

HOUSE RECORD

First Year of the 160th General Court Calendar and Journal of the 2007 Session

Vol. 29

Concord, N.H.

Wednesday, March 28, 2007

No. 32

HOUSE JOURNAL No. 10 (cont.)

Tuesday, March 27, 2007

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 11

Wednesday, March 28, 2007

The House assembled at 10:00 a.m., the hour to which it stood adjourned, 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.

The Psalm of Wednesday

O God, You who are the Alpha and the Omega, the Beginning and the End of all being, be also the Middle of our week and our lives. Poor Wednesday, sandwiched in this busy week, may we find within it countless divine visits. Holding hidden epiphanies, sudden insights, within its folds, may it be for us a Holy Wow Wednesday.

O God of Hide and Seek, who loves surprises, give us a peek at the new hidden inside the old. Since life is like a many-layered onion, may we peel back a new layer this day.

O God, Ever-Present Beginning and End, help us this day to let some things end and others begin, and to our delight may we discover a fresh face of You. Amen.

Rep. Susan Almy, member from Lebanon, led the Pledge of Allegiance.

The National Anthem was sung by Rep. James Garrity, the member from Atkinson.

LEAVES OF ABSENCE

Reps. Brennan, Peter Cote, Stephanie Eaton, Heald, Jeudy, Stephen Johnson, Laliberte and Velez, the day, illness.

Reps. Mark Clark, Donald Flanders, Haley, Plifka, Rochette, Srnec, Stohl and Burton Williams, the day, important business.

Rep. Spaulding, the day, death in the family.

INTRODUCTION OF GUESTS

Maureen von Rosenvinge, guest of Rep. Beck. Janet Bridgham, wife of Rep. Bridgham. Kristin Stewart and Jennifer Sullivan, guests of Rep. Ryan. Adam Patinkin, guest of Rep. Pierce.

INTRODUCTION OF SPECIAL GUESTS

SSG Virginia Allatt, SSG Donald Frechette, SSG Daniel Bouvier, SGT Paulleroy Morisseau, SGT Franklin Walker and SGT Kevin Uitts, recently returned from serving in Iraq. Alpha Company, 368th Engineer Battalion and the Londonderry Armed Forces Reserve Center.

MEMORIAL RESOLUTION HOUSE RESOLUTION NO. 11

Memorializing State Representative James H. Oliver of Hooksett

WHEREAS, we have learned with great sorrow of the death of our friend and colleague James H. Oliver of Hooksett, who was in his third term as a member of the House of Representatives serving the citizens of Merrimack County District 9, the town of Hooksett; and,

WHEREAS, Jim Oliver served with diligence and distinction as a valued member of the Committee on Criminal Justice and Public Safety, earning the respect of his colleagues for his depth of knowledge and understanding in considering the many issues that were presented to the committee, knowledge and understanding gained during his long career in law enforcement; and

WHEREAS, Jim Oliver, following his service in the United States Army, served sixteen years in the Bureau of Special Services as a detective with the New York City Police Department, receiving the Department's Honor Legions Medal of Valor prior to his retirement as a homicide detective, and

WHEREAS, arriving in Hooksett to serve as the Chief of a small, part time police department, he oversaw its development into a full time, twenty-four person agency before his retirement, and

WHEREAS, Jim Oliver helped found the Hooksett Emergency Relief Committee, which offers financial assistance to citizens who may not necessarily meet state welfare requirements, and in 2000 was named Hooksett's Citizen of the Year, now, therefore, be it RESOLVED, by the New Hampshire House of Representatives in Regular Session convened, that James H. Oliver be granted the highest praise and accolades for his dedicated service to his community and his state, and be it further

RESOLVED, that expressions of heartfelt sympathy be extended to his family and that a suitable copy of this Resolution be prepared for presentation to them.

Offered by the House of Representatives.

Adopted.

MOMENT OF SILENCE

A moment of silence was observed in memory and honor of New Hampshire State Representative James H. Oliver of Hooksett.

SPECIAL ORDER BILLS

HB 812, relative to making permanent certain exceptions to limits on land application of septage and sludge. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert H. Haefner for Environment and Agriculture: Nine farms along the NH riverways have been given an exception since 1998, allowing them to apply biosolids (sludge) to livestock feed crops within 75 feet if it is mixed in or 125 feet if top dressed (consistent with other state requirements) of waterway, drainage or wetlands. No degradation of water quality has been detected during testing in the last nine years. The bill makes the nine exceptions permanent, as long as farmers continue to comply with all requirements. Vote 10-4.

Amendment (0514h)

Amend RSA 483:8-b as inserted by section 1 of the bill by replacing it with the following:

483:8-b Land Application Restrictions; Exceptions. The septage and sludge land application restrictions contained in RSA 483:9, VI(c), RSA 483:9-a, VII(b), RSA 483:9-aa, VII(b), and RSA 483:9-b, VII(b) shall not apply to any currently-permitted land upon which septage or sludge has been spread in accordance with all applicable rules adopted by the federal Environmental Protection Agency and the New Hampshire department of environmental services, during any portion of the 3-year period prior to January 1, 1998. In addition, there shall be no termination of this restriction exemption for qualifying land that is used for scientific research on septage or sludge. Any continued application of septage and sludge pursuant to this section shall comply with all applicable federal and state laws and any best management practices published by the university of New Hampshire cooperative extension. Failure to comply with the requirements of this section shall terminate the exception.

Rep. Beaulieu spoke against.

Rep. O'Connell spoke in favor.

Amendment adopted.

Committee report adopted.

Ordered to third reading.

HB 836, prohibiting wastewater treatment plants from excluding towns for septage treatment and disposal services. **INEXPEDIENT TO LEGISLATE.**

Rep. Leigh A. Webb for Environment and Agriculture: Although well intentioned, the committee found several problems with this bill. The committee recognizes the right of municipalities to develop their own ordinances to regulate or ban the use of land application of biosolids, but also believes that those same municipalities should not be exempt from the economic impact of those decisions. Passage of this bill would have the unintentional consequence of limiting the authority of cities and towns with their own waste treatment facilities from promulgating their own rules and regulations regarding septic treatment and disposal services. Additionally, the Department of Environmental Services opposed passage of this bill for many of the reasons stated above plus the bill's attempt to change definitions already in common usage in federal and state statutes and rules. Vote 14-2.

Rep. Beaulieu spoke against and yielded to questions.

Rep. Powers spoke against.

Reps. Webb, Essex and Patten spoke in favor.

On a division vote, 295 members having voted in the affirmative and 55 in the negative, the committee report was adopted.

(Deputy Speaker Foster in the Chair)

REGULAR CALENDAR (CONT'D)

HB 558, requiring any education trust fund surplus to be transferred to the revenue stabilization reserve account. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth L. Weyler for Finance: The Education Trust Fund was created for the first Adequate Education Grants in 1999. It was to assure the donor towns, (who contributed

about 4%) that all their funds would go to schools. It was the repository of several surtaxes and some one-time revenues to reassure the public that we were following the mandate. From its inception it was a problem for both revenue and budget calculations. The split between the base tax and the increase due to the surtax took lengthy discussions. Some errors were made in distributing money between the General Fund (GF) and the Education Trust Fund (ETF). The most recent example occurred last session when we believed that the revenue at the end of the biennium would yield a 40 million dollar surplus. Hours later, after allocating the surplus to programs, we were informed that it was really only 18 million. Twenty-two million had to stay in the ETF. In most budgets the ETF was short of funding the Adequacy Grants. An amount from the GF made up the difference. The Education Trust Fund was misnamed from the start. It never was a Trust Fund. The name was designed to give the public some confidence that the money that was raised was to meet the State's requirement to fund an adequate education. But it is the existence of the General Fund, not of the so-called Education Trust Fund that guarantees that the State fulfills this obligation. A final problem relates to our bond rating. The rating is based on the per cent of our unrestricted General Fund Revenue that is used for bonding. By isolating the hundreds of millions in the ETF, they can not be used in the calculation. If the ETF were eliminated, as the amendment does, then, even though all that money could still go to education, by passing it through the General Fund, some believe that our bond rating might benefit. Please support the unanimous vote of the Finance Committee; simplify our lives. Ten years of supporting school funding should be sufficient evidence that the General Court intends to honor our obligation to support education. Vote 23-0.

Amendment (0853h)

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

AN ACT repealing the education trust fund.

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

1 Reports on Status of Monthly Tax Refunds. Amend the introductory paragraph in RSA 21-J:45, I to read as follows:

I. The commissioner of the department of revenue administration shall report to the fiscal committee of the general court within 10 days after the close of each month, the status of monthly refunds pending from the ~~[combined]~~ general fund ~~[and education trust fund]~~ for the following taxes:

2 Determination of Amounts Returnable. Amend RSA 31-A:4, I to read as follows:

I. Its 1978 distribution under RSA 31-A plus its share under the equalized formula of an annual increase of 5 percent in the previous year's aggregate distribution, through the year 1981, excluding revenue derived from RSA 77-A:20. ~~[The amount of money which is removed from the formula for deposit in the education trust fund shall not affect the remaining municipal revenue sharing distribution.]~~ The same amount distributed to each municipality in fiscal year 1998, excluding the amount apportioned to the school district in the 1998 property tax calculations, shall be distributed to each municipality in fiscal year 1999 and each year thereafter until the legislature revises the formula or provides additional appropriations that will affect the distribution amount.

3 Commissioner's Warrant. Amend RSA 76:8, III to read as follows:

III. Municipalities are authorized to assess local property taxes necessary to fund school district appropriations not funded by the statewide enhanced education tax, by distributions from the ~~[education trust]~~ **general** fund ~~[under RSA 198:39]~~, or by other revenue sources.

4 Tax on Meals and Rooms; Disposition of Revenue. Amend RSA 78-A:26, III to read as follows:

III. Beginning on July 1, 1999, and for each fiscal year thereafter, the department shall pay over all revenue collected pursuant to RSA 78-A:6, II-a to the state treasurer for deposit in the ~~[education trust fund established by RSA 198:39]~~ **general fund**.

5 Utility Property Tax; Administration. Amend RSA 83-F:7, I to read as follows:

I. The commissioner shall collect the taxes, interest, additions to tax and penalties imposed under this chapter and shall pay over to the state treasurer for deposit in the ~~[education trust fund established by RSA 198:39]~~ **general fund** the amount of the funds collected.

6 Charter and Open Enrollment Schools; Funding. Amend RSA 194-B:11, I(d) to read as follows:

(d) The source of funds for payments under this section shall be moneys from the ~~[education trust fund established in RSA 198:39]~~ **general fund**.

7 Appropriation for Unanticipated Funds. Amend RSA 198:20-b, II to read as follows:

II. Such money shall be used only for legal purposes for which a school district may appropriate money. No funds disbursed from the ~~[education trust]~~ **general fund** pursuant to RSA 198:42 shall, under any circumstances, emergency or otherwise, be deemed to be unanticipated money under the provisions of this section.

8 State Aid for Educational Equality; Education Trust Fund; Subdivision Heading Amended. Amend the subdivision heading preceding RSA 198:38 to read as follows: State Aid ~~[for Educational Equality; Education Trust Fund]~~ **to Education**

9 Distribution Schedule. Amend RSA 198:42 to read as follows:

198:42 Distribution Schedule of Equitable Education Grants; Appropriation.

I. The equitable education grant determined in RSA 198:41 shall be distributed to each municipality's school district or districts legally responsible for the education of the pupils who attend approved public schools within the district or in other districts or who attend approved programs for educationally disabled children, as the case may be, from the ~~[education trust]~~ **general fund** in 4 payments of 20 percent on September 1, 20 percent on November 1, 30 percent on January 1, and 30 percent on April 1 of each school year; provided that for a dependent school district, the grant determined in RSA 198:41 shall be distributed to the municipality, which shall appropriate and transfer the grant funds to its dependent school department.

II. For the fiscal year beginning July 1, 2005, and every fiscal year thereafter, the amount necessary to fund the grants under RSA 198:41 is hereby appropriated to the department from the ~~[education trust fund created under RSA 198:39]~~ **general fund**. The governor is authorized to draw a warrant from the ~~[education trust]~~ **general fund** to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the ~~[education trust]~~ **general fund**. If the balance in the ~~[education trust]~~ **general fund**, after the issuance of any such warrant, is less than zero, the commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of equitable education grants.

III. The department of education shall certify the amount of each grant to the state treasurer and direct the payment thereof to the school district. When a payment of a grant is made to a school district, the municipality on whose behalf the payment is made shall receive notification from the state treasurer of the amount of the payment made to its school district or districts.

IV. For the fiscal year beginning July 1, 2006, and every fiscal year thereafter, the amount necessary to fund charter school tuition payments under RSA 194-B:11, I is hereby appropriated to the department from the ~~[education trust]~~ **general fund** established under RSA 198:39. The ~~[education trust]~~ **general fund** shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the ~~[education trust]~~ **general fund**.

10 Duties of the Department of Education and the State Board of Education. Amend RSA 198:44 to read as follows:

198:44 Duties of the Department of Education and the Board of Education. The department of education shall submit a report by December 31 to the speaker of the house of

representatives and the senate president to be used for purposes of determination by the legislature of the appropriation to the ~~[education trust]~~ **general** fund. A copy of such report shall, at the same time, be given to the department of revenue administration.

11 Excess Statewide Enhanced Education Tax Payment. Amend RSA 198:46, II to read as follows:

II. The commissioner of the department of revenue administration shall collect from the municipality the excess tax and pay the excess tax over to the state treasurer for deposit in the ~~[education trust]~~ **general** fund ~~[established by RSA 198:39]~~.

12 Alternative Kindergarten Programs. Amend RSA 198:48-a, VII(a) to read as follows:

VII.(a) Upon the effective date of this paragraph, and for each fiscal year through June 30, 2003, an equitable education grant of \$1,200 per pupil shall be distributed to school districts, from the ~~[education trust fund created in RSA 198:39]~~ **general fund**, for the education of its resident kindergarten pupils enrolled in an approved alternative kindergarten program established under this section.

13 Low and Moderate Income Homeowners Property Tax Relief. Amend RSA 198:61 to read as follows:

198:61 Refund of Tax Claims. The department of revenue administration shall review a claim for tax relief filed with it and, if such claim is determined to be valid, shall certify such amount to the state treasurer within 120 days who shall pay such claims from funds in the ~~[education trust]~~ **general** fund. Such sums are hereby appropriated and the governor is authorized to draw a warrant from the ~~[education trust]~~ **general** fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the ~~[education trust]~~ **general** fund. If the balance in the ~~[education trust]~~ **general** fund, after the issuance of any such warrant, is less than zero, the commissioner of the department of revenue administration shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the payment of valid claims. The department shall notify a claimant whose claim is rejected in whole or in part of such determination within 90 days of the department's receipt of the claim and all required documentation.

14 Lottery; Establishment. Amend RSA 284:21-j, I to read as follows:

I. The state treasurer shall credit all moneys received from the lottery commission and all moneys received from the pari-mutuel commission under RSA 287-D and RSA 287-E, and interest received on such moneys, to a special fund from which the treasurer shall pay all expenses of the commission incident to the administration of this subdivision and all administration and enforcement expenses of the pari-mutuel commission under RSA 287-D and RSA 287-E. Any balance left in such fund after such expenses are paid shall be deposited in the ~~[education trust fund established under RSA 198:39]~~ **general fund to be used exclusively for the purpose of state aid to education.**

15 Repeal. The following are repealed:

I. RSA 6:12, I(65), relative to funds deposited into the education trust fund.

II. RSA 198:39, establishing the education trust fund.

III. RSA 77-A:20-a, relative to the distribution of funds from the business profits tax to the education trust fund.

IV. RSA 77-E:14, relative to the distribution of funds from the business enterprise tax to the education trust fund.

V. RSA 78:32, relative to distribution the of funds from the tobacco tax to the education trust fund.

VI. RSA 78-B:13, relative to the distribution of funds from the tax on transfer of real property to the education trust fund.

16 Effective Date. This act shall take effect June 30, 2007.

AMENDED ANALYSIS

This bill repeals the education trust fund and provides that all sources of revenue formerly dedicated to the education trust fund shall remain in the general fund, and all

disbursements formerly made from the education trust fund shall be made from the general fund.

Amendment adopted.

Committee report adopted.

Ordered to third reading.

(Speaker Norelli in the Chair)
REGULAR CALENDAR (CONT'D)

HB 583-FN, relative to funding for HIV/AIDS services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John DeJoie for Finance: This waiver became necessary due to the loss of \$1,000,000 of federal funds, which have been replaced by state general funds in this year's budget. It is hoped that this waiver may permit additional federal dollars to be matched to the general fund dollars, to effectively expand provision of these services. This bill requires the Department of Health and Human Services to submit a waiver to the Centers for Medicare/Medicaid (CMS) regarding services for HIV/AIDS affected individuals. Amendments to the bill clarify that the department, in preparing its planned waiver, shall consider potential costs to develop the waiver and any costs for implementation of the proposed waiver. A copy of the proposed waiver will be reviewed by the Legislative Fiscal Committee, prior to being submitted to CMS. Vote 17-8.

Amendment (0949h)

Amend the bill by replacing section 1 with the following:

1 New Section; HIV/AIDS Waiver. Amend RSA 126-A by inserting after section 4-b the following new section:

126-A:4-c HIV/AIDS Waiver. The department shall develop a Medicaid waiver to support the extension of Medicaid-allowable HIV/AIDS services. The department shall present the proposed waiver design, including proposed coverage groups, budget neutrality calculation, a cost estimate of the proposed waiver, and an explanation of the potential fiscal impact of seeking a state plan amendment, to the legislative fiscal committee prior to submission of a final concept paper to the Centers for Medicare and Medicaid Services (CMS) for federal approval. The department shall provide periodic reports to the legislative fiscal committee throughout the waiver development, approval, and implementation processes. The department shall seek input from health care providers and the public in the course of developing the waiver. The department shall ensure that budget neutrality is maintained or exceeded through the 5-year life of the waiver. A report shall be made to the legislative fiscal committee within 6 months of the end of the first full year of waiver implementation and subsequently on an annual basis.

Amendment adopted.

Committee report adopted.

Ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. Baldasaro moved that ***HR 10***, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq, be made a Special Order as the next order of business.

Rep. Daniel Eaton spoke against.

Reps. Baldasaro and Whalley spoke in favor.

Rep. Hess requested a roll call; sufficiently seconded.

YEAS 193 NAYS 151

YEAS 193

BELKNAP

Allen, Janet
Nedeau, Stephen
Tilton, Franklin

Boyce, Laurie
Pilliod, James
Tobin, William

Clark, Charles
Russell, David
Wendelboe, Fran

Millham, Alida
Thomas, John
Whalley, Michael

CARROLL

Ahlgren, Christopher
Denley, William
Patten, Betsey

Brown, Carolyn
Knox, J. David
Stevens, Stanley

Butler, Edward
Martin, James

Chandler, Gene
Merrow, Harry

CHESHIRE

Dunn, J. Timothy
Parkhurst, Henry

Emerson, Susan
Pelkey, Stephen

Hunt, John
Roberts, Kris

Johnson, Jane
Weed, Charles

COOS

King, Frederick
Tholl, John Jr

Merrick, Evalyn

Remick, William

Theberge, Robert

GRAFTON

Bulis, Lyle

Dingman, Vernon III

Gionet, Edmond

Sorg, Gregory

HILLSBOROUGH

Barry, Richard
Brunelle, Michael
Coughlin, Pamela
Dokmo, Cynthia
Fletcher, Richard
Ginsburg, Ruth
Harvey, Suzanne
Holden, Randolph
Kurk, Neal
Leishman, Peter
Marshall, Seth

Batula, Peter
Christensen, Chris
Crane, Elenore Casey
Drisko, Richard
Forest, Armand
Graham, John
Hawkins, Ken
Jasper, Shawn
L'Heureux, Robert
Lessard, Rudy
Martineau, Jesse

Bergeron, Jean-Guy
Christiansen, Lars
Daniels, Gary
Elliott, Nancy
Foster, Linda
Haefner, Robert
Hinkle, Peyton
Jean, Claudette
Lasky, Bette
Mack, Ron
Matarazzo, Anthony
Sr

Bergin, Peter
Cote, David
Day, Russell
Emerton, Larry
Gargas, Carolyn
Hammond, Jill
Hogan, Edith
Katsiantonis, George
Lawrence, James
Manney, Pamela
McRae, Karen

Messier, Irene
Ober, Lynne
Reeves, Sandra
Shaw, Kimberly
Sysyn, Mary
Winters, Joel

Mooney, Maureen
Ober, Russell III
Renzullo, Andrew
Smith, David
Tahir, Saghir

O'Connell, Timothy
Peterson, Andy
Reuschel, Michael
Soucy, Connie
Ulery, Jordan

O'Neil, James
Price, Pamela
Rowe, Robert
Stepanek, Stephen
Villeneuve, Maurice

MERRIMACK

Anderson, Eric
Greco, Vincent
Lockwood, Priscilla
Wheeler, Deborah

Clarke, Claire
Hess, David
MacKay, James
Yeaton, Charles

Davis, Frank
Humphries, Charlie
Reardon, Tara

DeStefano, Stephen
Kidder, David
Reed, Dennis

ROCKINGHAM

Abbott, Dennis
Belanger, Ronald

Allen, Mary
Bettencourt, David

Baldasaro, Alfred
Bishop, Franklin

Bedrick, Jason
Buxton, Donald

Camm, Kevin
Dalrymple, David
Elliott, Robert
Flockhart, Eileen
Gould, Kenneth
Hopfgarten, Paul
Kappler, Lawrence
Lund, Howie
McMahon, Charles
Powers, James
Rausch, James
Waterhouse, Kevin
Weyler, Kenneth

Carson, Sharon
Day, Judith
Emiro, Frank
Forsing, Robert
Griffin, Mary
Ingram, Russell
Katsakiores, George
Major, Norman
Nowe, Ronald
Priestley, Anne
Reagan, John
Weare, Everett
Wickson, Rick

Case, Frank
Devine, James
Fesh, Bob
Garcia, Marilinda
Guthrie, Joseph
Introne, Robert
Katsakiores, Phyllis
McCarthy, Linda
Packard, Sherman
Quandt, Marshall
Sanders, Elisabeth
Welch, David
Winchell, George

Charron, Gene
Dumaine, Dudley
Flanders, John Sr
Garrity, James
Headd, James
Itse, Daniel
Kennedy, James
McKinney, Betsy
Pearson, Mark
Quandt, Matthew
Stiles, Nancy
Wells, Roger

STRAFFORD

Berube, Roger
Burke, Rachel
Miller, Joseph

Brown, George
Goodwin, Earle
Perry, Robert

Brown, Jennifer
Hofemann, Roland
Sprague, Dale

Brown, Julie
Knowles, William
Watson, Robert

SULLIVAN

Ferland, Brenda

Nielsen, Ellen

Rodeschin, Beverly

Skinder, Carla

NAYS 151

BELKNAP

Arsenault, Beth

Morrison, Gail

Reever, Judith

CARROLL

Bridgham, Robert

Buco, Thomas

Cunningham, Howard

Heard, Virginia

CHESHIRE

Allen, Peter
Chase, William
Richardson, Barbara

Butcher, Suzanne
Eaton, Daniel
Robertson, Timothy

Butterworth, Timothy
Espieffs, Peter
Sad, Tara

Butynski, William
Mitchell, Bonnie
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Ingersoll, Paul Sr

Mears, Edgar

Merrick, Scott

GRAFTON

Almy, Susan
Cooney, Mary
Lovett, Sid
Preston, Philip

Andersen, Gene
Estes, Carole
Matheson, Robert
Solomon, Peter

Benn, Bernard
Friedrich, Carol
Mulholland, Catherine

Bleyler, Ruth
Hammond, Lee
Pierce, David

HILLSBOROUGH

Baroody, Benjamin
Daler, Jennifer
Garrity, Patrick
Hall, Betty
Knowles, John

Beaulieu, Jane
Edwards, Andrew
Goley, Jeffrey
Hebert, Roger
Knowles, Mary Ann

Beck, Catriona
Essex, David
Gorman, Mary
Kaelin, Michael
Kopka, Angeline

Clemons, Jane
Fontas, Jeffrey
Hackel, Paul
Kelley, John
Levasseur, Nickolas

Levesque, Melanie
Movsesian, Lori
Schulze, Joan
Smith, Sandra
Vaillancourt, Steve

Lisle, Carolyn
O'Brien, Michael Sr
Shattuck, Gilman
Spratt, Stephen

Long, Patrick
Pilotte, Maurice
Shaw, Barbara
Sullivan, Daniel

Mesa, Lily
Rosenwald, Cindy
Simon, Anthony
Sullivan, Francis

MERRIMACK

Beauchesne, Suzanne
Brueggemann, Donald
Gile, Mary

Blanchard, Elizabeth
Ehlers, Eileen
Hamm, Christine

Bouchard, Candace
Foose, Robert
Kelly, Sally

Brown, Carole
French, Barbara
Kjellman, Eleanor
Glynn

Osborne, Jessie
Richardson, Gary
Tupper, Frank
Williams, Robert

Owen, Derek
Ryan, Jim
Wallner, Mary

Porter, Margaret
Shurtleff, Stephen
Walz, Mary

Potter, Frances
Tilton, Joy
Webb, Leigh

ROCKINGHAM

Borden, David
Henson, John
Kepner, Susan
McGuirk, Thomas
Moore, Bennett
Russell, Trinka

Brown, C. Pennington
Howard, Doreen
Lister, Charlotte
McKenna, Daniel
Nord, Susi
Serlin, Christopher

Casey, Kimberley
Johnson, Robert
Marsh, Michael
Moody, Marcia
O'Keefe, Peter
Snow, Richard

Grote, Otto
Kelley, Jane
McEachern, Paul
Moore, Benjamin
Pantelakos, Laura
Splaine, James

STRAFFORD

Billian, Deborah
Fargo, Thomas
Hutz, Sarah
Rollo, Michael
Spang, Judith

Brown, Larry
Grassie, Anne
Kaen, Naida
Rous, Emma
Wall, Janet

DeChane, Marlene
Hilliard, Dana
Mickelonis, Shawn
Schmidt, Peter
Warren, Nancy

Domingo, Baldwin
Hubbard, Pamela
Rollo, Deanna
Smith, Marjorie

SULLIVAN

Cloutier, John
Gagnon, Raymond

Converse, Larry
Gottling, Suzanne

Donovan, Thomas
Houde, Matthew

Franklin, Peter
Jillette, Arthur Jr

and the motion was adopted.

Rep. Solomon voted Nay and intended to vote Yea.

SPECIAL ORDER

HR 10, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Pamela D. Coughlin for the Majority of State-Federal Relations and Veterans Affairs: This House Resolution continues to support the troops while asking the President and Congress to fully fund veterans' medical needs, as well as the need to pursue diplomatic avenues to end the present war in Iraq. The citizens of the State of New Hampshire strongly support the soldiers serving in the United States armed forces. The citizens of the State of New Hampshire recognize, support and appreciate the great sacrifices the soldiers and families protecting our freedoms for our state and country. The original House Resolution as written could have serious and detrimental effect on our soldiers deployed today and all of our current veterans. The committee felt that the original text of the Resolution needed to be amended to better reflect the oral and written testimony given by New Hampshire citizens. Vote 10-7.

Rep. Eleanor Glynn Kjellman for the Minority of State-Federal Relations and Veterans

Affairs: The minority believes that the original intent of HR 10 was to express disapproval of the escalation of the war in Iraq by the deployment of 20,000 plus troops, to fully fund all veterans benefits and appropriately care for veterans returning from war, to encourage the President and Congress to begin talks with countries in the Middle East and most importantly to begin the orderly withdrawal of American military forces from Iraq. The minority confirms that HR 10 as written does not require any timeline. Further, we noted that "orderly withdrawal" could be interpreted to mean that Americans could be taken off the front lines, that they would train and support Iraqis who would be the primary ones to defend their own country, patrol the streets, search neighborhoods and homes, and settle their own disputes. We believe that the amendment so changes the original Resolution as to completely reverse the intention. The amendment does not address the escalation in troop strength and its effect on our over-extended military. The amendment mimics the original resolution's phrase "begin the orderly withdrawal of American military forces from Iraq" but adds the qualifier "upon task completion." This completely reverses the intent of the original resolution. There is no definition of the "task" and no indication of how to measure completion and no indication of who is to say when the task is completed. As we enter the fifth year in the war in Iraq, a country that has been in conflict for centuries, the minority thinks the open-ended nature of "upon task completion" requires that the amendment fail, and that the HR 10 in its original form be passed by the House.

Majority Amendment (0850h)

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

A RESOLUTION urging the President and Congress to take actions relative to veterans' benefits, fully funding and expediting improvements to veterans' facilities, and the war in Iraq.

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

Whereas, in the history of military campaigns for over 2 centuries beginning with the Revolutionary War, the people of the United States of America have engaged in military and diplomatic initiatives to gain and preserve freedom for all people; and

Whereas, the citizens of the state of New Hampshire strongly support the men and women serving in the United States Armed Forces in Iraq, Afghanistan, and arenas known and not yet known; and

Whereas, over 3,000 American military personnel, including 18 from New Hampshire, have died since March of 2003 in the hostilities in Iraq, and tens of thousands have returned home with significant unmet physical and other health care needs; and

Whereas, the citizens of the state of New Hampshire recognize, appreciate, and are forever thankful for the sacrifices that all of our American and New Hampshire soldiers have made, especially those who have given their lives or been wounded in previous and current battles to protect our freedoms; and

Whereas, the New Hampshire house of representatives has an obligation to speak out on matters which affect the people of our state, and the ability of our government to protect us at home; now, therefore, be it

Resolved by the House of Representatives:

That the New Hampshire house of representatives and the American people will continue to support and protect the members of the United States Armed Forces and the New Hampshire national guard who are serving or who have served bravely and honorably in Iraq and elsewhere; and

That the New Hampshire house of representatives calls on the Bush Administration and Congress to fully fund and expedite all benefits for veterans and fully fund and expedite improvements to veterans' facilities, in order to appropriately care for our brave men and women when they return from this war and other combat; and

That the New Hampshire house of representatives urges the President and Congress to commence talks with the neighbors in the Middle East and begin the orderly withdrawal of American military forces from Iraq upon task completion; and

That the clerk of the New Hampshire house of representatives send copies of this resolution to governor John Lynch, the president and minority leader of the New Hampshire state senate, the President of the United States, the United States Secretary of Defense, the United States Secretary of State, the President of the United States Senate, the Speaker of the United States House of Representatives, and the New Hampshire congressional delegation.

AMENDED ANALYSIS

This house resolution urges the President and Congress to take actions relative to veterans' benefits, fully funding and expediting improvements to veterans' facilities, and the war in Iraq.

Reps. Kjellman and Vaillancourt spoke against and yielded to questions.

Reps. McEachern, Perry, Burke, Splaine, Schmidt, Edwards, Fontas and Marjorie Smith spoke against.

Reps. Sorg, Baldasaro, David Smith and Coughlin spoke in favor.

Rep. Kjellman requested a roll call; sufficiently seconded.

YEAS 151 NAYS 212

YEAS 151

BELKNAP

Allen, Janet
Nedeau, Stephen
Tilton, Franklin

Boyce, Laurie
Pilliod, James
Tobin, William

Clark, Charles
Russell, David
Wendelboe, Fran

Millham, Alida
Thomas, John
Whalley, Michael

CARROLL

Ahlgren, Christopher
Knox, J. David
Stevens, Stanley

Brown, Carolyn
Martin, James

Chandler, Gene
Merrow, Harry

Denley, William
Patten, Betsey

CHESHIRE

Dunn, J. Timothy
Pelkey, Stephen

Emerson, Susan
Roberts, Kris

Hunt, John

Johnson, Jane

COOS

King, Frederick

Remick, William

Theberge, Robert

Tholl, John Jr

GRAFTON

Bulis, Lyle
Sorg, Gregory

Dingman, Vernon III

Gionet, Edmond

Ingbertson, Paul

HILLSBOROUGH

Barry, Richard
Christensen, Chris
Daniels, Gary
Emerton, Larry
Hansen, Ryan
Holden, Randolph

Batula, Peter
Christiansen, Lars
Day, Russell
Fletcher, Richard
Hawkins, Ken
Hunter, Bruce

Bergeron, Jean-Guy
Coughlin, Pamela
Dokmo, Cynthia
Graham, John
Hinkle, Peyton
Infantine, William

Bergin, Peter
Crane, Elenore Casey
Elliott, Nancy
Haefner, Robert
Hogan, Edith
Jasper, Shawn

Kurk, Neal
Manney, Pamela
O'Connell, Timothy
Price, Pamela
Shaw, Kimberly
Tahir, Saghir

L'Heureux, Robert
McRae, Karen
Ober, Lynne
Reeves, Sandra
Smith, David
Ulery, Jordan

Lawrence, James
Mooney, Maureen
Ober, Russell III
Renzullo, Andrew
Soucy, Connie
Villeneuve, Maurice

Lessard, Rudy
Moran, Edward
Peterson, Andy
Rowe, Robert
Stepanek, Stephen

MERRIMACK

Anderson, Eric
Humphries, Charlie

DeJoie, John
Kidder, David

Hager, Elizabeth
Mackay, James

Hess, David
Reed, Dennis

ROCKINGHAM

Allen, Mary
Bettencourt, David
Carson, Sharon
Devine, James
Fesh, Bob
Gleason, John
Hopfgarten, Paul
Introne, Robert
Katsakiores, Phyllis
McMahon, Charles
Pearson, Mark
Rausch, James
Stiles, Nancy
Wells, Roger

Baldasaro, Alfred
Bishop, Franklin
Case, Frank
DiFruscia, Anthony
Flanders, John Sr
Griffin, Mary
Howard, Doreen
Itse, Daniel
Lund, Howie
Moore, Benjamin
Priestley, Anne
Reagan, John
Waterhouse, Kevin
Weyler, Kenneth

Bedrick, Jason
Buxton, Donald
Charron, Gene
Dumaine, Dudley
Garcia, Marilinda
Guthrie, Joseph
Hutchinson, Karen
Kappler, Lawrence
Major, Norman
Nowe, Ronald
Quandt, Marshall
Robertson, Carl
Weare, Everett
Wickson, Rick

Belanger, Ronald
Camm, Kevin
Dalrymple, David
Emiro, Frank
Garrity, James
Headd, James
Ingram, Russell
Katsakiores, George
McKinney, Betsy
Packard, Sherman
Quandt, Matthew
Sanders, Elisabeth
Welch, David
Winchell, George

STRAFFORD

Berube, Roger

Brown, Julie

Rollo, Michael

SULLIVAN

Rodeschin, Beverly

NAYS 212

BELKNAP

Arsenault, Beth

Morrison, Gail

Reever, Judith

CARROLL

Bridgham, Robert
Heard, Virginia

Buco, Thomas

Butler, Edward

Cunningham, Howard

CHESHIRE

Allen, Peter
Chase, William
Parkhurst, Henry
Weber, Lucy

Butcher, Suzanne
Eaton, Daniel
Richardson, Barbara
Weed, Charles

Butterworth, Timothy
Espieffs, Peter
Robertson, Timothy

Butynski, William
Mitchell, Bonnie
Sad, Tara

COOS

Hatch, William
Merrick, Scott

Ingersoll, Paul Sr
Thomas, Yvonne

Mears, Edgar

Merrick, Evalyn

GRAFTON

Aguiar, James
Bleyler, Ruth
Hammond, Lee
McLeod, Martha
Preston, Philip

Almy, Susan
Cooney, Mary
Harding, A Laurie
Mulholland, Catherine
Solomon, Peter

Andersen, Gene
Estes, Carole
Lovett, Sid
Nordgren, Sharon

Benn, Bernard
Friedrich, Carol
Matheson, Robert
Pierce, David

HILLSBOROUGH

Baroody, Benjamin
Campbell, David
Daler, Jennifer
Fontas, Jeffrey
Ginsburg, Ruth
Hall, Betty
Irwin, Anne-Marie
Kelley, John
Lasky, Bette
Lisle, Carolyn
Martineau, Jesse

Movsesian, Lori
Reuschel, Michael
Shaw, Barbara
Sullivan, Daniel
Winters, Joel

Beaulieu, Jane
Chase, Claudia
Drisko, Richard
Forest, Armand
Goley, Jeffrey
Hammond, Jill
Jean, Claudette
Knowles, John
Leishman, Peter
Long, Patrick
Matarazzo, Anthony Sr
O'Brien, Michael Sr
Rosenwald, Cindy
Simon, Anthony
Sullivan, Francis

Beck, Catriona
Clemons, Jane
Edwards, Andrew
Foster, Linda
Gorman, Mary
Harvey, Suzanne
Kaelin, Michael
Knowles, Mary Ann
Levasseur, Nickolas
Mack, Ron
Mesa, Lily

O'Neil, James
Schulze, Joan
Smith, Sandra
Sysyn, Mary

Brunelle, Michael
Cote, David
Essex, David
Garrity, Patrick
Hackel, Paul
Hebert, Roger
Katsiantonis, George
Kopka, Angeline
Levesque, Melanie
Marshall, Seth
Messier, Irene

Pilotte, Maurice
Shattuck, Gilman
Spratt, Stephen
Vaillancourt, Steve

MERRIMACK

Baxley, Maureen
Brown, Carole
Ehlers, Eileen
Greco, Vincent

McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Walz, Mary
Yeaton, Charles

Beauchesne, Suzanne
Brueggemann, Donald
Foote, Robert
Hamm, Christine

Osborne, Jessie
Reardon, Tara
Tilton, Joy
Webb, Leigh

Blanchard, Elizabeth
Clarke, Claire
French, Barbara
Kelly, Sally

Owen, Derek
Richardson, Gary
Tupper, Frank
Wheeler, Deborah

Bouchard, Candace
DeStefano, Stephen
Gile, Mary
Kjellman, Eleanor
Glynn
Porter, Margaret
Ryan, Jim
Wallner, Mary
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Gould, Kenneth
Kelley, Jane
Marsh, Michael
McKenna, Daniel
O'Keefe, Peter
Russell, Trink

Borden, David
Day, Judith
Grote, Otto
Kennedy, James
McCarthy, Linda
Moody, Marcia
Pantelakos, Laura
Serlin, Christopher

Brown, C. Pennington
Elliott, Robert
Henson, John
Kepner, Susan
McEachern, Paul
Moore, Bennett
Powers, James
Snow, Richard

Cali-Pitts, Jacqueline
Flockhart, Eileen
Johnson, Robert
Lister, Charlotte
McGuirk, Thomas
Nord, Susi
Preston, Mark
Splaine, James

STRAFFORD

Billian, Deborah
Burke, Rachel
Goodwin, Earle

Brown, George
DeChane, Marlene
Grassie, Anne

Brown, Jennifer
Domingo, Baldwin
Hilliard, Dana

Brown, Larry
Fargo, Thomas
Hofemann, Roland

Hubbard, Pamela
Mickelonis, Shawn
Rous, Emma
Sprague, Dale

Hutz, Sarah
Miller, Joseph
Schmidt, Peter
Wall, Janet

Kaen, Naida
Perry, Robert
Smith, Marjorie
Warren, Nancy

Knowles, William
Rollo, Deanna
Spang, Judith
Watson, Robert

SULLIVAN

Cloutier, John
Franklin, Peter
Jillette, Arthur Jr

Converse, Larry
Gagnon, Raymond
Nielsen, Ellen

Donovan, Thomas
Gottling, Suzanne
Phinizy, James

Ferland, Brenda
Houde, Matthew
Skinder, Carla

and the majority committee amendment failed.

MOTION TO LAY ON THE TABLE

Rep. Coughlin moved that **HR 10**, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq, be laid on the table.

Rep. Patten requested a roll call; sufficiently seconded.

YEAS 152 NAYS 211

YEAS 152

BELKNAP

Allen, Janet
Nedeau, Stephen
Tobin, William

Boyce, Laurie
Russell, David
Wendelboe, Fran

Clark, Charles
Thomas, John
Whalley, Michael

Millham, Alida
Tilton, Franklin

CARROLL

Ahlgren, Christopher
Knox, J. David
Stevens, Stanley

Brown, Carolyn
Martin, James

Chandler, Gene
Morrow, Harry

Denley, William
Patten, Betsey

CHESHIRE

Emerson, Susan
Roberts, Kris

Hunt, John

Johnson, Jane

Pelkey, Stephen

COOS

King, Frederick

Remick, William

Tholl, John Jr

GRAFTON

Bulis, Lyle
Solomon, Peter

Dingman, Vernon III
Sorg, Gregory

Gionet, Edmond

Ingbretson, Paul

HILLSBOROUGH

Barry, Richard
Christensen, Chris
Daniels, Gary
Elliott, Nancy
Haefner, Robert
Hogan, Edith
Jasper, Shawn
Lessard, Rudy

Batula, Peter
Christiansen, Lars
Day, Russell
Emerton, Larry
Hansen, Ryan
Holden, Randolph
Kurk, Neal
Manney, Pamela

Bergeron, Jean-Guy
Coughlin, Pamela
Dokmo, Cynthia
Fletcher, Richard
Hawkins, Ken
Hunter, Bruce
L'Heureux, Robert
Martineau, Jesse

Bergin, Peter
Crane, Elenore Casey
Drisko, Richard
Graham, John
Hinkle, Peyton
Infantine, William
Lawrence, James
McRae, Karen

Messier, Irene
Ober, Lynne
Reeves, Sandra
Shaw, Kimberly
Tahir, Saghir

Mooney, Maureen
Ober, Russell III
Renzullo, Andrew
Smith, David
Ulery, Jordan

Moran, Edward
Peterson, Andy
Rosenwald, Cindy
Soucy, Connie
Villeneuve, Maurice

O'Connell, Timothy
Price, Pamela
Rowe, Robert
Stepanek, Stephen

MERRIMACK

Anderson, Eric
Humphries, Charlie

Hager, Elizabeth
Kidder, David

Hamm, Christine
MacKay, James

Hess, David
Reed, Dennis

ROCKINGHAM

Allen, Mary
Bettencourt, David
Carson, Sharon
DiFruscia, Anthony
Flanders, John Sr
Griffin, Mary
Howard, Doreen
Itse, Daniel
Lund, Howie
Moore, Benjamin
Priestley, Anne
Reagan, John
Weare, Everett
Wickson, Rick

Baldasaro, Alfred
Bishop, Franklin
Case, Frank
Dumaine, Dudley
Garcia, Marilinda
Guthrie, Joseph
Hutchinson, Karen
Kappler, Lawrence
Major, Norman
Nowe, Ronald
Quandt, Marshall
Sanders, Elisabeth
Welch, David
Winchell, George

Bedrick, Jason
Buxton, Donald
Charron, Gene
Emiro, Frank
Garrity, James
Headd, James
Ingram, Russell
Katsakiores, George
McKinney, Betsy
Packard, Sherman
Quandt, Matthew
Stiles, Nancy
Wells, Roger

Belanger, Ronald
Camm, Kevin
Dalrymple, David
Fesh, Bob
Gleason, John
Hopfgarten, Paul
Introne, Robert
Katsakiores, Phyllis
McMahon, Charles
Pearson, Mark
Rausch, James
Waterhouse, Kevin
Weyler, Kenneth

STRAFFORD

Berube, Roger

Brown, Julie

Rollo, Deanna

Rollo, Michael

SULLIVAN

Rodeschin, Beverly

NAYS 211

BELKNAP

Arsenault, Beth

Morrison, Gail

Pilliod, James

Reever, Judith

CARROLL

Bridgham, Robert
Heard, Virginia

Buco, Thomas

Butler, Edward

Cunningham, Howard

CHESHIRE

Allen, Peter
Chase, William
Mitchell, Bonnie
Sad, Tara

Butcher, Suzanne
Dunn, J. Timothy
Parkhurst, Henry
Weber, Lucy

Butterworth, Timothy
Eaton, Daniel
Richardson, Barbara
Weed, Charles

Butynski, William
Espieffs, Peter
Robertson, Timothy

COOS

Hatch, William
Merrick, Scott

Ingersoll, Paul Sr
Theberge, Robert

Mears, Edgar
Thomas, Yvonne

Merrick, Evalyn

GRAFTON

Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Estes, Carole	Friedrich, Carol
Hammond, Lee	Harding, A Laurie	Lovett, Sid	Matheson, Robert
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Pierce, David
Preston, Philip			

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Brunelle, Michael
Campbell, David	Chase, Claudia	Clemons, Jane	Cote, David
Daler, Jennifer	Edwards, Andrew	Essex, David	Fontas, Jeffrey
Forest, Armand	Foster, Linda	Garrity, Patrick	Ginsburg, Ruth
Goley, Jeffrey	Gorman, Mary	Hackel, Paul	Hall, Betty
Hammond, Jill	Harvey, Suzanne	Hebert, Roger	Irwin, Anne-Marie
Jean, Claudette	Kaelin, Michael	Katsiantonis, George	Kelley, John
Knowles, John	Knowles, Mary Ann	Kopka, Angeline	Lasky, Bette
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn
Long, Patrick	Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr
Mesa, Lily	Movsesian, Lori	O'Brien, Michael Sr	O'Neil, James
Pilotte, Maurice	Reuschel, Michael	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Simon, Anthony	Smith, Sandra	Spratt, Stephen
Sullivan, Daniel	Sullivan, Francis	Sysyn, Mary	Vaillancourt, Steve
Winters, Joel			

MERRIMACK

Baxley, Maureen	Beauchesne, Suzanne	Blanchard, Elizabeth	Bouchard, Candace
Brown, Carole	Brueggemann, Donald	Clarke, Claire	DeJoie, John
DeStefano, Stephen	Ehlers, Eileen	Foose, Robert	French, Barbara
Gile, Mary	Greco, Vincent	Kelly, Sally	Kjellman, Eleanor
			Glynn
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Porter, Margaret
Potter, Frances	Reardon, Tara	Richardson, Gary	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Tupper, Frank	Wallner, Mary
Walz, Mary	Webb, Leigh	Wheeler, Deborah	Williams, Robert
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline
Casey, Kimberley	Day, Judith	Devine, James	Elliott, Robert
Flockhart, Eileen	Gould, Kenneth	Grote, Otto	Henson, John
Johnson, Robert	Kelley, Jane	Kennedy, James	Kepner, Susan
Lister, Charlotte	Marsh, Michael	McCarthy, Linda	McEachern, Paul
McGuirk, Thomas	McKenna, Daniel	Moody, Marcia	Moore, Bennett
Nord, Susi	O'Keefe, Peter	Pantelakos, Laura	Powers, James
Preston, Mark	Robertson, Carl	Russell, Trink	Serlin, Christopher
Snow, Richard	Splaine, James		

STRAFFORD

Billian, Deborah	Brown, George	Brown, Jennifer	Brown, Larry
Burke, Rachel	DeChane, Marlene	Domingo, Baldwin	Fargo, Thomas
Goodwin, Earle	Grassie, Anne	Hilliard, Dana	Hofemann, Roland
Hubbard, Pamela	Hutz, Sarah	Kaen, Naida	Knowles, William

Mickelonis, Shawn
Schmidt, Peter
Wall, Janet

Miller, Joseph
Smith, Marjorie
Warren, Nancy

Perry, Robert
Spang, Judith
Watson, Robert

Rous, Emma
Sprague, Dale

SULLIVAN

Cloutier, John
Franklin, Peter
Jillette, Arthur Jr
and the motion failed.

Converse, Larry
Gagnon, Raymond
Nielsen, Ellen

Donovan, Thomas
Gottling, Suzanne
Phinizy, James

Ferland, Brenda
Houde, Matthew
Skinder, Carla

The question now being adoption of the minority committee report of Ought to Pass.
Reps. Coughlin, Butterworth, Tobin and Whalley spoke against.
Reps. Larry Brown and Scott Merrick spoke in favor.
Rep. Kjellman requested a roll call; sufficiently seconded.

YEAS 214 NAYS 151

YEAS 214

BELKNAP

Arsenault, Beth

Morrison, Gail

Pilliod, James

Reever, Judith

CARROLL

Bridgham, Robert
Heard, Virginia

Buco, Thomas

Butler, Edward

Cunningham, Howard

CHESHIRE

Allen, Peter
Chase, William
Lerandau, Alfred
Robertson, Timothy

Butcher, Suzanne
Dunn, J. Timothy
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Eaton, Daniel
Parkhurst, Henry
Weber, Lucy

Butynski, William
Espieffs, Peter
Richardson, Barbara
Weed, Charles

COOS

Hatch, William
Merrick, Scott

Ingersoll, Paul Sr
Theberge, Robert

Mears, Edgar
Thomas, Yvonne

Merrick, Evalyn

GRAFTON

Aguiar, James
Bleyler, Ruth
Hammond, Lee
McLeod, Martha
Preston, Philip

Almy, Susan
Cooney, Mary
Harding, A Laurie
Mulholland, Catherine

Andersen, Gene
Estes, Carole
Lovett, Sid
Nordgren, Sharon

Benn, Bernard
Friedrich, Carol
Matheson, Robert
Pierce, David

HILLSBOROUGH

Baroody, Benjamin
Campbell, David
Daler, Jennifer
Forest, Armand
Goley, Jeffrey
Hammond, Jill
Jean, Claudette

Beaulieu, Jane
Chase, Claudia
Edwards, Andrew
Foster, Linda
Gorman, Mary
Harvey, Suzanne
Kaelin, Michael

Beck, Catriona
Clemons, Jane
Essex, David
Garrity, Patrick
Hackel, Paul
Hebert, Roger
Katsiantonis, George

Brunelle, Michael
Cote, David
Fontas, Jeffrey
Ginsburg, Ruth
Hall, Betty
Irwin, Anne-Marie
Kelley, John

Knowles, John
Levasseur, Nickolas
Mack, Ron

Messier, Irene
Pilotte, Maurice
Shattuck, Gilman
Spratt, Stephen
Winters, Joel

Knowles, Mary Ann
Levesque, Melanie
Marshall, Seth

Movsesian, Lori
Reuschel, Michael
Shaw, Barbara
Sullivan, Francis

Kopka, Angeline
Lisle, Carolyn
Matarazzo, Anthony
Sr
O'Brien, Michael Sr
Rosenwald, Cindy
Simon, Anthony
Sysyn, Mary

Lasky, Bette
Long, Patrick
Mesa, Lily

O'Neil, James
Schulze, Joan
Smith, Sandra
Vaillancourt, Steve

MERRIMACK

Baxley, Maureen
Brown, Carole
DeStefano, Stephen
Gile, Mary
Kjellman, Eleanor
Glynn
Porter, Margaret
Ryan, Jim
Wallner, Mary
Williams, Robert

Beauchesne, Suzanne
Brueggemann, Donald
Ehlers, Eileen
Greco, Vincent
McMahon, Patricia

Potter, Frances
Shurtleff, Stephen
Walz, Mary
Yeaton, Charles

Blanchard, Elizabeth
Clarke, Claire
Foose, Robert
Hamm, Christine
Osborne, Jessie

Reardon, Tara
Tilton, Joy
Webb, Leigh

Bouchard, Candace
DeJoie, John
French, Barbara
Kelly, Sally
Owen, Derek

Richardson, Gary
Tupper, Frank
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Flockhart, Eileen
Johnson, Robert
Lister, Charlotte
McGuirk, Thomas
Nord, Susi
Preston, Mark
Splaine, James

Borden, David
Day, Judith
Gould, Kenneth
Kelley, Jane
Marsh, Michael
McKenna, Daniel
O'Keefe, Peter
Russell, Trink

Brown, C. Pennington
DiFruscia, Anthony
Grote, Otto
Kennedy, James
McCarthy, Linda
Moody, Marcia
Pantelakos, Laura
Serlin, Christopher

Cali-Pitts, Jacqueline
Elliott, Robert
Henson, John
Kepner, Susan
McEachern, Paul
Moore, Bennett
Powers, James
Snow, Richard

STRAFFORD

Billian, Deborah
Browne, Brendon
Fargo, Thomas
Hofemann, Roland
Knowles, William
Rollo, Deanna
Spang, Judith
Watson, Robert

Brown, George
Burke, Rachel
Goodwin, Earle
Hubbard, Pamela
Mickelonis, Shawn
Rous, Emma
Sprague, Dale

Brown, Jennifer
DeChane, Marlene
Grassie, Anne
Hutz, Sarah
Miller, Joseph
Schmidt, Peter
Wall, Janet

Brown, Larry
Domingo, Baldwin
Hilliard, Dana
Kaen, Naida
Perry, Robert
Smith, Marjorie
Warren, Nancy

SULLIVAN

Cloutier, John
Franklin, Peter
Jillette, Arthur Jr

Converse, Larry
Gagnon, Raymond
Nielsen, Ellen

Donovan, Thomas
Gottling, Suzanne
Phinizy, James

Ferland, Brenda
Houde, Matthew
Skinder, Carla

NAYS 151

BELKNAP

Allen, Janet

Boyce, Laurie

Clark, Charles

Millham, Alida

Nedeau, Stephen
Tobin, William

Russell, David
Wendelboe, Fran

Thomas, John
Whalley, Michael

Tilton, Franklin

CARROLL

Ahlgren, Christopher
Knox, J. David
Stevens, Stanley

Brown, Carolyn
Martin, James

Chandler, Gene
Morrow, Harry

Denley, William
Patten, Betsey

CHESHIRE

Emerson, Susan
Roberts, Kris

Hunt, John

Johnson, Jane

Pelkey, Stephen

COOS

Remick, William

Tholl, John Jr

GRAFTON

Bulis, Lyle
Solomon, Peter

Dingman, Vernon III
Sorg, Gregory

Gionet, Edmond

Ingbretson, Paul

HILLSBOROUGH

Barry, Richard
Christensen, Chris
Daniels, Gary
Elliott, Nancy
Haefner, Robert
Hogan, Edith
Jasper, Shawn
Leishman, Peter
McRae, Karen
Ober, Lynne
Reeves, Sandra
Smith, David
Tahir, Saghir

Batula, Peter
Christiansen, Lars
Day, Russell
Emerton, Larry
Hansen, Ryan
Holden, Randolph
Kurk, Neal
Lessard, Rudy
Mooney, Maureen
Ober, Russell III
Renzullo, Andrew
Soucy, Connie
Ulery, Jordan

Bergeron, Jean-Guy
Coughlin, Pamela
Dokmo, Cynthia
Fletcher, Richard
Hawkins, Ken
Hunter, Bruce
L'Heureux, Robert
Manney, Pamela
Moran, Edward
Peterson, Andy
Rowe, Robert
Stepanek, Stephen
Villeneuve, Maurice

Bergin, Peter
Crane, Elenore Casey
Drisko, Richard
Graham, John
Hinkle, Peyton
Infantine, William
Lawrence, James
Martineau, Jesse
O'Connell, Timothy
Price, Pamela
Shaw, Kimberly
Sullivan, Daniel

MERRIMACK

Anderson, Eric
Kidder, David

Hager, Elizabeth
MacKay, James

Hess, David
Reed, Dennis

Humphries, Charlie

ROCKINGHAM

Allen, Mary
Bettencourt, David
Carson, Sharon
Devine, James
Flanders, John Sr
Gleason, John
Hopfgarten, Paul
Introne, Robert
Katsakiores, Phyllis
McMahon, Charles
Pearson, Mark
Rausch, James
Stiles, Nancy

Baldasaro, Alfred
Bishop, Franklin
Case, Frank
Dumaine, Dudley
Forsing, Robert
Griffin, Mary
Howard, Doreen
Itse, Daniel
Lund, Howie
Moore, Benjamin
Priestley, Anne
Reagan, John
Waterhouse, Kevin

Bedrick, Jason
Buxton, Donald
Charron, Gene
Emiro, Frank
Garcia, Marilinda
Guthrie, Joseph
Hutchinson, Karen
Kappler, Lawrence
Major, Norman
Nowe, Ronald
Quandt, Marshall
Robertson, Carl
Weare, Everett

Belanger, Ronald
Camm, Kevin
Dalrymple, David
Fesh, Bob
Garritty, James
Headd, James
Ingram, Russell
Katsakiores, George
McKinney, Betsy
Packard, Sherman
Quandt, Matthew
Sanders, Elisabeth
Welch, David

Wells, Roger

Weyler, Kenneth

Wickson, Rick

Winchell, George

STRAFFORD

Berube, Roger

Brown, Julie

Rollo, Michael

SULLIVAN

Rodeschin, Beverly

and the minority committee report was adopted.

Ordered to third reading.

Rep. Pilliod voted Yea and intended to vote Nay.

PROTEST

Pursuant to Part 2, Article 24 of the New Hampshire Constitution, the following protest was presented to be entered in the Permanent Journal.

Madam Speaker:

Whereas, HR 10 as passed by this House, clearly undermines the United States armed forces mission in Iraq, and,

Whereas, the decision to surge troop levels in Iraq is an integral part of success for the mission, and,

Whereas, a sensible amendment having been rejected in favor of a final bill that promotes withdrawal before the mission in Iraq is completed, and,

Whereas precipitous withdrawal in Iraq would be disrespectful to the sacrifice of our brave men and women who have sacrificed their lives thus far for the mission, and,

Whereas, I fully support our men and women in the armed forces and also support their mission in Iraq and the Commander in Chief, and,

Whereas, HR 10 regrettably uses support for the United States armed forces as a political tool, and,

Whereas HR 10 gives aid and comfort to the enemy, and,

Whereas HR 10 deteriorates the morale of our brave troops,

Therefore because of this, I am compelled to respectfully protest this action of this august House under Part II, Article 24 of the New Hampshire Constitution and request the entry of my protest concerning the New Hampshire Representatives' action today on HR 10 in the Permanent Journal of the House provided therein. Respectfully,

Reps. Baldasaro, Charles McMahon, Mary Allen, Waterhouse, Franklin Tilton, Camm, Rodeschin, Major, Lars Christiansen, Garcia, Charron, Hunter, Renzullo, Stepanek, Ingbretson, Hopfgarten, Charles Clark, David Smith, Dingman, Bulis, Gionet, Villeneuve, Itse, Introne, Phyllis Katsakiores, Chandler, Eric Anderson, Mooney, Hawkins, Lynne Ober, Russell Ober, Bergeron, Hogan, Reed, Humphries, Hutchinson, Merrow, Russell Day, Sorg, Haefner, Sanders, Bishop, Barry, Guthrie, James Garrity, Devine, Ingram, Griffin, Manney, Kappler, Remick, Lawrence, Reagan, Ulery, Ahlgren, Marshall Quandt, Matthew Quandt, Pelkey, Daniels, Berube, Kimberly Shaw, Wickson, Priestley, Tahir, Reeves, Tobin, Emerton, Bedrick, Pearson, Hansen, Dalrymple, Graham, Batula, Winchell, Rausch, McRae, Lessard, Carson, Soucy, L'Heureux, Fesh, Emerson, Nancy Elliott, Forsing, Jasper, Packard, Carolyn Brown, Weyler, Belanger, Weare, Stevens, Dumaine, Martin, Crane, Tholl, Coughlin, Patten, Buxton, Wendelboe, David Russell, Infantine, Boyce, Bettencourt, Whalley, Hess, John Thomas, John Flanders, Nedeau, Rowe, Welch, Lund, Emiro, Price, Janet Allen, Chris Christensen, Headd, Denley and Nowe.

UNANIMOUS CONSENT

Rep. Carl Robertson addressed the House.

Rep. John Thomas moved that the remarks made by Rep. Carl Robertson be printed in the Permanent Journal.

Without objection, the Speaker so ordered.

REMARKS

Rep. Carl Robertson: Thank you, Madam Speaker. Honorable members of the House, I rise today for a very sad occasion. When I first ran for the House of Representatives, I was encouraged to do so by a gentleman who sat here in this body and sat next door in the Senate for awhile. He told me "You need to do this. You need to serve there. You need to find out what these people do and what goes on up there." And I have to admit, I'm in awe. I look out, no matter what the issue is, no matter what side you're on. The passion, the soul searching, the energy, the effort, the time that you put in will never, ever be recognized by the people you represent. "But you'd do such a great job of it." He told me that. I said, "Yeah, yeah. They are just people." He was right. Even though I may disagree with you sometimes, and I may not agree with a lot of things, I really respect what you bring here and what you do for the people of New Hampshire. Anyway, this gentleman lived in my town of Exeter and yesterday, long time Exeter resident, the Honorable J. Arthur Tufts died at the age of 85. He was a member of this House from 1961 to 1964 and again from 1979 to 2003 - quite a commitment. He also served as a member of the Senate from 1965 to 1971 serving as its President from 1969 to 1970. Arthur Tufts was the kind of person who spent a lot of time volunteering and doing things to help people. He served as Rockingham County Commissioner in 1970. He served on the UNH board of trustees. He served as a volunteer for Easter Seals and one of his favorite things was to work in the New Hampshire Special Olympics where he could be seen doing everything from coaching to officiating to just cheering the kids on. He was always involved in youth sports in Exeter encouraging kids again the same way. His volunteerism, his energy and his way should serve as a model to all of us. Arthur Tufts is gone. May he rest in peace and thank you J. Arthur Tufts for all you did for the people of New Hampshire. Madam Speaker, could we have a moment of silent meditation, please.

MOMENT OF SILENCE

A moment of silence was observed in memory and honor of former New Hampshire State Representative J. Arthur Tufts.

UNANIMOUS CONSENT

Rep. Hess addressed the House.

Rep. Daniel Eaton moved that the remarks made by Rep. Hess be printed in the Permanent Journal.

Without objection, the Speaker so ordered.

REMARKS

Rep. Hess: Thank you very much, Madam Speaker, fellow members. Most of you, if you have been here for more than 4 months, knew Jim Oliver. You recognized him certainly. You probably talked with him. You knew who he was. I knew Jim since he moved to Hooksett in 1978. And I also know that probably few, if any of you know who he really was and what he was. So I would like to ask you to commemorate and celebrate his life with me for a few moments. Jim was an orphan before he became a teenager. His mother died in his arms when he was 12. His father died shortly thereafter. He volunteered for the New York police department at a young age and in 1962 was sent directly into the special services unit which for those of you who don't know it, was the elite of the elite. He served undercover for 3 years starting with the Cuban missile crisis in counter-intelligence. He worked in counter-intelligence after the crisis was over to ensure that the Nations civil rights movement in New York progressed and succeeded without reactionary violence. He continued to work in the special services for the remainder of his full 16 years in the NYPD and was instrumental, among other things, in wiping out the so called Mickey Fetherstone gang or the Westies as they were known which were so violent and in control of Hells Kitchen which is the area

from about 40th to 65th street on the West Side, 9th, 10th and 11th avenues. Even the mafia didn't enter the area. He even served for a period in the internal investigations unit which as you know is the unit that is responsible for ensuring the integrity and honesty of the department and its personnel. If you like me, lived in New York during that period from 62' to 78' or visited or knew anything about it or remember, you know that it was the worst of times in New York. The city was broken. Crime was rampant. We had riots, not only in Harlem but across Bedford-Stuyvesant. Garbage was piled 15 feet deep. The tactical police force, which is those guys 6'6" and taller, were on the street corners every couple of weeks because another nurse at Columbia Presbyterian had been raped or murdered. Jim served in the city during that period of time. He came to Hooksett when we were a small village, a backwater if you will and as you heard in the Resolution read by the Clerk this morning, turned our police department into a model of professionalism. Jim embodied the best in law enforcement and the best in our society. He practiced what he believed. He lived by his principles; integrity, dignity, pride and respect for everyone – even the bad guys. His motto was, "If you are good the bad guys, they'll reciprocate." And they did. He used to say to me and some others, "In New York city you could tell the bad guys because they carried the guns, in New Hampshire you knew who the bad guys were because they were the local politicians and their friends and families who thought they were entitled to special consideration by local law enforcement entities." He didn't mean it in a derogatory sense. It was a statement of fact. His whole life was dedicated to service, but it was quiet service. You never heard him talk about it. You never heard him brag about it. He never gave up on a life. There were many, including heroin addicts, who came back to thank him for what he did. And he never gave up on his job. He spent 20 years ensuring that the murder of Danny Paquette was brought to justice and trial in the last year or two. Jim was a cops' cop and he was also just a good man. Thank you.

MOMENT OF SILENCE

A moment of silence was observed in memory and honor of New Hampshire State Representative James Oliver.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Kjellman moved that the House reconsider its action whereby it adopted the minority committee report of Ought to Pass, **HR 10**, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq.
Rep. Kjellman spoke against.
Motion failed.

The House recessed at 1:30 p.m.

RECESS

(Speaker Norelli in the Chair)

The House reconvened at 2:30 p.m.

REGULAR CALENDAR (CONT'D)

HB 565-FN, prohibiting the use of leghold traps and conibear traps. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Vincent E. Greco for the Majority of Fish and Game: This bill, seeking to ban leg hold and "conibear" traps, faced strong opposition from the Fish and Game Department, New Hampshire Wildlife Federation, Department of Transportation, New Hampshire Timberland Owners Association, New Hampshire Farm Bureau, Department of Agriculture, local communities, New Hampshire Trappers Association and the general public. A prohibition

aimed at the common types of traps used would have a financial impact on local communities and landowners as property damage would increase and the practice of trapping would effectively end. Nuisance complaints would also increase and affect both Fish and Game and animal control agencies. Trapping is a long standing practice, highly regulated, and does not occur without written permission from landowners and registration with the Fish and Game Department. The New Hampshire Trappers Association, working with the Fish and Game Department has developed a code of ethics and is very active in policing their activity and the members. Testimony that trappers no longer make a living pursuing their activity is not relevant. Dogs caught in traps, an infrequent occurrence, is usually the result of the animal being on private property without landowner permission and results in distress both to the pet owner and also to the landowner. Although the bulk of the testimony was in opposition to the bill the compelling reason for rejecting this legislation again, as it was rejected in 1997, is that we choose not to restrict lawful and longstanding practices here in New Hampshire. Vote 13-2.

Rep. Carla M. Skinder for the Minority of Fish and Game: This is a humane treatment of animals issue. Until there are truly humane traps, the minority is unable to support the position of the majority on this bill. There are solutions to many of the problems that are encountered by "nuisance" animals.

Reps. Skinder, McCarthy, Vaillancourt and Leishman spoke against.

Reps. Henson, Porter and L'Heureux spoke in favor.

Rep. L'Heureux requested a roll call; sufficiently seconded.

YEAS 241 NAYS 118

YEAS 241

BELKNAP

Allen, Janet	Boyce, Laurie	Clark, Charles	Millham, Alida
Nedeau, Stephen	Pilliod, James	Russell, David	Thomas, John
Tilton, Franklin	Tobin, William	Wendelboe, Fran	Whalley, Michael
Wood, Jane			

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Butler, Edward	Chandler, Gene
Cunningham, Howard	Denley, William	Heard, Virginia	Knox, J. David
Merrow, Harry	Patten, Betsey	Stevens, Stanley	

CHESHIRE

Allen, Peter	Burridge, Delmar	Butterworth, Timothy	Butynski, William
Chase, William	Emerson, Susan	Espieffs, Peter	Hunt, John
Johnson, Jane	Lerandeau, Alfred	Pelkey, Stephen	Richardson, Barbara
Roberts, Kris	Weber, Lucy		

COOS

King, Frederick	Mears, Edgar	Remick, William	Tholl, John Jr
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GRAFTON

Aguiar, James	Almy, Susan	Andersen, Gene	Bleyler, Ruth
Bulis, Lyle	Dingman, Vernon III	Estes, Carole	Gionet, Edmond
Ingbretson, Paul	Matheson, Robert	McLeod, Martha	Mulholland, Catherine
Solomon, Peter	Sorg, Gregory		

HILLSBOROUGH

Baroody, Benjamin	Barry, Richard	Batula, Peter	Beaulieu, Jane
Bergeron, Jean-Guy	Bergin, Peter	Campbell, David	Christensen, Chris
Christiansen, Lars	Clemons, Jane	Cote, David	Coughlin, Pamela
Daler, Jennifer	Daniels, Gary	Day, Russell	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Essex, David	Fletcher, Richard
Fontas, Jeffrey	Forest, Armand	Foster, Linda	Francoeur, Bea
Gargas, Carolyn	Garrity, Patrick	Ginsburg, Ruth	Goley, Jeffrey
Graham, John	Hackel, Paul	Haefner, Robert	Hammond, Jill
Hansen, Ryan	Hawkins, Ken	Hinkle, Peyton	Hogan, Edith
Holden, Randolph	Hunter, Bruce	Jasper, Shawn	Jean, Claudette
Kelley, John	Knowles, John	Knowles, Mary Ann	Kopka, Angeline
Kurk, Neal	L'Heureux, Robert	Lawrence, James	Levesque, Melanie
Manney, Pamela	Martineau, Jesse	McRae, Karen	Mesa, Lily
Mooney, Maureen	Moran, Edward	Movesian, Lori	O'Brien, Michael Sr
O'Connell, Timothy	O'Neil, James	Ober, Lynne	Ober, Russell III
Peterson, Andy	Price, Pamela	Reeves, Sandra	Renzullo, Andrew
Reuschel, Michael	Rosenwald, Cindy	Rowe, Robert	Shaw, Kimberly
Simon, Anthony	Smith, David	Soucy, Connie	Stepanek, Stephen
Sullivan, Francis	Tahir, Saghir	Ulery, Jordan	Winters, Joel

MERRIMACK

Anderson, Eric	Beauchesne, Suzanne	Bouchard, Candace	Brown, Carole
Clarke, Claire	Davis, Frank	DeStefano, Stephen	Foose, Robert
Greco, Vincent	Hamm, Christine	Hess, David	Humphries, Charlie
Kidder, David	Lockwood, Priscilla	MacKay, James	Owen, Derek
Porter, Margaret	Reardon, Tara	Reed, Dennis	Shurtleff, Stephen
Tupper, Frank	Wheeler, Deborah	Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Baldasaro, Alfred	Bedrick, Jason
Belanger, Ronald	Bishop, Franklin	Brown, C. Pennington	Camm, Kevin
Carson, Sharon	Case, Frank	Casey, Kimberley	Charron, Gene
Dalrymple, David	Devine, James	Dumaine, Dudley	Elliott, Robert
Fesh, Bob	Flanders, John Sr	Forsing, Robert	Garcia, Marilinda
Garrity, James	Gould, Kenneth	Griffin, Mary	Guthrie, Joseph
Headd, James	Henson, John	Hopfgarten, Paul	Howard, Doreen
Ingram, Russell	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, George	Kennedy, James	Lister, Charlotte	Lund, Howie
Major, Norman	McGuirk, Thomas	McKenna, Daniel	McKinney, Betsy
McMahon, Charles	Moore, Bennett	Nord, Susi	Nowe, Ronald
Pantelakos, Laura	Preston, Mark	Priestley, Anne	Quandt, Marshall
Quandt, Matthew	Rausch, James	Reagan, John	Robertson, Carl
Sanders, Elisabeth	Snow, Richard	Stiles, Nancy	Waterhouse, Kevin
Weare, Everett	Welch, David	Wells, Roger	Weyler, Kenneth
Wickson, Rick			

STRAFFORD

Berube, Roger	Brown, George	Brown, Julie	Brown, Larry
DeChane, Marlene	Domingo, Baldwin	Fargo, Thomas	Hutz, Sarah
Kaen, Naida	Knowles, William	Mickelson, Shawn	Miller, Joseph
Perry, Robert	Rollo, Deanna	Rollo, Michael	Sprague, Dale
Vachon, Dennis	Wall, Janet		

SULLIVAN

Cloutier, John
Phinizy, James

Converse, Larry
Rodeschin, Beverly

Ferland, Brenda

Gagnon, Raymond

NAYS 118

BELKNAP

Arsenault, Beth

Morrison, Gail

Reever, Judith

CARROLL

Buco, Thomas

Martin, James

CHESHIRE

Butcher, Suzanne
Parkhurst, Henry

Dunn, J. Timothy
Robertson, Timothy

Eaton, Daniel
Sad, Tara

Mitchell, Bonnie
Weed, Charles

COOS

Hatch, William
Thomas, Yvonne

Merrick, Evalyn

Merrick, Scott

Theberge, Robert

GRAFTON

Benn, Bernard
Lovett, Sid

Cooney, Mary
Nordgren, Sharon

Friedrich, Carol
Pierce, David

Hammond, Lee
Preston, Philip

HILLSBOROUGH

Beck, Catriona
Dokmo, Cynthia
Harvey, Suzanne
Lasky, Bette
Lisle, Carolyn
Matarazzo, Anthony
Sr
Shattuck, Gilman
Sullivan, Daniel

Brunelle, Michael
Edwards, Andrew
Hebert, Roger
Leishman, Peter
Long, Patrick
Messier, Irene

Shaw, Barbara
Sysyn, Mary

Chase, Claudia
Gorman, Mary
Kaelin, Michael
Lessard, Rudy
Mack, Ron
Pilotte, Maurice

Smith, Sandra
Vaillancourt, Steve

Crane, Elenore Casey
Hall, Betty
Katsiantonis, George
Levasseur, Nickolas
Marshall, Seth
Schulze, Joan

Spratt, Stephen
Villeneuve, Maurice

MERRIMACK

Baxley, Maureen
French, Barbara

Blanchard, Elizabeth
Gile, Mary

Brueggemann, Donald
Kelly, Sally

Ehlers, Eileen
Kjellman, Eleanor
Glynn

Osborne, Jessie
Tilton, Joy

Potter, Frances
Walz, Mary

Richardson, Gary
Webb, Leigh

Ryan, Jim

ROCKINGHAM

Bettencourt, David
Day, Judith
Gleason, John
Kelley, Jane
McEachern, Paul
Russell, Trink

Borden, David
DiFruscia, Anthony
Grote, Otto
Kepner, Susan
Moody, Marcia
Serlin, Christopher

Buxton, Donald
Emiro, Frank
Hutchinson, Karen
Marsh, Michael
Packard, Sherman
Splaine, James

Cali-Pitts, Jacqueline
Flockhart, Eileen
Katsakiores, Phyllis
McCarthy, Linda
Powers, James
Winchell, George

STRAFFORD

Billian, Deborah
Cyr, James
Hofemann, Roland
Smith, Marjorie

Brown, Jennifer
Goodwin, Earle
Hubbard, Pamela
Watson, Robert

Browne, Brendon
Grassie, Anne
Rous, Emma

Burke, Rachel
Hilliard, Dana
Schmidt, Peter

SULLIVAN

Donovan, Thomas
Jillette, Arthur Jr

Franklin, Peter
Nielsen, Ellen

Gottling, Suzanne
Skinder, Carla

Houde, Matthew

and the majority committee report was adopted.

Rep. Carolyn Brown did not vote and notified the Clerk that she wished to be recorded in favor.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. L'Heureux moved that the House reconsider its action whereby it found **HB 565-FN**, prohibiting the use of leghold traps and conibear traps, Inexpedient to Legislate.

Rep. L'Heureux spoke against.

Motion failed.

REGULAR CALENDAR (CONT'D)

HB 273-FN, relative to special needs trusts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ruth Z. Bleyler for Health, Human Services and Elderly Affairs: This bill simply states that when determining continuing eligibility for Medicaid, the distributions from "Special Needs" trusts should be counted, or not counted, as provided for in federal law, specifically Title XVI of the Social Security Act. Thus, distributions other than for food and shelter can be made to enhance quality of life while retaining medical benefits necessary for well-being. The committee heard from several experts who testified to the security families need in knowing that their disabled family members may continue to maintain a similar quality of life after the trauma of losing a parent; thus providing stability that could prevent the need for additional support from the state. The Department of Health and Human Services acknowledged that with this amendment, the amount of the fiscal note will decrease. Testimony received at the hearing did not support any costs to the department, but in fact the department may save dollars. Vote 19-0.

Amendment (0440h)

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

1 New Paragraph; Public Assistance to the Blind, Aged, or Disabled Persons, and to Dependent Children; Eligibility for Assistance; Special Needs Trusts. Amend RSA 167:4 by inserting after paragraph IV the following new paragraph:

V. Distributions of the income or principal, or both, of a special needs trust to or for the benefit of the disabled beneficiary shall be disregarded for income eligibility purposes of all categories of public medical assistance to the same extent that such distributions are disregarded for purposes of Title XVI of the Social Security Act. Funds expended by a trustee of a special needs trust to purchase or maintain assets owned by the trustee in his or her capacity as trustee of the trust shall also be disregarded for such income eligibility purposes. For the purposes of this paragraph "special needs trust" means any trust established by a third party for the sole benefit of an individual who is considered disabled under the provisions of section 1614(a)(3) of the Social Security Act, and any trust funded with the resources of such an individual and complying with the provisions of section 1917(d)(4) of such Act.

2 Effective Date. This act shall take effect 30 days after its passage.

AMENDED ANALYSIS

This bill provides that disbursements from qualifying special needs trusts shall not be counted as unearned income when determining eligibility for public medical assistance unless they are used for food or shelter, as those terms are defined for the purposes of the federal Supplemental Security Income program.

Amendment adopted.

Committee report adopted.

Ordered to third reading.

HB 408*, establishing a council for the homeless. **INEXPEDIENT TO LEGISLATE.*

Rep. Jennifer Daler for Health, Human Services and Elderly Affairs: This bill would create a council on homelessness to include actual homeless or recently homeless individuals. The committee felt there are at least two current vehicles, the Emergency Shelter and Homeless Coordination Commission and the Governor's Interagency Council on Homelessness, which can be worked with to include those voices. It was recommended that a caucus on homelessness be created to work on legislation addressing this complex issue. Vote 17-1. Committee report adopted.

HB 563*, relative to obtaining birth certificates for stillborn children. **OUGHT TO PASS WITH AMENDMENT.*

Rep. Cindy Rosenwald for Health, Human Services and Elderly Affairs: This bill, as amended, changes the terminology of a Certificate of Fetal Death to a Certificate of Stillbirth. It may provide some measure of comfort for grieving parents. There was no opposing testimony, and the sponsor agreed. Vote 16-1.

Amendment (0895h)

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

AN ACT relative to obtaining certificates of stillbirth.

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

1 New Section; Certificate of Stillbirth. Amend RSA 5-C by inserting after section 19 the following new section:

5-C:19-a Certificate of Stillbirth. The director shall establish a certificate of stillbirth on a form approved by the director for each fetal death, as defined in RSA 5-C:1, XII, occurring in this state. This certificate shall be available to the parent or parents of a stillborn upon request.

2 Reporting of Fetal Deaths. RSA 5-C:74, IV is repealed and reenacted to read as follows:

IV. The director shall establish a certificate of stillbirth on a form approved by the director for each fetal death, as defined in RSA 5-C:1, XII, occurring in this state. This certificate shall be available to the parent or parents of a stillborn upon request.

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

AMENDED ANALYSIS

This bill requires the director of the division of vital records administration to establish a certificate of stillbirth.

Rep. Rosenwald moved Recommit, spoke in favor and yielded to questions.

Motion adopted.

Recommitted to the committee on Health, Human Services and Elderly Affairs.

HB 774-FN*, relative to the use of marijuana for medicinal purposes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.*

Rep. Robert G. Bridgham for the Majority of Health, Human Services and Elderly Affairs: This bill would attempt to immunize from state prosecution the preparation and use of marijuana for relief of symptoms associated with "debilitating medical conditions." There was consensus in the committee that the limiting provisions in the bill are so loose and broad

that effective control is not possible. Authoritative national organizations, such as the National Academy of Science and other prestigious medical organizations have not produced statements of clear guidance regarding the consequences of marijuana use. This may be because reliable science on marijuana is difficult, since it is not a single substance, but a mixture of many chemicals, different with each lot. This bill would create a dangerous precedent by authorizing a drug for medicinal purposes through legislative action, bypassing the FDA process in which the effectiveness and safety of prescription drugs are established and their prescription, distribution and use carefully monitored. Much of the symptomatic relief claimed for marijuana may soon be available from Sativex, a drug now in the FDA process of investigation and approval. The majority of the committee found the bill to be fundamentally flawed. The possession and use of marijuana is illegal under federal laws, and state law in this area cannot block federal law. Litigation has gone all the way up to the U.S. Supreme Court. The Ninth Circuit Court of Appeals has also just reaffirmed that individuals are not immune from federal prosecution even if their state has a medical marijuana law. It would be fundamentally cruel to promise protection to the sick and vulnerable that this bill cannot provide. Vote 12-7.

Rep. Evalyn S. Merrick for the Minority of Health, Human Services and Elderly Affairs: The minority of this committee believes the legislature should pass HB 774. The minority also believes the use of marijuana, for medically-appropriate purposes only, will provide safe, responsible and humane options for patients suffering from severe and chronic pain. Studies and available evidence have proven that marijuana can and does alleviate and/or minimize pain and suffering associated with certain diseases, illnesses and powerful drug therapies (i.e. chemo). The minority contends that meaningful, appropriate and acceptable legislation often begins at the state level. The minority does not condone the legalization of marijuana. However, HB 774, as written, provides safeguards to assure the controlled, certified, monitored, and appropriate use of marijuana. A physician must deem its use medically necessary, at a therapeutic level, based on the patient's diagnosis. Finally, the minority feels that no physician should be told which therapeutic intervention he/she can or cannot prescribe. To withhold a treatment, which has proven to ameliorate and/or reduce substantially, severe pain and suffering, is immoral, unethical and unconscionable. At this time, there is no other pharmaceutical agent which provides the relief to patients that marijuana does.

Reps. Timothy Robertson, Evalyn Merrick, William Chase and Tupper spoke against
Reps. Miller, Butynski and Bridgham spoke in favor.

Rep. Batula requested a roll call; sufficiently seconded.

YEAS 186 NAYS 177

YEAS 186

BELKNAP

Allen, Janet	Boyce, Laurie	Clark, Charles	Millham, Alida
Nedeau, Stephen	Pilliod, James	Russell, David	Thomas, John
Tilton, Franklin	Tobin, William	Wendelboe, Fran	Whalley, Michael
Wood, Jane			

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Brown, Carolyn	Buco, Thomas
Chandler, Gene	Cunningham, Howard	Denley, William	Knox, J. David
Martin, James	Morrow, Harry	Patten, Betsey	Stevens, Stanley

CHESHIRE

Butynski, William
Lerandeau, Alfred

Emerson, Susan
Parkhurst, Henry

Hunt, John
Pelkey, Stephen

Johnson, Jane

COOS

Hatch, William

Remick, William

Tholl, John Jr

GRAFTON

Bulis, Lyle
McLeod, Martha

Dingman, Vernon III
Solomon, Peter

Estes, Carole

Harding, A Laurie

HILLSBOROUGH

Batula, Peter
Christiansen, Lars
Daniels, Gary
Emerton, Larry
Goley, Jeffrey
Hammond, Jill
Hogan, Edith
Kelley, John
Kurk, Neal
Marshall, Seth

Bergeron, Jean-Guy
Cote, David
Day, Russell
Forest, Armand
Gorman, Mary
Hansen, Ryan
Hunter, Bruce
Knowles, John
L'Heureux, Robert
Matarazzo, Anthony
Sr

Bergin, Peter
Coughlin, Pamela
Drisko, Richard
Foster, Linda
Graham, John
Hawkins, Ken
Irwin, Anne-Marie
Knowles, Mary Ann
Lawrence, James
Messier, Irene

Christensen, Chris
Daler, Jennifer
Elliott, Nancy
Gargas, Carolyn
Haefner, Robert
Hinkle, Peyton
Jasper, Shawn
Kopka, Angeline
Lessard, Rudy
Mooney, Maureen

Moran, Edward
Ober, Lynne
Reeves, Sandra
Smith, David
Ulery, Jordan

Movsesian, Lori
Peterson, Andy
Rosenwald, Cindy
Spratt, Stephen
Villeneuve, Maurice

O'Connell, Timothy
Pilotte, Maurice
Rowe, Robert
Stepanek, Stephen

O'Neil, James
Price, Pamela
Schulze, Joan
Tahir, Saghir

MERRIMACK

Anderson, Eric
Hamm, Christine
MacKay, James
Wallner, Mary

Davis, Frank
Hess, David
McMahon, Patricia
Webb, Leigh

DeStefano, Stephen
Humphries, Charlie
Reardon, Tara

Hager, Elizabeth
Kidder, David
Reed, Dennis

ROCKINGHAM

Abbott, Dennis
Bettencourt, David
Carson, Sharon
Dalrymple, David
Fesh, Bob
Garrity, James
Headd, James
Ingram, Russell
Kappler, Lawrence
Major, Norman
Nowe, Ronald
Quandt, Marshall
Russell, Trink
Welch, David

Allen, Mary
Bishop, Franklin
Case, Frank
Devine, James
Flanders, John Sr
Gleason, John
Hopfgarten, Paul
Introne, Robert
Katsakiores, George
McKinney, Betsy
Packard, Sherman
Quandt, Matthew
Sanders, Elisabeth
Weyler, Kenneth

Baldasaro, Alfred
Buxton, Donald
Casey, Kimberley
Dumaine, Dudley
Forsing, Robert
Gould, Kenneth
Howard, Doreen
Itse, Daniel
Katsakiores, Phyllis
McMahon, Charles
Pantelakos, Laura
Rausch, James
Stiles, Nancy
Wickson, Rick

Belanger, Ronald
Camm, Kevin
Charron, Gene
Elliott, Robert
Garcia, Marilinda
Griffin, Mary
Hutchinson, Karen
Johnson, Robert
Lund, Howie
Moore, Bennett
Priestley, Anne
Robertson, Carl
Weare, Everett
Winchell, George

STRAFFORD

Berube, Roger

Brown, George

Hutz, Sarah

Mickelonis, Shawn

Miller, Joseph
Smith, Marjorie

Rollo, Deanna
Vachon, Dennis

Rollo, Michael
Wall, Janet

Rous, Emma

SULLIVAN

Ferland, Brenda
Nielsen, Ellen

Gagnon, Raymond
Rodeschin, Beverly

Gottling, Suzanne

Houde, Matthew

NAYS 177

BELKNAP

Arsenault, Beth

Morrison, Gail

Reever, Judith

CARROLL

Butler, Edward

Heard, Virginia

CHESHIRE

Allen, Peter
Chase, William
Mitchell, Bonnie
Sad, Tara

Burridge, Delmar
Dunn, J. Timothy
Richardson, Barbara
Weber, Lucy

Butcher, Suzanne
Eaton, Daniel
Roberts, Kris
Weed, Charles

Butterworth, Timothy
Espieffs, Peter
Robertson, Timothy

COOS

Mears, Edgar
Thomas, Yvonne

Merrick, Evalyn

Merrick, Scott

Theberge, Robert

GRAFTON

Aguiar, James
Cooney, Mary
Ingbretson, Paul
Nordgren, Sharon

Andersen, Gene
Friedrich, Carol
Lovett, Sid
Pierce, David

Benn, Bernard
Gionet, Edmond
Matheson, Robert
Preston, Philip

Bleyler, Ruth
Hammond, Lee
Mulholland, Catherine
Sorg, Gregory

HILLSBOROUGH

Baroody, Benjamin
Brunelle, Michael
Crane, Elenore Casey
Fletcher, Richard
Ginsburg, Ruth
Hebert, Roger
Katsiantonis, George
Levesque, Melanie
Manney, Pamela
O'Brien, Michael Sr
Shattuck, Gilman
Smith, Sandra
Sysyn, Mary

Barry, Richard
Campbell, David
Dokmo, Cynthia
Fontas, Jeffrey
Hackel, Paul
Holden, Randolph
Lasky, Bette
Lisle, Carolyn
Martineau, Jesse
Ober, Russell III
Shaw, Barbara
Soucy, Connie
Vaillancourt, Steve

Beaulieu, Jane
Chase, Claudia
Edwards, Andrew
Francoeur, Bea
Hall, Betty
Jean, Claudette
Leishman, Peter
Long, Patrick
McRae, Karen
Renzullo, Andrew
Shaw, Kimberly
Sullivan, Daniel
Winters, Joel

Beck, Catriona
Clemons, Jane
Essex, David
Garrity, Patrick
Harvey, Suzanne
Kaelin, Michael
Levasseur, Nickolas
Mack, Ron
Mesa, Lily
Reuschel, Michael
Simon, Anthony
Sullivan, Francis

MERRIMACK

Baxley, Maureen
Brown, Carole
Foose, Robert
Kelly, Sally

Beauchesne, Suzanne
Brueggemann, Donald
French, Barbara
Kjellman, Eleanor

Blanchard, Elizabeth
Clarke, Claire
Gile, Mary
Lockwood, Priscilla

Bouchard, Candace
Ehlers, Eileen
Greco, Vincent
Osborne, Jessie

Owen, Derek	Glynn	Potter, Frances	Richardson, Gary
Ryan, Jim	Porter, Margaret	Tilton, Joy	Tupper, Frank
Walz, Mary	Shurtleff, Stephen	Williams, Robert	Yeaton, Charles
	Wheeler, Deborah		

ROCKINGHAM

Bedrick, Jason	Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline
Day, Judith	DiFruscia, Anthony	Emiro, Frank	Flockhart, Eileen
Grote, Otto	Guthrie, Joseph	Henson, John	Kelley, Jane
Kennedy, James	Kepner, Susan	Lister, Charlotte	Marsh, Michael
McCarthy, Linda	McEachern, Paul	McGuirk, Thomas	McKenna, Daniel
Moody, Marcia	Nord, Susi	Powers, James	Reagan, John
Serlin, Christopher	Snow, Richard	Splaine, James	Waterhouse, Kevin
Wells, Roger			

STRAFFORD

Billian, Deborah	Brown, Jennifer	Brown, Julie	Brown, Larry
Browne, Brendon	Burke, Rachel	Cyr, James	DeChane, Marlene
Domingo, Baldwin	Fargo, Thomas	Grassie, Anne	Hilliard, Dana
Hofemann, Roland	Hubbard, Pamela	Kaen, Naida	Knowles, William
Perry, Robert	Schmidt, Peter	Spang, Judith	Sprague, Dale
Watson, Robert			

SULLIVAN

Cloutier, John	Converse, Larry	Donovan, Thomas	Franklin, Peter
Jillette, Arthur Jr	Phinizy, James	Skinder, Carla	

and the majority committee report was adopted.

HB 826-FN, relative to coverage of medically necessary services and items under the medical assistance program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne S. Butcher for Health, Human Services and Elderly Affairs: This bill addresses coverage of services and items, including durable medical equipment, under the state Medicaid program. It affirms the intent of the Legislature to support persons with special health care needs and disabilities so that they may live in their homes and communities as independently as possible. It requires DHHS to establish a review process that would consider extenuating circumstances in individual cases. The amendment replaces the bill's definition of medical necessity with a requirement that the department develop definitions consistent with federal law and the Legislature's intent, and sets criteria for the review process. Criteria include consideration of whether the service or item is medically necessary, denial would be clinically contraindicated, new scientific evidence demonstrates efficacy or medical appropriateness, or the service or item will prevent the need for a more costly covered service or item, including hospitalization or institutionalization. The bill specifically requires coverage of disposable incontinence supplies. This would enable citizens to live in dignity and would prevent the greater cost of institutionalization, since incontinence is a major reason for admissions to nursing homes. Vote 19-0.

Amendment (0833h)

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

AN ACT relative to coverage of services and items under the medical assistance program.

Amend the bill by replacing section 1 with the following:

1 New Section; Coverage of Services and Items Under the Medical Assistance Program.

Amend RSA 167 by inserting after section 3-g the following new section:

167:3-h Coverage of Services and Items Under the Medical Assistance Program.

I. It is the intent of the general court to support persons with special health care needs and disabilities with coverage of medically necessary service and items under the medical assistance program so that they may live in their home and communities as independently as possible and with the maximum ability to be mobile and exercise self care.

II. For the purpose of providing medical assistance, the department shall develop a definition of "medical necessity" consistent with Title XIX of the Social Security Act and consistent with paragraph I.

III. The commissioner of the department of health and human services shall establish by rules adopted under RSA 541-A an independent coverage review process for any and all services and items allowable under Title XIX of the Social Security Act and not otherwise identified as a covered service or item under rules established by the department. The review process shall include consideration of extenuating circumstances unique to the medical assistance recipient that warrant coverage of the service or item. Criteria for coverage shall include all of the following:

(a) The service or item is medically necessary;

(b) The service or item does not meet the definition of medically necessary, but the department's clinical review finds that there are extenuating circumstances unique to the recipient that would make a denial for coverage clinically contraindicated;

(c) The service or item does not meet the definition of medically necessary, but the department's clinical review finds that new scientific evidence exists in the medical literature or by experts in the field about the efficacy or medical appropriateness of the requested item, and the department determines that the original basis for non-coverage was based on the previous lack of such evidence; or

(d) The service or item will prevent the need for a more costly covered service or item, including prevention of hospitalization or institutionalization.

IV. Medical assistance shall include coverage for disposable incontinence supplies under the Medicaid state plan for individuals who have a medical condition resulting in incontinence, as documented by a physician.

AMENDED ANALYSIS

This bill requires the department of health and human services to define medical necessity in a manner consistent with the Social Security Act and to establish an independent coverage review process under the medical assistance program for services and items not otherwise covered. The bill also requires coverage for disposable incontinence supplies under the Medicaid state plan.

Amendment adopted.

Committee report adopted.

Ordered to third reading.

HB 864-FN, requiring licensing of outpatient abortion facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: The majority is concerned that this bill would micromanage the practice of licensed doctors and nurses and health care providers working in outpatient abortion facilities. If passed, it would require DHHS to inspect and license abortion facilities, requiring additional inspectors in an already over-extended licensure staff. Currently, outpatient providers are required to meet federal OSHA and clinical laboratory improvement amendments, and the credentialing requirements of Medicaid, Medicare and private insurers. In addition, this bill would add certain fees and fines. The majority strongly agreed that this legislation is not needed in light of the professional licensing requirements. Vote 13-4.

Rep. Nancy Elliott spoke against.

Rep. Daler spoke in favor.

Rep. Dumaine spoke against and yielded to questions.

Rep. Rosenwald spoke in favor and yielded to questions.
Committee report adopted.

HB 893-FN, relative to long-term care. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas E. Donovan for Health, Human Services and Elderly Affairs: This bill is the continuation of a number of bills relative to enhancing and strengthening the long-term care program within the State of New Hampshire. Of critical importance in the bill is the fact that it maintains current eligibility criteria for nursing facility services established through HB 691 in 2005, which would have otherwise sunset and reverted back to the old unacceptable criteria prior to the enactment of HB 691. The bill also reinforces that individuals really are in control of their lives in their waning years by adding stronger language both to their role in the long-term care process and in maintaining their ability to remain in their own home for as long as possible. It requires the department to make public an annual report that quantifies certain needs that elderly and chronically-ill adults have and how those needs are or are not being met, as well as the reasons why they are not being met. It also looks at the length of time it takes with respect to the process for an individual to receive these critically necessary services from the time one applies for them or is referred to them, among other areas of concern. The bill also establishes a presumptive eligibility process for those individuals who in all probability would meet the clinical and financial eligibility criteria; services could be provided in a much more timely manner rather than having to wait, at times, months for all the paperwork to wind its way through the system. The department will set the eligibility requirements, allowing them to control risk. Applicants that the department believes less likely to meet eligibility requirements would not be fast tracked through the presumptive mechanism, which will protect the state from making a hasty wrong decision. The great majority of the committee looked at this bill primarily as a bill of efficiency to help fix a system that has been struggling a great deal over the last two years for numerous reasons at the client's expense. Timely intervention into these critically-ill individuals' lives will allow them to receive the necessary services that hopefully will enable them to remain in their own homes and not have to enter more costly, more restrictive nursing home care. Vote 18-1.

Amendment (0751h)

Amend RSA 151-E:1, III as inserted by section 1 of the bill by replacing it with the following:

III. This chapter is ~~[an initial]~~ **an essential** step toward ~~[incrementally]~~ rebalancing the long-term care system and expanding choices available to recipients. It increases the continuum of care by adding mid-level care, including but not limited to, assisted living and residential care services. Through an acuity-based reimbursement system ~~[and]~~, a comprehensive needs assessment process, **and an information and assistance process**, it ~~[encourages]~~ **provides** those eligible for Medicaid nursing facility services **the opportunity** to ~~[consider]~~ **choose** more appropriate, less costly mid-level services and home and community-based care. In this way, the state intends to serve this increasing Medicaid eligible population more appropriately and more economically.

Amend the introductory paragraph of RSA 151-E:3, I(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Clinically eligible for nursing facility care because the person requires 24-hour care for one or more of the following purposes, as determined by registered nurses ~~[employed by state or county government using]~~ **appropriately trained to use** an assessment tool **and employed by state government, county government, an independent case management agency, or a designee acting on behalf of the department**:

Amend RSA 151-E:3, IV as inserted by section 4 of the bill by replacing it with the following:

IV. For the purposes of the assessment performed pursuant to paragraph I, the registered nurse shall give substantial weight to clinical information provided by the

applicant's physician, including, but not limited to, diagnosis, prognosis, and plan of care recommendations.

Amend the introductory paragraph of RSA 151-E:16, I as inserted by section 7 of the bill by replacing it with the following:

I. The department shall make publicly available an annual report, beginning on January 1, 2008, that quantifies the following information for all services provided to elderly or chronically ill adults by or through the bureau of elderly and adult services; such report to include data which is available, and if data is unavailable or incomplete, an explanation for such omission:

Amend RSA 151-E:18 as inserted by section 7 of the bill by replacing it with the following:

151-E:18 Availability of Targeted Management Services. The department shall make available to and advise all Medicaid recipients who require a nursing facility level of care or are at risk of needing such care and who are patients in hospitals, rehabilitation hospitals, or nursing facilities of the availability of targeted case management services provided by independent case managers, to explore the feasibility of transitioning to home and community-based care.

Amend RSA 151-E:19, III as inserted by section 7 of the bill by replacing it with the following:

III. Presumptive eligibility authorizations shall be dependent upon a face-to-face interview of each applicant and review of a completed Medicaid application. The department district offices, information and referral resource centers, and qualified providers shall perform the face-to-face interview within 20 business days of a request for medical assistance. The department district offices, information and referral resource centers, and qualified providers shall assist the applicant in completing the application within 5 business days of the face-to-face interview and the department shall review the application for presumptive eligibility within 5 business days of completion of the application.

AMENDED ANALYSIS

This bill:

I. Authorizes individuals eligible to receive Medicaid-funded nursing home services with the right to have their individual support plans developed through a person-centered planning process regardless of age, disability, or residential setting.

II. Maintains current eligibility criteria for nursing facility services which would change on July 1, 2007.

III. Requires that the department make publicly available an annual report on the availability of, need for, and quality of long-term care services in each county of the state.

IV. Requires that the department calculate accurate cost estimates of the full cost to the state of adequately funding long-term care services and to submit these estimates as an informational addendum with its budget request.

Amendment adopted.

Committee report adopted.

Referred to the Committee on Finance.

CACR 1, relating to: the definition of marriage. Providing that: marriage between one man and one woman shall be the only legal union that shall be valid or recognized in this state.

MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Bette R Lasky for the Majority of Judiciary: This constitutional amendment proposal would put to the voters the question of whether to amend the New Hampshire Constitution to recognize only the legal union between one man and one woman. The majority of the committee voted to find it inexpedient to legislate for several reasons. First and foremost, the majority believes that this "House of the People" should not enshrine discrimination of any kind in the New Hampshire Constitution. All our citizens deserve the freedoms, protections and rights guaranteed in the document. The Constitution should be a protector of minority rights and this Legislature should never allow otherwise. Vote 14-6.

Rep. Nancy J. Elliott for the Minority of Judiciary: Given that we have many bills attempting to redefine marriage, the minority believes that we should let the people vote and have a voice in what the future of marriage in this state will be.

Rep. Dumaine spoke against.

Rep. Lasky spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Serlin moved that **CACR 1**, relating to: the definition of marriage. Providing that: marriage between one man and one woman shall be the only legal union that shall be valid or recognized in this state, be laid on the table.

Rep. Itse spoke against.

Rep. Serlin spoke in favor.

Rep. Dumaine requested a roll call; sufficiently seconded

YEAS 197 NAYS 155

YEAS 197

BELKNAP

Millham, Alida

Morrison, Gail

Pilliod, James

Reever, Judith

CARROLL

Bridgham, Robert
Heard, Virginia

Buco, Thomas
Knox, J. David

Butler, Edward

Cunningham, Howard

CHESHIRE

Allen, Peter
Chase, William
Lerandeau, Alfred
Roberts, Kris
Weed, Charles

Burridge, Delmar
Dunn, J. Timothy
Mitchell, Bonnie
Robertson, Timothy

Butcher, Suzanne
Eaton, Daniel
Parkhurst, Henry
Sad, Tara

Butterworth, Timothy
Espieffs, Peter
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William
Theberge, Robert

Mears, Edgar
Thomas, Yvonne

Merrick, Evalyn

Merrick, Scott

GRAFTON

Aguiar, James
Bleyler, Ruth
Harding, A Laurie
Nordgren, Sharon

Almy, Susan
Cooney, Mary
Matheson, Robert
Pierce, David

Andersen, Gene
Friedrich, Carol
McLeod, Martha
Preston, Philip

Benn, Bernard
Hammond, Lee
Mulholland, Catherine
Solomon, Peter

HILLSBOROUGH

Baroody, Benjamin
Brunelle, Michael
Cote, David
Essex, David
Francoeur, Bea
Gorman, Mary
Holden, Randolph
Kelley, John
Lasky, Bette

Beaulieu, Jane
Campbell, David
Daler, Jennifer
Farley, Michael
Garrity, Patrick
Hackel, Paul
Irwin, Anne-Marie
Knowles, John
Leishman, Peter

Beck, Catriona
Chase, Claudia
Drisko, Richard
Fontas, Jeffrey
Ginsburg, Ruth
Hammond, Jill
Jean, Claudette
Knowles, Mary Ann
Levasseur, Nickolas

Bergin, Peter
Clemons, Jane
Edwards, Andrew
Foster, Linda
Goley, Jeffrey
Hebert, Roger
Kaelin, Michael
Kopka, Angeline
Levesque, Melanie

Lisle, Carolyn
Martineau, Jesse

O'Brien, Michael Sr
Schulze, Joan
Spratt, Stephen

Long, Patrick
Matarazzo, Anthony
Sr

O'Neil, James
Shattuck, Gilman
Sullivan, Daniel

Mack, Ron
Mesa, Lily

Reuschel, Michael
Shaw, Barbara
Sullivan, Francis

Marshall, Seth
Movsesian, Lori

Rosenwald, Cindy
Simon, Anthony

MERRIMACK

Baxley, Maureen
Brown, Carole
Ehlers, Eileen
Greco, Vincent
McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Webb, Leigh

Beauchesne, Suzanne
Brueggemann, Donald
Foose, Robert
Hager, Elizabeth
Osborne, Jessie
Reardon, Tara
Tupper, Frank
Wheeler, Deborah

Blanchard, Elizabeth
Davis, Frank
French, Barbara
Kelly, Sally
Owen, Derek
Richardson, Gary
Wallner, Mary
Williams, Robert

Bouchard, Candace
DeStefano, Stephen
Gile, Mary
Kidder, David
Porter, Margaret
Ryan, Jim
Walz, Mary
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Day, Judith
Henson, John
Kepner, Susan
McKenna, Daniel
Pantelakos, Laura
Serlin, Christopher

Borden, David
Flockhart, Eileen
Howard, Doreen
Lister, Charlotte
Moody, Marcia
Powers, James
Splaine, James

Brown, C. Pennington
Gould, Kenneth
Johnson, Robert
Marsh, Michael
Moore, Bennett
Robertson, Carl

Casey, Kimberley
Grote, Otto
Kennedy, James
McEachern, Paul
Nord, Susi
Russell, Trinkia

STRAFFORD

Brown, Jennifer
DeChane, Marlene
Hilliard, Dana
Knowles, William
Rollo, Michael
Spang, Judith

Brown, Larry
Domingo, Baldwin
Hubbard, Pamela
Mickelonis, Shawn
Rous, Emma
Sprague, Dale

Burke, Rachel
Fargo, Thomas
Hutz, Sarah
Miller, Joseph
Schmidt, Peter
Wall, Janet

Cyr, James
Grassie, Anne
Kaen, Naida
Rollo, Deanna
Smith, Marjorie
Warren, Nancy

SULLIVAN

Cloutier, John
Gagnon, Raymond
Nielsen, Ellen

Converse, Larry
Gottling, Suzanne
Phinizy, James

Ferland, Brenda
Houde, Matthew
Skinder, Carla

Franklin, Peter
Jillette, Arthur Jr

NAYS 155

BELKNAP

Allen, Janet
Russell, David
Wendelboe, Fran

Boyce, Laurie
Thomas, John
Whalley, Michael

Clark, Charles
Tilton, Franklin
Wood, Jane

Nedeau, Stephen
Tobin, William

CARROLL

Ahlgren, Christopher
Martin, James

Brown, Carolyn
Merrow, Harry

Chandler, Gene
Patten, Betsey

Denley, William
Stevens, Stanley

CHESHIRE

Butynski, William

Hunt, John

Johnson, Jane

Pelkey, Stephen

COOS

Remick, William

Tholl, John Jr

GRAFTON

Bulis, Lyle
Lovett, Sid

Dingman, Vernon III
Sorg, Gregory

Estes, Carole

Gionet, Edmond

HILLSBOROUGH

Barry, Richard
Christiansen, Lars
Day, Russell
Fletcher, Richard
Haefner, Robert
Hawkins, Ken
Infantine, William
Lawrence, James
Messier, Irene
Peterson, Andy
Renzullo, Andrew
Smith, Sandra
Tahir, Saghir
Winters, Joel

Batula, Peter
Coughlin, Pamela
Dokmo, Cynthia
Forest, Armand
Hall, Betty
Hinkle, Peyton
Jasper, Shawn
Lessard, Rudy
Mooney, Maureen
Pilotte, Maurice
Rowe, Robert
Soucy, Connie
Ulery, Jordan

Bergeron, Jean-Guy
Crane, Elenore Casey
Elliott, Nancy
Gargas, Carolyn
Hansen, Ryan
Hogan, Edith
Kurk, Neal
Manney, Pamela
Moran, Edward
Price, Pamela
Shaw, Kimberly
Stepanek, Stephen
Vaillancourt, Steve

Christensen, Chris
Daniels, Gary
Emerton, Larry
Graham, John
Harvey, Suzanne
Hunter, Bruce
L'Heureux, Robert
McRae, Karen
O'Connell, Timothy
Reeves, Sandra
Smith, David
Sysyn, Mary
Villeneuve, Maurice

MERRIMACK

Anderson, Eric
Humphries, Charlie

Reed, Dennis

Clarke, Claire
Kjellman, Eleanor
Glynn
Tilton, Joy

Hamm, Christine
Lockwood, Priscilla

Hess, David
MacKay, James

ROCKINGHAM

Allen, Mary
Bettencourt, David
Carson, Sharon
Devine, James
Emiro, Frank
Garrity, James
Hopfgarten, Paul
Itse, Daniel
Lund, Howie
McMahon, Charles
Quandt, Marshall
Sanders, Elisabeth
Weare, Everett
Wickson, Rick

Baldasaro, Alfred
Buxton, Donald
Case, Frank
DiFruscia, Anthony
Fesh, Bob
Gleason, John
Hutchinson, Karen
Kappler, Lawrence
Major, Norman
Nowe, Ronald
Quandt, Matthew
Snow, Richard
Welch, David
Winchell, George

Bedrick, Jason
Cali-Pitts, Jacqueline
Charron, Gene
Dumaine, Dudley
Flanders, John Sr
Griffin, Mary
Ingram, Russell
Katsakiores, George
McCarthy, Linda
Packard, Sherman
Rausch, James
Stiles, Nancy
Wells, Roger

Belanger, Ronald
Camm, Kevin
Dalrymple, David
Elliott, Robert
Garcia, Marilinda
Guthrie, Joseph
Introne, Robert
Katsakiores, Phyllis
McKinney, Betsy
Priestley, Anne
Reagan, John
Waterhouse, Kevin
Weyler, Kenneth

STRAFFORD

Berube, Roger
Watson, Robert

Brown, George

Brown, Julie

Hofemann, Roland

SULLIVAN

Donovan, Thomas Rodeschin, Beverly
and the motion failed lacking the necessary three-fifths vote.
Rep. Emerson did not vote and notified the Clerk that she wished to be recorded in favor.

The question now being adoption of the majority committee report of Inexpedient to
Legislate.

Reps. Baldasaro, Nancy Elliott, Itse, Robert Elliott and David Smith spoke against.

Reps. Boyce and DiFruscia spoke against and yielded to questions.

Reps. Lasky, Claudia Chase, Estes and Baxley spoke in favor.

Rep. Dumaine requested a roll call; sufficiently seconded.

YEAS 233 NAYS 124

YEAS 233

BELKNAP

Arsenault, Beth	Millham, Alida	Morrison, Gail	Pilliod, James
Reever, Judith	Wood, Jane		

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Cunningham, Howard
Heard, Virginia	Knox, J. David	Martin, James	

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Chase, William	Dunn, J. Timothy	Eaton, Daniel
Espieffs, Peter	Hunt, John	Lerandean, Alfred	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

Hatch, William	Mears, Edgar	Merrick, Evalyn	Merrick, Scott
Theberge, Robert	Thomas, Yvonne		

GRAFTON

Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Estes, Carole	Friedrich, Carol
Gionet, Edmond	Hammond, Lee	Harding, A Laurie	Lovett, Sid
Matheson, Robert	McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon
Pierce, David	Preston, Philip		

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Bergin, Peter
Brunelle, Michael	Campbell, David	Chase, Claudia	Clemons, Jane
Cote, David	Daler, Jennifer	Dokmo, Cynthia	Drisko, Richard
Edwards, Andrew	Essex, David	Farley, Michael	Fontas, Jeffrey
Forest, Armand	Francoeur, Bea	Gargas, Carolyn	Garrity, Patrick
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Hackel, Paul
Hall, Betty	Hammond, Jill	Harvey, Suzanne	Hebert, Roger
Holden, Randolph	Hunter, Bruce	Irwin, Anne-Marie	Jean, Claudette
Kaelin, Michael	Kelley, John	Knowles, John	Knowles, Mary Ann
Kopka, Angeline	Lasky, Bette	Leishman, Peter	Levasseur, Nickolas

Levesque, Melanie
Marshall, Seth

Messier, Irene
O'Neil, James
Schulze, Joan
Smith, Sandra
Sysyn, Mary

Lisle, Carolyn
Martineau, Jesse

Movsesian, Lori
Peterson, Andy
Shattuck, Gilman
Spratt, Stephen
Vaillancourt, Steve

Long, Patrick
Matarazzo, Anthony
Sr
O'Brien, Michael Sr
Reuschel, Michael
Shaw, Barbara
Sullivan, Daniel
Winters, Joel

Mack, Ron
Mesa, Lily

O'Connell, Timothy
Rosenwald, Cindy
Shaw, Kimberly
Sullivan, Francis

MERRIMACK

Baxley, Maureen
Brown, Carole
DeStefano, Stephen
Gile, Mary
Kidder, David

McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Walz, Mary
Yeaton, Charles

Beauchesne, Suzanne
Brueggemann, Donald
Ehlers, Eileen
Greco, Vincent
Kjellman, Eleanor
Glynn

Osborne, Jessie
Reed, Dennis
Tilton, Joy
Webb, Leigh

Blanchard, Elizabeth
Clarke, Claire
Foose, Robert
Hamm, Christine
Lockwood, Priscilla

Owen, Derek
Richardson, Gary
Tupper, Frank
Wheeler, Deborah

Bouchard, Candace
Davis, Frank
French, Barbara
Kelly, Sally
MacKay, James

Porter, Margaret
Ryan, Jim
Wallner, Mary
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Day, Judith
Grote, Otto
Johnson, Robert
Lister, Charlotte
McGuirk, Thomas
Nord, Susi
Russell, Trinka
Wells, Roger

Borden, David
Flanders, John Sr
Henson, John
Kelley, Jane
Marsh, Michael
McKenna, Daniel
Pantelakos, Laura
Serlin, Christopher

Brown, C. Pennington
Flockhart, Eileen
Howard, Doreen
Kennedy, James
McCarthy, Linda
Moody, Marcia
Powers, James
Snow, Richard

Casey, Kimberley
Gould, Kenneth
Ingram, Russell
Kepner, Susan
McEachern, Paul
Moore, Bennett
Robertson, Carl
Splaine, James

STRAFFORD

Billian, Deborah
Browne, Brendon
Domingo, Baldwin
Hubbard, Pamela
Mickelonis, Shawn
Rous, Emma
Sprague, Dale
Watson, Robert

Brown, George
Burke, Rachel
Fargo, Thomas
Hutz, Sarah
Miller, Joseph
Schmidt, Peter
Vachon, Dennis

Brown, Jennifer
Cyr, James
Grassie, Anne
Kaen, Naida
Rollo, Deanna
Smith, Marjorie
Wall, Janet

Brown, Larry
DeChane, Marlene
Hilliard, Dana
Knowles, William
Rollo, Michael
Spang, Judith
Warren, Nancy

SULLIVAN

Cloutier, John
Gagnon, Raymond
Nielsen, Ellen

Converse, Larry
Gottling, Suzanne
Phinizy, James

Ferland, Brenda
Houde, Matthew
Skinder, Carla

Franklin, Peter
Jillette, Arthur Jr

NAYS 124

BELKNAP

Allen, Janet

Boyce, Laurie

Clark, Charles

Nedeau, Stephen

Russell, David
Wendelboe, Fran

Thomas, John
Whalley, Michael

Tilton, Franklin

Tobin, William

CARROLL

Ahlgren, Christopher
Morrow, Harry

Brown, Carolyn
Patten, Betsey

Chandler, Gene
Stevens, Stanley

Denley, William

CHESHIRE

Emerson, Susan

Johnson, Jane

Pelkey, Stephen

COOS

Remick, William

Tholl, John Jr

GRAFTON

Bulis, Lyle
Sorg, Gregory

Dingman, Vernon III

Ingbretson, Paul

Solomon, Peter

HILLSBOROUGH

Barry, Richard
Christiansen, Lars
Day, Russell
Graham, John
Hinkle, Peyton
Kurk, Neal
Manney, Pamela
Pilotte, Maurice
Rowe, Robert
Stepanek, Stephen

Batula, Peter
Coughlin, Pamela
Elliott, Nancy
Haefner, Robert
Hogan, Edith
L'Heureux, Robert
McRae, Karen
Price, Pamela
Simon, Anthony
Tahir, Saghir

Bergeron, Jean-Guy
Crane, Elenore Casey
Emerton, Larry
Hansen, Ryan
Infantine, William
Lawrence, James
Mooney, Maureen
Reeves, Sandra
Smith, David
Ulery, Jordan

Christensen, Chris
Daniels, Gary
Fletcher, Richard
Hawkins, Ken
Jasper, Shawn
Lessard, Rudy
Moran, Edward
Renzullo, Andrew
Soucy, Connie
Villeneuve, Maurice

MERRIMACK

Anderson, Eric

Hess, David

Humphries, Charlie

ROCKINGHAM

Allen, Mary
Bettencourt, David
Carson, Sharon
Devine, James
Fesh, Bob
Griffin, Mary
Hutchinson, Karen
Katsakiores, George
McKinney, Betsy
Priestley, Anne
Reagan, John
Weare, Everett
Winchell, George

Baldasaro, Alfred
Bishop, Franklin
Case, Frank
DiFruscia, Anthony
Garcia, Marilinda
Guthrie, Joseph
Introne, Robert
Katsakiores, Phyllis
McMahon, Charles
Quandt, Marshall
Sanders, Elisabeth
Welch, David

Bedrick, Jason
Buxton, Donald
Charron, Gene
Dumaine, Dudley
Garrity, James
Headd, James
Itse, Daniel
Lund, Howie
Nowe, Ronald
Quandt, Matthew
Stiles, Nancy
Weyler, Kenneth

Belanger, Ronald
Camm, Kevin
Dalrymple, David
Emiro, Frank
Gleason, John
Hopfgarten, Paul
Kappler, Lawrence
Major, Norman
Packard, Sherman
Rausch, James
Waterhouse, Kevin
Wickson, Rick

STRAFFORD

Berube, Roger

Brown, Julie

Hofemann, Roland

SULLIVAN

Donovan, Thomas Rodeschin, Beverly
and the majority committee report was adopted.

(Deputy Speaker Foster in the Chair)

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. MacKay moved that the House reconsider its action whereby it found **HB 774-FN**, relative to the use of marijuana for medicinal purposes, Inexpedient to Legislate.

Reps. MacKay, Wallner and Whalley spoke against.

Reps. Trinka Russell and Scott Merrick spoke in favor.

On a division vote, 167 members having voted in the affirmative and 190 in the negative, the motion failed.

REGULAR CALENDAR (CONT'D)

CACR 15, relating to citizen review retention elections for judges. Providing that a judge shall be subject to a citizen review retention election at the biennial election next occurring after he or she has served for 2 years and subsequently at regular intervals which depend on the court in which the judge serves. **MAJORITY: INEXPEDIENT TO LEGISLATE.**

MINORITY: OUGHT TO PASS.

Rep. Peter S. Espieffs for the Majority of Judiciary: CACR 15 is a proposal to amend the Constitution (Art. 35 and Art. 73) that would add another requirement, called a citizen retention election, which every New Hampshire judge would have to periodically undergo to keep his or her judicial appointment alive. For instance, the proposed amendment would require a NH Supreme Court Justice appointed in April 2007 to undergo a statewide election at the time of the first biennial election after two (2) years of judicial service. This would have the judge on the ballot in the 2010 biennial elections. Thereafter, if he survived that election he would then be required to undergo further citizen retention elections every six (6) years. These judicial elections would be virtually closed to any active public participation by the so-called candidate-judge because a judge cannot publicly comment on or respond to issues involving the merits or demerits of his or her rulings and decisions. This CACR would force judges to compromise their independence and their commitment to the rule of law, in exchange for the security of continued reelections. This proposal also creates a shorter political leash for Supreme Court judges who would face elections every 6 years, while District Court judges would face elections every 10 years and all other judges every 8 years. Our judges are already subject to several processes that oversee their competence and good behavior. They are subject to regular Performance Reviews. Complaints of misconduct are heard by the Judicial Conduct Committee. The impeachment process under Articles 17 and 38 of the Constitution allow for prosecution and removal on charges of bribery, corruption, malpractice and maladministration. Finally, under Art. 73 a judge may be removed by the Governor and Council for reasonable cause upon the Address of both Houses. The majority believes that our judges are not out of control, and need no further oversight in performing their duties. Vote 13-4.

Rep. Maureen C. Mooney for the Minority of Judiciary: CACR 15 proposes a mechanism by which a judge can be removed by citizen review. Every state except for 3 (MA, RI, NH) has some form of direct review by citizens either through elections, a reappointment process (terms), or retention elections. This CACR creates Citizen Review Retention elections to allow citizens a public review of their judiciary in a fair process where the judge is only running against himself/herself and his/her own performance. The sponsor of the amendment believes the people of New Hampshire deserve the same right of public review of the Judiciary that citizens in other states presently enjoy.

Reps. Crane and Sorg spoke against.

Rep. Espieffs spoke in favor and yielded to questions.

Rep. David Cote spoke in favor.

Rep. Crane requested a roll call; sufficiently seconded.

YEAS 244 NAYS 89

YEAS 244

BELKNAP

Arsenault, Beth
Reever, Judith
Wood, Jane

Millham, Alida
Thomas, John

Morrison, Gail
Tilton, Franklin

Nedeau, Stephen
Whalley, Michael

CARROLL

Bridgham, Robert
Chandler, Gene
Martin, James

Brown, Carolyn
Cunningham, Howard
Patten, Betsey

Buco, Thomas
Heard, Virginia

Butler, Edward
Knox, J. David

CHESHIRE

Allen, Peter
Butynski, William
Espieffs, Peter
Parkhurst, Henry
Robertson, Timothy

Burridge, Delmar
Chase, William
Hunt, John
Pelkey, Stephen
Sad, Tara

Butcher, Suzanne
Dunn, J. Timothy
Lerandeau, Alfred
Richardson, Barbara
Weber, Lucy

Butterworth, Timothy
Eaton, Daniel
Mitchell, Bonnie
Roberts, Kris
Weed, Charles

COOS

Hatch, William
Tholl, John Jr

Mears, Edgar
Thomas, Yvonne

Merrick, Evalyn

Merrick, Scott

GRAFTON

Aguiar, James
Cooney, Mary
Harding, A Laurie
Mulholland, Catherine
Solomon, Peter

Andersen, Gene
Estes, Carole
Lovett, Sid
Nordgren, Sharon

Benn, Bernard
Friedrich, Carol
Matheson, Robert
Pierce, David

Bleyler, Ruth
Hammond, Lee
McLeod, Martha
Preston, Philip

HILLSBOROUGH

Baroody, Benjamin
Brunelle, Michael
Dokmo, Cynthia
Essex, David
Francoeur, Bea
Goley, Jeffrey
Hammond, Jill
Irwin, Anne-Marie
Knowles, John
Lasky, Bette
Lisle, Carolyn
Matarazzo, Anthony
Sr
O'Connell, Timothy
Price, Pamela
Schulze, Joan
Simon, Anthony

Beaulieu, Jane
Chase, Claudia
Drisko, Richard
Fletcher, Richard
Gargas, Carolyn
Gorman, Mary
Harvey, Suzanne
Jean, Claudette
Knowles, Mary Ann
Leishman, Peter
Mack, Ron
Mesa, Lily
O'Neil, James
Reuschel, Michael
Shattuck, Gilman
Spratt, Stephen

Beck, Catriona
Cote, David
Edwards, Andrew
Fontas, Jeffrey
Garrity, Patrick
Graham, John
Hebert, Roger
Kaelin, Michael
Kopka, Angeline
Levasseur, Nickolas
Marshall, Seth
Movsesian, Lori
Peterson, Andy
Rosenwald, Cindy
Shaw, Barbara
Sullivan, Daniel

Bergin, Peter
Daler, Jennifer
Emerton, Larry
Forest, Armand
Ginsburg, Ruth
Hackel, Paul
Holden, Randolph
Kelley, John
Kurk, Neal
Levesque, Melanie
Martineau, Jesse
O'Brien, Michael Sr
Pilotte, Maurice
Rowe, Robert
Shaw, Kimberly
Sullivan, Francis

Sysyn, Mary

Winters, Joel

MERRIMACK

Anderson, Eric
Brown, Carole
DeStefano, Stephen
Gile, Mary
Kelly, Sally

Beauchesne, Suzanne
Brueggemann, Donald
Ehlers, Eileen
Greco, Vincent
Kidder, David

Blanchard, Elizabeth
Clarke, Claire
Foose, Robert
Hamm, Christine
Kjellman, Eleanor
Glynn
Osborne, Jessie
Reardon, Tara
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Davis, Frank
French, Barbara
Hess, David
Lockwood, Priscilla

Owen, Derek
Richardson, Gary
Tupper, Frank
Wheeler, Deborah

MacKay, James
Porter, Margaret
Ryan, Jim
Wallner, Mary
Yeaton, Charles

McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Walz, Mary

ROCKINGHAM

Abbott, Dennis
Case, Frank
Flanders, John Sr
Grote, Otto
Ingram, Russell
Kepner, Susan
McCarthy, Linda
Moody, Marcia
Robertson, Carl
Splaine, James
Wickson, Rick

Allen, Mary
Casey, Kimberley
Flockhart, Eileen
Guthrie, Joseph
Johnson, Robert
Lister, Charlotte
McEachern, Paul
Moore, Bennett
Russell, Trink
Waterhouse, Kevin

Borden, David
Charron, Gene
Garrity, James
Henson, John
Kelley, Jane
Major, Norman
McGuirk, Thomas
Nord, Susi
Serlin, Christopher
Weare, Everett

Brown, C. Pennington
Day, Judith
Gould, Kenneth
Howard, Doreen
Kennedy, James
Marsh, Michael
McKenna, Daniel
Powers, James
Snow, Richard
Welch, David

STRAFFORD

Berube, Roger
Brown, Larry
Domingo, Baldwin
Hofemann, Roland
Knowles, William
Rollo, Michael
Vachon, Dennis

Billian, Deborah
Browne, Brendon
Fargo, Thomas
Hubbard, Pamela
Mickelonis, Shawn
Schmidt, Peter
Wall, Janet

Brown, Jennifer
Cyr, James
Grassie, Anne
Hutz, Sarah
Miller, Joseph
Spang, Judith
Warren, Nancy

Brown, Julie
DeChane, Marlene
Hilliard, Dana
Kaen, Naida
Rollo, Deanna
Sprague, Dale

SULLIVAN

Cloutier, John
Franklin, Peter
Jillette, Arthur Jr

Converse, Larry
Gagnon, Raymond
Nielsen, Ellen

Donovan, Thomas
Gottling, Suzanne
Phinzy, James

Ferland, Brenda
Houde, Matthew

NAYS 89

BELKNAP

Allen, Janet
Tobin, William

Boyce, Laurie
Wendelboe, Fran

Clark, Charles

Russell, David

CARROLL

Ahlgren, Christopher

Denley, William

Morrow, Harry

Stevens, Stanley

CHESHIRE

Emerson, Susan Johnson, Jane

COOS

Remick, William

GRAFTON

Bulis, Lyle Dingman, Vernon III Gionet, Edmond Ingbretson, Paul
Sorg, Gregory

HILLSBOROUGH

Barry, Richard	Batula, Peter	Bergeron, Jean-Guy	Christiansen, Lars
Crane, Elenore Casey	Daniels, Gary	Elliott, Nancy	Farley, Michael
Haefner, Robert	Hansen, Ryan	Hinkle, Peyton	Hogan, Edith
Hunter, Bruce	Infantine, William	Jasper, Shawn	L'Heureux, Robert
Lawrence, James	Lessard, Rudy	Manney, Pamela	McRae, Karen
Mooney, Maureen	Moran, Edward	Reeves, Sandra	Renzullo, Andrew
Smith, David	Soucy, Connie	Stepanek, Stephen	Tahir, Saghir
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Maurice	

MERRIMACK

Humphries, Charlie Reed, Dennis

ROCKINGHAM

Baldasaro, Alfred	Bedrick, Jason	Belanger, Ronald	Bettencourt, David
Buxton, Donald	Camm, Kevin	Carson, Sharon	Dalrymple, David
Devine, James	Dumaine, Dudley	Emiro, Frank	Fesh, Bob
Gleason, John	Griffin, Mary	Headd, James	Hopfgarten, Paul
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, George
Katsakiores, Phyllis	Lund, Howie	McKinney, Betsy	McMahon, Charles
Nowe, Ronald	Packard, Sherman	Priestley, Anne	Quandt, Marshall
Quandt, Matthew	Rausch, James	Reagan, John	Sanders, Elisabeth
Stiles, Nancy	Weyler, Kenneth	Winchell, George	

STRAFFORD

Watson, Robert

SULLIVAN

Rodeschin, Beverly Skinder, Carla
and the majority committee report was adopted.
Rep. Coughlin declared a conflict of interest and did not participate.

HB 71, excluding a municipality's list of owners of registered dogs from the right-to-know law. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Donald R. Buxton for the Majority of Judiciary: This legislation, as originally referred to the committee, would have removed the list of owners of registered dogs from the right-to-know law. The majority acknowledged the apprehension many experience in making any alterations, however slight, to the right-to-know law. Therefore, the bill was amended, taking the matter out of the right-to-know realm and placing it into the dog owner's statutes. The heart of the matter lies around dog lists being sold to advertisers who use the lists to

market their product to customers who may not wish to be solicited. The majority believed that the list of owners of registered dogs did not constitute any public interest and that the privacy rights of dog owners was a prevailing concern. Vote 13-1.

Rep. Nancy J. Elliott for the Minority of Judiciary: This bill restricts our expectations of an open government. While the ability to see the dog lists is a small matter, the next item we restrict may not be. There does not appear to be a serious problem and this solution leads us down a slippery slope to a closed government.

Majority Amendment (0573h)

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

AN ACT prohibiting the sale, rent, lease, transfer, or distribution of records, information, or lists of licensed dog owners in New Hampshire to another person by the town clerk's office. Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Lists of Licensed Dog Owners. Amend RSA 466 by inserting after section 1-c the following new section:

466:1-d Lists of Licensed Dog Owners.

I. Except as provided in paragraphs II and III, no dog registration records, information, or lists shall be sold, rented, transferred, or otherwise made available in whole or in part, in any form or format, directly or indirectly, to another person.

II. Dog registration records, information, or lists may be made available pursuant to a court order or in response to a request from the state, a political subdivision of the state, the federal government, or a law enforcement agency solely for use in official business. The request shall be on a case-by-case basis. Any information, record, or list received pursuant to this paragraph shall not be further transferred or otherwise made available to any other person or listed entity not authorized under this paragraph.

III. Without otherwise compromising the confidentiality of the files, nothing in this section shall prohibit a body or agency from releasing information relative to health or safety from investigative files on a limited basis to persons whose health or safety may be affected, or to a person or agency attempting to provide for the welfare of an animal.

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

AMENDED ANALYSIS

This bill prohibits the sale, rent, lease, transfer or distribution in any manner of any records, information, or lists of licensed dog owners in New Hampshire to another person by the town clerk's office.

Majority amendment adopted.

On a division vote, 263 members having voted in the affirmative and 68 in the negative, the majority committee report was adopted.

Ordered to third reading.

HB 83, relative to the deliberations of certain state agencies under the right-to-know law.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Gary B. Richardson for the Majority of Judiciary: The Board of Tax and Land Appeals has historically been exempt from the Right-to-Know Law when it conducts deliberations. This bill preserves that exemption. The BTLA conducts its hearings in public, but needs to be able to deliberate and write extensive opinions similar to those of court of law with multiple drafts. Requiring the BTLA to conduct deliberations in public would significantly interfere with its proceedings. Vote 15-5.

Rep. Robert H. Rowe for the Minority of Judiciary: In New Hampshire, we have over 60 administrative agencies which act as judge and jury deciding citizen's disputes. The members of these boards and agencies are both paid and unpaid appointees. Plus we have hundreds of city and town zoning boards which also act as quasi judicial boards in deliberating and deciding matters. This bill is one of a series proposed by agencies to exempt

them from the Right to Know Act. HB 83 authorizes the Board of Land and Tax Appeals to deliberate and decide matters in private. They requested this bill but gave no reason for the exemption except that it would be more difficult for them to deliberate in public. Certainly secrecy in government is quick, efficient and easy; open government is more difficult and possibly costly but it is the public's business and the public has the right to see and hear its government at work. The minority believes that the Right to Know law should not be weakened without valid reasons and we should not continually pick away at the Right to Know law agency by agency. Complying with the Right to Know law is more important than the convenience of governmental boards and agencies.

Majority Amendment (0953h)

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

AN ACT relative to the deliberations of the board of tax and land appeals under the right-to-know law.

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

1 New Section; Board of Tax and Land Appeals; Board Meetings. Amend RSA 71-B by inserting after section 7-a the following new section:

71-B:7-b Board Meetings. The board's deliberative processes in adjudicatory proceedings held pursuant to RSA 541-A shall be privileged and exempt from the public meeting, notice, and disclosure provisions of RSA 91-A. Decisions and orders in adjudicatory proceedings shall be publicly available, but only after they have been reduced to writing, signed by a quorum of the board, and served upon the parties. Discussions and actions by the board concerning procedural, administrative, legal, and internal matters shall be exempt from the meeting and notice provisions of RSA 91-A:2.

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

AMENDED ANALYSIS

This bill clarifies certain exemptions of the board of tax and land appeals under the right-to-know law.

Rep. Gary Richardson spoke against.

Majority amendment failed.

Rep. Rowe offered floor amendment (0987h)

Floor Amendment (0987h)

Amend RSA 71-B:7-b as inserted by section 1 of the bill by replacing it with the following:

71-B:7-b Board Meetings. The board's deliberative processes in adjudicatory proceedings held pursuant to RSA 541-A shall be exempt from the public meeting and notice provisions of RSA 91-A. Decisions and orders in adjudicatory proceedings shall be publicly available, but only after they have been reduced to writing, signed by a quorum of the board, and served upon the parties. The board shall maintain a stenographic record or recording of all deliberative processes. The stenographic record or recording of the deliberative processes shall be made available in accordance with the provisions of RSA 91-A, upon request, within 5 business days after a decision or order has been served upon the parties. Discussions and actions by the board concerning procedural, administrative, legal, and internal matters shall be exempt from the meeting and notice provisions of RSA 91-A:2.

Reps. Rowe and Gary Richardson spoke in favor.

Floor amendment (0987h) was adopted.

Majority committee report adopted.

Ordered to third reading.

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

HB 210, establishing a committee to study the effects of rescinding the charter of the New Hampshire Bar Association, and relative to the regulation of attorneys by the supreme court.
MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Lucy M. Weber for the Majority Judiciary: There was sympathy on the part of the committee with the goal of making membership in the New Hampshire Bar Association optional. However, in 2004, the NH Supreme Court held, in *Petition of NH Bar Association*, that under Part 1, Article 37 of the NH Constitution, the judicial branch of government retains ultimate authority to regulate the practice of law, and in that exercise of authority it is necessarily permitted to determine whether certification of the Bar is advantageous." Any attempt by the legislature to regulate in this area will undoubtedly result in further expensive litigation. Moreover, testimony revealed that the current system works well, on the whole, to regulate the practice of law. The majority therefore believes the establishment of a study committee is unnecessary and would be a waste of resources. Vote 11-7.

Rep. Nancy J. Elliott for the Minority of Judiciary: This bill in addition to establishing a committee to study the effects of rescinding the charter granted by the legislature in 1873 to the New Hampshire Bar Association and the subsequent incorporation of a voluntary membership organization, does the following, establishes the authority and procedures for the regulation of attorneys by the Supreme Court, removes from current law all references to the New Hampshire Bar Association, and its mandatory membership as a requirement to practice law or hold state appointed positions in RSA 494:1, RSA 363:1, RSA 604-B:2X. It further deletes the contract approval requirement by the Board of Governors of the New Hampshire Bar Association for the public defender program, and replaces with the words "State Bar" all previous references to the New Hampshire Bar Association.

Majority committee report adopted.

HB 235, relative to the recognition of out-of-state marriages. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bette R. Lasky for Judiciary: This bill, as amended, was written to provide that any marriage legally contracted and valid outside of New Hampshire be recognized as valid in this state. The majority believes this bill now does just that and affords legally married people the rights accorded to any married couple. Vote 10-8.

Rep. Nancy J. Elliott for the Minority of Judiciary: It is the position of the minority that this bill allows same sex couples to go out of state and marry and then have those marriages recognized in this state. This bill would also allow polygamous marriages from other countries to be recognized in this state, thus lowering the status of women and children. The minority feels that we should not go in this direction.

Majority Amendment (0969h)

Amend the bill by replacing section 1 with the following:

1 Effect of Marriage; Recognition of Out-of-State Marriages. RSA 457:3 is repealed and reenacted to read as follows:

457:3 Effect of Marriage; Recognition of Out-of-State Marriages. Every marriage legally contracted outside of New Hampshire shall be recognized as valid in this state.

AMENDED ANALYSIS

This bill provides that any marriage legally contracted outside of this state shall be recognized as valid in this state.

Majority committee amendment adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.

Reps. Garcia and Sorg spoke against.

Reps. Rowe and Lasky yielded to questions.

Reps. Pierce and Shurtleff spoke in favor.

Rep. DeChane moved the previous question.

On a division vote, 179 members having voted in the affirmative and 131 in the negative, the motion to limit debate was adopted.

PROTEST

Under Article 24, Part 2 of the constitution, I protest these kinds of tactics which shut off debate especially when some controversy seems to have been engendered.

Rep. Vaillancourt

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Dumaine requested a roll call; sufficiently seconded.

YEAS 169 NAYS 171

YEAS 169

BELKNAP

Morrison, Gail Pilliod, James Reeever, Judith

CARROLL

Bridgham, Robert Bucu, Thomas Butler, Edward Heard, Virginia

CHESHIRE

Allen, Peter Burridge, Delmar Butcher, Suzanne Butterworth, Timothy
Chase, William Eaton, Daniel Espieffs, Peter Mitchell, Bonnie
Parkhurst, Henry Richardson, Barbara Robertson, Timothy Sad, Tara
Weber, Lucy Weed, Charles

COOS

Mears, Edgar Merrick, Evalyn Merrick, Scott Theberge, Robert

GRAFTON

Almy, Susan Andersen, Gene Benn, Bernard Bleyler, Ruth
Cooney, Mary Estes, Carole Friedrich, Carol Hammond, Lee
Harding, A Laurie Matheson, Robert McLeod, Martha Mulholland, Catherine
Nordgren, Sharon Pierce, David

HILLSBOROUGH

Baroody, Benjamin Beaulieu, Jane Beck, Catriona Brunelle, Michael
Campbell, David Chase, Claudia Clemons, Jane Cote, David
Daler, Jennifer Edwards, Andrew Essex, David Farley, Michael
Fontas, Jeffrey Garrity, Patrick Ginsburg, Ruth Goley, Jeffrey
Gorman, Mary Hackel, Paul Hammond, Jill Harvey, Suzanne
Hebert, Roger Irwin, Anne-Marie Kaelin, Michael Knowles, John
Knowles, Mary Ann Kopka, Angeline Lasky, Bette Leishman, Peter
Levasseur, Nickolas Levesque, Melanie Lisle, Carolyn Mack, Ron
Marshall, Seth Martineau, Jesse Matarazzo, Anthony Mesa, Lily
Sr
Movsesian, Lori O'Brien, Michael Sr Reuschel, Michael Shattuck, Gilman
Shaw, Barbara Shaw, Kimberly Spratt, Stephen Sullivan, Francis
Sysyn, Mary Vaillancourt, Steve

MERRIMACK

Baxley, Maureen	Beauchesne, Suzanne	Bouchard, Candace	Brown, Carole
Brueggemann, Donald	Davis, Frank	Ehlers, Eileen	Foose, Robert
French, Barbara	Gile, Mary	Greco, Vincent	Hamm, Christine
Kelly, Sally	Kjellman, Eleanor Glynn	Lockwood, Priscilla	Osborne, Jessie
Owen, Derek	Porter, Margaret	Potter, Frances	Reardon, Tara
Richardson, Gary	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Wallner, Mary	Walz, Mary	Wheeler, Deborah	Yeaton, Charles

ROCKINGHAM

Borden, David	Day, Judith	Flockhart, Eileen	Gould, Kenneth
Grote, Otto	Henson, John	Howard, Doreen	Johnson, Robert
Kelley, Jane	Kennedy, James	Kepner, Susan	Marsh, Michael
McCarthy, Linda	McEachern, Paul	McKenna, Daniel	Moody, Marcia
Moore, Bennett	Nord, Susi	Norelli, Terie	Pantelakos, Laura
Powers, James	Russell, Trinka	Serlin, Christopher	Snow, Richard
Splaine, James			

STRAFFORD

Billian, Deborah	Brown, Jennifer	Brown, Julie	Brown, Larry
Browne, Brendon	Burke, Rachel	Cyr, James	DeChane, Marlene
Domingo, Baldwin	Grassie, Anne	Hilliard, Dana	Hubbard, Pamela
Hutz, Sarah	Kaen, Naida	Mickelonis, Shawn	Miller, Joseph
Rollo, Deanna	Rollo, Michael	Rous, Emma	Smith, Marjorie
Spang, Judith	Vachon, Dennis	Wall, Janet	

SULLIVAN

Cloutier, John	Converse, Larry	Franklin, Peter	Gottling, Suzanne
Houde, Matthew	Jillette, Arthur Jr	Nielsen, Ellen	Skinder, Carla

NAYS 171

BELKNAP

Allen, Janet	Boyce, Laurie	Clark, Charles	Nedeau, Stephen
Russell, David	Thomas, John	Tilton, Franklin	Tobin, William
Wendelboe, Fran	Whalley, Michael		

CARROLL

Ahlgren, Christopher	Brown, Carolyn	Chandler, Gene	Cunningham, Howard
Denley, William	Knox, J. David	Martin, James	Merrow, Harry
Patten, Betsey	Stevens, Stanley		

CHESHIRE

Butynski, William	Dunn, J. Timothy	Emerson, Susan	Hunt, John
Johnson, Jane	Lerandeau, Alfred	Pelkey, Stephen	Roberts, Kris

COOS

Hatch, William	Remick, William	Tholl, John Jr	Thomas, Yvonne
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GRAFTON

Aguiar, James
Ingbretson, Paul
Sorg, Gregory

Bulis, Lyle
Lovett, Sid

Dingman, Vernon III
Preston, Philip

Gionet, Edmond
Solomon, Peter

HILLSBOROUGH

Barry, Richard
Christiansen, Lars
Dokmo, Cynthia
Forest, Armand
Haefner, Robert
Hogan, Edith
Jasper, Shawn
Lessard, Rudy
Mooney, Maureen
Peterson, Andy
Renzullo, Andrew
Smith, David
Ulery, Jordan

Batula, Peter
Coughlin, Pamela
Drisko, Richard
Francoeur, Bea
Hansen, Ryan
Holden, Randolph
Kelley, John
Long, Patrick
Moran, Edward
Pilotte, Maurice
Rowe, Robert
Soucy, Connie
Villeneuve, Maurice

Bergeron, Jean-Guy
Crane, Elenore Casey
Elliott, Nancy
Gargas, Carolyn
Hawkins, Ken
Hunter, Bruce
Kurk, Neal
Manney, Pamela
O'Connell, Timothy
Price, Pamela
Schulze, Joan
Stepanek, Stephen
Winters, Joel

Bergin, Peter
Daniels, Gary
Emerton, Larry
Graham, John
Hinkle, Peyton
Infantine, William
L'Heureux, Robert
McRae, Karen
O'Neil, James
Reeves, Sandra
Simon, Anthony
Sullivan, Daniel

MERRIMACK

Anderson, Eric
Hess, David
Reed, Dennis

Blanchard, Elizabeth
Humphries, Charlie
Tupper, Frank

DeStefano, Stephen
Kidder, David
Webb, Leigh

Hager, Elizabeth
MacKay, James

ROCKINGHAM

Abbott, Dennis
Belanger, Ronald
Buxton, Donald
Casey, Kimberley
DiFruscia, Anthony
Flanders, John Sr
Griffin, Mary
Ingram, Russell
Katsakiores, George
Major, Norman
Nowe, Ronald
Quandt, Matthew
Sanders, Elisabeth
Welch, David

Allen, Mary
Bettencourt, David
Camm, Kevin
Charron, Gene
Dumaine, Dudley
Garcia, Marilinda
Guthrie, Joseph
Introne, Robert
Katsakiores, Phyllis
McGuirk, Thomas
Packard, Sherman
Rausch, James
Stiles, Nancy
Weyler, Kenneth

Baldasaro, Alfred
Bishop, Franklin
Carson, Sharon
Dalrymple, David
Emiro, Frank
Garrity, James
Headd, James
Itse, Daniel
Lister, Charlotte
McKinney, Betsy
Priestley, Anne
Reagan, John
Waterhouse, Kevin
Wickson, Rick

Bedrick, Jason
Brown, C. Pennington
Case, Frank
Devine, James
Fesh, Bob
Gleason, John
Hopfgarten, Paul
Kappler, Lawrence
Lund, Howie
McMahon, Charles
Quandt, Marshall
Robertson, Carl
Weare, Everett
Winchell, George

STRAFFORD

Berube, Roger
Schmidt, Peter

Brown, George
Sprague, Dale

Fargo, Thomas
Watson, Robert

Hofemann, Roland

SULLIVAN

Donovan, Thomas
Rodeschin, Beverly

Ferland, Brenda

Gagnon, Raymond

Phinizy, James

and the majority committee report failed.

Rep. Mooney moved Inexpedient to Legislate and spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Hunt moved that **HB 235**, relative to the recognition of out-of-state marriages, be laid on the table.

Rep. Butler spoke against.

Rep. Hess spoke in favor.

On a division vote, 149 members having voted in the affirmative and 193 in the negative, the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. DeChane moved Recommit.

Rep. Lasky spoke in favor.

Motion adopted.

Recommitted to the committee on Judiciary.

(Speaker Norelli in the Chair)
REGULAR CALENDAR (CONT'D)

HB 377-FN-L, relative to the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Maureen C. Mooney for Judiciary: This bill with amendment completes the long awaited updates to the Right to Know law contained in RSA 91-A. The bill reflects the new types of communications created by advancements in technology, such as the internet and conference call telephone systems. The update was the product of a three-year study by a commission formed by the legislature to revise RSA 91-A. Additionally the bill prohibits communications outside of a public body meeting among the quorum of the membership and sequential communications. All parties agreed that it was essential to make the changes provided in HB 377 as amended. Vote 19-0.

Amendment (0933h)

Amend RSA 91-A:2, II as inserted by section 4 of the bill by replacing it with the following:

II. ~~[All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of those bodies or agencies.]~~ ***Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public.***

Except for town meetings, school district meetings, and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such meetings, including names of members, persons appearing before the ***public*** bodies ~~[or agencies]~~, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection ~~[within 144 hours of]~~ ***not more than 5 business days after*** the ~~[public]~~ meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any ***public*** body ~~[or agency]~~, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places, ***one of which may be the public body's Internet website, if such exists,*** or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the ***public*** body ~~[or agency]~~, who shall ***post a notice of the time and place of such meeting as soon as practicable, and shall*** employ whatever ***further*** means are ***reasonably*** available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city ***or town*** or guidelines or rules of order of any ***public*** body

[~~or agency described in RSA 91-A:1-a~~] require a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter. ***For the purposes of this paragraph, a business day means the hours 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.***

91-A:2-a Communications Outside Meetings.

I. Any communications, in whatever form, outside of a public meeting among the members of a quorum of the membership of a public body which bear upon matters over which such body has supervision, control, jurisdiction, or advisory power are prohibited and in violation of the provisions of RSA 91-A.

II. Sequential communications among a quorum of elected or appointed members of a public body, are considered communications under paragraph I and are prohibited and shall not be used to circumvent the spirit and purpose of RSA 91-A.

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8:

7 Joint Committee on Legislative Facilities; Minutes. Amend RSA 17-E:6 to read as follows:

17-E:6 Committee Records. A record of the minutes of committee and subcommittee meetings shall be available to the public and shall be maintained in accordance with the provisions of RSA 91-A:2, II. The minutes shall include the names of members in attendance and of persons appearing before the committee, and a brief description of the subjects discussed, votes taken, and final dispositions of all actions. The minutes shall be available and open to public inspection [~~within 144 hours of~~] ***not more than 5 business days after*** the meeting. The record of the minutes of the joint committee on legislative facilities and the house and senate subcommittees shall be available at the office of legislative accounting. ***For the purposes of this section, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.***

Reps. Jasper, Kurk and Dokmo spoke against.

Rep. Mooney spoke in favor.

On a division vote, 100 members having voted in the affirmative and 177 in the negative, the committee amendment failed.

Motion of Ought to Pass adopted.

Ordered to third reading.

HB 401-FN, relative to the removal of certain property tax abatement petitions filed with the superior court. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert H. Rowe for Judiciary: Under current law, when a citizen appeals his or her municipal real estate tax, he or she has the statutory right to make the appeal either to the superior court or to the Board of Tax and Land Appeals. This bill would eliminate the appeal to the superior court unless the taxable value in controversy is more than \$500,000. The committee is sympathetic to the fact that the Board of Land and Tax Appeals is being subject to an ever increasing volume of cases, and thus to the laudable goal of the sponsor.

Nonetheless, the committee felt that it was important to preserve this statutory right for citizens from lower property value communities and of more modest means. Vote 18-0.

Committee report adopted.

HB 421, relative to the right to a jury trial. **INEXPEDIENT TO LEGISLATE.**

Rep. Bette R. Lasky for Judiciary: The language and the intention of this bill is unclear and the constitution already provides more than adequate protection of the right to a trial by jury. Vote 15-0.

Committee report adopted.

HB 430, establishing a committee to study a constitutional amendment to guarantee a right to personal privacy. **INEXPEDIENT TO LEGISLATE.**

Rep. Anthony R. DiFruscia for Judiciary: The right to personal privacy is important. Some committee members believed that the Constitution already addressed the issue while other members fear that the RSA was a more appropriate method to address privacy issues. A study is unnecessary. Common law of New Hampshire recognizes the importance of privacy and courts have upheld the right to privacy. RSA 644:9 makes it a crime to invade a person's privacy. Vote 11-5.

Committee report adopted.

MOTION TO SUSPEND RULES

Reps. Wallner and Whalley move that the Rules be so far suspended as to allow reporting on all remaining House bills for action in the first year session after the deadline of Noon on April 5th.

Adopted by the necessary two-thirds.

MOTION TO SPECIAL ORDER

Without objection, the Chair made the remainder of the bills on today's calendar be made Special Orders for the next session day in their Regular Calendar order.

RESOLUTION

Rep. Wallner offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 4, 2007 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 304, relative to the criteria under which guardianship over a minor is granted.

HB 406, relative to access to state child support enforcement records.

HB 410, establishing a commission on child support issues.

HB 444, relative to parental rights in abuse and neglect cases.

HB 463, relative to the awarding parental rights and responsibilities to a stepparent or grandparent.

HB 470, relative to the determination of parental rights and responsibilities.

HB 495-FN, relative to criminal record and central registry checks of prospective foster and adoptive parents and relative to the custody of a child placed by the court in a delinquency proceeding or a proceeding for a child in need of services (CHINS).

HB 602-FN, relative to child support enforcement.

HB 827-FN, relative to the reasonable cost of medical support for dependent children.

HB 867-FN-L, relative to parent liability for court-ordered services in juvenile proceedings.

HB 298, relative to the healthy kids corporation.

HB 513, establishing a housing commission.

HB 536, relative to the regulation of martial arts schools.

HB 549, relative to accepting a purchase and sale agreement on developed waterfront property.

HB 636-FN, relative to physician credentialing under the managed care law.

HB 696, reclassifying certain positions in the insurance department.

HB 782-FN, relative to reinsurance intermediaries and conduct of examinations.

HB 889-FN, relative to securities regulation.

HB 921-FN, making technical changes in the insurance laws.

HB 64-FN, relative to driving a commercial motor vehicle while violating an out-of-service order.

HB 309, relative to the uniform fine schedule for the fish and game department.

HB 395-FN, relative to penalties for computer crime.

HB 446, relative to criminal threatening in a safe school zone.

HB 504-FN, relative to registration requirements for certain criminal offenders under age 21.

HB 539-FN, relative to manslaughter.

HB 587-FN, relative to the duties of probation and parole officers.

HB 703, relative to day reporting programs in the county department of corrections.

HB 707, relative to the time frames for hearings in domestic violence cases.

HB 719, relative to the statute of limitations for fire code violations.

HB 743, relative to the rights of crime victims while making a victim impact statement.

HB 205, relative to procedures for certain court ordered out-of-district placements.

HB 701, relative to the definition of a school district in the case of unincorporated towns or unorganized places.

HB 822, relative to enrollment of students in regional vocational schools.

HB 914-L, establishing a committee to study issues related to cooperative school districts.

HB 272, relative to presidential primary elections.

HB 344, relative to conduct of recounts.

HB 534, relative to political committees of political parties.

HB 608-FN, relative to the number of ballots furnished by the secretary of state for a state general election.

HB 735, relative to the form of the presidential primary election ballot.

HB 206, relative to the disclosure of certain livestock health information and relative to voluntary registration of livestock and agricultural premises.

HB 243, relative to a rabies immunization exemption.

HB 251, relative to the authority of the agricultural advisory board.

HB 672, establishing a commission to study requirements for safe and secure landfills.

HB 859, relative to the definitions of agriculture and farming in the motor vehicle laws.

HB 312-FN, relative to alternative providers for certain health services.

HB 338, requiring the plumbers' board to report on the feasibility of reestablishing reciprocity with neighboring states in licensing of plumbers.

HB 568-FN, repealing the option to purchase nonqualified service credit in the New Hampshire retirement system.

HB 629-FN, relative to authorizing continued membership in the Manchester employees' contributory retirement system, and relative to the Nashua public works retirement system.

HB 652-FN, relative to the collection of debts owed to the state.

HB 673, allowing advanced registered nurse practitioners to certify walking disabilities.

HB 718-FN, establishing a committee to study the cost, quality, accountability and oversight standards used by the state when contracting with private entities for delivery of public services.

HB 733-FN, relative to certain authority and procedures of the department of revenue administration.

HB 749, changing the position of forensic toxicologist within the department of safety from an unclassified to a classified position.

HB 876-FN-L, establishing a commission to make recommendations to ensure the long-term viability and sustainability of the New Hampshire retirement system.

HB 895-FN, relative to licensure of court reporters.

HB 451-FN, relative to the application of non-state sources of funding to catastrophic special education costs.

HB 134, relative to electronic prescribing for prescription drugs.

HB 491, establishing a public health improvement services council.

HB 688, establishing the council on the relationship between public health and the environment.

HB 727-FN, establishing a commission to study health insurance coverage in the construction industry.

HB 926-FN, relative to the regulation of pharmacies and pharmacists.

HB 244, repealing a certain provision of law regarding advance directives and mentally incompetent or developmentally disabled persons.

HB 303, allowing Sunday dancing and repealing the prohibition on transporting moving picture films aboard passenger train cars.

HB 394-FN, relative to notice to defendants in small claims actions.

HB 336, requiring notice of the classifications of employee and independent contractor.

HB 533, relative to Occupational Safety and Health Administration certification requirements for state contracts.

HB 611, relative to payment of wages by automated pay card or cash voucher.

HB 833, establishing a committee to study the outsourcing of jobs involving state contracts.

HB 523, relative to lobbyist registration and statements, and regulation of volunteer public service.

HB 715, establishing a committee to study the state heritage collections committee and the joint legislative historical committee.

HB 379, relative to the adoption, revision, and amendment of municipal charters.

HB 380, relative to the forms of government under town charters.

HB 393, relative to information filed by utilities paying the utility property tax.

HB 551, allowing cities to use capital reserve funds for debt replacement.

HB 566-FN-L, relative to the housing of inmates in county correctional facilities.

HB 649, relative to the disposition of real estate given, devised, or bequeathed to a town for charitable or community purposes.

HB 692, allowing certain municipalities in economically depressed counties to adopt a property tax exemption for industrial construction.

HB 709, making various changes to department of revenue administration authority concerning property tax administration.

HB 803, relative to the sale of tax-deeded property.

HB 731, relative to the use of vehicle information or location tracked by an electronic toll collection system.

HB 219, relative to the membership of the wetlands council.

HB 319, relative to emergency permits for projects funded through the Emergency Watershed Protection Program.

HB 383, relative to waterfront buffer and woodland buffer requirements in the comprehensive shoreland protection act.

HB 459, relative to the identification of wells and monitoring wells.

HB 648, establishing a commission to develop a comprehensive flood management plan.

HB 665-FN, relative to the comprehensive shoreland protection act.

HB 722, relative to the rivers management protection program.

HB 813-FN, expanding the definition of income of the land conservation investment program monitoring endowment.

HB 857-FN-L, relative to permitting responsibilities under the comprehensive shoreland protection act.

HB 903-FN, prohibiting delivery of oil to non-compliant underground storage facilities.

HB 447, relative to net energy metering.

HB 694, establishing a commission to study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, in Dover.

HB 917, relative to the duties of the oversight committee on telecommunications.

HCR 8, urging Congress to rename the Veterans Administration Hospital the Styles Bridges

Veterans Administration Hospital.

HJR 1, urging that more veterans' mental health counseling centers be established in New Hampshire and urging that funding be continued for the Manchester Veterans' Center.

HB 188, excluding certain watercraft from the definition of ski craft.

HB 247, allowing surviving spouses to retain temporarily special number plates for veterans.

HB 301, relative to nonresident registration of motor vehicles.

HB 311, establishing a committee to review liability issues for commuter rail operations.

HB 397, relative to restricted drivers' licenses.

HB 448-L, relative to early renewals of vehicle registrations.

HB 547-FN, relative to the inspection of trucks.

HB 659-FN, exempting certain motor vehicles manufactured prior to 1941 from vehicle equipment and inspection requirements.

HB 918-FN, relative to motor vehicle registrations for manufacturers.

HB 511, increasing the total prize value of a bingo game or series of games.

HB 844-FN, authorizing the commissioner of revenue administration to issue demands for records for purposes of interest and dividends tax audits and to seize and destroy unstamped and invalidly stamped tobacco products.

HB 519, requiring children 12 years of age or under to wear personal flotation devices.

HB 232, relative to retaliatory rent increases and mediation of manufactured housing park disputes.

HB 263-FN, relative to health insurance riders.

HB 305, establishing a task force to develop legislation for expanding access to affordable health insurance for the 2008 and 2009 legislative session.

HB 767, relative to insurance for volunteer drivers.

HB 556, relative to school emergency response plans.

HB 927-FN, relative to the specific criteria and substantive educational program that define an adequate education.

HB 32, establishing a commission to study voter registration cards.

HB 191, relative to the authority to unseal ballots following a state election.

HB 429, relative to nominations by multiple parties.

HB 480, relative to party columns listing names on ballots.

SB 36, eliminating straight ticket voting.

HB 704, relative to the commission on the status of men and relative to appropriations to the STARC armory and making appropriations for state matching funds for federal emergency management agency disaster assistance grants and energy expense shortfalls.

HB 416, relative to mercury reduction.

HB 699, establishing a commission to study methods and costs of sewage, sludge, and septage disposal.

HB 907-FN, relative to the sale and distribution of certain mercury-added products.

HB 38, relative to terms of appointment for certain state officers.

HB 229, relative to licensing requirements for operators of games of chance.

HB 543, establishing a commission to study the licensing process for licensed alcohol and drug counselors.

HB 571-FN, relative to full-time seasonal state employees.

HB 653, relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

HB 828-FN, relative to a state ethics officer.

HB 928, relative to the Christa McAuliffe planetarium commission.

HB 46-FN-A-L, making an appropriation to fund kindergarten programs in the towns of Merrimack, Hampstead, Goffstown, and Fremont, and in the Timberlane regional school district.

HB 553-FN-A, requiring the state to pay legal fees for certain supreme court justices and making an appropriation therefor.

HB 812, relative to making permanent certain exceptions to limits on land application of septage and sludge.

HB 558, repealing the education trust fund.

HB 583-FN, relative to funding for HIV/AIDS services.

HR 10, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq.

HB 273-FN, relative to special needs trusts.

HB 826-FN, relative to coverage of services and items under the medical assistance program.

HB 71, prohibiting the sale, rent, lease, transfer, or distribution of records, information, or lists of licensed dog owners in New Hampshire to another person by the town clerk's office.

HB 83, relative to the deliberations of certain state agencies under the right-to-know law.

HB 377-FN-L, relative to the right-to-know law.

UNANIMOUS CONSENT

Rep. Bridgham addressed the House.

RECESS MOTION

Rep. Wallner moved that the House stand in recess for the purpose of introduction of bills and receiving Senate messages.

Adopted.

The House recessed at 7:20 p.m.

RECESS

(Speaker Norelli in the Chair)

RESOLUTION

Rep. Wallner offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 18, 27 through 33, 35, 37 through 43, 47, 50 through 56, 58, 59, 63 through 65, 69, 70, 72 through 76, 78, 80, 83 through 85, 88, 91, 94, 97, 99, 100, 104 through 108, 111, 113, 118, 119, 124, 125, 128, 129, 132, 135 through 137, 139, 145, 159, 161, 164, 167, 168, 170, 175, 179, 180, 184 through 186, 193, 195, 197, 200, 208, 209, 219, 223, 232, 238 and 243 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 18-FN, raising the age of required attendance of children in school. (Education)

SB 27-FN, relative to the display of the POW-MIA flag. (Judiciary)

SB 28, redefining the "board of public employer for the judiciary" in public employee collective bargaining. (Judiciary)

SB 29, updating laws relative to child impact seminars to reflect the implementation of the judicial branch family division. (Children and Family Law)

SB 30, combining the judicial branch salary adjustment fund and the judicial branch benefit adjustment account into a single fund. (Judiciary)

SB 31, adding the chief justice of the supreme court or designee to the advisory council on emergency preparedness and security. (Executive Departments and Administration)

SB 32-FN, increasing the maximum amount of debt or damages for small claims actions. (Judiciary)

SB 33-FN, equalizing the pay of administrative judges in the judicial branch. (Judiciary)

SB 35-FN-A, making an appropriation for disaster relief assistance in response to the May

2006 floods and establishing a committee to study the distribution of financial disaster assistance. (Finance)

SB 37, relative to accidental death benefit payments in the city of Manchester employees' contributory retirement system. (Executive Departments and Administration)

SB 38, relative to uninsured or hit-and-run motor vehicle coverage. (Commerce)

SB 39, allowing a newly-retired supreme court justice to continue to participate as a temporary justice in a case held before retirement but decided after. (Judiciary)

SB 40, relative to the modular building code. (Municipal and County Government)

SB 41, relative to the authority of law enforcement officers to obtain registration checks on motor vehicles for official purposes and prohibiting the use of automated number plate scanning devices. (Criminal Justice and Public Safety)

SB 42, prohibiting smoking in restaurants, cocktail lounges, and certain enclosed public places. (Commerce)

SB 43, relative to the training for barbers and establishing the master barber license under the board of barbering, cosmetology, and esthetics. (Executive Departments and Administration)

SB 47-FN-A, making a supplemental appropriation for school building aid. (Finance)

SB 50, relative to the membership of the state veterans' advisory committee and authorizing the state veterans council to accept certain donations and bequests. (State-Federal Relations and Veterans Affairs)

SB 51, transferring authority over court forms from the supreme court to the judicial branch administrative council. (Judiciary)

SB 52, relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law. (Commerce)

SB 53, relative to membership of the board of trustees of the regional community-technical colleges. (Education)

SB 54, relative to dog license fees. (Municipal and County Government)

SB 55-FN, establishing a committee to study the efficacy of the Master Settlement Agreement and strategies for addressing the financial burden imposed on the state by cigarette smoking and the use of tobacco products. (Ways and Means)

SB 56, relative to Old Drewsville Road in the town of Walpole. (Transportation)

SB 58, relative to the recommendation for the town budget. (Municipal and County Government)

SB 59, establishing a committee to study the effect on the unemployment compensation trust fund of employees with negative balance separate accounts. (Labor, Industrial and Rehabilitative Services)

SB 63, authorizing the commissioner of revenue administration to extend tax filing deadlines for certain members of the armed forces. (Ways and Means)

SB 64, changing the dates of the reports on court facilities made to the supreme court by the court accreditation commission and made to the commissioner of administrative services by the supreme court. (Public Works and Highways)

SB 65-FN, requiring that the state provide 21 days' written notice to the defendant prior to jury selection for his or her trial of the state's request for an extended term of imprisonment. (Criminal Justice and Public Safety)

SB 69, relative to exceptions to the confidentiality provisions for certain department of employment security records. (Labor, Industrial and Rehabilitative Services)

SB 70, relative to external review for disability income policies. (Commerce)

SB 72-L, relative to standards for public school approval. (Education)

SB 73-FN-A, relative to lottery prizes and administration by the lottery commission. (Ways and Means)

SB 74-FN, relative to the operation and administration of the state park system. (Resources, Recreation and Development)

SB 75-FN, relative to establishing a south central New Hampshire rail transit authority

that will have responsibility for developing and providing commuter rail and related public rail transportation services in New Hampshire. (Transportation)

SB 76-FN-L, establishing a commission to study the proper allocation of costs for transporting convicted persons and methods for minimizing the costs of transporting convicted persons. (Criminal Justice and Public Safety)

SB 78, relative to the placement of twins or other multiples in the same classroom. (Education)

SB 80, relative to qualified minor's trusts. (Children and Family Law)

SB 83, naming the Epsom traffic circle in honor of Officer Jeremy Charron and Officer Michael Briggs and naming a portion of Route 4 in honor of Officer Michael Briggs. (Public Works and Highways)

SB 84, establishing procedural requirements to improve implementation of the 10-year highway plan. (Public Works and Highways)

SB 85, relative to eligibility for the property tax exemption for the disabled. (Municipal and County Government)

SB 88, relative to public employee terms of employment, bargaining units, and dispute resolution. (Labor, Industrial and Rehabilitative Services)

SB 91, relative to political contributions by corporations, partnerships, and labor unions. (Election Law)

SB 94, relative to the office of information technology. (Executive Departments and Administration)

SB 97, relative to unemployment administrative contributions and the training fund, and transferring the job training program administered by the department of regional community-technical colleges to the department of resources and economic development. (Labor, Industrial and Rehabilitative Services)

SB 99, relative to the terms for payment in lieu of taxes for renewable generation facilities. (Municipal and County Government)

SB 100, relative to the authority of a real estate escrow agent to hold funds in the event of a dispute. (Commerce)

SB 104, relative to the directory of charitable trusts. (Commerce)

SB 105, repealing the bond requirement for fund raising counsel of a charitable trust. (Commerce)

SB 106, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch. (Legislative Administration)

SB 107, authorizing the judicial branch family division and the superior court to use bail commissioners in civil cases. (Judiciary)

SB 108, making technical corrections to the probate laws. (Judiciary)

SB 111, permitting a dam to be constructed on Lake Ivanhoe in the town of Wakefield. (Resources, Recreation and Development)

SB 113-FN, relative to the position of special justice in the district court. (Judiciary)

SB 118, increasing fines for certain dog violations. (Municipal and County Government)

SB 119, establishing a committee to study the oversight of municipal capital reserve funds. (Municipal and County Government)

SB 124, changing the membership of the economic development matching grants screening committee. (Commerce)

SB 125-FN, relative to certificates for architect business organizations. (Commerce)

SB 128-FN, establishing an enhanced penalty for injuring another as a result of resisting arrest. (Criminal Justice and Public Safety)

SB 129-FN, requiring interpretation services upon request for persons receiving medical treatment. (Health, Human Services and Elderly Affairs)

SB 132-FN, allowing marital masters to be reimbursed for certain expenses and repealing a provision permitting court stenographers to be reimbursed for expenses. (Judiciary)

SB 135, establishing a commission to study lowering costs of health insurance for small

businesses. (Commerce)

SB 136, relative to the attorney general's authority to appoint, organize, and assign investigatory personnel at the department of justice. (Criminal Justice and Public Safety)

SB 137-FN, removing the prospective repeal of community reinvestment and opportunity zones (CROP zones). (Commerce)

SB 139-FN, relative to the asset transfer penalty in Medicaid. (Health, Human Services and Elderly Affairs)

SB 145-FN, allowing marital masters and registers and deputy registers of probate to perform notarial acts. (Judiciary)

SB 159-FN-L, relative to polling place arrangement and accessibility. (Election Law)

SB 161-FN, relative to the registration fees for mortgage servicing companies. (Commerce)

SB 164, relative to renewals and reinstatements of licenses issued by the board of dental examiners and procedures of the board. (Executive Departments and Administration)

SB 167-FN, relative to the licensure of medical assistants by the board of nursing. (Health, Human Services and Elderly Affairs)

SB 168-FN, establishing tuition waivers for foster children. (Education)

SB 170-FN, establishing an office of mediation and arbitration within the judicial branch. (Judiciary)

SB 175-FN-A, establishing an apprentice hunting license. (Fish and Game)

SB 179-FN-A, establishing an automated external defibrillator advisory commission. (Education)

SB 180, relative to local regulation of persons soliciting contributions on streets. (Municipal and County Government)

SB 184-FN, relative to residential home care services providers. (Health, Human Services and Elderly Affairs)

SB 185, relative to photo identification for persons released from correctional facilities and establishing a commission to study the services needed to help chronically homeless children in New Hampshire. (Children and Family Law)

SB 186-FN, establishing a committee to study a state elderly homeowner property tax credit. (Municipal and County Government)

SB 193, relative to adjustments to the child support guidelines under special circumstances. (Children and Family Law)

SB 195-FN, relative to unemployment benefits for persons needed to care for family members who are disabled. (Labor, Industrial and Rehabilitative Services)

SB 197, relative to continuation of group health insurance in the event of divorce or legal separation. (Commerce)

SB 200-FN, relative to the state directory of new hires. (Executive Departments and Administration)

SB 208, relative to court review of certain planning and zoning decisions. (Judiciary)

SB 209, requiring the board of trustees of the judicial retirement plan to study the inclusion of service of all judges who are not members of the judicial retirement plan. (Executive Departments and Administration)

SB 219-FN, establishing a committee to study the effectiveness of current preservation planning tools designed to prevent unnecessary demolitions of significant historic properties and recommend new incentives to aid communities, improvements to existing methods, or creation of new programs. (Municipal and County Government)

SB 223-FN, establishing a New Hampshire medal of honor. (State-Federal Relations and Veterans Affairs)

SB 232-FN, relative to profits from the prison industries program. (Finance)

SB 238, relative to funding for the Groveton Branch Corridor repairs. (Public Works and Highways)

SB 243-FN, relative to regulating home contractors. (Executive Departments and Administration)

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