Heureux spoke against and yielded to questions.

LAID ON THE TABLE

Rep. Stiles moved that **HB 646-FN-L**, proposing a definition of an adequate education, be laid on the table.

Adopted.

RECESS

The House recessed at 12:55 p.m.

(Speaker Scamman in the Chair)

RECONVENE

The House reconvened at 2:10 p.m.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 392.

Rep. Currier, Sen. Clegg for the Committee

REFERRAL

The Chair referred **HB 254-FN**, establishing lifetime licenses for bow and arrow, muzzle loading firearm, and crossbow and bolt licenses, to the Committee on Finance.

MOTION TO VACATE

Rep. Dokmo moved that the House vacate the reference of **HB 1354**, relative to physical force in defense of a person, to the Committee on Judiciary.

Motion adopted.

The Speaker referred **HB 1354**, relative to physical force in defense of a person, to the Committee on Criminal Justice and Public Safety.

REGULAR CALENDAR (CONT'D.)

CACR 21, relating to the term of office for governor. Providing that beginning with the 2010 general election, there shall be a 4-year term of office for governor. **INEXPEDIENT TO LEGISLATE**

Rep. Thomas J. Langlais for Election Law: The majority believes that a two year term for governor works well. Voters are able to review a governor's performance, as they do for all elected state officials, every two years thus providing accountability to the voter. These two year terms better ensure an appropriate level of integrity and competency of elected officials. Vote 13-5.

Reps. Keans and David Campbell spoke against.

Rep. Buco spoke in favor and yielded to questions.

Reps. Langlais and Mirski spoke in favor.

Rep. David Campbell requested a roll call; sufficiently seconded.

The question being adoption of the committee report.

YEAS 216 NAYS 145			
YEAS 216			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Tilton, Franklin	Tobin, William	Veazey, John
Wendelboe, Fran	Whalley, Michael		
CARROLL			
Babson, David Jr	Brown, Carolyn	Buco, Thomas	Dickinson, Howard
Knox, J David	McConkey, Mark	Merrow, Harry	Olimpio, J Lisbeth
Patten, Betsey	Stevens, Stanley		
CHESHIRE			
Dexter, Judson	Emerson, Susan	Foote, Sheila	Hunt, John
Pelkey, Stephen	Sawyer, Sheldon		

COOS			
King, Frederick	Stohl, Eric		
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	McLeod, Martha	Mirski, Paul
Naro, Debra	Sorg, Gregory	Ward, John	Williams, Burton
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Baroody, Benjamin
Barry, J Gail	Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter
Boehm, Ralph	Brassard, Paul	Brundige, Robert	Buhlman, David
Calawa, Leon Jr	Carew, James	Christensen, D L Chris	Christiansen, Lars
Clark, Mark	Coughlin, Pamela	Crane, Elenore Casey	Daniuk, Caitlin
Desmarais, Vivian	DeVries, Betsi	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Elliott, Nancy	Emerton, Larry	Gargasz, Carolyn
Ginsburg, Ruth	Gonzalez, Carlos	Goyette, Peter Jr	Graham, John
Hagan, Barbara	Hansen, Ryan	Hawkins, Ken	Hellwig, Steve
Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph	Hunter, Bruce
Infantine, William	Jasper, Shawn	Johnson, Paula	Kelly, Eugene Jr
Kurk, Neal	L'Heureux, Robert	Lawrence, James	Lessard, Rudy
Manney, Pamela	McRae, Karen	Mead, Robert	Messier, Irene
Moran, Edward	O'Brien, William	O'Connell, Timothy	Ober, Lynne
Pepino, Leo	Pilotte, Maurice	Price, Pamela	Reeves, Sandra
Renzullo, Andrew	Rosenwald, Cindy	Ross, Lawrence	Rowe, Robert
Ryder, Donald	Scanlon, Michael	Schulze, Joan	Slocum, Lee
Smith, David	Souza, Kathleen	Stepanek, Stephen	Tahir, Saghir
Ulery, Jordan	Villeneuve, Maurice	Wheeler, James	Wheeler, Robert
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hess, David
Kennedy, Richard	Kidder, David	Klose, John	L'Heureux, Stephen
Langlais, Thomas	Lockwood, Priscilla	MacKay, James	Marple, Richard
Oliver, James	Reed, Dennis	Whiting, Herbert	
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bicknell, Elbert	Bishop, Franklin	Buxton, Donald	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Dalrymple, Janeen	DiFruscia, Anthony	Dowd, John	Doyle, Christopher
Fesh, Bob	Flanders, John Sr	Forsing, Robert	Francoeur, Sheila
Garrity, James	Gilbert, Karl	Gould, Kenneth	Griffin, Mary
Headd, James	Hopfgarten, Paul	Hughes, Daniel	Hutchinson, Karen
Ingram, Russell	Introne, Robert	Itse, Daniel	Johnson, Robert
Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Lund, Howie	Major, Norman	Manning, John	McKinney, Betsy
McMahon, Charles	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Palazzo, Frank	Quandt, Marshall	Quandt, Matthew

		Lee	
Rausch, James	Rolston, James	Sanders, Elisabeth	Scamman, Stella
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	Brown, Julie
Cataldo, Sam	Chaplin, Duncan	Easson, Timothy	Hilliard, Dana
Hollinger, Jeffrey	Kaen, Naida	Newton, Clifford	Schmidt, Peter
Taylor, Kathleen	Twombly, James		
SULLIVAN			
Converse, Larry	Ferland, Brenda	Gale, Harry	Irish, Christopher
Osgood, Philip Sr	Rodeschin, Beverly		
NAYS 145			
BELKNAP			
Morrison, Gail	Russell, David		
CARROLL			
Ahlgren, Christopher	Martin, James		
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter
Hogancamp, Deborah	Mitchell, Bonnie	Parkhurst, Henry	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Tilton, Anna	Weed, Charles		
COOS			
Buzzell, Bernard	Lary, Bruce	Mears, Edgar	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Hammond, Lee	Harding, A Laurie
Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda	Solomon, Peter
HILLSBOROUGH			
Beaulieu, Jane	Campbell, David	Carter, Mark	Chase, Claudia
Clemons, Jane	Cote, David	Cote, Peter	Craig, James
Egbers, Fran	Essex, David	Foster, Linda	Francoeur, Bea
Garrity, Patrick	Gibson, John	Golding, William	Goley, Jeffrey
Gorman, Mary	Haley, Robert	Hall, Betty	Harvey, Suzanne
Hebert, Raymond	Irwin, Anne-Marie	Jean, Claudette	Judy, Jean
Kopka, Angeline	Lasky, Bette	Lefebvre, Roland	Martin, Mary Ellen

Matarazzo, Anthony Sr	Michon, Stephen	Mooney, Maureen	Movsesian, Lori
Pappas, Christopher	Rochette, Eric	Shattuck, Gilman	Shaw, Barbara
Shaw, Kimberly	Sullivan, Francis	Sullivan, Peter	Vaillancourt, Steve
Velez, Hector			
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Hager, Elizabeth	Hamm, Christine	Maxfield, Roy
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Potter, Frances
Reardon, Tara	Rush, Deanna	Ryan, Jim	Shurtleff, Stephen
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Dumaine, Dudley
Flockhart, Eileen	Langley, Jane	Mason, April	Moody, Marcia
Norelli, Terie	Pantelakos, Laura	Powers, James	Robertson, Carl
Serlin, Christopher	Splaine, James	Stiles, Nancy	
STRAFFORD			
Brown, Jennifer	Brown, Lawrence	Callaghan, Frank	Cilley, Jacalyn
Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia	Hofemann, Roland
Johnson, Nancy	Keans, Sandra	Knowles, William	Miller, Joseph
Rollo, Michael	Rous, Emma	Smith, Marjorie	Snyder, Clair
Spang, Judith	Wall, Janet		
SULLIVAN			
Cloutier, John	Donovan, Thomas	Franklin, Peter	Houde-Quimby, Charlotte
Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen	

and the committee report was adopted.

HB 184, eliminating straight ticket voting. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael G. Biundo for the Majority of Election Law: The majority believes that the straight ticket voting option available to voters provides an opportunity to all voters to simplify the marking of that voter's ballot when the action the voter wishes to take is to vote for all the candidates on the ballot that are of a single party. This option does not prevent a voter from voting for any candidate of another party when desired. Straight ticket voting does not contribute to recounts. Vote 12-6.

Rep. Claudia A. Chase for the Minority of Election Law: The straight ticket was originally designed to accommodate illiteracy by using symbols to represent political parties.

Complicated instructions on our current ballot leads to voter confusion. Interpretation of a voter's intent when a straight party vote is indicated but a mark is made beside the name of a candidate of a different party is inconsistent. The need for recounts is frequently due to straight ticket voting and interpretation.

Reps. Vaillancourt and Claudia Chase spoke against.

Rep. O'Brien spoke in favor.

Rep. Buzzell requested a roll call; sufficiently seconded.

The question being adoption of the Majority committee report.

YEAS 212 NAYS 156			
YEAS 212			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Martin, James	McConkey, Mark	Merrow, Harry
Patten, Betsey	Stevens, Stanley		
CHESHIRE			
Emerson, Susan	Foote, Sheila	Hunt, John	Parkhurst, Henry
Roberts, Kris	Sawyer, Sheldon		
COOS			
King, Frederick	Remick, William	Richardson, Herbert	Stohl, Eric
Tholl, John Jr			
GRAFTON			
Andersen, Gene	Bleyler, Ruth	Dorsett, Andrew	Eaton, Stephanie
Gionet, Edmond	Giuda, Robert	Ingbretson, Paul	Maybeck, Margie
Mirski, Paul	Naro, Debra	Sorg, Gregory	Ward, John
Williams, Burton			
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph
Brundige, Robert	Buhlman, David	Calawa, Leon Jr	Carew, James
Carter, Mark	Christensen, D L Chris	Christiansen, Lars	Clark, Mark
Coughlin, Pamela	Crane, Elenore Casey	Desmarais, Vivian	Drisko, Richard
Dyer, Donald	Elliott, Nancy	Emerton, Larry	Francoeur, Bea
Gargas, Carolyn	Gibson, John	Gonzalez, Carlos	Goyette, Peter Jr
Graham, John	Hagan, Barbara	Hansen, Ryan	Hawkins, Ken
Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith
Holden, Randolph	Hunter, Bruce	Infantine, William	Jasper, Shawn
Kelly, Eugene Jr	Kurk, Neal	L'Heureux, Robert	Lawrence, James
Lessard, Rudy	Manney, Pamela	McRae, Karen	Mead, Robert
Moran, Edward	O'Brien, William	Ober, Lynne	Pepino, Leo
Pilotte, Maurice	Price, Pamela	Reeves, Sandra	Renzullo, Andrew
Ross, Lawrence	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Slocum, Lee	Smith, David	Souza, Kathleen	Stepanek, Stephen
Tahir, Saghir	Ulery, Jordan	Velez, Hector	Villeneuve, Maurice

Wheeler, James	Wheeler, Robert		
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hager, Elizabeth
Hess, David	Kennedy, Richard	Kidder, David	Klose, John
L'Heureux, Stephen	Langlais, Thomas	MacKay, James	Marple, Richard
Maxfield, Roy	Oliver, James	Reed, Dennis	Whiting, Herbert
ROCKINGHAM			
Belanger, Ronald	Bettencourt, David	Bicknell, Elbert	Bishop, Franklin
Buxton, Donald	Cali-Pitts, Jacqueline	Camm, Kevin	Carson, Sharon
Charron, Gene	Coburn, James	Cooney, Richard	Dalrymple, Janeen
DiFruscia, Anthony	Dowd, John	Dowling, Patricia	Doyle, Christopher
Dumaine, Dudley	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Garrity, James	Griffin, Mary	Headd, James
Hopfgarten, Paul	Hughes, Daniel	Hutchinson, Karen	Ingram, Russell
Introne, Robert	Itse, Daniel	Johnson, Robert	Johnson, Rogers
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Lund, Howie
Major, Norman	Manning, John	Mason, April	McKinney, Betsy
McMahon, Charles	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Palazzo, Frank	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robertson, Carl	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Stiles, Nancy	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman	Weyler, Kenneth	Wiley, Robert
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Callaghan, Frank	Cataldo, Sam
Chaplin, Duncan	Easson, Timothy	Hollinger, Jeffrey	Newton, Clifford
Twombly, James			
SULLIVAN			
Converse, Larry	Gale, Harry	Irish, Christopher	Jillette, Arthur Jr
Osgood, Philip Sr	Rodeschin, Beverly		
NAYS 156			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas	Knox, J David	Olimpio, J Lisbeth	
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dexter, Judson	Dunn, J Timothy	Eaton, Daniel
Espiefs, Peter	Hogancamp, Deborah	Mitchell, Bonnie	Pelkey, Stephen
Plifka, Stanley Jr	Pratt, John	Richardson, Barbara	Robertson, Timothy
Tilton, Anna	Weed, Charles		

COOS			
Buzzell, Bernard	Lary, Bruce	Mears, Edgar	Merrick, Scott
Theberge, Robert			
GRAFTON			
Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Hammond, Lee	Harding, A Laurie	McLeod, Martha	Mulholland, Catherine
Nordgren, Sharon	Sokol, Hilda	Solomon, Peter	
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Cote, Peter
Craig, James	Daniuk, Caitlin	DeVries, Betsi	Dokmo, Cynthia
Egbers, Fran	Essex, David	Foster, Linda	Garrity, Patrick
Ginsburg, Ruth	Golding, William	Goley, Jeffrey	Gorman, Mary
Haley, Robert	Hall, Betty	Harvey, Suzanne	Irwin, Anne-Marie
Jean, Claudette	Jeudy, Jean	Johnson, Paula	Kopka, Angeline
Lasky, Bette	Lefebvre, Roland	Martin, Mary Ellen	Matarazzo, Anthony Sr
Messier, Irene	Michon, Stephen	Mooney, Maureen	Movsesian, Lori
O'Connell, Timothy	Pappas, Christopher	Rochette, Eric	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Sullivan, Francis	Sullivan, Peter	Vaillancourt, Steve	
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Hamm, Christine	Lockwood, Priscilla	McMahon, Patricia
Osborne, Jessie	Owen, Derek	Potter, Frances	Reardon, Tara
Rush, Deanna	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Williams, Robert
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Blanchard, MaryAnn
Casey, Kimberley	Flockhart, Eileen	Gilbert, Karl	Gould, Kenneth
Langley, Jane	Moody, Marcia	Norelli, Terie	Pantelakos, Laura
Powers, James	Serlin, Christopher	Splaine, James	Wells, Roger
STRAFFORD			
Bickford, David	Brown, Jennifer	Brown, Julie	Brown, Lawrence
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia
Hilliard, Dana	Hofemann, Roland	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Knowles, William	Miller, Joseph	Rollo, Michael
Rous, Emma	Schmidt, Peter	Smith, Marjorie	Snyder, Clair
Spang, Judith	Taylor, Kathleen	Wall, Janet	
SULLIVAN			

Cloutier, John	Donovan, Thomas	Ferland, Brenda	Franklin, Peter
Houde-Quimby, Charlotte	Phinizy, James	Prichard, Stephen	

and the Majority committee report was adopted.

HB 380, relative to absentee voting. **OUGHT TO PASS WITH AMENDMENT**

Rep. Keith D. Hirschmann for Election Law: This bill as amended provided a new title and will become new section of RSA 657:21-a: Absentee Voting, Special Assistance to Emergency Service Workers. The legislation will allow first responders (fire, police, national guard, Red Cross workers, utility workers) and others determined by Emergency Management and the Department of Safety to vote by absentee ballot. The Secretary of State will ensure delivery and collection of first response absentee ballots. Vote 18-0.

Amendment (0059h)

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Absentee Voting; Special Assistance to Emergency Services Workers. Amend RSA 657 by inserting after section 21 the following new subdivision: Special Assistance to Emergency Services Workers

657:21-a Special Assistance to Emergency Services Worker.

I. If an emergency services worker receives notice after noon on the Friday before any state election that he or she is being called into service under circumstances that will prevent that person from obtaining an absentee ballot before leaving and from voting in person at the polls on election day, upon notification that such a call-out has occurred, the secretary of state with assistance from the attorney general and the department of safety shall make every reasonable effort to cause absentee ballot request forms, absentee ballots, absentee affidavits, and any other materials necessary to vote to be transported to the emergency services workers and to be returned to town or city clerk of each voter's town or ward.

II. For the purposes of this section, "emergency services worker" shall include law enforcement, emergency medical services personnel, firefighters, members of the New Hampshire national guard, utility workers, employees or volunteers for the American Red Cross, and any other emergency worker declared such by the bureau of emergency management in the division of emergency services, communications, and management, department of safety.

III. For the purposes of this section "every reasonable effort" includes, but is not limited to:

(a) Employing local, county, or state law enforcement to transport ballots, affidavits, and other necessary materials to and from the site in New Hampshire where emergency services are temporarily housed, staged, or deployed for an in-state emergency.

(b) Causing ballots, affidavits, and other necessary materials to be transported by the United States mail or commercial overnight courier to and from an out-of-state site where emergency services workers are temporarily housed, staged, or deployed for an out-of-state emergency.

IV. For the purposes of this section "circumstances that will prevent that person from voting in person at the polls on election day" shall include deployment to any disaster that has been declared by the President of the United States or the governor of New Hampshire.

V. Notwithstanding any provision of the law to the contrary, any ballot returned to a polling place pursuant to this section which arrives before the polls are closed shall be processed according to law and if found otherwise in conformance with law shall be counted.

VI. If, in the judgment of the secretary of state, time does not permit obtaining and transporting the local ballot for each emergency services worker, the secretary of state may prepare and issue a statewide-offices-only absentee ballot for the purposes of this section.

VII. The secretary of state, in cooperation with the department of safety and the attorney general, shall develop procedures for implementing this section. The procedures shall include publication of an emergency telephone number available 24 hours daily during the period covered by this section, to allow after-hours and weekend notification to the secretary of state that his section is being invoked. Suitable information on the availability of this section shall be made available to persons covered by this section.

VIII. The public agency or employer of emergency services workers responsible for making call-outs subject to the provisions of this section shall provide the secretary of state with the name and domicile address of each person called out and an address where an absentee ballot may be delivered on the Saturday, Sunday, or Monday prior to the election at the site of the emergency.

IX. If the costs of executing this section at any election exceed \$500, the secretary of state shall certify the same to the state treasurer, and prepare a manifest to authorize the state treasurer to make payments from funds not otherwise appropriated. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill establishes special absentee voting procedures for emergency services workers who are unable to vote in person because they have been deployed to a disaster.

Adopted.

Committee report adopted and ordered to third reading.

HB 501, relative to proving qualifications to vote, requiring identification to obtain a ballot, and relative to citizenship on New Hampshire identifications. **OUGHT TO PASS WITH AMENDMENT**

Rep. William L. O'Brien for Election Law: When a person is seeking to register to vote and does not have sufficient evidence of citizenship or domicile to determine qualification on either basis under RSA 654:12, election officials shall accept citizenship or domicile affidavits as that evidence. The statute as it now reads appears to assume, but does not expressly state, that this information has to be accurate in order for the ballot cast by the voter to be valid. This bill as amended, makes this assumption clear by stating that all qualifying information given in one of these affidavits has to be accurate for the vote to be valid. By limiting the requirements to vote, inconsequential, minor errors in the affidavits will not invalidate a vote. Vote 11-3.

Amendment (0207h)

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

AN ACT relative to citizenship and domicile affidavits.

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

1 New Paragraph; Voter Registration; Determining Qualifications of Applicant; Affidavits. Amend RSA 654:12 by inserting after paragraph II the following new paragraph:

III. All information establishing the qualification of the affiant to vote that is provided in a citizenship affidavit or a domicile affidavit presented under this section must be accurate for the resulting vote to be valid.

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

AMENDED ANALYSIS

This bill declares that information provided in a citizenship or domicile affidavit must be accurate for the resulting vote to be valid.

Adopted.

Rep. Cali-Pitts requested a roll call; sufficiently seconded.

The question being the adoption of the committee report.

YEAS 233 NAYS 131			

YEAS 233			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark
Morrow, Harry	Olimpio, J Lisbeth	Stevens, Stanley	
CHESHIRE			
Dexter, Judson	Emerson, Susan	Foote, Sheila	Hogancamp, Deborah
Hunt, John	Parkhurst, Henry	Pelkey, Stephen	Sawyer, Sheldon
Weed, Charles			
COOS			
King, Frederick	Lary, Bruce	Mears, Edgar	Remick, William
Richardson, Herbert	Tholl, John Jr		
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Hammond, Lee	Ingbretson, Paul	Maybeck, Margie	Mirski, Paul
Naro, Debra	Solomon, Peter	Sorg, Gregory	Ward, John
Williams, Burton			
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph
Brassard, Paul	Brundige, Robert	Calawa, Leon Jr	Campbell, David
Carew, James	Carter, Mark	Christensen, D L Chris	Christiansen, Lars
Clark, Mark	Coughlin, Pamela	Crane, Elenore Casey	Desmarais, Vivian
Dokmo, Cynthia	Drisko, Richard	Dyer, Donald	Elliott, Nancy
Emerton, Larry	Essex, David	Foster, Linda	Francoeur, Bea
Gargas, Carolyn	Garrity, Patrick	Gibson, John	Golding, William
Goyette, Peter Jr	Graham, John	Hagan, Barbara	Haley, Robert
Hansen, Ryan	Hawkins, Ken	Hebert, Raymond	Hellwig, Steve
Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph	Hunter, Bruce
Infantine, William	Jasper, Shawn	Kelly, Eugene Jr	Kurk, Neal
L'Heureux, Robert	Lawrence, James	Lessard, Rudy	Manney, Pamela
Matarazzo, Anthony Sr	McRae, Karen	Mead, Robert	Messier, Irene
Mooney, Maureen	Moran, Edward	O'Brien, William	O'Connell, Timothy
Ober, Lynne	Pepino, Leo	Pilotte, Maurice	Price, Pamela
Reeves, Sandra	Renzullo, Andrew	Ross, Lawrence	Rowe, Robert

Ryder, Donald	Scanlon, Michael	Shaw, Barbara	Slocum, Lee
Souza, Kathleen	Stepanek, Stephen	Sullivan, Francis	Tahir, Saghir
Ulery, Jordan	Villeneuve, Maurice	Wheeler, James	Wheeler, Robert
MERRIMACK			
Anderson, Eric	Danforth, James	DeStefano, Stephen	Field, William
Foose, Robert	Hager, Elizabeth	Hess, David	Kidder, David
Klose, John	L'Heureux, Stephen	Langlais, Thomas	Lockwood, Priscilla
MacKay, James	Marple, Richard	Maxfield, Roy	Oliver, James
Reed, Dennis	Whiting, Herbert	Williams, Robert	
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Bettencourt, David	Bicknell, Elbert
Bishop, Franklin	Buxton, Donald	Camm, Kevin	Carson, Sharon
Charron, Gene	Coburn, James	Cooney, Richard	Dalrymple, Janeen
DiFruscia, Anthony	Dowd, John	Doyle, Christopher	Dumaine, Dudley
Fesh, Bob	Flanders, John Sr	Forsing, Robert	Francoeur, Sheila
Garrity, James	Gilbert, Karl	Griffin, Mary	Headd, James
Hopfgarten, Paul	Hughes, Daniel	Hutchinson, Karen	Ingram, Russell
Introne, Robert	Itse, Daniel	Johnson, Robert	Johnson, Rogers
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Lund, Howie
Major, Norman	Manning, John	McKinney, Betsy	McMahon, Charles
Morris, Richard	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Palazzo, Frank	Quandt, Marshall Lee	Quandt, Matthew	Rausch, James
Rolston, James	Sanders, Elisabeth	Stiles, Nancy	Waterhouse, Kevin
Weare, E Albert	Welch, David	Weldy, Norman	Wells, Roger
Weyler, Kenneth	Wiley, Robert	Winchell, George	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Brown, Julie	Brown, Lawrence
Cataldo, Sam	Chaplin, Duncan	Dunlap, Patricia	Easson, Timothy
Hofemann, Roland	Hollinger, Jeffrey	Newton, Clifford	Rous, Emma
Twombly, James	Wall, Janet		
SULLIVAN			
Gale, Harry	Irish, Christopher	Jillette, Arthur Jr	Osgood, Philip Sr
Phinizy, James	Rodeschin, Beverly		
NAYS 131			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas	Patten, Betsey		
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dunn, J Timothy	Eaton, Daniel	Espieffs, Peter

Mitchell, Bonnie	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Tilton, Anna	
COOS			
Buzzell, Bernard	Merrick, Scott	Stohl, Eric	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Harding, A Laurie	McLeod, Martha
Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda	
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Buhlman, David	Chase, Claudia
Clemons, Jane	Cote, David	Cote, Peter	Craig, James
Daniuk, Caitlin	DeVries, Betsi	Egbers, Fran	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Hall, Betty	Harvey, Suzanne
Irwin, Anne-Marie	Jean, Claudette	Jeudy, Jean	Johnson, Paula
Kopka, Angeline	Lasky, Bette	Lefebvre, Roland	Martin, Mary Ellen
Michon, Stephen	Movsesian, Lori	Rochette, Eric	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Kimberly	Smith, David
Sullivan, Peter	Vaillancourt, Steve	Velez, Hector	
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
French, Barbara	Gile, Mary	Greco, Vincent	Hamm, Christine
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Potter, Frances
Reardon, Tara	Rush, Deanna	Ryan, Jim	Shurtleff, Stephen
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Yeaton, Charles			
ROCKINGHAM			
Abbott, Dennis	Belanger, Ronald	Blanchard, MaryAnn	Cali-Pitts, Jacqueline
Casey, Kimberley	Dowling, Patricia	Flockhart, Eileen	Gould, Kenneth
Langley, Jane	Mason, April	Moody, Marcia	Norelli, Terie
Pantelakos, Laura	Powers, James	Robertson, Carl	Scamman, Stella
Serlin, Christopher	Splaine, James		
STRAFFORD			
Bickford, David	Brown, Jennifer	Callaghan, Frank	Cilley, Jacalyn
Creteau, Irene	Domingo, Baldwin	Hilliard, Dana	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Knowles, William	Miller, Joseph
Rollo, Michael	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Taylor, Kathleen			
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Prichard, Stephen	

and the committee report was adopted.

Ordered to third reading.
Rep. Solomon voted Yea and intended to vote Nay.

RECESS

The Speaker announced a brief recess.

(Speaker Scamman in the Chair)
RECONVENE

REGULAR CALENDAR (CONT'D.)

SB 206-FN, relative to the state code of ethics and establishing an executive ethics commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael D. Whalley for the Majority of Election Law: This bill as amended will establish an Executive Branch Ethics Committee made up of seven members, three of whom shall be nominated by the Governor, no more than two of whom shall be of the same political party and one of whom shall be an attorney and member of the New Hampshire Bar Association. Two members shall be nominated by the Secretary of State and not be of the same political party and two members shall be nominated by the Treasurer and not be of the same political party. All nominations shall be confirmed by the Governor and Executive Council. Committee members shall have staggered three year terms. This amendment would recodify RSA 15-B, relative to gifts, honorariums and expense reimbursements, by among other things, prohibiting gifts with a value greater than ten dollars and money in any amount. This bill would not prohibit political contributions, commercially reasonable loans, ceremonial objects or awards with a value of less than fifty dollars, objects which primarily serve an informational purpose, gifts where the donor's act of giving is purely private and personal in nature and would have been given and received even if the person were not an elected official, public official, public employee, constitution l official or legislative employee, wages, salary and benefits, tickets or free admission to a charitable, ceremonial or political event and meals and beverages consumed in the course of official business. This bill as amended would also make changes to the financial disclosure requirement for public officials under RSA 15-A by more adequately defining persons required to file, how and when they would file and create more uniform forms for those filing. Changes would also be made to RSA 15-A relative to lobbyists by more appropriately defining lobbying to also include lobbying before the executive branch of government and to require lobbyists to report all fees received for all purposes, not merely what is left after expenses or the removal of payments that are claimed to relate to other matters. SB 206 would also place restrictions on simultaneous employment by prohibiting a lobbyist from serving at the same time as a public employee as defined by RSA 15-B:2, IX. It is important to point out that this prohibition shall not apply to service on a commission, committee, board, panel, advisory committee or other similar governmental entity that is subject to the public meeting and notice requirements of RSA 91-A, the Right to Know Law. This prohibition would also not apply to a public employee or appointee or volunteer testifying at a public hearing or making public comment. This bill as amended would also require that the chairperson and vice-chairperson shall be elected from among the legislative members of the committee. Vote 11-6.

Rep. James R. Splaine for the Minority of Election Law: It is not appropriate for the majority of the Executive Branch Ethics Committee to be appointed by the constitutional officers who are elected by, and thus beholden to, the legislative branch. We believe we should continue to follow the traditional well-proven procedure of the majority of the members of commissions to be nominated by the Governor with the confirmation of the Executive Council. The minority further believes that volunteers of all kinds will be discouraged by this bill. Volunteers are essential to the cost-effective and efficient operation of our state government. Instead of discouraging such volunteer participation in the

executive branch, we should welcome it. We should require that volunteers not try to unduly influence government, and we should hold them accountable to the same code of ethics as other members of the executive branch.

Majority Amendment (0238h)

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

AN ACT establishing an executive branch ethics committee and recodifying RSA 15 relative to lobbyists, RSA 15-A relative to financial statements, and RSA 15-B relative to gifts, honorariums and expense reimbursements.

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

1 New Paragraph; et al: 21 by inserting after paragraph II the following new paragraph:

II-a. "Executive branch official" means every elected official as defined by RSA 15-B:2, III, who holds an executive branch office, every public official as defined by RSA 15-B:2, X and every public employee as defined by RSA 15-B:2, IX.

2 Code of Ethics; References to Public Employees Deleted. Amend RSA 21-G:22 through RSA 21-G:27 to read as follows:

21-G:22 Conflict of Interest. ~~[Public employees and public]~~ **Executive branch** officials shall avoid conflicts of interest. ~~[Public employees and public]~~ **Executive branch** officials shall not participate in any matter in which they, or their spouse or dependents, have a private interest which may directly or indirectly affect or influence the performance of their duties.

21-G:23 Misuse of Position. No ~~[public official and no public employee]~~ **executive branch official** shall:

I. Disclose or use confidential or privileged information **acquired in the performance of his or her duties for the state** for personal benefit or for financial gain. ~~[Public officials and public employees shall not]~~

II. Use ~~[their positions]~~ **his or her position** with the ~~[government]~~ **state** to secure privileges or advantages for ~~[themselves]~~ **himself or herself**, which are not generally available to governmental employees, or to secure governmental privileges or advantages for others.

21-G:24 Acceptance of Campaign Contributions. ~~[A public official or a public employee]~~ **An executive branch official** who is a candidate for an elective office that is not subject to the reporting requirements of RSA 664 and who accepts a ~~[financial contribution or other form of]~~ political contribution from ~~[an]~~ **any person or** entity which is or is likely to become subject to that ~~[public official's or public employee's]~~ **executive branch official's** duties shall make a disclosure of such contributions to the secretary of state within 5 days of receipt of such contributions. The disclosure shall be in writing and on such form as the secretary of state shall prescribe.

21-G:25 ~~[Acceptance and Giving of Gifts. Any public employee, public official, and any public employee's or public official's spouse or dependent who gives, solicits, accepts, or agrees to accept a gift from a person who is subject to or likely to become subject to or interested in any matter or action pending before or contemplated by the public employee or official or by the governmental body with which that employee or official is affiliated shall disclose the gift in the statement of financial disclosure filed under RSA 21-G:28. Nothing in this section shall be construed to prohibit gifts made to the state of New Hampshire and accepted in accordance with the law.]~~ **Restrictions on Simultaneous Employment and Public Service. Volunteer public service to the executive branch is not to be used by volunteers or their business associates to obtain, directly or through a lobbyist, inequitable opportunities for non-public personal communications with executive branch decision makers to influence those executive branch decision makers in the performance of their duties. In furtherance of this prohibition, no person shall:**

I. Be a person who has a duty to register as a lobbyist pursuant to RSA 15 and at the same time serve as a public employee as defined by RSA 15-B:2, IX.

Unless otherwise prohibited by law, this prohibition shall not apply to appearances before the courts or serving in a position appointed by governor and council; or

II. Be a person who is, or is employed by or has ownership interest in any entity, engaged in or likely to become engaged in promoting or opposing, directly or indirectly, any legislation pending or proposed before the general court, or promoting or opposing action or inaction on any matter, contract, license, permit, or administrative rule, proposed or pending, before the executive branch and at the same time serve as a public employee as defined by RSA 15-B:2, IX, or as an appointee or volunteer for any multi-branch commission, committee, board, or similar governmental entity. Unless such service is otherwise prohibited by law, this prohibition shall not apply to:

(a) Service on a commission, committee, board, panel, advisory committee, or other similar governmental entity that is subject to the public meeting and notice requirements of RSA 91-A;

(b) Service related entirely to a ceremonial or celebratory event or duties;
or

(c) A public employee or an appointee or volunteer for any multi-branch entity testifying at a public hearing or making public comment at a public meeting.

21-G:26 Employment Restrictions. For 6 months after leaving office or employment with the state, no ~~[public]~~ **executive branch** official shall appear as a lobbyist:

I. To promote or oppose directly any specific legislation pending or proposed before the general court ~~[on behalf of]~~; or

II. To directly promote or oppose action or inaction on any matter, contract, license, permit, or administrative rule pending before the executive branch or with regard to any matter over which that executive branch official had personal and direct responsibility while in state government.

21-G:27 Supplemental State Agency Ethical Codes. In addition to this code, each agency may promulgate a supplemental ethics code to address issues specific to that agency. In the event of a conflict~~[- the provisions of this code shall supersede the agency code]~~ **with the provisions of this code, a stricter provision of an agency code shall govern.** To the extent that this code or an ethics code adopted by an agency shall apply to classified employees, this code, or an agency code, shall be interpreted to be consistent with the provisions of the classified employees' collective bargaining agreement **and the state personnel rules.**

3 New Sections; Executive Branch Ethics Committee Established. RSA 21-G:29 is repealed and reenacted to read as follows:

21-G:29 Executive Branch Ethics Committee Established; Jurisdiction; Membership.

I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials who are not classified employees.

II. The jurisdiction of the committee shall consist of matters arising under the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to executive branch officials who are not classified employees.

III. The committee shall consist of 7 members, nominated in the following manner:

(a) Three members, nominated by the governor, no more than 2 of whom shall be members of the same political party as defined in RSA 652:11, and one of whom shall be an attorney and member of the New Hampshire Bar Association.

(b) Two members, who shall not be members of the same political party as defined in RSA 652:11, nominated by the secretary of state.

(c) Two members, who shall not be members of the same political party as defined in RSA 652:11, nominated by the treasurer.

IV. All nominations under paragraph III shall be confirmed by the governor and executive council.

V. Persons appointed to the committee shall be qualified by excellent personal reputation and by education or experience in public service, in resolving ethical issues facing persons in public service, or in the law. No executive branch official shall serve as a committee member, and no person who has registered as a lobbyist under RSA 15:1 shall serve as a committee member, or for 6 months following the expiration of such registration.

VI. Committee members shall serve terms of 3 years and until their successors are appointed and qualified. However, initially, the governor shall nominate one member for a one-year term, one member for a 2-year term and one member for a 3-year term; the secretary of state shall nominate one member for a 2-year term, and one member for a 3-year term; the treasurer shall nominate one member for a one-year term and one member for a 2-year term. Initial nominations to the committee shall be made no later than 90 days after the effective date of this section. The initial appointments shall begin on July 1, 2006 and end on June 30 of the appropriate year. Vacancies shall be filled for the remainder of any unexpired term. Following their appointment, members may not hold or campaign for elective office, serve as an officer of any political party or political committee, permit their names to be used in support of or in opposition to any candidate or proposition, participate in any way in any election campaign, make a contribution as defined in RSA 664:2 to any candidate for office or political committee, or act as or assist a lobbyist required to be registered under RSA 15:1.

VII. The governor shall designate one of the governor's appointees as chair, who shall convene the first meeting, which shall take place no later than 30 days after a majority of the membership has been appointed. The members shall elect by majority vote a vice-chair and secretary from the remaining members.

VIII. Committee members shall receive no compensation, except that committee members shall receive mileage at the state employee rate.

21-G:30 Duties.

I. The committee shall be authorized to:

(a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials. Such guidelines shall be consistent with statute.

(b) Issue interpretative rulings explaining and clarifying any law, guideline, rule, or regulation within the jurisdiction of the committee.

(c) Render an advisory opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision that the person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be non-public. A redacted version of the advisory opinion shall be public.

(d) Receive sworn complaints, investigate allegations of violations of this subdivision or guidelines adopted thereunder by executive branch officials and make appropriate findings of fact and conclusions with respect to such conduct.

(e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated.

II. All actions of the committee shall require an affirmative vote of 4 or more members of the committee before becoming effective, except that a vote to summarily dismiss a complaint shall be unanimous, and a vote to dismiss a complaint after only an internal review and no investigation shall be by an affirmative vote of no less than 5 members of the committee and a vote pursuant to RSA 21-G:31, VII shall require only a majority of the members present and voting. The committee shall request to meet with the legislative ethics committee established under RSA 14-B at least twice yearly to facilitate uniformity in the interpretation of statutory provisions.

III. The committee shall provide the legislative ethics committee with copies of all publicly issued guidelines, procedures, decisions, or opinions.

21-G:31 Complaints; Procedure.

I. Each complaint shall be submitted in writing and signed under oath by the complainant. The sworn complaint shall be filed confidentially with the committee and shall contain the name and address of the complainant. Before any other action is taken by the committee, the executive branch official complained against shall be furnished with a copy of the complaint and a copy shall be sent to each member of the committee for review. The committee may initiate a complaint on its own motion against any individual the committee has reason to believe has violated any law, guideline, rule, or regulation within the committee's jurisdiction. The committee shall promptly examine each sworn complaint and:

(a) Upon first examination, if by a unanimous vote it determines that a complaint is frivolous, scurrilous, retaliatory in nature, or plainly not within the committee's jurisdiction, the committee may summarily discharge the complaint without further meeting or proceeding. The committee shall notify the respondent and complainant in writing of its action.

(b) For any complaint not summarily discharged, the committee shall conduct an initial review to ascertain whether the committee has jurisdiction to consider the complaint or whether the complaint is without merit or is unfounded. If the committee concludes by a recorded affirmative vote of no less than 5 members of the committee that the alleged conduct is not within the committee's jurisdiction, is without merit, or is unfounded, the committee shall dismiss the complaint and shall report such conclusion to the complainant and to the executive branch official, with an explanation of the basis of such determination.

II. If the committee, by recorded vote, concludes that the complaint is within its jurisdiction and may have merit, the committee may proceed to conduct a preliminary investigation. Upon completion of its preliminary investigation, the committee shall conclude by recorded vote that:

(a) No violation occurred and no further action is appropriate;

(b) The violation is inadvertent, technical, or of a de minimis nature and shall be addressed by informal methods; or

(c) There are reasonable grounds to believe a violation occurred and formal proceedings shall be instituted to inquire further into the complaint. In that event, the committee shall issue a formal statement of charges and proceed to a hearing on the complaint.

III. Upon completion of the hearing, the committee shall conclude by recorded vote that:

(a) No violation occurred and no further action is appropriate;

(b) No action is appropriate because there is not clear and convincing evidence that a violation occurred;

(c) Based upon clear and convincing evidence, a violation occurred, but such violation does not justify formal disciplinary action and shall be resolved by informal methods; or

(d) Based upon clear and convincing evidence, a violation occurred, and the violation was of a serious nature so as to warrant formal disciplinary action. In the case of a finding of violation by an executive branch official, the committee may recommend disciplinary action by the appropriate body, including but not limited to a recommendation for disciplinary action by the executive branch official's supervisor, removal from office under RSA 4:1, or, in the case of the governor, executive council member, or other officer of the state, impeachment or other appropriate action pursuant to part II, article 38 of the New Hampshire constitution. In addition to any recommendation for disciplinary action under this subparagraph, the committee may refer the case to the department of justice for criminal prosecution. In the event that conduct may constitute both a criminal act and misconduct subject to the jurisdiction of the committee, the committee may on its own motion or by motion of the attorney general suspend its investigation or a pending hearing for the time period reasonably necessary to avoid compromising a criminal prosecution.

IV. Any person who knowingly or willfully swears falsely to a sworn complaint does so under penalty of perjury, and the committee may refer any such case to the department of justice for prosecution.

V. Except as otherwise provided in this paragraph and notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work, shall be confidential. The committee shall first examine any sworn complaint and shall conduct its initial review and preliminary investigation of complaints in a confidential manner, unless otherwise requested by the executive branch official complained against. The committee shall conduct formal proceedings, other than its deliberations, in public session. The committee's deliberations on complaints shall be conducted in nonpublic session. Upon completion of the preliminary investigation conducted under paragraph II or at the conclusion of formal proceedings under paragraph III, the committee shall make available for public inspection all records, other than its work product and internal memoranda relating to the complaint.

VI. In proceedings under this subdivision, the committee shall have the power to issue subpoenas and administer oaths.

VII Any member of the committee who is directly or indirectly involved in any complaint before the committee or who otherwise has personal knowledge of facts material to the determination of the complaint shall not participate in any proceedings regarding the complaint. In the event that recusals under this paragraph reduce the number of participating members to fewer than 4, the remaining participating members shall designate an alternate or alternates sufficient to increase the committee to 4 members, to serve on the committee for that case only.

21-G:32 Rules; Procedures and Standards. The committee shall adopt, publish, and make available to the public rules governing its procedures, including provisions for disqualification of members for conflict of interest and provisions for the committee to discipline its members for breach of committee procedures, as well as guidelines referred to in RSA 21-G:30, I, consistent with the procedures set forth in RSA 541-A.

21-G:33 Committee Administration and Staff. The committee shall be administratively attached to the department of justice, which shall provide appropriate administrative and investigative staff and legal counsel in support of the committee's activities, at the committee's request. Files and records of the committee shall be protected against access other than by members of the committee and other persons specifically authorized by the committee.

21-G:34 Penalty.

I. Any person who knowingly or willfully violates RSA 21-G:21-27 or makes unauthorized disclosure of confidential matters or materials contrary to RSA 21-G:31, or interferes with or obstructs lawful activities of the committee, shall be guilty of a

misdeemeanor and may be subject to disciplinary action as provided in RSA 21-G:31, III(d) and other applicable law.

II. In the case of any person convicted under this section, the court may order restitution.

21-G:35 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

4 Executive Order Superseded. The provisions of this act and RSA 21-G:21-27 supersede and replace the provisions of Executive Order Number 98-1, dated May 19, 1998.

5 Legislative Ethics Committee; Membership Criteria. Amend RSA 14-B:2, II and III to read as follows:

II. No person registered with the secretary of state as a lobbyist under RSA 15 shall serve as a member of the legislative ethics committee ***or for 6 months following the expiration of such registration.***

III. Appointments to the committee shall be made by December 31 prior to the first legislative session of the biennium. A committee meeting shall be called no later than February 1 in the first legislative session of the biennium. The members shall elect a chairperson and vice-chairperson ***from among the legislative members of the committee*** at this meeting. The members shall serve for the biennium and shall not be removed from the committee for any reason except for good cause by unanimous vote of the remaining committee members. Members shall receive no compensation, except that legislative members shall receive mileage at the legislative rate and public members shall receive mileage at the state employee rate. ***The committee shall provide the executive branch ethics committee with copies of all publicly issued guidelines, procedures, decisions, and opinions.***

6 Legislative Ethics Committee; Complaint Procedure; Reference Changed. Amend the introductory paragraph of RSA 14-B:4, I to read as follows:

I. Each complaint shall be submitted in writing and signed under oath by the complainant. The sworn complaint shall be filed confidentially with the committee and shall contain the name and address of the complainant. The legislator, officer, or employee of the legislature complained against shall be furnished with a copy of the complaint and a copy shall be sent to each member of the committee for review. The committee shall initiate a complaint on its own motion against any individual the committee determines has not complied with the provisions of RSA [14-B:7] ***15-A and RSA 15-B.*** The committee shall promptly examine each sworn complaint and:

7 Lobbyists. RSA 15 is repealed and reenacted to read as follows:

CHAPTER 15 LOBBYISTS

15:1 Registration.

I. Any person who is employed for a consideration by any other person, except the state of New Hampshire, in a representative capacity for the purposes specified in paragraph II of this section shall first register as a lobbyist with the secretary of state. Each registration shall report the existence of a relationship between a single client and either a single lobbyist or a partnership, firm, or corporation with one or more partners, members, or employees of a firm acting as lobbyist.

II. Registration is required where the person, partnership, firm, or corporation is employed:

(a) To promote or oppose, directly or indirectly, any legislation pending or proposed before the general court, or;

(b) To promote or oppose, directly or indirectly, any action by the governor, governor and council, or any state agency, as defined in RSA 15-A:2, subject to the exclusions in paragraph III.

III. Such registration is not required where the person:

(a) Is employed to represent another only in an adjudicative proceeding or nonadjudicative process as defined or described in RSA 541-A, other than a rulemaking proceeding or any process related to the purchasing of goods or services by the state, and who files an appearance with the authority conducting the matter; or

(b) Is an owner or employee, of a business seeking to do business with the state or communicating with an executive branch official or employee, a state agency, or an administrative official of the general court regarding goods or services that are being or may be purchased by the state.

IV. All registrations required under this section shall expire on December 1.

15:2 Name Tag.

I. Any person who is required to register as a lobbyist under RSA 15:1 shall wear on his or her outer garment a clearly visible name tag when lobbying in the state house or the legislative office building, or before the governor, governor and council, or a state agency. Such name tag shall have white lettering on a hunter orange background and shall be at least 1 ½ inches high and 2 ½ inches long. This name tag shall consist of lobbyist's first and last name and the word "lobbyist" or the name of the organization represented in letters at least ¼ inch high.

II. A person whose lobbying activity is appearing to testify before a legislative committee in an open hearing session is exempt from the requirements of paragraph I.

15:3 Registration Form.

I. The lobbyist registration shall be on a form prescribed by the secretary of state that shall at a minimum include:

(a) The full name of the person registering, if that person is affiliated with a partnership, firm, or corporation, the name of that partnership, firm, or corporation, the name of the client who has employed the person registering, his or her respective business addresses, or if none, his or her residence address.

(b) The usual occupation or primary field of business of each.

(c) The date and character of the employment or agreement therefore.

(d) The duration of the employment if it can be determined.

(e) The special subjects of legislation or executive branch action, if any, to which the employment relates.

(f) If the person registering is a member of or affiliated with a partnership, firm, or corporation that has other members or employees who are also registered as a lobbyist, a list of the full name of each such person. Being listed in this subparagraph does not relieve anyone who will be lobbying for this client from being listed individually under subparagraph (a).

(g) The following statement followed by a line for each person filing the form to sign and date the form: "I have read RSA 15 and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. If the employment varies from time to time, a current registration shall be maintained for each employment.

15:4 Registration Fee. The fee for registration as a lobbyist under RSA 15:1 for any one year shall be \$50 for each person lobbying for each reported client or employer. A fee shall be paid for each individual who acts as a lobbyist for each client or employer regardless of his or her affiliation with any other registered lobbyist.

15:5 Prohibited Activities.

I. Except as provided in paragraph II, no recipient of a grant or appropriation of state funds may use the state funds to lobby or attempt to influence legislation, participate in political activity, or contribute funds to any entity engaged in these activities.

II. Any recipient of a grant or appropriation of state funds that wishes to engage in any of the activities prohibited in paragraph I, or contribute funds to any entity engaged in these activities, shall segregate the state funds in such a manner that such funds are

physically and financially separate from any non-state funds that may be used for any of these purposes. Mere bookkeeping separation of the state funds from other moneys shall not be sufficient.

15:6 Statements.

I. Each lobbyist shall file with the secretary of state itemized statements under oath of:

- (a) All fees received from any lobbying client for all purposes.
- (b) What portion of the total fees received are related, directly or indirectly, to lobbying services.
- (c) All expenditures made from lobbying fees, including by whom paid or to whom charged.
- (d) Any honorarium or expense reimbursement, as defined in RSA 15-B, or political contribution, as defined in RSA 664, made by the lobbyist in his or her professional or personal capacity, on behalf of the lobbyist, the partnership, firm, or corporation or by the lobbyist on behalf of the client or employer or by a family member of the lobbyist. The statements shall be open to public inspection. For the purposes of this chapter, "family member" shall mean any person related to and living in the same domicile as the lobbyist, who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.

II. Lobbyists shall file statements no later than the second Friday of each month covering all fees received and expenditures, contributions, honorariums, or expense reimbursements made during the previous month, from fees received at any time from a lobbying client or employer or from funds otherwise provided by the lobbyist, partnership, firm, or corporation, or from the client or employer.

III. In this chapter "value" means the amount at which property or services would change hands between a willing buyer and a willing seller when neither is under any compulsion to buy or sell and both have reasonable knowledge of the relevant facts.

IV. A lobbyist, in his or her professional or personal capacity, or a family member of a lobbyist making a contribution, honorarium, or expense reimbursement, in a form other than cash, check or negotiable instrument, to a person with a duty to report that contribution, honorarium, or expense reimbursement pursuant to RSA 15-B or RSA 664 shall provide the recipient with a written statement of the value of the contribution, honorarium, or expense reimbursement if the value is different than any price or value printed on the contribution, honorarium, or expense reimbursement or if the contribution, honorarium, or expense reimbursement does not have a price affixed to it.

V. The lobbyist statement shall be in the form prescribed by the secretary of state, may be in paper or electronic form, and shall include at a minimum:

- (a) The full name of each lobbyist covered by the report.
- (b) The name of the lobbyist partnership, firm, or corporation, if any.
- (c) The business address and telephone number for the lobbyist, partnership, firm, or corporation.
- (d) For each client, the full name and business address of the client, the scope of the representation or lobbyist services being paid for, the gross amount of all fees received from that client, not reduced by any expenses, for all purposes, a statement of what portion of the gross fees received are related, directly or indirectly, to lobbying services, a statement of the aggregate total of fees received that are related, directly or indirectly, to lobbying services during the calendar year, and a statement of any fee payment due, but not yet paid.
- (e) For each honorarium or expense reimbursement made, that is reportable pursuant to RSA 15-B:
 - (1) The name of the client on whose behalf the expense reimbursement or honorarium was made, if any.
 - (2) The name of the person receiving the honorarium or expense reimbursement.

- (3) A brief description of the event to which the honorarium or expense reimbursement relates.
- (4) The value of the honorarium or expense reimbursement.
- (f) For each political contribution made that is reportable pursuant to RSA 664:
 - (1) The name of the candidate.
 - (2) The office the candidate is seeking.
 - (3) The value of the contribution.
 - (4) If the contribution is an in-kind contribution, a brief description of the contribution.
- (g) For all expenditures for salaries, benefits, support staff, and office expenses, related directly or indirectly to lobbying, a statement of the total aggregate expenses for salaries, support staff, and office expenses related directly or indirectly to lobbying shall satisfy the requirement that an itemized statement of these expenses be filed.
- (h) The following statement followed by a line for each person filing the form to sign and date the form: "I have read RSA 15, RSA 15-B, and RSA 664 and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief." This statement shall be made under oath before a notary public or justice of the peace.

V. The secretary of state shall maintain the statements required by this section for 6 years from the date of filing, after which time the statements may be destroyed. The public information on the forms shall be available to the public in the form of a photocopy or an electronic record. The secretary of state shall, as soon as is practical, implement an electronic record keeping system that makes lobbyist registration forms and fee and expense reports available to the public through the internet.

15:7 Blanks. The secretary of state shall provide suitable forms in paper or electronic form to carry out the requirements of this chapter.

15:8 Penalty. Whoever violates any provision of this chapter shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person. Whoever shall make and file any statement under this chapter which is to his or her knowledge false shall be deemed guilty of perjury and punished accordingly.

15:9 Examination of Statements of Fees and Expenditures. It shall be the duty of the attorney general to examine the statements of fees and expenditures which are made under this chapter to the secretary of state and to compel such returns be made to comply with the law.

15:10 Testimonial Privilege. No person shall be excused from testifying in a proceeding instituted against another person under the foregoing sections for the reason that he might thereby incriminate himself; but no testimony so given by him shall be used directly or indirectly as evidence against him in any prosecution, nor shall he be prosecuted for any offenses so disclosed by him.

15:11 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

8 Financial Disclosure. RSA 15-A is repealed and reenacted to read as follows:

CHAPTER 15-A FINANCIAL DISCLOSURE

15-A:1 Purpose. The purpose of this chapter is to ensure that the performance of official duties does not give rise to a conflict of interest, by requiring the following persons to file a statement of financial interests with the secretary of state. This chapter shall be liberally construed to effect this purpose.

15-A:2 Definitions. In this chapter:

I. "Agency" means the executive branch and any department, division, board, commission, or equivalent entity of the executive branch.

II. "Agency head" means the commissioner or equivalent leader of any department, and the highest ranking member of any commission, board, institution, bureau, or office, which is not a subordinate component of a department or equivalent agency, by whatever name called, other than the legislative and judicial branches of state government.

III. "Family member" shall mean any person related to and living in the same domicile as the elected official, public official, public employee, constitutional official, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.

IV. "Income" means any money or thing of value received.

V. "Primary occupation" means any business, business association, public sector employment, nonprofit employment, or self-employment which provides the largest source of income for the candidate.

15-A:3 Persons Required to File. The following persons shall file a statement of financial interests as required by this chapter:

I. All candidates who file for state or county office.

II. All persons filing an acceptance of nomination form for state or county office.

III. Every person appointed by the governor, governor and council, president of the senate, or the speaker of the house of representatives to any board, commission, committee, board of directors, authority, or equivalent state entity whether regulatory, advisory, or administrative in nature.

IV. All agency heads.

V. Any public official designated, due to the responsibilities of the position, by the agency head.

VI. The secretary of state and the treasurer, and any of their subordinates designated, due to the responsibilities of the position, by the secretary of state or treasurer.

VII. All persons elected to state or county office, and all persons appointed to such elective office to fill a vacancy; and

VIII. Any person, not employed by or working under contract for the state, who is acting on behalf of the governor or an agency while engaged in state business.

15-A:4 Designated Public Officials. The governor shall file with the secretary of state an organizational chart identifying the names and titles of all persons who are acting on behalf of the governor and who are required to file a statement of financial interests. Each agency head shall file with the secretary of state an organizational chart identifying the names, titles, and position numbers of persons in his or her department that are required to file a statement of financial interests. The secretary of state and the state treasurer shall file with the secretary of state an organizational chart identifying the names and titles of all persons in his or her department that are required to file a statement of financial interests.

15-A:5 Form of Disclosure. The secretary of state shall establish a uniform statement of financial interests, which may be in paper or electronic form.

I. The statement of financial interest shall include:

(a) The full text of RSA 15-A.

(b) The full name, work address, work phone number, primary occupation, and, if different, the office, appointment, or employment with government held by person filing the statement of financial interest.

(c) The name, address, and type of any profession, business, or other organization in which the reporting individual or family member was an officer, director, associate, partner, proprietor, or employee, or served in any other professional or advisory capacity, and from which any income in excess of \$10,000 was derived during the preceding calendar year. Sources of retirement benefits other than federal retirement and/or disability benefits shall be included. If the person filing the financial interest statement has no qualifying income he or she shall report this by writing his or her initials following the statement "My income does not qualify ____."

(d) A statement of whether the person reporting or a family member has a special interest in any of the following businesses, professions, occupations, groups, or matters. A person has a reportable special interest in an item on this list if a change in law, a change in administrative rule, a decision whether or not to award a contract, grant a license or permit, discipline a licensee or permittee, or other decision by government affecting the listed business, profession, occupation, group, or matter would potentially have a greater financial effect on the person reporting the financial interest or a family member than it would on the general public:

(1) Any profession, occupation, or business licensed or certified by the state of New Hampshire, listing each such profession, occupation, or category of business.

(2) Health care.

(3) Insurance.

(4) Real estate, including brokers, agents, developers, and landlords.

(5) Banking or financial services.

(6) State of New Hampshire, county, or municipal employment.

(7) The New Hampshire retirement system.

(8) The current use land assessment program.

(9) Restaurants and lodging.

(10) The sale and distribution of alcoholic beverages.

(11) The practice of law.

(12) Any business regulated by the public utilities commission.

(13) Horse or dog racing, or other legal forms of gambling.

(14) Education.

(15) Water resources.

(16) Agriculture.

(17) New Hampshire taxes, specifying if business profits tax, business enterprise tax, or interest and dividends tax.

(18) The reporting official may, but is not required by this chapter to specify any other area for which he or she has a special interest.

(e) The following statement followed by a line for the person filing the form to sign and date the form: "I have read RSA 15-A and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. The secretary of state may also require information such as home phone numbers, home addresses, and other information pertinent to the administration and enforcement of laws relating to financial disclosure. This information shall be non-public and shall not be subject to the provisions of RSA 91-A.

III. The statement of financial interests, if filed on paper, shall be completed by typewriting or legible hand printing, and shall be verified, dated, and signed by the reporting individual personally.

IV. The secretary of state shall maintain the statement of financial interests for 6 years, after which time the statement may be destroyed. The public information on the forms shall be available to the public in the form of a photocopy or an electronic record. The secretary of state shall, as soon as is practical, implement an electronic record keeping system that makes the public information on statements of financial interest available to the public through the internet.

15-A:6 Deadlines for Filing. All persons subject to this chapter shall file a statement of financial interests annually no later than the third Friday in January. All persons subject to this chapter, except those who are elected, shall file a statement of financial interests within 14 days of assuming the office, position, or appointment that makes the person subject to this chapter, unless the person has previously filed a statement during the calendar year.

15-A:7 Penalty. Any person who knowingly fails to comply with the provisions of this chapter or knowingly files a false statement shall be guilty of a misdemeanor.

15-A:8 Examination of Disclosures. It shall be the duty of the attorney general to examine the statements of financial interests which are made under this chapter to the secretary of state and to compel such disclosures to be made to comply with the law.

15-A:9 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

9 Gifts, Honorariums, and Expense Reimbursements. RSA 15-B is repealed and reenacted to read as follows:

CHAPTER 15-B

GIFTS, HONORARIUMS, AND EXPENSE REIMBURSEMENTS

15-B:1 Purpose. The purpose of this chapter is to ensure that the performance of official duties does not give rise to a conflict of interest, by prohibiting certain gifts and by requiring certain persons to file with the secretary of state a report of any honorariums or expense reimbursements received. This chapter shall be liberally construed to effect this purpose.

15-B:2 Definitions. For the purposes of this chapter:

I. "Agency" means the executive branch and any department, division, board, commission, or equivalent entity of the executive branch.

II. "Constitutional official" means the secretary of state, the state treasurer, their deputies, assistants, and all employees of their departments.

III. "Elected official" means the governor, members of the executive council, members of the general court, county commissioners, county sheriffs, county treasurers, county attorneys, registers of deeds, and registers of probate.

IV. "Expense reimbursement" shall mean payment in any form as prepayment, underwriting, or reimbursement of the reasonable expenses of attendance, registration, travel, meals, or lodging related to a bona fide informational or educational conference, seminar, or meeting, when the source of such reimbursement is other than the state, a county, or the United States of America.

V. "Gift" means:

(a) Money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money.

(b) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$10 is presumed to be of insignificant economic value.

(c) Notwithstanding subparagraphs (a) and (b), "gift" shall not include:

(1) A political contribution as defined in RSA 664.

(2) A commercially reasonable loan, made in the ordinary course of business.

(3) Repayment to an elected official, public official, public employee, constitutional official, or legislative employee of a bona fide loan made by such a person.

(4) A ceremonial object or award, the value of which is primarily personal to the recipient and which has inconsequential economic value. A ceremonial object or award with a value of \$50 or less is presumed to be of inconsequential economic value.

(5) Objects which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.

(6) Money in any form, an object, or an intangible thing of economic value, where the donor's act of giving is purely private and personal in nature and the money, object, or intangible thing of economic value would have been given and received even if the person were not an elected official, public official, public employee, constitutional official, or legislative employee.

(7) Wages, salary, benefits, mileage or payment for expenses received by the person in his or her regular course of employment or business which is unrelated to the government position held.

(8) Wages, salary, benefits, mileage, or payment for expenses paid to the person by the state, a county, or the United States of America related to performance of official duties.

(9) Tickets or free admission to a charitable, ceremonial, or political event provided that:

(A) The proceeds of the event are subject to the political contributions and expenditure reporting law, RSA 664; or

(B) The event is sponsored by a charitable organization that is registered with the division of charitable trusts, department of justice or which is a charitable organization pursuant to section 501(C)(3) of the federal tax code; or

(C) The event is published as an event open for attendance by any member of the general court in the calendar of the senate or the house.

(10) Meals, beverages, lodging, or transportation associated with attendance at:

(A) Any event for which the primary significance is ceremonial or celebratory, provided the event is public or, if by invitation only, is planned to have an attendance greater than 50 people; or

(B) Any event where the person is attending in an official capacity representing the state and/or the senate, house, or the agency of which the person is a member.

(11) Expense reimbursement or an honorarium.

(12) Meals and beverages consumed in the course of official business.

VI. "Honorarium" means a payment in any form to an elected official, public official, public employee, constitutional official, or legislative employee for services for which the person is not being compensated by the state, a county, the United States of America, or any other employer or client, where the service provided is related to or associated with office or employment held with government. Honorarium includes, but is not limited to, a payment as described above, for making a speech, preparing a written document, or serving as an advisor or consultant.

VII. "Family member" shall mean any person related to and living in the same domicile as the elected official, public official, public employee, constitutional official, or legislative employee, who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.

VIII. "Legislative employee" means any person employed by the legislative branch.

IX. "Public employee" means any person, including but not limited to a classified employee, who is acting on behalf of the governor or an agency while engaged in state business.

X. "Public official" means a commissioned, unclassified, or nonclassified executive branch employee, but shall not include any commissioned, unclassified, or nonclassified employee elected by the legislature.

XI. "Value" means the amount at which property or services would change hands between a willing buyer and a willing seller when neither is under any compulsion to buy or sell and both have reasonable knowledge of the relevant facts.

15-B:3 Prohibition on Gifts.

I. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or indirectly, to any elected official, public official, public employee, constitutional official, or legislative employee.

II. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or indirectly, to any family member, as defined in this chapter, of any elected official, public official, public employee, constitutional official, or legislative employee, with a purpose of influencing or affecting the official conduct of such official or employee.

III. No elected official, public official, public employee, constitutional official, or legislative employee shall knowingly accept, directly or indirectly, any gift, as defined in this chapter.

15-B:4 Limitation on Receipt of an Honorarium. No public official or public employee shall accept an honorarium from a person who is subject to or likely to become subject to or interested in any matter or action pending before, or contemplated by, the public official, public employee, or the governmental body with which that person is affiliated.

15-B:5 Expense Reimbursement. An elected official, public official, public employee, constitutional official, or legislative employee may accept expense reimbursement for the reasonable expenses for food, travel, and lodging for a conference, meeting, seminar, or educational program which the person attends and that is related to the office, position, or employment held with the state or county, provided that the person attaches to the disclosure report a copy of the agenda or an equivalent document which discloses the subjects addressed and the time schedule of all activities at the event. This provision shall not be construed to require reporting of a prepayment, underwriting, or reimbursement made by an organization to which the state or county pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.

15-B:6 Duty to Report. An elected official, public official, public employee, or legislative employee who receives an, honorarium or expense reimbursement shall file a report with the secretary of state no later than the last day of the month following the month during which the gift, honorarium, or expense reimbursement was received.

15-B:7 Honorarium, or Expense Reimbursement Report. The secretary of state shall establish a uniform report of receipt of an honorarium or expense reimbursement, which may be in paper or electronic form.

I. The report shall include at a minimum the following information, which shall be public:

(a) The full name, work address, work phone number, the office, appointment, or employment held by person subject to the reporting requirement.

(b) The full name, post office address, occupation, and principal place of business, if any, of the source of any reportable honorarium or expense reimbursement. When the source is a corporation or other entity, the name and work address of the person representing the corporation or entity in making the honorarium or expense reimbursement must be provided in addition to the name of the corporation or entity.

(c) The value of the honorarium or expense reimbursement. When the exact value is unknown, the person filing the report shall provide an estimate of the value of the gift or honorarium and identify the value as an estimate.

(d) A brief description of the service or event that gave rise to the honorarium or expense reimbursement. Reports of expense reimbursement must include a copy of the agenda or an equivalent document.

(e) The date on which the honorarium or expense reimbursement was received.

(f) The following statement followed by a line for the person filing the form to sign and date the form: "I have read RSA 15-B and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. The secretary of state may also require information such as home phone numbers, home addresses, and other information helpful to the administration and enforcement of laws relating to honorariums or expense reimbursements. This information shall be non-public and shall not be subject to the provisions of RSA 91-A.

15-B:8 Forms; Place of Filing. The secretary of state shall furnish all forms required under this chapter. All persons filing a report under this chapter shall file with the secretary of state. The reports shall be held in the original form for 6 years from the date of filing, after which time they may be destroyed. The public information on the forms shall be available to the public in the form of a photocopy or an electronic record. The secretary of state shall, as soon as is practical, implement an electronic record keeping system that

makes the public information in the reports required by this chapter available to the public through the internet.

15-B:9 Penalty. Any person who knowingly fails to comply with the provisions of this chapter or knowingly files a false report shall be guilty of a misdemeanor.

15-B:10 Examination of Reports. It shall be the duty of the attorney general to examine the reports which are made under this chapter to the secretary of state and to compel such returns be made to comply with the law.

15-B:11 Limitations. This chapter shall not be construed to:

I. Prevent receptions, breakfasts, luncheons, dinners, dances, or picnics or like events from being held for the sole purpose of raising political contributions, provided such contributions comply with and are reported as required by RSA 664.

II. Prohibit gifts or expense reimbursements made to the state of New Hampshire and accepted in accordance with the law.

15-B:12 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

10 Repeal. The following are repealed:

I. RSA 14-B:7, relative to the financial disclosure form for legislators.

II. RSA 21-G:5-a, relative to the financial disclosure form for board and commission members.

III. RSA 21-G:21, III, relative to the definition of gift.

IV. RSA 21-G:21, IV, relative to the definition of public employee.

V. RSA 21-G:21, V, relative to the definition of public official.

VI. RSA 21-G:28, relative to the financial disclosure form for public officials.

11 Applicability. Notwithstanding the change in reporting requirements otherwise established by this act, the statement of financial interests for testimonials, gifts, and honorariums received between June 2, 2005 and June 1, 2006 shall, as required by RSA 15-B prior to its repeal and reenactment, be filed with the secretary of state no later than June 15, 2006.

12 Effective Date. This act shall take effect June 2, 2006.

AMENDED ANALYSIS

This bill establishes an executive branch ethics committee and recodifies RSA 15, relative to lobbyists; RSA 15-A, relative to financial disclosure statements for public officials; and RSA 15-B, relative to reporting requirements for gifts, honorariums, and expense reimbursements.

Rep. Osborne requested a roll call; sufficiently seconded.

The question being adoption of the Majority amendment.

YEAS 216 NAYS 145			
YEAS 216			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark

Merrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Dexter, Judson	Emerson, Susan	Foote, Sheila	Hogancamp, Deborah
Hunt, John	Pelkey, Stephen	Sawyer, Sheldon	
COOS			
King, Frederick	Lary, Bruce	Remick, William	Richardson, Herbert
Stohl, Eric	Tholl, John Jr		
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	Mirski, Paul	Naro, Debra
Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph
Brundige, Robert	Buhlman, David	Calawa, Leon Jr	Carew, James
Christensen, D L Chris	Christiansen, Lars	Clark, Mark	Coughlin, Pamela
Crane, Elenore Casey	Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Elliott, Nancy	Emerton, Larry	Francoeur, Bea
Gargas, Carolyn	Gibson, John	Golding, William	Goyette, Peter Jr
Graham, John	Hagan, Barbara	Hansen, Ryan	Hawkins, Ken
Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith
Holden, Randolph	Hunter, Bruce	Infantine, William	Kelly, Eugene Jr
Kurk, Neal	L'Heureux, Robert	Lawrence, James	Lessard, Rudy
Manney, Pamela	McRae, Karen	Mead, Robert	Messier, Irene
Mooney, Maureen	Moran, Edward	O'Brien, William	O'Connell, Timothy
Ober, Lynne	Pepino, Leo	Price, Pamela	Reeves, Sandra
Renzullo, Andrew	Ross, Lawrence	Rowe, Robert	Ryder, Donald
Scanlon, Michael	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Tahir, Saghir	Ulery, Jordan	Villeneuve, Maurice	Wheeler, James
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hager, Elizabeth
Hess, David	Kennedy, Richard	Kidder, David	Klose, John
Langlais, Thomas	Mackay, James	Marple, Richard	Maxfield, Roy
Oliver, James	Reed, Dennis	Whiting, Herbert	
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bicknell, Elbert	Bishop, Franklin	Buxton, Donald	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Dalrymple, Janeen	DiFruscia, Anthony	Dowd, John	Dowling, Patricia
Doyle, Christopher	Dumaine, Dudley	Fesh, Bob	Flanders, John Sr

Forsing, Robert	Francoeur, Sheila	Garrity, James	Gilbert, Karl
Gould, Kenneth	Griffin, Mary	Headd, James	Hopfgarten, Paul
Hughes, Daniel	Hutchinson, Karen	Ingram, Russell	Introne, Robert
Itse, Daniel	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Lund, Howie
Major, Norman	Manning, John	Mason, April	McKinney, Betsy
McMahon, Charles	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Palazzo, Frank	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robertson, Carl	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Stiles, Nancy	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman	Weyler, Kenneth	Wiley, Robert
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Cataldo, Sam
Chaplin, Duncan	Dunlap, Patricia	Easson, Timothy	Hofemann, Roland
Hollinger, Jeffrey	Newton, Clifford	Twombly, James	
SULLIVAN			
Gale, Harry	Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly
NAYS 145			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter
Mitchell, Bonnie	Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Tilton, Anna
Weed, Charles			
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter			
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Cote, Peter
Craig, James	Daniuk, Caitlin	DeVries, Betsi	Egbers, Fran

Essex, David	Foster, Linda	Garrity, Patrick	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Haley, Robert	Hall, Betty
Harvey, Suzanne	Irwin, Anne-Marie	Jasper, Shawn	Jean, Claudette
Jeudy, Jean	Johnson, Paula	Kopka, Angeline	Lasky, Bette
Lefebvre, Roland	Martin, Mary Ellen	Matarazzo, Anthony Sr	Michon, Stephen
Movsesian, Lori	Pilotte, Maurice	Rochette, Eric	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Smith, David	Sullivan, Francis	Sullivan, Peter	Vaillancourt, Steve
Velez, Hector			
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Hamm, Christine	Lockwood, Priscilla	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	Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Casey, Kimberley
Flockhart, Eileen	Moody, Marcia	Norelli, Terie	Pantelakos, Laura
Powers, James	Serlin, Christopher	Splaine, James	Wells, Roger
STRAFFORD			
Brown, Jennifer	Brown, Julie	Brown, Lawrence	Callaghan, Frank
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Hilliard, Dana
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Miller, Joseph
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Taylor, Kathleen	Wall, Janet	
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			

and the Majority committee amendment was adopted.

Rep. Whalley offered a floor amendment (0295h).

Floor Amendment (0295h)

Amend RSA 21-G:25, II as inserted by section 2 of the bill by replacing it with the following:

II. Be a person who is, or is employed by or has ownership interest in any entity, engaged in or likely to become engaged in promoting or opposing, directly or indirectly, any legislation pending or proposed before the general court, or promoting or opposing action or inaction on any matter, contract, license, permit, or administrative rule, proposed or pending, before the executive branch and at the same time serve as a public employee as defined by RSA 15-B:2, IX, or as an appointee or volunteer for any multi-branch commission, committee, board, or similar governmental entity. Unless such service is otherwise prohibited by law, this prohibition shall not apply to:

(a) Service on a commission, committee, board, panel, advisory committee, or other similar governmental entity that is subject to the public meeting and notice requirements of RSA 91-A or the public right of access mandated by part 1, article 8 of the New Hampshire constitution;

(b) Service related entirely to a ceremonial or celebratory event or duties;

(c) A public employee, appointee, or volunteer performing an administrative, public health, or safety, or consumer protection-related function for any state agency, or testifying or participating in any public meeting or hearing;

(d) Ownership of publicly-traded stock; or

(e) A public employee, appointee, or volunteer's personal application for any license, permit, or ruling from a state agency.

Reps. Whalley and O'Neil spoke in favor.

Rep. Splaine spoke against.

Rep. John Flanders moved the previous question.

Adopted.

Rep. Daniel Eaton requested a roll call; sufficiently seconded.

The question being adoption of floor amendment (0295h).

YEAS 219 NAYS 140			
YEAS 219			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark
Morrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Dexter, Judson	Emerson, Susan	Foote, Sheila	Hogancamp, Deborah
Hunt, John	Pelkey, Stephen	Roberts, Kris	Sawyer, Sheldon
COOS			
King, Frederick	Lary, Bruce	Remick, William	Richardson, Herbert
Stohl, Eric	Tholl, John Jr		
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingretson, Paul	Maybeck, Margie	Mirski, Paul	Naro, Debra
Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Allan, Nelson	Barry, J Gail	Batula, Peter	Bergeron, Jean-Guy
Bergin, Peter	Boehm, Ralph	Brundige, Robert	Buhlman, David

Calawa, Leon Jr	Carew, James	Christensen, D L Chris	Christiansen, Lars
Clark, Mark	Coughlin, Pamela	Crane, Elenore Casey	Desmarais, Vivian
Dokmo, Cynthia	Drisko, Richard	Dyer, Donald	Elliott, Nancy
Emerton, Larry	Francoeur, Bea	Gargas, Carolyn	Gibson, John
Golding, William	Goyette, Peter Jr	Graham, John	Hagan, Barbara
Hansen, Ryan	Hawkins, Ken	Hebert, Raymond	Hellwig, Steve
Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph	Hunter, Bruce
Infantine, William	Jasper, Shawn	Kelly, Eugene Jr	Kurk, Neal
L'Heureux, Robert	Lawrence, James	Lessard, Rudy	Manney, Pamela
McRae, Karen	Mead, Robert	Messier, Irene	Mooney, Maureen
Moran, Edward	O'Brien, William	O'Connell, Timothy	Ober, Lynne
Pepino, Leo	Price, Pamela	Reeves, Sandra	Renzullo, Andrew
Ross, Lawrence	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Slocum, Lee	Souza, Kathleen	Stepanek, Stephen	Tahir, Saghir
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Maurice	Wheeler, James
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hager, Elizabeth
Hess, David	Kennedy, Richard	Kidder, David	Klose, John
Langlais, Thomas	MacKay, James	Marple, Richard	Maxfield, Roy
Oliver, James	Reed, Dennis	Whiting, Herbert	
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bicknell, Elbert	Bishop, Franklin	Buxton, Donald	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Dalrymple, Janeen	DiFruscia, Anthony	Dowd, John	Dowling, Patricia
Doyle, Christopher	Dumaine, Dudley	Fesh, Bob	Flanders, John Sr
Forsing, Robert	Francoeur, Sheila	Garrity, James	Gilbert, Karl
Gould, Kenneth	Griffin, Mary	Headd, James	Hopfgarten, Paul
Hughes, Daniel	Hutchinson, Karen	Ingram, Russell	Introne, Robert
Itse, Daniel	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Lund, Howie
Major, Norman	Manning, John	Mason, April	McKinney, Betsy
McMahon, Charles	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Palazzo, Frank	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robertson, Carl	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Stiles, Nancy	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	Cataldo, Sam
Chaplin, Duncan	Dunlap, Patricia	Easson, Timothy	Hofemann, Roland
Hollinger, Jeffrey	Newton, Clifford	Twombly, James	
SULLIVAN			
Ferland, Brenda	Gale, Harry	Irish, Christopher	Osgood, Philip Sr

Rodeschin, Beverly			
NAYS 140			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter
Mitchell, Bonnie	Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John
Richardson, Barbara	Robertson, Timothy	Tilton, Anna	Weed, Charles
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter			
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Cote, Peter
Craig, James	Daniuk, Caitlin	DeVries, Betsi	Egbers, Fran
Essex, David	Foster, Linda	Garrity, Patrick	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Haley, Robert	Hall, Betty
Harvey, Suzanne	Irwin, Anne-Marie	Jean, Claudette	Jeudy, Jean
Johnson, Paula	Kopka, Angeline	Lasky, Bette	Lefebvre, Roland
Martin, Mary Ellen	Matarazzo, Anthony Sr	Michon, Stephen	Movsesian, Lori
Pilote, Maurice	Rochette, Eric	Rosenwald, Cindy	Schulze, Joan
Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly	Smith, David
Sullivan, Francis	Sullivan, Peter	Velez, Hector	
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Hamm, Christine	Lockwood, Priscilla	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	Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Casey, Kimberley

Flockhart, Eileen	Moody, Marcia	Norelli, Terie	Pantelakos, Laura
Powers, James	Serlin, Christopher	Splaine, James	
STRAFFORD			
Brown, Jennifer	Brown, Julie	Brown, Lawrence	Callaghan, Frank
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Hilliard, Dana
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Miller, Joseph
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Taylor, Kathleen	Wall, Janet	
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen

and floor amendment (0295h) was adopted.

Rep. Jasper moved Recommit to committee and spoke in favor.

Rep. Whalley spoke against.

Rep. Clemons requested a roll call; sufficiently seconded.

The question being adoption of the motion to recommit.

YEAS 157 NAYS 203			
YEAS 157			
BELKNAP			
Morrison, Gail	Pilliod, James		
CARROLL			
Buco, Thomas	Dickinson, Howard		
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter
Mitchell, Bonnie	Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Tilton, Anna
Weed, Charles			
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter			
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Campbell, David

Chase, Claudia	Clemons, Jane	Cote, David	Cote, Peter
Craig, James	Daniuk, Caitlin	DeVries, Betsi	Egbers, Fran
Essex, David	Foster, Linda	Garrity, Patrick	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Graham, John	Hagan, Barbara
Haley, Robert	Hall, Betty	Harvey, Suzanne	Irwin, Anne-Marie
Jasper, Shawn	Jean, Claudette	Jeudy, Jean	Johnson, Paula
Kopka, Angeline	Lasky, Bette	Lefebvre, Roland	Martin, Mary Ellen
Matarazzo, Anthony Sr	McRae, Karen	Michon, Stephen	Movsesian, Lori
Pilotte, Maurice	Rochette, Eric	Rosenwald, Cindy	Ross, Lawrence
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Smith, David	Sullivan, Francis	Sullivan, Peter	Vaillancourt, Steve
Velez, Hector			
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Hager, Elizabeth	Hamm, Christine	Lockwood, Priscilla
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	Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Casey, Kimberley
Flockhart, Eileen	Gould, Kenneth	Langley, Jane	Moody, Marcia
Norelli, Terie	Pantelakos, Laura	Powers, James	Robertson, Carl
Serlin, Christopher	Splaine, James	Wells, Roger	
STRAFFORD			
Berube, Roger	Bickford, David	Brown, Jennifer	Brown, Julie
Brown, Lawrence	Callaghan, Frank	Cilley, Jacalyn	Creteau, Irene
Domingo, Baldwin	Hilliard, Dana	Johnson, Nancy	Kaen, Naida
Keans, Sandra	Miller, Joseph	Rollo, Michael	Rous, Emma
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Taylor, Kathleen
Wall, Janet			
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			
NAYS 203			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Russell, David	Tilton, Franklin	Tobin, William	Veazey, John
Wendelboe, Fran	Whalley, Michael		

CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Knox, J David	Martin, James	McConkey, Mark	Merrow, Harry
Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley	
CHESHIRE			
Dexter, Judson	Emerson, Susan	Foote, Sheila	Hogancamp, Deborah
Hunt, John	Pelkey, Stephen	Sawyer, Sheldon	
COOS			
King, Frederick	Lary, Bruce	Remick, William	Richardson, Herbert
Stohl, Eric	Tholl, John Jr		
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	Mirski, Paul	Naro, Debra
Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph
Brundige, Robert	Buhlman, David	Calawa, Leon Jr	Carew, James
Christensen, D L Chris	Christiansen, Lars	Clark, Mark	Coughlin, Pamela
Crane, Elenore Casey	Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Elliott, Nancy	Emerton, Larry	Francoeur, Bea
Gargas, Carolyn	Gibson, John	Golding, William	Goyette, Peter Jr
Hansen, Ryan	Hawkins, Ken	Hebert, Raymond	Hellwig, Steve
Hinkle, Peyton	Hirschmann, Keith	Holden, Randolph	Hunter, Bruce
Infantine, William	Kelly, Eugene Jr	Kurk, Neal	L'Heureux, Robert
Lawrence, James	Lessard, Rudy	Manney, Pamela	Mead, Robert
Messier, Irene	Mooney, Maureen	Moran, Edward	O'Brien, William
O'Connell, Timothy	Ober, Lynne	Pepino, Leo	Price, Pamela
Reeves, Sandra	Renzullo, Andrew	Rowe, Robert	Ryder, Donald
Scanlon, Michael	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Tahir, Saghir	Villeneuve, Maurice	Wheeler, James	Wheeler, Robert
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hess, David
Kennedy, Richard	Kidder, David	Klose, John	Langlais, Thomas
MacKay, James	Marple, Richard	Maxfield, Roy	Oliver, James
Reed, Dennis	Whiting, Herbert		
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bicknell, Elbert	Bishop, Franklin	Buxton, Donald	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard

Dalrymple, Janeen	DiFruscia, Anthony	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	Hughes, Daniel
Hutchinson, Karen	Ingram, Russell	Introne, Robert	Itse, Daniel
Johnson, Robert	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Lund, Howie	Major, Norman	Manning, John
Mason, April	McKinney, Betsy	McMahon, Charles	Morris, Richard
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Palazzo, Frank
Quandt, Marshall Lee	Quandt, Matthew	Rausch, James	Rolston, James
Sanders, Elisabeth	Scamman, Stella	Stiles, Nancy	Waterhouse, Kevin
Weare, E Albert	Welch, David	Weldy, Norman	Weyler, Kenneth
Wiley, Robert	Winchell, George	Zolla, William	
STRAFFORD			
Albert, Russell	Cataldo, Sam	Chaplin, Duncan	Dunlap, Patricia
Easson, Timothy	Hofemann, Roland	Hollinger, Jeffrey	Newton, Clifford
Twombly, James			
SULLIVAN			
Gale, Harry	Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly

and the motion to recommit failed.

(Deputy Speaker Weyler in the Chair)

Rep. Weed offered a floor amendment (0296h).

Floor Amendment (0296h)

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

AN ACT establishing an executive branch ethics committee and recodifying RSA 15 relative to lobbyists, RSA 15-A relative to financial statements, and RSA 15-B relative to gifts, honorariums and expense reimbursements.

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

1 New Paragraph; Code of Ethics; Definition of Executive Branch Official Added.

Amend RSA 21-G:21 by inserting after paragraph II the following new paragraph:

II-a. "Executive branch official" means a member of the executive branch elected by the public or the general court, or a commissioned, unclassified, nonclassified, or classified executive branch employee. The term also includes volunteers serving in an official capacity in the executive branch.

2 Code of Ethics; References to Public Employees Deleted. Amend RSA 21-G:22 through RSA 21-G:27 to read as follows:

21-G:22 Conflict of Interest. ~~[Public employees and public]~~ **Executive branch** officials shall avoid conflicts of interest. ~~[Public employees and public]~~ **Executive branch** officials shall not participate in any matter in which they, or their spouse or dependents, have a private interest which may directly or indirectly affect or influence the performance of their duties.

21-G:23 Misuse of Position. No ~~[public official and no public employee]~~ **executive branch official** shall:

I. Disclose or use confidential or privileged information **acquired in the performance of his or her duties for the state** for personal benefit or for financial gain. ~~[Public officials and public employees shall not]~~

II. Use ~~[their positions]~~ **his or her position** with the ~~[government]~~ **state** to secure privileges or advantages for ~~[themselves]~~ **himself or herself**, which are not generally

available to governmental employees, or to secure governmental privileges or advantages for others.

21-G:24 Acceptance of Campaign Contributions. ~~[A public official or a public employee]~~ **An executive branch official** who is a candidate for an elective office that is not subject to the reporting requirements of RSA 664 and who accepts a ~~[financial contribution or other form of]~~ political contribution from ~~[an]~~ **any person or** entity which is or is likely to become subject to that ~~[public official's or public employee's]~~ **executive branch official's** duties shall make a disclosure of such contributions to the secretary of state within 5 days of receipt of such contributions. The disclosure shall be in writing and on such form as the secretary of state shall prescribe.

21-G:25 [Acceptance and Giving of Gifts. Any public employee, public official, and any public employee's or public official's spouse or dependent who gives, solicits, accepts, or agrees to accept a gift from a person who is subject to or likely to become subject to or interested in any matter or action pending before or contemplated by the public employee or official or by the governmental body with which that employee or official is affiliated shall disclose the gift in the statement of financial disclosure filed under RSA 21-G:28. Nothing in this section shall be construed to prohibit gifts made to the state of New Hampshire and accepted in accordance with the law.] **Ethical Standards for Volunteer Service.** *Volunteer public service in the executive branch is an honorable tradition which should be encouraged to remain so. Accordingly, such service is not to be used by volunteers or their business associates to obtain, directly or indirectly, inequitable opportunities for non-public personal communications with executive branch decision makers to influence those executive branch decision makers in the performance of their duties. In furtherance of this prohibition, no person who has a duty to register as a lobbyist pursuant to RSA 15 may at the same time serve as a public employee as defined by RSA 15-B:2, IX. Unless otherwise prohibited by law, this prohibition shall not apply to appearances before the courts or serving in a position appointed by governor and council.*

21-G:26 Employment Restrictions. For 6 months after leaving office or employment with the state, no [public] **executive branch** official shall appear as a lobbyist:

I. To promote or oppose directly any specific legislation pending or proposed before the general court [on behalf of]; **or**

II. *To directly promote or oppose action or inaction on any matter, contract, license, permit, or administrative rule pending before the executive branch or with regard to any matter over which that executive branch official had personal and direct responsibility while in state government.*

21-G:27 Supplemental State Agency Ethical Codes. In addition to this code, each agency may promulgate a supplemental ethics code to address issues specific to that agency. In the event of a conflict[, the provisions of this code shall supersede the agency code] **with the provisions of this code, a stricter provision of an agency code shall govern.** To the extent that this code or an ethics code adopted by an agency shall apply to classified employees, this code, or an agency code, shall be interpreted to be consistent with the provisions of the classified employees' collective bargaining agreement **and the state personnel rules.**

3 New Sections; Executive Branch Ethics Committee Established. RSA 21-G:29 is repealed and reenacted to read as follows:

21-G:29 Executive Branch Ethics Committee Established; Jurisdiction; Membership.

I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials who are not classified employees.

II. The jurisdiction of the committee shall consist of matters arising under the

executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to executive branch officials who are not classified employees.

III. The committee shall consist of 7 members, nominated in the following manner:

(a) Three members, nominated by the governor, two of whom shall be members of different political parties as defined in RSA 652:11 and one of whom, at the time of nomination, shall have no declared affiliation with a political party as defined in RSA 652:11. One of these members shall be an attorney and member of the New Hampshire Bar.

(b) Three members, nominated jointly by the secretary of state and the treasurer, two of whom shall be members of different political parties as defined in RSA 652:11 and one of whom, at the time of nomination, shall have no declared affiliation with a political party as defined in RSA 652:11.

(c) One member nominated by majority vote of committee members appointed in accordance with subparagraphs (a) and (b) of this paragraph and paragraph IV of this section.

IV. All nominations under paragraph III shall be confirmed by the governor and executive council.

V. Persons appointed to the committee shall be qualified by excellent personal reputation and by education or experience in public service, in resolving ethical issues facing persons in public service, or in the law. No executive branch official shall serve as a committee member, and no person who has registered as a lobbyist under RSA 15:1 shall serve as a committee member, or for 6 months following the expiration of such registration.

VI. Committee members shall serve terms of 3 years and until their successors are appointed and qualified. However, initially, the governor shall nominate one member for a one-year term, one member for a 2-year term and one member for a 3-year term; and the secretary of state and the treasurer shall jointly nominate one member for a one-year term, one member for a 2-year term, and one member for a 3-year term. Initial nominations to the committee shall be made no later than 90 days after the effective date of this section. The initial appointments shall begin on July 1, 2006 and end on June 30 of the appropriate year. Vacancies shall be filled for the remainder of any unexpired term. Following their appointment, members may not hold or campaign for elective office, serve as an officer of any political party or political committee, permit their names to be used in support of or in opposition to any candidate or proposition, participate in any way in any election campaign, make a contribution as defined in RSA 664:2 to any candidate for office or political committee, or act as or assist a lobbyist required to be registered under RSA 15:1.

VII. The governor shall designate one of the governor's appointees as chair, who shall convene the first meeting, which shall take place no later than 30 days after a majority of the membership has been appointed. The members shall elect by majority vote a vice-chair and secretary from the remaining members.

VIII. Committee members shall receive no compensation, except that committee members shall receive mileage at the state employee rate.

21-G:30 Duties.

I. The committee shall be authorized to:

(a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials. Such guidelines shall be consistent with statute.

(b) Issue interpretative rulings explaining and clarifying any law, guideline, rule, or regulation within the jurisdiction of the committee.

(c) Render an advisory opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person

seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision that the person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be non-public. A redacted version of the advisory opinion shall be public.

(d) Receive sworn complaints, investigate allegations of violations of this subdivision or guidelines adopted thereunder by executive branch officials and make appropriate findings of fact and conclusions with respect to such conduct.

(e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated.

II. All actions of the committee shall require an affirmative vote of 4 or more members of the committee before becoming effective, except that a vote to summarily dismiss a complaint shall be unanimous, and a vote to dismiss a complaint after only an internal review and no investigation shall be by an affirmative vote of no less than 5 members of the committee and a vote pursuant to RSA 21-G:31, VII shall require only a majority of the members present and voting. The committee shall request to meet with the legislative ethics committee established under RSA 14-B at least twice yearly to facilitate uniformity in the interpretation of statutory provisions.

III. The committee shall provide the legislative ethics committee with copies of all publicly issued guidelines, procedures, decisions, or opinions.

21-G:31 Complaints; Procedure.

I. Each complaint shall be submitted in writing and signed under oath by the complainant. The sworn complaint shall be filed confidentially with the committee and shall contain the name and address of the complainant. Before any other action is taken by the committee, the executive branch official complained against shall be furnished with a copy of the complaint and a copy shall be sent to each member of the committee for review. The committee may initiate a complaint on its own motion against any individual the committee has reason to believe has violated any law, guideline, rule, or regulation within the committee's jurisdiction. The committee shall promptly examine each sworn complaint and:

(a) Upon first examination, if by a unanimous vote it determines that a complaint is frivolous, scurrilous, retaliatory in nature, or plainly not within the committee's jurisdiction, the committee may summarily discharge the complaint without further meeting or proceeding. The committee shall notify the respondent and complainant in writing of its action.

(b) For any complaint not summarily discharged, the committee shall conduct an initial review to ascertain whether the committee has jurisdiction to consider the complaint or whether the complaint is without merit or is unfounded. If the committee concludes by a recorded affirmative vote of no less than 5 members of the committee that the alleged conduct is not within the committee's jurisdiction, is without merit, or is unfounded, the committee shall dismiss the complaint and shall report such conclusion to the complainant and to the executive branch official, with an explanation of the basis of such determination.

II. If the committee, by recorded vote, concludes that the complaint is within its jurisdiction and may have merit, the committee may proceed to conduct a preliminary investigation. Upon completion of its preliminary investigation, the committee shall conclude by recorded vote that:

(a) No violation occurred and no further action is appropriate;

(b) The violation is inadvertent, technical, or of a de minimis nature and shall be addressed by informal methods; or

(c) There are reasonable grounds to believe a violation occurred and formal proceedings shall be instituted to inquire further into the complaint. In that event, the

committee shall issue a formal statement of charges and proceed to a hearing on the complaint.

III. Upon completion of the hearing, the committee shall conclude by recorded vote that:

- (a) No violation occurred and no further action is appropriate;
- (b) No action is appropriate because there is not clear and convincing evidence that a violation occurred;
- (c) Based upon clear and convincing evidence, a violation occurred, but such violation does not justify formal disciplinary action and shall be resolved by informal methods; or
- (d) Based upon clear and convincing evidence, a violation occurred, and the violation was of a serious nature so as to warrant formal disciplinary action. In the case of a finding of violation by a executive branch official, the committee may recommend disciplinary action by the appropriate body, including but not limited to a recommendation for disciplinary action by the executive branch official's supervisor, removal from office under RSA 4:1, or, in the case of the governor, executive council member, or other officer of the state, impeachment or other appropriate action pursuant to part II, article 38 of the New Hampshire constitution. In addition to any recommendation for disciplinary action under this subparagraph, the committee may refer the case to the department of justice for criminal prosecution. In the event that conduct may constitute both a criminal act and misconduct subject to the jurisdiction of the committee, the committee may on its own motion or by motion of the attorney general suspend its investigation or a pending hearing for the time period reasonably necessary to avoid compromising a criminal prosecution.

IV. Any person who knowingly or willfully swears falsely to a sworn complaint does so under penalty of perjury, and the committee may refer any such case to the department of justice for prosecution.

V. Except as otherwise provided in this paragraph and notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work, shall be confidential. The committee shall first examine any sworn complaint and shall conduct its initial review and preliminary investigation of complaints in a confidential manner, unless otherwise requested by the executive branch official complained against. The committee shall conduct formal proceedings, other than its deliberations, in public session. The committee's deliberations on complaints shall be conducted in nonpublic session. Upon completion of the preliminary investigation conducted under paragraph II or at the conclusion of formal proceedings under paragraph III, the committee shall make available for public inspection all records, other than its work product and internal memoranda relating to the complaint.

VI. In proceedings under this subdivision, the committee shall have the power to issue subpoenas and administer oaths.

VII. Any member of the committee who is directly or indirectly involved in any complaint before the committee or who otherwise has personal knowledge of facts material to the determination of the complaint shall not participate in any proceedings regarding the complaint. In the event that recusals under this paragraph reduce the number of participating members to fewer than 4, the remaining participating members shall designate an alternate or alternates sufficient to increase the committee to 4 members, to serve on the committee for that case only.

21-G:32 Rules; Procedures and Standards. The committee shall adopt, publish, and make available to the public rules governing its procedures, including provisions for disqualification of members for conflict of interest and provisions for the committee to discipline its members for breach of committee procedures, as well as guidelines referred to in RSA 21-G:30, I, consistent with the procedures set forth in RSA 541-A.

21-G:33 Committee Administration and Staff. The committee shall be administratively

attached to the department of justice, which shall provide appropriate administrative and investigative staff and legal counsel in support of the committee's activities, at the committee's request. Files and records of the committee shall be protected against access other than by members of the committee and other persons specifically authorized by the committee.

21-G:34 Penalty.

I. Any person who knowingly or willfully violates RSA 21-G:21-27 or makes unauthorized disclosure of confidential matters or materials contrary to RSA 21-G:31, or interferes with or obstructs lawful activities of the committee, shall be guilty of a misdemeanor and may be subject to disciplinary action as provided in RSA 21-G:31, III(d) and other applicable law.

II. In the case of any person convicted under this section, the court may order restitution.

21-G:35 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

4 Executive Order Superseded. The provisions of this act and RSA 21-G:21-27 supersede and replace the provisions of Executive Order Number 98-1, dated May 19, 1998.

5 Legislative Ethics Committee; Membership Criteria. Amend RSA 14-B:2, II and III to read as follows:

II. No person registered with the secretary of state as a lobbyist under RSA 15 shall serve as a member of the legislative ethics committee ***or for 6 months following the expiration of such registration.***

III. Appointments to the committee shall be made by December 31 prior to the first legislative session of the biennium. A committee meeting shall be called no later than February 1 in the first legislative session of the biennium. The members shall elect a chairperson and vice-chairperson ***from among the legislative members of the committee*** at this meeting. The members shall serve for the biennium and shall not be removed from the committee for any reason except for good cause by unanimous vote of the remaining committee members. Members shall receive no compensation, except that legislative members shall receive mileage at the legislative rate and public members shall receive mileage at the state employee rate. ***The committee shall provide the executive branch ethics committee with copies of all publicly issued guidelines, procedures, decisions, and opinions.***

6 Legislative Ethics Committee; Complaint Procedure; Reference Changed. Amend the introductory paragraph of RSA 14-B:4, I to read as follows:

I. Each complaint shall be submitted in writing and signed under oath by the complainant. The sworn complaint shall be filed confidentially with the committee and shall contain the name and address of the complainant. The legislator, officer, or employee of the legislature complained against shall be furnished with a copy of the complaint and a copy shall be sent to each member of the committee for review. The committee shall initiate a complaint on its own motion against any individual the committee determines has not complied with the provisions of RSA [14-B:7] ***15-A and RSA 15-B.*** The committee shall promptly examine each sworn complaint and:

7 Lobbyists. RSA 15 is repealed and reenacted to read as follows:

CHAPTER 15
LOBBYISTS

15:1 Registration.

I. Any person who is employed for a consideration by any other person, except the state of New Hampshire, in a representative capacity for the purposes specified in paragraph II of this section shall first register as a lobbyist with the secretary of state. Each registration shall report the existence of a relationship between a single client and either a

single lobbyist or a partnership, firm, or corporation with one or more partners, members, or employees of a firm acting as lobbyist.

II. Registration is required where the person, partnership, firm, or corporation is employed:

(a) To promote or oppose, directly or indirectly, any legislation pending or proposed before the general court, or;

(b) To promote or oppose, directly or indirectly, any action by the governor, governor and council, or any state agency, as defined in RSA 15-A:2, subject to the exclusions in paragraph III.

III. Such registration is not required where the person is employed to represent another only in an adjudicative proceeding or nonadjudicative process as defined or described in RSA 541-A, other than a rulemaking proceeding or any process related to the purchasing of goods or services by the state, and who files an appearance with the authority conducting the matter.

IV. All registrations required under this section shall expire on December 1.

15:2 Name Tag.

I. Any person who is required to register as a lobbyist under RSA 15:1 shall wear on his or her outer garment a clearly visible name tag when lobbying in the state house or the legislative office building, or before the governor, governor and council, or a state agency. Such name tag shall have white lettering on a hunter orange background and shall be at least 1 ½ inches high and 2 ½ inches long. This name tag shall consist of lobbyist's first and last name and the word "lobbyist" or the name of the organization represented in letters at least ¼ inch high.

II. A person whose lobbying activity is appearing to testify before a legislative committee in an open hearing session is exempt from the requirements of paragraph I.

15:3 Registration Form.

I. The lobbyist registration shall be on a form prescribed by the secretary of state that shall at a minimum include:

(a) The full name of the person registering, if that person is affiliated with a partnership, firm, or corporation, the name of that partnership, firm, or corporation, the name of the client who has employed the person registering, his or her respective business addresses, or if none, his or her residence address.

(b) The usual occupation or primary field of business of each.

(c) The date and character of the employment or agreement therefore.

(d) The duration of the employment if it can be determined.

(e) The special subjects of legislation or executive branch action, if any, to which the employment relates.

(f) If the person registering is a member of or affiliated with a partnership, firm, or corporation that has other members or employees who are also registered as a lobbyist, a list of the full name of each such person. Being listed in this subparagraph does not relieve anyone who will be lobbying for this client from being listed individually under subparagraph (a).

(g) The following statement followed by a line for each person filing the form to sign and date the form: "I have read RSA 15 and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. If the employment varies from time to time, a current registration shall be maintained for each employment.

15:4 Registration Fee. The fee for registration as a lobbyist under RSA 15:1 for any one year shall be \$50 for each person lobbying for each reported client or employer. A fee shall be paid for each individual who acts as a lobbyist for each client or employer regardless of his or her affiliation with any other registered lobbyist.

15:5 Prohibited Activities.

I. Except as provided in paragraph II, no recipient of a grant or appropriation of

state funds may use the state funds to lobby or attempt to influence legislation, participate in political activity, or contribute funds to any entity engaged in these activities.

II. Any recipient of a grant or appropriation of state funds that wishes to engage in any of the activities prohibited in paragraph I, or contribute funds to any entity engaged in these activities, shall segregate the state funds in such a manner that such funds are physically and financially separate from any non-state funds that may be used for any of these purposes. Mere bookkeeping separation of the state funds from other moneys shall not be sufficient.

15:6 Statements.

I. Each lobbyist shall file with the secretary of state itemized statements under oath of:

- (a) All fees received from any lobbying client for all purposes.
- (b) What portion of the total fees received are related, directly or indirectly, to lobbying services.
- (c) All expenditures made from lobbying fees, including by whom paid or to whom charged.
- (d) Any honorarium or expense reimbursement, as defined in RSA 15-B, or political contribution, as defined in RSA 664, made by the lobbyist in his or her professional or personal capacity, on behalf of the lobbyist, the partnership, firm, or corporation or by the lobbyist on behalf of the client or employer or by a family member of the lobbyist. The statements shall be open to public inspection. For the purposes of this chapter, "family member" shall mean any person related to and living in the same domicile as the lobbyist, who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.

II. Lobbyists shall file statements no later than the second Friday of each month covering all fees received and expenditures, contributions, honorariums, or expense reimbursements made during the previous month, from fees received at any time from a lobbying client or employer or from funds otherwise provided by the lobbyist, partnership, firm, or corporation, or from the client or employer.

III. In this chapter "value" means the amount at which property or services would change hands between a willing buyer and a willing seller when neither is under any compulsion to buy or sell and both have reasonable knowledge of the relevant facts.

IV. A lobbyist, in his or her professional or personal capacity, or a family member of a lobbyist making a contribution, honorarium, or expense reimbursement, in a form other than cash, check or negotiable instrument, to a person with a duty to report that contribution, honorarium, or expense reimbursement pursuant to RSA 15-B or RSA 664 shall provide the recipient with a written statement of the value of the contribution, honorarium, or expense reimbursement if the value is different than any price or value printed on the contribution, honorarium, or expense reimbursement or if the contribution, honorarium, or expense reimbursement does not have a price affixed to it.

V. The lobbyist statement shall be in the form prescribed by the secretary of state, may be in paper or electronic form, and shall include at a minimum:

- (a) The full name of each lobbyist covered by the report.
- (b) The name of the lobbyist partnership, firm, or corporation, if any.
- (c) The business address and telephone number for the lobbyist, partnership, firm, or corporation.
- (d) For each client, the full name and business address of the client, the scope of the representation or lobbyist services being paid for, the gross amount of all fees received from that client, not reduced by any expenses, for all purposes, a statement of what portion of the gross fees received are related, directly or indirectly, to lobbying services, a statement of the aggregate total of fees received that are related, directly or indirectly, to lobbying services during the calendar year, and a statement of any fee payment due, but not yet paid.
- (e) For each honorarium or expense reimbursement made, that is reportable

pursuant to RSA 15-B:

- (1) The name of the client on whose behalf the expense reimbursement or honorarium was made, if any.
- (2) The name of the person receiving the honorarium or expense reimbursement.
- (3) A brief description of the event to which the honorarium or expense reimbursement relates.
- (4) The value of the honorarium or expense reimbursement.
- (f) For each political contribution made that is reportable pursuant to RSA 664:
 - (1) The name of the candidate.
 - (2) The office the candidate is seeking.
 - (3) The value of the contribution.
 - (4) If the contribution is an in-kind contribution, a brief description of the contribution.
- (g) For all expenditures for salaries, benefits, support staff, and office expenses, related directly or indirectly to lobbying, a statement of the total aggregate expenses for salaries, support staff, and office expenses related directly or indirectly to lobbying shall satisfy the requirement that an itemized statement of these expenses be filed.
- (h) The following statement followed by a line for each person filing the form to sign and date the form: "I have read RSA 15, RSA 15-B, and RSA 664 and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief." This statement shall be made under oath before a notary public or justice of the peace.

IV. The secretary of state shall maintain the statements required by this section for 6 years from the date of filing, after which time the statements may be destroyed. The public information on the forms shall be available to the public in the form of a photocopy or an electronic record. The secretary of state shall, as soon as is practical, implement an electronic record keeping system that makes lobbyist registration forms and fee and expense reports available to the public through the internet.

15:7 Blanks. The secretary of state shall provide suitable forms in paper or electronic form to carry out the requirements of this chapter.

15:8 Penalty. Whoever violates any provision of this chapter shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person. Whoever shall make and file any statement under this chapter which is to his or her knowledge false shall be deemed guilty of perjury and punished accordingly.

15:9 Examination of Statements of Fees and Expenditures. It shall be the duty of the attorney general to examine the statements of fees and expenditures which are made under this chapter to the secretary of state and to compel such returns be made to comply with the law.

15:10 Testimonial Privilege. No person shall be excused from testifying in a proceeding instituted against another person under the foregoing sections for the reason that he might thereby incriminate himself; but no testimony so given by him shall be used directly or indirectly as evidence against him in any prosecution, nor shall he be prosecuted for any offenses so disclosed by him.

15:11 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

8 Financial Disclosure. RSA 15-A is repealed and reenacted to read as follows:

CHAPTER 15-A

FINANCIAL DISCLOSURE

15-A:1 Purpose. The purpose of this chapter is to ensure that the performance of official duties does not give rise to a conflict of interest, by requiring the following persons to file a

statement of financial interests with the secretary of state. This chapter shall be liberally construed to effect this purpose.

15-A:2 Definitions. In this chapter:

I. "Agency" means the executive branch and any department, division, board, commission, or equivalent entity of the executive branch.

II. "Agency head" means the commissioner or equivalent leader of any department, and the highest ranking member of any commission, board, institution, bureau, or office, which is not a subordinate component of a department or equivalent agency, by whatever name called, other than the legislative and judicial branches of state government.

III. "Family member" shall mean any person related to and living in the same domicile as the elected official, public official, public employee, constitutional official, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.

IV. "Income" means any money or thing of value received.

V. "Primary occupation" means any business, business association, public sector employment, nonprofit employment, or self-employment which provides the largest source of income for the candidate.

15-A:3 Persons Required to File. The following persons shall file a statement of financial interests as required by this chapter:

I. All candidates who file for state or county office.

II. All persons filing an acceptance of nomination form for state or county office.

III. Every person appointed by the governor, governor and council, president of the senate, or the speaker of the house of representatives to any board, commission, committee, board of directors, authority, or equivalent state entity whether regulatory, advisory, or administrative in nature.

IV. All agency heads.

V. Any public official designated, due to the responsibilities of the position, by the agency head.

VI. The secretary of state and the treasurer, and any of their subordinates designated, due to the responsibilities of the position, by the secretary of state or treasurer.

VII. All persons elected to state or county office, and all persons appointed to such elective office to fill a vacancy; and

VIII. Any person, not employed by or working under contract for the state, who is acting on behalf of the governor or an agency while engaged in state business.

15-A:4 Designated Public Officials. The governor shall file with the secretary of state an organizational chart identifying the names and titles of all persons who are acting on behalf of the governor and who are required to file a statement of financial interests. Each agency head shall file with the secretary of state an organizational chart identifying the names, titles, and position numbers of persons in his or her department that are required to file a statement of financial interests. The secretary of state and the state treasurer shall file with the secretary of state an organizational chart identifying the names and titles of all persons in his or her department that are required to file a statement of financial interests.

15-A:5 Form of Disclosure. The secretary of state shall establish a uniform statement of financial interests, which may be in paper or electronic form.

I. The statement of financial interest shall include:

(a) The full text of RSA 15-A.

(b) The full name, work address, work phone number, primary occupation, and, if different, the office, appointment, or employment with government held by person filing the statement of financial interest.

(c) The name, address, and type of any profession, business, or other organization in which the reporting individual or family member was an officer, director, associate, partner, proprietor, or employee, or served in any other professional or advisory capacity, and from which any income in excess of \$10,000 was derived during the preceding

calendar year. Sources of retirement benefits other than federal retirement and/or disability benefits shall be included. If the person filing the financial interest statement has no qualifying income he or she shall report this by writing his or her initials following the statement "My income does not qualify ____."

(d) A statement of whether the person reporting or a family member has a special interest in any of the following businesses, professions, occupations, groups, or matters. A person has a reportable special interest in an item on this list if a change in law, a change in administrative rule, a decision whether or not to award a contract, grant a license or permit, discipline a licensee or permittee, or other decision by government affecting the listed business, profession, occupation, group, or matter would potentially have a greater financial effect on the person reporting the financial interest or a family member than it would on the general public:

(1) Any profession, occupation, or business licensed or certified by the state of New Hampshire, listing each such profession, occupation, or category of business.

(2) Health care.

(3) Insurance.

(4) Real estate, including brokers, agents, developers, and landlords.

(5) Banking or financial services.

(6) State of New Hampshire, county, or municipal employment.

(7) The New Hampshire retirement system.

(8) The current use land assessment program.

(9) Restaurants and lodging.

(10) The sale and distribution of alcoholic beverages.

(11) The practice of law.

(12) Any business regulated by the public utilities commission.

(13) Horse or dog racing, or other legal forms of gambling.

(14) Education.

(15) Water resources.

(16) Agriculture.

(17) New Hampshire taxes, specifying if business profits tax, business enterprise tax, or interest and dividends tax.

(18) The reporting official may, but is not required by this chapter to specify any other area for which he or she has a special interest.

(e) The following statement followed by a line for the person filing the form to sign and date the form: "I have read RSA 15-A and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. The secretary of state may also require information such as home phone numbers, home addresses, and other information pertinent to the administration and enforcement of laws relating to financial disclosure. This information shall be non-public and shall not be subject to the provisions of RSA 91-A.

III. The statement of financial interests, if filed on paper, shall be completed by typewriting or legible hand printing, and shall be verified, dated, and signed by the reporting individual personally.

IV. The secretary of state shall maintain the statement of financial interests for 6 years, after which time the statement may be destroyed. The public information on the forms shall be available to the public in the form of a photocopy or an electronic record. The secretary of state shall, as soon as is practical, implement an electronic record keeping system that makes the public information on statements of financial interest available to the public through the internet.

15-A:6 Deadlines for Filing. All persons subject to this chapter shall file a statement of financial interests annually no later than the third Friday in January. All persons subject to this chapter, except those who are elected, shall file a statement of financial interests within 14 days of assuming the office, position, or appointment that makes the person subject to this

chapter, unless the person has previously filed a statement during the calendar year.

15-A:7 Penalty. Any person who knowingly fails to comply with the provisions of this chapter or knowingly files a false statement shall be guilty of a misdemeanor.

15-A:8 Examination of Disclosures. It shall be the duty of the attorney general to examine the statements of financial interests which are made under this chapter to the secretary of state and to compel such disclosures to be made to comply with the law.

15-A:9 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

9 Gifts, Honorariums, and Expense Reimbursements. RSA 15-B is repealed and reenacted to read as follows:

CHAPTER 15-B

GIFTS, HONORARIUMS, AND EXPENSE REIMBURSEMENTS

15-B:1 Purpose. The purpose of this chapter is to ensure that the performance of official duties does not give rise to a conflict of interest, by prohibiting certain gifts and by requiring certain persons to file with the secretary of state a report of any honorariums or expense reimbursements received. This chapter shall be liberally construed to effect this purpose.

15-B:2 Definitions. For the purposes of this chapter:

I. "Agency" means the executive branch and any department, division, board, commission, or equivalent entity of the executive branch.

II. "Constitutional official" means the secretary of state, the state treasurer, their deputies, assistants, and all employees of their departments.

III. "Elected official" means the governor, members of the executive council, members of the general court, county commissioners, county sheriffs, county treasurers, county attorneys, registers of deeds, and registers of probate.

IV. "Expense reimbursement" shall mean payment in any form as prepayment, underwriting, or reimbursement of the reasonable expenses of attendance, registration, travel, meals, or lodging related to a bona fide informational or educational conference, seminar, or meeting, when the source of such reimbursement is other than the state, a county, or the United States of America.

V. "Gift" means:

(a) Money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money.

(b) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$10 is presumed to be of insignificant economic value.

(c) Notwithstanding subparagraphs (a) and (b), "gift" shall not include:

(1) A political contribution as defined in RSA 664.

(2) A commercially reasonable loan, made in the ordinary course of business.

(3) Repayment to an elected official, public official, public employee, constitutional official, or legislative employee of a bona fide loan made by such a person.

(4) A ceremonial object or award, the value of which is primarily personal to the recipient and which has inconsequential economic value. A ceremonial object or award with a value of \$50 or less is presumed to be of inconsequential economic value.

(5) Objects which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.

(6) Money in any form, an object, or an intangible thing of economic value, where the donor's act of giving is purely private and personal in nature and the money, object, or intangible thing of economic value would have been given and received even if the person were not an elected official, public official, public employee, constitutional official, or legislative employee.

(7) Wages, salary, benefits, mileage or payment for expenses received by the

person in his or her regular course of employment or business which is unrelated to the government position held.

(8) Wages, salary, benefits, mileage, or payment for expenses paid to the person by the state, a county, or the United States of America related to performance of official duties.

(9) Tickets or free admission to a charitable, ceremonial, or political event provided that:

(A) The proceeds of the event are subject to the political contributions and expenditure reporting law, RSA 664; or

(B) The event is sponsored by a charitable organization that is registered with the division of charitable trusts, department of justice or which is a charitable organization pursuant to section 501(C)(3) of the federal tax code; or

(C) The event is published as an event open for attendance by any member of the general court in the calendar of the senate or the house.

(10) Meals, beverages, lodging, or transportation associated with attendance at:

(A) Any event for which the primary significance is ceremonial or celebratory, provided the event is public or, if by invitation only, is planned to have an attendance greater than 50 people; or

(B) Any event where the person is attending in an official capacity representing the state and/or the senate, house, or the agency of which the person is a member.

(11) Expense reimbursement or an honorarium.

(12) Meals and beverages consumed in the course of official business, with a value of not more than \$50 per person.

VI. "Honorarium" means a payment in any form to an elected official, public official, public employee, constitutional official, or legislative employee for services for which the person is not being compensated by the state, a county, the United States of America, or any other employer or client, where the service provided is related to or associated with office or employment held with government. Honorarium includes, but is not limited to, a payment as described above, for making a speech, preparing a written document, or serving as an advisor or consultant.

VII. "Family member" shall mean any person related to and living in the same domicile as the elected official, public official, public employee, constitutional official, or legislative employee, who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.

VIII. "Legislative employee" means any person employed by the legislative branch.

IX. "Public employee" means any person, including but not limited to a classified employee, who is acting on behalf of the governor or an agency while engaged in state business.

X. "Public official" means a commissioned, unclassified, or nonclassified executive branch employee, but shall not include any commissioned, unclassified, or nonclassified employee elected by the legislature.

XI. "Value" means the amount at which property or services would change hands between a willing buyer and a willing seller when neither is under any compulsion to buy or sell and both have reasonable knowledge of the relevant facts.

15-B:3 Prohibition on Gifts.

I. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or indirectly, to any elected official, public official, public employee, constitutional official, or legislative employee.

II. It shall be unlawful to knowingly give any gift as defined in this chapter, directly or indirectly, to any family member, as defined in this chapter, of any elected official, public official, public employee, constitutional official, or legislative employee, with a purpose of

influencing or affecting the official conduct of such official or employee.

III. No elected official, public official, public employee, constitutional official, or legislative employee shall knowingly accept, directly or indirectly, any gift, as defined in this chapter.

15-B:4 Limitation on Receipt of an Honorarium. No public official or public employee shall accept an honorarium from a person who is subject to or likely to become subject to or interested in any matter or action pending before, or contemplated by, the public official, public employee, or the governmental body with which that person is affiliated.

15-B:5 Expense Reimbursement. An elected official, public official, public employee, constitutional official, or legislative employee may accept expense reimbursement for the reasonable expenses for food, travel, and lodging for a conference, meeting, seminar, or educational program which the person attends and that is related to the office, position, or employment held with the state or county, provided that the person attaches to the disclosure report a copy of the agenda or an equivalent document which discloses the subjects addressed and the time schedule of all activities at the event. This provision shall not be construed to require reporting of a prepayment, underwriting, or reimbursement made by an organization to which the state or county pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.

15-B:6 Duty to Report. An elected official, public official, public employee, or legislative employee who receives an, honorarium or expense reimbursement shall file a report with the secretary of state no later than the last day of the month following the month during which the gift, honorarium, or expense reimbursement was received.

15-B:7 Honorarium, or Expense Reimbursement Report. The secretary of state shall establish a uniform report of receipt of an honorarium or expense reimbursement, which may be in paper or electronic form.

I. The report shall include at a minimum the following information, which shall be public:

(a) The full name, work address, work phone number, the office, appointment, or employment held by person subject to the reporting requirement.

(b) The full name, post office address, occupation, and principal place of business, if any, of the source of any reportable honorarium or expense reimbursement. When the source is a corporation or other entity, the name and work address of the person representing the corporation or entity in making the honorarium or expense reimbursement must be provided in addition to the name of the corporation or entity.

(c) The value of the honorarium or expense reimbursement. When the exact value is unknown, the person filing the report shall provide an estimate of the value of the gift or honorarium and identify the value as an estimate.

(d) A brief description of the service or event that gave rise to the honorarium or expense reimbursement. Reports of expense reimbursement must include a copy of the agenda or an equivalent document.

(e) The date on which the honorarium or expense reimbursement was received.

(f) The following statement followed by a line for the person filing the form to sign and date the form: "I have read RSA 15-B and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. The secretary of state may also require information such as home phone numbers, home addresses, and other information helpful to the administration and enforcement of laws relating to honorariums or expense reimbursements. This information shall be non-public and shall not be subject to the provisions of RSA 91-A.

15-B:8 Forms; Place of Filing. The secretary of state shall furnish all forms required under this chapter. All persons filing a report under this chapter shall file with the secretary of state. The reports shall be held in the original form for 6 years from the date of filing, after which time they may be destroyed. The public information on the forms shall be available to the public in the form of a photocopy or an electronic record. The secretary of

state shall, as soon as is practical, implement an electronic record keeping system that makes the public information in the reports required by this chapter available to the public through the internet.

15-B:9 Penalty. Any person who knowingly fails to comply with the provisions of this chapter or knowingly files a false report shall be guilty of a misdemeanor.

15-B:10 Examination of Reports. It shall be the duty of the attorney general to examine the reports which are made under this chapter to the secretary of state and to compel such returns be made to comply with the law.

15-B:11 Limitations. This chapter shall not be construed to:

I. Prevent receptions, breakfasts, luncheons, dinners, dances, or picnics or like events from being held for the sole purpose of raising political contributions, provided such contributions comply with and are reported as required by RSA 664.

II. Prohibit gifts or expense reimbursements made to the state of New Hampshire and accepted in accordance with the law.

15-B:12 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

10 Repeal. The following are repealed:

I. RSA 14-B:7, relative to the financial disclosure form for legislators.

II. RSA 21-G:5-a, relative to the financial disclosure form for board and commission members.

III. RSA 21-G:21, III, relative to the definition of gift.

IV. RSA 21-G:21, IV, relative to the definition of public employee.

V. RSA 21-G:21, V, relative to the definition of public official.

VI. RSA 21-G:28, relative to the financial disclosure form for public officials.

11 Applicability. Notwithstanding the change in reporting requirements otherwise established by this act, the statement of financial interests for testimonials, gifts, and honorariums received between June 2, 2005 and June 1, 2006 shall, as required by RSA 15-B prior to its repeal and reenactment, be filed with the secretary of state no later than June 15, 2006.

12 Effective Date. This act shall take effect June 2, 2006.

AMENDED ANALYSIS

This bill establishes an executive branch ethics committee and recodifies RSA 15, relative to lobbyists; RSA 15-A, relative to financial disclosure statements for public officials; and RSA 15-B, relative to reporting requirements for gifts, honorariums, and expense reimbursements.

Rep. Weed spoke in favor of floor amendment (0296h).

(Speaker Scamman in the Chair))

Reps. Whalley and O'Brien spoke against.

Rep. Pratt spoke in favor.

Rep. John Flanders moved the previous question.

Adopted.

Rep. Clemons requested a roll call; sufficiently seconded.

The question being the adoption of floor amendment (0296h)

YEAS 142 NAYS 211			
YEAS 142			
BELKNAP			
Morrison, Gail			

CARROLL			
Buco, Thomas			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dexter, Judson	Dunn, J Timothy	Eaton, Daniel
Espiefs, Peter	Mitchell, Bonnie	Parkhurst, Henry	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Tilton, Anna	Weed, Charles		
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter			
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Craig, James
Daniuk, Caitlin	DeVries, Betsi	Egbers, Fran	Essex, David
Foster, Linda	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Hall, Betty	Harvey, Suzanne	Irwin, Anne-Marie	Jasper, Shawn
Jeudy, Jean	Johnson, Paula	Kopka, Angeline	Lasky, Bette
Lefebvre, Roland	Martin, Mary Ellen	Matarazzo, Anthony Sr	Michon, Stephen
Movsesian, Lori	Pilotte, Maurice	Rochette, Eric	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Smith, David	Sullivan, Francis	Sullivan, Peter	Vaillancourt, Steve
Velez, Hector			
MERRIMACK			
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	Potter, Frances	Reardon, Tara	Rush, Deanna
Ryan, Jim	Shurtleff, Stephen	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Williams, Robert	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Blanchard, MaryAnn	Cali-Pitts, Jacqueline	Casey, Kimberley
Flockhart, Eileen	Moody, Marcia	Norelli, Terie	Pantelakos, Laura
Powers, James	Serlin, Christopher	Splaine, James	Wells, Roger
STRAFFORD			
Brown, Jennifer	Brown, Lawrence	Callaghan, Frank	Cilley, Jacalyn

Creteau, Irene	Domingo, Baldwin	Hilliard, Dana	Hofemann, Roland
Johnson, Nancy	Kaen, Naida	Keans, Sandra	Miller, Joseph
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Taylor, Kathleen	Wall, Janet	
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			
NAYS 211			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark
Merrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Emerson, Susan	Foote, Sheila	Hogancamp, Deborah	Hunt, John
Pelkey, Stephen	Sawyer, Sheldon		
COOS			
King, Frederick	Remick, William	Richardson, Herbert	Stohl, Eric
Tholl, John Jr			
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	Mirski, Paul	Naro, Debra
Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph
Brundige, Robert	Buhlman, David	Calawa, Leon Jr	Carew, James
Christensen, D L Chris	Christiansen, Lars	Clark, Mark	Coughlin, Pamela
Crane, Elenore Casey	Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Elliott, Nancy	Emerton, Larry	Francoeur, Bea
Gargas, Carolyn	Gibson, John	Golding, William	Goyette, Peter Jr
Graham, John	Hagan, Barbara	Hansen, Ryan	Hawkins, Ken

Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith
Holden, Randolph	Hunter, Bruce	Infantine, William	Kurk, Neal
L'Heureux, Robert	Lawrence, James	Lessard, Rudy	Manney, Pamela
McRae, Karen	Mead, Robert	Messier, Irene	Mooney, Maureen
Moran, Edward	O'Brien, William	O'Connell, Timothy	Ober, Lynne
Pepino, Leo	Price, Pamela	Reeves, Sandra	Renzullo, Andrew
Ross, Lawrence	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Slocum, Lee	Souza, Kathleen	Stepanek, Stephen	Tahir, Saghir
Villeneuve, Maurice	Wheeler, James	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hess, David
Kennedy, Richard	Kidder, David	Klose, John	Langlais, Thomas
Lockwood, Priscilla	MacKay, James	Marple, Richard	Maxfield, Roy
Oliver, James	Reed, Dennis	Whiting, Herbert	
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bicknell, Elbert	Bishop, Franklin	Buxton, Donald	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Dalrymple, Janeen	DiFruscia, Anthony	Dowd, John	Dowling, Patricia
Doyle, Christopher	Dumaine, Dudley	Fesh, Bob	Flanders, John Sr
Forsing, Robert	Francoeur, Sheila	Garrity, James	Gilbert, Karl
Gould, Kenneth	Griffin, Mary	Headd, James	Hopfgarten, Paul
Hughes, Daniel	Hutchinson, Karen	Ingram, Russell	Introne, Robert
Itse, Daniel	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane	Lund, Howie
Major, Norman	Manning, John	Mason, April	McKinney, Betsy
McMahon, Charles	Morris, Richard	Nowe, Ronald	O'Neil, Michael
Packard, Sherman	Palazzo, Frank	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robertson, Carl	Rolston, James	Sanders, Elisabeth
Scamman, Stella	Stiles, Nancy	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman	Weyler, Kenneth	Wiley, Robert
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Julie
Cataldo, Sam	Chaplin, Duncan	Dunlap, Patricia	Easson, Timothy
Newton, Clifford	Twombly, James		
SULLIVAN			
Gale, Harry	Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly

and floor amendment (0296h) failed.

Rep. Vaillancourt offered a floor amendment (0278h).

Floor Amendment (0278h)

Amend RSA 21-G:29 as inserted by section 3 of the bill by inserting after paragraph III the following new paragraph:

III-a. Each political party, as defined in RSA 652:11, shall be equally represented on the executive branch ethics committee. Equal representation on the committee means that

for each member who is a registered voter of one party, there shall be a member who is a registered voter of the other party. Any undeclared voter appointed to the committee shall have maintained his or her undeclared status for at least 6 months prior to the time of appointment. For purposes of this paragraph, a registered voter of a party means a person who has had a registered party affiliation for at least 6 months prior to the time of appointment

Rep. Vaillancourt spoke in favor.

Rep. Whalley spoke against.

Rep. John Flanders moved the previous question.

Adopted.

Rep. Lasky requested a roll call; sufficiently seconded.

The question being adoption of floor amendment (0278h).

YEAS 152 NAYS 199			
YEAS 152			
BELKNAP			
Morrison, Gail	Pilliod, James		
CARROLL			
Buco, Thomas	Dickinson, Howard		
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Coates, Christopher	Dunn, J Timothy	Eaton, Daniel	Espieffs, Peter
Hogancamp, Deborah	Mitchell, Bonnie	Parkhurst, Henry	Plifka, Stanley Jr
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Tilton, Anna	Weed, Charles		
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Dorsett, Andrew	Hammond, Lee
Harding, A Laurie	McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon
Sokol, Hilda	Sorg, Gregory		
HILLSBOROUGH			
Baroody, Benjamin	Barry, J Gail	Beaulieu, Jane	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Craig, James
Crane, Elenore Casey	Daniuk, Caitlin	DeVries, Betsi	Egbers, Fran
Essex, David	Foster, Linda	Ginsburg, Ruth	Golding, William
Goley, Jeffrey	Gorman, Mary	Hagan, Barbara	Hall, Betty
Harvey, Suzanne	Infantine, William	Irwin, Anne-Marie	Johnson, Paula
Kopka, Angeline	Lasky, Bette	Lefebvre, Roland	Martin, Mary Ellen

Matarazzo, Anthony Sr	McRae, Karen	Messier, Irene	Michon, Stephen
Moran, Edward	Movsesian, Lori	Pilotte, Maurice	Rochette, Eric
Rosenwald, Cindy	Scanlon, Michael	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Smith, David	Souza, Kathleen	Sullivan, Francis
Sullivan, Peter	Vaillancourt, Steve	Velez, Hector	
MERRIMACK			
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	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	Cali-Pitts, Jacqueline	Casey, Kimberley	DiFruscia, Anthony
Flockhart, Eileen	Hughes, Daniel	Hutchinson, Karen	Moody, Marcia
Norelli, Terie	Pantelakos, Laura	Powers, James	Serlin, Christopher
Splaine, James			
STRAFFORD			
Bickford, David	Brown, Jennifer	Brown, Julie	Brown, Lawrence
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Hilliard, Dana
Hofemann, Roland	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Miller, Joseph	Rollo, Michael	Rous, Emma	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Taylor, Kathleen	
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			
NAYS 199			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Russell, David	Tilton, Franklin	Tobin, William	Veazey, John
Wendelboe, Fran	Whalley, Michael		
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Knox, J David	Martin, James	McConkey, Mark	Merrow, Harry
Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley	
CHESHIRE			
Dexter, Judson	Emerson, Susan	Foote, Sheila	Hunt, John

Pelkey, Stephen	Sawyer, Sheldon		
COOS			
King, Frederick	Remick, William	Richardson, Herbert	Stohl, Eric
Tholl, John Jr			
GRAFTON			
Eaton, Stephanie	Gionet, Edmond	Giuda, Robert	Ingbretson, Paul
Maybeck, Margie	Mirski, Paul	Naro, Debra	Solomon, Peter
Ward, John	Williams, Burton		
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Batula, Peter
Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph	Brassard, Paul
Brundige, Robert	Buhlman, David	Calawa, Leon Jr	Carew, James
Christensen, D L Chris	Christiansen, Lars	Clark, Mark	Coughlin, Pamela
Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard	Dyer, Donald
Elliott, Nancy	Emerton, Larry	Francoeur, Bea	Gargasz, Carolyn
Gibson, John	Goyette, Peter Jr	Graham, John	Hansen, Ryan
Hawkins, Ken	Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton
Hirschmann, Keith	Holden, Randolph	Hunter, Bruce	Jasper, Shawn
Jeudy, Jean	Kurk, Neal	L'Heureux, Robert	Lawrence, James
Lessard, Rudy	Manney, Pamela	Mead, Robert	Mooney, Maureen
O'Brien, William	O'Connell, Timothy	Ober, Lynne	Pepino, Leo
Price, Pamela	Reeves, Sandra	Renzullo, Andrew	Ross, Lawrence
Rowe, Robert	Ryder, Donald	Slocum, Lee	Stepanek, Stephen
Tahir, Saghir	Villeneuve, Maurice	Wheeler, James	Wheeler, Robert
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hess, David
Kennedy, Richard	Kidder, David	Klose, John	Langlais, Thomas
Lockwood, Priscilla	MacKay, James	Marple, Richard	Maxfield, Roy
Oliver, James	Reed, Dennis	Whiting, Herbert	
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bicknell, Elbert	Bishop, Franklin	Buxton, Donald	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Dalrymple, Janeen	Dowd, John	Dowling, Patricia	Doyle, Christopher
Dumaine, Dudley	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Garrity, James	Gilbert, Karl	Gould, Kenneth
Griffin, Mary	Headd, James	Hopfgarten, Paul	Ingram, Russell
Introne, Robert	Itse, Daniel	Johnson, Robert	Johnson, Rogers
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane
Lund, Howie	Major, Norman	Manning, John	Mason, April
McKinney, Betsy	McMahon, Charles	Morris, Richard	Nowe, Ronald
O'Neil, Michael	Packard, Sherman	Palazzo, Frank	Quandt, Marshall Lee
Quandt, Matthew	Rausch, James	Robertson, Carl	Rolston, James
Sanders, Elisabeth	Scamman, Stella	Stiles, Nancy	Waterhouse, Kevin
Weare, E Albert	Welch, David	Weldy, Norman	Wells, Roger

Weyler, Kenneth	Wiley, Robert	Winchell, George	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Callaghan, Frank	Cataldo, Sam
Chaplin, Duncan	Dunlap, Patricia	Easson, Timothy	Newton, Clifford
Twombly, James	Wall, Janet		
SULLIVAN			
Gale, Harry	Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly

and floor amendment (0278h) failed.

MOTION TO LAY ON THE TABLE

Rep. Daniel Eaton moved that ***SB 206-FN***, relative to the state code of ethics and establishing an executive ethics commission, be laid on the table.

Rep. O'Neil requested a roll call; sufficiently seconded.

The question being adoption of the motion to lay SB 206 on the table.

YEAS 136 NAYS 215			
YEAS 136			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dunn, J Timothy	Eaton, Daniel	Espieffs, Peter	Mitchell, Bonnie
Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Tilton, Anna	Weed, Charles
COOS			
Buzzell, Bernard	Mears, Edgar	Merrick, Scott	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Craig, James
Daniuk, Caitlin	DeVries, Betsi	Egbers, Fran	Essex, David
Foster, Linda	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Hall, Betty	Harvey, Suzanne	Irwin, Anne-Marie	Jeudy, Jean
Johnson, Paula	Kopka, Angeline	Lasky, Bette	Lefebvre, Roland

Martin, Mary Ellen	Matarazzo, Anthony Sr	Michon, Stephen	Movsesian, Lori
Pilotte, Maurice	Rochette, Eric	Rosenwald, Cindy	Schulze, Joan
Shattuck, Gilman	Shaw, Barbara	Smith, David	Sullivan, Francis
Sullivan, Peter	Vaillancourt, Steve	Velez, Hector	
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Hamm, Christine	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	Cali-Pitts, Jacqueline	Casey, Kimberley	Flockhart, Eileen
Johnson, Robert	Moody, Marcia	Norelli, Terie	Pantelakos, Laura
Powers, James	Serlin, Christopher	Splaine, James	
STRAFFORD			
Berube, Roger	Brown, Jennifer	Brown, Julie	Brown, Lawrence
Callaghan, Frank	Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin
Hilliard, Dana	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Miller, Joseph	Rollo, Michael	Rous, Emma	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Taylor, Kathleen	Wall, Janet
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			
NAYS 215			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark
Morrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Coates, Christopher	Dexter, Judson	Emerson, Susan	Foote, Sheila
Hogancamp, Deborah	Hunt, John	Pelkey, Stephen	Sawyer, Sheldon

COOS			
King, Frederick	Remick, William	Richardson, Herbert	Stohl, Eric
Tholl, John Jr			
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingbretson, Paul	Maybeck, Margie	Mirski, Paul	Naro, Debra
Solomon, Peter	Sorg, Gregory	Ward, John	Williams, Burton
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter	Boehm, Ralph
Brundige, Robert	Buhlman, David	Calawa, Leon Jr	Carew, James
Christensen, D L Chris	Christiansen, Lars	Clark, Mark	Coughlin, Pamela
Crane, Elenore Casey	Desmarais, Vivian	Dokmo, Cynthia	Drisko, Richard
Dyer, Donald	Elliott, Nancy	Emerton, Larry	Francoeur, Bea
Gargas, Carolyn	Gibson, John	Golding, William	Goyette, Peter Jr
Graham, John	Hagan, Barbara	Hansen, Ryan	Hawkins, Ken
Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton	Hirschmann, Keith
Holden, Randolph	Hunter, Bruce	Infantine, William	Jasper, Shawn
Kurk, Neal	L'Heureux, Robert	Lawrence, James	Lessard, Rudy
Manney, Pamela	McRae, Karen	Mead, Robert	Messier, Irene
Mooney, Maureen	Moran, Edward	O'Brien, William	O'Connell, Timothy
Ober, Lynne	Pepino, Leo	Price, Pamela	Reeves, Sandra
Renzullo, Andrew	Ross, Lawrence	Rowe, Robert	Ryder, Donald
Scanlon, Michael	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Tahir, Saghir	Villeneuve, Maurice	Wheeler, James	Wheeler, Robert
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hager, Elizabeth
Hess, David	Kennedy, Richard	Kidder, David	Klose, John
Langlais, Thomas	Lockwood, Priscilla	MacKay, James	Marple, Richard
Maxfield, Roy	Oliver, James	Reed, Dennis	Whiting, Herbert
ROCKINGHAM			
Allen, Mary	Asselin, Michael	Belanger, Ronald	Bettencourt, David
Bicknell, Elbert	Bishop, Franklin	Buxton, Donald	Camm, Kevin
Carson, Sharon	Charron, Gene	Coburn, James	Cooney, Richard
Dalrymple, Janeen	DiFruscia, Anthony	Dowd, John	Dowling, Patricia
Doyle, Christopher	Dumaine, Dudley	Fesh, Bob	Flanders, John Sr
Forsing, Robert	Francoeur, Sheila	Garrity, James	Gilbert, Karl
Gould, Kenneth	Griffin, Mary	Headd, James	Hopfgarten, Paul
Hughes, Daniel	Hutchinson, Karen	Ingram, Russell	Introne, Robert
Itse, Daniel	Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Langley, Jane	Lund, Howie	Major, Norman
Manning, John	Mason, April	McKinney, Betsy	McMahon, Charles
Morris, Richard	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Palazzo, Frank	Quandt, Marshall Lee	Quandt, Matthew	Rausch, James

Robertson, Carl	Rolston, James	Sanders, Elisabeth	Scamman, Stella
Stiles, Nancy	Waterhouse, Kevin	Weare, E Albert	Welch, David
Weldy, Norman	Wells, Roger	Weyler, Kenneth	Wiley, Robert
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Bickford, David	Cataldo, Sam	Chaplin, Duncan
Dunlap, Patricia	Easson, Timothy	Hofemann, Roland	Newton, Clifford
Twombly, James			
SULLIVAN			
Gale, Harry	Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly

and the motion to lay SB 206 on the table failed.

The question now being adoption of the Majority committee report as amended.

Rep. DeJoie spoke against.

Rep. Whalley spoke in favor.

Rep. John Flanders moved the previous question.

Adopted.

Rep. O'Neil requested a roll call; sufficiently seconded.

The question being adoption of the Majority committee report as amended.

YEAS 229 NAYS 119			
YEAS 229			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	Tilton, Franklin	Tobin, William
Veazey, John	Wendelboe, Fran	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	Knox, J David	Martin, James	McConkey, Mark
Morrow, Harry	Olimpio, J Lisbeth	Patten, Betsey	Stevens, Stanley
CHESHIRE			
Butynski, William	Dexter, Judson	Emerson, Susan	Foote, Sheila
Hogancamp, Deborah	Hunt, John	Pelkey, Stephen	Roberts, Kris
Sawyer, Sheldon			
COOS			
Buzzell, Bernard	King, Frederick	Remick, William	Richardson, Herbert
Stohl, Eric	Tholl, John Jr		
GRAFTON			
Dorsett, Andrew	Eaton, Stephanie	Gionet, Edmond	Giuda, Robert
Ingretson, Paul	Maybeck, Margie	Mirski, Paul	Naro, Debra

Sorg, Gregory	Ward, John	Williams, Burton	
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Balboni, Michael	Barry, J Gail
Batula, Peter	Bergeron, Jean-Guy	Boehm, Ralph	Brundige, Robert
Buhlman, David	Calawa, Leon Jr	Carew, James	Christensen, D L Chris
Christiansen, Lars	Clark, Mark	Coughlin, Pamela	Crane, Elenore Casey
Daniuk, Caitlin	Desmarais, Vivian	DeVries, Betsi	Dokmo, Cynthia
Drisko, Richard	Dyer, Donald	Elliott, Nancy	Emerton, Larry
Francoeur, Bea	Gargas, Carolyn	Gibson, John	Golding, William
Goyette, Peter Jr	Graham, John	Hagan, Barbara	Hansen, Ryan
Hawkins, Ken	Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton
Hirschmann, Keith	Holden, Randolph	Hunter, Bruce	Infantine, William
Irwin, Anne-Marie	Jasper, Shawn	Kopka, Angeline	Kurk, Neal
L'Heureux, Robert	Lawrence, James	Lessard, Rudy	Manney, Pamela
McRae, Karen	Mead, Robert	Messier, Irene	Mooney, Maureen
Moran, Edward	O'Brien, William	O'Connell, Timothy	Ober, Lynne
Pepino, Leo	Price, Pamela	Reeves, Sandra	Renzullo, Andrew
Rosenwald, Cindy	Ross, Lawrence	Rowe, Robert	Ryder, Donald
Scanlon, Michael	Slocum, Lee	Souza, Kathleen	Stepanek, Stephen
Sullivan, Peter	Tahir, Saghir	Villeneuve, Maurice	Wheeler, James
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Danforth, James	Field, William	Hager, Elizabeth
Hamm, Christine	Hess, David	Kennedy, Richard	Kidder, David
Klose, John	Langlais, Thomas	MacKay, James	Marple, Richard
Maxfield, Roy	Oliver, James	Reed, Dennis	Whiting, Herbert
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Asselin, Michael	Belanger, Ronald
Bettencourt, David	Bicknell, Elbert	Bishop, Franklin	Buxton, Donald
Camm, Kevin	Carson, Sharon	Casey, Kimberley	Charron, Gene
Coburn, James	Cooney, Richard	Dalrymple, Janeen	DiFruscia, Anthony
Dowd, John	Dowling, Patricia	Doyle, Christopher	Dumaine, Dudley
Fesh, Bob	Flanders, John Sr	Forsing, Robert	Francoeur, Sheila
Garrity, James	Gilbert, Karl	Gould, Kenneth	Griffin, Mary
Headd, James	Hopfgarten, Paul	Hughes, Daniel	Hutchinson, Karen
Ingram, Russell	Introne, Robert	Itse, Daniel	Johnson, Robert
Johnson, Rogers	Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph
Langley, Jane	Lund, Howie	Major, Norman	Manning, John
Mason, April	McKinney, Betsy	McMahon, Charles	Morris, Richard
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Palazzo, Frank
Pantelakos, Laura	Quandt, Marshall Lee	Quandt, Matthew	Rausch, James
Robertson, Carl	Rolston, James	Sanders, Elisabeth	Scamman, Stella
Splaine, James	Stiles, Nancy	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	Cataldo, Sam
Chaplin, Duncan	Dunlap, Patricia	Easson, Timothy	Hofemann, Roland
Kaen, Naida	Newton, Clifford	Rollo, Michael	Twombly, James
SULLIVAN			
Gale, Harry	Irish, Christopher	Osgood, Philip Sr	Rodeschin, Beverly
NAYS 119			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas			
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Chase, William	Coates, Christopher
Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter	Mitchell, Bonnie
Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Robertson, Timothy	Tilton, Anna	Weed, Charles	
COOS			
Mears, Edgar	Merrick, Scott	Theberge, Robert	
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Hammond, Lee	Harding, A Laurie
Mulholland, Catherine	Nordgren, Sharon	Sokol, Hilda	Solomon, Peter
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Brassard, Paul	Campbell, David
Chase, Claudia	Clemons, Jane	Cote, David	Craig, James
Egbers, Fran	Essex, David	Foster, Linda	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Hall, Betty	Harvey, Suzanne
Jeudy, Jean	Johnson, Paula	Lasky, Bette	Lefebvre, Roland
Martin, Mary Ellen	Matarazzo, Anthony Sr	Michon, Stephen	Movsesian, Lori
Pilote, Maurice	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Smith, David	Sullivan, Francis	Vaillancourt, Steve	Velez, Hector
MERRIMACK			
Bouchard, Candace	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Greco, Vincent	Lockwood, Priscilla	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			
Cali-Pitts, Jacqueline	Flockhart, Eileen	Moody, Marcia	Norelli, Terie
Powers, James	Serlin, Christopher		
STRAFFORD			
Brown, Jennifer	Brown, Julie	Brown, Lawrence	Callaghan, Frank
Cilley, Jacalyn	Creteau, Irene	Domingo, Baldwin	Hilliard, Dana
Johnson, Nancy	Keans, Sandra	Miller, Joseph	Rous, Emma
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Taylor, Kathleen
Wall, Janet			
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen			

and the Majority committee report as amended was adopted.
Ordered to third reading.

SPECIAL ORDER

Without objection, the Speaker Special Ordered that the remaining bills on today's calendar will be taken up first on January 18, 2006. The bills removed from the Consent Calendar will be placed in their Regular Calendar order for the same date.

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, January 18, 2006 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

HB 312, relative to the appointment of parenting coordinators.

HB 325, relative to proceedings under the Child Protection Act.

HB 529, relative to the determination of parental rights and responsibilities.

HB 587, relative to child abuse and neglect investigations by the department of health and human services.

HB 591, relative to the inclusion of health insurance in the calculation of child support.

HB 592, relative to the child support guidelines.

HB 689-FN, relative to the jurisdiction of the New Hampshire commission for human rights over housing discrimination cases.

HB 719-FN, recodifying the Articles 1 and 7 of the Uniform Commercial Code.

SB 175, requiring insurance coverage for certified midwives.

HB 385, establishing a committee to study the adequacy of current substance abuse treatment available in the state prison system.

HB 489-FN, relative to disclosing an ownership interest in certain health care facilities and businesses.

HB 221, relative to eligibility for absentee ballots.
HB 349, relative to placement and removal of political advertising.
HB 331, relative to restraining dogs and relative to livestock working dogs.
HB 538, relative to deconstruction of structures.
HB 544, relative to the land and community heritage program.
HB 578, relative to the current use advisory board and relative to construction or development constituting a change in use for purposes of assessing the land use change tax.
HB 115, allowing pharmacists to establish collaborative practice agreements with medical practitioners.
SB 72, relative to the licensing of public adjusters.
HB 234-FN, relative to the development of a state and political subdivision information network.
HB 649-FN-A, establishing a commission to study the costs and funding of medicolegal investigations and autopsies.
HB 718-FN-A, relative to a state active duty death benefit for activated members of the New Hampshire national guard and making an appropriation therefor
HB 334, relative to the type of notice provided in court proceedings.
HB 413, relative to the appointment of the chief justice of the superior court and the number of superior court associate justices.
HB 713-FN, relative to a process for the request and disclosure of social security numbers.
SCR 3, relative to the Boy Scouts of America.
HB 121, relative to local land use approval for facilities requiring certain pollution control permits.
HB 410, relative to the confidentiality of documents submitted with an application for a property tax credit, exemption, or deferral.
HB 581, relative to approval and review of municipal charters.
HB 175, relative to divestiture of PSNH generation assets, establishing an energy policy task force, and establishing a fund for the costs of the energy policy task force.
HJR 1, recognizing that Seavey Island and the Piscataqua River are within the boundaries of the state of New Hampshire.
HR 14, , supporting Taiwan's participation in the World Health Organization, and supporting the establishment of a Taiwan-United States free trade agreement.
HB 37-FN, relative to health insurance coverage for full-time students on medical leaves of absence.
HB 515, relative to purchasing alliances.
HB 100-FN-A-L, amending the formula for funding public education.
HB 380, relative to absentee voting.
HB 501, relative to citizenship and domicile affidavits.
SB 206, relative to the state code of ethics and establishing an executive ethics commission.

UNANIMOUS CONSENT

Rep. Rowe 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 5:30 p.m.

RECESS