

HOUSE RECORD

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

Vol. 29

Concord, N.H.

Thursday, April 5, 2007

No. 35

HOUSE JOURNAL No. 12 (cont.)

Wednesday, April 4, 2007

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 13

Thursday, April 5, 2007

The House assembled at 10:00 a.m. and was called to order by the Speaker.

LEAVES OF ABSENCE

Reps. Ahlgren, Beauchesne, Clemons, Coughlin, Daler, Dumaine, Fesh, Fontas, Heald, Stephen Johnson, Laliberte, Benjamin Moore, Moran, Spaulding and Wood, the day, illness.
Reps. Arsenault, Beck, Jennifer Brown, Julie Brown, Brendon Browne, Russell Day, Stephanie Eaton, Ginsburg, Goodwin, Grassie, Haley, Hebert, Henson, Houde, Jean, Sally Kelly, John Knowles, Mary Ann Knowles, Lisle, Mack, Matheson, McCarthy, Evalyn Merrick, Scott Merrick, Merrow, Mesa, Mickelonis, Miller, Bennett Moore, O'Brien, Parkhurst, Pelkey, Priestly, Reed, Reeve, Reeves, Reuschel, Gary Richardson, Serlin, Daniel Sullivan, Sysyn, Tahir and Wells, the day, important business.
Reps. Hofemann and Lovett, the day, illness in the family.

CLERK'S NOTE

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

COMMITTEE REPORTS

SPECIAL ORDER

HB 777-FN-A, imposing a fee and a fine for certain changes to terrain alteration permits.
ought to pass with amendment.

Rep. Susan R. Kepner for Resources, Recreation and Development: This bill as amended clarifies agricultural exemptions for alteration of terrain permits and sets penalties for change of use to any other activity. The penalty shall be based on the amount of land changed and length of time before the change. It will be distributed as follows: forty percent to the Land and Community Heritage Investment Program; forty percent to the wetlands fund (RSA 482-A:14, III); and 20 percent to town conservation commissions, to be distributed to the other two if there is no commission. This mirrors the wetland mitigation program where penalties for disturbing wetlands fund a compensatory conservation of land. Vote 16-2.

Amendment (0862h)

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

AN ACT relative to agricultural exemptions from alteration of terrain permitting requirements and penalties for site development.

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

1 Terrain Alteration; Exemption. Amend RSA 485-A:17, III to read as follows:

III. ~~[Normal agricultural operations shall be exempt from the provisions of this section.]~~ The department may exempt other state agencies from the permit and fee provisions of this section provided that each such agency has incorporated appropriate protective practices in its projects which are substantially equivalent to the requirements established by the department under this chapter.

2 New Sections; Agricultural Exemption for Alteration of Terrain; Site Development Penalty. Amend RSA 485-A by inserting after section 17 the following new sections:

485-A:17-a Agricultural Exemption for Alteration of Terrain.

I. Normal agricultural operations shall be exempt from the provisions of RSA 485-A:17.

II. Any project that involves the removal of trees and stumps from lands that are not wetlands and would otherwise require a permit under RSA 485-A:17, I-II or RSA 483-B:6, solely for purposes of conversion to agriculture may be considered normal agricultural operations and, therefor, is exempt from the permitting requirements of RSA 485-A:17 subject to filing prior notification with the department on a form prescribed by the department with complete information. This exemption shall expire one year after its filing with the department.

III. Projects that qualify for this agricultural exemption include those that:

(a) Only involve tree removal and stumping;

(b) Do not significantly alter the characteristics of the terrain in such a manner as to impede the natural runoff or create an unnatural runoff by causing significant contour changes by filling or grading or terracing or both; and

(c) Are necessary for an agricultural operation as defined in RSA 21:34-a and are not intended as a phase towards site development for a different purpose that would be covered by the alteration of terrain requirements.

IV. Exempt projects shall not include projects involving:

(a) Contour changes created by significant filling, grading, and topsoil removal;

(b) The erection of structures not related to agricultural operations; or

(c) Construction of roads not related to agricultural operations.

485-A:17-b Site Development Penalty.

I. The landowner shall pay to the department a penalty as described in paragraph II if, within 6 years of filing the notification under RSA 485-A:17-a, II:

(a) Land use changes from agriculture to any activity other than forestry; or

(b) Changes described in RSA 485-A:17-a, III occur.

II. The penalty shall be based on the amount of land on which changes described in paragraph I occur, and the following time periods in which the changes took place calculated from the filing date of the notification, and the associated per acre rates with such acre rates to be prorated:

- (a) Filing to 2 years - \$5,000 per acre;
- (b) 2 to 3 years - \$4,000 per acre;
- (c) 3 to 4 years - \$3,000 per acre;
- (d) 4 to 5 years - \$2,000 per acre; and
- (e) 5 to 6 years - \$1,000 per acre.

III. The department shall distribute these funds as follows:

- (a) 40 percent to the trust fund for the New Hampshire land and community heritage investment program established under RSA 227-M:7;
- (b) 40 percent to a non-lapsing fund held by the treasurer under RSA 482-A:14, III; and
- (c) 20 percent to the town conservation commission established under RSA 36-A, if any. If the town has not established a conservation commission, the money shall be equally divided between the funds listed under subparagraph (a)-(b).

IV. The penalties provided for in this section shall be in addition to any other penalties, fines, or enforcement provisions or other requirements of law.

3 Effective Date. This act shall take effect January 1, 2008.

AMENDED ANALYSIS

This bill:

I. Establishes an agricultural exemption from the alteration of terrain permitting requirements.

II. Establishes a penalty for site development.

Amendment adopted.

Committee report adopted by the necessary two-thirds.

Referred to the Committee on Ways and Means.

REGULAR CALENDAR – SPECIAL ORDERS

HB 753-FN-A, relative to the electronic toll collection transponder inventory fund. **OUGHT TO PASS.**

Rep. John A. Graham for Public Works and Highways: This bill allows the Department of Transportation to establish a revolving fund for the purpose of maintaining an adequate supply of EZ Pass transponders. The fund would be capped at \$1 million, with the source being the turnpike fund. In 2006, the House passed an identical measure (HB 1656), and while it passed the Senate, the bill died in a committee of conference when the House would not agree to a non-germane amendment. Vote 14-0.

Committee report adopted by the necessary two-thirds.

Ordered to third reading.

HB 754-FN, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: This bill dissolves the Maine-New Hampshire Interstate Bridge Authority. This Authority was established in the 1930's to build and operate the Sarah Mildred Long Bridge between Portsmouth and Kittery. The Authority has outlived its usefulness and should be eliminated. The amendment establishes a non-lapsing fund for the remainder of the funds under the control of the Authority, which was originally funded through tolls. This new fund will be utilized for the operation and maintenance of the bridge until such time as it is exhausted. Vote 12-1.

Amendment (0726h)

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 5:

3 New Section; Fund Established. Amend RSA 234 by inserting after section 65 the following new section:

234:66 Fund Established. Any and all funds received by the department of transportation relative to the Portsmouth Kittery Bridge, also known as the Sarah Mildred Long Bridge, shall be deposited with the state treasurer who shall keep such funds in a special nonlapsing account known as the Portsmouth-Kittery Bridge fund, to be expended by the department of transportation for the purpose of operations, maintenance, and repairs of the Portsmouth-Kittery Bridge.

4 New Subparagraph; Portsmouth-Kittery Bridge Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the Portsmouth-Kittery Bridge fund under RSA 234:66.

AMENDED ANALYSIS

This bill:

I. Repeals the law relative to the Maine-New Hampshire Interstate Bridge Authority and the Portsmouth-Kittery Bridge also known as the Sarah Mildred Long Bridge.

II. Requires the department of transportation to deposit funds received relative to the bridge with the state treasurer.

This bill is a request of the department of transportation.

Amendment adopted.

Committee report adopted by the necessary two-thirds.

Ordered to third reading.

HB 165, establishing a committee to study the feasibility of carbon reduction incentives.

INEXPEDIENT TO LEGISLATE.

Rep. David A. Borden for Science, Technology and Energy: The original intent of this bill was to study the concept of incentives to reduce carbon consumption and promote energy conservation by citizens and organizations in New Hampshire. The majority agreed that the intent of this bill could be satisfied in other legislation, notably HB 467, which would develop a climate change action plan. Vote 15-2.

Committee report adopted by the necessary two-thirds.

HB 467, requiring the department of environmental services to develop a climate action plan and to report on global warming issues. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Borden for Science, Technology and Energy: It shall be the goal of the state of New Hampshire to reduce greenhouse gas emissions to 1990 levels by 2010 and 10% below 1990 levels by 2020. This is consistent with a plan endorsed by the Conference of New England Governors and Eastern Canadian Premiers and the commission will be charged with establishing a plan for New Hampshire to meet these goals. Vote 11-3.

Amendment (0880h)

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

AN ACT establishing a state climate change policy commission and developing a climate action plan and to report on climate change issues.

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

1 Purpose. The Conference of New England Governors and Eastern Canadian Premiers (NEGECP) agreed in 2001 to a regional goal of reducing greenhouse gas emissions to 1990 levels by 2010, and to 10 percent below 1990 levels by 2020. That agreement also called for each jurisdiction to create a plan articulating measures to achieve greenhouse gas reductions in view of these regional short and mid-term targets. It shall be the goal of the state of New

Hampshire to reduce greenhouse gas emissions consistent with the NEGECP agreement, as practicable, recognizing the regional nature of that agreement.

2 Commission Established. There is hereby established a state climate change policy commission.

3 Membership and Compensation.

I. The members of the commission shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(c) Ten members appointed by the governor, two of whom shall come from each of the following organizations or interests: general commerce and industry, environmental interests, science/academia, public utilities, and insurance interests.

(d) The commissioner of the department of environmental services, or designee.

(e) A member of the public utilities commission, appointed by the commission.

(f) The public utilities consumer advocate, or designee.

(g) The director of the office of energy and planning, or designee.

(h) The commissioner of the department of resources and economic development, or designee.

(i) The commissioner of the department of transportation, or designee.

(j) The commissioner of the department of safety, or designee.

II. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

4 Duties.

I. The commission shall propose and adopt a climate action plan consistent with the goals of the NEGECP Climate Change Agreement of 2001. Recommended actions in the plan shall be both prudent and achievable, and shall recognize the regional nature of the agreement. The plan shall:

(a) Be comprehensive in scope and identify greenhouse gas reductions in each economic sector including power generation, transportation and land use, and industrial, commercial, and residential energy use, that are needed to meet overall reduction goals.

(b) Promote the economic and efficient use of energy and the development of renewable energy resources.

(c) Include provisions for public education and outreach by the department of environmental services and other state agencies relative to climate action.

(d) Include recommendations to the general court and the governor for legislation necessary to implement the plan.

II. Prior to adopting the plan, the commission shall hold at least 2 public hearings on the proposed plan and appropriately consider all stakeholder comments.

III. The department of environmental services shall serve as the lead agency in assisting the commission in its duties. The department of environmental services shall update its state greenhouse gas emissions inventory and develop baselines for both 1990 emissions and future projected emissions without reductions to determine the amount of reductions needed. The department, in conjunction with other member state agencies and commission members, as appropriate, shall prepare an initial draft action plan for review by the full commission by September 1, 2007, unless extended by the commission.

IV. As part of its work in developing the plan, the commission shall:

(a) Study the current state of climate science and scientific studies on the current and anticipated state and regional impacts of climate change in order to better define the need and urgency for state policy actions.

(b) Identify how energy efficiency opportunities and incentive programs, in all forms of energy usage, can contribute to greenhouse gas emissions reductions, including conservation.

(c) Study promoting renewable energy, both for electrical production and as a heat and transportation fuel source, including all current and ongoing legislation and other efforts to promote development of cleaner, less carbon intensive energy including renewable portfolio standards, the regional greenhouse gas initiative, the governor's "25 percent by '25" renewable energy initiative, the governor's executive order on energy efficiency, and any other such measures.

5 Long-term NEGECP Goal. The commissioner of environmental services shall consult with the NEGECP to establish a date for the organization's long-term regional goal of reducing the emissions of greenhouse gases by 75 to 85 percent below 2001 levels.

6 Chairperson. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting shall be held within 45 days of the effective date of this section.

7 Report. The commission shall file its plan with the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library by December 1, 2007.

8 Effective Date. This act shall take effect upon passage.

AMENDED ANALYSIS

This bill establishes a state climate change policy commission to develop a climate action plan in conjunction with the department of environmental services and report on and make recommendations on climate change issues in New Hampshire.
Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, 152 members having voted in the affirmative and 80 in the negative, the committee report failed lacking the necessary two-thirds.

Rep. Hawkins moved Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Daniel Eaton moved that **HB 467**, establishing a state climate change policy commission and developing a climate action plan and to report on climate change issues, be laid on the table.

On a division vote, 167 members having voted in the affirmative and 93 in the negative, the motion failed lacking the necessary two-thirds.

Rep. Kaen moved Recommit.

Rep. Daniel Eaton spoke in favor.

On a division vote, 248 members having voted in the affirmative and 19 in the negative, the motion was adopted by the necessary two-thirds.

Recommitted to the committee on Science, Technology and Energy.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Whalley moved that the House reconsider its action whereby it recommitted to the committee on Science, Technology and Energy, **HB 467**, establishing a state climate change policy commission and developing a climate action plan and to report on climate change issues.

Rep. Whalley spoke against.

Rep. Daniel Eaton spoke in favor.

Motion failed.

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 689, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Borden for Science, Technology and Energy: Biodiesel, produced from vegetable oils and animal waste, potentially could replace 20% of the fossil fuels used in diesel and home heating oil in New Hampshire. The commission created by this bill will explore how New Hampshire farmers and businesses can develop local production facilities for biodiesel, and for distribution of this fuel to our residents. Vote 15-1.

Amendment (0818h)

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

1 Commission Established. There is established a commission to study the production and distribution of biodiesel in New Hampshire.

2 Membership and Compensation.

I. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) The commissioner of the department of environmental services, or designee.

(d) The director of the New Hampshire office of energy planning, or designee.

(e) The commissioner of the department of transportation, or designee.

(f) A professor of agribusiness from the university of New Hampshire, appointed by the president of the university.

(g) The commissioner of the department of agriculture, markets, and food, or designee.

(h) The commissioner of the department of safety, or designee.

(i) The commissioner of the department of resources and economic development, or designee.

(j) A member of the faculty of the university of New Hampshire, physics department, appointed by the president of the university.

(k) A professor from Keene state college, appointed by the president of the college.

(l) A representative from the motor transport industry.

(m) A representative from the fuel dealers business.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

3 Duties. The commission shall study:

I. How much biodiesel New Hampshire can produce.

II. What sources exist for production in the state and region.

III. What is the best way to distribute biodiesel.

IV. Ways to encourage biodiesel production in New Hampshire.

V. What barriers exist preventing or slowing increased use of biodiesel in New Hampshire.

VI. What is the current demand and what action would encourage increased demand for biodiesel in New Hampshire.

4 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum.

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2007.

6 Effective Date. This act shall take effect upon its passage.
Amendment adopted.

Committee report adopted by the necessary two-thirds.

Ordered to third reading.

HB 768, relative to voluntary registration with the Eastern Climate Registry. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas R. Fargo for Science, Technology and Energy: This bill amends RSA 125-L to replace New Hampshire's existing voluntary greenhouse gas registry with the regional Eastern Climate Registry. The committee recognized that documenting greenhouse gas emissions needs to be regional in scope and requires rigorous data quality assurance protocols. Participating in the Eastern Climate Registry would enable businesses and other greenhouse gas sources to document their early voluntarily emission reduction efforts and establish a baseline by which potential future state and federal regulatory action could be measured. Testimony indicated that businesses are seeking opportunities to report their environmental leadership efforts. The Eastern Climate Registry includes standards for reporting emissions data and third-party verification. The bill anticipates expansion into a multi-state and perhaps national registry and directs the department of environmental services to coordinate with other states and report annually to the legislature. The majority felt that the legislature should affirmatively support New Hampshire's participation established by statute, rather than participating by executive order. Vote 12-5.

Amendment (0778h)

Amend the bill by deleting section 1 and renumbering the original sections 2-4 to read as 1-3, respectively.

Amend the bill by replacing section 1 with the following:

1 Eastern Climate Registry; New Hampshire Participation. Amend RSA 125-L:2 to read as follows:

125-L:2 ***Eastern Climate*** Registry.

I. In order to help protect the interests of New Hampshire sources and the state's economy under a future federal regulatory scheme relating to greenhouse gas emissions, and to help encourage the voluntary reduction of greenhouse gas emissions by New Hampshire sources, the department shall ~~[establish and administer a registry whereby sources of greenhouse gas emissions may record and register early, voluntary greenhouse gas emissions reductions made after 1990. The purpose of this registry shall be to help sources establish a baseline against which any future federal greenhouse gas emissions reduction requirements may apply.]~~ ***encourage sources to register their inventory of greenhouse gas emissions with the Eastern Climate Registry.***

II. ***The department shall work with other states to expand upon the Eastern Climate Registry and develop a broader multi-state registry for greenhouse gas emissions records to support emissions reporting and reduction policies.***

III. ***The department shall prepare an annual report for the general court summarizing New Hampshire's participation in the Eastern Climate Registry.***

Amendment adopted.

On a division vote, 208 members having voted in the affirmative and 57 in the negative, the committee report was adopted by the necessary two-thirds.

Ordered to third reading.

CLERK'S NOTE

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

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HR 7, urging increased consideration and preservation of local authority in international trade and investment agreements. **OUGHT TO PASS.**

Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: As pertaining to the

New Hampshire Constitution the purpose of HR 7 is to ensure that governor of New Hampshire retains the opportunity to use the authority granted to him/her by the people of this state to have input into any international and/or investment agreement that may be entered into by the federal government that could have a major impact on the citizens and businesses of New Hampshire. Whenever the U.S. Senate gives up its constitutional authority to approve all treaties by allowing the President "fast track" authority the citizens are placed at risk. There have been a number of occasions where the people of New Hampshire have paid a high price for fast tracked agreements. An issue of grave concern to many communities is who controls ground water withdrawal rights. HR 7 tells our local congressional delegation that we as citizens desire that they withhold their final votes until the governor has had his/her input. Vote 7-5.
Rep. Campbell requested a roll call; sufficiently seconded.

YEAS 184 NAYS 89

YEAS 184

BELKNAP

Morrison, Gail Pilliod, James

CARROLL

Bridgham, Robert Bucu, Thomas Butler, Edward Cunningham, Howard
Heard, Virginia Patten, Betsey

CHESHIRE

Burrige, Delmar Butterworth, Timothy Butynski, William Chase, William
Dunn, J. Timothy Eaton, Daniel Johnson, Jane Lerandeau, Alfred
Mitchell, Bonnie Plifka, Stanley Jr Richardson, Barbara Robertson, Timothy
Sad, Tara Weber, Lucy Weed, Charles

COOS

Hatch, William Ingersoll, Paul Sr Mears, Edgar Theberge, Robert
Thomas, Yvonne

GRAFTON

Aguiar, James Almy, Susan Andersen, Gene Bleyler, Ruth
Cooney, Mary Friedrich, Carol Hammond, Lee Harding, A Laurie
McLeod, Martha Mulholland, Catherine Nordgren, Sharon Pierce, David
Preston, Philip Solomon, Peter Sorg, Gregory Williams, Burton

HILLSBOROUGH

Beaulieu, Jane Brunelle, Michael Campbell, David Chase, Claudia
Cote, David Daniels, Gary Dokmo, Cynthia Edwards, Andrew
Essex, David Forest, Armand Foster, Linda Francoeur, Bea
Gargas, Carolyn Garrity, Patrick Ginsburg, Ruth Goley, Jeffrey
Gorman, Mary Graham, John Hackel, Paul Hammond, Jill
Harvey, Suzanne Irwin, Anne-Marie Jasper, Shawn Jeudy, Jean
Kaelin, Michael Kelley, John Kopka, Angeline Lasky, Bette
Leishman, Peter Levasseur, Nickolas Levesque, Melanie Long, Patrick
Marshall, Seth Martineau, Jesse Matarazzo, Anthony
Messier, Irene
Movsesian, Lori O'Connell, Timothy O'Neil, James Pilotte, Maurice

Rosenwald, Cindy
Spratt, Stephen

Schulze, Joan
Vaillancourt, Steve

Shattuck, Gilman
Velez, Hector

Smith, David
Winters, Joel

MERRIMACK

Baxley, Maureen
Clarke, Claire
Ehlers, Eileen
Greco, Vincent

Bouchard, Candace
Davis, Frank
Foose, Robert
Hamm, Christine

Brown, Carole
DeJoie, John
French, Barbara
Kjellman, Eleanor
Glynn

Brueggemann, Donald
DeStefano, Stephen
Gile, Mary
McMahon, Patricia

Osborne, Jessie
Reardon, Tara
Tupper, Frank
Williams, Robert

Owen, Derek
Ryan, Jim
Wallner, Mary
Yeaton, Charles

Porter, Margaret
Shurtleff, Stephen
Webb, Leigh

Potter, Frances
Tilton, Joy
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Cali-Pitts, Jacqueline
Day, Judith
Gould, Kenneth
Hutchinson, Karen
Kepner, Susan
Nord, Susi
Russell, Trinka
Welch, David

Allen, Mary
Case, Frank
Elliott, Robert
Griffin, Mary
Kappler, Lawrence
Marsh, Michael
Pantelakos, Laura
Snow, Richard

Borden, David
Casey, Kimberley
Flanders, John Sr
Grote, Otto
Kelley, Jane
McEachern, Paul
Powers, James
Splaine, James

Brown, C. Pennington
Charron, Gene
Flockhart, Eileen
Howard, Doreen
Kennedy, James
Moody, Marcia
Robertson, Carl
Waterhouse, Kevin

STRAFFORD

Billian, Deborah
DeChane, Marlene
Kaen, Naida
Rollo, Michael
Spang, Judith

Brennan, William
Fargo, Thomas
Knowles, William
Rous, Emma
Wall, Janet

Burke, Rachel
Hubbard, Pamela
Perry, Robert
Schmidt, Peter
Watson, Robert

Cyr, James
Hutz, Sarah
Rollo, Deanna
Smith, Marjorie

SULLIVAN

Cloutier, John
Franklin, Peter
Phinizy, James

Converse, Larry
Gagnon, Raymond
Skinder, Carla

Donovan, Thomas
Jillette, Arthur Jr

Ferland, Brenda
Nielsen, Ellen

NAYS 89

BELKNAP

Allen, Janet
Millham, Alida
Wendelboe, Fran

Boyce, Laurie
Russell, David
Whalley, Michael

Clark, Charles
Tilton, Franklin

Flanders, Donald
Tobin, William

CARROLL

Brown, Carolyn

Denley, William

Martin, James

Stevens, Stanley

CHESHIRE

Butcher, Suzanne

Emerson, Susan

Hunt, John

COOS

King, Frederick

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Bulis, Lyle

Dingman, Vernon III

Gionet, Edmond

HILLSBOROUGH

Barry, Richard
Christensen, Chris
Haefner, Robert
Hogan, Edith
Kurk, Neal
Mooney, Maureen
Price, Pamela
Soucy, Connie

Batula, Peter
Drisko, Richard
Hansen, Ryan
Holden, Randolph
L'Heureux, Robert
Ober, Lynne
Renzullo, Andrew
Stepanek, Stephen

Bergeron, Jean-Guy
Emerton, Larry
Hawkins, Ken
Hunter, Bruce
Lessard, Rudy
Ober, Russell III
Rowe, Robert
Villeneuve, Maurice

Bergin, Peter
Fletcher, Richard
Hinkle, Peyton
Infantine, William
Manney, Pamela
Peterson, Andy
Shaw, Kimberly

MERRIMACK

Anderson, Eric
MacKay, James

Humphries, Charlie

Kidder, David

Lockwood, Priscilla

ROCKINGHAM

Baldasaro, Alfred
Camm, Kevin
Emiro, Frank
Ingram, Russell
Katsakiores, Phyllis
Nowe, Ronald
Stiles, Nancy

Bedrick, Jason
Dalrymple, David
Garrity, James
Introne, Robert
Major, Norman
Packard, Sherman
Weare, Everett

Bettencourt, David
Devine, James
Guthrie, Joseph
Itse, Daniel
McKinney, Betsy
Pearson, Mark
Wickson, Rick

Buxton, Donald
DiFruscia, Anthony
Headd, James
Katsakiores, George
McMahon, Charles
Sanders, Elisabeth
Winchell, George

STRAFFORD

None

SULLIVAN

Rodeschin, Beverly
and the committee report was adopted.
Ordered to third reading.

HR 9, supporting the U.S. Mayors Climate Protection Agreement. **OUGHT TO PASS.**
Rep. Doreen Howard for State-Federal Relations and Veterans Affairs: It is very important that we don't confuse HR 9 with a global warming bill. This resolution is to tell congress that the people at the local level around New Hampshire and the country have taken it upon themselves to come with new and inventive ways of eliminating wastefully energy usage and reducing our dependence on foreign oil with renewal energy sources, while reducing the amount of pollution that we release into our surrounding environment. This while reducing the tax burden on our citizens. The U.S. Mayors Climate Protection Agreement has proven that governments at the local levels in partnerships with local businesses can improve energy efficient without destroying or limiting the private's sector ability to make a profit. This HR is telling congress we know we can and have done it better and cheaper at the local and state level and now we would like to see the same result at the federal level. Vote 7-5. On a division vote, 183 members having voted in the affirmative and 90 in the negative, the committee report was adopted.
Ordered to third reading.

HB 898, relative to the use of sled dogs and the training of sled dogs on state trails.

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

Rep. Betsy McKinney for the Majority of Resources, Recreation and Development: This bill as amended defines “mushing” to include training sled dogs using ATV’s when there is no snow, to control their speed. Mushers and the Department of Resources & Economic Development Bureau of Trails want to start opening some trails to ATV-assisted sled dog training that currently are specified for non-motorized use only. Mushers need straight long rock free trails to train off-season. They attested that they would have an impact that would be very different from usual ATV riding. HB 898 provides for a pilot project that opens seven specific trails until January 1, 2009, during which the impact on both mushers and the other users of the trails can be assessed. In the meantime, the Bureau of Trails will be able to develop criteria for opening trails to ATV-mushing and approaches management of that activity. Vote 13-5.

Rep. David H. Russell for the Minority of Resources, Recreation and Development: The minority had an amendment requiring the Bureau of Trails to adopt administrative rules for approving trails for off season sled dog training with ATV’s, rather than putting a list of approved trails in statute. We feel that this bill as passed gives the appearance of micro-managing, rather than allowing the Bureau of Trails to adopt rules defining trails appropriate for this use. The Bureau has more expertise in this than a legislative committee.

Majority Amendment (0855h)

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

1 New Paragraphs; Definitions. Amend RSA 215-A:1 by inserting after paragraph XX the following new paragraphs:

XXI. “Mushing” means the activity of using sled dogs to pull motorized or non-motorized devices.

XXII. “Sled dogs” means teams of dogs driven by a person or persons pulling sleds, a skier, wheeled rigs, and other motorized and non-motorized devices used to train or control the teams.

2 New Subparagraph; Sled Dog Trails. Amend RSA 215-A:42, I by inserting after subparagraph (d) the following new subparagraph:

(e) A management plan exists that specifically allows the operation of sled dogs and training devices used to train or control sled dogs on the property.

3 New Subparagraph; Sled Dog Trails; Evaluation Process. Amend RSA 215-A:43, II by inserting after subparagraph (cc) the following new subparagraph:

(dd) The bureau has consulted the New Hampshire Mushers Association about the use of sled dogs and training equipment on the trails.

4 Use of Statewide Trail System; Mushing Added. Amend RSA 216-F:2, I to read as follows:

I. The trails within the system shall be held, developed and administered under this chapter primarily as recreational trails for hiking, nature walks, bird watching, horseback riding, bicycling, ski touring, snowshoeing, snowmobiling, ***mushing***, and off highway recreational vehicles and the natural scenic beauty thereof shall be preserved insofar as is practical; provided, however, that the commissioner may permit uses of trails and land acquired hereunder, by the owner of adjoining land or others, in such a manner and at such seasons as will not substantially interfere with the primary use of the trails. ***Any trail designated as a sled dog training area shall be posted as such on each end of the trail during the training season.***

5 Multi-Use Statewide Trail System; Advisory Committee. Amend RSA 216-F:5, I to read as follows:

I. The commissioner shall appoint a New Hampshire statewide trail system advisory committee, for the purposes of advising the director of parks and recreation on matters

related to the New Hampshire statewide trail system. The members shall equally represent the different trail interests involved and the general public. This committee shall include, but not be limited to, representation from the following: the bureau of trails; department of fish and game; office of energy and planning; department of transportation; governor's commission on disability; New Hampshire Snowmobile Association; a representative of Granite State ATV Association; Appalachian Mountain Club; New Hampshire Municipal Association; Society for the Protection of New Hampshire Forests; the New Hampshire Heritage Trail; the New Hampshire Farm Bureau Federation; the New Hampshire Horse Council, Inc.; ***the New Hampshire Mushers Association***; a representative of landowners; and the bicycle trail coordinator from the department of transportation.

6 New Section; Exception to Use of ATVs on Public Land. Amend RSA 215-A by inserting after section 3-a the following new section:

215-A:3-b Exception to Use of ATVs on Public Land.

I. The use of ATVs for sled dog training shall be prohibited on non-motorized trails on public lands except those listed below:

(a) Rockingham Recreational Rail Trail, Fremont Branch from Route 107 in Fremont to Route 25 in Epping.

(b) Ashuelot Recreational Rail Trail, in the towns of Hinsdale, Winchester, Swanzey, and Keene.

(c) Northern Branch Recreational Rail Trail, in the towns of Lebanon, Enfield, Canaan, Grafton, Danbury, and Andover.

(d) Rochester Branch Recreational Rail Trail, in the towns of Rochester and Farmington.

(e) Presidential Recreational Rail Trail, in the towns of Gorham, Randolph, and Jefferson.

(f) Bear Brook state park, roads and road-width trails, in the towns of Allenstown, Deerfield, Candia, and Hooksett.

(g) Pawtuckaway state park, roads and road-width trails, in the towns of Deerfield and Nottingham.

II. The use of all trails is subject to the conditions of the Federal Highway Administration for trails funded through the Transportation Enhancement Program.

7 Repeal. RSA 215-A:3-b, relative to exception to use of ATVs on public land, is repealed.

8 Effective Date.

I. Section 7 of this act shall take effect January 1, 2009.

II. The remainder of this act shall take effect 60 days after its passage.

Rep. David Russell spoke against.

Rep. Spang spoke in favor.

On a division vote, 180 members having voted in the affirmative and 101 in the negative, the majority committee amendment was adopted.

Rep. David Russell offered floor amendment (1004h).

Floor Amendment (1004h)

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

1 New Paragraphs; Definition; Mushing; Sled Dogs. Amend RSA 215-A:1 by inserting after paragraph XX the following new paragraphs:

XXI. "Mushing" means the activity of using sled dogs to pull motorized or non-motorized devices.

XXII. "Sled dogs" means teams of dogs driven by a person or persons pulling sleds, a skier, wheeled rigs, and other motorized and non-motorized devices used to train or control the teams. When a team of sled dogs is physically attached to the front of an ATV, as defined in this section, for the sole purpose of sled dog training, it shall not be classified as an OHRV.

2 New Subparagraph; Sled Dog Trails. Amend RSA 215-A:42, I by inserting after subparagraph (d) the following new subparagraph:

(e) A management plan exists that specifically allows the operation of sled dogs and training devices used to train or control sled dogs on the property.

3 New Subparagraph; Sled Dog Trails; Evaluation Process. Amend RSA 215-A:43, II by inserting after subparagraph (cc) the following new subparagraph:

(dd) The bureau has consulted the New Hampshire Mushers Association about the use of sled dogs and training equipment on the trails.

4 Use of Statewide Trail System; Mushing Added. Amend RSA 216-F:2, I to read as follows:

I. The trails within the system shall be held, developed and administered under this chapter primarily as recreational trails for hiking, nature walks, bird watching, horseback riding, bicycling, ski touring, snowshoeing, snowmobiling, ***mushing***, and off highway recreational vehicles and the natural scenic beauty thereof shall be preserved insofar as is practical; provided, however, that the commissioner may permit uses of trails and land acquired hereunder, by the owner of adjoining land or others, in such a manner and at such seasons as will not substantially interfere with the primary use of the trails. ***Any trail designated as a sled dog trail area shall be posted as such on each end of the trail during the training season.***

5 Multi-Use Statewide Trail System; Advisory Committee. Amend RSA 216-F:5, I to read as follows:

I. The commissioner shall appoint a New Hampshire statewide trail system advisory committee, for the purposes of advising the director of parks and recreation on matters related to the New Hampshire statewide trail system. The members shall equally represent the different trail interests involved and the general public. This committee shall include, but not be limited to, representation from the following: the bureau of trails; department of fish and game; office of energy and planning; department of transportation; governor's commission on disability; New Hampshire Snowmobile Association; a representative of Granite State ATV Association; Appalachian Mountain Club; New Hampshire Municipal Association; Society for the Protection of New Hampshire Forests; the New Hampshire Heritage Trail; the New Hampshire Farm Bureau Federation; the New Hampshire Horse Council, Inc.; ***the New Hampshire Mushers Association***; a representative of landowners; and the bicycle trail coordinator from the department of transportation.

6 New Paragraph; Bureau of Trails; Bureau Responsibilities. Amend RSA 215-A:3 by inserting after paragraph X the following new paragraph:

XI. The New Hampshire bureau of trails shall adopt administrative rules relative to approved trails for off season sled dog training. The New Hampshire bureau of trails shall also maintain a list of approved trails for off season sled dog training. Updated lists shall be sent to the chair of the house resources, recreation and development committee and the New Hampshire statewide trails advisory committee when trails are added or removed from the list.

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

Rep. David Russell spoke in favor and yielded to questions.

Rep. Spang spoke against.

Floor amendment (1004h) failed.

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

Rep. David Russell requested a roll call; sufficiently seconded.

YEAS 166 NAYS 111

YEAS 166

BELKNAP

Morrison, Gail

Pilliod, James

CARROLL

Bridgham, Robert
Heard, Virginia

Buco, Thomas

Butler, Edward

Cunningham, Howard

CHESHIRE

Burrige, Delmar
Dunn, J. Timothy
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Eaton, Daniel
Plifka, Stanley Jr
Weber, Lucy

Butynski, William
Emerson, Susan
Richardson, Barbara
Weed, Charles

Chase, William
Lerandeau, Alfred
Robertson, Timothy

COOS

Hatch, William
Thomas, Yvonne

Ingersoll, Paul Sr

Mears, Edgar

Remick, William

GRAFTON

Aguiar, James
Estes, Carole
McLeod, Martha
Preston, Philip

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Solomon, Peter

Bleyler, Ruth
Hammond, Lee
Nordgren, Sharon

Cooney, Mary
Harding, A Laurie
Pierce, David

HILLSBOROUGH

Beaulieu, Jane
Cote, David
Forest, Armand
Ginsburg, Ruth
Hammond, Jill
Kaelin, Michael
Lasky, Bette
Manney, Pamela

Bergin, Peter
Dokmo, Cynthia
Foster, Linda
Goley, Jeffrey
Harvey, Suzanne
Kelley, John
Levasseur, Nickolas
Marshall, Seth

Brunelle, Michael
Edwards, Andrew
Gargas, Carolyn
Gorman, Mary
Irwin, Anne-Marie
Kopka, Angeline
Levesque, Melanie
Martineau, Jesse

Chase, Claudia
Essex, David
Garrity, Patrick
Hackel, Paul
Jeudy, Jean
L'Heureux, Robert
Long, Patrick
Matarazzo, Anthony
Sr
Rosenwald, Cindy
Vaillancourt, Steve

Messier, Irene
Schulze, Joan
Velez, Hector

Movsesian, Lori
Shattuck, Gilman
Winters, Joel

O'Neil, James
Spratt, Stephen

MERRIMACK

Anderson, Eric
Clarke, Claire
Foose, Robert
Hamm, Christine

Baxley, Maureen
Davis, Frank
French, Barbara
Kjellman, Eleanor
Glynn

Brown, Carole
DeJoie, John
Gile, Mary
Lockwood, Priscilla

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

Osborne, Jessie
Reardon, Tara
Tupper, Frank
Williams, Robert

Owen, Derek
Ryan, Jim
Wallner, Mary
Yeaton, Charles

Porter, Margaret
Shurtleff, Stephen
Webb, Leigh

Potter, Frances
Tilton, Joy
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis

Allen, Mary

Borden, David

Brown, C. Pennington

Cali-Pitts, Jacqueline
Elliott, Robert
Kappler, Lawrence
McEachern, Paul
Pantelakos, Laura
Splaine, James

Casey, Kimberley
Garrity, James
Kennedy, James
McKinney, Betsy
Powers, James
Waterhouse, Kevin

Day, Judith
Grote, Otto
Kepner, Susan
Moody, Marcia
Robertson, Carl

DiFruscia, Anthony
Howard, Doreen
Marsh, Michael
Nord, Susi
Russell, Trink

STRAFFORD

Billian, Deborah
DeChane, Marlene
Kaen, Naida
Rollo, Michael
Spang, Judith

Brennan, William
Fargo, Thomas
Knowles, William
Rous, Emma
Wall, Janet

Burke, Rachel
Hubbard, Pamela
Perry, Robert
Schmidt, Peter

Cyr, James
Hutz, Sarah
Rollo, Deanna
Smith, Marjorie

SULLIVAN

Cloutier, John
Franklin, Peter
Skinder, Carla

Converse, Larry
Gagnon, Raymond

Donovan, Thomas
Jillette, Arthur Jr

Ferland, Brenda
Nielsen, Ellen

NAYS 111

BELKNAP

Allen, Janet
Millham, Alida
Wendelboe, Fran

Boyce, Laurie
Russell, David
Whalley, Michael

Clark, Charles
Tilton, Franklin

Flanders, Donald
Tobin, William

CARROLL

Brown, Carolyn
Stevens, Stanley

Denley, William

Martin, James

Patten, Betsey

CHESHIRE

Butcher, Suzanne

Hunt, John

Johnson, Jane

COOS

King, Frederick

Stohl, Eric

Theberge, Robert

Tholl, John Jr

GRAFTON

Andersen, Gene
Sorg, Gregory

Bulis, Lyle
Williams, Burton

Dingman, Vernon III

Gionet, Edmond

HILLSBOROUGH

Barry, Richard
Clark, Mark
Fletcher, Richard
Hansen, Ryan
Holden, Randolph
Leishman, Peter
Ober, Russell III
Renzullo, Andrew
Smith, David
Villeneuve, Maurice

Batula, Peter
Daniels, Gary
Francoeur, Bea
Hawkins, Ken
Hunter, Bruce
Lessard, Rudy
Peterson, Andy
Rowe, Robert
Soucy, Connie

Bergeron, Jean-Guy
Drisko, Richard
Graham, John
Hinkle, Peyton
Infantine, William
Mooney, Maureen
Pilotte, Maurice
Shaw, Barbara
Stepanek, Stephen

Christensen, Chris
Emerton, Larry
Haefner, Robert
Hogan, Edith
Jasper, Shawn
O'Connell, Timothy
Price, Pamela
Shaw, Kimberly
Ulery, Jordan

MERRIMACK

DeStefano, Stephen Humphries, Charlie Kidder, David MacKay, James

ROCKINGHAM

Baldasaro, Alfred	Bedrick, Jason	Bettencourt, David	Bishop, Franklin
Buxton, Donald	Camm, Kevin	Carson, Sharon	Case, Frank
Charron, Gene	Dalrymple, David	Devine, James	Emiro, Frank
Flanders, John Sr	Flockhart, Eileen	Gould, Kenneth	Griffin, Mary
Guthrie, Joseph	Headd, James	Hutchinson, Karen	Ingram, Russell
Introne, Robert	Itse, Daniel	Katsakiores, George	Katsakiores, Phyllis
Kelley, Jane	Major, Norman	McMahon, Charles	Nowe, Ronald
Packard, Sherman	Pearson, Mark	Rausch, James	Reagan, John
Sanders, Elisabeth	Snow, Richard	Stiles, Nancy	Weare, Everett
Welch, David	Weyler, Kenneth	Wickson, Rick	Winchell, George

STRAFFORD

Watson, Robert

SULLIVAN

Rodeschin, Beverly
and the majority committee report was adopted.
Ordered to third reading.

HB 873-FN-L*, establishing minimum renewable standards for energy portfolios. **OUGHT TO PASS WITH AMENDMENT.*

Rep. Suzanne Harvey for Science, Technology and Energy: Twenty-three states have adopted a renewable portfolio standard (RPS), including every New England state except NH. HB 873 will require electric suppliers to obtain renewable energy certificates (RECs) for a certain percentage of their electricity supplied to NH customers. Eligible renewable resources include development of a broad range of new electricity generation as well as certain existing renewable generation common to NH. The purpose of the bill is to spur economic development, reduce our dependence on imported fuels, mitigate energy price and supply volatility, and reduce air emissions from our energy supply. An economic analysis by UNH's Whittemore School of Business & Economics showed a small short-term cost but a long-term economic gain from the positive effects on the energy market and in-state development. Over many months the bill's sponsors scheduled group meetings with the state's energy stakeholders, including the utilities, associations, and private companies, plus DES, the Office of Energy Planning, and the Public Utilities Commission, to listen to interests and concerns and develop a NH RPS that would satisfy the majority of parties. The committee held an all-day hearing at which members heard overwhelming support for an RPS. Vote 14-1.

Amendment (0857h)

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

1 Findings. The general court finds that:

I. New Hampshire's electric utility restructuring policy principles in RSA 374-F:3, IX recognize that increased use of renewable resources can provide environmental, economic, and energy security benefits.

II. In 2005, 2.3 million megawatt hours of electricity was generated from renewable energy facilities, including hydroelectric, biomass, and landfill gas power plants, with a combined generating capacity of 576 megawatts. This equaled 10 percent of the total

electricity generation and 20 percent of the total retail electricity sales in New Hampshire in 2005.

III. The 2002 state energy plan prepared by the governor's office of energy and community services pursuant to 2001, 121 recommended establishing a renewable portfolio standard to support indigenous renewable energy sources such as wood and hydroelectric, to encourage investments in new renewable power generation in the state, and to allow New Hampshire to benefit from the diversity, reliability, and economic benefits that come from clean power.

IV. The state energy policy commission, established by 2006, 257:1 identified in its December 1, 2006 interim report principles that the governor and general court should use to evaluate any new energy policy initiative. One principle is to increase the state's fuel diversity by reducing the fossil fuel component of the state's energy mix and promoting use of renewable energy resources to buffer against global instability.

V. The energy planning advisory board established by 2004, 164:2 received extensive comments supporting establishment of a state renewable portfolio standard during a stakeholder forum on energy policy held June 23, 2006.

VI. Governor Lynch has committed New Hampshire to a goal of meeting 25 percent of the state's energy needs from renewable energy resources by 2025. Enactment of a renewable portfolio standard in New Hampshire will be an important step in meeting this goal.

2 New Chapter; Electric Renewable Portfolio Standard. Amend RSA by inserting after chapter 362-E the following new chapter:

CHAPTER 362-F ELECTRIC RENEWABLE PORTFOLIO STANDARD

362-F:1 Purpose. Renewable energy generation technologies can provide fuel diversity to the state and New England generation supply through use of local renewable fuels and resources that serve to displace and thereby lower regional dependence on fossil fuels. This has the potential to lower and stabilize future energy costs by reducing exposure to rising and volatile fossil fuel prices. The use of renewable energy technologies and fuels can also help to keep energy and investment dollars in the state to benefit our own economy. In addition, employing low emission forms of such technologies can reduce the amount of greenhouse gases, nitrogen oxides, and particulate matter emissions transported into New Hampshire and also generated in the state, thereby improving air quality, public health, and mitigating against the risks of climate change. It is therefore in the public interest to stimulate investment in low emission renewable energy generation technologies in New England and, in particular, New Hampshire, whether at new or existing facilities.

362-F:2 Definitions. In this chapter:

I. "Begun operation" means the date that a facility, or a capital addition thereto, for the purpose of repowering to renewable energy is first placed in service for purposes of the implementing regulations of the Internal Revenue Code of 1986, as amended.

II. "Biomass fuels" means plant-derived fuel including clean and untreated wood such as brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips or pellets, shavings, sawdust and slash, agricultural crops, biogas, or liquid biofuels, but shall exclude any materials derived in whole or in part from construction and demolition debris.

III. "Certificate" means the record that identifies and represents each megawatt-hour generated by a renewable energy generating source under RSA 362-F:6.

IV. "Commission" means public utilities commission.

V. "Customer-sited source" means a source that is interconnected on the end-use customer's site of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer.

VI. "Default service" means electricity supply that is available to retail customers who are otherwise without an electricity supplier as defined in RSA 374-F:2, I-a.

VII. "Department" means the department of environmental services.

VIII. "Eligible biomass technologies" means generating technologies that use biomass fuels as their primary fuel, provided that the generation unit:

(a) Has a quarterly average nitrogen oxide (NOx) emission rate of less than or equal to 0.075 pounds/million British thermal units (lbs/Mmbtu), and an average particulate emission rate of less than or equal to 0.02 lbs/Mmbtu as measured and verified under RSA 362-F:12; and

(b) Uses any fuel other than the primary fuel only for start-up, maintenance, or other required internal needs.

IX. "End-use customer" means any person or entity that purchases electricity supply at retail in New Hampshire from another person or entity but shall not include:

(a) A generating facility taking station service at wholesale from the regional market administered by the independent system operator (ISO-New England) or self-supplying from its other generating stations; and

(b) Prior to January 1, 2010, a customer who purchases retail electricity supply, other than default service under a supply contract executed prior to January 1, 2007.

X. "Historical generation baseline" means:

(a) The average annual electrical production from a facility other than hydroelectric, stated in megawatt-hours, for the 3 years 2004 through 2006, or for the first 36 months after the facility began operation if that date is after December 31, 2001; provided that the historical generation baseline shall be measured regardless of whether or not the emissions from the facility during the baseline period meets emissions requirements of the class.

(b) The average annual production of a hydroelectric facility from the later of January 1, 1986 or the date of first commercial operation through December 31, 2005. If the hydroelectric facility experienced an upgrade or expansion during the historical generation baseline period, actual generation for that entire period shall be adjusted to estimate the average annual production that would have occurred had the upgrade or expansion been in effect during the entire historical generation baseline period.

XI. "Methane gas" means biologically derived methane gas from anaerobic digestion of organic materials from such sources as yard waste, food waste, animal waste, sewage sludge, septage, and landfill waste.

XII. "New England control area" means the term as defined in ISO-New England's transmission, markets and services tariff, FERC electric tariff no. 3, section II.

XIII. "Primary fuel" means a fuel or fuels, either singly or in combination, that comprises at least 90 percent of the total energy input into a generating unit.

XIV. "Provider of electricity" means a distribution company providing default service or an electricity supplier as defined in RSA 374-F:2, II.

XV. "Renewable energy source," "renewable source," or "source" means a class I, II, III, or IV source of electricity or electricity displacement by a class I source under RSA 362-F:4, I(g). An electrical generating facility, while selling its electrical output at long-term rates established before January 1, 2007 by orders of the commission under RSA 362-A:4, shall not be considered a renewable source.

XVI. "Year" means a calendar year beginning January 1 and ending December 31.

362-F:3 Minimum Electric Renewable Portfolio Standards. For each year specified in the table below, each provider of electricity shall obtain and retire certificates sufficient in number and class type to meet or exceed the following percentages of total megawatt-hours of electricity supplied by the provider to its end-use customer that year, except to the extent that the provider makes payments to the renewable energy fund under RSA 362-F:10, II:

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2025</u>
Class I	0.0%	0.5%	1%	2%	3%	4%	5%	6%	16%(*)
Class II	0.0%	0.0%	0.04%	0.08%	0.15%	0.2%	0.3%	0.3%	0.3%
Class III	3.5%	4.5%	5.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
Class IV	0.5%	1%	1%	1%	1%	1%	1%	1%	1%

* Class I increases an additional one percent per year from 2015 through 2025. Classes II-IV remain at the same percentages from 2015 through 2025 except as provided in RSA 362-F:4, V-VI.

362-F:4 Electric Renewable Energy Classes.

I. Class I (New) shall include the production of electricity from any of the following, provided the source began operation after January 1, 2006, except as noted below:

- (a) Wind energy.
- (b) Geothermal energy.
- (c) Hydrogen derived from biomass fuels or methane gas.
- (d) Ocean thermal, wave, current, or tidal energy.
- (e) Methane gas.
- (f) Eligible biomass technologies.
- (g) The equivalent displacement of electricity, as determined by the commission, by end-use customers, from solar hot water heating systems used instead of electric hot water heating.

(h) Class II sources to the extent that they are not otherwise used to satisfy the minimum portfolio standards of other classes.

(i) The incremental new production of electricity in any year from an eligible biomass or methane source or any hydroelectric generating facility licensed or exempted by Federal Energy Regulatory Commission (FERC), regardless of gross nameplate capacity, over its historical generation baseline, provided the commission certifies demonstrable completion of capital investments attributable to the efficiency improvements, additions of capacity, or increased renewable energy output that are sufficient to, were intended to, and can be demonstrated to increase annual renewable electricity output. The determination of incremental production shall not be based on any operational changes at such facility but rather on capital investments in efficiency improvements or additions of capacity.

(j) The production of electricity from a class III or IV source that has begun operation as a new facility by demonstrating that 80 percent of its resulting tax basis of the source's plant and equipment, but not its property and intangible assets, is derived from capital investment directly related to restoring generation or increasing capacity including department permitting requirements for new plants. Such production shall not qualify for class III or IV certificates.

II. Class II (New Solar) shall include the production of electricity from solar technologies, provided the source began operation after January 1, 2006.

III. Class III (Existing Biomass/Methane) shall include the production of electricity from any of the following, provided the source began operation prior to January 1, 2006:

(a) Eligible biomass technologies having a gross nameplate capacity of 25 MWs or less.

(b) Methane gas.

IV. Class IV (Existing Small Hydroelectric) shall include the production of electricity from hydroelectric energy, provided the source began operation prior to January 1, 2006, has a gross nameplate capacity of 5 MWs or less, has installed upstream and downstream dianadromous fish passages that have been required and approved under the terms of its license or exemption from the Federal Energy Regulatory Commission, and when required, has documented applicable state water quality certification pursuant to section 401 of the Clean Water Act for hydroelectric projects.

V. For good cause, and after notice and hearing, the commission may accelerate or delay by up to one year, any given year's incremental increase in class I or II renewable portfolio standards requirement under RSA 362-F:3.

VI. After notice and hearing, the commission may modify the class III and IV renewable portfolio standards requirements under RSA 362-F:3 for calendar years beginning January 1, 2012 such that the requirements are equal to an amount between 85 percent and

95 percent of the reasonably expected potential annual output of available eligible sources after taking into account demand from similar programs in either states.

362-F:5 Commission Review and Report. Commencing in January 2011, 2018, and 2025 the commission shall conduct a review of the class requirements in RSA 362-F:3 and other aspects of the electric renewable portfolio standard program established by this chapter. Thereafter, the commission shall make a report of its findings to the general court by November 1, 2011, 2018, and 2025, respectively, including any recommendations for changes to the class requirements or other aspects of the electric renewable portfolio standard program. The commission shall review, in light of the purposes of this chapter and with due consideration of the importance of stable long-term policies:

I. The adequacy or potential adequacy of sources to meet the class requirements of RSA 362-F:3;

II. The class requirements of all sources in light of existing and expected market conditions;

III. The potential for addition of a thermal energy component to the electric renewable portfolio standard;

IV. Increasing the class requirements relative to classes I and II beyond 2025;

V. The possible introduction of any new classes such as an energy efficiency class or the consolidation of existing ones;

VI. The timeframe and manner in which new renewable class I and II sources might transition to and be treated as existing renewable sources and if appropriate, how corresponding portfolio standards of new and existing sources might be adjusted;

VII. The experience with and an evaluation of the benefits and risks of using multi-year purchase agreements for certificates, along with purchased power, relative to meeting the purposes and goals of this chapter at the least cost to consumers and in consideration of the restructuring policy principles of RSA 374-F:3; and

VIII. Alternative methods for renewable portfolio standard compliance, such as competitive procurement through a centralized entity on behalf of all consumers in all areas of the state.

362-F:6 Renewable Energy Certificates.

I. The electric renewable portfolio standard program established in this chapter shall utilize the regional generation information system (GIS) of energy certificates administered by ISO-New England and the New England Power Pool (NEPOOL) or their successors. If the regional GIS certificate tracking program administered by the ISO-New England is no longer operational or accessible, the commission shall develop an alternative certificate program, after public notice and hearing, designed to provide at least the same information on the type and generation of renewable energy resources as the GIS certificate tracking program.

II. The commission shall establish procedures by which electricity production not tracked by ISO-New England from customer-sited sources, including behind the meter production, may be included within the certificate program, provided such sources are located in New Hampshire. The procedures may include the aggregation of sources and shall be compatible with procedures of the certificate program administrator. The production shall be monitored and verified by an independent entity designated by the commission, which may include electric distribution companies.

III. The commission shall designate in a timely manner New Hampshire eligible renewable sources together with any conditions pursuant to this chapter to the certificate program administrator under paragraph I, with such sources being the recipient of all certificates issued for purpose of this chapter.

IV.(a) Certificates issued for purposes of complying with this chapter shall come from sources within the New England control area unless the source is located in a control area adjacent to the New England control area and the energy produced by the source is actually delivered into the New England control area for consumption by New England

customers. The delivery of such energy from the source into the New England control area shall be verified by:

(1) A unit-specific bilateral contract for sale and delivery of a source's electrical energy to the New England control area is in place for the time period during which renewable certificates are generated;

(2) Confirmation from ISO-New England that the sale of the renewable energy was actually settled in the ISO market system; and

(3) Confirmation through the North American Electric Reliability Corporation tagging system that the import of energy into the New England control area actually occurred.

(b) The commission may impose such other requirements as it deems appropriate, including methods of confirming actual delivery of the electrical energy into the New England control area.

362-F:7 Sale, Exchange, and Use of Certificates.

I. A certificate may be sold or otherwise exchanged by the source to which it was initially issued or by any other person or entity that acquires the certificate. A certificate may only be used once for compliance with the requirements of this chapter. It may not be used for compliance with this chapter if it has been or will be used for compliance with any similar requirements of another non-federal jurisdiction, or otherwise sold, retired, claimed, or represented as part of any other electrical energy output or sale. Certificates shall only be used by providers of electricity for compliance with the requirements of RSA 362-F:3 in the year in which the generation represented by the certificate was produced, except that unused certificates of the proper class issued for production during the prior 2 years or the first quarter of the subsequent year may be used to meet up to 30 percent of a provider's requirements for a given class obligation in the current year of compliance.

II. Certificates from behind-the-meter distributed generation shall be initially issued to the owner of the customer-sited source or their designee, regardless of whether the source has received assistance from the renewable energy fund established in RSA 362-F:10.

362-F:8 Information Collection. By July 1 of each year, each provider of electricity shall submit a report to the commission, in a form approved by the commission, documenting its compliance with the requirements of this chapter for the prior year. The commission may investigate compliance and collect any information necessary to verify and audit the information provided to the commission by providers of electricity.

362-F:9 Purchased Power Agreements.

I. Upon the request of one or more electric distribution companies and after notice and hearing, the commission may authorize such company or companies to enter into multi-year purchase agreements with renewable energy sources for certificates, in conjunction with or independent of purchased power agreements from such sources, to meet reasonably projected renewable portfolio requirements and default service needs to the extent of such requirements, if it finds such agreements or such an approach, as may be conditioned by the commission, to be in the public interest.

II. In determining the public interest, the commission shall find that the proposal is substantially consistent with the following factors:

(a) The efficient and cost-effective realization of the purposes and goals of this chapter;

(b) The restructuring policy principles of RSA 374-F:3;

(c) The extent to which such multi-year procurements are likely to create a reasonable mix of resources, in combination with the company's overall energy and capacity portfolio, in light of the energy policy set forth in RSA 378:37 and either the distribution company's integrated least cost resource plan pursuant to RSA 378:37-41, if applicable, or a portfolio management strategy for default service procurement that balances potential benefits and risks to default service customers;

(d) The extent to which such procurement is conducted in a manner that is administratively efficient and promotes market-driven competitive innovations and solutions; and

(e) Economic development and environmental benefits for New Hampshire.

III. The commission may authorize one or more distribution companies to coordinate or delegate procurement processes under this section.

IV. Rural electric cooperatives for which a certificate of deregulation is on file with the commission shall not be required to seek commission authorization for multi-year purchased power agreements or certificate purchase agreements under this paragraph.

362-F:10 Renewable Energy Fund.

I. There is hereby established a renewable energy fund. This nonlapsing, special fund shall be continually appropriated to the commission to be expended in accordance with this section. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. The moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the commission to support thermal and electrical renewable energy initiatives. Class II moneys shall only be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the commission as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court.

II. In lieu of meeting the portfolio requirements of RSA 362-F:3 for a given year if, and to the extent sufficient certificates are not otherwise available at a price below the amounts specified in this paragraph, an electricity provider may, at the time of report submission for that year under RSA 362-F:8, make payment to the commission at the following rates for each megawatt-hour not met for a given class obligation through the acquisition of certificates:

- (a) Class I- \$57.12
- (b) Class II - \$150
- (c) Class III - \$28
- (d) Class IV - \$28

III. Beginning in 2008, the commission shall adjust these rates by January 31 of each year using the Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor.

IV. The commission shall make an annual report by October 1 of each year, beginning in 2009, to the legislative oversight committee on electric utility restructuring under RSA 374-F:5 detailing how the renewable energy fund is being used and any recommended changes to such use.

362-F:11 Application.

I. The commission, in a non-adjudicative process, shall certify the classification of an existing or proposed generation facility by issuing a determination within 45 days of receiving from an applicant sufficient information to determine its classification. The application shall contain the following:

- (a) Name and address of applicant.
- (b) Facility location, ISO–New England asset identification number, and NEPOOL GIS facility code, if available.

(c) Description of the facility, including fuel type, gross generation capacity, initial commercial operation date, and, in the case of a biomass source, NOx and particulate matter emission rates and a description of pollution control equipment or practices proposed for compliance with applicable NOx and particulate matter emission rates.

(d) Such other information as the applicant may provide to assist in determining the classification of the generating facility.

II. The commission shall certify applications of customer-sited sources in a manner that is compatible with the procedures established for recognizing such production under RSA 362-F:6, II.

III. Biomass facilities otherwise meeting the requirements of a source shall be conditionally certified by the commission subject to compliance with the applicable NO_x and particulate matter emission standards. Within 10 days of verification of compliance with emissions standards from the department, as provided in RSA 362-F:12, III, the commission, in a non-adjudicative process, shall designate the facility as eligible pursuant to RSA 362-F:6, III.

362-F:12 Verification of Emissions From Biomass Sources. Any source seeking to qualify using an eligible biomass technology shall verify emissions in accordance with the following methods:

I. For nitrogen oxide emissions, the source shall install and operate a continuous emissions monitor that meets departmental standards as codified in rules.

II. For particulate matter emissions, the source shall conduct an annual stack test in accordance with methods approved by the department. Upon completion of 3 annual tests which demonstrate compliance, the source may request of the department for a decrease in the frequency of testing, but to not less than once every 3 years.

III. Each such source shall file with the department and the commission within 45 days of the end of each calendar quarter an affidavit and documentation attesting to the source's average NO_x emission rate for such quarter and the most recent particulate matter stack test results. For purposes of initial certification under RSA 362-F:6, the results of a stack test may be filed with the department at any time to demonstrate compliance with both the particulate matter and nitrogen oxide emissions standards. Within 30 days of a filing, the department shall provide verification of the emissions reported in the filing to the commission.

362-F:13 Rulemaking. The commission shall adopt rules, under RSA 541-A to:

I. Administer the electric renewable portfolio standard program including the development of an alternative to the regional generation information system to the extent necessary.

II. Ascertain, monitor, and enforce compliance with the program to the extent not addressed in the department's rules.

III. Include within the program electric production not tracked by ISO-New England from eligible customer-sited sources.

IV. Administer the renewable energy fund and make expenditures from the fund.

V. Establish procedures for the classification of existing or proposed generation facilities, including a provision for a preliminary designation option, and to verify the completion of capital investments required of certain class I resources.

VI. Define when a repowered generation unit qualifies as a new class I source under RSA 362-F:4.

VII. Otherwise discharge the responsibilities delegated to the commission under this chapter.

3 New Subparagraph; Application of Receipts; Renewable Energy Fund. Amend RSA 6:12, I(b) by inserting after subparagraph 252 the following new subparagraph:

(253) Moneys deposited in the renewable energy fund established under RSA 362-F:10.

4 Default Service. Amend RSA 374-F:3, V(c) to read as follows:

(c) Default service should be designed to provide a safety net and to assure universal access and system integrity. Default service should be procured through the competitive market and may be administered by independent third parties. ***Any prudently incurred costs arising from compliance with the renewable portfolio standards of RSA 362-F for default service or purchased power agreements shall be recovered through the default service charge.*** The allocation of the costs of administering default

service should be borne by the customers of default service in a manner approved by the commission. If the commission determines it to be in the public interest, the commission may implement measures to discourage misuse, or long-term use, of default service. Revenues, if any, generated from such measures should be used to defray stranded costs.

5 Competitive Electricity Supplier Requirement. Amend RSA 374-F:7, III to read as follows:

III. The commission is authorized to assess fines against, revoke the registration of, and prohibit from doing business in the state, any competitive electricity supplier which violates the requirements of this section ***or RSA 362-F***.

6 Thermal Renewable Study; Statement of Purpose.

I.(a) Thermal renewable energy technologies provide fuel diversity to New Hampshire and New England energy supply through use of local renewable fuels and resources and have the potential to lower and stabilize future energy costs by helping to minimize regional dependence on imported fossil fuels such as natural gas, propane, and oil for heating and cogeneration.

(b) The increased use in New Hampshire and New England of thermal energy generated using low emission, renewable energy technologies will help to reduce the amount of nitrogen oxide, sulfur dioxide, particulate matter, and greenhouse gas emissions transported into New Hampshire and also generated in the state, thereby improving air quality and public health.

(c) In addition to benefits stated above, it is in the public interest to stimulate economic development by investment in low emission thermal renewable energy technologies in New England and in particular, New Hampshire.

II.(a) The office of energy and planning in consultation with the energy planning advisory board established by 2004, 164 shall study, evaluate, and make recommendations including potential legislation on:

(1) A thermal renewable portfolio standard and other incentives or mechanisms that will promote the use of high efficiency low emission thermal renewable energy technology and fuels in residential, commercial, and industrial applications;

(2) Regulatory, technological, or other impediments to the rapid deployment of thermal renewable energy systems; and

(3) Recommendations to the state and local governments on programs and actions that can be implemented to encourage residential, commercial, and industrial use of thermal renewable energy.

(b) The office of energy and planning shall solicit advice and expertise from members of the public representing thermal energy technology and fuels and may solicit the advice and expertise of any individual, state agency or organization, or state employee.

(c) The office of energy and planning shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 30, 2008.

7 Effective Date.

I. Sections 1-4 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill:

I. Establishes minimum electric renewable portfolio standards.

II. Requires the commission to make reports to the general court.

III. Requires the use of renewable energy certificates.

IV. Requires the office of energy and planning to conduct a study of incentives to promote thermal renewable energy.

Amendment adopted.

Rep. Harvey offered floor amendment (1033h).

Floor Amendment (1033h)

Amend the introductory paragraph of RSA 362-F:9, II as inserted by section 2 of the bill by replacing it with the following:

II. In determining the public interest, the commission shall find that the proposal is, on balance, substantially consistent with the following factors:

Rep. Harvey spoke in favor.

Floor amendment (1033h) was adopted.

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

Reps. Harvey and James Garrity spoke in favor and yielded to questions.

Reps. Itse and Gene Andersen spoke against.

Rep. Fargo spoke in favor.

On a division vote, 253 members having voted in the affirmative and 37 in the negative, the committee report was adopted.

Ordered to third reading.

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

UNANIMOUS CONSENT

Rep. Rowe addressed the House.

The House recessed at 12:35 p.m.

RECESS

(Speaker Norelli in the Chair)

The House reconvened at 1:50 p.m.

CLERK'S NOTE

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

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 296, prohibiting the use of flatbed trailers with outrigger wheels in parades.

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

Rep. Robert W. Williams for the Majority of Transportation: This bill simply states “no person may use any type of flatbed trailer with outrigger wheels in a parade.” It removes the use of a dangerous vehicle which, when used, increases the possibility of serious injury or death if a person falls off a trailer in a parade. Vote 13-4.

Rep. Brenda L. Ferland for the Minority of Transportation: This bill came out of a tragic accident during a parade and although the minority sympathizes with what happened we feel this leads to the slippery slope of what will be banned next or if these parade vehicles are greatly modified at such a cost that most people or companies will not volunteer the use of their equipment. Most towns that have the permitting process for parades can and will continue to set limits of what can be done. There was so much publicity of this tragedy we feel modifications in future parade vehicles will take place without laws banning certain vehicles.

Rep. Skinder spoke against.

Reps. McEachern and Ryan spoke in favor.

On a division vote, 161 members having voted in the affirmative and 91 in the negative, the committee report failed lacking the necessary two-thirds.

Rep. Ferland moved Inexpedient to Legislate.

Rep. Ryan spoke against.

Rep. Ryan moved Recommit.

On a division vote, 184 members having voted in the affirmative and 70 in the negative, the motion was adopted by the necessary two-thirds.

Recommitted to the committee on Transportation.

CLERK'S NOTE

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

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 685, prohibiting New Hampshire from participating in a national identification card system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman A. Packard for Transportation: In May of 2005 the US Congress passed a law that never received a hearing, called the Real ID Act. The Act would require all states to have uniform driver licenses. It also requires that a national data base be established by linking all driver license information together. This Act created a national identification card. It is estimated by the National Conference of State Legislatures to cost the states \$11 billion to implement and Congress approved \$40 million at passage. After a year and 10 months when the Dept. of Homeland Security finally released a 160 page draft copy of the rules and regulations, they estimated the cost to the states and federal upgrades at approximately \$24 billion. This act is one of the most egregious pieces of legislation ever passed by the U.S. Congress. Not only does it violate the unfunded mandate law, it is a clear violation of the 10th Amendment of the U.S. Constitution. The law states that if a state does not comply, that the driver license cannot be used to board a plane or enter a federal building. This is federal blackmail of the most heinous manner. Numerous other states are working on legislation to prevent their state from complying. When we took our oath of office, we swore to uphold the N.H. and the U.S. Constitution and because of this oath we have no choice but to tell the federal government that just because they feel that they can violate the U.S. Constitution, the Legislature of N.H. will not. Our liberty and the liberty of this country are at stake, if we do not say no to this piece of madness that came out of Washington. We ask the N.H. House to abide by our oath of office and unanimously pass HB 685. Vote 16-0.

Amendment (0795h)

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

IV. Nothing in this act shall prohibit the department of safety from making ongoing improvements to the driver licensing system, drivers' licenses, or the driver license database for the purpose of making licenses and nondriver's identification cards more secure or reliable or changing their physical appearance and design, or from sharing necessary driver's license and driver history information with other states and Canadian provinces or continuing to provide driver's license and driver history information to other agencies entitled to receive the information in the form in which it was provided prior to the effective date of this act for the purpose of determining eligibility for licensure or verifying the identity of applicants for licenses or nondriver's identification cards.

Amendment adopted.

Reps. Packard, Kurk and Ryan spoke in favor.

Rep. Robert Williams requested a roll call; sufficiently seconded.

YEAS 268 NAYS 8

YEAS 268

BELKNAP

Allen, Janet
Millham, Alida
Tilton, Franklin

Boyce, Laurie
Pilliod, James
Wendelboe, Fran

Clark, Charles
Reever, Judith
Whalley, Michael

Flanders, Donald
Russell, David

CARROLL

Bridgham, Robert
Cunningham, Howard
Martin, James

Brown, Carolyn
Denley, William
Patten, Betsey

Buco, Thomas
Heard, Virginia
Stevens, Stanley

Butler, Edward
Knox, J. David

CHESHIRE

Allen, Peter
Dunn, J. Timothy
Mitchell, Bonnie
Weber, Lucy

Butterworth, Timothy
Emerson, Susan
Richardson, Barbara
Weed, Charles

Butynski, William
Johnson, Jane
Robertson, Timothy

Chase, William
Lerandeau, Alfred
Sad, Tara

COOS

Hatch, William
Theberge, Robert

Ingersoll, Paul Sr
Tholl, John Jr

Remick, William
Thomas, Yvonne

Stohl, Eric

GRAFTON

Almy, Susan
Bulis, Lyle
Friedrich, Carol
Ingbretson, Paul
Pierce, David

Andersen, Gene
Cooney, Mary
Gionet, Edmond
McLeod, Martha
Preston, Philip

Benn, Bernard
Dingman, Vernon III
Hammond, Lee
Mulholland, Catherine
Solomon, Peter

Bleyler, Ruth
Estes, Carole
Harding, A Laurie
Nordgren, Sharon
Williams, Burton

HILLSBOROUGH

Baroody, Benjamin
Bergeron, Jean-Guy
Chase, Claudia
Daniels, Gary
Emerton, Larry
Foster, Linda
Gorman, Mary
Hall, Betty
Hogan, Edith
Jasper, Shawn
Kopka, Angeline
Leishman, Peter
Long, Patrick

Barry, Richard
Bergin, Peter
Christensen, Chris
Dokmo, Cynthia
Essex, David
Gargas, Carolyn
Graham, John
Hammond, Jill
Holden, Randolph
Judy, Jean
Kurk, Neal
Lessard, Rudy
Manney, Pamela

Batula, Peter
Brunelle, Michael
Clark, Mark
Drisko, Richard
Fletcher, Richard
Garrity, Patrick
Hackel, Paul
Harvey, Suzanne
Infantine, William
Kaelin, Michael
L'Heureux, Robert
Levasseur, Nickolas
Martineau, Jesse

Beaulieu, Jane
Campbell, David
Crane, Elenore Casey
Elliott, Nancy
Forest, Armand
Goley, Jeffrey
Haefner, Robert
Hawkins, Ken
Irwin, Anne-Marie
Kelley, John
Lawrence, James
Levesque, Melanie
Matarazzo, Anthony
Sr

McRae, Karen
O'Connell, Timothy
Peterson, Andy
Rowe, Robert
Shaw, Kimberly
Spratt, Stephen
Velez, Hector

Messier, Irene
O'Neil, James
Price, Pamela
Schulze, Joan
Simon, Anthony
Stepanek, Stephen
Villeneuve, Maurice

Mooney, Maureen
Ober, Lynne
Rochette, Eric
Shattuck, Gilman
Smith, David
Ulery, Jordan
Winters, Joel

Movsesian, Lori
Ober, Russell III
Rosenwald, Cindy
Shaw, Barbara
Soucy, Connie
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Brown, Carole
DeJoie, John
French, Barbara
Hess, David
MacKay, James
Porter, Margaret
Tupper, Frank
Williams, Robert

Baxley, Maureen
Brueggemann, Donald
DeStefano, Stephen
Gile, Mary
Humphries, Charlie
McMahon, Patricia
Potter, Frances
Wallner, Mary
Yeaton, Charles

Blanchard, Elizabeth
Clarke, Claire
Ehlers, Eileen
Hager, Elizabeth
Kidder, David
Osborne, Jessie
Ryan, Jim
Webb, Leigh

Bouchard, Candace
Davis, Frank
Foose, Robert
Hamm, Christine
Lockwood, Priscilla
Owen, Derek
Tilton, Joy
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Bettencourt, David
Buxton, Donald
Case, Frank
Day, Judith
Flanders, John Sr
Griffin, Mary
Howard, Doreen
Katsakiores, Phyllis
Major, Norman
Moody, Marcia
Pantelakos, Laura
Quandt, Matthew
Russell, Trinka
Stiles, Nancy
Wickson, Rick

Allen, Mary
Bishop, Franklin
Cali-Pitts, Jacqueline
Casey, Kimberley
DiFruscia, Anthony
Flockhart, Eileen
Grote, Otto
Ingram, Russell
Kennedy, James
Marsh, Michael
Nord, Susi
Pearson, Mark
Rausch, James
Sanders, Elisabeth
Waterhouse, Kevin
Winchell, George

Baldasaro, Alfred
Borden, David
Camm, Kevin
Charron, Gene
Elliott, Robert
Garrity, James
Guthrie, Joseph
Itse, Daniel
Kepner, Susan
McEachern, Paul
Nowe, Ronald
Powers, James
Reagan, John
Snow, Richard
Weare, Everett

Bedrick, Jason
Brown, C. Pennington
Carson, Sharon
Dalrymple, David
Emiro, Frank
Gould, Kenneth
Headd, James
Kappler, Lawrence
Lund, Howie
McMahon, Charles
Packard, Sherman
Quandt, Marshall
Robertson, Carl
Splaine, James
Welch, David

STRAFFORD

Berube, Roger
Burke, Rachel
Hutz, Sarah
Rollo, Deanna
Sprague, Dale

Billian, Deborah
Cyr, James
Kaen, Naida
Rollo, Michael
Wall, Janet

Brennan, William
DeChane, Marlene
Knowles, William
Schmidt, Peter
Watson, Robert

Brown, Larry
Fargo, Thomas
Perry, Robert
Spang, Judith

SULLIVAN

Cloutier, John
Franklin, Peter
Nielsen, Ellen

Converse, Larry
Gagnon, Raymond
Rodeschin, Beverly

Donovan, Thomas
Gottling, Suzanne
Skinder, Carla

Ferland, Brenda
Jillette, Arthur Jr

NAYS 8

BELKNAP

None

CARROLL

None

CHESHIRE

Butcher, Suzanne

Hunt, John

COOS

None

GRAFTON

None

HILLSBOROUGH

Ginsburg, Ruth

Pilotte, Maurice

Renzullo, Andrew

MERRIMACK

Kjellman, Eleanor
Glynn

ROCKINGHAM

Devine, James

Kelley, Jane

STRAFFORD

None

SULLIVAN

None

and the committee report was adopted.

Ordered to third reading.

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

MOTION TO PRINT DEBATE

Rep. Winters moved that the debate on **HB 685**, prohibiting New Hampshire from participating in a national identification card system be printed in the Permanent Journal. Adopted.

DEBATE ON HB 685-FN-L

Rep. Packard: Thank you, Madam Speaker. Ladies and gentlemen of the General Court, last year for those of you that were here, this bill came before this body and at the time the Transportation Committee recommended that we kill it and my dear friend from Weare got up and said he was going to fire a shot across the bow. Well, the shot blew my head off. It missed the bow altogether. This year I'm getting up and I'm asking you to support this. When we took our oath back on December 6th, we swore to uphold the constitution of this state and the United States. Real ID violates the constitution Article 10 about as much as any bill ever passed out of Congress. Obviously when they passed this bill, they didn't uphold their oath to uphold the United States Constitution. I do not want this Legislature sitting here saying that we will violate our oath. We swore to uphold these documents and it is incumbent upon us to pass this bill, send a message to Congress that we take our oath seriously even if they don't. And if we are the first state to opt out well then so be it. There are 24 other states that are working on this type of legislation right now. I urge all of you to support this piece of legislation and I am going to ask for a roll call vote, Madam Speaker so that we can go on record to our federal delegation saying change this insidious law. It is probably the worst piece of blackmail to ever come out of the federal government and that's what it is, pure unadulterated blackmail. Thank you, Madam Speaker.

Speaker: The question before the House is on the committee report of Ought to Pass with amendment. A roll call has been requested. It has been sufficiently seconded and there is only one more speaker so I would ask members to start to make their way to their seats. The

Chair recognizes the member from Weare, Rep. Kurk.

Rep. Kurk: Thank you, Madam Speaker. It is with the greatest of pleasure that I say to Sherman Packard, "Ditto."

Speaker: The Chair appreciates the briefest speech of the year. The question before the House is on the committee report of Ought to Pass with amendment. A roll call has been requested. Will members please take their seats? It has been requested by Rep. Robert Williams and it has been sufficiently seconded. The question before the House is on the committee report of Ought to Pass with amendment on HB 685. This is a roll call vote. If you're in favor, you'll be pressing the green button. If you're opposed, you'll be pressing the red button. The Chair recognizes Rep. Ryan for a parliamentary inquiry.

Rep. Ryan: Thank you, Madam Speaker and members. If you know as I know that very often our policy differences are expressed in terms of the aisle, but if you know as I also know that today we can dissolve the aisle and stand in a unified group for liberty, would you join the unanimous Transportation Committee and press the green button? Thank you.

Speaker: The question before the House is on the committee report of Ought to Pass with amendment. If you're in favor, you'll be pressing the green button. If you're opposed, you'll be pressing the red button. Voting stations are open for 30 seconds. The House will be attentive to the state of the vote. 268 having voted in the affirmative, 8 having voted in the negative, the committee report is adopted.

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 755-FN*, relative to transfers of motor vehicle registration. **OUGHT TO PASS WITH AMENDMENT.*

Rep. Jean-Guy J. Bergeron for Transportation: This bill allows a person who transfers the registration of his or her vehicle to receive a refund if the permit fee for the new motor vehicle is less than the permit fee for the previously registered motor vehicle. Vote 10-5.

Amendment (0892h)

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

AN ACT relative to transfers of motor vehicle permits.

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

1 Refunds. RSA 261:151 is repealed and reenacted to read as follows:

261:151 Refunds.

I. If a person transfers or loses a registered vehicle, upon filing a new application for registration in his or her name, if the permit fee of the newly registered vehicle is less than the one first registered by him or her, he or she shall receive a refund for the difference.

II. If the department acting under the authority of law shall have refused upon original application for the registration period to register the vehicle to which a permit relates, the town clerk, upon application therefor, shall refund the permit fee.

2 Effective Date. This act shall take effect July 1, 2007.

AMENDED ANALYSIS

This bill allows a person who transfers the registration of his or her vehicle to receive a refund if the permit fee for the new motor vehicle is less than the permit fee for the previously-registered motor vehicle.

Amendment adopted.

Committee report adopted.

Ordered to third reading.

HB 802*, relative to passenger restraints. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.*

Rep. Robert W. Williams for the Majority of Transportation: This bill would ask New Hampshire to join the 49 other states of the union and mandate the use of seat belts in most instances. The General Court has resisted attempts at such "mandatory" legislation in the

past largely grounded on a generalized notion that the reach of the legislature should be temperate and allow people to make such decisions as a matter of individual selection. In point of fact, the NH Highway Safety office testified that voluntary seat belt use continues to be encouraging—though that office conceded—as well it must—that the current 64% attainment level was the lowest in the nation and that usage would increase significantly by enactment of HB 802. The NH Highway Safety Office was the paradoxical exception to the majority of the testimony that featured a cross section of state agencies, physicians, nurses, law enforcement personnel and citizens. The overwhelming majority of evidence received at the hearing clearly and abundantly demonstrated that the public safety would substantially improve by requiring the use of seat belts consistent with our authority to assure the safety of the citizens of the state. Evidence received from the medical community—particularly emergency responders-- clearly indicated the value of seat belt use. Evidence received from the law enforcement community, including the NH Chiefs of Police, clearly indicated that enactment of the bill would enhance public safety and avoid the tragic consequences of many automobile accidents. Evidence received from the National Transportation Safety Board revealed that NH is last in seat belt use. That evidence, coupled with an alarming increase in un-belted fatalities shared with the committee by the sponsors based on a study conducted by the University of New Hampshire, revealed that enactment of the law would directly enhance driver safety and protect citizens. The Commissioner of Transportation appeared and urged the committee to enact the bill and the Department of Safety joined to express its desire that the bill be passed to put an end to the many injuries, trauma and fatalities that resulted when accidents occur without seat belt use. The committee is mindful of the concerns of those who claim enactment of the law would in some measure surrender what they described as one of the unique features of New Hampshire living and impact their particular concept of liberty. We are no longer persuaded by the arguments and decide today to pass the legislation. We believe the safety of all citizens on the highways of the state is implicit in a free society and that the risk of trauma, tragedy, injury or death should be avoided when reasonable regulations are available. The use of seat belts in 2007 is reasonable, and more importantly, a reasonable use of the legislative authority to protect all drivers and passengers from the avoidable carnage of the all too human capacity to have accidents. Accordingly, the committee recommends that the public policy of the state be changed and that we pass HB 802 as a strong signal of our continued commitment to safety. Vote 8-7.

Rep. Brenda L. Ferland for the Minority of Transportation: No insurance company representative that testified said that our insurance rates will go down if we adopt an adult seat belt law. As a matter of fact we are enjoying some of the lowest auto rates in the New England area. A lot of the testimony focused on young drivers and we already have a law to cover them. Driving while intoxicated and inattentiveness are still the leading causes for accidents. No state gets 100% usage even with a primary offense law. There is no dispute about the education of using seatbelts. The state does not lose any federal funding because we don't have the adult seat belt law. As a matter of fact, we were told we would get additional funds if we passed the law. Somehow or another, this smacks of the "No Child Left Behind" program and the Real ID Act. Let us, the federal government, get you, the state, to adopt our rules and we may or may not give you more funds. We are the last state to not adopt an adult seat belt law. So what's wrong with being unique? We are unique in our freedom of rights which is why people move here from other states. The minority feels we should stay unique.

Rep. Peterson offered floor amendment (1187h).

Floor Amendment (1187h)

Amend RSA 265:107-a as inserted by section 2 of the bill by inserting after paragraph IX the following new paragraph:

X. Enforcement of this section by law enforcement agencies shall be accomplished only as a secondary action when a driver of a motor vehicle has been cited or charged with a violation or some other offense.

Reps. Denley and Ryan spoke against.

Rep. Peterson spoke in favor and yielded to questions.

Floor amendment (1187h) failed.

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

Reps. Bedrick, Winters, Ferland, Boyce and Cali-Pitts spoke against and yielded to questions.

Rep. Skinder spoke in favor and yielded to questions.

Reps. Packard and Denley spoke against.

Reps. Robert Williams, McLeod and Ryan spoke in favor.

Rep. Robert Williams requested a roll call; sufficiently seconded.

YEAS 153 NAYS 140

YEAS 153

BELKNAP

Millham, Alida
Russell, David

Morrison, Gail

Pilliod, James

Reever, Judith

CARROLL

Bridgham, Robert
Heard, Virginia

Buco, Thomas
Martin, James

Butler, Edward

Cunningham, Howard

CHESHIRE

Allen, Peter
Butynski, William
Lerandeau, Alfred
Sad, Tara

Burridge, Delmar
Chase, William
Mitchell, Bonnie
Weber, Lucy

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

Butterworth, Timothy
Emerson, Susan
Robertson, Timothy

COOS

Hatch, William
Thomas, Yvonne

Ingersoll, Paul Sr

Remick, William

Tholl, John Jr

GRAFTON

Almy, Susan
Cooney, Mary
Mulholland, Catherine
Solomon, Peter

Benn, Bernard
Hammond, Lee
Nordgren, Sharon

Bleyler, Ruth
Harding, A Laurie
Pierce, David

Bulis, Lyle
McLeod, Martha
Preston, Philip

HILLSBOROUGH

Bergin, Peter
Gargas, Carolyn
Hall, Betty
Judy, Jean
Leishman, Peter
Messier, Irene
Rosenwald, Cindy
Smith, David

Chase, Claudia
Garrity, Patrick
Hammond, Jill
Kelley, John
Levesque, Melanie
O'Connell, Timothy
Schulze, Joan
Spratt, Stephen

Drisko, Richard
Ginsburg, Ruth
Harvey, Suzanne
Kopka, Angeline
Long, Patrick
O'Neil, James
Shattuck, Gilman

Foster, Linda
Hackel, Paul
Irwin, Anne-Marie
L'Heureux, Robert
Matarazzo, Anthony Sr
Pilotte, Maurice
Shaw, Kimberly

MERRIMACK

Blanchard, Elizabeth	Bouchard, Candace	Brown, Carole	Brueggemann, Donald
Clarke, Claire	Davis, Frank	DeStefano, Stephen	Ehlers, Eileen
Foose, Robert	French, Barbara	Gile, Mary	Hager, Elizabeth
Hamm, Christine	Kidder, David	Kjellman, Eleanor	McMahon, Patricia
		Glynn	
Osborne, Jessie	Porter, Margaret	Potter, Frances	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Wallner, Mary	Walz, Mary
Webb, Leigh	Williams, Robert	Yeaton, Charles	

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Buxton, Donald
Carson, Sharon	Case, Frank	Dalrymple, David	Day, Judith
Devine, James	Flockhart, Eileen	Gould, Kenneth	Griffin, Mary
Grote, Otto	Howard, Doreen	Ingram, Russell	Kelley, Jane
Kennedy, James	Kepner, Susan	Marsh, Michael	McEachern, Paul
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Powers, James
Robertson, Carl	Russell, Trinka	Snow, Richard	Splaine, James

STRAFFORD

Berube, Roger	Brown, Larry	Burke, Rachel	Cyr, James
Fargo, Thomas	Kaen, Naida	Knowles, William	Perry, Robert
Rollo, Deanna	Rollo, Michael	Rous, Emma	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Wall, Janet	Warren, Nancy

SULLIVAN

Cloutier, John	Donovan, Thomas	Franklin, Peter	Gagnon, Raymond
Gottling, Suzanne	Jillette, Arthur Jr	Nielsen, Ellen	Skinder, Carla

NAYS 140

BELKNAP

Allen, Janet	Boyce, Laurie	Clark, Charles	Flanders, Donald
Tilton, Franklin	Wendelboe, Fran	Whalley, Michael	

CARROLL

Brown, Carolyn	Chandler, Gene	Denley, William	Knox, J. David
Patten, Betsey	Stevens, Stanley		

CHESHIRE

Dunn, J. Timothy	Hunt, John	Johnson, Jane
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COOS

Stohl, Eric	Theberge, Robert
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GRAFTON

Andersen, Gene	Dingman, Vernon III	Friedrich, Carol	Gionet, Edmond
Ingretson, Paul	Sorg, Gregory	Williams, Burton	

HILLSBOROUGH

Baroody, Benjamin	Barry, Richard	Batula, Peter	Beaulieu, Jane
Bergeron, Jean-Guy	Brunelle, Michael	Campbell, David	Christensen, Chris
Clark, Mark	Cote, David	Crane, Elenore Casey	Daniels, Gary
Dokmo, Cynthia	Edwards, Andrew	Elliott, Nancy	Emerton, Larry
Essex, David	Fletcher, Richard	Forest, Armand	Francoeur, Bea
Goley, Jeffrey	Gorman, Mary	Graham, John	Haefner, Robert
Hawkins, Ken	Hinkle, Peyton	Hogan, Edith	Holden, Randolph
Infantine, William	Jasper, Shawn	Kaelin, Michael	Kurk, Neal
Lawrence, James	Lessard, Rudy	Levasseur, Nickolas	Manney, Pamela
Martineau, Jesse	McRae, Karen	Mooney, Maureen	Movsesian, Lori
Ober, Lynne	Ober, Russell III	Peterson, Andy	Price, Pamela
Renzullo, Andrew	Rochette, Eric	Rowe, Robert	Shaw, Barbara
Simon, Anthony	Soucy, Connie	Stepanek, Stephen	Ulery, Jordan
Vaillancourt, Steve	Velez, Hector	Villeneuve, Maurice	Winters, Joel

MERRIMACK

Anderson, Eric	Baxley, Maureen	DeJoie, John	Hess, David
Humphries, Charlie	Lockwood, Priscilla	MacKay, James	Owen, Derek
Tupper, Frank			

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bedrick, Jason	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Cali-Pitts, Jacqueline	Camm, Kevin
Casey, Kimberley	Charron, Gene	DiFruscia, Anthony	Elliott, Robert
Emiro, Frank	Flanders, John Sr	Garrity, James	Guthrie, Joseph
Headd, James	Hutchinson, Karen	Itse, Daniel	Kappler, Lawrence
Katsakiores, George	Katsakiores, Phyllis	Lund, Howie	Major, Norman
McKinney, Betsy	McMahon, Charles	Nowe, Ronald	Packard, Sherman
Pearson, Mark	Quandt, Marshall	Quandt, Matthew	Rausch, James
Reagan, John	Sanders, Elisabeth	Stiles, Nancy	Waterhouse, Kevin
Weare, Everett	Welch, David	Weyler, Kenneth	Wickson, Rick
Winchell, George			

STRAFFORD

Billian, Deborah	Brennan, William	Hilliard, Dana	Hutz, Sarah
Sprague, Dale	Watson, Robert		

SULLIVAN

Converse, Larry Ferland, Brenda Rodeschin, Beverly
and the majority committee report was adopted.
Ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Daniel Eaton moved that the House reconsider its action whereby it adopted the majority committee report of Ought to Pass, **HB 802**, relative to passenger restraints.

Rep. Daniel Eaton spoke against.

On a division vote, 131 members having voted in the affirmative and 162 in the negative, the motion failed.

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 494-FN-A, relative to keno in New Hampshire. **INEXPEDIENT TO LEGISLATE.**
Rep. Catherine Mulholland for Ways and Means: This bill was an attempt to expand our lottery revenues for the Education Trust Fund. However, testimony indicated the placing of 500 keno machines in the state would generate no more than \$2-6 million after expenses, based upon results in average performing states, Maryland and Missouri. The sponsor agreed this was not worth the effort. Vote 13-6.
Committee report adopted.

HB 619-FN-A, establishing an additional exemption from the interest and dividends tax for individuals who are 70 years of age or older. **INEXPEDIENT TO LEGISLATE.**
Rep. Gilman C. Shattuck for Ways and Means: While the committee is very sympathetic to the plight of many older citizens, the committee believes that this legislation is an inappropriate approach to this issue. This legislation would give this additional exemption to all individuals who are 70 years or older, regardless of need. There is no needs test such as is found in other existing legislation. The committee feels that is unfair. At the same time, existing legislation provides much more substantial relief to qualified elderly for property taxes. Selectmen may further abate property taxes if appropriate. Vote 17-2.
Rep. Lynne Ober requested a roll call; sufficiently seconded.

YEAS 218 NAYS 75

YEAS 218

BELKNAP

Allen, Janet	Boyce, Laurie	Clark, Charles	Flanders, Donald
Millham, Alida	Morrison, Gail	Reever, Judith	Russell, David
Tilton, Franklin	Whalley, Michael		

CARROLL

Bridgham, Robert	Brown, Carolyn	Buco, Thomas	Butler, Edward
Chandler, Gene	Cunningham, Howard	Heard, Virginia	Knox, J. David
Martin, James	Patten, Betsey		

CHESHIRE

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

COOS

Hatch, William	Ingersoll, Paul Sr	Stohl, Eric	Theberge, Robert
Tholl, John Jr	Thomas, Yvonne		

GRAFTON

Almy, Susan	Andersen, Gene	Benn, Bernard	Bleyler, Ruth
Cooney, Mary	Friedrich, Carol	Hammond, Lee	Harding, A Laurie
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Pierce, David
Preston, Philip	Sorg, Gregory		

HILLSBOROUGH

Baroody, Benjamin
Campbell, David
Drisko, Richard
Foster, Linda
Goley, Jeffrey
Hall, Betty
Hinkle, Peyton
Jeudy, Jean
Kurk, Neal
Levasseur, Nickolas
Matarazzo, Anthony
Sr
O'Connell, Timothy
Price, Pamela
Shattuck, Gilman
Smith, David
Winters, Joel

Barry, Richard
Chase, Claudia
Edwards, Andrew
Francoeur, Bea
Gorman, Mary
Hammond, Jill
Holden, Randolph
Kaelin, Michael
L'Heureux, Robert
Levesque, Melanie
McRae, Karen

O'Neil, James
Rochette, Eric
Shaw, Barbara
Spratt, Stephen

Beaulieu, Jane
Clark, Mark
Emerton, Larry
Gargas, Carolyn
Graham, John
Harvey, Suzanne
Irwin, Anne-Marie
Kelley, John
Lasky, Bette
Long, Patrick
Messier, Irene

Peterson, Andy
Rosenwald, Cindy
Shaw, Kimberly
Vaillancourt, Steve

Brunelle, Michael
Cote, David
Essex, David
Garrity, Patrick
Hackel, Paul
Hawkins, Ken
Jasper, Shawn
Kopka, Angeline
Leishman, Peter
Martineau, Jesse
Movsesian, Lori

Pilotte, Maurice
Schulze, Joan
Simon, Anthony
Velez, Hector

MERRIMACK

Anderson, Eric
Brown, Carole
DeStefano, Stephen
Gile, Mary
Kidder, David

McMahon, Patricia
Ryan, Jim
Wallner, Mary

Baxley, Maureen
Brueggemann, Donald
Ehlers, Eileen
Hager, Elizabeth
Kjellman, Eleanor
Glynn

Osborne, Jessie
Shurtleff, Stephen
Walz, Mary

Blanchard, Elizabeth
Davis, Frank
Foote, Robert
Hamm, Christine
Lockwood, Priscilla

Porter, Margaret
Tilton, Joy
Webb, Leigh

Bouchard, Candace
DeJoie, John
French, Barbara
Hess, David
MacKay, James

Potter, Frances
Tupper, Frank
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Borden, David
Casey, Kimberley
Flockhart, Eileen
Guthrie, Joseph
Kelley, Jane
McEachern, Paul
Russell, Trinka
Waterhouse, Kevin

Allen, Mary
Brown, C. Pennington
Charron, Gene
Gould, Kenneth
Howard, Doreen
Kennedy, James
Nord, Susi
Snow, Richard
Weyler, Kenneth

Belanger, Ronald
Camm, Kevin
Elliott, Robert
Griffin, Mary
Katsakiores, George
Major, Norman
Pantelakos, Laura
Splaine, James
Wickson, Rick

Bishop, Franklin
Case, Frank
Flanders, John Sr
Grote, Otto
Katsakiores, Phyllis
Marsh, Michael
Powers, James
Stiles, Nancy

STRAFFORD

Berube, Roger
Burke, Rachel
Hilliard, Dana
Perry, Robert
Spang, Judith
Watson, Robert

Billian, Deborah
Cyr, James
Hutz, Sarah
Rollo, Deanna
Sprague, Dale

Brennan, William
DeChane, Marlene
Kaen, Naida
Rous, Emma
Wall, Janet

Brown, Larry
Fargo, Thomas
Knowles, William
Schmidt, Peter
Warren, Nancy

SULLIVAN

Cloutier, John
Franklin, Peter
Nielsen, Ellen

Converse, Larry
Gagnon, Raymond
Phinzy, James

Donovan, Thomas
Gottling, Suzanne
Rodeschin, Beverly

Ferland, Brenda
Jillette, Arthur Jr
Skinder, Carla

NAYS 75

BELKNAP

Pilliod, James Wendelboe, Fran

CARROLL

Denley, William Stevens, Stanley

CHESHIRE

Emerson, Susan Johnson, Jane

COOS

Remick, William

GRAFTON

Bulis, Lyle Dingman, Vernon III Gionet, Edmond Ingbretson, Paul
Solomon, Peter Williams, Burton

HILLSBOROUGH

Batula, Peter	Bergeron, Jean-Guy	Bergin, Peter	Christensen, Chris
Crane, Elenore Casey	Daniels, Gary	Dokmo, Cynthia	Elliott, Nancy
Fletcher, Richard	Ginsburg, Ruth	Haefner, Robert	Hogan, Edith
Infantine, William	Lawrence, James	Lessard, Rudy	Manney, Pamela
Mooney, Maureen	Ober, Lynne	Ober, Russell III	Renzullo, Andrew
Rowe, Robert	Soucy, Connie	Stepanek, Stephen	Ulery, Jordan
Villeneuve, Maurice			

MERRIMACK

Clarke, Claire Humphries, Charlie Owen, Derek Yeaton, Charles

ROCKINGHAM

Baldasaro, Alfred	Bedrick, Jason	Bettencourt, David	Buxton, Donald
Carson, Sharon	Dalrymple, David	Devine, James	DiFruscia, Anthony
Emiro, Frank	Garrity, James	Headd, James	Hutchinson, Karen
Ingram, Russell	Itse, Daniel	Kappler, Lawrence	Kepner, Susan
Lund, Howie	McKinney, Betsy	McMahon, Charles	Moody, Marcia
Nowe, Ronald	Packard, Sherman	Pearson, Mark	Quandt, Marshall
Quandt, Matthew	Rausch, James	Reagan, John	Robertson, Carl
Sanders, Elisabeth	Weare, Everett	Welch, David	Winchell, George

STRAFFORD

Rollo, Michael

SULLIVAN

None
and the committee report was adopted.

BILLS REMOVED FROM CONSENT CALENDAR – SPECIAL ORDERS
HB 606-FN, relative to the minimum age for purchasing, possessing, or using tobacco

products. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward A. Butler for Commerce: The intention of this bill is that it will protect the health of older teenagers until age 21, when they will be more mature and better able to decide whether to smoke cigarettes. It was also suggested that it would then be easier to identify under-age smokers. The committee agreed that it would be unreasonable to raise the age limit & difficult to enforce. Furthermore, there would be a significant negative impact on the general fund (general fund revenue by \$3,145,000 in FY 2008 and \$6,290,000 in FY 2009 and each year thereafter, and decrease education trust fund revenue by \$3,655,000 in FY 2008 and \$7,310,000 in FY 2009 and each year thereafter). Vote 15-1.

Rep. Timothy Robertson spoke against and yielded to questions.

Rep. Jasper spoke against.

Rep. Butler spoke in favor.

Committee report adopted.

HB 745, relative to the use of secret databases. **INEXPEDIENT TO LEGISLATE.**

Rep. Matthew S. Houde for Commerce: This bill would prohibit, with certain exceptions, the use of government databases containing personal information if the individual about whom personal information is maintained is not provided an opportunity to challenge the accuracy of the information. The committee is concerned that many of the potential enumerated uses of information from the databases are already covered by the federal Fair Credit Reporting Act and that enforcement of the bill is not feasible. Vote 16-0.

Rep. Kurk spoke against.

Rep. Jill Hammond spoke in favor.

On a division vote, 120 members having voted in the affirmative and 129 in the negative, the committee report failed.

Rep. Kurk moved Recommit.

Rep. Hunt spoke against.

LAID ON TABLE

Rep. Daniel Eaton moved that **HB 745**, relative to the use of secret databases be laid on the table.

On a division vote, 151 members having voted in the affirmative and 134 in the negative, the motion was adopted.

BILLS REMOVED FROM CONSENT CALENDAR – SPECIAL ORDERS (CONT'D)

HB 762-FN, prohibiting smoking in restaurants, cocktail lounges, and certain enclosed places. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward A. Butler for Commerce: This bill was voted inexpedient to legislate after it was confirmed that SB 42, also a smoking ban bill, will come to the committee. This issue will receive a full hearing and review with SB 42. Vote 15-1.

Rep. Holden spoke against.

Rep. Butler spoke in favor.

Rep. Winters requested a roll call; sufficiently seconded.

YEAS 246 NAYS 42

YEAS 246

BELKNAP

Allen, Janet
Millham, Alida
Russell, David
Whalley, Michael

Boyce, Laurie
Morrison, Gail
Tilton, Franklin

Clark, Charles
Pilliod, James
Tobin, William

Flanders, Donald
Reever, Judith
Wendelboe, Fran

CARROLL

Bridgham, Robert
Cunningham, Howard
Martin, James

Buco, Thomas
Denley, William

Butler, Edward
Heard, Virginia

Chandler, Gene
Knox, J. David

CHESHIRE

Allen, Peter
Dunn, J. Timothy
Johnson, Jane
Sad, Tara

Butcher, Suzanne
Eaton, Daniel
Lerandeau, Alfred
Weber, Lucy

Butterworth, Timothy
Emerson, Susan
Mitchell, Bonnie
Weed, Charles

Butynski, William
Hunt, John
Richardson, Barbara

COOS

Hatch, William
Thomas, Yvonne

Ingersoll, Paul Sr

Theberge, Robert

Tholl, John Jr

GRAFTON

Almy, Susan
Friedrich, Carol
McLeod, Martha
Preston, Philip

Benn, Bernard
Gionet, Edmond
Mulholland, Catherine
Solomon, Peter

Bleyler, Ruth
Hammond, Lee
Nordgren, Sharon
Sorg, Gregory

Dingman, Vernon III
Ingbretson, Paul
Pierce, David
Williams, Burton

HILLSBOROUGH

Barry, Richard
Bergin, Peter
Clark, Mark
Edwards, Andrew
Fletcher, Richard
Gargas, Carolyn
Gorman, Mary
Hall, Betty
Hinkle, Peyton
Kaelin, Michael
L'Heureux, Robert
Lessard, Rudy
Martineau, Jesse
O'Connell, Timothy
Peterson, Andy
Rosenwald, Cindy
Simon, Anthony
Stepanek, Stephen

Batula, Peter
Campbell, David
Cote, David
Elliott, Nancy
Forest, Armand
Garrity, Patrick
Graham, John
Hammond, Jill
Hogan, Edith
Kelley, John
Lasky, Bette
Levesque, Melanie
McRae, Karen
O'Neil, James
Pilotte, Maurice
Rowe, Robert
Smith, David
Ulery, Jordan

Beaulieu, Jane
Chase, Claudia
Daniels, Gary
Emerton, Larry
Foster, Linda
Ginsburg, Ruth
Hackel, Paul
Harvey, Suzanne
Irwin, Anne-Marie
Kopka, Angeline
Lawrence, James
Long, Patrick
Mooney, Maureen
Ober, Lynne
Renzullo, Andrew
Shattuck, Gilman
Soucy, Connie
Villeneuve, Maurice

Bergeron, Jean-Guy
Christensen, Chris
Drisko, Richard
Essex, David
Francoeur, Bea
Goley, Jeffrey
Haefner, Robert
Hawkins, Ken
Jasper, Shawn
Kurk, Neal
Leishman, Peter
Manney, Pamela
Movsesian, Lori
Ober, Russell III
Rochette, Eric
Shaw, Barbara
Spratt, Stephen
Winters, Joel

MERRIMACK

Blanchard, Elizabeth
Clarke, Claire
Ehlers, Eileen
Hager, Elizabeth
Kidder, David

McMahon, Patricia
Shurtleff, Stephen
Walz, Mary

Bouchard, Candace
Davis, Frank
Foote, Robert
Hamm, Christine
Kjellman, Eleanor
Glynn
Owen, Derek
Tilton, Joy
Webb, Leigh

Brown, Carole
DeJoie, John
French, Barbara
Hess, David
Lockwood, Priscilla
Porter, Margaret
Tupper, Frank
Williams, Robert

Brueggemann, Donald
DeStefano, Stephen
Gile, Mary
Humphries, Charlie
MacKay, James
Ryan, Jim
Wallner, Mary
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Baldasaro, Alfred	Bedrick, Jason
Bettencourt, David	Bishop, Franklin	Camm, Kevin	Case, Frank
Casey, Kimberley	Charron, Gene	Dalrymple, David	Day, Judith
Devine, James	Elliott, Robert	Emiro, Frank	Flockhart, Eileen
Garcia, Marilinda	Garrity, James	Grote, Otto	Headd, James
Howard, Doreen	Hutchinson, Karen	Ingram, Russell	Itse, Daniel
Kappler, Lawrence	Katsakiores, George	Katsakiores, Phyllis	Kennedy, James
Kepner, Susan	Lund, Howie	Major, Norman	Marsh, Michael
McEachern, Paul	McKinney, Betsy	McMahon, Charles	Moody, Marcia
Nord, Susi	Nowe, Ronald	Packard, Sherman	Pantelakos, Laura
Quandt, Marshall	Rausch, James	Robertson, Carl	Russell, Trinka
Sanders, Elisabeth	Snow, Richard	Splaine, James	Waterhouse, Kevin
Weare, Everett	Welch, David	Weyler, Kenneth	Winchell, George

STRAFFORD

Berube, Roger	Billian, Deborah	Brennan, William	Brown, Larry
Burke, Rachel	DeChane, Marlene	Fargo, Thomas	Hilliard, Dana
Hutz, Sarah	Kaen, Naida	Knowles, William	Perry, Robert
Rollo, Deanna	Rollo, Michael	Rous, Emma	Schmidt, Peter
Sprague, Dale	Wall, Janet	Warren, Nancy	Watson, Robert

SULLIVAN

Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Gagnon, Raymond	Gottling, Suzanne	Jillette, Arthur Jr
Nielsen, Ellen	Phinizy, James	Rodeschin, Beverly	Skinder, Carla

NAYS 42

BELKNAP

None

CARROLL

Brown, Carolyn	Patten, Betsey	Stevens, Stanley
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CHESHIRE

Burridge, Delmar	Chase, William	Roberts, Kris	Robertson, Timothy
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COOS

Remick, William	Stohl, Eric
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GRAFTON

Andersen, Gene	Cooney, Mary
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HILLSBOROUGH

Baroody, Benjamin	Brunelle, Michael	Crane, Elenore Casey	Dokmo, Cynthia
Holden, Randolph	Infantine, William	Judy, Jean	Levasseur, Nickolas
Matarazzo, Anthony Sr	Messier, Irene	Price, Pamela	Schulze, Joan

Shaw, Kimberly

Vaillancourt, Steve

Velez, Hector

MERRIMACK

Anderson, Eric

Baxley, Maureen

Osborne, Jessie

Potter, Frances

ROCKINGHAM

Borden, David
Griffin, Mary
Stiles, Nancy

Buxton, Donald
Kelley, Jane
Wickson, Rick

DiFruscia, Anthony
Pearson, Mark

Gould, Kenneth
Powers, James

STRAFFORD

Cyr, James

Spang, Judith

SULLIVAN

None

and the committee report was adopted.

***HB 92*, decriminalizing marijuana. INEXPEDIENT TO LEGISLATE.**

Rep. John E. Tholl for Criminal Justice and Public Safety: This bill would have allowed any person to have in their possession, cultivate, or sell any quantity of marijuana. There would be no difference between a person who had in his possession ¼ oz. of marijuana for personal use, or a person who had a tractor trailer load (20 tons). One of the arguments made was that if it were legal the state could tax it and have revenue income from the sale. This argument falls short for several reasons. It would still be illegal under federal law and arrests could and would be made by federal agents. The idea that people would pay taxes for something that they could grow in their gardens under the bill is less than realistic. Another argument is that the jails are full of inmates whose sole offense was possession of small amounts of marijuana. This argument also falls short as the conviction for possession of small amounts of marijuana results in a fine ranging from \$100 to \$250 and no jail sentence. The committee felt that *HB 92* was ill conceived and would only result in numerous problems without solving any. Vote 13-3.

Reps. Weed and Vaillancourt spoke against.

Rep. Mark Clark moved Recommit.

LAID ON TABLE

Rep. Campbell moved that ***HB 92***, decriminalizing marijuana be laid on the table.

On a division vote, 186 members having voted in the affirmative and 99 in the negative, the motion was adopted.

BILLS REMOVED FROM CONSENT CALENDAR – SPECIAL ORDERS (CONT'D)

HB 340, restricting sex offenders from residing within a certain distance from schools and child-oriented organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. John E. Tholl for Criminal Justice and Public Safety: This bill, although well intended, may result in registered sex offenders failing to register because they are unable to find a place to live due to the restrictions. This has happened in other states where, when the restrictions were enacted, 40% of the offenders locations became unknown because they failed to register. When Springfield, MA attempted to pass such legislation, it was discovered that the entire City of Springfield, with the exception of two small blocks, was excluded and these two blocks were in an industrial area. The committee felt that it is important to know who and where the registrants reside. Vote 15-1.

Reps. Infantine and Wendelboe spoke against.

Reps. Tholl and William Knowles spoke in favor.

Rep. Infantine requested a roll call; sufficiently seconded.

YEAS 195 NAYS 86

YEAS 195

BELKNAP

Allen, Janet
Pilliod, James

Clark, Charles
Reever, Judith

Millham, Alida
Russell, David

Morrison, Gail

CARROLL

Bridgham, Robert
Heard, Virginia

Buco, Thomas
Knox, J. David

Chandler, Gene
Martin, James

Cunningham, Howard
Stevens, Stanley

CHESHIRE

Allen, Peter
Butynski, William
Hunt, John
Roberts, Kris
Weed, Charles

Burridge, Delmar
Chase, William
Lerandeau, Alfred
Robertson, Timothy

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

Butterworth, Timothy
Eaton, Daniel
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William
Tholl, John Jr

Ingersoll, Paul Sr
Thomas, Yvonne

Stohl, Eric

Theberge, Robert

GRAFTON

Almy, Susan
Cooney, Mary
Hammond, Lee
Nordgren, Sharon
Williams, Burton

Andersen, Gene
Estes, Carole
Ingbretson, Paul
Pierce, David

Benn, Bernard
Friedrich, Carol
McLeod, Martha
Preston, Philip

Bleyler, Ruth
Gionet, Edmond
Mulholland, Catherine
Sorg, Gregory

HILLSBOROUGH

Baroody, Benjamin
Chase, Claudia
Edwards, Andrew
Foster, Linda
Ginsburg, Ruth
Hackel, Paul
Jasper, Shawn
Kopka, Angeline
Lessard, Rudy

Beaulieu, Jane
Christensen, Chris
Essex, David
Francoeur, Bea
Goley, Jeffrey
Hammond, Jill
Jeudy, Jean
L'Heureux, Robert
Matarazzo, Anthony
Sr

Bergin, Peter
Cote, David
Fletcher, Richard
Gargas, Carolyn
Gorman, Mary
Harvey, Suzanne
Kaelin, Michael
Lasky, Bette
McRae, Karen

Campbell, David
Dokmo, Cynthia
Forest, Armand
Garrity, Patrick
Graham, John
Irwin, Anne-Marie
Kelley, John
Leishman, Peter
O'Connell, Timothy

Peterson, Andy
Shaw, Barbara
Vaillancourt, Steve

Pilotte, Maurice
Smith, David
Villeneuve, Maurice

Schulze, Joan
Soucy, Connie
Winters, Joel

Shattuck, Gilman
Spratt, Stephen

MERRIMACK

Blanchard, Elizabeth
Clarke, Claire
Ehlers, Eileen
Hamm, Christine

Bouchard, Candace
Davis, Frank
Foose, Robert
Kidder, David

Brown, Carole
DeJoie, John
French, Barbara
Kjellman, Eleanor

Brueggemann, Donald
DeStefano, Stephen
Gile, Mary
Lockwood, Priscilla

McMahon, Patricia	Osborne, Jessie	Glynn	
Potter, Frances	Shurtleff, Stephen	Owen, Derek	Porter, Margaret
Wallner, Mary	Walz, Mary	Tilton, Joy	Tupper, Frank
		Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Borden, David	Buxton, Donald
Case, Frank	Casey, Kimberley	Charron, Gene	Dalrymple, David
DiFruscia, Anthony	Emiro, Frank	Flanders, John Sr	Flockhart, Eileen
Garrity, James	Gould, Kenneth	Grote, Otto	Headd, James
Howard, Doreen	Ingram, Russell	Katsakiores, George	Kelley, Jane
Kennedy, James	Major, Norman	Marsh, Michael	McEachern, Paul
Moody, Marcia	Nord, Susi	Packard, Sherman	Pantelakos, Laura
Powers, James	Quandt, Marshall	Russell, Trink	Sanders, Elisabeth
Snow, Richard	Waterhouse, Kevin	Weare, Everett	Welch, David
Winchell, George			

STRAFFORD

Berube, Roger	Billian, Deborah	Brennan, William	Brown, Larry
Burke, Rachel	Cyr, James	DeChane, Marlene	Fargo, Thomas
Hutz, Sarah	Kaen, Naida	Knowles, William	Perry, Robert
Rollo, Deanna	Rollo, Michael	Rous, Emma	Schmidt, Peter
Spang, Judith	Wall, Janet	Watson, Robert	

SULLIVAN

Cloutier, John	Converse, Larry	Donovan, Thomas	Ferland, Brenda
Franklin, Peter	Gottling, Suzanne	Nielsen, Ellen	Phinizy, James
Skinder, Carla			

NAYS 86

BELKNAP

Boyce, Laurie	Flanders, Donald	Tilton, Franklin	Tobin, William
Wendelboe, Fran	Whalley, Michael		

CARROLL

Brown, Carolyn	Denley, William
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CHESHIRE

Emerson, Susan	Johnson, Jane
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COOS

Remick, William

GRAFTON

Bulis, Lyle	Dingman, Vernon III	Solomon, Peter
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HILLSBOROUGH

Barry, Richard	Batula, Peter	Bergeron, Jean-Guy	Brunelle, Michael
Clark, Mark	Crane, Elenore Casey	Daniels, Gary	Drisko, Richard

Elliott, Nancy
Hawkins, Ken
Infantine, William
Levesque, Melanie
Messier, Irene
Ober, Russell III
Shaw, Kimberly
Velez, Hector

Emerton, Larry
Hinkle, Peyton
Kurk, Neal
Long, Patrick
Mooney, Maureen
Price, Pamela
Simon, Anthony

Haefner, Robert
Hogan, Edith
Lawrence, James
Manney, Pamela
O'Neil, James
Renzullo, Andrew
Stepanek, Stephen

Hall, Betty
Holden, Randolph
Levasseur, Nickolas
Martineau, Jesse
Ober, Lynne
Rowe, Robert
Ulery, Jordan

MERRIMACK

Anderson, Eric
MacKay, James

Baxley, Maureen
Ryan, Jim

Hess, David
Webb, Leigh

Humphries, Charlie

ROCKINGHAM

Baldasaro, Alfred
Camm, Kevin
Elliott, Robert
Kappler, Lawrence
McMahon, Charles
Robertson, Carl

Bedrick, Jason
Carson, Sharon
Garcia, Marilinda
Katsakiores, Phyllis
Nowe, Ronald
Stiles, Nancy

Bettencourt, David
Day, Judith
Griffin, Mary
Lund, Howie
Pearson, Mark
Weyler, Kenneth

Bishop, Franklin
Devine, James
Itse, Daniel
McKinney, Betsy
Rausch, James
Wickson, Rick

STRAFFORD

Sprague, Dale

SULLIVAN

Gagnon, Raymond Jillette, Arthur Jr Rodeschin, Beverly
and the committee report was adopted.

HB 591-FN, relative to an affirmative defense to certain felonious sexual assault offenses.
INEXPEDIENT TO LEGISLATE.

Rep. Ellen Nielsen for Criminal Justice and Public Safety: The committee felt that this bill focuses attention on the behavior of the victim rather than the accountability of the offender and that it might well undermine the Rape Shield Law. A Fiscal Note for this bill was not yet available. Vote 14-4.

Rep. Nielsen yielded to questions.

Rep. James Garrity moved the previous question.

On a division vote, 246 members having voted in the affirmative and 35 in the negative, the motion was adopted and debate was limited.

Committee report adopted.

HB 655-FN, relative to unborn victims of violence. **INEXPEDIENT TO LEGISLATE.**

Rep. Lori A. Movsesian for Criminal Justice and Public Safety: The New Hampshire Legislature has consistently rejected legislation aimed at creating separate legal status for a fetus. HB 655 is another attempt to define "unborn child" in statute. New Hampshire law already imposes an additional penalty for assailants who commit a violent act toward a pregnant woman resulting in miscarriage, or stillbirth. In 1991, New Hampshire passed laws that punish an assailant who "purposely, or knowingly causes injury to another resulting in miscarriage, or stillbirth" (RSA 631:1c), or who "recklessly or negligently causes injury to another resulting in miscarriage, or stillbirth" (RSA 631:2e). An assault on the mother is an assault on the fetus. This bill is simply unnecessary. Vote 10-6.

Rep. Itse spoke against and yielded to questions.

Rep. Rowe spoke against.

Rep. William Knowles spoke in favor.

Rep. Bettencourt requested a roll call; sufficiently seconded.

YEAS 207 NAYS 76

YEAS 207

BELKNAP

Allen, Janet
Pilliod, James

Flanders, Donald
Reever, Judith

Millham, Alida
Russell, David

Morrison, Gail
Tobin, William

CARROLL

Bridgham, Robert
Knox, J. David

Buco, Thomas
Martin, James

Cunningham, Howard

Heard, Virginia

CHESHIRE

Allen, Peter
Chase, William
Johnson, Jane
Roberts, Kris
Weed, Charles

Burridge, Delmar
Dunn, J. Timothy
Lerandau, Alfred
Robertson, Timothy

Butcher, Suzanne
Eaton, Daniel
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Hunt, John
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William
Theberge, Robert

Ingersoll, Paul Sr
Tholl, John Jr

Remick, William
Thomas, Yvonne

Stohl, Eric

GRAFTON

Almy, Susan
Bulis, Lyle
Gionet, Edmond
Nordgren, Sharon
Williams, Burton

Andersen, Gene
Cooney, Mary
Hammond, Lee
Pierce, David

Benn, Bernard
Estes, Carole
McLeod, Martha
Preston, Philip

Bleyler, Ruth
Friedrich, Carol
Mulholland, Catherine
Solomon, Peter

HILLSBOROUGH

Baroody, Benjamin
Campbell, David
Dokmo, Cynthia
Fletcher, Richard
Garrrity, Patrick
Graham, John
Harvey, Suzanne
Kaelin, Michael
Lasky, Bette
Levesque, Melanie
O'Connell, Timothy
Shaw, Barbara
Vaillancourt, Steve

Beaulieu, Jane
Chase, Claudia
Drisko, Richard
Forest, Armand
Ginsburg, Ruth
Hackel, Paul
Holden, Randolph
Kelley, John
Leishman, Peter
Martineau, Jesse
Peterson, Andy
Shaw, Kimberly
Velez, Hector

Bergin, Peter
Christensen, Chris
Edwards, Andrew
Foster, Linda
Goley, Jeffrey
Hall, Betty
Irwin, Anne-Marie
Kopka, Angeline
Lessard, Rudy
Messier, Irene
Rosenwald, Cindy
Simon, Anthony
Winters, Joel

Brunelle, Michael
Cote, David
Essex, David
Gargas, Carolyn
Gorman, Mary
Hammond, Jill
Jeudy, Jean
Kurk, Neal
Levasseur, Nickolas
Movsesian, Lori
Shattuck, Gilman
Spratt, Stephen

MERRIMACK

Anderson, Eric
Brown, Carole
DeJoie, John

Baxley, Maureen
Brueggemann, Donald
DeStefano, Stephen

Blanchard, Elizabeth
Clarke, Claire
Ehlers, Eileen

Bouchard, Candace
Davis, Frank
Foosse, Robert

French, Barbara
Kjellman, Eleanor
Glynn
Osborne, Jessie
Ryan, Jim
Wallner, Mary
Yeaton, Charles

Gile, Mary
Lockwood, Priscilla

Owen, Derek
Shurtleff, Stephen
Walz, Mary

Hamm, Christine
MacKay, James

Porter, Margaret
Tilton, Joy
Webb, Leigh

Kidder, David
McMahon, Patricia

Potter, Frances
Tupper, Frank
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
DiFruscia, Anthony
Gould, Kenneth
Hutchinson, Karen
Kennedy, James
McKinney, Betsy
Powers, James
Snow, Richard
Welch, David

Borden, David
Charron, Gene
Emiro, Frank
Griffin, Mary
Ingram, Russell
Major, Norman
Moody, Marcia
Robertson, Carl
Splaine, James

Buxton, Donald
Dalrymple, David
Flanders, John Sr
Grote, Otto
Katsakiores, George
Marsh, Michael
Nord, Susi
Russell, Trinkka
Stiles, Nancy

Case, Frank
Day, Judith
Flockhart, Eileen
Howard, Doreen
Kelley, Jane
McEachern, Paul
Pantelakos, Laura
Sanders, Elisabeth
Weare, Everett

STRAFFORD

Billian, Deborah
Cyr, James
Hutz, Sarah
Rollo, Deanna
Smith, Marjorie
Watson, Robert

Brennan, William
DeChane, Marlene
Kaen, Naida
Rollo, Michael
Spang, Judith

Brown, Larry
Fargo, Thomas
Knowles, William
Rous, Emma
Sprague, Dale

Burke, Rachel
Hilliard, Dana
Perry, Robert
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Gagnon, Raymond
Phinizy, James

Converse, Larry
Gottling, Suzanne
Skinder, Carla

Ferland, Brenda
Jillette, Arthur Jr

Franklin, Peter
Nielsen, Ellen

NAYS 76

BELKNAP

Boyce, Laurie
Whalley, Michael

Clark, Charles

Tilton, Franklin

Wendelboe, Fran

CARROLL

Brown, Carolyn

Chandler, Gene

Denley, William

Stevens, Stanley

CHESHIRE

Butynski, William

Emerson, Susan

COOS

None

GRAFTON

Dingman, Vernon III

Ingbertson, Paul

Sorg, Gregory

HILLSBOROUGH

Barry, Richard	Batula, Peter	Bergeron, Jean-Guy	Clark, Mark
Crane, Elenore Casey	Daniels, Gary	Elliott, Nancy	Emerton, Larry
Francoeur, Bea	Haefner, Robert	Hinkle, Peyton	Hogan, Edith
Infantine, William	L'Heureux, Robert	Lawrence, James	Manney, Pamela
Matarazzo, Anthony Sr	McRae, Karen	Mooney, Maureen	O'Neil, James
Ober, Lynne	Ober, Russell III	Pilotte, Maurice	Price, Pamela
Renzullo, Andrew	Rowe, Robert	Schulze, Joan	Smith, David
Soucy, Connie	Stepanek, Stephen	Ulery, Jordan	Villeneuve, Maurice

MERRIMACK

Hess, David	Humphries, Charlie
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ROCKINGHAM

Allen, Mary	Bedrick, Jason	Bettencourt, David	Bishop, Franklin
Camm, Kevin	Carson, Sharon	Devine, James	Elliott, Robert
Garcia, Marilinda	Garrity, James	Headd, James	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Lund, Howie	McMahon, Charles
Nowe, Ronald	Packard, Sherman	Pearson, Mark	Quandt, Marshall
Rausch, James	Waterhouse, Kevin	Weyler, Kenneth	Wickson, Rick
Winchell, George			

STRAFFORD

Berube, Roger

SULLIVAN

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

HB 902, establishing a committee to study the costs and benefits of the drug prohibition policy on the people of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. David A. Welch for Criminal Justice and Public Safety: This bill asks for a committee to study and report to the legislature whether or not our "War on Drugs" has been effective. Many of us believe that it has not been effective, but feel that any alternative other than legalizing drugs would not be acceptable to the proponents. As time goes on and more and more money is spent and lives are lost, we may realize a need to alter our system of laws to reflect changes in our society. Yet another study to state the obvious and gather dust in some executive office will not help. The proponents ought to gather the information themselves and make the report to all of us for consideration. Vote 14-2.

Rep. Mark Clark spoke against and yielded to questions.

Rep. Ingbretson spoke against.

Rep. Welch spoke in favor.

Rep. Hutchinson moved the previous question.

Adopted.

On a division vote, 229 members having voted in the affirmative and 37 in the negative, the committee report was adopted.

HB 314, authorizing the Pelham school board to transfer funds for the purpose of renting portable classrooms. **INEXPEDIENT TO LEGISLATE.**

Rep. Sharon M. Carson for Education: This bill attempted to address a confusing situation. The citizens of Pelham voted on a school bonding issue last year dealing with the purchase of

portable classrooms. The majority voted not to adopt the warrant article. Subsequently, upon an inspection by the fire chief, the high school was found to have numerous code violations. The school board made a decision to close those classrooms and replace them with portables, an apparent violation of the "no means no" law. The school board attempted to seek a remedy to this situation by appealing to town officials and the State Board of Education. The State Board denied the request to relieve the district of potential liability. At a recent town meeting, the town decided to pay for the portable classrooms. There was concern expressed by the committee that we did not have the expertise to deal with violations of the "no means no" law and could not give them the relief they needed. Vote 11-1.

Committee report adopted.

HB 424-FN-A, relative to industrial hemp and establishing an industrial hemp special program fund. **OUGHT TO PASS.**

Rep. Derek Owen for Environment and Agriculture: This bill to allow the growing, cultivation and processing of industrial hemp should be passed. There are many countries that allow it including our neighbor Canada with which we share a border. This agricultural crop can be used in numerous ways: as a food product (hemp oil, hemp seed, and hemp beer), body products (shampoo and soaps), animal feed and bedding, paper, clothing and plastic products, and finally as a fuel or pulp product. The only opposition to this bill was a representative from the testing lab from the Department of Safety and a member of the Chiefs' of Police. Their testimony was primarily based on the assumption that hemp and marijuana are both problematic in the mind altering abilities. You don't smoke hemp. A wheelbarrow full would only make you sick. The main differences between the two are: hemp plants are grown very close together (to promote stalk for cellulose) and "pot" is grown well apart (to promote flowers and leaves). Also the T.H.C. (the mind altering compound) has almost been completely bred out of hemp which by law can be no more than three tenths of 1 percent. And finally because of cross pollination effects, marijuana cannot be grown anywhere near hemp. Vote 14-3.

Reps. Peterson and O'Connell spoke against.

Reps. Owen and Phinizy spoke in favor.

Rep. Peterson requested a roll call; sufficiently seconded.

YEAS 190 NAYS 76

YEAS 190

BELKNAP

Flanders, Donald
Tobin, William

Morrison, Gail

Pilliod, James

Reever, Judith

CARROLL

Bridgham, Robert

Cunningham, Howard

Denley, William

Heard, Virginia

CHESHIRE

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

Burridge, Delmar
Chase, William
Richardson, Barbara
Weber, Lucy

Butcher, Suzanne
Dunn, J. Timothy
Roberts, Kris
Weed, Charles

Butterworth, Timothy
Eaton, Daniel
Robertson, Timothy

COOS

Hatch, William

Ingersoll, Paul Sr

Theberge, Robert

Thomas, Yvonne

GRAFTON

Aguiar, James	Almy, Susan	Andersen, Gene	Benn, Bernard
Bleyler, Ruth	Bulis, Lyle	Cooney, Mary	Dingman, Vernon III
Estes, Carole	Friedrich, Carol	Hammond, Lee	Ingbretson, Paul
McLeod, Martha	Mulholland, Catherine	Nordgren, Sharon	Pierce, David
Preston, Philip	Solomon, Peter	Williams, Burton	

HILLSBOROUGH

Baroody, Benjamin	Barry, Richard	Beaulieu, Jane	Campbell, David
Chase, Claudia	Dokmo, Cynthia	Elliott, Nancy	Essex, David
Fletcher, Richard	Foster, Linda	Francoeur, Bea	Ginsburg, Ruth
Gorman, Mary	Graham, John	Hackel, Paul	Hall, Betty
Hammond, Jill	Harvey, Suzanne	Hinkle, Peyton	Hogan, Edith
Infantine, William	Irwin, Anne-Marie	Jeudy, Jean	Kaelin, Michael
Kelley, John	Kopka, Angeline	Lasky, Bette	Lawrence, James
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Long, Patrick
Manney, Pamela	Martineau, Jesse	McRae, Karen	Messier, Irene
O'Neil, James	Ober, Lynne	Ober, Russell III	Pilotte, Maurice
Renzullo, Andrew	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Shaw, Kimberly	Simon, Anthony	Smith, David
Soucy, Connie	Spratt, Stephen	Stepanek, Stephen	Ulery, Jordan
Vaillancourt, Steve	Velez, Hector	Winters, Joel	

MERRIMACK

Baxley, Maureen	Blanchard, Elizabeth	Bouchard, Candace	Brown, Carole
Brueggemann, Donald	Clarke, Claire	Davis, Frank	Ehlers, Eileen
Foose, Robert	French, Barbara	Gile, Mary	Hamm, Christine
Humphries, Charlie	Kjellman, Eleanor	Lockwood, Priscilla	Osborne, Jessie
	Glynn		
Owen, Derek	Porter, Margaret	Potter, Frances	Ryan, Jim
Shurtleff, Stephen	Tilton, Joy	Tupper, Frank	Wallner, Mary
Walz, Mary	Webb, Leigh	Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Bedrick, Jason	Borden, David
Case, Frank	Casey, Kimberley	Charron, Gene	Day, Judith
Devine, James	DiFruscia, Anthony	Flockhart, Eileen	Garcia, Marilinda
Gould, Kenneth	Grote, Otto	Howard, Doreen	Hutchinson, Karen
Katsakiores, Phyllis	Kelley, Jane	Kennedy, James	Lund, Howie
Marsh, Michael	McEachern, Paul	McKinney, Betsy	Moody, Marcia
Nord, Susi	Pantelakos, Laura	Powers, James	Russell, Trinka
Snow, Richard	Splaine, James	Waterhouse, Kevin	

STRAFFORD

Billian, Deborah	Brennan, William	Brown, Larry	Burke, Rachel
Cyr, James	DeChane, Marlene	Fargo, Thomas	Hilliard, Dana
Hutz, Sarah	Kaen, Naida	Perry, Robert	Rollo, Deanna
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Wall, Janet	Watson, Robert

SULLIVAN

Cloutier, John
Gottling, Suzanne
Skinder, Carla

Converse, Larry
Jillette, Arthur Jr

Donovan, Thomas
Nielsen, Ellen

Franklin, Peter
Phinizy, James

NAYS 76

BELKNAP

Allen, Janet
Russell, David

Boyce, Laurie
Tilton, Franklin

Clark, Charles
Wendelboe, Fran

Millham, Alida
Whalley, Michael

CARROLL

Brown, Carolyn
Stevens, Stanley

Buco, Thomas

Knox, J. David

Martin, James

CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

COOS

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Sorg, Gregory

HILLSBOROUGH

Batula, Peter
Cote, David
Forest, Armand
Holden, Randolph
Matarazzo, Anthony
Sr
Peterson, Andy

Bergeron, Jean-Guy
Daniels, Gary
Gargasz, Carolyn
Kurk, Neal
Mooney, Maureen

Price, Pamela

Brunelle, Michael
Drisko, Richard
Haefner, Robert
L'Heureux, Robert
Movsesian, Lori

Rowe, Robert

Clark, Mark
Emerton, Larry
Hawkins, Ken
Lessard, Rudy
O'Connell, Timothy

Villeneuve, Maurice

MERRIMACK

Anderson, Eric
MacKay, James

DeStefano, Stephen

Hess, David

Kidder, David

ROCKINGHAM

Baldasaro, Alfred
Carson, Sharon
Garritty, James
Major, Norman
Quandt, Marshall
Weare, Everett
Winchell, George

Bettencourt, David
Dalrymple, David
Griffin, Mary
McMahon, Charles
Robertson, Carl
Welch, David

Bishop, Franklin
Emiro, Frank
Headd, James
Packard, Sherman
Sanders, Elisabeth
Weyler, Kenneth

Buxton, Donald
Flanders, John Sr
Katsakiores, George
Pearson, Mark
Stiles, Nancy
Wickson, Rick

STRAFFORD

None

SULLIVAN

Gagnon, Raymond

Rodeschin, Beverly

and the committee report was adopted.
Ordered to third reading.

HB 363*, relative to certain notification for emergency contraception. **INEXPEDIENT TO LEGISLATE.*

Rep. Ken Hawkins for Executive Departments and Administration: This bill would require the pharmacists dispensing emergency contraception to post a sign at each cash register with a statement about fertilization. The committee was reluctant to force private businesses to display signs expressing a particular point of view. Pharmacists, also, indicated their great concern at displaying signs that they (or their check out staff) might well be forced to explain to the general public. While some of the committee was sympathetic to the intention of the bill, no one thought this bill was good public policy. Vote 17-0.
Committee report adopted.

CACR 17*, relating to funding for education. Providing that revenue from lotteries and games of chance may only be used for educational purposes. **INEXPEDIENT TO LEGISLATE.*

Rep. Robert A. Foose for Finance: This constitutional amendment expands the definition of gambling revenues to provide that revenues from games of chance may only be used for educational purposes. The majority of the committee believed that it is premature to add games of chance as another source of permitted gambling unless the legislature first acts to approve "games of chance." Vote 19-1.

CLERK'S NOTE

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

MOTION TO LAY ON THE TABLE

Rep. Leishman moved that ***CACR 17***, relating to funding for education. Providing that revenue from lotteries and games of chance may only be used for educational purposes be laid on the table.

On a division vote, 153 members having voted in the affirmative and 109 in the negative, the motion failed lacking the necessary three-fifths vote.

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

On a division vote, 245 members having voted in the affirmative and 18 in the negative, the committee report was adopted by the necessary two-thirds.

BILLS REMOVED FROM CONSENT CALENDAR – SPECIAL ORDERS (CONT'D)

HB 567-FN*, relative to lowering the legal drinking age. **INEXPEDIENT TO LEGISLATE.*

Rep. Frances D. Potter for Judiciary: This bill was strongly opposed in testimony. A representative of the Health and Human Services Dept. pointed out that no state has a drinking age under 21. The committee heard testimony from NH Liquor Commission Enforcement and Licensing that the brains of 18-25 year-olds are still developing. A board certified health educator from St. Paul's School stated that alcohol use is a primary medical concern. He also stated that the adolescent brain is vulnerable and not like the adult brain. Alcohol disrupts sleep cycles, short term memory, and impairs maturation, as well as causing the loss of frontal lobe function, permanently. For these reasons the committee recommends Inexpedient to Legislate. Vote 17-0.

Rep. Timothy Robertson spoke against.

Rep. Potter spoke in favor.

On a division vote, 234 members having voted in the affirmative and 31 in the negative, the

committee report was adopted by the necessary two-thirds.

HB 670, relative to repealing the incorporation of the New Hampshire Bar Association. **INEXPEDIENT TO LEGISLATE.**

Rep. Bette R. Lasky for Judiciary: This bill would revoke the charter granted to the New Hampshire Bar Association in 1873 by the New Hampshire Legislature. The committee recognized that it is the responsibility of the Judicial Branch to regulate the practice of law in our state and they have chosen to do so through the New Hampshire Bar Association. Furthermore, this bill would have required any and all assets of the New Hampshire Bar Association to be forfeited to the State of New Hampshire. This action would be contrary to Part 1, Article 19, of the New Hampshire Constitution. Vote 16-0. Committee report adopted by the necessary two-thirds.

HB 906, relative to an informed jury. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary B. Richardson for Judiciary: The majority of the committee felt that the instructions that are currently given to juries on jury nullification are adequate, and that it would be a mistake to encourage juries to ignore the law that is given to them by the judge. It is the passage of laws following the legislative process that should govern our conduct, not juries. Vote 15-1.

Rep. DiFruscia spoke against.

Rep. Weber spoke in favor.

On a division vote, 199 members having voted in the affirmative and 59 in the negative, the committee report was adopted by the necessary two-thirds.

HB 310, allowing municipalities to regulate small wind energy systems. **OUGHT TO PASS.**

Rep. Mary R. Cooney for Municipal and County Government: Municipalities may now allow the construction of residential wind turbines. This bill helps them by establishing guide lines for height and set backs. Under this bill, municipalities may adopt ordinances to allow these residential uses of wind energy systems consistent with the overall goal of saving energy. As part of this bill the office of energy and planning will develop a technical bulletin relative to model municipal ordinances. Vote 10-2.

Rep. Simon moved Recommit.

Adopted by the necessary two-thirds.

Recommitted to the committee on Municipal and County Government.

Rep. Peter Allen declared a conflict of interest and did not participate.

HB 474, excluding septic and sewage treatment facilities from the tax exemption for water and air pollution control facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsey L. Patten for Municipal and County Government: The original law exempting pollution control facilities from the local real estate tax was passed in 1955. During discussion last session regarding these facilities it was brought out that the law could be applied to every private septic and sewage treatment system. The Department of Environmental Services has only granted this tax exemption twice in 2004, with no input from the municipalities. This year another request for exemption of a private septic system was received. HB 474 was introduced to remove private septic and sewage treatment systems from RSA 72:12-a "Water and Air Pollution Control Facilities." In essence the state gives these local property tax exemptions even when the requirement for septic and sewage treatment systems are mandated by the state and federal government. The committee supports the amendment removing these private systems used primarily for the treatment or disposal of human water from this property tax exemption. Vote 15-0.

Amendment (0769h)

Amend RSA 72:12-a, I as inserted by section 1 of the bill by replacing it with the following:

I. Any person, firm or corporation which builds, constructs, installs, or places in use in this state any treatment facility, device, appliance, or installation wholly or partly for the purpose of reducing, controlling, or eliminating any source of air or water pollution shall be entitled to have the value of said facility and any real estate necessary therefor, or a percentage thereof determined in accordance with this section, exempted from the taxes levied under this chapter for the period of years in which the facility, device, appliance, or installation is used in accordance with the provisions of this section. This paragraph shall not apply to privately-owned landfills or ancillary facilities located at such landfills, ***or to private septic and sewage treatment systems that have as their primary purpose treatment or disposal of human waste.***

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

2 Effective Date. This act shall take effect April 1, 2008.

Rep. Theberge moved Recommit.

Adopted by the necessary two-thirds.

Recommitted to the committee on Municipal and County Government.

HB 674, extending the veterans' property tax credit to all honorably discharged veterans.

INEXPEDIENT TO LEGISLATE.

Rep. Jessie L. Osborne for Municipal and County Government: The committee felt that this bill would shift the tax burden to the rest of the population by imposing a new tax on residents due 4/1 every year of \$10 per person ages 18-65 to pay for this new all encompassing veterans property tax credit. This tax credit is not means tested and in addition repeals definition of combat veterans, specific wars and time frames which are necessary references for other RSAs. NH already recognizes and honors its combat veterans with property tax credit. Vote 15-0.

Reps. Lawrence, Haefner, Baldasaro and Lynne Ober spoke against.

Reps. Theberge and Osborne spoke in favor.

Rep. Bettencourt requested a roll call; sufficiently seconded.

YEAS 166 NAYS 89

YEAS 166

BELKNAP

Allen, Janet
Morrison, Gail

Boyce, Laurie
Pilliod, James

Flanders, Donald
Reever, Judith

Millham, Alida
Russell, David

CARROLL

Bridgham, Robert
Heard, Virginia

Brown, Carolyn
Knox, J. David

Buco, Thomas
Martin, James

Cunningham, Howard

CHESHIRE

Allen, Peter
Butynski, William
Johnson, Jane
Weber, Lucy

Burridge, Delmar
Chase, William
Richardson, Barbara
Weed, Charles

Butcher, Suzanne
Dunn, J. Timothy
Robertson, Timothy

Butterworth, Timothy
Eaton, Daniel
Sad, Tara

COOS

Ingersoll, Paul Sr
Thomas, Yvonne

Stohl, Eric

Theberge, Robert

Tholl, John Jr

GRAFTON

Aguiar, James
Bleyler, Ruth
Friedrich, Carol
Nordgren, Sharon

Almy, Susan
Bulis, Lyle
Hammond, Lee
Pierce, David

Andersen, Gene
Cooney, Mary
McLeod, Martha
Preston, Philip

Benn, Bernard
Estes, Carole
Mulholland, Catherine
Solomon, Peter

HILLSBOROUGH

Baroody, Benjamin
Chase, Claudia
Essex, David
Hammond, Jill
Irwin, Anne-Marie
Kurk, Neal
Long, Patrick
Peterson, Andy
Schulze, Joan
Vaillancourt, Steve

Beaulieu, Jane
Cote, David
Foster, Linda
Harvey, Suzanne
Kaelin, Michael
Lasky, Bette
Martineau, Jesse
Pilotte, Maurice
Simon, Anthony
Villeneuve, Maurice

Brunelle, Michael
Drisko, Richard
Hackel, Paul
Hawkins, Ken
Kelley, John
Levasseur, Nickolas
McRae, Karen
Price, Pamela
Smith, David
Winters, Joel

Campbell, David
Edwards, Andrew
Hall, Betty
Holden, Randolph
Kopka, Angeline
Levesque, Melanie
Movsesian, Lori
Rosenwald, Cindy
Spratt, Stephen

MERRIMACK

Baxley, Maureen
Clarke, Claire
French, Barbara
Kidder, David
Osborne, Jessie
Shurtleff, Stephen
Walz, Mary

Blanchard, Elizabeth
Davis, Frank
Greco, Vincent
Lockwood, Priscilla
Owen, Derek
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Ehlers, Eileen
Hamm, Christine
MacKay, James
Porter, Margaret
Tupper, Frank
Williams, Robert

Brueggemann, Donald
Foose, Robert
Hess, David
McMahon, Patricia
Potter, Frances
Wallner, Mary
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Day, Judith
Kennedy, James
Nord, Susi
Snow, Richard
Wickson, Rick

Allen, Mary
Flockhart, Eileen
Marsh, Michael
Pantelakos, Laura
Splaine, James

Borden, David
Gould, Kenneth
McEachern, Paul
Powers, James
Waterhouse, Kevin

Casey, Kimberley
Grote, Otto
Moody, Marcia
Russell, Trinkia
Welch, David

STRAFFORD

Billian, Deborah
DeChane, Marlene
Perry, Robert
Schmidt, Peter
Wall, Janet

Brown, Larry
Hilliard, Dana
Rollo, Deanna
Smith, Marjorie
Warren, Nancy

Burke, Rachel
Hutz, Sarah
Rollo, Michael
Spang, Judith
Watson, Robert

Cyr, James
Kaen, Naida
Rous, Emma
Sprague, Dale

SULLIVAN

Cloutier, John
Gagnon, Raymond
Skinder, Carla

Converse, Larry
Jillette, Arthur Jr

Donovan, Thomas
Nielsen, Ellen

Franklin, Peter
Phinizy, James

NAYS 89

BELKNAP

Clark, Charles

Tobin, William

Wendelboe, Fran

Whalley, Michael

CARROLL

Chandler, Gene Denley, William Stevens, Stanley

CHESHIRE

Emerson, Susan Hunt, John Roberts, Kris

COOS

Hatch, William Remick, William

GRAFTON

Dingman, Vernon III Sorg, Gregory Williams, Burton

HILLSBOROUGH

Barry, Richard	Batula, Peter	Bergeron, Jean-Guy	Clark, Mark
Daniels, Gary	Dokmo, Cynthia	Elliott, Nancy	Emerton, Larry
Fletcher, Richard	Francoeur, Bea	Graham, John	Haefner, Robert
Hinkle, Peyton	Hogan, Edith	Infantine, William	Jeudy, Jean
L'Heureux, Robert	Lawrence, James	Leishman, Peter	Lessard, Rudy
Manney, Pamela	Messier, Irene	Mooney, Maureen	O'Connell, Timothy
O'Neil, James	Ober, Lynne	Ober, Russell III	Renzullo, Andrew
Rowe, Robert	Shaw, Barbara	Soucy, Connie	Stepanek, Stephen
Ulery, Jordan	Velez, Hector		

MERRIMACK

Anderson, Eric	Brown, Carole	DeStefano, Stephen	Gile, Mary
Humphries, Charlie	Kjellman, Eleanor	Ryan, Jim	
	Glynn		

ROCKINGHAM

Baldasaro, Alfred	Bedrick, Jason	Bettencourt, David	Bishop, Franklin
Buxton, Donald	Case, Frank	Charron, Gene	Dalrymple, David
Devine, James	DiFruscia, Anthony	Emiro, Frank	Flanders, John Sr
Garcia, Marilinda	Garrity, James	Griffin, Mary	Headd, James
Howard, Doreen	Katsakiores, George	Katsakiores, Phyllis	Lund, Howie
Major, Norman	McMahon, Charles	Packard, Sherman	Pearson, Mark
Quandt, Marshall	Robertson, Carl	Sanders, Elisabeth	Stiles, Nancy
Weare, Everett	Weyler, Kenneth	Winchell, George	

STRAFFORD

Brennan, William Fargo, Thomas

SULLIVAN

None

and the committee report failed lacking the necessary two-thirds.
Rep. Ingbretonson declared a conflict of interest and did not participate.

LAID ON TABLE

Rep. Campbell moved that **HB 674**, extending the veterans' property tax credit to all honorably discharged veterans be laid on the table.

On a division vote, 176 members having voted in the affirmative and 79 in the negative, the motion was adopted by the necessary two-thirds.

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

BILLS REMOVED FROM CONSENT CALENDAR – SPECIAL ORDERS (CONT'D)
HB 318*, relative to large groundwater withdrawals. **OUGHT TO PASS WITH AMENDMENT.*

Rep. Pamela J. Hubbard for Resources, Recreation and Development: This bill amends certain statutes relating to large groundwater withdrawals in order to make all statutes consistent with one another. The amendment specifies that the same large groundwater permit is required for withdrawals from multiple wells installed on the same property as a single well extracting that quantity (57,600 gallons per day). Vote 16-0.

Amendment (0605h)

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

1 Approval for Large Groundwater Withdrawals. Amend RSA 485-C:21, I to read as follows:

I. No person may withdraw ***more than a total of 57,600 gallons*** ~~(or more)~~ of water in any 24-hour period from ~~[a well sited after the effective date of this section]~~ ***a well or wells sited at a single property or place of business after the effective date of this section, regardless of the number of wells sited on the property or business***, without the prior approval of the department.

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

AMENDED ANALYSIS

This bill limits the withdraw of groundwater to the cumulative amount of 57,600 gallons from a single property or place of business, regardless of the number of wells on that property.

Amendment adopted.

Committee report adopted by the necessary two-thirds.

Ordered to third reading.

HB 710*, establishing a commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters. **OUGHT TO PASS WITH AMENDMENT.*

Rep. Harry C. Merrow for Resources, Recreation and Development: This bill forms a committee to study the issues relative to leasing state own real estate on the shores of public waters. While allowing for the extension of existing leases, it temporarily prohibits entering into any new leases between the effective date and January 2009. Vote 14-0.

Amendment (0807h)

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

AN ACT establishing a commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters and temporarily prohibiting new leases of state-owned real estate on the shores of public waters.

Amend paragraph I of section 2 of the bill by inserting after subparagraph (k) the following new subparagraphs:

(l) Two members of the public, appointed by the governor.

(m) One representative from the department of safety.

(n) One representative from the long range capital planning and utilization committee.

(o) One representative of a municipality with leased shorefront property, appointed by the New Hampshire Municipal Association.

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum. Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 Leases; Temporary Prohibition. The state shall not enter into any new leases of real estate on the shores of public waters between the effective date of this section and January 1, 2009. The state may extend any lease in effect on the effective date of this section.

AMENDED ANALYSIS

This bill establishes a commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters. This bill also temporarily prohibits new leases of state-owned real estate on the shores of public waters.

Rep. Spang spoke against.

Amendment failed.

Rep. Cloutier offered floor amendment (1032h).

Floor Amendment (1032h)

Amend paragraph I of section 2 of the bill by inserting after subparagraph (k) the following new subparagraphs:

(l) Two members of the public, appointed by the governor.

(m) One representative from the department of safety.

(n) One representative from the long range capital planning and utilization committee.

(o) One representative of a municipality with leased shorefront property, appointed by the New Hampshire Municipal Association.

Amend the bill by replacing sections 4 and 5 with the following:

4 Chairperson; Quorum. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum.

5 Report. The commission shall report its findings and any recommendations for proposed legislation in a final report to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the commissioner of transportation, the commissioner of environmental services, the director of the office of energy and planning, the chair of the long range capital planning and utilization committee, and the state library on or before November 30, 2008.

Rep. Cloutier spoke in favor and yielded to questions.

Floor amendment (1032h) adopted by the necessary two-thirds.

Committee report adopted by the necessary two-thirds.

Ordered to third reading.

HB 559, relative to seat belts on school buses. **INEXPEDIENT TO LEGISLATE.**

Rep. Howard N. Cunningham for Transportation: Student safety was the foremost concern of the committee. The language of this bill refers to "seat belts" – line 10 – without specificity as to type of belts. There are two types of seat belts: two point lap belts and three point shoulder-lap belts. Research and testimony indicated a high probability of secondary injury from the use of 2 point belts in an impact accident. In addition, 3 point belts need to be sized to students in order to be effective. The 3 point belt anchors require enough space to reduce the student capacity of a bus by one third. This would create the need for additional buses thus increase the odds of an accident. The issue of student misuse of the belts in interactions with other students was also an issue as was the release of students from belts

in case of either fire or accident in which the bus came to rest upside down. The science and technology of school bus safety is ongoing and student safety is presently at a very high level. If student safety is an issue we could save significantly more students by focusing efforts on students driven to and from school in private vehicles by parents or siblings. Vote 17-0. Committee report adopted by the necessary two-thirds.

HB 795, relative to restricting usage of cellular phones while driving. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman A. Packard for Transportation: The bill seeks to impose a violation and thereby prohibit the use of conventional cellular phones by drivers while a motor vehicle is in operation. The laudable intent of the sponsor was to focus drivers on the task of driving and to discourage the lamentable pattern of using phones and engaging in other activities that distract the driver and increase the risk of driving error and accident. A similar bill appeared before the House in a previous session and the House responded by enacting laws to regulate negligent driving. We believe enforcement of that statute is crucial to the goals of the sponsor and while we resolve that this bill is inexpedient to legislate, we do agree to closely work with the Department of Safety to observe enforcement of the negligent driving statute as we share the sponsor's well-founded concerns. Vote 11-4. Committee report adopted by the necessary two-thirds.

CACR 16, relating to an income and a sales tax. Providing that there shall be a state referendum prior to the legislature's adoption of an income tax or sales tax.

INEXPEDIENT TO LEGISLATE.

Rep. Priscilla P. Lockwood for Ways and Means: This CACR allows for a statewide referendum before the introduction of an income tax or sales tax bill. This state is not a referendum state and the committee agreed that this bill should be ITL. Vote 18-0.

Rep. Boyce requested a roll call; sufficiently seconded.

YEAS 203 NAYS 49

YEAS 203

BELKNAP

Clark, Charles
Pilliod, James

Flanders, Donald
Reever, Judith

Millham, Alida
Russell, David

Morrison, Gail

CARROLL

Bridgham, Robert
Cunningham, Howard

Brown, Carolyn
Heard, Virginia

Buco, Thomas
Knox, J. David

Chandler, Gene
Martin, James

CHESHIRE

Allen, Peter
Butynski, William
Hunt, John
Sad, Tara

Burridge, Delmar
Chase, William
Richardson, Barbara
Weber, Lucy

Butcher, Suzanne
Dunn, J. Timothy
Roberts, Kris
Weed, Charles

Butterworth, Timothy
Eaton, Daniel
Robertson, Timothy

COOS

Hatch, William
Tholl, John Jr

Ingersoll, Paul Sr
Thomas, Yvonne

Stohl, Eric

Theberge, Robert

GRAFTON

Aguiar, James

Almy, Susan

Benn, Bernard

Bleyler, Ruth

Cooney, Mary
Hammond, Lee
Pierce, David

Dingman, Vernon III
McLeod, Martha
Preston, Philip

Estes, Carole
Mulholland, Catherine
Solomon, Peter

Friedrich, Carol
Nordgren, Sharon
Williams, Burton

HILLSBOROUGH

Baroody, Benjamin
Brunelle, Michael
Dokmo, Cynthia
Essex, David
Graham, John
Harvey, Suzanne
Jeudy, Jean
Kurk, Neal
Levasseur, Nickolas
Mooney, Maureen
Peterson, Andy
Rowe, Robert
Simon, Anthony
Velez, Hector

Batula, Peter
Campbell, David
Drisko, Richard
Fletcher, Richard
Hackel, Paul
Hinkle, Peyton
Kaelin, Michael
L'Heureux, Robert
Martineau, Jesse
Movsesian, Lori
Pilotte, Maurice
Schulze, Joan
Smith, David
Winters, Joel

Beaulieu, Jane
Chase, Claudia
Edwards, Andrew
Foster, Linda
Hall, Betty
Holden, Randolph
Kelley, John
Lasky, Bette
McRae, Karen
O'Connell, Timothy
Price, Pamela
Shaw, Barbara
Spratt, Stephen

Bergeron, Jean-Guy
Cote, David
Emerton, Larry
Gorman, Mary
Hammond, Jill
Irwin, Anne-Marie
Kopka, Angeline
Leishman, Peter
Messier, Irene
O'Neil, James
Rosenwald, Cindy
Shaw, Kimberly
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Brown, Carole
DeStefano, Stephen
Gile, Mary
Kidder, David

McMahon, Patricia
Potter, Frances
Wallner, Mary

Baxley, Maureen
Brueggemann, Donald
Ehlers, Eileen
Greco, Vincent
Kjellman, Eleanor
Glynn
Osborne, Jessie
Ryan, Jim
Walz, Mary

Blanchard, Elizabeth
Clarke, Claire
Foosse, Robert
Hamm, Christine
Lockwood, Priscilla
Owen, Derek
Shurtleff, Stephen
Webb, Leigh

Bouchard, Candace
Davis, Frank
French, Barbara
Hess, David
MacKay, James
Porter, Margaret
Tilton, Joy
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Case, Frank
DiFruscia, Anthony
Gould, Kenneth
Katsakiores, George
McEachern, Paul
Pantelakos, Laura
Russell, Trink
Weare, Everett

Allen, Mary
Casey, Kimberley
Flanders, John Sr
Grote, Otto
Katsakiores, Phyllis
McMahon, Charles
Powers, James
Snow, Richard
Welch, David

Bishop, Franklin
Charron, Gene
Flockhart, Eileen
Headd, James
Major, Norman
Moody, Marcia
Quandt, Marshall
Splaine, James
Wickson, Rick

Borden, David
Day, Judith
Garcia, Marilinda
Howard, Doreen
Marsh, Michael
Nord, Susi
Robertson, Carl
Waterhouse, Kevin

STRAFFORD

Billian, Deborah
Cyr, James
Hutz, Sarah
Rollo, Michael
Spang, Judith
Watson, Robert

Brennan, William
DeChane, Marlene
Kaen, Naida
Rous, Emma
Sprague, Dale

Brown, Larry
Fargo, Thomas
Perry, Robert
Schmidt, Peter
Wall, Janet

Burke, Rachel
Hilliard, Dana
Rollo, Deanna
Smith, Marjorie
Warren, Nancy

SULLIVAN

Cloutier, John
Gagnon, Raymond

Converse, Larry
Jillette, Arthur Jr

Donovan, Thomas
Nielsen, Ellen

Franklin, Peter
Phinizy, James

Skinder, Carla

NAYS 49

BELKNAP

Allen, Janet
Whalley, Michael

Boyce, Laurie

Tobin, William

Wendelboe, Fran

CARROLL

Denley, William

Stevens, Stanley

CHESHIRE

Emerson, Susan

Johnson, Jane

COOS

Remick, William

GRAFTON

Ingbretson, Paul

HILLSBOROUGH

Barry, Richard

Clark, Mark

Crane, Elenore
Casey

Daniels, Gary

Elliott, Nancy
Hogan, Edith
Levesque, Melanie
Ober, Russell III

Francoeur, Bea
Infantine, William
Long, Patrick
Renzullo, Andrew

Haefner, Robert
Lawrence, James
Manney, Pamela
Soucy, Connie

Hawkins, Ken
Lessard, Rudy
Ober, Lynne
Stepanek, Stephen

MERRIMACK

Humphries, Charlie

Yeaton, Charles

ROCKINGHAM

Bedrick, Jason
Dalrymple, David
Griffin, Mary
Sanders, Elisabeth

Bettencourt, David
Devine, James
Lund, Howie
Weyler, Kenneth

Buxton, Donald
Emiro, Frank
Packard, Sherman
Winchell, George

Carson, Sharon
Garrity, James
Pearson, Mark

STRAFFORD

None

SULLIVAN

Rodeschin, Beverly

and the committee report was adopted by the necessary two-thirds.

Reps. Ulery and Stiles did not vote and notified the Clerk they wished to be recorded in favor.

HB 622-FN-A-L, establishing an income tax and repealing all state and local taxes, with the exception of the tobacco tax, beginning in 2012. **INEXPEDIENT TO LEGISLATE.**

Rep. Christine C. Hamm for Ways and Means: By replacing all but one of New Hampshire's

current revenue sources with an income tax for a trial period from FY 2012 to FY 2018, this bill would radically reshape how both the state and municipalities raise funds. Committee members were apprehensive about a five-year trial of such magnitude and expressed concern about its implication, including the loss of local control and the assumption that all levels of government could survive on a one-percent increase over recent spending. Vote 18-0. On a division vote, 250 members having voted in the affirmative and 8 in the negative, the committee report was adopted by the necessary two-thirds.

HB 757-FN-A*, relative to the beer tax. **INEXPEDIENT TO LEGISLATE.*

Rep. Peyton B. Hinkle for Ways and Means: This bill changes the way beer is taxed from \$0.30 per gallon to 5% of the wholesale value per 12 ounces sold to retail. No other state taxes beer this way. The Liquor Commission felt this would make beer tax collection more difficult and complicated to enforce. The proposed changes may result in less tax being collected in the case of keg beer. The Retail Grocers Assoc. was opposed because their member stores enjoy an advantage from having no sales tax. Approximately 40 percent of the sale from convenience stores and mom-and-pop stores is cross-border, and they could lose sales of not only of beer, but of other products as well. This is critical since stores operate at a margin of around 1 percent in the case of larger chains down to ¼ percent for small operators. Other members of the committee felt that, since the features of this bill are contained in another bill being retained by the committee, an amended beer tax could still be considered at a later date, which might not create the same problems. Vote 18-1. Committee report adopted by the necessary two-thirds.

HB 793-FN-A*, establishing an exemption from the interest and dividends tax for individuals who are 62 years of age or older. **INEXPEDIENT TO LEGISLATE.*

Rep. William A. Hatch for Ways and Means: This bill establishes a \$24,000 exemption from the interest and dividends tax for individuals who are 62 years of age or older. The committee commends the sponsor for his attempt to aid this group, however the fiscal note shows a loss \$15,443,000 in revenue based on 2005 tax data and assumes at least that amount in 2008 and thereafter without replacement. Also there is not a means test offered to identify individual need. Vote 18-1.

On a division vote, 222 members having voted in the affirmative and 37 in the negative, the committee report was adopted by the necessary two-thirds.

HB 820-FN-A*, establishing tax on candy. **INEXPEDIENT TO LEGISLATE.*

Rep. Catherine Mulholland for Ways and Means: Although well-intentioned, this bill provoked an outcry from wholesalers, distributors and vending machine salespeople. Requiring a stamp on every package and candy bar would present untold expense for the middleman and as such the verdict was inexpedient to legislate. Vote 19-0.

On a division vote, 257 members having voted in the affirmative and 3 in the negative, the committee report was adopted by the necessary two-thirds.

HB 891-FN-A*, establishing a beverage fee to be paid by beverage manufacturers and distributors. **INEXPEDIENT TO LEGISLATE.*

Rep. Ron J. Mack for Ways and Means: The committee recognized the financial burden placed on local bottlers, the complexity of tracking the interstate products and the discriminatory issue of determining which products should be included in the fee schedule. Over the past several years, many states have eliminated their beverage fee on nonalcoholic beverages and the committee is aware of only three states that still impose a beverage tax/fee. The Department of Revenue Administration was unable to determine how much revenue this would bring in or the fiscal impact on state expenditures. Vote 19-0. Committee report adopted by the necessary two-thirds.

HB 913-FN-A, establishing a senior citizen property tax postponement program.
INEXPEDIENT TO LEGISLATE.

Rep. Ron J. Mack for Ways and Means: This bill requires the New Hampshire Housing Finance Authority to organize, evaluate and administer individual senior citizens property tax relief. The committee determined that the administrative costs will be excessive. The State Treasury Department determined taxable bonds, rather than state tax-exempt bonds must be issued, thus negating any cost advantage in the bond market. The Municipal and County Government Committee has retained a similar bill (HB 829) for future study. Vote 19-0.

Rep. Almy spoke in favor.

Committee report adopted by the necessary two-thirds.

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 11, 2007 at 10:00 a.m.

Adopted by the necessary two-thirds.

LATE SESSION

Third reading and final passage

HB 753-FN-A, relative to the electronic toll collection transponder inventory fund.

HB 754-FN, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority.

HB 689, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire.

HB 768, relative to voluntary registration with the Eastern Climate Registry.

HR 7, urging increased consideration and preservation of local authority in international trade and investment agreements.

HR 9, supporting the U.S. Mayors Climate Protection Agreement.

HB 898, relative to the use of sled dogs and the training of sled dogs on state trails.

HB 873-FN-L, establishing minimum renewable standards for energy portfolios.

HB 685, prohibiting New Hampshire from participating in a national identification card system.

HB 755-FN, relative to transfers of motor vehicle permits.

HB 802, relative to passenger restraints.

HB 424-FN-A, relative to industrial hemp and establishing an industrial hemp special program fund.

HB 318, relative to large groundwater withdrawals.

HB 710, establishing a commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill number 36.

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

UNANIMOUS CONSENT

Rep. Wendelboe addressed the House.

RECESS MOTION

Rep. Wallner moved that the House stand in recess for the purpose of introduction of bills, enrolled bill amendments, enrolled bill reports and receiving Senate messages.
Adopted.

The House recessed at 7:00 p.m.

RECESS

(Rep. Foster in the Chair)

RESOLUTION

Rep. Gionet offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 46, 57, 60, 86, 87, 93, 95, 133, 144, 148, 149, 153, 155, 160, 169, 187, 192, 206, 215, 216, 220 through 222, 229, 231, 245, 252, 260 and Senate Concurrent Resolutions numbered 2 and 4 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 AND SCRS

First, second reading and referral

SB 46, requiring criminal conviction record checks of all applicants to practice medicine in New Hampshire. (Executive Departments and Administration)

SB 57, requiring a course in civics for high school graduation. (Education)

SB 60-FN, relative to compensations for injuries and illnesses suffered by national guard members on state active duty. (Labor, Industrial and Rehabilitative Services)

SB 86, naming a bridge in Plymouth. (Public Works and Highways)

SB 87, making technical corrections to certain lottery commission provisions. (Ways and Means)

SB 93-FN, relative to insurance coverage for children's early intervention therapy services. (Commerce)

SB 95, relative to bingo games conducted by senior citizens' organizations. (Ways and Means)

SB 133-FN, relative to the escrow fund for court facility improvements. (Judiciary)

SB 144-FN, relative to the permissible sales commission on the sale of lottery tickets. (Ways and Means)

SB 148-FN, relative to retirement system status for members of the university system police force. (Executive Departments and Administration)

SB 149, relative to the 2 family support councils for the developmentally disabled serving Lebanon and Claremont. (Health, Human Services and Elderly Affairs)

SB 153, establishing a committee to study changing statutory references to "mental retardation." (Health, Human Services and Elderly Affairs)

SB 155, relative to insurance coverage for chiropractic services. (Commerce)

SB 160-FN-L, adding members to the Skyhaven airport operation commission and changing the required completion date for the Skyhaven airport transfer plan. (Public Works and Highways)

SB 169-FN-A, establishing a death benefit to be paid to the family of a police officer or firefighter killed in the line of duty and establishing a committee to study the feasibility of establishing a state death benefit for emergency medical technicians killed in the line of duty. (Executive Departments and Administration)

SB 187, relative to motor vehicles operated in parades. (Transportation)

SB 192-FN, establishing an outreach program in the children's health insurance program. (Health, Human Services and Elderly Affairs)

SB 206-FN-L, relative to the investment authority of local government entities. (Municipal

and County Government)

SB 215-FN-A, making an appropriation for AIDS services. (Health, Human Services and Elderly Affairs)

SB 216, relative to certification of employee organizations to represent public employees. (Labor, Industrial and Rehabilitative Services)

SB 220, establishing a commission to study the feasibility of establishing a public review board for health insurance rate increase requests. (Commerce)

SB 221, establishing a commission to organize events in celebration of the Abraham Lincoln bicentennial. (State-Federal Relations and Veterans Affairs)

SB 222-FN, relative to health insurance for national guard members. (Commerce)

SB 229, relative to restitution ordered against an inmate. (Executive Departments and Administration)

SB 231, exempting certain department of corrections practices and procedures from the provisions of RSA 541-A. (Executive Departments and Administration)

SB 245, relative to the New Hampshire college tuition savings plan. (Education)

SB 252, relative to publication of supreme court reports. (Judiciary)

SB 260-FN, relative to the location and budget practices of the lottery commission. (Executive Departments and Administration)

SCR 2, urging Congress to amend the No Child Left Behind Act. (Education)

SCR 4, calling on the President and the Congress to fully fund the federal government's share of special education services in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act. (Education)

RECESS