HOUSE RECORD

2006 SPECIAL SESSION

HOUSE JOURNAL NO. 1

Tuesday, September 26, 2006

The House assembled at 1:00 p.m., the hour and date set in the Call for Special Session of the House by the Secretary of State, and was called to order by the Speaker.

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

O God of changing seasons and of eternal newness, be with us this day as we gather in special session today. Or rather, let us be with You-open to Your stirrings, receptive to Your priorities, and faithful to that which will serve all whom we are privileged to represent in these hallowed halls. Give to us a willing spirit to work well together and to function not only out of our very best selves, but to appreciate all that is good in one another.

Receive our prayers this day for those we know who are ill or hospitalized or in a time of need in their lives; be also with all who grieve, all who struggle, and all who must wrestle mightily just to stay alive. All this we pray in Your holy name. Amen.

Rep. Claudette R. Jean led the Pledge of Allegiance.

The National Anthem was sung by all those present.

PETITION FOR THE CALLING OF A SPECIAL SESSION

To the Secretary of State:

WHEREAS, the New Hampshire Supreme Court decided on August 17, 2006 in the case of Akins v. Secretary of State that the manner of conducting general elections with ballots prepared in accordance with RSA 656:5 is unconstitutional under the New Hampshire constitution;

WHEREAS, the next general election is scheduled to be held on November 7, 2006 and prior to such time the General Court is not scheduled to be in session to enact a statute for the preparation of general election ballots that satisfy the constitutional strictures of the Supreme Court;

WHEREAS, under Part 1, Article 11 of the New Hampshire constitution, "[e]very inhabitant of the state, having the proper qualification, has an equal right to be elected into office…," and under Part II, Article 22, the House of Representatives shall be the judge of the elections of its members and under Part II, Article 35, the Senate shall be the judge of the election of its members;

WHEREAS, the form of ballots for the elections in this state should be as specified by the people of the State acting through its elected members of the General Court and not as specified by, or as proposed to a trial court by, litigants in a private lawsuit;

WHEREAS, delay in the performance by the General Court of its obligation to specify the

form of ballots for the general election in November may result in thousands of dollars in unforeseen and unbudgeted additional costs to municipalities;

WHEREAS, delay may also cause no acceptable form of a ballot to exist in the period following the September 12, 2006 primary elections and the state and municipalities to fail to meet one or more of the following statutory deadlines:

- October 6, 2006: last day for secretary of state to deliver federal overseas ballots to clerks. RSA 657:10
- October 6, 2006: last day for city council to set polling hours for general election. RSA 659:4
- October 24, 2006: last day for selectman to post warrant for general election. RSA 658:1
- October 24, 2006: last day for supervisors to prepare and post checklist for additional polling place. RSA 658:12
- October 28, 2006: last day for town clerks/supervisors to accept voter registration applications. RSA 659:12; RSA 654:8, II
- October 31, 2006: last day for Secretary of State to deliver general election ballots to clerks. RSA 656:20
- November 7, 2006: state general election. RSA 653:7; 654:7-a, 7-b.

WHEREAS, delay may further cause all elections to proceed under a non-statutory, judicially imposed scheme that will be subject to further challenge under state and federal laws and constitutional mandates;

WHEREAS, immediate legislative action is required to correct these problems to ensure that the State's general election in November, 2006 and its general elections thereafter are conducted in a manner that is in a constitutional and fair manner proposed by its elected representatives.

NOW THEREFOR, we, the undersigned, believe that the welfare of the state requires a special session of the General Court for the immediate enactment of laws specifying the form of general election ballots and therefore, pursuant to RSA 16 petition for the calling of a special session of the General Court:

Senators

Barnes, John S., Jr.	Kenney, Joe
Boyce, Robert	Letourneau, Robert
Clegg, Robert E., Jr.	Martel, Andre
Gallas, John T.	Roberge, Sheila
Gatsas, Theodore	

Representatives

Albert, Russell	Griffin, Mary E.
Allan, Nelson	Hagan, Barbara
Allen, Janet	Ham, Bonnie
Babson, David L., Jr.	Headd, James F.
Balboni, Michael A.	Hellwig, Steve
Bergeron, Jean-Guy J.	Hinkle, Peyton
Berube, Roger	Hopfgarten, Paul
Bettencourt, David J.	Introne, Robert
Bickford, David	Itse, Daniel C.
Boehm, Ralph	Katsakiores, George N.
Boyce, Laurie J.	Katsakiores, Phyllis
Brown, Carolyn	Kennedy, Richard
Buxton, Don	Lockwood, Priscilla

Camm, Kevin L.	Lund, Howie
Campbell, W. Packy	Marple, Dick
Carson, Sharon	Maybeck, Margie
Cataldo, Sam	Mead, Robert
Chaplin, Dunc	Mirski, Paul
Christiansen, Lars	Mooney, Maureen
Clark, Charles L.	Newton, Cliff
Desmarais, Vivian J.	Ober, Lynne
Dickinson, Howard C.	O'Brien, William L.
Dowd, Jack	Osgood, Phillip Joe
Dowling, Patricia A.	Patten, Betsey
Dumaine, Dan	Renzullo, Andrew
Easson, Timothy	Rosen, Ralph J.
Elliott, Nancy	Rowe, Robert
Emerson, Susan	Soltani, Tony F.
Fesh, Bob	Sorg, Gregory M.
Field, William	Twombly, James
Flanders, Donald H.	Ulery, Jordan
Francoeur, Bea	Villeneuve, Moe
Gionet, Edmond	Waterhouse, Kevin
Giuda, Robert	Wendelboe, Fran
Goyette, Peter R.	Wheeler, James

CALL FOR THE SPECIAL SESSION

Dear Member of the General Court:

Pursuant to RSA 16:4 and 5, there were 15 affirmative votes as of 5:00 pm this day from members of the Senate and 211 affirmative votes from members of the House to hold a special session. As a result of this vote the members of each body shall convene at the State House on Tuesday, September 26, 2006 at 1:00 pm.

	Respectfully yours,
	William M. Gardner
	Secretary of State

CALL OF THE ROLL

BELKNAP COUNTY	
Dist. No. 01 (1)	Fran Wendelboe, r
Dist. No. 02 (2)	Gail C. Morrison, d; William B. Tobin, r
Dist. No. 03 (2)	Bruce D. Heald, r; Stephen H. Nedeau, r
Dist. No. 04 (5)	James M. Fitzgerald, r; Donald H. Flanders, r; Ralph J. Rosen, r; Franklin T. Tilton, r; John A. Veazey, r
Dist. No. 05 (7)	Janet F. Allen, r; Laurie J. Boyce, r; Charles L. Clark, r; James P. Pilliod, r; John H. Thomas, r; Michael D. Whalley, r
Dist. No. 06 (1)	David H. Russell, r
CARROLL COUNTY	
Dist. No. 01 (4)	Carolyn A. Brown, r; Thomas L. Buco, d; Gene G. Chandler, r; Howard C. Dickinson, r
Dist. No. 02 (1)	Donald R. Philbrick, r

Dist. No. 03 (3)	David L. Babson Jr., r; Mark E. McConkey, r; Harry C. Merrow, r
Dist. No. 04 (4)	Christopher J. Ahlgren, r; J David Knox, r; Betsey L. Patten, r; Stanley E. Stevens, r
Dist. No. 05 (2)	James R. Martin, r; J Lisbeth Olimpio, r
CHESHIRE COUNTY	
Dist. No. 01 (1)	William V. Chase, d
Dist. No. 02 (3)	Daniel A. Eaton, d; John M. Pratt, d; Sheldon S. Sawyer, r
Dist. No. 03 (7)	Suzanne S. Butcher, d; J Timothy Dunn, d; Peter S. Espiefs, d; Kris E. Roberts, d; Timothy N. Robertson, d; Charles F. Weed, d
Dist. No. 04 (4)	William Butynski, d; Deborah J. Hogancamp, r
Dist. No. 05 (1)	Barbara Hull. Richardson, d
Dist. No. 06 (4)	Peter H. Allen, d; Judson K. Dexter, r; Sheila A. Foote, r; Anna Tilton, d
Dist. No. 07 (4)	Susan Emerson, r; John B. Hunt, r; Bonnie G. Mitchell, d; Stephen T. Pelkey, r
COOS COUNTY	
Dist. No. 01 (2)	Frederick W. King, r+d; Eric G. Stohl, r+d
Dist. No. 02 (4)	Scott A. Merrick, d; Herbert D. Richardson, r; John E. Tholl Jr., r
Dist. No. 03 (1)	Bruce S. Lary, r
Dist. No. 04 (4)	Bernard E. Buzzell, d; Robert L. Theberge, d+r
GRAFTON COUNTY	
Dist. No. 01 (2)	Stephanie Eaton, r
Dist. No. 02 (1)	Martha S. McLeod, d
Dist. No. 03 (2)	Edmond D. Gionet, r+d; Gregory M. Sorg, r
Dist. No. 04 (1)	Bonnie D. Ham, r+d
Dist. No. 05 (2)	Robert J. Giuda, r+d; Paul C. Ingbretson, r
Dist. No. 06 (1)	James D. Aguiar, d
Dist. No. 07 (2)	Mary R. Cooney, d
Dist. No. 08 (3)	Margie Maybeck, r; Burton W. Williams, r+d
Dist. No. 09 (4)	Bernard L. Benn, d; Ruth Z. Bleyler, d; Sharon Nordgren, d; Hilda W. Sokol, d
Dist. No. 10 (3)	Paul Mirski, r; Catherine Mulholland, d
Dist. No. 11 (4)	Susan W. Almy, d; Lee M. Hammond, d; A Laurie Harding, d
HILLSBOROUGH COUNTY	
Dist. No. 01 (3)	James M. Carew, r; David E. Essex, d; Gilman C. Shattuck, d+r
Dist. No. 02 (2)	Jarvis M. Adams IV., r; Claudia A. Chase, d
Dist. No. 03 (4)	Mark S. Carter, r; Anne-Marie Irwin, d
Dist. No. 04 (4)	Pamela D. Coughlin, r; Linda T. Foster, d; Robert D. Mead, r; William L. O'Brien, r
Dist. No. 05 (4)	Richard B. Drisko, r; Carolyn M. Gargasz, r; Betty B. Hall, d; Donald F. Ryder, r
Dist. No. 06 (7)	Peter F. Bergin, r+d; Cynthia J. Dokmo, r+d; Ryan N. Hansen, r; Timothy D. O'Connell, r+d; Robert H. Rowe, r+d; Stephen B. Stepanek, r; James E. Wheeler, r
Dist. No. 07 (7)	Larry A. Emerton, r+d; Randolph N S. Holden, r+d; Bruce F. Hunter, r; Neal M. Kurk, r+d; Pamela V. Manney, r+d; Karen K. McRae, r; Robert L. Wheeler, r+d
Dist. No. 08 (3)	Jeffrey P. Goley, d; Christopher C. Pappas, d

Dist. No. 09 (3)	James W. Craig, d; William M. Golding, r
Dist. No. 10 (3)	Fran M. Egbers, d; Jean L. Jeudy, d; Peter M. Sullivan, d
Dist. No. 11 (2)	Leo P. Pepino, r
Dist. No. 12 (3)	Francis B. Sullivan, d+r; Hector M. Velez, d+r
Dist. No. 13 (3)	Jeffrey S. Aboshar, r; Benjamin C. Baroody, d; William J. Infantine, r
Dist. No. 14 (3)	Vivian J. Desmarais, r; Patrick F. Garrity, d; Robert J. Haley, d
Dist. No. 15 (3)	Michael G. Biundo, r; Betsi L. DeVries, d; Steve Vaillancourt, r
Dist. No. 16 (3)	J Gail Barry, r; Maurice L. Pilotte, d+r; Barbara E. Shaw, d
Dist. No. 17 (8)	Jane E. Beaulieu, d; Paul A. Brassard, d; Carlos E. Gonzalez, r; Barbara J. Hagan, r; Raymond R. Hebert, r; Keith D. Hirschmann, r; Irene M. Messier, r
Dist. No. 18 (6)	Mark S. Clark, r; John A. Graham, r; Ken Hawkins, r; Michael J. Scanlon, r; Maurice Villeneuve, r
Dist. No. 19 (8)	Peter L. Batula, r; Robert W. Brundige, r; D L Chris Christensen, r; Nancy J. Elliott, r; Peyton B. Hinkle, r; Robert J. L'Heureux, r; Maureen C. Mooney, r
Dist. No. 20 (3)	Ruth Ginsburg, d; Anthony P. Matarazzo Sr., d
Dist. No. 21 (3)	Michael A. Balboni, r; Elenore Casey Crane, r; Suzanne Harvey, d
Dist. No. 22 (3)	Lori A. Movsesian, d; Cindy Rosenwald, d; David L. Smith, d
Dist. No. 23 (2)	David E. Cote, d; Mary J. Gorman, d
Dist. No. 24 (3)	David B. Campbell, d+r; Jane A. Clemons, d
Dist. No. 25 (3)	Peter R. Cote, d; Claudette R. Jean, d; Stephen Michon, d
Dist. No. 26 (10)	Nelson S. Allan, r; Donald J. Dyer, r; Bea Francoeur, r; Paula I. Johnson, d; Bette R. Lasky, d; Mary Ellen Martin, d; Pamela G. Price, r; Joan H. Schulze, d; Kimberly C. Shaw, d
Dist. No. 27 (13)	Jean-Guy J. Bergeron, r; Ralph G. Boehm, r; Leon C. Calawa Jr., r; Lars T. Christiansen, r; Peter R. Goyette Jr., r; Steve D. Hellwig, r; Shawn N. Jasper, r; James H. Lawrence, r; Rudy Lessard, r; Lynne M. Ober, r; Andrew Renzullo, r; Jordan G. Ulery, r

MERRIMACK COUNTY

Dist. No. 01 (2)	David H. Kidder, r
Dist. No. 02 (3)	Dennis Reed, r; Jim Ryan, d; Herbert F. Whiting, r
Dist. No. 03 (1)	Patricia M. McMahon, d+r
Dist. No. 04 (3)	Christine C. Hamm, d; Richard E. Kennedy, r; Derek Owen, d
Dist. No. 05 (2)	Barbara C. French, d
Dist. No. 06 (6)	Claire D. Clarke, d; James W. Danforth, r; Priscilla P. Lockwood, r; Roy D. Maxfield, r; Joy K. Tilton, d; Frank A. Tupper, d+r
Dist. No. 07 (3)	William D. Field, r; Vincent E. Greco, d; Deanna P. Rush, d+r
Dist. No. 08 (4)	John F. Klose, r; Thomas J. Langlais, r; Tony F. Soltani, r; Charles B. Yeaton, d
Dist. No. 09 (4)	David W. Hess, r; Richard Marple, r; James H. Oliver, r
Dist. No. 10 (4)	Elizabeth D. Blanchard, d+r; Mary Stuart. Gile, d+r; Frances D. Potter, d+r; Stephen J. Shurtleff, d+r
Dist. No. 11 (5)	Candace C W. Bouchard, d; John DeJoie, d; James R. MacKay, r; Tara G. Reardon, d; Robert W. Williams, d
Dist. No. 12 (4)	Donald A. Brueggemann, d; Elizabeth S. Hager, r; Mary Jane Wallner, d
Dist. No. 13 (3)	Eric Anderson, r; Stephen T. DeStefano, d; Mary Beth Walz, d

ROCKINGHAM COUNTY

Dist. No. 01 (4)	Robert A. Johnson, r; Rudolph J. Kobel, r; Joseph E. Stone, r

Dist. No. 02 (3)	Franklin C. Bishop, r; Robert W. Forsing, r; Norman E. Weldy, r
Dist. No. 03 (9)	Sharon M. Carson, r+d; Dudley D. Dumaine, r; James F. Headd, r; Karen K. Hutchinson, r; Robert E. Introne, r; Betsy McKinney, r; Sherman A. Packard, r; Benjamin E. Parker, r; John E.. Robinson, d
Dist. No. 04 (13)	Ronald J. Belanger, r; David J. Bettencourt, r; James B. Coburn, r; Richard T. Cooney, r; Anthony R. DiFruscia, r; Mary E. Griffin, r; Charles E. McMahon, r; Anne K. Priestley, r; Kevin K. Waterhouse, r
Dist. No. 05 (11)	John P. Dowd, r; Patricia A. Dowling, r; Bob M. Fesh, r; Kenneth H. Gould, r+d; Paul R. Hopfgarten, r; George N. Katsakiores, r; Phyllis M. Katsakiores, r; Howie Lund, r; James B. Rausch, r; William R. Zolla, r
Dist. No. 06 (2)	James M. Garrity, r+d; George D. Winchell, r+d
Dist. No. 07 (3)	Gene P. Charron, r+d; Elisabeth N. Sanders, r
Dist. No. 08 (7)	Kevin L. Camm, r; John W. Flanders Sr., r+d; Norman L. Major, r+d; David A. Welch, r; Roger G. Wells, r+d; Kenneth L. Weyler, r+d
Dist. No. 09 (3)	C. Pennington Brown, d; Ronald J. Nowe, r
Dist. No. 10 (1)	
Dist. No. 11 (2)	Mary M. Allen, r; Kimberley S. Casey, d
Dist. No. 12 (3)	Dennis F. Abbott, d+r; Marcia G. Moody, d
Dist. No. 13 (7)	Eileen C. Flockhart, d; April H. Mason, r; Marshall Lee Quandt, r; Matthew J. Quandt, r; Stella Scamman, r; W Douglas Scamman, r
Dist. No. 14 (4)	Benjamin E. Moore, r; Richard W. Morris, r; Frank J. Palazzo, r; E Albert Weare, r
Dist. No. 15 (5)	Russell D. Bridle, r; Sheila T. Francoeur, r; Thomas J. Gillick, r; Michael O'Neil, r; Nancy F. Stiles, r
Dist. No. 16 (7)	MaryAnn N. Blanchard, d; Jacqueline A. Cali-Pitts, d; Terie N. Norelli, d; Laura C. Pantelakos, d; James F. Powers, d; James R. Splaine, d
Dist. No. 17 (1)	James G. Rolston, r
Dist. No. 18 (2)	Daniel M. Hughes, r; Jane S. Langley, r
STRAFFORD COUNTY	
Dist. No. 01 (9)	Russell A. Albert, r; Julie M. Brown, r; Irene T. Creteau, d; Patricia C. Dunlap, r; Anne C. Grassie, d; Sandra B. Keans, r; Clifford A. Newton, r; James E. Twombly, r
Dist. No. 02 (5)	Roger R. Berube, d; Dana S. Hilliard, d; Michael S. Rollo, d
Dist. No. 03 (8)	David A. Bickford, r; Lawrence D. Brown, d; W Packy Campbell, r; Sam A. Cataldo, r; Duncan D. Chaplin, r; Jacalyn L. Cilley, d; Timothy E. Easson, r; Nancy K. Johnson, d
Dist. No. 04 (3)	Peter B. Schmidt, d
Dist. No. 05 (3)	Jennifer M. Brown, d; Baldwin M. Domingo, d; Jeffrey D. Hollinger, r
Dist. No. 06 (3)	Earle Goodwin, d; Roland P. Hofemann, d; William V. Knowles, d
Dist. No. 07 (6)	Naida L. Kaen, d+r; Joseph M. Miller, d; Emma L. Rous, d; Judith T. Spang, d; Janet G. Wall, d+r
SULLIVAN COUNTY	
Dist. No. 01 (2)	Charlotte Houde-Quimby, d; Stephen G. Prichard, d
Dist. No. 02 (3)	Peter E. Franklin, d; Arthur G. Jillette Jr., d+r; Beverly T. Rodeschin, r
Dist. No. 03 (1)	Harry S. Gale, r
Dist. No. 04 (5)	John R. Cloutier, d+r; Larry Converse, d+r
Dist. No. 05 (2)	Brenda L. Ferland, d; James G. Phinizy, d+r

With 343 members having answered the call, the Chair declared a quorum present.

LEAVES OF ABSENCE

Reps. Chabot, Donovan, Gilbert, Ingram, Lefebvre, Stephen L'Heureux, Plifka, Putnam, Carl Robertson, Serlin, Snyder, and Solomon, the day, illness.
Reps. Cady, Coates, Currier, Gibson, Irish, Itse, Moran, Morneau, Parkhurst, Reeves, Remick, Ross, Marjorie Smith, Tahir, and Weare, the day, important business.
Reps. Buhlman and Buxton, the day, illness in the family.

INTRODUCTION OF GUESTS

Dick Barry and Juanita Dangel, guests of the Merrimack delegation. Melanie Bell, guest of Rep. Jillette. Talu Robertson and Alan Forster, Spouse and guest of Rep. Tim Robertson. Ron Mack, guest of Rep. Essex. Connie Soucy, guest of Rep. Barry. Tom Keane, guest of Rep. Eric Anderson. Wilfred Morrison, guest of Rep. Easson. Brad Galinson, guest of Rep. Rowe.

COMMUNICATION

	June 27, 2006

Hon. W. Douglas Scamman, Jr.
Speaker of the House
Third Floor, State House
107 North Main Street
Concord, NH 03301

Dear Mr. Speaker:
I am writing to inform you that on Thursday, June 29, 2006 at 5 p.m. I will be resigning from the office of State Representative. It has been an honor to serve under your leadership in this legislative body representing the residents of Ward 4 Manchester for the past two years.

	Sincerely,
	Caitlin A. Daniuk
	State Representative, Hills. 11

The Speaker accepted the resignation with regret.

ADOPTION OF RULES

Reps. O'Neil and Craig moved that the House adopt the rules of the 2006 Special Session.

New Hampshire House of Representatives

Proposed Rules of the Special Session

September 26, 2006

DUTIES OF THE SPEAKER

1. The Speaker shall take the chair at precisely the hour specified in the Call for the Special Session and shall immediately call the members to order.
2. The Speaker shall preserve decorum and order, may speak on points of order in preference to other members, and shall decide questions of order. The decision of the Speaker on a question of order shall be conclusive unless the decision is immediately appealed to the House. The House shall decide the appeal by a majority vote of those members present and voting.
3. The Speaker shall appoint all committees unless otherwise directed by the House.
4. The Speaker shall not be called on to vote unless the vote would be decisive. If the vote is tied after the Speaker has voted, the question shall be lost.
5. The Speaker shall sign all bills after passage or enrollment. All warrants, subpoenas

and other processes issued by order of the House shall be signed by the Speaker and attested to by the Clerk.

6. The Speaker or chairman of the committee of the whole House shall have the power to order the gallery cleared in cases of any disturbance or disorderly conduct.

7. The Speaker shall have power to substitute any member to perform the duties of the Chair. If absent, the Speaker shall designate a member to perform the duties of the Chair unless otherwise ordered by the House.

DECORUM AND DEBATE

8. When the House is called to order, members shall take their seats and shall activate their voting stations immediately. When they leave their seats for any reason they shall deactivate their stations.

9. In all cases not provided for by the Constitution or Special Session Rules, Mason's Manual of Legislative Procedure, 2000 Edition, shall be the parliamentary guide.

10. When any member is about to speak in debate, make a motion, or deliver any matter to the House, the member shall rise from his or her seat and respectfully address the Speaker, declaring the purpose for which the member rises to speak.

11. In all cases the member rising first shall speak first. When two or more members rise at the same time, the Speaker shall name the person to speak. When many members choose to speak, they may file their names with the Clerk, who shall supply the list to the Speaker. The Speaker shall name the order in which the members shall speak.

12. No member shall speak more than twice on the same question without permission from the House. No member shall speak more than once until every member choosing to speak has spoken.

13. While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House. While a member is speaking, no one shall pass between that member and the other members of the House, nor shall anyone engage in private conversation.

14. If any member transgresses the rules of the House, the Speaker shall, or any member may, call the member to order. The member called to order shall immediately sit down and the question of order shall be distinctly stated by the Speaker.

15. In all instances, every member shall act in conformance with the duly adopted New Hampshire General Court Ethics Guidelines and opinions of the Legislative Ethics Committee.

16. (a) The following persons shall be admitted within the door of the Representatives' chamber while the House is in session: House members and officers, the Governor, Council members, Senate members, the Secretary of State, the Treasurer, and the Senate Clerks.

(b) No other person shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session, except with the permission of the Speaker.

17. Before any petition is received and read, the substance of the petition shall be in concise form, and the name of the person presenting it shall be recorded on the petition. The Speaker shall state the substance of the petition.

18. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before an amendment.

19. (a) When any question is under debate, precedence of motions shall be as follows:

(1) to adjourn;
(2) to lay on the table;
(3) for the previous question;
(4) to postpone to a certain day;
(5) to commit;
(6) to amend;
(7) to postpone indefinitely.

Motions to adjourn, to lay on the table, for the previous question, and to take from the table shall be decided without debate. A motion to postpone to a certain day shall be debatable both as to time and subject matter.

(b) When a question is postponed indefinitely, it shall not be acted on during the same session, unless two-thirds of those members present and voting vote in favor thereof.

(c) No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

20. (a) The Speaker shall put the previous question in the following form: "Shall debate now be limited?" and all debate on the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken on pending amendments, in their regular order, and then on the main question.

(b) All incidental questions of order arising after a motion of the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

(c) If the previous question is decided in the negative, it shall not again be in order for the particular question under consideration until after adjournment, but the main question shall be left before the House and disposed of as though the previous question had not been put.

21. There shall be three forms of deciding the question: voice vote, division vote, roll call vote. No member shall vote in any case when the member was not present when the question was put.

(a) The question put by voice vote shall be: "All those in favor of the question say 'aye,'" and after the affirmative vote is expressed, "Those of a contrary opinion say 'no.'"

(b) A division vote shall be taken if the Speaker doubts the voice vote or if a member calls for a division vote. When a division of the House is taken, the Speaker may appoint a teller for each seating division of the House, who shall report to the Chair the state of the vote.

(c) A roll call shall be taken when a member moves for a roll call vote and that motion is seconded by 10 other members. The member requesting the roll call vote and the 10 members who second the motion shall notify the clerk in writing or shall rise from their seats or otherwise be recognized by the Speaker.

(d) When a division or a roll call is taken, the Speaker shall put the question and open the voting stations for not more than 30 seconds. Each member present at his or her voting station shall press either the YES (Green) or NO (Red) button unless excused by the House for a special reason. After closing the vote, the Speaker shall rise and state the decision of the House.

22. In case of a tie vote, the question shall be lost.

23. No member shall leave his or her seat while the voting machine is in use and until the Speaker announces the result of the vote.

24. No vote shall be reconsidered unless the motion for reconsideration is made by a member who voted with the prevailing side while the bill is in the possession of the House.

(a) A motion for reconsideration shall be in order only until the time the House stands in final recess on the day the vote was taken.

(b) When notice of reconsideration is received by the House, the Clerk of the House shall hold the bill or resolution relative to which such notice has been served until the expiration of the time within which such notice is effective.

25. When the reading of a paper or a document is objected to by a member, the question shall be determined by a vote of the House without debate.

26. All members shall attend to their duties in the House and no one shall be absent from the service of the House unless the member has leave, or is sick and unable to attend.

BILLS

27. Enactment of laws, as provided in the Petition which resulted in the Call for the Special Session, shall be by bill. No bill shall be introduced into the House the subject matter of which is not included in the final paragraph of the Petition which resulted in the Call for the Special Session.

28. (a) The Office of Legislative Services shall identify LSRs in language which makes clear the intent of the bill. LSRs, with the name(s) of the sponsor(s), shall be published by the Office of Legislative Services. The Speaker of the House shall adjudicate any disagreement concerning the publication of LSRs that may arise between bill sponsors and the Office of Legislative Services.

(b) The Office of Legislative Services shall not accept a request to draft any bill or resolution the subject matter of which is not included in the final paragraph of the Petition which resulted in the Call for the Special Session.

(c) The Office of Legislative Services shall not accept a request to draft any bill which is the same, or essentially the same, as any other drafting request already accepted. If duplicate or similar legislation is requested, the Director of Legislative Services shall notify the sponsors of each filing request and mediate an agreement for the filing of a single bill. Filing requests resulting from legislative committee work shall take precedence over all other duplicate or similar filings. The name of the House member whose LSR request is denied due to duplication may be substituted on request for that of the original sponsor if the original sponsor withdraws the drafting request prior to the sign-off deadline.

(d) All bills to be introduced in the House shall be delivered or caused to be delivered to the Office of Legislative Services by the member presenting them. The Office of Legislative Services shall prepare those bills in proper form and shall present them to the member(s) for signature. Legislative Services shall give precedence in drafting legislation to any measure which carries a fiscal note.

(e) All bills shall be endorsed with the name and the district of the legislator presenting them. All legislation shall be numbered serially. Each bill shall be marked on the first page "House Bill."

(f) No LSR number shall be assigned and no House bill shall be drafted unless the LSR or bill has a House sponsor. No more than 5 House members shall be allowed to sponsor any bill or floor amendment. No more than 5 Senate members shall be allowed to co-sponsor legislation originating in the House.

(g) If a drafting request for a bill filed with the Office of Legislative Services requires a fiscal note as provided in RSA 14:44-47, the substance or a draft of the proposal may be provided to the Legislative Budget Assistant for preparation of the required fiscal note without the specific consent of the sponsor of the proposal.

(h) For the purposes of these rules, money bills are those that either appropriate money or affect state revenues, whether new or existing.

29. Every request by a member of the House for drafting a bill which complies with these rules shall be accepted by the Office of Legislative Services for processing. Each request shall be accompanied by sufficient information necessary for drafting.

30. (a) If the primary sponsor signs the legislation in time for introduction, but one or more co-sponsors fails to sign, the legislation shall be introduced in the names of those sponsors who have signed. If the primary sponsor fails to sign the legislation in time for introduction, a co-sponsor may become the primary sponsor. If the primary sponsor fails to sign, and no co-sponsor wishes to become the primary sponsor, the legislation may not be introduced.

(b) An LSR may be withdrawn at any time prior to its introduction with the consent of all of its sponsors. Any sponsor may request that his or her name be deleted as a sponsor of the bill prior to its introduction.

31. Every bill shall have three separate readings in the House prior to its passage. The first and second readings shall be by title only which may be accomplished by a single motion. No bill after it has been read a second time shall have a third reading until after adjournment from the early session. The time assigned for the third reading of bills shall be in the late session unless otherwise ordered by the House. The orders of the day for the reading of bills shall hold for every succeeding day until disposed.

32. After each bill has been numbered, the Clerk shall procure a sufficient number of copies for distribution.

33. (a) No amendment shall be made until the second reading of a bill. All amendments to bills shall be prepared by the Office of Legislative Services, with the name of the member and the district represented by the member or the name of the policy committee proposing the amendment.

(b) No amendment shall be added to any bill, which is not germane to the subject matter of the legislative document as introduced.

(c) When a bill comes before the House, the body shall first consider a positive motion. The Speaker shall not permit a negative motion to be substituted until the House has properly disposed of a positive motion.

34. No standing rule of the House Special Session shall be suspended unless two-thirds of the members present vote in favor thereof. A motion to suspend the rules is debatable.

35. No rule shall be rescinded unless two days notice of a motion has been given and two-thirds of House members present vote therefor.

COMMITTEE OF THE WHOLE HOUSE

36. The House may resolve itself into a committee of the whole at any time on the motion of a member made for that purpose. In forming a committee of the whole House, the Speaker shall leave the chair, and a chairman to preside in committee shall be appointed by the Speaker.

37. When a bill is committed to a committee of the whole House, the entire bill shall first be read by the Clerk, and then again read and debated by clauses, leaving the preamble of the bill to be considered last. The body of the bill or resolution shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as they are agreed to by the committee and so reported to the House. After reporting, the bill shall again be subject to debate and amendment by clauses before a question to pass it to a third reading is taken.

38. The rules of proceeding in the House shall be observed in the committee of the whole House, as far as they may be applicable, except the rule limiting the time of speaking.

ORDER OF BUSINESS

39. (a) The order of business in the early session shall be as follows:

1. Prayer by the Chaplain and pledge of allegiance;
2. Call of the Roll;
3. Leaves of absence if received before the start of the legislative day;
4. Introduction of guests;
5. Adoption of Rules;
6. Introduction, first and second reading and consideration of bills;
7. Messages from the Senate, the Governor and the Secretary of State;
8. Resolutions, motions and notices;
9. Adjournment from the early session.

(b) The order of business in the late session shall be as follows:

1. Third reading of bills;
2. Resolutions and motions;
3. Personal privilege.
4. Adjournment.

(c) The order of business listed in this rule shall be adhered to unless otherwise ordered by a majority of those members of the House present and voting.

(d) Leaves of absence may be granted by the House at any time.

40. If the Special Session continues for more than one legislative day, the unfinished business in which the House was engaged at the last preceding adjournment, if called for by any member, shall have preference over all other business except the general order of the day; and no motion, or any other business except the general order of the day, shall be received without special leave of the House, until the former is disposed.

OFFICERS AND PERSONNEL

41. The elected and appointed non-member officers and personnel of the House shall be

under the direction of the Speaker, who shall define their duties not fixed by statute or otherwise ordered by the House.
42. No officer or employee of the House during the Special Session or any adjournment thereof shall purchase or contract to purchase, pay or promise to pay any sum of money on behalf of the House or issue any requisition or manifest without securing the approval in writing of the Speaker of the House or designee.
43. The Speaker may appoint an individual trained and experienced in security matters or law enforcement work, who, under the supervision and direction of the Speaker, shall prevent the deliberations of the House from being disrupted or interfered with by any person or persons not members thereof.
44. No employee or attaché of the House Sergeant-at-Arms shall, directly or indirectly, be personally involved with or attempt to influence the passage or consideration of any measure whatsoever. If any such employee or attaché becomes involved with any such measure, it shall be grounds for summary dismissal.

MISCELLANEOUS

45. No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall carry or have in possession any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, or any portion of the State House adjacent to any of the above. Any person in violation of this rule shall be subject to ejection from any such premises on the order of the Speaker and disciplinary action or arrest or both by action of the House. Nothing in this rule shall indicate that the security officer appointed by the House has the right to stop and search a member of the House on the premises of the House. With the exception of devices for the hearing impaired, no member shall operate audible electronic transmitting devices and/or receiving devices nor shall any member operate a video camera or a camera utilizing flash bulbs on the floor of the House, while the House is in Special Session.

Rep. Pepino offered floor amendment (2410h).

Floor Amendment (2410h)

Amend House Rule 27 to read as follows:

27. Enactment of laws, the subject matter of which is included in the final paragraph of the Petition which resulted in the Call for the Special Session, shall be by bill. No bill or resolution shall be introduced into the House the subject matter of which is not included in the final paragraph of the **Petition which resulted in the Call for the Special Session, except for constitutional amendment concurrent resolutions the subject matter of which is adequate education or education funding.**

Amend House Rule 28(b) to read as follows:

(b) The Office of Legislatives Services shall not accept a request to draft any bill or resolution the subject matter of which is not included in the final paragraph of the Petition which resulted in the Call for the Special Session, except for constitutional amendment concurrent resolutions the subject matter of which is adequate education or education funding.

Rep. Pepino spoke in favor and requested a roll call; sufficiently seconded.
Rep. DiFruscia spoke against.
Rep. David Campbell inquired if floor amendment (2410h) was germane. The Speaker ruled the amendment was germane.
The question being adoption of floor amendment (2410h)

YEAS 62 NAYS 277			
YEAS 62			

BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Tobin, William
Veazey, John	Wendelboe, Fran		
CARROLL			
Dickinson, Howard	McConkey, Mark	Merrow, Harry	
CHESHIRE			
Emerson, Susan			
COOS			
Stohl, Eric			
GRAFTON			
Maybeck, Margie			
HILLSBOROUGH			
Allan, Nelson	Barry, J Gail	Bergeron, Jean-Guy	Biundo, Michael
Brundige, Robert	Carter, Mark	Crane, Elenore Casey	Dyer, Donald
Gonzalez, Carlos	Hagan, Barbara	Hansen, Ryan	Hawkins, Ken
Hirschmann, Keith	Hunter, Bruce	Infantine, William	Jasper, Shawn
Kurk, Neal	Lawrence, James	Manney, Pamela	McRae, Karen
Mooney, Maureen	Ober, Lynne	Pepino, Leo	Stepanek, Stephen
Sullivan, Peter	Ulery, Jordan	Wheeler, James	Wheeler, Robert
MERRIMACK			
Danforth, James	Field, William	Oliver, James	Soltani, Tony
ROCKINGHAM			
Camm, Kevin	Coburn, James	Dumaine, Dudley	Fesh, Bob
Forsing, Robert	Garrity, James	Headd, James	Hughes, Daniel
Hutchinson, Karen	Introne, Robert	Quandt, Marshall Lee	Quandt, Matthew
Sanders, Elisabeth	Waterhouse, Kevin	Weyler, Kenneth	Zolla, William
STRAFFORD			
Campbell, W Packy	Chaplin, Duncan		
SULLIVAN			
None			
NAYS 277			
BELKNAP			
Boyce, Laurie	Flanders, Donald	Heald, Bruce	Morrison, Gail
Nedeau, Stephen	Pilliod, James	Rosen, Ralph	Russell, David

Thomas, John	Tilton, Franklin	Whalley, Michael	
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Buco, Thomas
Chandler, Gene	Knox, J David	Martin, James	Olimpio, J Lisbeth
Patten, Betsey	Philbrick, Donald	Stevens, Stanley	
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dexter, Judson	Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter
Foote, Sheila	Hogancamp, Deborah	Hunt, John	Mitchell, Bonnie
Pelkey, Stephen	Pratt, John	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sawyer, Sheldon	Tilton, Anna	Weed, Charles
COOS			
Buzzell, Bernard	King, Frederick	Lary, Bruce	Merrick, Scott
Richardson, Herbert	Theberge, Robert	Tholl, John Jr	
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Eaton, Stephanie	Gionet, Edmond
Giuda, Robert	Ham, Bonnie	Hammond, Lee	Harding, A Laurie
Ingbretson, Paul	McLeod, Martha	Mirski, Paul	Mulholland, Catherine
Nordgren, Sharon	Sokol, Hilda	Sorg, Gregory	Williams, Burton
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Baroody, Benjamin	Batula, Peter
Beaulieu, Jane	Bergin, Peter	Boehm, Ralph	Brassard, Paul
Calawa, Leon Jr	Campbell, David	Carew, James	Chase, Claudia
Christensen, D L Chris	Christiansen, Lars	Clark, Mark	Clemons, Jane
Cote, David	Cote, Peter	Coughlin, Pamela	Craig, James
Desmarais, Vivian	DeVries, Betsi	Dokmo, Cynthia	Drisko, Richard
Egbers, Fran	Elliott, Nancy	Emerton, Larry	Essex, David
Foster, Linda	Francoeur, Bea	Gargasz, Carolyn	Garrity, Patrick
Ginsburg, Ruth	Golding, William	Goley, Jeffrey	Gorman, Mary
Goyette, Peter Jr	Graham, John	Haley, Robert	Hall, Betty
Harvey, Suzanne	Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton
Holden, Randolph	Irwin, Anne-Marie	Jean, Claudette	Jeudy, Jean
Johnson, Paula	L'Heureux, Robert	Lasky, Bette	Lessard, Rudy
Martin, Mary Ellen	Matarazzo, Anthony Sr	Mead, Robert	Messier, Irene
Michon, Stephen	Movsesian, Lori	O'Brien, William	O'Connell, Timothy
Pappas, Christopher	Pilotte, Maurice	Price, Pamela	Renzullo, Andrew
Rosenwald, Cindy	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Smith, David	Sullivan, Francis	Vaillancourt, Steve	Velez, Hector
Villeneuve, Maurice			

MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald
Clarke, Claire	DeJoie, John	DeStefano, Stephen	French, Barbara
Gile, Mary	Greco, Vincent	Hager, Elizabeth	Hamm, Christine
Hess, David	Kennedy, Richard	Kidder, David	Klose, John
Langlais, Thomas	Lockwood, Priscilla	MacKay, James	Marple, Richard
Maxfield, Roy	McMahon, Patricia	Owen, Derek	Potter, Frances
Reardon, Tara	Reed, Dennis	Rush, Deanna	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Whiting, Herbert	Williams, Robert	Yeaton, Charles
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Belanger, Ronald	Bettencourt, David
Bishop, Franklin	Blanchard, MaryAnn	Bridle, Russell	Brown, C. Pennington
Cali-Pitts, Jacqueline	Carson, Sharon	Casey, Kimberley	Charron, Gene
Cooney, Richard	DiFruscia, Anthony	Dowd, John	Dowling, Patricia
Flanders, John Sr	Flockhart, Eileen	Francoeur, Sheila	Gillick, Thomas
Gould, Kenneth	Griffin, Mary	Hopfgarten, Paul	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Langley, Jane
Lund, Howie	Major, Norman	Mason, April	McKinney, Betsy
McMahon, Charles	Moody, Marcia	Moore, Benjamin	Morris, Richard
Norelli, Terie	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Pantelakos, Laura	Parker, Benjamin	Powers, James	Priestley, Anne
Rausch, James	Robinson, John	Rolston, James	Scamman, Stella
Splaine, James	Stiles, Nancy	Stone, Joseph	Weare, E Albert
Welch, David	Wells, Roger	Winchell, George	
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Jennifer
Brown, Julie	Brown, Lawrence	Cataldo, Sam	Cilley, Jacalyn
Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia	Easson, Timothy
Goodwin, Earle	Grassie, Anne	Hilliard, Dana	Hofemann, Roland
Hollinger, Jeffrey	Johnson, Nancy	Kaen, Naida	Keans, Sandra
Knowles, William	Miller, Joseph	Newton, Clifford	Rollo, Michael
Rous, Emma	Schmidt, Peter	Spang, Judith	Taylor, Kathleen
Twombly, James	Wall, Janet		
SULLIVAN			
Cloutier, John	Converse, Larry	Ferland, Brenda	Franklin, Peter
Gale, Harry	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James
Prichard, Stephen	Rodeschin, Beverly		

and floor amendment (2410h) failed.

Rep. Coburn offered floor amendment (2414h).

Floor Amendment (2414h)

Amend the House Rules of the 2006 special session to read as follows:

DUTIES OF THE SPEAKER

1. The Speaker shall take the chair at precisely the hour specified in the Call for the Special Session and shall immediately call the members to order.

2. The Speaker shall preserve decorum and order, may speak on points of order in preference to other members, and shall decide questions of order. The decision of the Speaker on a question of order shall be conclusive unless the decision is immediately appealed to the House. The House shall decide the appeal by a majority vote of those members present and voting.

3. The Speaker shall appoint all committees unless otherwise directed by the House.

4. The Speaker shall not be called on to vote unless the vote would be decisive. If the vote is tied after the Speaker has voted, the question shall be lost.

5. The Speaker shall sign all bills after passage or enrollment. All warrants, subpoenas and other processes issued by order of the House shall be signed by the Speaker and attested to by the Clerk.

6. The Speaker or chairman of the committee of the whole House shall have the power to order the gallery cleared in cases of any disturbance or disorderly conduct.

7. The Speaker shall have power to substitute any member to perform the duties of the Chair. If absent, the Speaker shall designate a member to perform the duties of the Chair unless otherwise ordered by the House.

DECORUM AND DEBATE

8. When the House is called to order, members shall take their seats and shall activate their voting stations immediately. When they leave their seats for any reason they shall deactivate their stations.

9. In all cases not provided for by the Constitution or Special Session Rules, Mason's Manual of Legislative Procedure, 2000 Edition, shall be the parliamentary guide.

10. When any member is about to speak in debate, make a motion, or deliver any matter to the House, the member shall rise from his or her seat and respectfully address the Speaker, declaring the purpose for which the member rises to speak.

11. In all cases the member rising first shall speak first. When two or more members rise at the same time, the Speaker shall name the person to speak. When many members choose to speak, they may file their names with the Clerk, who shall supply the list to the Speaker. The Speaker shall name the order in which the members shall speak.

12. No member shall speak more than twice on the same question without permission from the House. No member shall speak more than once until every member choosing to speak has spoken.

13. While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House. While a member is speaking, no one shall pass between that member and the other members of the House, nor shall anyone engage in private conversation.

14. If any member transgresses the rules of the House, the Speaker shall, or any member may, call the member to order. The member called to order shall immediately sit down and the question of order shall be distinctly stated by the Speaker.

15. In all instances, every member shall act in conformance with the duly adopted New Hampshire General Court Ethics Guidelines and opinions of the Legislative Ethics Committee.

16. (a) The following persons shall be admitted within the door of the Representatives' chamber while the House is in session: House members and officers, the Governor, Council members, Senate members, the Secretary of State, the Treasurer, and the Senate Clerks.

(b) No other person shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session, except with the permission of the Speaker.

17. Before any petition is received and read, the substance of the petition shall be in concise form, and the name of the person presenting it shall be recorded on the petition. The Speaker shall state the substance of the petition.

18. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before an amendment.

19. (a) When any question is under debate, precedence of motions shall be as follows:

(1) to adjourn;
(2) to lay on the table;
(3) for the previous question;
(4) to postpone to a certain day;
(5) to commit;
(6) to amend;
(7) to postpone indefinitely.

Motions to adjourn, to lay on the table, for the previous question, and to take from the table shall be decided without debate. A motion to postpone to a certain day shall be debatable both as to time and subject matter.

(b) When a question is postponed indefinitely, it shall not be acted on during the same session, unless two-thirds of those members present and voting vote in favor thereof.

(c) No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

20. (a) The Speaker shall put the previous question in the following form: "Shall debate now be limited?" and all debate on the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken on pending amendments, in their regular order, and then on the main question.

(b) All incidental questions of order arising after a motion of the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

(c) If the previous question is decided in the negative, it shall not again be in order for the particular question under consideration until after adjournment, but the main question shall be left before the House and disposed of as though the previous question had not been put.

21. There shall be three forms of deciding the question: voice vote, division vote, roll call vote. No member shall vote in any case when the member was not present when the question was put.

(a) The question put by voice vote shall be: "All those in favor of the question say 'aye,'" and after the affirmative vote is expressed, "Those of a contrary opinion say 'no.'"

(b) A division vote shall be taken if the Speaker doubts the voice vote or if a member calls for a division vote. When a division of the House is taken, the Speaker may appoint a teller for each seating division of the House, who shall report to the Chair the state of the vote.

(c) A roll call shall be taken when a member moves for a roll call vote and that motion is seconded by 10 other members. The member requesting the roll call vote and the 10 members who second the motion shall notify the clerk in writing or shall rise from their seats or otherwise be recognized by the Speaker.

(d) When a division or a roll call is taken, the Speaker shall put the question and open the voting stations for not more than 30 seconds. Each member present at his or her voting station shall press either the YES (Green) or NO (Red) button unless excused by the House for a special reason. After closing the vote, the Speaker shall rise and state the decision of the House.

22. In case of a tie vote, the question shall be lost.

23. No member shall leave his or her seat while the voting machine is in use and until the Speaker announces the result of the vote.

24. No vote shall be reconsidered unless the motion for reconsideration is made by a member who voted with the prevailing side while the bill is in the possession of the House.

(a) A motion for reconsideration shall be in order only until the time the House stands in final recess on the day the vote was taken.

(b) When notice of reconsideration is received by the House, the Clerk of the House shall hold the bill or resolution relative to which such notice has been served until the expiration of the time within which such notice is effective.

25. When the reading of a paper or a document is objected to by a member, the question shall be determined by a vote of the House without debate.

26. All members shall attend to their duties in the House and no one shall be absent from the service of the House unless the member has leave, or is sick and unable to attend.

BILLS

27. No bill shall be introduced into the House the subject matter of which is not election ballots, education funding, or taxes.

28. (a) The Office of Legislative Services shall identify LSRs in language which makes clear the intent of the bill. LSRs, with the name(s) of the sponsor(s), shall be published by the Office of Legislative Services. The Speaker of the House shall adjudicate any disagreement concerning the publication of LSRs that may arise between bill sponsors and the Office of Legislative Services.

(b) The Office of Legislative Services shall not accept a request to draft any bill or resolution the subject matter of which is not election ballots, education funding, or taxes.

(c) The Office of Legislative Services shall not accept a request to draft any bill which is the same, or essentially the same, as any other drafting request already accepted. If duplicate or similar legislation is requested, the Director of Legislative Services shall notify the sponsors of each filing request and mediate an agreement for the filing of a single bill. Filing requests resulting from legislative committee work shall take precedence over all other duplicate or similar filings. The name of the House member whose LSR request is denied due to duplication may be substituted on request for that of the original sponsor if the original sponsor withdraws the drafting request prior to the sign-off deadline.

(d) All bills to be introduced in the House shall be delivered or caused to be delivered to the Office of Legislative Services by the member presenting them. The Office of Legislative Services shall prepare those bills in proper form and shall present them to the member(s) for signature. Legislative Services shall give precedence in drafting legislation to any measure which carries a fiscal note.

(e) All bills shall be endorsed with the name and the district of the legislator presenting them. All legislation shall be numbered serially. Each bill shall be marked on the first page "House Bill."

(f) No LSR number shall be assigned and no House bill shall be drafted unless the LSR or bill has a House sponsor. No more than 5 House members shall be allowed to sponsor any bill or floor amendment. No more than 5 Senate members shall be allowed to co-sponsor legislation originating in the House.

(g) If a drafting request for a bill filed with the Office of Legislative Services requires a fiscal note as provided in RSA 14:44-47, the substance or a draft of the proposal may be provided to the Legislative Budget Assistant for preparation of the required fiscal note without the specific consent of the sponsor of the proposal.

(h) For the purposes of these rules, money bills are those that either appropriate money or affect state revenues, whether new or existing.

29. Every request by a member of the House for drafting a bill which complies with these rules shall be accepted by the Office of Legislative Services for processing. Each request shall be accompanied by sufficient information necessary for drafting.

30. (a) If the primary sponsor signs the legislation in time for introduction, but one or more co-sponsors fails to sign, the legislation shall be introduced in the names of those sponsors who have signed. If the primary sponsor fails to sign the legislation in time for introduction, a co-sponsor may become the primary sponsor. If the primary sponsor fails to sign, and no co-sponsor wishes to become the primary sponsor, the legislation may not be introduced.

(b) An LSR may be withdrawn at any time prior to its introduction with the consent of all of its sponsors. Any sponsor may request that his or her name be deleted as a sponsor of the bill prior to its introduction.

31. Every bill shall have three separate readings in the House prior to its passage. The first and second readings shall be by title only which may be accomplished by a single motion. No bill after it has been read a second time shall have a third reading until after adjournment from the early session. The time assigned for the third reading of bills shall be in the late session unless otherwise ordered by the House. The orders of the day for the reading of bills shall hold for every succeeding day until disposed.

32. After each bill has been numbered, the Clerk shall procure a sufficient number of copies for distribution.

33. (a) No amendment shall be made until the second reading of a bill. All amendments to bills shall be prepared by the Office of Legislative Services, with the name of the member and the district represented by the member or the name of the policy committee proposing the amendment.

(b) No amendment shall be added to any bill, which is not germane to the subject matter of the legislative document as introduced.

(c) When a bill comes before the House, the body shall first consider a positive motion. The Speaker shall not permit a negative motion to be substituted until the House has properly disposed of a positive motion.

34. No standing rule of the House Special Session shall be suspended unless two-thirds of the members present vote in favor thereof. A motion to suspend the rules is debatable.

35. No rule shall be rescinded unless two days notice of a motion has been given and two-thirds of House members present vote therefor.

COMMITTEE OF THE WHOLE HOUSE

36. The House may resolve itself into a committee of the whole at any time on the motion of a member made for that purpose. In forming a committee of the whole House, the Speaker shall leave the chair, and a chairman to preside in committee shall be appointed by the Speaker.

37. When a bill is committed to a committee of the whole House, the entire bill shall first be read by the Clerk, and then again read and debated by clauses, leaving the preamble of the bill to be considered last. The body of the bill or resolution shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as they are agreed to by the committee and so reported to the House. After reporting, the bill shall again be subject to debate and amendment by clauses before a question to pass it to a third reading is taken.

38. The rules of proceeding in the House shall be observed in the committee of the whole House, as far as they may be applicable, except the rule limiting the time of speaking.

ORDER OF BUSINESS

39. (a) The order of business in the early session shall be as follows:
    1. Prayer by the Chaplain and pledge of allegiance;
    2. Call of the Roll;
    3. Leaves of absence if received before the start of the legislative day;
    4. Introduction of guests;
    5. Adoption of Rules;
    6. Introduction, first and second reading and consideration of bills;
    7. Messages from the Senate, the Governor and the Secretary of State;
    8. Resolutions, motions and notices;
    9. Adjournment from the early session.

(b) The order of business in the late session shall be as follows:
    1. Third reading of bills;
    2. Resolutions and motions;
    3. Personal privilege.

4. Adjournment.

(c) The order of business listed in this rule shall be adhered to unless otherwise ordered by a majority of those members of the House present and voting.

(d) Leaves of absence may be granted by the House at any time.

40. If the Special Session continues for more than one legislative day, the unfinished business in which the House was engaged at the last preceding adjournment, if called for by any member, shall have preference over all other business except the general order of the day; and no motion, or any other business except the general order of the day, shall be received without special leave of the House, until the former is disposed.

OFFICERS AND PERSONNEL

41. The elected and appointed non-member officers and personnel of the House shall be under the direction of the Speaker, who shall define their duties not fixed by statute or otherwise ordered by the House.

42. No officer or employee of the House during the Special Session or any adjournment thereof shall purchase or contract to purchase, pay or promise to pay any sum of money on behalf of the House or issue any requisition or manifest without securing the approval in writing of the Speaker of the House or designee.

43. The Speaker may appoint an individual trained and experienced in security matters or law enforcement work, who, under the supervision and direction of the Speaker, shall prevent the deliberations of the House from being disrupted or interfered with by any person or persons not members thereof.

44. No employee or attaché of the House Sergeant-at-Arms shall, directly or indirectly, be personally involved with or attempt to influence the passage or consideration of any measure whatsoever. If any such employee or attaché becomes involved with any such measure, it shall be grounds for summary dismissal.

MISCELLANEOUS

45. No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall carry or have in possession any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, or any portion of the State House adjacent to any of the above. Any person in violation of this rule shall be subject to ejection from any such premises on the order of the Speaker and disciplinary action or arrest or both by action of the House. Nothing in this rule shall indicate that the security officer appointed by the House has the right to stop and search a member of the House on the premises of the House. With the exception of devices for the hearing impaired, no member shall operate audible electronic transmitting devices and/or receiving devices nor shall any member operate a video camera or a camera utilizing flash bulbs on the floor of the House, while the House is in Special Session.

Reps. Coburn, Infantine and Crane spoke in favor.
Reps. Pratt and Robinson spoke against.
Rep. Carter spoke in favor and yielded to questions.
Rep. Graham requested a roll call; sufficiently seconded.
The question being the adoption of floor amendment (2414h)

YEAS 105 NAYS 234			
YEAS 105			
BELKNAP			
Allen, Janet	Clark, Charles	Fitzgerald, James	Heald, Bruce
Russell, David	Tilton, Franklin	Tobin, William	Veazey, John
Wendelboe, Fran			

CARROLL			
Babson, David Jr	Brown, Carolyn	Dickinson, Howard	McConkey, Mark
Merrow, Harry	Stevens, Stanley		
CHESHIRE			
Emerson, Susan	Hunt, John		
COOS			
Stohl, Eric			
GRAFTON			
Gionet, Edmond	Maybeck, Margie		
HILLSBOROUGH			
Adams, Jarvis IV	Allan, Nelson	Barry, J Gail	Batula, Peter
Bergeron, Jean-Guy	Biundo, Michael	Boehm, Ralph	Brassard, Paul
Brundige, Robert	Calawa, Leon Jr	Carew, James	Carter, Mark
Clark, Mark	Coughlin, Pamela	Crane, Elenore Casey	Desmarais, Vivian
Dyer, Donald	Elliott, Nancy	Francoeur, Bea	Gonzalez, Carlos
Goyette, Peter Jr	Graham, John	Hagan, Barbara	Hansen, Ryan
Hawkins, Ken	Hebert, Raymond	Hirschmann, Keith	Hunter, Bruce
Infantine, William	Jasper, Shawn	Jeudy, Jean	Kurk, Neal
L'Heureux, Robert	Lawrence, James	Manney, Pamela	McRae, Karen
Mooney, Maureen	Ober, Lynne	Renzullo, Andrew	Rowe, Robert
Scanlon, Michael	Stepanek, Stephen	Sullivan, Peter	Ulery, Jordan
Vaillancourt, Steve	Wheeler, James	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Field, William	Hess, David	Kennedy, Richard
Langlais, Thomas	Soltani, Tony		
ROCKINGHAM			
Belanger, Ronald	Bridle, Russell	Camm, Kevin	Carson, Sharon
Coburn, James	Dumaine, Dudley	Fesh, Bob	Forsing, Robert
Francoeur, Sheila	Garrity, James	Griffin, Mary	Headd, James
Hughes, Daniel	Introne, Robert	Kobel, Rudolph	Major, Norman
Mason, April	McMahon, Charles	Nowe, Ronald	Palazzo, Frank
Quandt, Marshall Lee	Quandt, Matthew	Stiles, Nancy	Waterhouse, Kevin
Weyler, Kenneth	Winchell, George	Zolla, William	
STRAFFORD			
Campbell, W Packy	Cataldo, Sam	Chaplin, Duncan	Easson, Timothy
SULLIVAN			
Gale, Harry			
NAYS 234			

BELKNAP			
Boyce, Laurie	Flanders, Donald	Morrison, Gail	Nedeau, Stephen
Pilliod, James	Rosen, Ralph	Thomas, John	Whalley, Michael
CARROLL			
Ahlgren, Christopher	Buco, Thomas	Knox, J David	Martin, James
Olimpio, J Lisbeth	Patten, Betsey	Philbrick, Donald	
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dexter, Judson	Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter
Foote, Sheila	Hogancamp, Deborah	Mitchell, Bonnie	Pelkey, Stephen
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sawyer, Sheldon	Tilton, Anna	Weed, Charles	
COOS			
Buzzell, Bernard	King, Frederick	Lary, Bruce	Merrick, Scott
Richardson, Herbert	Theberge, Robert	Tholl, John Jr	
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Eaton, Stephanie	Giuda, Robert
Ham, Bonnie	Hammond, Lee	Harding, A Laurie	Ingbretson, Paul
McLeod, Martha	Mirski, Paul	Mulholland, Catherine	Nordgren, Sharon
Sokol, Hilda	Sorg, Gregory	Williams, Burton	
HILLSBOROUGH			
Balboni, Michael	Baroody, Benjamin	Beaulieu, Jane	Bergin, Peter
Campbell, David	Chase, Claudia	Christensen, D L Chris	Christiansen, Lars
Clemons, Jane	Cote, David	Cote, Peter	Craig, James
DeVries, Betsi	Dokmo, Cynthia	Drisko, Richard	Egbers, Fran
Emerton, Larry	Essex, David	Foster, Linda	Gargasz, Carolyn
Garrity, Patrick	Ginsburg, Ruth	Golding, William	Goley, Jeffrey
Gorman, Mary	Haley, Robert	Hall, Betty	Harvey, Suzanne
Hellwig, Steve	Hinkle, Peyton	Holden, Randolph	Irwin, Anne-Marie
Jean, Claudette	Johnson, Paula	Lasky, Bette	Lessard, Rudy
Martin, Mary Ellen	Matarazzo, Anthony Sr	Mead, Robert	Messier, Irene
Michon, Stephen	Movsesian, Lori	O'Brien, William	O'Connell, Timothy
Pappas, Christopher	Pepino, Leo	Pilotte, Maurice	Price, Pamela
Rosenwald, Cindy	Ryder, Donald	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Shaw, Kimberly	Smith, David	Sullivan, Francis
Velez, Hector	Villeneuve, Maurice		
MERRIMACK			
Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Danforth, James	DeJoie, John	DeStefano, Stephen	French, Barbara

Gile, Mary	Greco, Vincent	Hager, Elizabeth	Hamm, Christine
Kidder, David	Klose, John	Lockwood, Priscilla	MacKay, James
Marple, Richard	Maxfield, Roy	McMahon, Patricia	Oliver, James
Owen, Derek	Potter, Frances	Reardon, Tara	Reed, Dennis
Rush, Deanna	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Whiting, Herbert
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Bettencourt, David	Bishop, Franklin
Blanchard, MaryAnn	Brown, C. Pennington	Cali-Pitts, Jacqueline	Casey, Kimberley
Charron, Gene	Cooney, Richard	DiFruscia, Anthony	Dowd, John
Dowling, Patricia	Flanders, John Sr	Flockhart, Eileen	Gillick, Thomas
Gould, Kenneth	Hopfgarten, Paul	Hutchinson, Karen	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Langley, Jane	Lund, Howie
McKinney, Betsy	Moody, Marcia	Moore, Benjamin	Morris, Richard
Norelli, Terie	O'Neil, Michael	Packard, Sherman	Pantelakos, Laura
Parker, Benjamin	Powers, James	Priestley, Anne	Rausch, James
Robinson, John	Rolston, James	Sanders, Elisabeth	Scamman, Stella
Splaine, James	Stone, Joseph	Weare, E Albert	Welch, David
Wells, Roger			
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Jennifer
Brown, Julie	Brown, Lawrence	Cilley, Jacalyn	Creteau, Irene
Domingo, Baldwin	Dunlap, Patricia	Goodwin, Earle	Grassie, Anne
Hilliard, Dana	Hofemann, Roland	Hollinger, Jeffrey	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Knowles, William	Miller, Joseph
Newton, Clifford	Rollo, Michael	Rous, Emma	Schmidt, Peter
Spang, Judith	Taylor, Kathleen	Twombly, James	Wall, Janet
SULLIVAN			
Cloutier, John	Converse, Larry	Ferland, Brenda	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen
Rodeschin, Beverly			

and floor amendment (2414h) failed.

The motion now being the adoption of the Rules of the Special Session.

Rep. O'Brien spoke in favor.

Rules of the Special Session were adopted.

SENATE MESSAGE

Mr. Speaker:

The Senate, pursuant to a call from the Secretary of State, has assembled and is now ready to proceed with the business of the special session.

SENATE MESSAGE

Mr. Speaker:

The Senate has passed the Special Session Bill with the following title, in the passage of which it asks the concurrence of the House of Representatives.

Special Session SB1, relative to preparation of 2006 state general election ballots.

RESOLUTION

Rep. O'Neil offered the following: RESOLVED that in accordance with the list in the possession of the Clerk, Senate Bill 1 shall be by this resolution read a first and second time by the therein listed title.
Adopted.

INTRODUCTION OF SENATE BILL 1
First, second reading

SB 1, relative to preparation of 2006 state general election ballots.

CONSIDERATION OF SENATE BILL 1

SB 1, relative to preparation of 2006 state general election ballots.

MOTION TO LAY ON THE TABLE

Rep. Vaillancourt moved that ***SB 1*****,** relative to preparation of 2006 state general election ballots, be laid on the table.
Motion failed.

Rep. O'Neil moved Ought to Pass.
Rep. Chandler offered floor amendment 2421h.

Floor Amendment (2421h)

Amend the bill by inserting after the enacting clause the following and renumbering the original sections 1-3 to read as 2-4, respectively:

1 Purpose. All power of government is derived from the people, Article 1, Part First of the Constitution of New Hampshire, Bill of Rights. The people have given to the legislative branch of their government only, in Article 29, Part First, the sole power of suspending the laws. Therefore, it is the legislative intent of this bill for the general court to restate and reassert its constitutional authority with regard to state elections.

Amend paragraph II of section 2 of the bill by replacing it with the following:

II. In preparing ballots for the 2006 state general election for any town or ward where there is more than one candidate in a party column for any office, the names of the candidates for that office in the party column shall be listed according to the surnames of the candidates. The names of the candidates shall be printed with the given name first. The secretary of state shall hold a public drawing in the secretary of state's office to pick randomly one letter of the alphabet for that election year. The candidates shall be listed alphabetically according to their surnames within each party column. The letter picked for that election year shall be treated as the first letter of the alphabet, and alphabetization shall follow from that letter forward to the letter immediately preceding the letter picked. For example, if the letter "t" is picked, alphabetization shall proceed from "t" to "z," and then from "a" to "s." Should more than one candidate's surname begin with the same letter, the first letter in the surnames which is different shall be the letter to determine placement of the names on the ballot.

Amend the bill by replacing section 4 with the following:

4 Effective Date.

II. Section 3 of this act shall take effect December 31, 2006.

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

Rep. O'Neil spoke in favor.

(Rep. Francoeur in the Chair)

Rep. Vaillancourt spoke against and yielded to questions.

(Speaker Scamman in the Chair)

Rep. Chandler spoke in favor.
Rep. Whalley yielded to questions.
Rep. Hess spoke in favor and yielded to questions.
Rep. David Campbell moved floor amendment (2421h) be divided and spoke to the motion.
The Speaker ruled that the amendment was divisible and so ordered.
The motion now being the adoption of Section I (lines 1-8) of floor amendment (2421h).
Rep. Balboni spoke in favor.
Rep. Soltani requested a roll call; sufficiently seconded.
The question being adoption of Section I of floor amendment (2421h)

YEAS 193 NAYS 140			
YEAS 193			
BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Heald, Bruce	Nedeau, Stephen	Pilliod, James
Rosen, Ralph	Russell, David	Thomas, John	Tilton, Franklin
Tobin, William	Veazey, John	Wendelboe, Fran	Whalley, Michael
CARROLL			
Ahlgren, Christopher	Babson, David Jr	Brown, Carolyn	Chandler, Gene
Dickinson, Howard	McConkey, Mark	Merrow, Harry	Patten, Betsey
Philbrick, Donald	Stevens, Stanley		
CHESHIRE			
Dexter, Judson	Emerson, Susan	Foote, Sheila	Hogancamp, Deborah
Hunt, John	Pelkey, Stephen	Sawyer, Sheldon	
COOS			
King, Frederick	Lary, Bruce	Stohl, Eric	Tholl, John Jr
GRAFTON			
Eaton, Stephanie	Gionet, Edmond	Giuda, Robert	Ingbretson, Paul
Maybeck, Margie	Mirski, Paul	Sorg, Gregory	Williams, Burton
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Barry, J Gail	Batula, Peter
Bergeron, Jean-Guy	Bergin, Peter	Biundo, Michael	Boehm, Ralph
Brassard, Paul	Brundige, Robert	Calawa, Leon Jr	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

Francoeur, Bea	Gargasz, Carolyn	Golding, William	Gonzalez, Carlos
Goyette, Peter Jr	Graham, John	Hagan, Barbara	Hansen, Ryan
Hawkins, Ken	Hebert, Raymond	Hellwig, Steve	Hinkle, Peyton
Hirschmann, Keith	Hunter, Bruce	Jasper, Shawn	Kurk, Neal
L'Heureux, Robert	Lawrence, James	Lessard, Rudy	Manney, Pamela
McRae, Karen	Mead, Robert	Messier, Irene	Mooney, Maureen
O'Brien, William	O'Connell, Timothy	Ober, Lynne	Price, Pamela
Renzullo, Andrew	Rowe, Robert	Ryder, Donald	Scanlon, Michael
Shattuck, Gilman	Stepanek, Stephen	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
Langlais, Thomas	Lockwood, Priscilla	MacKay, James	Marple, Richard
Maxfield, Roy	Oliver, James	Reed, Dennis	Soltani, Tony
Whiting, Herbert			
ROCKINGHAM			
Allen, Mary	Belanger, Ronald	Bettencourt, David	Bishop, Franklin
Bridle, Russell	Camm, Kevin	Carson, Sharon	Charron, Gene
Coburn, James	Cooney, Richard	Dowd, John	Dowling, Patricia
Dumaine, Dudley	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Garrity, James	Gillick, Thomas	Griffin, Mary
Headd, James	Hopfgarten, Paul	Hughes, Daniel	Hutchinson, Karen
Introne, Robert	Johnson, Robert	Katsakiores, George	Katsakiores, Phyllis
Kobel, Rudolph	Lund, Howie	Major, Norman	Mason, April
McKinney, Betsy	McMahon, Charles	Moore, Benjamin	Morris, Richard
Nowe, Ronald	O'Neil, Michael	Packard, Sherman	Palazzo, Frank
Priestley, Anne	Quandt, Marshall Lee	Quandt, Matthew	Rausch, James
Sanders, Elisabeth	Stiles, Nancy	Stone, Joseph	Waterhouse, Kevin
Weare, E Albert	Welch, David	Wells, Roger	Weyler, Kenneth
Winchell, George	Zolla, William		
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Julie
Campbell, W Packy	Cataldo, Sam	Chaplin, Duncan	Dunlap, Patricia
Easson, Timothy	Hollinger, Jeffrey	Newton, Clifford	Twombly, James
SULLIVAN			
Gale, Harry	Rodeschin, Beverly		
NAYS 140			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas	Knox, J David	Martin, James	Olimpio, J Lisbeth

CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dunn, J Timothy	Eaton, Daniel	Espiefs, Peter	Mitchell, Bonnie
Pratt, John	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Tilton, Anna	Weed, Charles		
COOS			
Buzzell, Bernard	Merrick, Scott	Richardson, Herbert	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Ham, Bonnie	Hammond, Lee
Harding, A Laurie	McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon
Sokol, Hilda			
HILLSBOROUGH			
Baroody, Benjamin	Beaulieu, Jane	Campbell, David	Chase, Claudia
Clemons, Jane	Cote, David	Cote, Peter	Craig, James
DeVries, Betsi	Egbers, Fran	Essex, David	Foster, Linda
Garrity, Patrick	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Haley, Robert	Hall, Betty	Harvey, Suzanne	Holden, Randolph
Irwin, Anne-Marie	Jean, Claudette	Jeudy, Jean	Johnson, Paula
Lasky, Bette	Matarazzo, Anthony Sr	Michon, Stephen	Movsesian, Lori
Pappas, Christopher	Pilotte, Maurice	Rosenwald, Cindy	Schulze, Joan
Shaw, Barbara	Shaw, Kimberly	Smith, David	Sullivan, Francis
Sullivan, Peter	Vaillancourt, Steve		
MERRIMACK			
Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
DeJoie, John	DeStefano, Stephen	French, Barbara	Gile, Mary
Greco, Vincent	Hamm, Christine	McMahon, Patricia	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	Brown, C. Pennington	Cali-Pitts, Jacqueline
Casey, Kimberley	DiFruscia, Anthony	Flockhart, Eileen	Gould, Kenneth
Langley, Jane	Moody, Marcia	Norelli, Terie	Pantelakos, Laura
Powers, James	Robinson, John	Scamman, Stella	Splaine, James
STRAFFORD			
Brown, Jennifer	Brown, Lawrence	Cilley, Jacalyn	Creteau, Irene
Domingo, Baldwin	Goodwin, Earle	Grassie, Anne	Hilliard, Dana
Hofemann, Roland	Kaen, Naida	Keans, Sandra	Knowles, William
Miller, Joseph	Rollo, Michael	Rous, Emma	Schmidt, Peter
Spang, Judith	Taylor, Kathleen	Wall, Janet	

SULLIVAN			
Cloutier, John	Converse, Larry	Ferland, Brenda	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James	Prichard, Stephen

and Section I of floor amendment (2421h) was adopted.
The motion now being the adoption of the remainder of floor amendment (2421h).
Rep. Phinizy spoke against.
Rep. O'Neil spoke in favor.
The remainder of floor amendment (2421h) was adopted.

Rep. Field offered floor amendment 2418h.

Floor Amendment (2418h)

Amend the title of the bill by replacing it with the following:
AN ACT relative to preparation of 2006 state general election ballots and relative to constitutionality of law.
Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Section; Statutory Construction; Constitutionality of Law. Amend RSA 21 by inserting after section 50 the following new section:

21:51 Constitutionality of Law. As there is no specific delegation of authority on the constitutionality of a law in the New Hampshire constitution, be it hereby established that the elected general court shall be the sole determinant of the constitutionality of law.
2006-2418h

AMENDED ANALYSIS

This bill establishes a procedure for the placement of party columns and ordering of candidate names for the 2006 state general election ballots and declares authority of the general court to determine constitutionality of law.

Rep. Field spoke in favor.
Rep. Pratt raised a point of order questioning if floor amendment (2418h) was germane to Senate Bill 1.
The Speaker ruled the amendment non germane.
Rep. Field withdrew floor amendment (2418h).

Reps. DiFruscia offered floor amendment 2416h.

Floor Amendment (2416h)

Amend section 1 of the bill by inserting after paragraph II the following new paragraph:

III. If the alphabetization procedure established in paragraph II of this section is held to be unconstitutional, the secretary of state shall either rotate the names of candidates for each office or randomly select the order of candidates for each office on the 2006 general election ballot.

Rep. DiFruscia spoke in favor and yielded to questions.
Rep. Sorg spoke against and yielded to questions.
Floor amendment (2416h) failed.

The question now being the adoption of Senate Bill 1 as amended.
Rep. Hopfgarten spoke against.
Rep. Dumaine requested a roll call; sufficiently seconded.

YEAS 194 NAYS 133			
YEAS 194			

BELKNAP			
Allen, Janet	Boyce, Laurie	Clark, Charles	Fitzgerald, James
Flanders, Donald	Nedeau, Stephen	Pilliod, James	Rosen, Ralph
Thomas, John	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	Patten, Betsey	Philbrick, Donald	Stevens, Stanley
CHESHIRE			
Dexter, Judson	Emerson, Susan	Espiefs, Peter	Foote, Sheila
Hogancamp, Deborah	Hunt, John	Pelkey, Stephen	Roberts, Kris
Robertson, Timothy	Sawyer, Sheldon		
COOS			
King, Frederick	Lary, Bruce	Stohl, Eric	Tholl, John Jr
GRAFTON			
Eaton, Stephanie	Gionet, Edmond	Giuda, Robert	Ingbretson, Paul
Mirski, Paul	Sokol, Hilda	Sorg, Gregory	Williams, Burton
HILLSBOROUGH			
Adams, Jarvis IV	Balboni, Michael	Batula, Peter	Bergeron, Jean-Guy
Bergin, Peter	Biundo, Michael	Boehm, Ralph	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
Essex, David	Francoeur, Bea	Gargasz, Carolyn	Golding, William
Gonzalez, Carlos	Goyette, Peter Jr	Graham, John	Hagan, Barbara
Hansen, Ryan	Hawkins, Ken	Hellwig, Steve	Hinkle, Peyton
Hirschmann, Keith	Hunter, Bruce	Kurk, Neal	L'Heureux, Robert
Lawrence, James	Lessard, Rudy	Manney, Pamela	McRae, Karen
Mead, Robert	Messier, Irene	O'Brien, William	O'Connell, Timothy
Ober, Lynne	Pepino, Leo	Price, Pamela	Renzullo, Andrew
Rowe, Robert	Ryder, Donald	Scanlon, Michael	Shattuck, Gilman
Stepanek, Stephen	Sullivan, Francis	Ulery, Jordan	Velez, Hector
Villeneuve, Maurice	Wheeler, James	Wheeler, Robert	
MERRIMACK			
Anderson, Eric	Brueggemann, Donald	Hager, Elizabeth	Hess, David
Kennedy, Richard	Kidder, David	Klose, John	Langlais, Thomas
Lockwood, Priscilla	MacKay, James	Marple, Richard	Oliver, James
Reardon, Tara	Reed, Dennis	Soltani, Tony	Yeaton, Charles

ROCKINGHAM			
Abbott, Dennis	Allen, Mary	Belanger, Ronald	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Camm, Kevin	Carson, Sharon
Charron, Gene	Coburn, James	Cooney, Richard	Dowd, John
Dumaine, Dudley	Fesh, Bob	Flanders, John Sr	Forsing, Robert
Francoeur, Sheila	Garrity, James	Gillick, Thomas	Griffin, Mary
Headd, James	Hutchinson, Karen	Introne, Robert	Johnson, Robert
Katsakiores, George	Katsakiores, Phyllis	Kobel, Rudolph	Lund, Howie
Major, Norman	Mason, April	McKinney, Betsy	McMahon, Charles
Morris, Richard	Nowe, Ronald	O'Neil, Michael	Packard, Sherman
Palazzo, Frank	Priestley, Anne	Quandt, Marshall Lee	Quandt, Matthew
Rausch, James	Robinson, John	Sanders, Elisabeth	Scamman, Stella
Stiles, Nancy	Waterhouse, Kevin	Weare, E Albert	Welch, David
Wells, Roger	Weyler, Kenneth	Winchell, George	Zolla, William
STRAFFORD			
Albert, Russell	Berube, Roger	Bickford, David	Brown, Julie
Campbell, W Packy	Cataldo, Sam	Chaplin, Duncan	Dunlap, Patricia
Easson, Timothy	Hollinger, Jeffrey	Kaen, Naida	Keans, Sandra
Knowles, William	Newton, Clifford	Rollo, Michael	Twombly, James
SULLIVAN			
Gale, Harry	Prichard, Stephen	Rodeschin, Beverly	
NAYS 133			
BELKNAP			
Morrison, Gail			
CARROLL			
Buco, Thomas	Olimpio, J Lisbeth		
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Butynski, William	Chase, William
Dunn, J Timothy	Eaton, Daniel	Mitchell, Bonnie	Pratt, John
Richardson, Barbara	Tilton, Anna	Weed, Charles	
COOS			
Buzzell, Bernard	Merrick, Scott	Richardson, Herbert	Theberge, Robert
GRAFTON			
Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Ham, Bonnie	Hammond, Lee
Harding, A Laurie	Maybeck, Margie	McLeod, Martha	Mulholland, Catherine
Nordgren, Sharon			
HILLSBOROUGH			

Baroody, Benjamin	Barry, J Gail	Beaulieu, Jane	Brassard, Paul
Brundige, Robert	Campbell, David	Chase, Claudia	Clemons, Jane
Cote, David	Cote, Peter	Craig, James	DeVries, Betsi
Egbers, Fran	Foster, Linda	Garrity, Patrick	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Haley, Robert	Hall, Betty
Harvey, Suzanne	Hebert, Raymond	Holden, Randolph	Irwin, Anne-Marie
Jasper, Shawn	Jean, Claudette	Jeudy, Jean	Johnson, Paula
Lasky, Bette	Martin, Mary Ellen	Michon, Stephen	Mooney, Maureen
Movsesian, Lori	Pappas, Christopher	Pilotte, Maurice	Rosenwald, Cindy
Schulze, Joan	Shaw, Barbara	Shaw, Kimberly	Smith, David
Sullivan, Peter	Vaillancourt, Steve		
MERRIMACK			
Blanchard, Elizabeth	Bouchard, Candace	Clarke, Claire	Danforth, James
DeJoie, John	DeStefano, Stephen	Field, William	French, Barbara
Gile, Mary	Greco, Vincent	Hamm, Christine	Maxfield, Roy
McMahon, Patricia	Potter, Frances	Rush, Deanna	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Whiting, Herbert	Williams, Robert	
ROCKINGHAM			
Blanchard, MaryAnn	Brown, C. Pennington	Cali-Pitts, Jacqueline	Casey, Kimberley
DiFruscia, Anthony	Dowling, Patricia	Flockhart, Eileen	Gould, Kenneth
Hopfgarten, Paul	Hughes, Daniel	Langley, Jane	Moody, Marcia
Norelli, Terie	Powers, James	Splaine, James	Stone, Joseph
STRAFFORD			
Brown, Jennifer	Brown, Lawrence	Cilley, Jacalyn	Creteau, Irene
Domingo, Baldwin	Grassie, Anne	Hilliard, Dana	Hofemann, Roland
Johnson, Nancy	Rous, Emma	Schmidt, Peter	Spang, Judith
Taylor, Kathleen	Wall, Janet		
SULLIVAN			
Cloutier, John	Converse, Larry	Ferland, Brenda	Franklin, Peter
Houde-Quimby, Charlotte	Jillette, Arthur Jr	Phinizy, James	

and the motion was adopted.
Ordered to third reading.
Rep. Stone voted Nay and intended to vote Yea.
Rep. Nelson Allan did not vote and notified the Clerk that he wished to be recorded in favor.

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.
Adopted.

LATE SESSION
Third reading and final passage

SB 1, relative to preparation of 2006 state general election ballots.

RECESS MOTION

Rep. O'Neil, moved that the House stand in recess to the call of the Chair for the limited purpose of further consideration of Special Session SB1.
Adopted.
The House recessed at 3:30 p.m.

RECESS