

HOUSE RECORD

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

Vol. 28

Concord, N.H.

Thursday, May 11, 2006

No. 42

HOUSE JOURNAL No. 17 (cont.)

Thursday, May 4, 2006

RECESS

(Rep. Daniel Eaton in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1634 and Senate Bills numbered 255, 265, 318, 335, 348, 369, and 370.

Rep. Currier, Sen. Clegg for the Committee

ENROLLED BILL AMENDMENTS

SB 24, relative to disposition upon death of patient accounts in nursing homes (Amendment printed SJ / /)

Adopted.

SB 273, relative to reasonable accommodations for employees with disabilities (Amendment printed SJ / /)

Adopted.

SENATE MESSAGES

CONCURRENCE

HB 298, relative to consolidating statutes relating to driving while intoxicated.

HB 459, relative to access to criminal records and enhanced 911 system records.

HB 689-FN, relative to the jurisdiction of the New Hampshire commission for human rights over housing discrimination cases.

HB 1157, relative to the definition of a sending district.

HB 1191, making technical corrections to the chapter governing vital records.

HB 1201, relative to child passenger restraints.

HB 1249-FN-A-L, relative to state reimbursement for school breakfasts and making an appropriation therefor.

HB 1260, relative to informing first-time driver's license applicants of the controlled drug laws.

HB 1278, increasing the fine for violating certain laws relative to labor.

HB 1317, relative to the control or eradication of exotic aquatic weeds and requiring a review by the department of agriculture, markets, and food, the department of environmental services, the fish and game department, and the department of resources and economic

development, evaluating the current permitting process for special permits for aquatic applications of pesticides to control or eradicate exotic aquatic weeds and making recommendations to improve the process.

HB 1351, relative to the rulemaking process.

HB 1357, relative to the legislative facilities committee.

HB 1377, relative to certain mandatory minimum sentences.

HB 1436-L, authorizing municipal and county biennial budgets for a 24-month period.

HB 1444-FN, relative to definitions under the real estate transfer tax.

HB 1458-FN, relative to the regulation of landscape architects.

HB 1477, implementing the federal Law Enforcement Officers Safety Act of 2004.

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.

HB 1480, amending the provisions relative to registration of criminal offenders.

HB 1521, relative to the membership of the juvenile parole board.

HB 1526, relative to the composition of the medical review subcommittee of the medical review board.

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.

HB 1546, relative to patient information

HB 1566, relative to the definitions of resident for motor vehicle law purposes and domicile for voting purposes and relative to vehicle registration and driver's license requirements.

HB 1588, relative to unemployment compensation requirements for governmental and non-profit employers.

HB 1593-FN-L, relative to the construction of high school athletic fields in the town of Bedford.

HB 1611-FN, relative to reimbursement for personal care services.

HB 1683-FN, establishing a homestead food license for residential, non-commercial kitchens.

HB 1687, extending certain studies and adding a certain duty relative to pharmacy reimbursement.

HB 1725-FN, extending the pilot project relative to abuse and neglect hearings and relative to confidentiality in pilot project abuse and neglect cases.

HB 1745-FN, relative to methamphetamine-related crimes involving children and incapacitated adults.

HB 1756, relative to alternative regulation of small incumbent local exchange carriers.

HB 1763, extending a committee and adding certain duties relative to pharmacy reimbursement.

HB 1764, relative to the committee to study medicaid reimbursement rates for pharmacy providers.

CACR 41, relating to representative districts. Providing that representative districts shall be apportioned according to specified standards.

NONCONCURRENCE

HB 397, relative to authority to file an abuse or neglect petition under the Child Protection Act.

HB 588, relative to suspension of drivers' licenses after a motor vehicle accident.

HB 591, relative to the inclusion of health insurance in the calculation of child support.

HB 1216, relative to the sale of unpasteurized milk.

HB 1289, relative to Pennichuck Brook and its watershed.

HB 1311-FN-A, relative to the electronic filing of reports and applications with the secretary of state.

HB 1333, relative to solid waste reduction goals.

HB 1366, relative to a planning board's authority to require public access to open space as a condition of subdivision approval.

HB 1403, relative to explanations of proposed constitutional amendments appearing on the ballot.

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.

HB 1534, relative to maintaining construction and demolition debris as a solid waste.

HB 1501, making various changes to the lottery commission.

HB 1534, relative to maintaining construction and demolition debris as a solid waste.

HB 1580, relative to the child support formula.

HB 1608-FN-A, making appropriations to reimburse certain health and human services providers for the increased cost of utilities, heating, and mileage.

HB 1627, relative to the assessment of open space land.

RECESS

(Rep. Dokmo in the Chair)

ENROLLED BILL AMENDMENTS

SB 382, relative to the guardian ad litem board. (Amendment printed SJ / /)
Adopted.

RECESS

Rep. Weyler moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 18

Thursday, May 11, 2006

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

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

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

God of unfailing energy and infinite patience, Comforter of the afflicted and afflicter of the comfortable, Still of storms and rocker of boats, we pause at the beginning of this day to be reminded both who we are and whose we are. Give us a sense of wonder in the minutia of the everyday. Let us never grow weary of the small, good things of our lives. Yet, let us neither tire of thinking bigger and dreaming beyond what we are want to think much with Your own dreams. O God, in our work today, help us to strike a balance between digging in our heels and extending our hands. Let there be healthy tugging today, not in a spirit of war, but in a spirit of creative conversation. Let something new and promising happen today, and, if it be Your will, grant us the privilege of being its vessels.

We pray this morning for the healing of those in our midst who are hurting or ill today. And we offer up our concerns for all in harms way; men and women in the armed services, civilians of other tongues and traditions whose children need their care; people who are

overrun by poverty and refugees who have nowhere left to run. All this we pray in Your Holy Name. Amen.

Rep. Beverly T. Rodeschin, member from Newport, led the Pledge of Allegiance.

The National Anthem was sung by Emily and Stephanie Langlais, daughters of Rep. Langlais, and their friend Michaela Donovan, members of the St. John the Baptist Children's Choir.

LEAVES OF ABSENCE

Reps. Bishop, Jennifer Brown, Callaghan, Carlson, Chabot, Donahue, Heon, Hunter, Phyllis Katsiakores, Lefebvre, Putnam, Serlin, Snyder and Weldy, the day, illness.

Reps. Abbott, Ahlgren, Bishop, Brassard, Bridle, Buco, David Campbell, Lars Christiansen, Mark Clark, Domingo, Dumaine, Fesh, James Garrity, Golding, Goley, Hebert, Hollinger, Ingbretson, Kaen, Knox, Mary Ellen Martin, McKinney, McRae, Moody, Rochette, Scanlon and Spang, the day, important business.

Reps. Biundo, Kopka and Mears, the day, illness in the family.

Reps. Norelli, the day, death in the family.

INTRODUCTION OF GUESTS

Joanne, Joshua, Johnathan and Michael Langlais, wife and sons of Rep. Langlais. Ben and Lucy Edwards, guests of Rep. Joy Tilton. Joseph and Cecilia Geiger, guests of Rep. Mooney. Adrian and Deanna Pappas, guests of Rep. Major. Roberto Fuentes and Bil Bonnice, guests of Rep. Harvey. Julia Steed Mawson and Janelle George, guests of Rep. Beaulieu. Lancaster Elementary School 4th grade class, guests of the Lancaster delegation. Curt and Ellen Laffin, Gary, Emily and Curt Provencher, and Carol Quinn, parents, husband and children, and aunt of tday's award winner, guests of the House. Kathy Sgambati, Tricia Lucas and Sen. D'Allesandro, past award winners, guests of the House.

AWARD PRESENTATION

Catherine A. Provencher, Director of Audits, Legislative Budget Assistant Office of the General Court was presented the 2006 Caroline L. Gross Fellowship by Lewis Feldstein, New Hampshire Charitable Foundation, Martin Gross, widower of Caroline Gross and Michael L. Buckley, Legislative Budget Assistant, LBAO. The annual award honors one's extraordinary dedication to public service.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 529, relative to the determination of parental rights and responsibilities. (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Itse, Bickford, Cady and Matarazzo.

HB 587, relative to child abuse and neglect investigations by the department of health and human services. (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Itse, Souza, Ginsburg and Walz.

HB 1516, relative to the modification and enforcement of child support orders. (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Bickford, Itse, Foote and Walz.

HB 1720-FN, relative to notice of parent liability in CHINS proceedings. (Amendment printed SJ 04/20/06)

Rep. Moran moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Bickford, Foote, Flockhart and Walz.

(Deputy Speaker Weyler in the Chair)

HB 1126, relative to licenses for first mortgage bankers, brokers, pawnbrokers, and money lenders. (Amendments printed SJ 05/03/06)

Rep. Sheila Francoeur moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Sheila Francoeur, Charles Clark, Stepanek and Reardon.

HB 1692-FN, establishing the New Hampshire sexual predators act. (Amendment printed SJ 04/13/06)

Rep. Welch moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Dowling, Tholl, Welch and Knowles.

HB 76, relative to distribution of state aid to charter schools. (Amendment printed SJ 05/04/06)

Rep. Stephen L'Heurux moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Balboni, Claire Clarke, Hughes and Rous.

Adopted.

HB 1613-FN, relative to polling place arrangement and accessibility. (Amendments printed SJ 04/20/06)

Rep. Whalley moved that the House nonconcur and request a Committee of Conference

Adopted.

The Speaker appointed Reps. Drisko, Boehm, Whalley and Coates.

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 (Amendments printed SJ 05/04/06)

Rep. Babson moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Burton Williams, Babson, Currier and Powers.

HB 1429, relative to municipal exemptions for hazardous waste cleanup liability. (Amendments printed SJ 05/03/06)

Rep. Babson moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Burton Williams, Babson, Phinizy and Patten.

HB 1574, relative to membership on the public employees deferred compensation commission. (Amendment printed SJ 05/04/06)

Rep. Bergin moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Bergin, Dexter, Houde-Quimby and Sheila Francoeur.

HB 1590-FN, relative to the pari-mutuel commission. (Amendment printed SJ 05/03/06)

Rep. Bergin moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Fitzgerald, Manney, Francis Sullivan, and Harding.

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. (Amendment printed SJ 04/20/06)

Rep. Bergin moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Fitzgerald, Manney, Francis Sullivan and Velez.

HB 638-FN, relative to county and state financing of nursing home services (Amendment printed SJ 05/04/06)

Rep. King moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. King, Kurk, Rodeschin and Nordgren.

HB 1626-FN-A, making an appropriation to the office of energy and planning for the fuel assistance program. (Amendment printed SJ 05/03/06)

Rep. King moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Stone, Wheeler, King and Pappas.

HB 1697-FN, , relative to certain state salaries. (Amendment printed SJ 05/03/06)

Rep. King moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Robert Wheeler, Stone, Franklin and Bergin.

HB 1459-FN-A, relative to the department of regional community-technical colleges and making an appropriation therefor. (Amendment printed SJ 05/03/06)

Rep. King moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Weyler, Eric Anderson, Marjorie Smith and Chandler.

HB 1710-FN-A, relative to appropriations to the department of health and human services for home care providers and community mental centers and making an appropriation to increase the hourly rate of pay for direct care providers for persons with developmental and acquired disabilities and extending the provision of supplemental pharmacy assistance. (Amendment printed SJ 05/03/06)

Rep. King moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Hager, Wendleboe, Nordgren and MacKay.

HB 1767-FN-A, authorizing the state acquisition of real estate destroyed in the October 2005 floods, establishing a commission to determine the appropriate use of the property, and making an appropriation therefor (Amendments printed SJ 05/04/06)

Rep. King moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Robert Wheeler, Stone, Kurk and Daniel Eaton.

HB 1331, relative to the New Hampshire Temporary Assistance to Needy Families (TANF) program. (Amendments printed SJ 05/04/06)

Reps. Batula and King moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Batula, Hager, MacKay and Wallner.

HB 1332, establishing a commission to study health care in New Hampshire correctional facilities. (Amendment printed SJ 05/04/06)

Rep. Batula moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. MacKay, Chaplin, Barry and Schulze.

HB 656-FN, relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders. (Amendment printed SJ 05/04/06)

Rep. Dokmo moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Dokmo, Mooney, Rowe and Wall.

HB 1761, relative to hold over tenants in vacation or recreational rental units. (Amendments printed SJ 05/04/06)

Rep. Dokmo moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. O'Neil, Dokmo, O'Brien, and Lasky.

HB 506, including employees of charitable organizations under the protection of the state law against discrimination. (Amendment printed SJ 05/04/06)

Rep. Infantine moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Infantine, Balboni, Gorman and Carson.

HB 1194, relative to job protection for firefighters, rescue workers, and emergency medical personnel. (Amendment printed SJ 05/03/06)

Rep. Infantine moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Sheila Francoeur, Infantine, Stella Scamman and Hofemann.

HB 1334, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts. (Amendment printed SJ 05/04/06)

Rep. Infantine moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Sheila Francoeur, Infantine, Bishop and DeStefano.

HB 1474-FN, relative to unemployment compensation contribution rates and benefits. (Amendment printed SJ 05/03/06)

Reps. Infantine and King moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Infantine, O'Neil, Herbert Richardson and Goley.

HB 1752, requiring notice regarding the classifications of employee and independent contractor. (Amendment printed SJ 05/04/06)

Rep. Infantine moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Infantine, O'Neil, Adams and Gorman.

HB 1508, relative to acceptance of applications by planning boards. (Amendment printed SJ 05/04/06)

Rep. Patten moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Dowd, Brundige, Patten and Nancy Johnson.

HB 1343, relative to the duties of the council on resources and development. (Amendment printed SJ 05/03/06)

Rep. Chandler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Chandler, Rausch, Waterhouse and Cloutier. Alternate: Graham.

HB 1426, granting a right-of-way over state-owned land. (Amendments printed SJ 04/20/06)

Rep. Chandler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Graham, David Campbell, O'Connell and Bouchard.

HB 1315, relative to the definition and classification of dams. (Amendments printed SJ 04/20/06 and 05/03/06)

Rep. Currier moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Currier, Irish, Algren and Spang.

HB 1407-FN-A, relative to funding exotic aquatic weeds eradication and control. (Amendments printed SJ 04/13/06 and 05/03/06)

Rep. Currier moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Currier, Major, Sanders and Cilley.

HB 1463-FN, relative to boating and water safety. (Amendment printed SJ 04/20/06)

Rep. Currier moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Currier, D. L. Christensen, Russell and Brueggemann.

HB 1491, establishing a committee to study the publicly owned treatment plant needs of New Hampshire. (Amendment printed SJ 04/20/06)

Rep. Currier moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Currier, Mary Ellen Martin, Keans and Spang.

HB 1603-FN, relative to administration and enforcement by the division of forests and lands over forest resources and timber harvesting (Amendments printed SJ 05/03/06)

Rep. Currier moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Currier, Bergin, Russell and Parkhurst.

HB 1146, establishing a committee to study renewable portfolio standards. (Amendment printed SJ 05/04/06)

Rep. Ross moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Ross, Ober, Hansen and Cali-Pitts.

HB 1690, relative to renewable energy. (Amendments printed SJ 04/20/06 and 05/04/06)

Rep. Ross moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. King, O'Neil, Ross and Bouchard.

HB 1758, classifying biodiesel as a renewable energy source. (Amendments printed SJ 05/04/06)

Rep. Ross moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Maxfield, Slocum, Kaen, Stohl.

HB 592, relative to the child support guidelines. (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House concur and spoke in favor.
Adopted.

HB 1214, establishing a study committee to identify and assess community-based, educational and social/human services programs that serve families with children 8 years old and younger. (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House concur and spoke in favor.
Adopted.

HB 1285, making certain technical corrections to the adoption statute (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House concur and spoke in favor.
Adopted.

HB 1424, relative to persons permitted to attend child abuse and neglect hearings.(Amendment printed SJ 05/04/06)

Rep. Moran moved that the House concur and spoke in favor.
Adopted.

HB 1583, relative to grounds for modification of parental rights and responsibilities. (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House concur and spoke in favor.
Adopted.

HB 1585, relative to enforcement of orders regarding parenting plans. (Amendment printed SJ 05/04/06)

Rep. Moran moved that the House concur and spoke in favor.
Adopted.

HB 1648-FN, relative to legal residency and financial liability for children in certain residential placements. (Amendments printed SJ 05/03/06)

Rep. Moran moved that the House concur and spoke in favor.
Adopted.

HB 203-FN, relative to the regulation of tracking devices and establishing a commission on the use of tracking devices. (Amendments printed SJ 04/13/06)
Rep. Sheila Francoeur moved that the House concur and spoke in favor.
Adopted.

HB 678-FN, relative to the insurance premium tax. (Amendment printed SJ 05/04/06)
Rep. Sheila Francoeur moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Sheila Francoeur, Reardon, Major and Robert Wheeler.

HB 1192, relative to property and casualty insurance. (Amendment printed SJ 05/03/06)
Rep. Sheila Francoeur moved that the House concur and spoke in favor.
Adopted.

HB 1274, relative to certain disclosures to the department of health and human services. (Amendment printed SJ 05/04/06)
Rep. Sheila Francoeur moved that the House concur and spoke in favor.
Adopted.

HB 1295, requiring notification regarding brake shift interlock and key positions by automobile dealers to consumers. (Amendment printed SJ 05/04/06)
Rep. Sheila Francoeur moved that the House concur and spoke in favor.
Adopted.

HB 385, establishing a committee to study the adequacy of current substance abuse treatment available in the state prison system. (Amendment printed SJ 05/04/06)
Rep. Welch moved that the House concur and spoke in favor.
Adopted.

HB 627-FN, relative to including persons 17 years old in the juvenile justice system. (Amendments printed SJ 04/20/06)
Reps. Welch and King moved that the House concur.
Rep. Dowling spoke in favor.
Adopted.

HB 645-FN, relative to fire-safer cigarettes. (Amendments printed SJ 05/03/06)
Reps. Welch and Major moved that the House concur.
Rep. Weare spoke in favor.
Adopted.

HB 1335, relative to the authority of law enforcement officers during a state of emergency. (Amendment printed SJ 04/20/06)
Rep. Welch moved that the House concur and spoke in favor.
Adopted.

HB 1386, relative to exceptions to the prohibition on carrying and selling knives. (Amendment printed SJ 05/04/06)
Rep. Welch moved that the House concur, spoke in favor and yielded to questions.
Adopted.

HB 1435, relative to the emergency plan for service animals. (Amendments printed SJ 05/04/06)

Rep. Welch moved that the House concur and spoke in favor.

Adopted.

HB 1625, establishing penalties for guardians ad litem who fail to file reports which are required by the court. (Amendment printed SJ 05/04/06)

Rep. Welch moved that the House concur and spoke in favor.

Adopted.

HB 1662-FN, establishing the crime of peonage. (Amendment printed SJ 04/13/06)

Rep. Welch moved that the House concur, spoke in favor and yielded to questions.

Rep. Soltani spoke against.

On a division vote, 218 members having voted in the affirmative and 76 in the negative, the motion was adopted.

(Speaker Scamman in the Chair)

HB 1667-FN, establishing penalties for methamphetamine manufacturing and possession of substances with intent to manufacture methamphetamine. (Amendment printed SJ 04/20/06)

Rep. Welch moved that the House concur and spoke in favor.

Adopted.

HB 1113, adding a definition of “public academy” to the definition of “high school”.

(Amendment printed SJ 05/04/06)

Rep. Stephen L’Heureux moved that the House concur and spoke in favor.

Adopted.

HB 1241-FN-L, extending the kindergarten construction aid program. (Amendment printed SJ 05/03/06)

Reps. Stephen L’Heureux and King moved that the House concur.

Rep. Stephen L’Heureux spoke in favor.

Adopted.

HB 1567, relative to removing names from the checklist. (Amendment printed SJ 04/20/06)

Rep. Whalley moved that the House concur and spoke in favor.

Adopted.

The House recessed at 12:10 p.m.

RECESS

(Speaker Scamman in the Chair)

The House reconvened at 2:10 p.m.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 689, 1249, 1273, 1278, 1478, 1588, 1593, 1611, 1683, 1725 and 1745.

Rep. Currier, Sen. D’Allesandro for the Committee

SENATE MESSAGES

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 37-FN, relative to health insurance coverage for full-time students on medical leaves of absence.

The President appointed Sens. Flanders, Barnes and Gottesman.

HB 349, relative to placement and removal of political advertising.

The President appointed Sens. Roberge, Flanders and Hassan.

HB 582, relative to the policy for records management.

The President appointed Sens. Morse, Odell and Burling.

HB 1238-FN, relative to centralized voter registration database information.

The President appointed Sens. Green, Bragdon and Larsen.

HB 1724-FN, relative to compensation and benefits for reserve and national guard members who are state employees.

The President appointed Sens. Barnes, Kenney and Larsen.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1265, establishing the council on the relationship between public health and the environment. (Amendment printed SJ 04/20/06)

Rep. Babson moved that the House concur and spoke in favor.

Adopted.

HB 1433, establishing a committee to study secured landfills and establishing a moratorium on the incineration of construction and demolition waste. (Amendment printed SJ 04/13/06)

Rep. Babson moved that the House concur and spoke in favor.

Adopted.

HB 1337, establishing the amusement ride safety advisory board. (Amendment printed SJ 04/20/06)

Rep. Bergin moved that the House concur and spoke in favor.

Adopted.

HB 1671-FN, relative to the regulation of dentists and dental hygienists by the board of dental examiners. (Amendments printed SJ 04/13/06)

Rep. Bergin moved that the House concur and spoke in favor.

Adopted.

HB 1696-FN, relative to the cremation of human remains. (Amendments printed SJ 04/13/06 and 05/03/06)

Rep. Bergin moved that the House concur and spoke in favor.

Adopted.

HB 1711-FN, relative to the regulation of fuel gas fitters. (Amendment printed SJ 04/20/06)

Rep. Bergin moved that the House concur and spoke in favor.

Adopted.

HB 1735-FN, relative to awarding the state employees' health insurance plan. (Amendment printed SJ 04/20/06)

Reps. Bergin and King moved that the House concur.

Rep. Bergin spoke in favor.

Adopted

HB 1167-FN-A, making an appropriation to the land and community heritage investment program. (Amendments printed SJ 05/03/06)
Rep. King moved that the House concur.
Rep. Hager spoke in favor.
On a division vote, 195 members having voted in the affirmative and 76 in the negative, the motion was adopted.
Rep. Mirski declared a conflict of interest and did not participate.

HB 1747-FN, establishing a New Hampshire healthy tidal waters and shellfish protection program and making an appropriation therefor. (Amendment printed SJ 05/03/06)
Rep. Robert L'Heureux moved that the House concur and spoke in favor.
Adopted.

HB 690-FN, relative to aid to the needy blind to undue hardship for public assistance, and to eligibility for and recovery of public assistance. (Amendment printed SJ 04/13/06)
Reps. Batula and King moved that the House concur.
Rep. MacKay spoke in favor.
Adopted.

HB 1204, relative to human immunodeficiency virus education, prevention and control.
Rep. Batula moved that the House concur. (Amendment printed SJ 05/04/06)
Reps. MacKay and Batula spoke in favor and yielded to questions.
Rep. MacKay spoke in favor.
Reps. Kurk, Mirski and Vaillancourt spoke against.
Rep. John Flanders moved the previous question.
Rep. Vaillancourt requested a roll call; sufficiently seconded.
The question being adoption of the motion to concur with Senate amendment.

YEAS 59 NAYS 236			
YEAS 59			
BELKNAP			
Clark, Charles	Fitzgerald, James	Russell, David	Tilton, Franklin
Veazey, John	Whalley, Michael		
CARROLL			
Brown, Carolyn	Martin, James	Patten, Betsey	
CHESHIRE			
Butynski, William	Dexter, Judson	Emerson, Susan	Espieffs, Peter
Foote, Sheila	Hunt, John	Sawyer, Sheldon	
COOS			
Lary, Bruce	Tholl, John Jr		
GRAFTON			
Eaton, Stephanie	Mulholland, Catherine		

HILLSBOROUGH			
Batula, Peter	Bergin, Peter	Brundige, Robert	Coughlin, Pamela
Drisko, Richard	Emerton, Larry	Gargasz, Carolyn	Infantine, William
L'Heureux, Robert	Pilotte, Maurice	Price, Pamela	Reeves, Sandra
Renzullo, Andrew	Ross, Lawrence	Slocum, Lee	
MERRIMACK			
French, Barbara	Hager, Elizabeth	L'Heureux, Stephen	MacKay, James
ROCKINGHAM			
Gillick, Thomas	Gould, Kenneth	Ingram, Russell	Major, Norman
Mason, April	McMahon, Charles	O'Neil, Michael	Packard, Sherman
Rausch, James	Sanders, Elisabeth	Scamman, Stella	Stone, Joseph
Waterhouse, Kevin	Winchell, George		
STRAFFORD			
Bickford, David	Brown, Julie	Chaplin, Duncan	
SULLIVAN			
Gale, Harry	Prichard, Stephen	Rodeschin, Beverly	
NAYS 236			
BELKNAP			
Allen, Janet	Boyce, Laurie	Flanders, Donald	Millham, Alida
Morrison, Gail	Nedeau, Stephen	Pilliod, James	Rosen, Ralph
Thomas, John	Tobin, William	Wendelboe, Fran	
CARROLL			
Babson, David Jr	Buco, Thomas	Chandler, Gene	Dickinson, Howard
Merrow, Harry	Olimpio, J Lisbeth	Stevens, Stanley	
CHESHIRE			
Allen, Peter	Butcher, Suzanne	Chase, William	Coates, Christopher
Dunn, J Timothy	Eaton, Daniel	Hogancamp, Deborah	Mitchell, Bonnie
Parkhurst, Henry	Plifka, Stanley Jr	Pratt, John	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Tilton, Anna	Weed, Charles
COOS			
King, Frederick	Merrick, Scott	Morneau, Renney	Remick, William
Richardson, Herbert	Stohl, Eric	Theberge, Robert	
GRAFTON			
Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Gionet, Edmond	Hammond, Lee	Harding, A Laurie	Ingbretson, Paul
Maybeck, Margie	Mirski, Paul	Nordgren, Sharon	Sokol, Hilda
Solomon, Peter	Sorg, Gregory	Williams, Burton	

HILLSBOROUGH			
Allan, Nelson	Balboni, Michael	Baroody, Benjamin	Barry, J Gail
Beaulieu, Jane	Bergeron, Jean-Guy	Boehm, Ralph	Buhlman, David
Calawa, Leon Jr	Carew, James	Chase, Claudia	Christensen, D L Chris
Clemons, Jane	Cote, David	Cote, Peter	Craig, James
Crane, Elenore Casey	Daniuk, Caitlin	Desmarais, Vivian	Dokmo, Cynthia
Dyer, Donald	Egbers, Fran	Elliott, Nancy	Essex, David
Foster, Linda	Francoeur, Bea	Gibson, John	Ginsburg, Ruth
Gorman, Mary	Goyette, Peter Jr	Graham, John	Hall, Betty
Hawkins, Ken	Hellwig, Steve	Hinkle, Peyton	Holden, Randolph
Irwin, Anne-Marie	Jasper, Shawn	Jean, Claudette	Johnson, Paula
Kurk, Neal	Lasky, Bette	Lawrence, James	Manney, Pamela
Matarazzo, Anthony Sr	Mead, Robert	Messier, Irene	Moran, Edward
Movsesian, Lori	O'Brien, William	O'Connell, Timothy	Pappas, Christopher
Pepino, Leo	Rosenwald, Cindy	Rowe, Robert	Ryder, Donald
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Smith, David	Souza, Kathleen	Sullivan, Francis	Sullivan, Peter
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Maurice	Wheeler, James
Wheeler, Robert			
MERRIMACK			
Anderson, Eric	Blanchard, Elizabeth	Bouchard, Candace	Clarke, Claire
Currier, David	Danforth, James	DeStefano, Stephen	Field, William
Foose, Robert	Gile, Mary	Hamm, Christine	Kennedy, Richard
Kidder, David	Klose, John	Langlais, Thomas	Lockwood, Priscilla
Marple, Richard	McMahon, Patricia	Osborne, Jessie	Owen, Derek
Potter, Frances	Reardon, Tara	Reed, Dennis	Rush, Deanna
Ryan, Jim	Shurtleff, Stephen	Soltani, Tony	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Whiting, Herbert
Williams, Robert	Yeaton, Charles		
ROCKINGHAM			
Allen, Mary	Belanger, Ronald	Bettencourt, David	Brown, C. Pennington
Buxton, Donald	Cady, Harriet	Cali-Pitts, Jacqueline	Camm, Kevin
Carson, Sharon	Casey, Kimberley	Charron, Gene	Coburn, James
DiFruscia, Anthony	Dowd, John	Dowling, Patricia	Flanders, John Sr
Flockhart, Eileen	Forsing, Robert	Francoeur, Sheila	Gilbert, Karl
Griffin, Mary	Headd, James	Hopfgarten, Paul	Hughes, Daniel
Introne, Robert	Itse, Daniel	Johnson, Robert	Katsakiores, George
Kobel, Rudolph	Langley, Jane	Lund, Howie	Morris, Richard
Nowe, Ronald	Palazzo, Frank	Powers, James	Priestley, Anne
Quandt, Marshall Lee	Quandt, Matthew	Robertson, Carl	Robinson, John
Rolston, James	Splaine, James	Stiles, Nancy	Weare, E Albert
Welch, David	Wells, Roger	Weyler, Kenneth	Wiley, Robert
Zolla, William			

STRAFFORD			
Berube, Roger	Brown, Lawrence	Campbell, W Packy	Cilley, Jacalyn
Creteau, Irene	Domingo, Baldwin	Dunlap, Patricia	Hofemann, Roland
Johnson, Nancy	Keans, Sandra	Knowles, William	Miller, Joseph
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Taylor, Kathleen	Twombly, James	Wall, Janet	
SULLIVAN			
Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Houde-Quimby, Charlotte	Jillette, Arthur Jr	Osgood, Philip Sr
Phinizy, James			

and the motion to concur with Senate amendment failed.

Rep. Kurk moved that the House nonconcur.

Adopted.

HB 1346, requiring certain persons to keep the contents of prescriptions confidential.

(Amendment printed SJ 05/04/06)

Rep. Batula moved that the House concur and spoke in favor.

Adopted.

HB 1427, relative to guiding principles for developmentally disabled services. (Amendment printed SJ 05/04/06)

Rep. Batula moved that the House concur and spoke in favor.

Adopted.

HB 1461, establishing a task force to study Temporary Assistance to Needy Families (TANF) benefits. (Amendment printed SJ 05/04/06)

Rep. Batula moved that the House concur and spoke in favor.

Adopted.

HB 1464-FN-A-L, relative to mosquito control, establishing a mosquito control fund and making an appropriation therefor. (Amendment printed SJ 05/04/06)

Rep. Batula moved that the House concur and spoke in favor.

Adopted.

HB 1672-FN, relative to a registry for substantiated cases of abuse, neglect, or exploitation of incapacitated adults and establishing a task force relative to central registries.

(Amendments printed SJ 04/20/06 and 05/04/06)

Rep. Batula moved that the House concur and spoke in favor.

Adopted.

HB 1741, relative to reporting requirements concerning infections in hospitals. (Amendment printed SJ 05/03/06)

Rep. Batula moved that the House concur and spoke in favor.

Adopted.

HB 1116, relative to service of the notice to quit and writ of summons in landlord tenant actions. (Amendment printed SJ 05/04/06)

Rep. Dokmo moved that the House concur and spoke in favor.

Adopted.

HB 1206, relative to the assessing standards board. (Amendment printed SJ 05/04/06)
Rep. Patten moved that the House concur and spoke in favor.
Adopted.

HB 1305-L, authorizing cities to adopt certain bylaws and ordinances relative to businesses obtaining city permits. (Amendment printed SJ 05/04/06)
Rep. Patten moved that the House concur and spoke in favor.
Adopted.

HB 1679-FN-L, relative to the property tax exemption for university system property. (Amendment printed SJ 04/13/06)
Rep. Patten moved that the House concur and spoke in favor.
Adopted.
Rep. Easson declared a conflict of interest and did not participate.

HB 1223, relative to the use of real estate brokers by the department of transportation. (Amendment printed SJ 05/04/06)
Rep. Chandler moved that the House concur.
Rep. Graham spoke in favor.
Adopted.

HB 2006, relative to the state 10-year transportation improvement plan, the exemption of highway projects from eminent domain, improvements on the FE Everett Turnpike/I-293 and certain segments of N.H. 101, and a bridge crossing the Merrimack. (Amendment printed SJ 05/04/06)
Rep. Chandler moved that the House concur and spoke in favor.
Adopted.

HB 1417-FN, establishing gold star number plates. (Amendment printed SJ 04/20/06)
Rep. Packard moved that the House concur and spoke in favor.
Adopted.

HB 1448, relative to the applicability of drivers' license revocations for drugs or alcohol involvement. (Amendment printed SJ 05/04/06)
Rep. Packard moved that the House concur and spoke in favor.
Adopted.

HB 1470, relative to overweight vehicle permit fees. (Amendment printed SJ 05/04/06)
Reps. Packard and Major moved that the House concur and spoke in favor.
Adopted.

HB 1581, relative to drivers' licenses issued to persons under the age of 21. (Amendment printed SJ 05/04/06)
Rep. Packard moved that the House concur and spoke in favor.
Adopted.

HB 1624-FN, relative to boat noise. (Amendment printed SJ 04/20/06)
Reps. Packard and Welch moved that the House concur.
Rep. Packard spoke in favor.
Adopted.

HB 1612-FN, relative to the use of lottery revenue as purses for horse and dog racing. (Amendment printed SJ 04/20/06)

Rep. Major moved that the House concur and spoke in favor.
Adopted.

HB 1410-FN-L, relative to the cost to counties of convicted inmates awaiting sentencing in a county correctional facility. (Amendment printed SJ 04/20/06)
Rep. Welch moved that the House nonconcur.
Adopted.

HB 153-FN, relative to the collection of debts owed to the state.. (Amendments printed SJ 01/18/06 and 02/02/06)
Rep. Bergin moved that the House nonconcur.
Adopted.

HB 1298, establishing a study committee to evaluate disciplinary procedures of the board of medicine. (Amendment printed SJ 05/04/06)
Rep. Bergin moved that the House nonconcur.
Adopted.

HB 1656, establishing an electronic toll collection transponder inventory fund.
(Amendment printed SJ 05/03/06)
Rep. King moved that the House nonconcur.
Adopted.

HB 1121-L, establishing a committee to study rulemaking and licensure issues relative to assisted living and residential care. (Amendment printed SJ 05/04/06)
Rep. Batula moved that the House nonconcur.
Rep. MacKay spoke in favor.
Adopted.

HB 1512, establishing a committee to study volunteer activity related to transportation.
(Amendment printed SJ 05/04/06)
Rep. Dokmo moved that the House nonconcur.
Adopted.

HB 1582, prohibiting New Hampshire from participating in a national identification card system. (Amendment printed SJ 05/04/06)
Rep. Packard moved that the House nonconcur.
Motion failed.
Rep. Kurk moved that the House nonconcur and request a Committee of Conference.
Rep. Vaillancourt spoke in favor.
The Speaker appointed Reps. Packard, Nedeau, Ferland and Kurk.

SENATE MESSAGES

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEE OF CONFERENCE

SB 403, relative to verification of identity when a person registers or attempts to vote.
The President appointed Sens. Green, Barnes and Hassan.
Rep. Whalley moved that the House accede.
Adopted.

The Speaker appointed Reps. Whalley, Reeves, Boehm and Harvey.

SB 250, relative to lead paint poisoning prevention.

The President appointed Sens. Martel, Eaton and D'Allesandro.

Rep. Babson moved that the House accede.

Adopted.

The Speaker appointed Reps. Babson, Olympio, Tobin and Essex.

SB 388, relative to farm composting and pesticides.

The President appointed Sens. Odell, Johnson and Hassan.

Rep. Babson moved that the House accede.

Adopted.

The Speaker appointed Reps. O'Connell, Babson, Sawyer and Essex.

SB 374-FN, relative to the state children's health insurance program.

The President appointed Sens. Green, Barnes and Larsen.

Reps. Francoeur and King moved that the House accede.

Adopted.

The Speaker appointed Reps. Stepanek, Hunt, Stella Scamman and DeStefano.

SB 339, changing certain job titles and responsibilities in the department of transportation.

The President appointed Sens. Morse, O'Dell and Larsen.

Reps. Bergin and King moved that the House accede.

Adopted.

The Speaker appointed Reps. Bergin, Dexter, Irwin and Gould.

SB 352-FN, relative to the regulation of real estate appraisers.

The President appointed Sens. Gallus, Letourneau and Larsen.

Rep. Bergin moved that the House accede.

Adopted.

The Speaker appointed Reps. Dexter, Hawkins, Irwin and McMahon.

SB 358-FN, relative to an advanced registered nurse practitioner's duty to warn of violent acts of patients.

The President appointed Sens. Martel, Kenney and Fuller Clark.

Rep. Bergin moved that the House accede.

Adopted.

The Speaker appointed Reps. Dalrymple, Millham, Houde-Quimby and Irwin.

SB 359-FN, relative to the regulation of plumbers and water treatment technicians by the plumbers' board.

The President appointed Sens. Kenney, Roberge and Larsen.

Rep. Bergin moved that the House accede.

Adopted.

The Speaker appointed Reps. Ryder, Coburn, Pillotte and Francis Sullivan.

SB 287-FN, making certain changes to the eminent domain statute.

The President appointed Sens. Green, Letourneau and Gottesman.

Rep. Dokmo moved that the House accede.

Adopted.

The Speaker appointed Reps. Mooney, Dokmo, Buxton and Shurtleff.

SB 336, relative to security deposits in landlord tenant matters.

The President appointed Sens. Gallus, Martel and Hassan.
Rep. Dokmo moved that the House accede.
Adopted.
The Speaker appointed Reps. Sorg, Hunt, Buxton and Shurtleff.

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.
The President appointed Sens. Johnson, Gallus and Hassan.
Rep. Carrier moved that the House accede.
Adopted.
The Speaker appointed Reps. Carrier, D.L. Cris Christensen, Sanders and Spang.

SB 371-FN, relative to the continuation of certain wetlands fees.
The President appointed Sens. Gallus, Green and Hassan.
Rep. Major moved that the House accede.
Adopted.
The Speaker appointed Reps. Camm, Lund, Carson and Almy.

SB 376-FN-A, relative to revenues dedicated to the education trust fund.
The President appointed Sens. Clegg, Morse and D'Allesandro.
Rep. Major moved that the House accede.
Adopted.
The Speaker appointed Reps. Major, Camm, Whalley and Almy.

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 76, relative to distribution of state aid to charter schools.
The President appointed Sens. Green, Johnson and D'Allesandro.

HB 506, including employees of charitable organizations under the protection of the state law against discrimination.
The President appointed Sens. Bragdon, Flanders and Hassan.

HB 529, relative to the determination of parental rights and responsibilities.
The President appointed Sens. Roberge, Odell and Foster.

HB 587, relative to child abuse and neglect investigations by the department of health and human services.
The President appointed Sens. Clegg, Odell and Gottesman.

HB 638-FN, relative to county and state financing of nursing home services.
The President appointed Sens. Morse, Green and Larsen.

HB 656-FN, relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders.
The President appointed Sens. Clegg, Odell and Foster.

HB 678-FN, relative to the insurance premium tax.
The President appointed Sens. Gatsas, Clegg and D'Allesandro.

HB 1126, relative to licenses for first mortgage bankers, brokers, pawnbrokers, and money lenders.

The President appointed Sens. Flanders, Roberge and Gottesman.

HB 1194, relative to job protection for firefighters, rescue workers, and emergency medical personnel.

The President appointed Sens. Clegg, Flanders and Gottesman.

HB 1331, relative to the New Hampshire Temporary Assistance to Needy Families (TANF) program.

The President appointed Sens. Morse, Gatsas and Fuller Clark.

HB 1332, establishing a commission to study health care in New Hampshire correctional facilities.

The President appointed Sens. Letourneau, Martel and Fuller Clark.

HB 1334, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

The President appointed Sens. Barnes, Gallus and D'Allesandro.

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.

The President appointed Sens. Johnson, Gallus and Burling.

HB 1429, relative to municipal exemptions for hazardous waste cleanup liability.

The President appointed Sens. Green, Barnes and Larsen.

HB 1459-FN-A, relative to the department of regional community-technical colleges and making an appropriation therefor.

The President appointed Sens. Green, Morse and Estabrook.

HB 1474-FN, relative to unemployment compensation contribution rates and benefits.

The President appointed Sens. Green, Morse and D'Allesandro.

HB 1516, relative to the modification and enforcement of child support orders.

The President appointed Sens. Roberge, Letourneau and Gottesmann.

HB 1574, relative to membership on the public employees deferred compensation commission.

The President appointed Sens. Kenney, Flanders and Fuller Clark.

HB 1590-FN, relative to the pari-mutuel commission.

The President appointed Sens. Barnes, Gallus and D'Allesandro.

HB 1613-FN-L, relative to polling place arrangement and accessibility.

The President appointed Sens. Bragdon, Barnes and Hassan.

HB 1626-FN-A, making an appropriation to the office of energy and planning for the fuel assistance program.

The President appointed Sens. Morse, Green and Estabrook.

HB 1692-FN, establishing the New Hampshire sexual predators act.

The President appointed Sens. Gatsas, Clegg and Foster.

HB 1697-FN, relative to certain state salaries.
The President appointed Sens. Green, Clegg and D'Allesandro.

HB 1710-FN-A, relative to appropriations to the department of health and human services for home care providers and community mental centers and making an appropriation to increase the hourly rate of pay for direct care providers for persons with developmental and acquired disabilities and extending the provision of supplemental pharmacy assistance.
The President appointed Sens. Morse, Gatsas and D'Allesandro.

HB 1720-FN, relative to notice of parent liability in CHINS proceedings.
The President appointed Sens. Letourneau, Roberge and Foster.

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.
The President appointed Sens. Boyce, Odell and D'Allesandro.

HB 1761, relative to hold over tenants in vacation or recreational rental units
The President appointed Sens. Clegg, Roberge and Gottesman.

REMOVED FROM THE TABLE

Rep. Major moved that **HR 24**, affirming revenue estimates for fiscal years 2006 and 2007, be removed from the table.

Adopted.

The pending question is Ought to Pass.

Rep. Major offered floor amendment (2229h).

Floor Amendment (2229h)

Amend the resolution by replacing all after the title with the following:

Whereas, the House Ways and Means Committee has considered what the unrestricted revenue estimates should be for fiscal years 2006 and 2007 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 2006 and 2007.

Committee estimates are based on current rates.

Revenue Estimate chart will be printed in the permanent journal.

Rep. Major spoke in favor and yielded to questions.

Floor amendment (2229h) adopted.

Motion of Ought to Pass as Amended adopted.

Ordered to third reading.

SUSPENSION OF RULES

Reps. O'Neil and Craig moved that House Rule 64 be so far suspended as to permit the deadline to sign off Committee of Conference Reports be changed to Friday, May 19, 2006 at 3:00 p.m.

Rep. O'Neil spoke in favor.

Adopted by the necessary two-thirds vote.

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, May 24, 2006 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

HR 24, affirming revenue estimates for fiscal years 2006 and 2007.

UNANIMOUS CONSENT

Reps. Rowe, Thomas, Stephanie Eaton, French and Rosen addressed the House.
Rep. O'Neil requested that the remarks of Rep. Thomas be printed in Permanent Journal.
Adopted

REMARKS

Rep. Thomas: Thank you, Mr. Speaker. Members of the House. Not often do we get a chance to publicly acknowledge our citizens who very quietly work to make our state a better place. I would have said ordinary, but these folks are anything but ordinary, they are extraordinary. I am speaking of the citizen members and the legislative members of the Right-to-Know Oversight Commission. As a brief history, House Bill 606 of 2003 established a study committee to bring RSA 91-A into the modern age of ever-changing technologies. Because of the complexity of the issue and to avoid legislative down time, House Bill 41 was introduced changing the study committee to a five year oversight commission. The committee and subsequent commission met every other Friday for over two and one-half years. Even when the legislature went into recess that first year, the then committee met as an ad hoc group. The commission members, except for the legislative members, met their responsibilities on their own time and on their own dime. At that time their efforts were ridiculed, and many times criticized in the press. As a result of the first year and a half of work, House Bill 626 was introduced which brought forth the changes to RSA 91-A recommended by the commission. The House Judiciary Committee under the leadership of Rep. Cynthia Dokmo, and the commission worked together to further improve and refine the bill. The bill passed the House on a roll call vote of 266 to 41. After a brief look at the bill in the Senate, it was tabled.

The Commission members, however, are still continuing their tasks. Because of this commitment by the hardworking members of the Right-to-Know Oversight Commission, I am compelled to publicly acknowledge these folks as I feel that they will not be otherwise. And these folks are: Attorney. John Lassey Jr., the committee vice-chair, Attorney. Peter Smith of Durham, Kristin Spath of the Attorney General's office, Mary Schwarzer of the Attorney General's office, Harry Haytayan, former representative, Attorney. Stephen Judge, James Pitts, the Bow Town Manager, Eileen Bolander, Daniel Harkinson, Peter Croteau of Administrative Services, Carol Holden of the Association of Counties and the Hillsborough County Commissioner, Dennis Pope, New Hampshire School Administrators Association, Thomas Reed of the Rockingham County Attorney's Office, Ronald Rodgers, Brian Burford, the Archivist for the state, Robert Blaisdell of the Demers Group, and Cordell Johnson of the Municipal Association who did an incredible amount of research, Representative Harriet Cady, the clerk, Rep. James Twombly, Rep. James Garrity, Rep. Jack Dowd, Rep. Peter Espieffs, Sen. Jack Barnes and the House Judiciary Committee. Thank you, very much.

RECESS MOTION

Rep. O'Neil moved that the House stand in recess for the purpose of introduction of bills, receiving enrolled bill amendments, enrolled bill reports and Senate messages, forming

Committee of Conference only.
Adopted.
The House recessed at 4:50 p.m.

RECESS

(Rep. Drisko in the Chair)
ENROLLED BILL AMENDMENTS

HB 115, allowing pharmacists to establish collaborative practice agreements with medical practitioners.

Amendment (1916-EBA)

Amend RSA 318:1, XVI as inserted by section 2 of the bill by replacing line 5 with the following:
complying with rules adopted pursuant to RSA 318:5-a, XV. Prescriptions may also apply to the
Amend RSA 318:16-a, I(e) as inserted by section 6 of the bill by replacing line 2 with the following:
programs approved by the Accreditation Council for Pharmacy Education (ACPE) or curriculum
Adopted.

HB 380, relative to absentee voting.

Amendment (1361-EBA)

Amend RSA 657:21-a, I as inserted by section 1 of the bill by replacing line 7 with the following:
necessary to vote to be transported to the emergency services workers and to be returned to the town or
Amend RSA 657:21-a, VII as inserted by section 1 of the bill by replacing line 4 with the following:
this section, to allow after-hours and weekend notification to the secretary of state that this section is
Adopted.

HB 590, excluding stepchildren from the definition of “child” in the context of support orders.

Amendment (1523-EBA)

Amend the bill by replacing section 9 with the following:
9 Effective Date. This act shall take effect upon its passage.
Adopted.

HB 653-FN-L, relative to bonds for construction, development, improvement, and acquisition of broadband facilities.

Amendment (1421-EBA)

Amend section 6 of the bill by replacing line 5 with the following:
I. In this subdivision
Adopted.

HB 657-FN-L, relative to promoting community revitalization.

Amend RSA 79-E:5, III as inserted by section 1 of the bill by replacing line 4 with the following:
within and important to a locally designated historic district, provided that the substantial
Amend RSA 79-E:7, II as inserted by section 1 of the bill by replacing line 2 with the following:
local, regional, state, or national level, either independently or within the context of an historic district,

Amend RSA 79-E:9, II(b) as inserted by section 1 of the bill by replacing line 2 with the following:
triplicate copy of the form shall be given to the collector of taxes for collection of the payment along
Adopted.

HB 688-FN, relative to the regulation of mental health practitioners and the procedures of the board of mental health.

Amendment (2074-EBA)

Amend section 7 of the bill by replacing line 4 with the following:
complaints, and the final disciplinary actions by the board, including those actions that occur without
Adopted.

HB 719-FN, recodifying the Articles 1 and 7 of the Uniform Commercial Code and relative to lobbyist name tags.

Amendment (2108-EBA)

Amend RSA 382-A:1-103(b) as inserted by section 1 of the bill by replacing it with the following:
(b) Unless displaced by the particular provisions of this chapter, the principles of law and equity, including the law of merchants and the law relative to capacity to contract, principal and agent, estoppel, fraud, misrepresentation, duress, coercion, mistake, bankruptcy, and other validating or invalidating causes supplement its provisions.
Amend RSA 382-A:1-201(b)(16) as inserted by section 1 of the bill by replacing line 3 with the following:

entitled to receive, control, hold, and dispose of the record and the goods the record covers and (ii) that

Amend RSA 382-A:1-303(c) as inserted by section 1 of the bill by replacing lines 3-4 with the following:
respect to the transaction in question. The existence and scope of such a usage must be proved as fact. If it is established that such a usage is embodied in a trade code or similar record, the
Adopted.

HB 1215, relative to the winter maintenance of Diamond Pond Road in the towns of Colebrook and Stewartstown.

Amendment (2180-EBA)

Amend section 1 of the bill by replacing line 2 with the following:
by 1985, 160:1, to read as follows:
Adopted.

HB 1231-FN, relative to the penalty for assaulting a firefighter, licensed emergency medical care provider, or law enforcement officer.

Amendment (1845-EBA)

Amend section 1 of the bill by replacing line 4 with the following:
enforcement officer, *a paid firefighter, volunteer firefighter, on-call firefighter, or licensed*
Adopted.

HB 1330, clarifying the laws relative to municipal enrollment in the National Flood Insurance Program and relative to adopting flood insurance rate map amendments.

Amendment (2102-EBA)

Amend RSA 674:57 as inserted by section 2 of the bill by replacing line 6 with the following:

Map amendments are subject to appeal by owners and lessees of affected real property under Adopted.

HB 1452-FN, requiring insurance coverage for the cost of testing for bone marrow donation.

Amendment (1899-EBA)

Amend section 1 of the bill by replacing lines 2-3 with the following:
inserting after section 6-l the following new section:

415:6-m Coverage for the Cost of Testing for Bone Marrow Donation. Each insurer that issues or

Amend section 2 of the bill by replacing lines 2-3 with the following:
inserting after section 18-q the following new section:

415:18-r Coverage for the Cost of Testing for Bone Marrow Donation. Each insurer that issues

Amend section 3 of the bill by replacing lines 6-7 with the following:

II(4), RSA 415:6-g, RSA 415:6-k, **RSA 415:6-m**, RSA 415:18, V, RSA 415:18, VII(g), RSA 415:18, VII-a, RSA 415:18-a, RSA 415:18-j, RSA 415:18-o, **RSA 415:18-r**, RSA 415:22, RSA 417, RSA 417-E,

Amend section 4 of the bill by replacing line 4 with the following:

RSA 415:6-m, RSA 415:18, VII(g), RSA 415:18, VII-a, RSA 415:18-j, **RSA 415:18-r**, RSA 415-A,

Adopted.

HB 1455-FN-A, relative to the disposal of video display devices.

Amendment (1830-EBA)

Amend section 1 of the bill by replacing line 3 with the following:

XXVIII. "Video display device" means a visual display component of a television or a
Adopted.

HB 1536, relative to bonds required from persons excavating or disturbing certain highways.

Amendment (2094-EBA)

Amend RSA 236:10 as inserted by section 1 of the bill by replacing line 3 with the following:
bond satisfactory to ~~him~~ **such person or entity** be furnished to the state, city, or town
providing for the satisfactory
Adopted.

HB 1630-L, relative to land use change taxes imposed for certain road construction on rights-of-way.

Amendment (2099-EBA)

Amend RSA 79-A:7, VI(e) as inserted by section 1 of the bill by replacing line 1 with the following:

(e) A road is constructed on an existing right-of-way on current use land solely
for the

Amend RSA 79-A:7, VI(e) as inserted by section 1 of the bill by replacing line 5 with the following:

that if such road construction on an existing right-of-way would constitute a change in use if done by
Adopted.

HB 1633-FN, relative to membership, eligibility, and financing of the New Hampshire retirement system.

Amendment (1833-EBA)

Amend the bill by replacing section 7 with the following:

7 Supplemental Allowances. RSA 100-A:41-a, II is repealed and reenacted to read as

follows:

II. No later than May 31 of each year, the fiscal committee of the general court may approve COLAs for the July 1 thereafter upon certification from the actuary of the amount of the COLA which may be granted to each member classification based on the funds available in the special account for each member classification. The actuary shall look at each member classification component of the special account separately and shall certify to the fiscal committee the funds available, and any other information required by the committee, including but not limited to any change in the Consumer Price Index-Urban for the year prior to the year in which the allowance is granted. Any such supplemental allowance when granted by the fiscal committee of the general court shall become a permanent addition to the beneficiary's base retirement allowance, and shall be included in the monthly annuity paid to the retired member, or to the member's beneficiary if the member is deceased and the beneficiary is receiving an allowance under RSA 100-A:8, 100-A:9, 100-A:12, 100-A:13, 100-A:19, the provisions of former RSA 100-A:16, I(c)(2) relative to additional contributions, or similar provisions of predecessor systems.

Adopted.

HB 1657, establishing a wildlife legacy initiative for gifts and donations for fish and wildlife conservation programs.

Amendment (1836-EBA)

Amend section 1 of the bill by replacing lines 2 and 3 with the following:
section 33-c the following new section:

206:33-d Wildlife Legacy Initiative; Account Established.

Amend section 2 of the bill by replacing line 4 with the following:
initiative account under RSA 206:33-d established in section 1 of this act.

Amend section 3 of the bill by replacing line 4 with the following
account under RSA 206:33-d.

Adopted.

HB 1715-FN, relative to funding of the professional assistance program of dentists.

Amendment (1827-EBA)

Amend section 1 of the bill by replacing line 1 with the following:

1 Board of Dental Examiners; Duties; Professional Assistance Program. Amend RSA 317-A:4,
Adopted.

HB 1718-FN, requiring a written disclosure statement be provided to prospective nursing home facility clients.

Amendment (1943-EBA)

Amend section 1 of the bill by replacing line 1 with the following:

1 New Section; Medical Services. Amend RSA 151 by inserting after
Amend RSA 151:25-a, V as inserted by section 1 of the bill by replacing line 1 with the
following:

V. A statement affirming that the prospective client has received the nursing home
disclosure
Adopted.

HB 1722-FN, relative to the New Hampshire council on developmental disabilities.

Amendment (1952-EBA)

Amend RSA 19-J:3, I(a) as inserted by section 1 of the bill by replacing line 1 with the
following:

(a) Individuals with developmental disabilities and parents or guardians of
adults with

Amend RSA 19-J:5 as inserted by section 1 of the bill by replacing line 3 with the following: that affect persons with developmental disabilities. The chairperson, with the input of the council,

Amend RSA 19-J:6, VIII as inserted by section 1 of the bill by replacing line 1 with the following:

VIII. To support and conduct activities to eliminate barriers to access and use of community

Amend RSA 19-J:6, IX as inserted by section 1 of the bill by replacing line 1 with the following:

IX. To support and conduct activities to educate the public about the capabilities, preferences,

Amend RSA 19-J:6, X as inserted by section 1 of the bill by replacing line 1 with the following:

X. To support and conduct activities to provide information to federal, state, and local

Amend RSA 19-J:6, XI as inserted by section 1 of the bill by replacing it with the following:

XI. To support and conduct demonstrations of new approaches to services and supports.

Amend RSA 19-J:6, XII as inserted by section 1 of the bill by replacing line 1 with the following:

XII. To support and conduct other advocacy, capacity building, and systemic change activities

Adopted.

ENROLLED BILL AMENDMENTS

SB 221, relative to obtaining a driver's license and creating a violation for failure to pay a highway toll. (Amendment printed SJ / /)
Adopted.

SB 405, relative to the acceptance of certain tax-sheltered funds by the Manchester employees' contributory retirement system. (Amendment printed SJ / /)
Adopted.

SENATE MESSAGES CONCURRENCE

SB 178, designating a certain highway the Gold Star Mothers Highway.

SB 190-L, establishing a committee to study affordable housing in New Hampshire.

SB 200-FN, establishing the uniform athlete agents act.

SB 231, relative to the residency requirement to qualify for the elderly property tax exemption.

SB 239, renaming the bridge located on Main Street in Enfield, New Hampshire and crossing the Mascoma River as the Enfield Women's Memorial Bridge and naming the bridge located on Main Street in Newmarket, New Hampshire and crossing the Lamprey River as the Newmarket Veterans Bridge.

SB 244, relative to unclaimed deposits for utility services.

SB 245, repealing laws relative to the municipal courts and the administrative committee of the district and municipal courts.

SB 246, relative to provisions for permissible contact between the agent of the defendant subject to a protective order and a plaintiff.

SB 251, relative to the enforcement authority of the division of safety services.

SB 252, relative to certification of speech-language assistants for purposes of speech language pathology practice.

SB 262, establishing the position of an administrator of women offenders and family services within the department of corrections, and establishing an interagency coordinating council on women offenders, and making an appropriation therefor.

SB 269, ratifying certain actions at the 1996 Seabrook annual town meeting.

SB 281-FN, establishing an organ and tissue donor registry.

SB 282-FN-L, relative to removal of abandoned vehicles.

SB 283-FN, relative to stop loss insurance.

SB 284-FN, establishing a third full-time justice position in the Manchester, Nashua, and Concord District Courts and equalizing the annual salaries of all justices of the Manchester, Nashua, and Concord District Courts.

SB 294-FN-A, authorizing 7 additional state troopers and making an appropriation therefor.

SB 295-FN, relative to registration of business entities.

SB 300-FN-A-L, exempting certain transfers of real estate between charitable organizations from the real estate transfer tax.

SB 305-FN, relative to the regulation of recreational therapists.

SB 319, establishing a task force to study county government.

SB 323, establishing a legislative youth advisory council.

SB 325, making technical corrections and other changes to motor vehicle laws.

SB 327, establishing the New Hampshire civil war cannon restoration fund.

SB 334, authorizing the use of a credit freeze as a means of deterring identity theft.

SB 341, relative to the applicability of OBD II testing requirements.

SB 386, relative to large groundwater withdrawals.

SB 389, establishing a committee to study programs funded by the system benefits charge.

SB 391-FN, relative to insurance third party administrators.

SB 394, establishing the Trust Modernization and Competitiveness Act.

NONCONCURRENCE

SB 103-FN-A-L, establishing a committee to study alternatives for funding the operation and maintenance of state-owned dams and making an appropriation to the state dam maintenance fund.

SB 286-FN, relative to notice to defendants in small claims actions.

SB 306-FN-A, establishing a quality early learning opportunity initiative and making an appropriation therefor.

SB 310-FN, establishing gold star number plates and relative to special number plates for veterans.

SB 363-FN-A-L, prohibiting the department of revenue administration from collecting any communications services tax that is not permissible under federal law; and establishing a commission to study and determine the effect of ceasing the collection of Internet-related communications services tax.

SB 364-FN-A, relative to funding of the fish and game search and rescue fund and making an appropriation therefor.

SB 399-FN, relative to the powers of state government in the event of a pandemic.

SCR 6, urging Congress to support stem cell research.

ACCEDES TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 1146, establishing a committee to study renewable portfolio standards.
The President appointed Sens. Odell, Green and Fuller Clark.

HB 1315, relative to the definition and classification of dams.
The President appointed Sens. Johnson, Eaton and Hassan.

HB 1343, relative to the duties of the council on resources and development.
The President appointed Sens. Morse, Clegg and D'Allesandro.

HB 1407-FN-A, relative to funding exotic aquatic weeds eradication and control.
The President appointed Sens. Boyce, Barnes and Burling.

HB 1426, granting a right-of-way over state-owned land.
The President appointed Sens. Kenney, Flanders and Burling.

HB 1463-FN, relative to boating and water safety.
The President appointed Sens. Green, Clegg and Burling.

HB 1491, establishing a committee to study the publicly owned treatment plant needs of New Hampshire.
The President appointed Sens. Green, Bragdon and Hassan.

HB 1508, relative to acceptance of applications by planning boards.
The President appointed Sens. Morse, Kenney and Hassan.

HB 1603-FN, relative to administration and enforcement by the division of forests and lands over forest resources and timber harvesting.
The President appointed Sens. Gallus, Johnson and Hassan.

HB 1690, relative to renewable energy.
The President appointed Sens. Clegg, Morse and Burling.

HB 1752, requiring notice regarding the classifications of employee and independent contractor.
The President appointed Sens. Clegg, Barnes and Hassan.

HB 1758, classifying biodiesel as a renewable energy source.
The President appointed Sens. Green, Letourneau and Burling.

HB 1767-FN-A, authorizing the state acquisition of real estate destroyed in the October 2005 floods, establishing a commission to determine the appropriate use of the property, and making an appropriation therefor.
The President appointed Sens. Odell, Morse and Burling.

REFUSES TO ACCEDE TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 1582, prohibiting New Hampshire from participating in a national identification card system.

CONFEREE CHANGES

HB 1194, relative to job protection for firefighters, rescue workers, and emergency medical personnel.
Rep. Infantine became first-named, Rep. Sheila Francoeur became second-named.

HB 1334, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.
Rep. Infantine became first-named, Rep. Sheila Francoeur became second-named.

HB 1724-FN, relative to compensation and benefits for reserve and national guard members who are state employees.
Rep. Graham replaced Rep. Ingram.

HB 1761, relative to hold over tenants in vacation or recreational rental units.
Rep. Whalley replaced Rep. O'Neil.

HB 656-FN, relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders.
Rep. Sokol replaced Rep. Wall.

HB 1429, relative to municipal exemptions for hazardous waste cleanup liability.
Rep. Dowd replaced Rep. Patten.

HB 1146, establishing a committee to study renewable portfolio standards.
Rep. O'Connell replaced Rep. Hansen.

HB 529, relative to the determination of parental rights and responsibilities.
Rep. Bettencourt replaced Rep. Bickford.

RECESS

(Rep. Bouchard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 221, 459, 718, 1157, 1182, 1191, 1201, 1260, 1317, 1351, 1357, 1377, 1419, 1436, 1444, 1480, 1521, 1530, 1566, 1681, 1688, 1727, 1756, 1764, and Senate Bills numbered 322, 225, 308, 387 and 400.

Rep. Currier, Sen. D'Allesandro for the Committee

ENROLLED BILL AMENDMENT

SB 269, ratifying certain actions at the 1996 Seabrook annual town meeting. (Amendment printed SJ / /)
Adopted.

RECESS