

# HOUSE RECORD

## First Year of the 160<sup>th</sup> General Court Calendar and Journal of the 2007 Session

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Vol. 29

Concord, N.H.

Wednesday, May 16, 2007

No. 41

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## HOUSE JOURNAL No. 15 (cont.)

Wednesday, May 2, 2007

Rep. Wallner moved that the House adjourn.  
Adopted.

## HOUSE JOURNAL No. 16

Wednesday, May 16, 2007

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

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

O God, if we but pause long enough to listen and to see, the opportunities to serve You and to bless those we serve here in this chamber are many. Nestled in between unemployment compensation for National Guard members and permits for fireworks displays and child impact seminars for divorcing couples and the provision for photo ID's for persons released from correctional facilities are the whispers of Your holiness and sacred love. Whispers calling us, prodding us, inviting us as leaders to take significant and important steps in improving the lives of people from all walks of life. Remind us that what we do here in the House is not simply work but may in fact, by Your grace, be sacred work. Help us in what we do here to hold one another in holy regard, and always to lean in the direction of generosity, particularly on behalf of those who have far less than we.

We lift up to You our own private prayers for any family members or friends or colleagues who find themselves in places of illness or emotional pain. Bless them we pray, in Your Holy name, Amen.

Rep. Mary Griffin, member from Windham, led the Pledge of Allegiance.

The National Anthem was sung by the Winnisquam Select Regional High and Middle School Choir, who will represent New Hampshire in Washington D.C. as part of the National Anthem Project on Flag Day 2007. Choir members included: Brianna Ainsworth, Mary Beck, RaeAnne Berwick, Taylor Cavanaugh, Catarina Coyman, Elizabeth Crandall, Victoria Eaton, Samantha Marsh, Sarah Racicot, Katelyn Shaw, Abbi Sleeper, Leeza Szepanski, Nicole Weisman, Allisha Yandian, Thomas Arena, Eoin Audet, Lance Dawagia, Robert Laraway, Sean Macdonald, Adam Sattler, Ian Sleeper, Cory Speikers, Alyson Atherton, Amber Bryson, Daley Buckwell, Brianna Campbell, Emily Bolduc, Brittani Cornell, Shawna Kilcoyne, Christina Lewis, Megan McKenna Audriana Mekula, Rachel Moon, Jessica Roy, Rebecca Washburn and Hannah Willcutt. They were accompanied by Choir Directors Kirk Young and Holly Anderson.

#### **LEAVES OF ABSENCE**

Reps. Claudia Chase, Domingo, Forsing, Hofemann, Stephen Johnson and Stohl, the day, illness.

Reps. Bleyler, Bulis, Dumaine, Gargasz, Hubbard, Sally Kelly, Kopka, Major, McLeod, Miller, Nowe, O'Brien, Pantelakos, Reeves, Rochette, Serlin and Tupper, the day, important business.

Reps. Bouchard, Ingersoll and Mears, the day, illness in the family.

Reps. John Knowles and Mary Ann Knowles, the day, death in the family.

#### **INTRODUCTION OF GUESTS**

Bill and Florence Dawson and Timothy Sattler, guests of Rep. Joy Tilton. Nour Ali, Devon Mercer and S. Daniel Mattingly, guests of Rep. Levasseur. Members of Leadership Seacoast, guests of the House. Mary Meier, guest of Rep. Bridgham. Birgit Garlasco, guest of Rep. Rodeschin.

#### **INTRODUCTION OF SPECIAL GUESTS**

Caitlin Arpin, Griffin Gilman, Candra Hicks and Sarah Atkinson, students from White Mountain Regional High School who participated in the Mountain View Academy Hospitality Management Program and placed 1<sup>st</sup> in the 2007 National Hospitality Competition. They were accompanied by their teacher, Mrs. Lisa Perras and the Mountain View Grand Hotel Manager, Chris Diego.

#### **PRESENTATION OF OWLS SCHOLARSHIPS**

Rep. Cali-Pitts recognized and presented OWLs Scholarships to Kristina Bailey of Laconia and Julie Martinez of Gorham.

#### **SENATE MESSAGES**

##### **REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 292**, relative to consideration of the preference of a mature minor in the modification of parental rights and responsibilities. (Amendment printed SJ 5-3-07)

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

Adopted.

**HB 636-FN**, relative to physician credentialing under the managed care law. (Amendment printed SJ 5-10-07)

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

Adopted.

**HB 227**, relative to identity theft. (Amendment printed SJ 5-10-07)

Rep. William Knowles moved that the House concur and spoke in favor.

Adopted.

**HB 126**, relative to the definition of “school.” (Amendment printed SJ 4-5-07)

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

Adopted.

**HB 32**, establishing a commission to study voter registration cards. (Amendment printed SJ 5-10-07)

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

Adopted.

**HB 249**, relative to preliminary objections to rules made by the joint legislative committee on administrative rules, and relative to extending the study committee on the rules process. (Amendment printed SJ 4-26-07)

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

Adopted.

**HB 362**, relative to the advisory committee on quality of vital records information.

(Amendment printed SJ 4-18-07)

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

Adopted.

**HB 542**, establishing a study committee to study the approval process of nursing education programs. (Amendment printed SJ 5-10-07)

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

Adopted.

**HB 727-FN**, establishing a commission to study health insurance coverage in the construction industry. (Amendment printed SJ 5-10-07)

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

Adopted.

**HB 71**, prohibiting the sale, rent, lease, transfer, or distribution of records, information, or lists of licensed dog owners in New Hampshire to another person by the town clerk’s office. (Amendment printed SJ 5-10-07)

Rep. David Cote moved that the House concur and spoke in favor.

Adopted.

**HB 103**, establishing a commission to study the state highway trust fund. (Amendment printed SJ 3-29-07)

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

Adopted.

**HB 428**, prohibiting the combustion of the wood component of construction and demolition debris and defining construction and demolition debris. (Amendment printed SJ 5-10-07)

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

Adopted.

**HB 217**, establishing a committee to study the New Hampshire park and ride program. (Amendments printed SJ 4-18-07)

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

Adopted.

## COMMITTEE REPORTS CONSENT CALENDAR

Rep. Wallner moved that the Consent Calendar as printed in the day's House Record be adopted.

**SB 236**, extending the authority for police mutual aid, removed by Rep. Patten.

Consent Calendar adopted.

Rep. King declared a conflict of interest on SB 28 and SB 108 and did not participate in the vote on the Consent Calendar.

Rep. Reardon declared a conflict of interest on SB 55 and SB 99 and did not participate in the vote on the Consent Calendar.

Rep. Coughlin declared a conflict of interest on SB 60 and SB 222 and did not participate in the vote on the Consent Calendar.

**SB 29**, updating laws relative to child impact seminars to reflect the implementation of the judicial branch family division. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Elizabeth D. Blanchard for Children and Family Law: This bill updates the laws relative to Child Impact Seminars which are mandated for divorcing couples with children. The bill reflects the implementation of the judicial branch family division. An amendment was added to the bill to make the language more specific and current. Vote 16-0.

### Amendment (1517h)

Amend RSA 458-D:4 as inserted by section 2 of the bill by replacing it with the following:

458-D:4 Seminar Schedule. The ~~[court]~~ **judicial branch family division** shall encourage the presenters to schedule courses so that the seminar is available twice monthly in each county unless the county's population warrants otherwise. One parent need not attend the same seminar as the other parent. In the case of domestic violence, parents shall attend separate sessions. The seminar shall be completed within 45 days of service of the original ~~[complaint]~~ **petition** upon the original ~~[defendant]~~ **respondent**.

Amend RSA 458-D:9, I(c) as inserted by section 4 of the bill by replacing it with the following:

(c) The form and content of ~~[presentation]~~ security **at the seminar**.

**SB 80**, relative to qualified minor's trusts. **OUGHT TO PASS.**

Rep. Daniel C. Itse for Children and Family Law: This bill enables the custodian of a minor's property to be transferred into a "qualified minor's trust" without a court order. This terminates custodianship of the property. The bill is modeled after Florida statute, and provides a solution to unforeseen situations or developments. Vote 16-0.

**SB 152**, relative to permanency planning for delinquent children, abused and neglected children, and children in need of services. **OUGHT TO PASS.**

Rep. Barbara Hull Richardson for Children and Family Law: This bill emphasizes the need for permanency planning for these children who have been removed from their homes. Reunification with their families is the first priority, and all reasonable efforts must be made to achieve this goal. In the event that it is not possible for reunification despite all reasonable efforts, permanency for the child must be achieved within 14 months of the minor's entry into out-of-home placement or within 12 months of the court's adjudicatory finding, whichever is earlier. Concurrent plans, other than reunification, must be adopted by the court. Other options for permanency including termination of parental rights or parental surrender when an adoption is contemplated, guardianship with a fit and willing relative or another appropriate party, or another planned permanent living arrangement are considered. Vote 16-0.

**SB 185**, relative to photo identification for persons released from correctional facilities and establishing a commission to study the services needed to help chronically homeless children in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary E. Walz for Children and Family Law: This proposed two issues: 1) to establish photo identification for persons released from correctional facilities and 2) to establish a committee to identify the services needed to help chronically homeless children in New Hampshire. The committee agreed that both were important but non-germane. The committee voted OTP to establish the photo identification, and amended the bill with the sponsor's permission to create a subcommittee to study needs of chronically homeless children or youth in New Hampshire. Vote 13-0.

#### **Amendment (1552h)**

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

AN ACT relative to photo identification for persons released from correctional facilities.

Amend the bill by deleting sections 4-8 and renumbering the original section 9 to read as 4.

#### **AMENDED ANALYSIS**

The bill requires the department of safety and the county departments of corrections to provide a nondriver picture identification card to inmates who are being released from a county correctional facilities and do not have a valid driver's license or nondriver picture identification card.

Referred to the Committee on Criminal Justice and Public Safety.

**SB 100**, relative to the authority of a real estate escrow agent to hold funds in the event of a dispute. **OUGHT TO PASS.**

Rep. Matthew S. Houde for Commerce: The bill clarifies that real estate brokers (who hold funds pursuant to a written agreement for the sale of real property, which expressly authorizes the broker to serve as escrow agent and to continue to hold the funds in the event of a dispute), shall not be subject to suit unless said agent breaches the terms of the agreement. The agent shall pay said funds only upon mutual written instructions of the buyer and seller, if any, and any order of the court. Vote 19-0.

**SB 104**, relative to the directory of charitable trusts. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce: This bill requires the director of charitable trusts to prepare and make available on the state website a directory of charitable trusts. The committee felt that such a list will be helpful for New Hampshire citizens and New Hampshire non-profits. Vote 17-0.

**SB 105**, repealing the bond requirement for fund raising counsel of a charitable trust. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce: As requested by the charitable trust unit of the Attorney General's Office, this bill removes the bond requirement for fund raising counsel of a non-profit. The bond requirement has never been used so it appears to be unnecessary. Vote 18-0.

**SB 124**, changing the membership of the economic development matching grants screening committee. **OUGHT TO PASS.**

Rep. Stephen T. DeStefano for Commerce: This bill changes the membership of the economic development matching grants screening committee. The committee membership stays at six members, but one member is added from the Business and Industry Association and the NH Association of Counties hoping to add business experience to the committee. Vote 19-0.

**SB 137-FN**, removing the prospective repeal of community reinvestment and opportunity zones (CROP zones). **OUGHT TO PASS.**

Rep. Stephen T. DeStefano for Commerce: This bill repeals a session law prohibiting the commissioner of resources and economic development from entering into a Community Reinvestment and Opportunity Zone (CROP) credit agreement with any taxpayer after June 30, 2007. Vote 19-0.

Referred to the Committee on Ways and Means.

**SB 161-FN**, relative to the registration fees for mortgage servicing companies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen P. Spratt for Commerce: This bill was requested by the New Hampshire Banking Department. The bill brings registration fees for mortgage service companies in line with the existing fee structure for other financial institutions. In addition, this bill clarifies the definition of debt adjustment contracts, and increases the term of the contract adjusting the debtor's obligations from within 24 months to 60 months. Vote 18-0.

#### **Amendment (1550h)**

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

AN ACT relative to the registration fees for mortgage servicing companies and relative to debt adjustment services.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 5, respectively:

2 Written Notice; Delegation of Duties and Responsibilities. Amend RSA 383:7-a, V to read as follows:

V. The commissioner shall provide any board or commission [~~10 days~~] written notice of his **or her** intent to delegate his **or her** duties and responsibilities to serve on such board or commission.

3 Debt Adjustment; Definition. RSA 399-D:2, V is repealed and reenacted to read as follows:

IV. "Debt adjustment" means:

(a) Providing debt management advice or counseling to consumers for direct or indirect compensation;

(b) Creating debt management plans for consumers for direct or indirect compensation;

(c) Negotiating with debtors on behalf of consumers for direct or indirect compensation; or

(d) Receiving, for a fee or compensation and as agent of a debtor, money or evidences thereof for the purpose of distributing such money or evidences thereof among creditors in full or partial payment of obligations of the debtor.

4 Discharge of Debt Adjustment Contracts. Amend RSA 399-D:20 to read as follows:

399-D:20 Contract With Debtor. Each licensee shall make a written contract with a debtor, and immediately furnish the debtor with a true copy thereof. Such contract shall set forth the complete list of the debtor's obligations to be adjusted, a complete list of the creditors holding such obligations, the total charges agreed upon for the services of the licensee and the beginning and expiration date of the contract. No licensee shall enter into a contract in which the debtor's obligations will not be discharged within [24] **60** months, exclusive of contractual debts which exceed the [~~24-month~~] **60-month** period.

#### **AMENDED ANALYSIS**

This bill:

I. Increases registration fees for mortgage servicing companies.

II. Eliminates the 10 day requirement for written notice to a board or commission by the bank commissioner of his or her intent to delegate a duty to serve on such board or commission.

III. Redefines debt adjustment.

IV. Extends the time in which a debtor's obligations must be discharged.

***SB 222-FN***, relative to health insurance for national guard members. **OUGHT TO PASS.**  
Rep. Donald H. Flanders for Commerce: This bill requires that National Guard members ordered to or retained on state active duty for longer than 30 days who do not have other health insurance coverage shall elect Tricare coverage. The state shall pay the Tricare premium up to 100 percent of the service member's share of the premium for the period of state active duty to include the whole month in which the state active duty ends. Vote 18-0. Referred to the Committee on Finance.

***SB 242-FN***, establishing the intellectual property business loan development program. **OUGHT TO PASS.**

Rep. James R. Martin for Commerce: This bill establishes the intellectual property business loan development program to be administered by the Business Finance Authority. The program will have the authority to guarantee a loan secured by intellectual property, up to a maximum of \$250,000. The loan shall not exceed 75 percent of the appraised value of the intellectual property and loan guarantees are limited to 10 years. The Business Finance Authority strongly supports this bill because it believes the bill will help attract new high tech businesses to New Hampshire and help support companies with intellectual property, such as software companies. The committee believes that this new program will have a long term positive impact on the state's business climate and tax revenues. Vote 18-0. Referred to the Committee on Finance.

***SB 65-FN***, requiring that the state provide 21 days' written notice to the defendant prior to jury selection for his or her trial of the state's request for an extended term of imprisonment. **OUGHT TO PASS.**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill was brought at the request of the Supreme Court. It requires that the state provide 21 days written notice to a defendant, in a criminal trial, prior to jury selection for his or her trial where the state will request an extended term of imprisonment. Current law does not provide for a specific term of notice and sometimes notice was not given until the date of trial. The 21 day notice was arrived at as a result of agreement between the Attorney General's Office and the New Hampshire criminal defense lawyers. This is a reasonable course of action to assure that a defendant has sufficient time to prepare his or her defense. Vote 16-0.

***SB 66***, relative to involuntary civil commitment of sexually violent predators and relative to payment of the sex offender registration fee by criminal offenders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Delmar D. Burrige for Criminal Justice and Public Safety: This bill divides certain responsibilities for involuntary civil commitment of sexually violent predators between the Department of Corrections and Health and Human Services and provides that a sex offender registry fee shall be collected twice per year by the Department of Safety. The committee made a technical correction by deletion of Section IV of Page 3, line 16, which did not exist and referenced the entire Section of RSA 135-E:15. Vote 16-0.

#### **Amendment (1453h)**

Amend RSA 135-E:3, VI as inserted by section 10 of the bill by replacing it with the following:

VI. Records, reports, and proceedings of the multidisciplinary team shall be confidential and shall be exempt from the provisions of RSA 91-A, except as provided in RSA 135-E:15.

***SB 136***, relative to the attorney general's authority to appoint, organize, and assign investigatory personnel at the department of justice. **OUGHT TO PASS.**

Rep. Ellen Nielsen for Criminal Justice and Public Safety: This bill corrects an anomaly in the process by which the Attorney General appoints, organizes and assigns investigators. Until now, investigators have been sworn in by county sheriffs. This bill gives the Attorney General the power to vest, with statewide law authority, any municipal or state law enforcement officer assigned by the employing authority for the purpose of conducting or assisting with criminal investigations being conducted by the Attorney General's Office for a period of up to five years. The investigators employed by the Department of Justice will be certified as full-time police officers, but while they are employed by the department as special investigators, their time worked will not be considered in calculation of Group II retirement benefits. Vote 15-0.

**SB 194**, establishing a commission to study the trafficking of persons across borders for sexual and labor exploitation. **OUGHT TO PASS.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: This bill establishes a commission to study the trafficking of persons across borders for sexual and labor exploitation. The committee heard very compelling testimony that this matter needs to be looked at. As an example, an event happened in the seacoast where a young lady had been held hostage since she was 12 years old. Because she was from a foreign country, she had no one to turn to, to get help, yet she was brought to the country against her will. There is also evidence that this may be much more widespread throughout the state. Vote 16-0.

**SB 72-L**, relative to standards for public school approval. **INEXPEDIENT TO LEGISLATE.**

Rep. Sharon M. Carson for Education: The committee believed it is important to keep the term "minimum" in the current statute. New Hampshire's minimum standards for all of our schools are very high and designed to encourage districts to go beyond what is required. To take out the word "minimum" is counterproductive towards the standards' intent. Vote 16-0.

**SB 78**, relative to the placement of twins or other multiples in the same classroom. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sharon M. Carson for Education: This bill prevents school boards from adopting a policy that either separates or places twins in the classroom without input from their parents. The committee heard testimony concerning situations in which the parents' concerns were not addressed and we believe it to be very important that parents have the opportunity to participate in the decision making process. Vote 16-0.

#### **Amendment (1287h)**

Amend RSA 193:3-a, I as inserted by section 1 of the bill by replacing it with the following:

I. No school board shall adopt a policy of automatically separating or placing together twins or other multiples. In this section, "multiples" means triplets or more.

**SB 117-FN**, relative to fireworks display permits and the position of permissible fireworks inspector. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Maurice L. Pilotte for Executive Departments and Administration: This bill filed at the request of the State Fire Marshall has three components: (1) requires that a fireworks display permit be submitted to the Department of Safety at least 72 hours prior to the display. (2) makes the position of fireworks inspector a full-time, rather than a seasonal, position funded by the Fire Standards and Training and Emergency Medical Services Fund. (3) adds to the current duties of the fireworks inspector dealing with permissible fireworks the following: (a) inspect sites and facilities for the display or storage of display fireworks, as defined in RSA 160-B:1,X and (b) coordinate enforcement activities relative to illegal sales, including the disposal or storage of illegal fireworks. Vote 15-0.

**Amendment (1515h)**

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

1 Requirements for the Display of Fireworks; Permit Fee. Amend RSA 160-B:7, V to read as follows:

V. An application for a display permit shall be made in writing at least 15 days in advance of the date of the display. The town, city, or village district may charge a reasonable fee for a permit to display fireworks. No display permit granted under this section shall be transferable, and each display permit shall be valid for only one display to be held on the date permitted. If, in the opinion of the chief of the fire department, conditions deteriorate during the 15 days before the date for which such permit is granted so that a fire hazard exists, the chief may revoke the permit. ***At least 72 hours prior to the date of display, the operator of the display shall transmit a copy of the completed display permit, with proof of insurance for the display, approved by the town, city, or village district, to the department of safety.***

2 Fireworks Inspector. Amend the introductory paragraph of RSA 160-C:17 to read as follows:

160-C:17 ~~[Permissible]~~ Fireworks Inspector. There is hereby established in the office of the state fire marshal the ~~[seasonal]~~ ***full-time classified*** position of ~~[permissible]~~ fireworks inspector. The ~~[permissible]~~ fireworks inspector ***shall be under the direction and supervision of the state fire marshal and*** shall:

3 Fireworks Inspector; Duties. Amend RSA 160-C:17, I to read as follows:

I. Inspect ~~[permissible]~~ fireworks sales outlets.

***I-a. Inspect sites and facilities for the display or storage of display fireworks, as defined in RSA 160-B:1, X.***

***I-b. Coordinate enforcement activities relative to illegal sales, including the disposal or proper storage of illegal fireworks.***

4 Fire Standards and Training and Emergency Medical Services Fund. Amend RSA 21-P:12-d to read as follows:

21-P:12-d Fire Standards and Training and Emergency Medical Services Fund. There is established in the office of the state treasurer a separate, nonlapsing fund to be known as the fire standards and training and emergency medical services fund from which the state treasurer shall pay expenses incurred in the administration of the division of fire standards and training and emergency medical services, under RSA 21-P:12-a, the division of fire safety, under RSA 21-P:12, ~~and~~ the bureau of emergency management in the division of emergency services, communications, and management under RSA 21-P:36, ***and the position of fireworks inspector under RSA 160-C:17.*** If the expenditure of additional funds over budget estimates is necessary for the proper functioning of the division of fire standards and training and emergency medical services, the division of fire safety, or the bureau of emergency management in the division of emergency services, communications, and management, the department of safety may request, with prior approval of the fiscal committee of the general court, the transfer of funds from the fire standards and training and emergency medical services funds to the department of safety for such purposes.

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

**AMENDED ANALYSIS**

This bill:

I. Requires that a fireworks display permit be submitted to the department of safety at least 48 hours prior to the display.

II. Makes the position of fireworks inspector a full-time, rather than seasonal, position, responsible for permissible and display fireworks, and funded by the fire standards and training and emergency medical services fund.

Referred to the Committee on Finance.

***SB 204-FN-A***, relative to collection of debts owed the state. **OUGHT TO PASS WITH**

## **AMENDMENT.**

Rep. Ronald J. Nowe for Executive Departments and Administration: This will allow the attorney general's office to have a person solely to collect funds due the state. Twenty five percent of the collected funds will be paid to the general fund until the \$100,000 in start up costs is reimbursed. Vote 15-0.

### **Amendment (1485h)**

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

1 New Section; Collection of Debts Owed The State. Amend RSA 7 by inserting after section 15 the following new section:

7:15-a Collection of Debts Owed to the State.

I. State agencies and departments may refer any uncollected debt owed to the state to the attorney general for collection after determining that a debt owed to the state cannot be collected through means other than an action in court. All debts collected pursuant to this section shall be credited to the debt recovery fund established in paragraph IV.

II. No debt may be referred to the attorney general unless:

(a) There have been at least 2 documented attempts in writing to notify the debtor of the existence of the debt and of the fact that the debt may be assigned to the attorney general for collection if it is not paid;

(b) At least 30 days have elapsed from the last notice attempt; and

(c) All applicable administrative remedies have been exhausted.

III. The attorney general may:

(a) Compromise the claim.

(b) Extend for a reasonable period the time for payment of the debt by agreeing to accept monthly or other periodic payments.

(c) Cancel the debt or cause it to be cancelled if the attorney general finds, after investigation, that any debt due and owing to the state cannot be reasonably collected.

IV.(a) There is established in the office of the state treasurer a nonlapsing fund to be known as the debt recovery fund which shall be kept distinct and separate from all other funds. The debt recovery fund is established to receive all recoveries of debts paid to the state under this section.

(b) A percentage of each amount collected under this section shall be retained in the debt recovery fund for the purpose of funding the costs of all debt collection. The percentage shall be set annually by the attorney general in consultation with the commissioner of the department of administrative services as 150 percent of the total costs and expenses of the debt collection during the prior fiscal year divided by the total debt collected. Any amount remaining in the fund at the end of a fiscal year in excess of 200 percent of the costs and expenses of debt collection during the fiscal year shall be paid in a proportional amount to the accounts for which they were collected.

(c) The treasurer shall deposit in the debt recovery fund all amounts collected by the department of justice under this section. The attorney general is authorized to accept, budget, and expend moneys in the debt recovery fund received from any party without the approval of the governor and council for the purposes of:

(1) After deducting the amounts authorized in subparagraph IV(b), transferring on a quarterly basis a proportional amount recovered to the accounts for which they were collected; and

(2) For recruitment, training, administration, overhead, and supervision of such assistant attorneys general and support staff as necessary for the purposes of this section.

(d) All moneys in the debt recovery fund shall be continually appropriated to the department of justice and shall not lapse.

(e) The state treasurer, upon approval of the attorney general, shall pay the expenses of recruitment, training, administration, and supervision of assistant attorneys

general and support staff as necessary for the purposes of this section, and transfer a proportional amount of unretained funds recovered to the accounts for which they were collected.

V. For purposes of this section, the term “debt” shall include fines and other debts or amounts owed to the state.

VI. Notwithstanding any other provision of this section, and subject to the supervision of the attorney general as to matters of law, state agencies and departments may seek collection of debts in small claims court without referring the debt to the attorney general. The authorization granted to seek collection of debts in small claims court under this paragraph shall not be construed to constitute a waiver of the sovereign immunity of the state, or any other defense, right, immunity, or other protection under law, including any statutory provision.

2 Attorney General; Duties. Amend RSA 7:6 to read as follows:

7:6 Powers and Duties as State's Attorney. The attorney general shall act as attorney for the state in all criminal and civil cases in the supreme court in which the state is interested, and in the prosecution of persons accused of crimes punishable with death or imprisonment for life. The attorney general shall have and exercise general supervision of the criminal cases pending before the supreme and superior courts of the state, and with the aid of the county attorneys, the attorney general shall enforce the criminal laws of the state. ***The attorney general shall have the power to collect uncollected debts owed to the state as set forth in RSA 7:15-a.***

3 New Subparagraph; Debt Recovery Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the debt recovery fund by the treasurer under RSA 7:15-a, IV.

4 New Section; Position Established. Amend RSA 7 by inserting after section 15-a the following new section:

7:15-b Debt Collection Attorney. The department of justice shall have the authority to hire a full-time support attorney and such staff as may be necessary, who shall be responsible solely for all duties associated with the collection of debt and to the state. The position shall be funded through the debt recovery fund established in RSA 7:15-a, IV.

5 Appropriation. The amount of \$100,000 for the fiscal year ending June 30, 2008 is hereby appropriated to the debt recovery fund established by RSA 7:15-a, IV for the purpose of start-up costs, provided, that 25 percent of the recoveries collected each quarter shall be paid into the general fund until \$100,000 has been paid into the fund. The appropriation in this section shall be in addition to any other sums appropriated to the department for such purpose. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

6 Effective Date. This act shall take effect July 1, 2007.  
Referred to the Committee on Finance.

**SB 229**, relative to restitution ordered against an inmate. **OUGHT TO PASS.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill makes a change to RSA 622:32. Currently, if a prisoner willfully escapes, commits a breach of discipline, or if on parole violates parole, the commissioner of corrections can cause the forfeiture of all earnings remaining in the prisoners account. The second part allows the courts to require restitution to be paid for damages. It is the second part that we are changing. Currently any restitution paid is credited to the general fund, and this bill allows the restitution to be credited to the prison system for operating expenses. This could include repair of damages, medical bills for the inmate that was attacked, etc. Vote 15-0.  
Referred to the Committee on Criminal Justice and Public Safety.

**SB 232-FN**, relative to profits from the prison industries program. **INEXPEDIENT TO**

**LEGISLATE.**

Rep. Frederick W. King for Finance: The committee felt that this bill which addressed the distribution of the prison industries program profits can wait until this program is profitable. The department is undertaking an in-depth study of the program and will seek legislative support prior to the 2008 session. Vote 17-0.

***SB 175-FN-A*, establishing an apprentice hunting license. INEXPEDIENT TO LEGISLATE.**

Rep. James E. Kennedy for Fish and Game: When the members of this committee first read this bill, we individually arrived at a unanimous conclusion. To send a person of any age into the woods unfamiliar with a firearm was courting disaster. Even with an amendment changing the age of the supervising hunter from 18 to 21 was not considered satisfactory. We felt after a full discussion in which the entire committee present participated, even our more taciturn member, it was decided that this bill should be found inexpedient to legislate. Safety was the foremost issue. Though the idea for the program has merit, a new bill should be considered with more input from the Hunter Safety Programs. A hunting accident in a program like this would reflect poorly on the Legislature and the Fish & Game Department. Vote 15-0.

***SB 167-FN*, relative to the licensure of medical assistants by the board of nursing. INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne S. Butcher for Health, Human Services and Elderly Affairs: This bill provides for licensing of medical assistants. The term "medical assistant" can refer to workers doing a variety of clinical and administrative duties, with training that can range from "on the job" to a two-year program of study. The committee heard testimony that the national medical assistants organization had asked for oversight by the Board of Nursing. However, we later learned that there are two national organizations, with differing views. SB 167 is unclear with regard to scope of practice, educational prerequisites, and licensure examination requirements, leaving these to the Board of Nursing. The committee did not feel that we have sufficient basis for licensing medical assistants. Vote 19-0.

***SB 192-FN*, establishing an outreach program in the children's health insurance program. OUGHT TO PASS.**

Rep. Jennifer Daler for Health, Human Services and Elderly Affairs: This bill adds an outreach and education component to the New Hampshire Healthy Kids insurance program. The committee feels this program has been successful in providing access to healthcare for New Hampshire's children and would like to see all eligible children participate. Vote 20-0. Referred to the Committee on Finance.

***SB 28*, redefining the "board of the public employer for the judiciary" in public employee collective bargaining. OUGHT TO PASS.**

Rep. Lucy M. Weber for Judiciary: The board of public employer for the judiciary is the body which negotiates terms and conditions of employment with the judicial employee bargaining committee. Currently the board consists solely of the Chief Justice, with the advice and consent of the chief justice of the superior court. This bill redefines the board as the judicial branch administrative council, which includes the administrative judges of the district court and probate court as well as the administrative judge of the superior court and family division, so that all the courts are represented. Vote 14-0.

***SB 108*, making technical corrections to the probate laws. OUGHT TO PASS.**

Rep. Bette R. Lasky for Judiciary: This bill was requested by the Supreme Court on behalf of the Probate Court to make certain technical corrections to various probate related statutes. These corrections deal with minor guardianships, attachments and clarifies that probate

court judges are referenced in RSA 516:3. Vote 17-0.

**SB 132-FN**, allowing marital masters to be reimbursed for certain expenses and repealing a provision permitting court stenographers to be reimbursed for expenses. **OUGHT TO PASS.**

Rep. Philip Preston for Judiciary: This bill provides that marital masters shall be reimbursed for expenses in the same manner as superior court justices when serving on a court other than the one to which they are assigned. It also repeals a statute which reimburses expenses for court stenographers, since there are no longer any employed by the courts. Vote 17-0.

**SB 133-FN**, relative to the escrow fund for court facility improvements. **OUGHT TO PASS.**

Rep. Philip Preston for Judiciary: This bill repeals the flat fees paid to the escrow fund for court facility improvements. It establishes in their place a fee based upon 7% of entry fees for all courts. With an anticipated increase in court fees, the revenue will double the amount paid into the escrow fund for needed repairs to court facilities. Vote 14-0.  
Referred to the Committee on Ways and Means.

**SB 145-FN**, allowing marital masters and registers and deputy registers of probate to perform notarial acts. **OUGHT TO PASS.**

Rep. Lucy M. Weber for Judiciary: Currently, RSA 456-B:3,I(b) already allows judges, clerks and deputy clerks to perform notarial acts. This bill promotes efficiency and convenience by adding marital masters, registers of probate and deputy registers of probate to the list of those authorized to perform notarial acts. Testimony before the committee was that the actual financial impact of the bill would be minimal. Vote 17-0.

**SB 59**, establishing a committee to study the effect on the unemployment compensation trust fund of employees with negative balance separate accounts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Ann Knowles for Labor, Industrial and Rehabilitative Services: This bill was requested by the Department of Employment Security. It establishes a committee to study the effect on the unemployment compensation trust fund of employees with negative balance separate accounts. Vote 17-0.

#### **Amendment (1282h)**

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

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

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

#### **AMENDED ANALYSIS**

This bill establishes a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

**SB 60-FN**, relative to compensations for injuries and illnesses suffered by national guard members on state active duty. **OUGHT TO PASS.**

Rep. John K. Knowles for Labor, Industrial and Rehabilitative Services: This bill permits a national guard member on state active duty who sustains an injury which falls within the

definition of “injury” or “personal injury” under RSA 281-A, to receive state workers’ compensation benefits. The bill also requires the state to pay or reimburse the costs of necessary medical treatment to national guard members on state active duty who become ill or whose injuries do not fall within the definition of the workers’ compensation law. Vote 15-0.

Referred to the Committee on Finance.

**SB 69**, relative to exceptions to the confidentiality provisions for certain department of employment security records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Randolph N. S. Holden for Labor, Industrial and Rehabilitative Services: The bill allows the department of employment security to share certain information with the Social Security Administration provided such information is limited and on a case by case basis. This information would be used to detect and prevent fraud, waste, and abuse in Social Security Administration programs. Vote 16-1.

#### **Amendment (1283h)**

Amend RSA 282-A:118, VI as inserted by section 1 of the bill by replacing it with the following:

***VI. That for the purpose of the Social Security Administration and the department of employment security establishing and verifying eligibility and payment amounts; and preventing and detecting waste, abuse, fraud and identity theft, the commissioner may enter into a reciprocal electronic data-exchange agreement with the Social Security Administration. The Social Security Administration’s use of the information provided shall be limited to use in accordance with federal laws and regulations pertaining to prevention and detection of fraud, waste, and abuse in the Social Security Administration’s programs, and the entitlement, eligibility, and benefit payment amounts of individuals under Title II or Title XVI of the Social Security Act. Authorized federal employees granted access as provided in this paragraph shall be granted access on a case by case basis as provided in paragraph III. Information under this paragraph shall only be provided upon a finding by the commissioner that sufficient guarantees of continued confidentiality are in place.***

#### **AMENDED ANALYSIS**

This bill allows the department of employment security to share certain information with the Social Security Administration provided such information is limited to detecting and preventing fraud, waste, and abuse in Social Security Administration programs.

**SB 40**, relative to the modular building code. **OUGHT TO PASS.**

Rep. Joseph A. Guthrie for Municipal and County Government: This bill removes the reference to the International Residential Code 2000 from the definition of the modular building code. The modular building code is defined as the state building code, which is defined to include the International Residential Code 2000 under RSA 155-A: 1, IV. Vote 13-0.

**SB 99**, relative to the terms for payment in lieu of taxes for renewable generation facilities. **OUGHT TO PASS.**

Rep. Bennett F. Moore for Municipal and County Government: This bill allows, as a local option, the ability for governing bodies to enter into arrangements of longer than 5 years for agreements for payments in lieu of taxes on renewable generation facilities. Current law limits such agreements to a term of no more than 5 years. The economic life of such facilities are much longer than 5 years and the ability to finance them may be improved by allowing the term of agreements for payments in lieu of taxes to more closely match the economic life of the facility. Vote 12-0.

**SB 118**, increasing fines for certain dog violations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph A. Guthrie for Municipal and County Government: This bill as amended increases fines from \$25.00 for the first nuisance offense to \$100.00 for any subsequent offense. In addition the fines for menace offenses are increased from \$50.00 for the first offense committed to \$200.00 for subsequent menace offenses. Vote 13-0.

**Amendment (1279h)**

Amend RSA 466:31-a, II(a) through (c) as inserted by section 2 of the bill by replacing it with the following:

(a) \$25 for the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d); [~~\$50~~] **\$100** for the second **or subsequent** nuisance offense committed within 12 months of the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d).

(b) \$50 for the first menace offense under RSA 466:31, II(e) or (f); [~~\$100~~] **\$200** for the second or subsequent menace offense committed within 12 months of the first menace offense under RSA 466:31, II(e) or (f).

(c) \$100 for the first vicious offense under RSA 466:31, II(g).

**SB 180**, relative to local regulation of persons soliciting contributions on streets. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F. Moore for Municipal and County Government: This would force local governing boards to issue permits for solicitations in public ways if a fixed list of documents are provided to it. This would not allow for special local knowledge to influence the conditions of any such permit. Vote 13-0.

**SB 186-FN**, establishing a committee to study a state elderly homeowner property tax credit. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F. Moore for Municipal and County Government: Originally the bill would have created a tax credit for the elderly. A senate amendment modified the bill so that it merely creates a study committee for the question. Another study for tax relief for elderly property tax relief that only indicates a tax credit removes the ability of the study committee to review all other options. This issue and similar questions have been studied in the past and no benefit is seen from a new study committee. Vote 13-0.

**SB 160-FN-L**, adding members to the Skyhaven airport operation commission and changing the required completion date for the Skyhaven airport transfer plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways: The original senate bill added members to the Skyhaven Airport operation commission and extended the transfer plan date. The amendment reflects a unanimous compromise by the committee, between those who, frustrated by over 18 years of delays in the possible transfer of Skyhaven to the city of Rochester, advocated immediate disposition of the airport and those who wanted to give the City of Rochester a chance for an economic study to be considered by its City Council. The amendment gives Rochester an opportunity to review the economic study before March 1, 2008, by which time the City must legally commit itself to acquisition of Skyhaven by July 1, 2008. If Rochester does not commit to acquiring Skyhaven by March 1, 2008, then the Department of Transportation is required to negotiate a lease with Pease Development Authority commencing July 1, 2008. Vote 17-0.

**Amendment (1410h)**

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

AN ACT adding members to the Skyhaven airport operation commission and relative to the Skyhaven airport transfer plan.

Amend the bill by replacing section 2 with the following:

2 Contingency; Operation of Skyhaven Airport by the Pease Development Authority. Notwithstanding the provisions of 1998, 317:1, if the city of Rochester has not legally committed on or before March 1, 2008 to acquire Skyhaven airport no later than July 1, 2008, the department of transportation shall negotiate a lease with the Pease development authority for operation of the Skyhaven airport, with the approval of the long range capital planning and utilization committee and the governor and council. The lease shall be completed by July 1, 2008.

#### AMENDED ANALYSIS

This bill adds members to the Skyhaven airport operation commission.

The bill also requires the department of transportation to negotiate a lease with the Pease development authority for operation of the Skyhaven airport, if the city of Rochester has not legally committed by March 1, 2008 to acquire the airport no later than July 1, 2008.

**SB 50**, relative to the membership of the state veterans' advisory committee and authorizing the state veterans council to accept certain donations and bequests. **OUGHT TO PASS.**

Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: This bill serves two purposes. The first expands the state veteran's advisory committee membership from ten to fourteen members. Membership is limited to national chartered veteran's organizations such as VFW, DAV and American Legion. This bill will grant organizations such as the Marine Corps League, which has taken an active role in supporting our veterans, our youth and our citizens for years, the authority to become a voting member. The second part of this bill will grant the state veteran's advisory committee the authority to accept donations from citizens who want to improve the New Hampshire Veterans Cemetery, or to allow the committee to help veterans in urgent need that sometimes fall through the cracks. Neither purpose will cost the state any tax payer money but will improve the quality of life for our veterans. Vote 12-0.

**SB 221**, establishing a commission to organize events in celebration of the Abraham Lincoln bicentennial. **OUGHT TO PASS.**

Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: This bill provides the people of New Hampshire the opportunity to honor one of our greatest presidents, who through personal strength, courage and strength of conviction, paid the ultimate price in order to preserve the union. The committee to honor the Lincoln Bicentennial will not only work to show President Lincoln's connection to the Granite State but will provide our citizens the opportunity to participate in exhibits, programs and local events. The goal is to allow our citizens to "Live the Legacy" and to learn about the character that not only made Lincoln a great person but a great leader. Vote 12-0.

**SB 234-FN**, relative to privileges, benefits, and immunities for national guard members. **OUGHT TO PASS.**

Rep. Pamela D. Coughlin for State-Federal Relations and Veterans Affairs: The committee recommends that a member of the New Hampshire National Guard be treated as a resident and citizen of the State of New Hampshire for the purposes of entitlement to privileges, benefits and immunities provided under state law. This bill ensures that all New Hampshire Guard members are entitled to the same rights and privileges without any element of discrimination on the basis of where the service member resides. This bill provides a fair employment policy by the New Hampshire Guard for all its members as a tool for retention and recruiting of guard members. Many officers, to include pilots and air crew and senior NCO's with valuable skills, come from all over the country to be a member of the New Hampshire Army and Air Guard providing much needed skills while saving the New

Hampshire taxpayers training expenses. Vote 12-0.

***SB 126-FN-A***, relative to motor vehicle fines. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman A. Packard for Transportation: This bill would have repealed the sunset on the increase in motor vehicle fines passed in the last session. These fines were increased last session. Matters relative to fines are now under consideration in HB 2. Vote 15-0.

***SB 187***, relative to motor vehicles operated in parades. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard N. Cunningham for Transportation: The committee took into consideration SB 187 and the closely related HB 296. The goal was to promote safety while not detracting from the enjoyment of parades. The amendment successfully addresses risks posed by outrigger wheel assemblies and also provides specific guidelines for the supervision and safety of children. Vote 14-2.

#### **Amendment (1434h)**

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

1 New Section; Parade Vehicles. Amend RSA 265 by inserting after section 108 the following new section:

265:108-a Parade Vehicles.

I. No person may operate a vehicle in a parade unless the following safety precautions are taken:

(a) No person may use any type of vehicle with outrigger wheels in a parade unless the vehicle is modified to protect both riders and pedestrians from the outrigger wheel assembly.

(b) At least one adult, other than the driver, shall supervise children riding on a vehicle in a parade and have a reasonable means of immediate communication with the driver. The number of adults supervising the children shall not be less than one adult per every 4 children and sufficient to ensure that each child is visible to a supervising adult.

(c) Children riding on a vehicle in a parade shall remain entirely within the perimeter of the vehicle and, if standing, shall be reasonably protected from probable injury if the vehicle suddenly starts or stops.

II. Any person operating a vehicle without following all of the safety precautions listed in paragraph I shall be guilty of a violation, and shall be subject to the following fines:

(a) \$50 for a first offense.

(b) \$100 for a second or subsequent offense.

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

#### **AMENDED ANALYSIS**

This bill establishes safety requirements that must be followed by operators of parade vehicles.

***SB 55-FN***, establishing a committee to study the efficacy of the Master Settlement Agreement and strategies for addressing the financial burden imposed on the state by cigarette smoking and the use of tobacco products. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christine C. Hamm for Ways and Means: This bill was submitted in an effort to review the Master Settlement Agreement and the terms that impact New Hampshire's allocable share payments. The committee heard testimony that not all manufacturers pay equally into the Master Settlement Agreement. Members concluded that this bill would offer an opportunity to better understand the impact of pending litigation and other factors which have caused New Hampshire's share of the MSA revenues to decline and to consider if there is a better way to achieve the financial and public health benefits the state now accrues from the Master Settlement Agreement. Vote 15-1.

**Amendment (1468h)**

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Three members of the house of representatives, one of whom shall be a member of the finance committee, and one of whom shall be a member of the ways and means committee, appointed by the speaker of the house of representatives.

**SB 87**, making technical corrections to certain lottery commission provisions. **OUGHT TO PASS.**

Rep. Gilman C. Shattuck for Ways and Means: This bill makes several technical corrections to lottery commission provisions in RSA's which are inconsistent with long term practice by the commission. These corrections are requests by the lottery commission after their performance audit. Vote 16-1.

**REGULAR CALENDAR**

**SB 193**, relative to adjustments to the child support guidelines under special circumstances. **OUGHT TO PASS.**

Rep. Carolyn M. Gargas for Children and Family Law: This bill provides that adjustments to the child support guidelines shall be considered in light of the best interests of the child. The bill also establishes criteria for making adjustments to the child support guidelines in cases involving significantly high or low incomes and in shared parenting cases. Vote 13-3.  
Rep. Matarazzo offered floor amendment (1544h).

**Floor Amendment (1544h)**

Amend RSA 458-C:5, I(h)(1) as inserted by section 1 of the bill by replacing it with the following:

***(1) Equal or approximately equal parenting residential responsibilities in and of itself shall not eliminate the need for child support.***

Reps. Matarazzo and Itse spoke in favor.

Reps. Gile and Walz spoke against.

On a division vote, 148 members having voted in the affirmative and 199 in the negative, floor amendment (1544h) failed.

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

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

On a division vote, 230 members having voted in the affirmative and 118 in the negative, the committee report was adopted.

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

Ordered to third reading.

**SB 38**, relative to uninsured or hit-and-run motor vehicle coverage. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert F. Matheson for Commerce: The bill as amended addresses a problem in motor vehicle insurance coverage. It clarifies that if an insured elects to raise his liability coverage, the insured's "uninsured motorist coverage" shall automatically rise to an equal amount. It further states if this is not desired by the insured then this must be in writing. The amendment goes on to say rejection will also cover anyone on the policy as well as all the vehicles on the policy. Vote 14-4.

**Amendment (1530h)**

Amend the bill by replacing section 1 with the following:

1 Uninsured or Hit-and-Run Motor Vehicle Coverage; Rejection by Insured. Amend RSA 264:15, I to read as follows:

I. No policy shall be issued under the provisions of RSA 264:14, with respect to a vehicle registered or principally garaged in this state, unless coverage is provided therein or supplemental thereto at least in amounts or limits prescribed for bodily injury or death for a liability policy under this chapter, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or drivers of uninsured motor vehicles, and hit-and-run vehicles because of bodily injury, sickness, or disease, including death resulting therefrom. When an insured elects to purchase liability insurance in an amount greater than the minimum coverage required by RSA 259:61, ~~his~~ **the insured's** uninsured motorist coverage shall automatically be equal to the liability coverage elected. For the purposes of this paragraph umbrella or excess policies that provide excess limits to policies described in RSA 259:61[-] shall also provide uninsured motorist coverage equal to the limits of liability purchased, unless the named insured rejects such coverage ***in writing. Rejection of such coverage by a named insured shall constitute a rejection of coverage by all insureds, shall apply to all vehicles then or thereafter eligible to be covered under the policy, and shall remain effective upon policy amendment or renewal, unless the named insured requests such coverage in writing.***

Amendment adopted.

Committee report adopted.

Ordered to third reading.

**SB 93-FN**, relative to insurance coverage for children's early intervention therapy services. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jill Shaffer Hammond for the Majority of Commerce: This bill mandates health insurance coverage for the fixed amount of \$3200 annually toward the costs of early childhood intervention services for children age birth to 3 years. In this state, these services are already covered by Anthem, the state employees' health plan, and Medicaid/Healthy Kids; this will require other insurers to do the same. Early childhood intervention, such as occupational, physical, and speech-language therapies for developmental disabilities and/or delays, mitigate, improve, and often cure these situations at a critical age, forestalling more extensive and expensive medical or educational intervention at a later age, and best prepare a child for entering school. The finite cost to insurers will put minimal pressure on premiums, while providing substantial benefits to these children, their families, and our educational and social systems. Vote 11-8.

Rep. John B. Hunt for the Minority of Commerce: The bi-partisan minority of the committee felt this mandate would add to the already burdensome cost of health insurance here in New Hampshire. This bill assumes there will be future savings projections that were unsubstantiated. This bill was originally introduced in the Senate who decided to send it to the insurance department for a financial review. The 3rd party company estimated that there could be long term societal savings but there certainly would be an immediate impact on premiums. The report further states that to reduce the impact of this bill some employers and individuals will accept higher deductibles and co-payments to offset the increased premiums. Finally the report states that this legislation will only effect 50% of New Hampshire health plans and that the benefits can be positive only if it "is focused on children who truly need early intervention." Unfortunately no study can guarantee that!

#### **Majority Amendment (1520h)**

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

1 New Section; Individual; Coverage for Children's Early Intervention Therapy Services.

Amend RSA 415 by inserting after section 6-m the following new section:

415:6-n Coverage for Children's Early Intervention Therapy Services. Each insurer that issues or renews any individual policy, plan, or contract of accident or health insurance providing benefits for medical, rehabilitation or hospital expenses, shall provide to certificate holders of such insurance, who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to deductibles, copayments, coinsurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

2 New Section; Group; Coverage for Children's Early Intervention Services. Amend RSA 415 by inserting after section 18-r the following new section:

415:18-s Coverage for Children's Early Intervention Services. Each insurer that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical, rehabilitation or hospital expenses, shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to deductibles, copayments, co-insurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

3 New Section; Health Service Corporations; Coverage for Children's Early Intervention Services. Amend RSA 420-A by inserting after section 17-f the following new section:

420-A:17-g Coverage for Children's Early Intervention Services. Every health service corporation and every other similar corporation licensed under the laws of another state that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical, rehabilitation or hospital expenses, which provides coverage for outpatient services shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to deductibles, copayments, co-insurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

4 New Section; Managed Care; Coverage for Children's Early Intervention Services. Amend RSA 420-B by inserting after section 8-p the following new section:

420-B:8-q Coverage for Children's Early Intervention Services. Every health maintenance organization and every similar corporation licensed under the laws of another state that issues or renews any policy, plan, or contract of individual or group or blanket

health insurance providing benefits for medical, rehabilitation or hospital expenses, shall provide to each individual or group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for expenses arising from the services of licensed and credentialed occupational therapists, physical therapists, speech-language pathologists, and clinical social workers working with children from birth to 36 months of age with an identified developmental disability and/or delay as specified in rules adopted pursuant to RSA 171-A:18, IV as long as the providing therapist receives a referral from the child's primary care physician if applicable. The benefits included in this section may be subject to deductibles, copayments, co-insurance, or other terms and conditions of the policy, and may have a cap of \$3,200 per child per year not to exceed \$9,600 by the child's third birthday. Notwithstanding any provision of law or rule to the contrary, the coverage under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA 167.

5 Effective Date. This act shall take effect 60 days after its passage.  
Majority amendment adopted.

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

Rep. Hunt spoke against.

Reps. Jill Hammond and DeStefano spoke in favor.

Rep. Hunt requested a roll call; sufficiently seconded.

**YEAS 214 NAYS 135**

**YEAS 214**

**BELKNAP**

Arsenault, Beth  
Wood, Jane

Millham, Alida

Pilliod, James

Reever, Judith

**CARROLL**

Ahlgren, Christopher  
Cunningham, Howard

Bridgham, Robert  
Heard, Virginia

Buco, Thomas

Butler, Edward

**CHESHIRE**

Allen, Peter  
Butynski, William  
Espieffs, Peter  
Mitchell, Bonnie  
Roberts, Kris  
Weed, Charles

Burridge, Delmar  
Chase, William  
Johnson, Jane  
Parkhurst, Henry  
Robertson, Timothy

Butcher, Suzanne  
Dunn, J. Timothy  
Lerandean, Alfred  
Plifka, Stanley Jr  
Sad, Tara

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

**COOS**

Hatch, William  
Theberge, Robert

Merrick, Evalyn  
Thomas, Yvonne

Merrick, Scott

Remick, William

**GRAFTON**

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

Almy, Susan  
Estes, Carole  
Laliberte, Suzanne  
Nordgren, Sharon

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

Benn, Bernard  
Hammond, Lee  
Matheson, Robert  
Preston, Philip

### HILLSBOROUGH

|                   |                       |                   |                     |
|-------------------|-----------------------|-------------------|---------------------|
| Baroody, Benjamin | Beaulieu, Jane        | Beck, Catriona    | Bergin, Peter       |
| Brunelle, Michael | Campbell, David       | Clemons, Jane     | Cote, David         |
| Cote, Peter       | Coughlin, Pamela      | Daler, Jennifer   | Drisko, Richard     |
| Edwards, Andrew   | Essex, David          | Fontas, Jeffrey   | Forest, Armand      |
| Foster, Linda     | Garrity, Patrick      | Ginsburg, Ruth    | Goley, Jeffrey      |
| Gorman, Mary      | Hackel, Paul          | Haley, Robert     | Hall, Betty         |
| Hammond, Jill     | Harvey, Suzanne       | Hebert, Roger     | Holden, Randolph    |
| Irwin, Anne-Marie | Jean, Claudette       | Jeudy, Jean       | Kaelin, Michael     |
| Kelley, John      | Lasky, Bette          | Leishman, Peter   | Levasseur, Nickolas |
| Levesque, Melanie | Lisle, Carolyn        | Long, Patrick     | Mack, Ron           |
| Martineau, Jesse  | Matarazzo, Anthony Sr | Mesa, Lily        | Movsesian, Lori     |
| O'Neil, James     | Pilotte, Maurice      | Reuschel, Michael | Rosenwald, Cindy    |
| Schulze, Joan     | Shattuck, Gilman      | Shaw, Barbara     | Shaw, Kimberly      |
| Simon, Anthony    | Smith, Sandra         | Spratt, Stephen   | Sullivan, Daniel    |
| Sullivan, Francis | Sysyn, Mary           | Velez, Hector     |                     |

### MERRIMACK

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

### ROCKINGHAM

|                        |                  |                      |                    |
|------------------------|------------------|----------------------|--------------------|
| Abbott, Dennis         | Borden, David    | Brown, C. Pennington | Buxton, Donald     |
| Cali-Pitts, Jacqueline | Casey, Kimberley | Day, Judith          | DiFruscia, Anthony |
| Flockhart, Eileen      | Grote, Otto      | Henson, John         | Howard, Doreen     |
| Hutchinson, Karen      | Kelley, Jane     | Kennedy, James       | Kepner, Susan      |
| Lister, Charlotte      | Marsh, Michael   | McCarthy, Linda      | McKenna, Daniel    |
| Moody, Marcia          | Moore, Bennett   | Nord, Susi           | Pearson, Mark      |
| Powers, James          | Preston, Mark    | Quandt, Marshall     | Reagan, John       |
| Robertson, Carl        | Russell, Trinka  | Snow, Richard        | Splaine, James     |

### STRAFFORD

|                  |                   |                  |                 |
|------------------|-------------------|------------------|-----------------|
| Berube, Roger    | Billian, Deborah  | Brennan, William | Brown, Jennifer |
| Brown, Larry     | Browne, Brendon   | Burke, Rachel    | Cyr, James      |
| Fargo, Thomas    | Grassie, Anne     | Hilliard, Dana   | Kaen, Naida     |
| Knowles, William | Mickelonis, Shawn | Perry, Robert    | Rollo, Deanna   |
| Rollo, Michael   | Rous, Emma        | Schmidt, Peter   | Smith, Marjorie |
| Spang, Judith    | Sprague, Dale     | Wall, Janet      | Warren, Nancy   |
| Watson, Robert   |                   |                  |                 |

### SULLIVAN

|                 |                   |                 |                     |
|-----------------|-------------------|-----------------|---------------------|
| Cloutier, John  | Converse, Larry   | Donovan, Thomas | Franklin, Peter     |
| Gagnon, Raymond | Gottling, Suzanne | Houde, Matthew  | Jillette, Arthur Jr |

Nielsen, Ellen

Skinder, Carla

## **NAYS 135**

### **BELKNAP**

Allen, Janet  
Heald, Bruce  
Tilton, Franklin

Boyce, Laurie  
Nedeau, Stephen  
Tobin, William

Clark, Charles  
Russell, David  
Wendelboe, Fran

Flanders, Donald  
Thomas, John  
Whalley, Michael

### **CARROLL**

Brown, Carolyn  
Morrow, Harry

Chandler, Gene  
Patten, Betsey

Denley, William  
Stevens, Stanley

Martin, James

### **CHESHIRE**

Emerson, Susan

Hunt, John

Pelkey, Stephen

### **COOS**

King, Frederick

Tholl, John Jr

### **GRAFTON**

Dingman, Vernon III  
Solomon, Peter

Eaton, Stephanie  
Sorg, Gregory

Gionet, Edmond  
Williams, Burton

Ingbretson, Paul

### **HILLSBOROUGH**

Barry, Richard  
Christiansen, Lars

Batula, Peter  
Clark, Mark

Bergeron, Jean-Guy  
Crane, Elenore  
Casey

Christensen, Chris  
Daniels, Gary

Day, Russell  
Fletcher, Richard  
Hansen, Ryan  
Infantine, William  
Lawrence, James  
Messier, Irene  
Ober, Russell III  
Rowe, Robert  
Stepanek, Stephen  
Villeneuve, Maurice

Dokmo, Cynthia  
Francoeur, Bea  
Hawkins, Ken  
Jasper, Shawn  
Lessard, Rudy  
Mooney, Maureen  
Peterson, Andy  
Smith, David  
Tahir, Saghir  
Winters, Joel

Elliott, Nancy  
Graham, John  
Hinkle, Peyton  
Kurk, Neal  
Manney, Pamela  
O'Connell, Timothy  
Price, Pamela  
Soucy, Connie  
Ulery, Jordan

Emerton, Larry  
Haefner, Robert  
Hogan, Edith  
L'Heureux, Robert  
McRae, Karen  
Ober, Lynne  
Renzullo, Andrew  
Spaulding, Jayne  
Vaillancourt, Steve

### **MERRIMACK**

Anderson, Eric  
Lockwood, Priscilla

Clarke, Claire  
MacKay, James

Hess, David  
Reed, Dennis

Humphries, Charlie

### **ROCKINGHAM**

Allen, Mary  
Bettencourt, David  
Case, Frank  
Elliott, Robert  
Garcia, Marilinda  
Guthrie, Joseph  
Introne, Robert  
Katsakiores, George

Baldasaro, Alfred  
Bishop, Franklin  
Charron, Gene  
Emiro, Frank  
Garrity, James  
Headd, James  
Itse, Daniel  
Katsakiores, Phyllis

Bedrick, Jason  
Camm, Kevin  
Dalrymple, David  
Fesh, Bob  
Gould, Kenneth  
Hopfgarten, Paul  
Johnson, Robert  
Lund, Howie

Belanger, Ronald  
Carson, Sharon  
Devine, James  
Flanders, John Sr  
Griffin, Mary  
Ingram, Russell  
Kappler, Lawrence  
McKinney, Betsy

McMahon, Charles  
Quandt, Matthew  
Waterhouse, Kevin  
Weyler, Kenneth

Moore, Benjamin  
Rausch, James  
Weare, Everett  
Wickson, Rick

Packard, Sherman  
Sanders, Elisabeth  
Welch, David  
Winchell, George

Priestley, Anne  
Stiles, Nancy  
Wells, Roger

#### STRAFFORD

Brown, Julie

Goodwin, Earle

#### SULLIVAN

Ferland, Brenda

Rodeschin, Beverly

and the majority committee report was adopted.

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

Referred to the Committee on Finance.

#### ***SB 125-FN*, relative to certificates for architect business organizations. **OUGHT TO PASS WITH AMENDMENT.****

Rep. Paul McEachern for Commerce: This legislation prohibits a person who is not a licensed architect from holding himself out to the public as performing architectural services. It also permits licensed architects to practice as a member of a business organization which holds itself out as practicing architecture and creates a regulating structure for such practice. Vote 13-6.

#### **Amendment (1383h)**

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Violations; Representation. Amend RSA 310-A:50, I, (e) to read as follows:

(e) Practice architecture or to offer, advertise or hold oneself out to the public as being in the practice of architecture in this state without a license, ***or to represent by verbal claim, sign, letterhead, card, or in any other way that such person performs architectural services, unless the person holds a license under this subdivision;*** or

#### **AMENDED ANALYSIS**

This bill establishes procedures for issuance of certificates for architect business organizations, and clarifies the crime of falsely representing the performing of architectural services.

Amendment adopted.

Committee report adopted.

Referred to the Committee on Executive Departments and Administration.

#### ***SB 155*, relative to insurance coverage for chiropractic services. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.****

Rep. Charles L. Clark for the Majority of Commerce: In the matter of co-payments to the insured for chiropractic services, the committee feels that although there are times that patients are unhappy with their employer's choice of plans, the proposed bill is not a good solution. The chiropractors ask to be treated the same as primary care physicians regarding co-payments but the committee believes it is not for us to categorize health care providers. We recommend inexpedient to legislate. Vote 13-6.

Rep. Robert F. Matheson for the Minority of Commerce: The bill addresses health plans that offer chiropractic benefits. Employers buy these plans believing chiropractic care is covered. As the co-pay costs rise, the total cost of the service is being buried in the co-pay. By holding the co-pays amount similar to the primary care provider, we allow better access to health care.

Majority committee report adopted.

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

**SCR 2**, urging Congress to amend the No Child Left Behind Act. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Emma L. Rous for the Majority of Education: This resolution urges the US Congress to amend the No Child Left Behind Act as it comes up for reauthorization this year, in accordance with the National Conference of State Legislatures' task force report, a report created with bipartisan representation from the NH General Court. While NCLB's goal of raising achievement is admirable and NH has made every effort to comply with the program, the resolution asks for flexibility for states in promoting and evaluating the growth of each child. It also urges Congress to request a GAO evaluation of the costs to states and local districts of full NCLB compliance, including reaching 100% proficiency for every student. An important critique of NCLB is that it is a minimally funded mandate that violates the 10th amendment of the US Constitution by assuming powers that belong to the states. Vote 10-6.

Rep. Sharon M. Carson for the Minority of Education: The minority believes it serves no purpose passing SCR 2 other than to make a statement of dissatisfaction. NCLB program is currently under review and changes are being contemplated by the United States Congress. The program has vastly improved school performance across the country and experience has shown that in the re-authorization some changes should be and shall be made. The continuing problem in New Hampshire seems to be a lack of communication between the New Hampshire Department of Education and school districts across the state.

On a division vote, 205 members having voted in the affirmative and 125 in the negative, the majority committee report was adopted.

Ordered to third reading.

**SB 18-FN**, raising the age of required attendance of children in school. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. J. Timothy Dunn for the Majority of Education: In current practice, a student can leave school at 16 simply by meeting with a principal and getting signed approval from a parent or guardian. With SB 18, students need a plan for completing their education in order to leave the traditional classroom before age 18. The plan can include work-study, night school, GED prep, internships, apprenticeships, independent study, or placement in a vocational or alternative learning program. Plans are developed by the student, a parent or guardian, a guidance counselor, and the principal. Under RSA 193:5, a superintendent can still exempt a student from compulsory attendance "if facts warrant" and if "the welfare of the child will be best served," and the bill exempts homeschoolers. Raising the legal age for school attendance is a missing and necessary piece in the state's ongoing effort to lower drop out rates in New Hampshire. Knowing the demands of today's society, we cannot send the message that it is acceptable to leave high school without a diploma. Higher completion rates lower social costs. These students are not new to our system; they are already in our school budgets. The state currently spends \$23 million for programs for at-risk students and DOE has budgeted an additional \$4.5 million for new or expanded programs. One and a half million is budgeted to accompany SB 101, providing additional tuition and transportation aid for extended programs at regional vocational schools. The bill has widespread support in the education and business community (including BIA, NHRMA, Auto Dealers, Law Enforcement, NEA/AFT). Vote 12-6.

Rep. David W. Hess for the Minority of Education: The committee minority believes SB 18 as proposed is not ready for enactment. Currently, a student can drop out at age 16 only if the parents, after consultation with the school principal, agree. This bill takes away these parental rights and vests that authority with the school district superintendent. The minority believes these parental rights in making this decision about one's own children should be protected. The minority also believes this bill imposes an unnecessary new mandate on our local schools without providing either the funding to pay for it or the infrastructure and capacity needed to implement its complex requirements. This bill will

keep an additional 1100 students in our high schools. Twenty six percent of these dropouts are special education students; an estimated 30 percent are eligible for free or reduced lunch. Thus, over half of these students are the very ones that require the greatest resources and the most intensive supervision and instruction. Yet the state is unwilling to commit the resources and funds needed to provide these services. The minority strongly believes that the local property tax payers will wind up paying the extra millions, if not tens of millions of dollars needed to implement this legislation. Finally, mandating is not the New Hampshire way. Certainly a "one size fits all" mandate to all of our local school districts is not warranted nor appropriate when the school dropout rate here in New Hampshire is already dropping dramatically under existing practices. Over the past four years, the cumulative high school dropout rate (the percentage of entering 9th graders who fail to graduate) has declined from over 15 percent to just over 12 percent, a 20 percent reduction. Fifteen of our high schools, small and large, north and south, in rich districts and poor, have cumulative dropout rates of less than 5 percent. Rather than mandate a uniform, bureaucratic overlay across the state to address this legitimate concern, the minority believes the Department of Education should use these successful dropout programs as models to be studied and evaluated in less successful high schools. Use proven models that work to solve this problem, not yet another untried, unfunded mandate. The minority would have preferred to retain the bill.

Rep. Kurk offered floor amendment (1632h).

#### **Floor Amendment (1632h)**

Amend the bill by replacing all after section 5 with the following:

6 Applicability. This act shall take effect in each school district of the state beginning July 1, 2009 only after both of the following occur:

I. The commissioner of the department of education certifies to the secretary of state and the governor that the state has the ability to fully fund the educational programs, services, and personnel and, where appropriate, the alternative learning plans as set forth in RSA 193:1, I(g), necessary to provide appropriate educational services to children who are at least 16 years of age but under 18 years of age and who, but for the increase in the age of compulsory attendance set forth in RSA 193:1, I(a), would not have attended school; and

II. The school board of the school district certifies to the commissioner of the department of education that the school district is able to comply with the provisions of this act.

7 Effective Date.

I. Sections 1-5 of this act shall take effect as provided in section 6 of this act.

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

#### **AMENDED ANALYSIS**

This bill raises from 16 to 18 the age for compulsory school attendance and provides a procedure for a pupil who is at least 16 years of age to obtain an attendance waiver from school and requires that the commissioner of the department of education and the school board of a school district certify their respective abilities to comply with the provisions of the bill.

Rep. Kurk spoke in favor.

Rep. Rous spoke against.

Rep. Belanger requested a roll call; sufficiently seconded.

**YEAS 143 NAYS 149**

**YEAS 143**

**BELKNAP**

Allen, Janet

Boyce, Laurie

Clark, Charles

Flanders, Donald

Heald, Bruce  
Russell, David  
Wendelboe, Fran

Millham, Alida  
Thomas, John  
Whalley, Michael

Nedeau, Stephen  
Tilton, Franklin

Pilliod, James  
Tobin, William

#### CARROLL

Ahlgren, Christopher  
Morrow, Harry

Brown, Carolyn  
Patten, Betsey

Denley, William  
Stevens, Stanley

Martin, James

#### CHESHIRE

Butynski, William

Emerson, Susan

Johnson, Jane

Pelkey, Stephen

#### COOS

King, Frederick

#### GRAFTON

Dingman, Vernon III  
Solomon, Peter

Eaton, Stephanie  
Sorg, Gregory

Gionet, Edmond  
Williams, Burton

Ingbretson, Paul

#### HILLSBOROUGH

Barry, Richard  
Crane, Elenore Casey  
Drisko, Richard  
Graham, John  
Hogan, Edith  
Levasseur, Nickolas  
O'Connell, Timothy  
Renzullo, Andrew  
Smith, Sandra  
Stepanek, Stephen  
Vaillancourt, Steve

Batula, Peter  
Daniels, Gary  
Elliott, Nancy  
Haefner, Robert  
Infantine, William  
Manney, Pamela  
Ober, Lynne  
Rowe, Robert  
Soucy, Connie  
Sullivan, Francis  
Villeneuve, Maurice

Bergeron, Jean-Guy  
Day, Russell  
Emerton, Larry  
Haley, Robert  
Kurk, Neal  
McRae, Karen  
Ober, Russell III  
Shaw, Kimberly  
Spaulding, Jayne  
Tahir, Saghir  
Winters, Joel

Christiansen, Lars  
Dokmo, Cynthia  
Fletcher, Richard  
Hinkle, Peyton  
Lawrence, James  
Messier, Irene  
Price, Pamela  
Smith, David  
Spratt, Stephen  
Ulery, Jordan

#### MERRIMACK

Anderson, Eric  
Kidder, David  
Reed, Dennis

Hager, Elizabeth  
Lockwood, Priscilla  
Richardson, Gary

Hess, David  
MacKay, James

Humphries, Charlie  
Owen, Derek

#### ROCKINGHAM

Allen, Mary  
Bettencourt, David  
Camm, Kevin  
Devine, James  
Fesh, Bob  
Gleason, John  
Headd, James  
Introne, Robert  
Katsakiores, George  
McMahon, Charles  
Reagan, John  
Weare, Everett  
Wickson, Rick

Baldasaro, Alfred  
Bishop, Franklin  
Case, Frank  
DiFruscia, Anthony  
Flanders, John Sr  
Gould, Kenneth  
Hopfgarten, Paul  
Itse, Daniel  
Kelley, Jane  
Moore, Benjamin  
Sanders, Elisabeth  
Welch, David  
Winchell, George

Bedrick, Jason  
Buxton, Donald  
Charron, Gene  
Elliott, Robert  
Garcia, Marilinda  
Griffin, Mary  
Hutchinson, Karen  
Johnson, Robert  
Lund, Howie  
Pearson, Mark  
Stiles, Nancy  
Wells, Roger

Belanger, Ronald  
Cali-Pitts, Jacqueline  
Dalrymple, David  
Emiro, Frank  
Garrrity, James  
Guthrie, Joseph  
Ingram, Russell  
Kappler, Lawrence  
McKinney, Betsy  
Priestley, Anne  
Waterhouse, Kevin  
Weyler, Kenneth

### **STRAFFORD**

|              |                |               |                |
|--------------|----------------|---------------|----------------|
| Brown, Julie | Hilliard, Dana | Sprague, Dale | Watson, Robert |
|--------------|----------------|---------------|----------------|

### **SULLIVAN**

|                 |                |                |  |
|-----------------|----------------|----------------|--|
| Ferland, Brenda | Phinizy, James | Skinder, Carla |  |
|-----------------|----------------|----------------|--|

### **NAYS 149**

### **BELKNAP**

|                 |                |                |            |
|-----------------|----------------|----------------|------------|
| Arsenault, Beth | Morrison, Gail | Reever, Judith | Wood, Jane |
|-----------------|----------------|----------------|------------|

### **CARROLL**

|                                     |              |                |                    |
|-------------------------------------|--------------|----------------|--------------------|
| Bridgham, Robert<br>Heard, Virginia | Buco, Thomas | Butler, Edward | Cunningham, Howard |
|-------------------------------------|--------------|----------------|--------------------|

### **CHESHIRE**

|                |                    |                    |                      |
|----------------|--------------------|--------------------|----------------------|
| Allen, Peter   | Burridge, Delmar   | Butcher, Suzanne   | Butterworth, Timothy |
| Chase, William | Dunn, J. Timothy   | Espiefs, Peter     | Lerandean, Alfred    |
| Loll, Thomas   | Mitchell, Bonnie   | Plifka, Stanley Jr | Richardson, Barbara  |
| Roberts, Kris  | Robertson, Timothy | Sad, Tara          | Weber, Lucy          |
| Weed, Charles  |                    |                    |                      |

### **COOS**

|                |                 |                 |                |
|----------------|-----------------|-----------------|----------------|
| Hatch, William | Merrick, Evalyn | Remick, William | Thomas, Yvonne |
|----------------|-----------------|-----------------|----------------|

### **GRAFTON**

|                  |                  |                       |                    |
|------------------|------------------|-----------------------|--------------------|
| Almy, Susan      | Benn, Bernard    | Cooney, Mary          | Estes, Carole      |
| Friedrich, Carol | Hammond, Lee     | Harding, A Laurie     | Laliberte, Suzanne |
| Lovett, Sid      | Matheson, Robert | Mulholland, Catherine | Nordgren, Sharon   |
| Pierce, David    | Preston, Philip  |                       |                    |

### **HILLSBOROUGH**

|                   |                          |                  |                   |
|-------------------|--------------------------|------------------|-------------------|
| Beck, Catriona    | Cote, David              | Cote, Peter      | Coughlin, Pamela  |
| Essex, David      | Forest, Armand           | Foster, Linda    | Garrity, Patrick  |
| Ginsburg, Ruth    | Gorman, Mary             | Hackel, Paul     | Hall, Betty       |
| Hammond, Jill     | Harvey, Suzanne          | Hebert, Roger    | Irwin, Anne-Marie |
| Jean, Claudette   | Kelley, John             | Leishman, Peter  | Lessard, Rudy     |
| Levesque, Melanie | Lisle, Carolyn           | Long, Patrick    | Mack, Ron         |
| Martineau, Jesse  | Matarazzo, Anthony<br>Sr | Mesa, Lily       | O'Neil, James     |
| Pilotte, Maurice  | Reuschel, Michael        | Rosenwald, Cindy | Schulze, Joan     |
| Shattuck, Gilman  | Shaw, Barbara            | Simon, Anthony   | Sysyn, Mary       |

### **MERRIMACK**

|                        |                      |                            |                     |
|------------------------|----------------------|----------------------------|---------------------|
| Beauchesne,<br>Suzanne | Blanchard, Elizabeth | Brown, Carole              | Brueggemann, Donald |
| Clarke, Claire         | DeStefano, Stephen   | Ehlers, Eileen             | Foose, Robert       |
| French, Barbara        | Greco, Vincent       | Kjellman, Eleanor<br>Glynn | Osborne, Jessie     |
| Potter, Frances        | Reardon, Tara        | Ryan, Jim                  | Tilton, Joy         |

Wallner, Mary  
Yeaton, Charles

Webb, Leigh

Wheeler, Deborah

Williams, Robert

#### ROCKINGHAM

Borden, David  
Flockhart, Eileen  
Kepner, Susan  
McKenna, Daniel  
Preston, Mark  
Splaine, James

Brown, C. Pennington  
Grote, Otto  
Lister, Charlotte  
Moody, Marcia  
Robertson, Carl

Casey, Kimberley  
Henson, John  
Marsh, Michael  
Nord, Susi  
Russell, Trinka

Day, Judith  
Howard, Doreen  
McCarthy, Linda  
Powers, James  
Snow, Richard

#### STRAFFORD

Billian, Deborah  
Cyr, James  
Knowles, William  
Rous, Emma  
Wall, Janet

Brown, Jennifer  
DeChane, Marlene  
Mickelonis, Shawn  
Schmidt, Peter  
Warren, Nancy

Brown, Larry  
Fargo, Thomas  
Perry, Robert  
Smith, Marjorie

Burke, Rachel  
Grassie, Anne  
Rollo, Deanna  
Spang, Judith

#### SULLIVAN

Cloutier, John  
Gagnon, Raymond  
Nielsen, Ellen

Converse, Larry  
Gottling, Suzanne

Donovan, Thomas  
Houde, Matthew

Franklin, Peter  
Jillette, Arthur Jr

and floor amendment (1632h) failed.

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

Rep. Crane spoke against and yielded to questions.

Rep. Dunn spoke in favor.

#### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Coughlin moved that the House reconsider its action whereby it failed to adopt Floor Amendment (1632h) to ***SB 18-FN***, raising the age of required attendance of children in school.

Rep. Rous spoke against and yielded to questions.

Rep. Hunt spoke in favor.

Rep. Belanger requested a roll call; sufficiently seconded.

**YEAS 171 NAYS 182**

**YEAS 171**

#### BELKNAP

Allen, Janet  
Flanders, Donald  
Pilliod, James  
Tobin, William

Arsenault, Beth  
Heald, Bruce  
Russell, David  
Wendelboe, Fran

Boyce, Laurie  
Millham, Alida  
Thomas, John  
Whalley, Michael

Clark, Charles  
Nedeau, Stephen  
Tilton, Franklin

#### CARROLL

Ahlgren, Christopher  
Knox, J. David  
Stevens, Stanley

Brown, Carolyn  
Martin, James

Chandler, Gene  
Morrow, Harry

Denley, William  
Patten, Betsey

#### CHESHIRE

Butcher, Suzanne  
Johnson, Jane

Butynski, William  
Parkhurst, Henry

Emerson, Susan  
Pelkey, Stephen

Hunt, John

### COOS

King, Frederick

Tholl, John Jr

### GRAFTON

Andersen, Gene  
Ingbretson, Paul

Dingman, Vernon III  
Solomon, Peter

Eaton, Stephanie  
Sorg, Gregory

Gionet, Edmond  
Williams, Burton

### HILLSBOROUGH

Baroody, Benjamin  
Bergin, Peter  
Coughlin, Pamela  
Dokmo, Cynthia  
Fletcher, Richard  
Hansen, Ryan  
Holden, Randolph  
L'Heureux, Robert  
McRae, Karen  
Ober, Lynne  
Renzullo, Andrew  
Soucy, Connie  
Sullivan, Francis  
Velez, Hector

Barry, Richard  
Christensen, Chris  
Crane, Elenore Casey  
Drisko, Richard  
Francoeur, Bea  
Hawkins, Ken  
Infantine, William  
Lawrence, James  
Messier, Irene  
Ober, Russell III  
Rowe, Robert  
Spaulding, Jayne  
Tahir, Saghir  
Villeneuve, Maurice

Batula, Peter  
Christiansen, Lars  
Daniels, Gary  
Elliott, Nancy  
Graham, John  
Hinkle, Peyton  
Jasper, Shawn  
Levasseur, Nickolas  
Mooney, Maureen  
Peterson, Andy  
Shaw, Kimberly  
Spratt, Stephen  
Ulery, Jordan  
Winters, Joel

Bergeron, Jean-Guy  
Clark, Mark  
Day, Russell  
Emerton, Larry  
Haefner, Robert  
Hogan, Edith  
Kurk, Neal  
Manney, Pamela  
O'Connell, Timothy  
Price, Pamela  
Smith, David  
Stepanek, Stephen  
Vaillancourt, Steve

### MERRIMACK

Anderson, Eric  
Kidder, David  
Reed, Dennis

Hager, Elizabeth  
Lockwood, Priscilla  
Richardson, Gary

Hess, David  
MacKay, James  
Shurtleff, Stephen

Humphries, Charlie  
Owen, Derek

### ROCKINGHAM

Allen, Mary  
Bettencourt, David  
Camm, Kevin  
Dalrymple, David  
Emiro, Frank  
Garritty, James  
Guthrie, Joseph  
Ingram, Russell  
Kappler, Lawrence  
Lund, Howie  
Pearson, Mark  
Rausch, James  
Stiles, Nancy  
Wells, Roger

Baldasaro, Alfred  
Bishop, Franklin  
Carson, Sharon  
Devine, James  
Fesh, Bob  
Gleason, John  
Headd, James  
Introne, Robert  
Katsakiores, George  
McMahon, Charles  
Priestley, Anne  
Reagan, John  
Waterhouse, Kevin  
Weyler, Kenneth

Bedrick, Jason  
Buxton, Donald  
Case, Frank  
DiFruscia, Anthony  
Flanders, John Sr  
Gould, Kenneth  
Hopfgarten, Paul  
Itse, Daniel  
Katsakiores, Phyllis  
Moore, Benjamin  
Quandt, Marshall  
Robertson, Carl  
Weare, Everett  
Wickson, Rick

Belanger, Ronald  
Cali-Pitts, Jacqueline  
Charron, Gene  
Elliott, Robert  
Garcia, Marilinda  
Griffin, Mary  
Hutchinson, Karen  
Johnson, Robert  
Kelley, Jane  
Packard, Sherman  
Quandt, Matthew  
Sanders, Elisabeth  
Welch, David  
Winchell, George

### STRAFFORD

Brennan, William  
Watson, Robert

Brown, Julie

Goodwin, Earle

Sprague, Dale

### SULLIVAN

Ferland, Brenda

Rodeschin, Beverly

Skinder, Carla

## **NAYS 182**

### **BELKNAP**

Morrison, Gail

Reever, Judith

Wood, Jane

### **CARROLL**

Bridgham, Robert  
Heard, Virginia

Buco, Thomas

Butler, Edward

Cunningham, Howard

### **CHESHIRE**

Allen, Peter  
Dunn, J. Timothy  
Loll, Thomas  
Roberts, Kris  
Weed, Charles

Burridge, Delmar  
Eaton, Daniel  
Mitchell, Bonnie  
Robertson, Timothy

Butterworth, Timothy  
Espieffs, Peter  
Plifka, Stanley Jr  
Sad, Tara

Chase, William  
Lerandeau, Alfred  
Richardson, Barbara  
Weber, Lucy

### **COOS**

Hatch, William  
Thomas, Yvonne

Merrick, Evalyn

Merrick, Scott

Remick, William

### **GRAFTON**

Aguiar, James  
Estes, Carole  
Laliberte, Suzanne  
Nordgren, Sharon

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pierce, David

Benn, Bernard  
Hammond, Lee  
Matheson, Robert  
Preston, Philip

Cooney, Mary  
Harding, A Laurie  
Mulholland, Catherine

### **HILLSBOROUGH**

Beaulieu, Jane  
Clemons, Jane  
Edwards, Andrew  
Foster, Linda  
Gorman, Mary  
Hammond, Jill  
Jean, Claudette  
Lasky, Bette  
Lisle, Carolyn  
Matarazzo, Anthony  
Sr  
Pilotte, Maurice  
Shattuck, Gilman  
Sullivan, Daniel

Beck, Catriona  
Cote, David  
Essex, David  
Garrity, Patrick  
Hackel, Paul  
Harvey, Suzanne  
Jeudy, Jean  
Leishman, Peter  
Long, Patrick  
Mesa, Lily

Reuschel, Michael  
Shaw, Barbara  
Sysyn, Mary

Brunelle, Michael  
Cote, Peter  
Fontas, Jeffrey  
Ginsburg, Ruth  
Haley, Robert  
Hebert, Roger  
Kaelin, Michael  
Lessard, Rudy  
Mack, Ron  
Movsesian, Lori

Rosenwald, Cindy  
Simon, Anthony

Campbell, David  
Daler, Jennifer  
Forest, Armand  
Goley, Jeffrey  
Hall, Betty  
Irwin, Anne-Marie  
Kelley, John  
Levesque, Melanie  
Martineau, Jesse  
O'Neil, James

Schulze, Joan  
Smith, Sandra

### **MERRIMACK**

Baxley, Maureen

Brueggemann, Donald  
DeStefano, Stephen  
Gile, Mary

Beauchesne,  
Suzanne

Clarke, Claire  
Ehlers, Eileen  
Greco, Vincent

Blanchard, Elizabeth

Davis, Frank  
Foosse, Robert  
Hamm, Christine

Brown, Carole

DeJoie, John  
French, Barbara  
Kjellman, Eleanor  
Glynn

McMahon, Patricia  
Reardon, Tara  
Wallner, Mary  
Williams, Robert

Osborne, Jessie  
Ryan, Jim  
Walz, Mary  
Yeaton, Charles

Porter, Margaret  
Tilton, Joy  
Webb, Leigh

Potter, Frances  
Tupper, Frank  
Wheeler, Deborah

#### ROCKINGHAM

Abbott, Dennis  
Day, Judith  
Howard, Doreen  
Marsh, Michael  
Moody, Marcia  
Preston, Mark

Borden, David  
Flockhart, Eileen  
Kennedy, James  
McCarthy, Linda  
Moore, Bennett  
Russell, Trinka

Brown, C. Pennington  
Grote, Otto  
Kepner, Susan  
McKenna, Daniel  
Nord, Susi  
Snow, Richard

Casey, Kimberley  
Henson, John  
Lister, Charlotte  
McKinney, Betsy  
Powers, James  
Splaine, James

#### STRAFFORD

Berube, Roger  
Browne, Brendon  
Fargo, Thomas  
Knowles, William  
Rollo, Michael  
Spang, Judith

Billian, Deborah  
Burke, Rachel  
Grassie, Anne  
Mickelonis, Shawn  
Rous, Emma  
Wall, Janet

Brown, Jennifer  
Cyr, James  
Hilliard, Dana  
Perry, Robert  
Schmidt, Peter  
Warren, Nancy

Brown, Larry  
DeChane, Marlene  
Kaen, Naida  
Rollo, Deanna  
Smith, Marjorie

#### SULLIVAN

Cloutier, John  
Gagnon, Raymond  
Nielsen, Ellen  
and the motion failed.

Converse, Larry  
Gottling, Suzanne  
Phinizy, James

Donovan, Thomas  
Houde, Matthew

Franklin, Peter  
Jillette, Arthur Jr

The question now being adoption of the majority committee report of Ought to Pass.  
Rep. Winchell spoke in favor and yielded to questions.  
Reps. Lockwood and Vaillancourt spoke against.  
Reps. Ingbretson and Hess spoke against and yielded to questions.  
Reps. Remick and Rous spoke in favor.  
Rep. Renzullo requested a roll call; sufficiently seconded.

**YEAS 183 NAYS 170**

**YEAS 183**

#### BELKNAP

Morrison, Gail

Pilliod, James

Reever, Judith

Wood, Jane

#### CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Cunningham, Howard

#### CHESHIRE

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

Burridge, Delmar  
Dunn, J. Timothy  
Loll, Thomas  
Weber, Lucy

Butcher, Suzanne  
Eaton, Daniel  
Mitchell, Bonnie  
Weed, Charles

Butterworth, Timothy  
Espieffs, Peter  
Richardson, Barbara

#### COOS

Hatch, William  
Thomas, Yvonne

Merrick, Evalyn

Merrick, Scott

Remick, William

#### GRAFTON

Aguiar, James  
Estes, Carole  
Laliberte, Suzanne  
Nordgren, Sharon

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pierce, David

Benn, Bernard  
Hammond, Lee  
Matheson, Robert  
Preston, Philip

Cooney, Mary  
Harding, A Laurie  
Mulholland, Catherine

#### HILLSBOROUGH

Baroody, Benjamin  
Campbell, David  
Daler, Jennifer  
Forest, Armand  
Goley, Jeffrey  
Hammond, Jill  
Jean, Claudette  
Levesque, Melanie  
Martineau, Jesse

Beaulieu, Jane  
Clemons, Jane  
Edwards, Andrew  
Foster, Linda  
Hackel, Paul  
Harvey, Suzanne  
Jeudy, Jean  
Lisle, Carolyn  
Matarazzo, Anthony  
Sr

Beck, Catriona  
Cote, David  
Essex, David  
Garrity, Patrick  
Haley, Robert  
Hebert, Roger  
Kaelin, Michael  
Long, Patrick  
Mesa, Lily

Brunelle, Michael  
Cote, Peter  
Fontas, Jeffrey  
Ginsburg, Ruth  
Hall, Betty  
Irwin, Anne-Marie  
Lasky, Bette  
Mack, Ron  
Movsesian, Lori

O'Neil, James  
Rosenwald, Cindy  
Simon, Anthony  
Velez, Hector

Peterson, Andy  
Schulze, Joan  
Smith, Sandra

Pilotte, Maurice  
Shattuck, Gilman  
Sullivan, Daniel

Reuschel, Michael  
Shaw, Barbara  
Sysyn, Mary

#### MERRIMACK

Baxley, Maureen

Beauchesne,  
Suzanne

Blanchard, Elizabeth

Brueggemann, Donald

Clarke, Claire  
Ehlers, Eileen  
Greco, Vincent

Davis, Frank  
Foose, Robert  
Hager, Elizabeth

DeJoie, John  
French, Barbara  
Hamm, Christine

DeStefano, Stephen  
Gile, Mary  
Kjellman, Eleanor  
Glynn

McMahon, Patricia  
Reardon, Tara  
Tupper, Frank  
Wheeler, Deborah

Osborne, Jessie  
Ryan, Jim  
Wallner, Mary  
Williams, Robert

Porter, Margaret  
Shurtleff, Stephen  
Walz, Mary  
Yeaton, Charles

Potter, Frances  
Tilton, Joy  
Webb, Leigh

#### ROCKINGHAM

Abbott, Dennis  
Casey, Kimberley  
Grote, Otto  
Kepner, Susan  
Moody, Marcia  
Robertson, Carl  
Stiles, Nancy

Borden, David  
Day, Judith  
Henson, John  
Marsh, Michael  
Nord, Susi  
Russell, Trink  
Winchell, George

Brown, C. Pennington  
Devine, James  
Howard, Doreen  
McCarthy, Linda  
Pearson, Mark  
Snow, Richard

Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Kennedy, James  
McKenna, Daniel  
Powers, James  
Splaine, James

#### STRAFFORD

Berube, Roger  
Brown, Larry  
DeChane, Marlene  
Hilliard, Dana  
Perry, Robert  
Schmidt, Peter

Billian, Deborah  
Browne, Brendon  
Fargo, Thomas  
Kaen, Naida  
Rollo, Deanna  
Smith, Marjorie

Brennan, William  
Burke, Rachel  
Goodwin, Earle  
Knowles, William  
Rollo, Michael  
Spang, Judith

Brown, Julie  
Cyr, James  
Grassie, Anne  
Mickelonis, Shawn  
Rous, Emma  
Sprague, Dale

Wall, Janet

Warren, Nancy

#### **SULLIVAN**

Cloutier, John  
Houde, Matthew

Donovan, Thomas  
Jillette, Arthur Jr

Franklin, Peter  
Nielsen, Ellen

Gottling, Suzanne  
Phinizy, James

#### **NAYS 170**

#### **BELKNAP**

Allen, Janet  
Flanders, Donald  
Russell, David  
Wendelboe, Fran

Arsenault, Beth  
Heald, Bruce  
Thomas, John  
Whalley, Michael

Boyce, Laurie  
Millham, Alida  
Tilton, Franklin

Clark, Charles  
Nedeau, Stephen  
Tobin, William

#### **CARROLL**

Ahlgren, Christopher  
Heard, Virginia  
Patten, Betsey

Brown, Carolyn  
Knox, J. David  
Stevens, Stanley

Chandler, Gene  
Martin, James

Denley, William  
Merrow, Harry

#### **CHESHIRE**

Butynski, William  
Parkhurst, Henry  
Robertson, Timothy

Emerson, Susan  
Pelkey, Stephen

Hunt, John  
Plifka, Stanley Jr

Johnson, Jane  
Roberts, Kris

#### **COOS**

King, Frederick

Theberge, Robert

Tholl, John Jr

#### **GRAFTON**

Andersen, Gene  
Ingbretson, Paul

Dingman, Vernon III  
Solomon, Peter

Eaton, Stephanie  
Sorg, Gregory

Gionet, Edmond  
Williams, Burton

#### **HILLSBOROUGH**

Barry, Richard  
Christensen, Chris  
Crane, Elenore Casey  
Drisko, Richard  
Francoeur, Bea  
Hansen, Ryan  
Holden, Randolph  
Kurk, Neal  
Lessard, Rudy  
Messier, Irene  
Ober, Russell III  
Shaw, Kimberly  
Spratt, Stephen  
Ulery, Jordan

Batula, Peter  
Christiansen, Lars  
Daniels, Gary  
Elliott, Nancy  
Gorman, Mary  
Hawkins, Ken  
Infantine, William  
L'Heureux, Robert  
Levasseur, Nickolas  
Mooney, Maureen  
Price, Pamela  
Smith, David  
Stepanek, Stephen  
Vaillancourt, Steve

Bergeron, Jean-Guy  
Clark, Mark  
Day, Russell  
Emerton, Larry  
Graham, John  
Hinkle, Peyton  
Jasper, Shawn  
Lawrence, James  
Manney, Pamela  
O'Connell, Timothy  
Renzullo, Andrew  
Soucy, Connie  
Sullivan, Francis  
Villeneuve, Maurice

Bergin, Peter  
Coughlin, Pamela  
Dokmo, Cynthia  
Fletcher, Richard  
Haefner, Robert  
Hogan, Edith  
Kelley, John  
Leishman, Peter  
McRae, Karen  
Ober, Lynne  
Rowe, Robert  
Spaulding, Jayne  
Tahir, Saghir  
Winters, Joel

#### **MERRIMACK**

Anderson, Eric  
Kidder, David  
Reed, Dennis

Brown, Carole  
Lockwood, Priscilla  
Richardson, Gary

Hess, David  
MacKay, James

Humphries, Charlie  
Owen, Derek

### ROCKINGHAM

|                      |                   |                   |                     |
|----------------------|-------------------|-------------------|---------------------|
| Allen, Mary          | Baldasaro, Alfred | Bedrick, Jason    | Belanger, Ronald    |
| Bettencourt, David   | Bishop, Franklin  | Buxton, Donald    | Camm, Kevin         |
| Carson, Sharon       | Case, Frank       | Charron, Gene     | Dalrymple, David    |
| DiFruscia, Anthony   | Elliott, Robert   | Emiro, Frank      | Fesh, Bob           |
| Flanders, John Sr    | Garcia, Marilinda | Garrity, James    | Gleason, John       |
| Gould, Kenneth       | Griffin, Mary     | Guthrie, Joseph   | Headd, James        |
| Hopfgarten, Paul     | Hutchinson, Karen | Ingram, Russell   | Introne, Robert     |
| Itse, Daniel         | Johnson, Robert   | Kappler, Lawrence | Katsakiores, George |
| Katsakiores, Phyllis | Kelley, Jane      | Lister, Charlotte | Lund, Howie         |
| McKinney, Betsy      | McMahon, Charles  | Moore, Benjamin   | Moore, Bennett      |
| Packard, Sherman     | Preston, Mark     | Priestley, Anne   | Quandt, Marshall    |
| Quandt, Matthew      | Rausch, James     | Reagan, John      | Sanders, Elisabeth  |
| Waterhouse, Kevin    | Weare, Everett    | Welch, David      | Wells, Roger        |
| Weyler, Kenneth      | Wickson, Rick     |                   |                     |

### STRAFFORD

Watson, Robert

### SULLIVAN

|                 |                 |                 |                    |
|-----------------|-----------------|-----------------|--------------------|
| Converse, Larry | Ferland, Brenda | Gagnon, Raymond | Rodeschin, Beverly |
| Skinder, Carla  |                 |                 |                    |

and the majority committee report was adopted.

Referred to the Committee on Finance.

**SB 82-FN**, reorganizing the administration and governance of the regional community-technical college system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judith T. Reeve for Education: This bill grants the New Hampshire Community Technical College System the same legal status as that of the University System of New Hampshire, responsible to the people through the governance of its board of trustees. This status would allow the NCTCS to conduct its business, manage its facilities, and perform its functions under the management of its administration and with the policy direction and oversight of its board. It requires the continuance of biennium reporting of operating and capital appropriations to support students and the colleges. The amendment addresses terminology changes, places limits on administrative expenses, and establishes a one-year legislative transition oversight committee. Vote 17-0.

### Amendment (1566h)

Amend RSA 188-F:7, III as inserted by section 2 of the bill by replacing it with the following:

III. Service as an employee of the community college system of New Hampshire shall be creditable service for purposes of RSA 100-A, RSA 21-I:29, RSA 21-I:30, RSA 21-I:30-a, RSA 21-I:30-b, and RSA 21-I:30-c. Any community college system of New Hampshire employee who transfers, without a break in service, to a state classified or unclassified service position shall retain and transfer all leave accruals and seniority and be entitled to all the rights and benefits of a permanent employee in the classified or unclassified service of the state based on the years of creditable state service. At the time of such a transfer, the employee shall immediately begin to accrue annual and sick leave as granted at the time of the transfer by the receiving agency according to the employee's continuous years worked. Any state employee in a classified or unclassified service position who transfers, without a break in service, to the community college system of New Hampshire shall retain and transfer all leave accruals and seniority and be entitled to all the rights and benefits of a permanent employee in the classified or unclassified service of the state based on the years of

creditable state service. At the time of such a transfer, the employee shall immediately begin to accrue annual and sick leave as granted at the time of the transfer by the receiving agency according to the employee's continuous years worked.

Amend RSA 188-F:11 as inserted by section 2 of the bill by replacing it with the following:

188-F:11 Report.

I. The chancellor and the chairman of the board of trustees of the community college system of New Hampshire shall issue a joint report annually which shall include detail on the proposed use and distribution of federal vocational and financial aid funds, ongoing upgrades to the information technology systems used by the community college system of New Hampshire, and the overall operation of the community college system of New Hampshire including financial status, enrollment data and program administration. Such report shall be completed by October 15 of each year. A copy of this report shall be delivered to the chairs of the house education committee, and senate education committee, the speaker of the house, president of the senate, the governor, the senate clerk, the house clerk, and the state library.

II. Each year the chancellor of the community college system of New Hampshire, as well as one representative from the board of trustees, and the president of each institution shall appear before the house finance committee and the senate finance committee to review the department's programs, cost analysis, revenue projections and any other information detailed in the written report.

Amend RSA 188-F as inserted by section 2 of the bill by inserting after RSA 188-F:21 the following new RSA section:

188-F:21-a Use of State Funds Limited. Expenditures for administrative expenses of the community college system of New Hampshire, including personnel, shall not exceed 10 percent of any state funds appropriated to the community college system of New Hampshire in the fiscal year. For the purposes of this section, any federal funds received by the state on behalf of the community college system of New Hampshire shall not be considered state funds.

Amend the bill by deleting section 4 and renumbering the original sections 5-46 to read as 4-45, respectively.

Amend RSA 188-F:25 as inserted by section 22 of the bill by replacing it with the following:

188-F:25 Agency Attached. The police standards and training council is ~~[transferred to the department of regional community technical colleges and is administratively attached to that department]~~ ***an executive branch council and is not a body corporate and politic. The police standards and training council shall be administratively attached to the community college system of New Hampshire subject to the same provisions prescribed by RSA 21-G:10. The police standards and training council and the director and employees hired by the director performing the functions required by RSA 188-F:22 through RSA 188-F:32-d shall be subject to RSA 7:8, RSA 541-B:1, and RSA 99-D:1, and shall be subject to attorney general review of contracts subject to governor and council review.***

Amend the bill by replacing all after section 44 with the following:

45 New Hampshire Retirement System; Definitions. Amend RSA 100-A:1, IV to read as follows:

IV. "Employer" shall mean (a) the state or any department, commission, institution, or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, (b) the state, the local school district, or other employers of teachers eligible for membership in the system with respect to the teachers in their employ, (c) any police department or police force of the state, or of any county, city, town, village, or precinct in the state with respect to the permanent policemen in their employ, (d) any fire department of the state, or of any county, city, town, village, or precinct in the state with respect to the permanent firemen in their employ, ~~and~~ (e) any political subdivision that has elected to participate under RSA 100-A:20; provided, however, that in

no instance shall any employer contribute or participate in the retirement system unless by a reasonable determination of the board of trustees such employer qualifies as a governmental entity, political subdivision, agency, or instrumentality eligible to participate in the retirement system as a governmental plan within the meaning of section 414(d) of the United States Internal Revenue Code of 1986, as amended, **and (f) the community college system of New Hampshire.**

46 Community College System Legislative Oversight Committee Established; Effective July 1, 2009.

I. There is established a community college system legislative oversight committee to study the efficacy of the transition of the community college system's academic programs, financial management, and administrative operations from state agency to self-governing entity.

II. Membership and Compensation. The members of the committee shall be as follows:

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

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

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. Duties. The committee shall study:

(a) The efficacy of the transition of the community college system's academic programs, financial management, and administrative operations from state agency to self-governing entity.

(b) The changes in student enrollment, categorized by academic area.

(c) Financial and budgeting practices employed by the community college system of New Hampshire, including the change in administrative overhead expenses and the ability to keep tuition affordable for students.

(d) The amount of state funds requested by the community college system of New Hampshire.

(e) Any other issue concerning the operation or administration of the community college system of New Hampshire deemed relevant to the committee. The committee may solicit input from any individual or organization with relevant information or expertise.

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

VI. Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the chairpersons of the house and senate education committees, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2009. If the committee concludes there are substantial concerns with the operation or administration of the community college system of New Hampshire, the committee shall include in its report detailed proposed legislation to remedy such concerns, including, if appropriate, additional legislative oversight and continued partnership with the state on certain duties and functions, or legislation necessary to return the community college system of New Hampshire to state agency status.

47 Effective Date.

I. Paragraphs I-III of section 44 of this act shall take effect July 1, 2009.

II. Section 46 of this act shall take effect November 1, 2008.

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

Amendment adopted.

Committee report adopted.

Rep. Carson declared a conflict of interest and did not participate.  
Referred to the Committee on Finance.

**SB 101**, relative to payment of costs for certain students attending alternative education programs. **OUGHT TO PASS.**

Rep. Nancy F. Stiles for Education: This bill provides an additional opportunity for every student in New Hampshire who may be at risk of dropping out of school to access alternative education programming at a regional vocational education center or associated high school, regardless of where they live. School districts will receive reimbursements for the transportation and tuition for these identified "at risk" students. Expenses will come from the Department of Education's current budget. Programming will be developed during FY 2007-2008 to accommodate these needs and students can begin access as early as 2008. Vote 12-2.

Rep. Rous yielded to questions.

Committee report adopted.

Referred to the Committee on Finance.

### **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 on **SB 18**, raising the age of required attendance of children in school.

Rep. Eaton spoke against.

Reps. Vaillancourt and Hess spoke in favor.

Rep. Berube requested a roll call; sufficiently seconded.

**YEAS 150 NAYS 193**

**YEAS 150**

### **BELKNAP**

Allen, Janet  
Millham, Alida  
Tilton, Franklin

Boyce, Laurie  
Nedeau, Stephen  
Tobin, William

Flanders, Donald  
Russell, David  
Wendelboe, Fran

Heald, Bruce  
Thomas, John  
Whalley, Michael

### **CARROLL**

Brown, Carolyn  
Knox, J. David  
Stevens, Stanley

Chandler, Gene  
Martin, James

Denley, William  
Merrow, Harry

Heard, Virginia  
Patten, Betsey

### **CHESHIRE**

Emerson, Susan  
Pelkey, Stephen

Hunt, John

Johnson, Jane

Parkhurst, Henry

### **COOS**

King, Frederick

Theberge, Robert

Tholl, John Jr

### **GRAFTON**

Andersen, Gene  
Ingbretson, Paul

Dingman, Vernon III  
Solomon, Peter

Eaton, Stephanie  
Sorg, Gregory

Gionet, Edmond  
Williams, Burton

### **HILLSBOROUGH**

Barry, Richard  
Christensen, Chris  
Crane, Elenore Casey  
Dokmo, Cynthia  
Fletcher, Richard  
Haefner, Robert  
Hogan, Edith  
Kelley, John  
Messier, Irene  
Ober, Russell III  
Shaw, Kimberly  
Spratt, Stephen  
Ulery, Jordan  
Winters, Joel

Batula, Peter  
Christiansen, Lars  
Daler, Jennifer  
Drisko, Richard  
Francoeur, Bea  
Hansen, Ryan  
Holden, Randolph  
Kurk, Neal  
Mooney, Maureen  
Price, Pamela  
Smith, David  
Stepanek, Stephen  
Vaillancourt, Steve

Bergeron, Jean-Guy  
Clark, Mark  
Daniels, Gary  
Elliott, Nancy  
Gorman, Mary  
Hawkins, Ken  
Infantine, William  
Manney, Pamela  
O'Connell, Timothy  
Renzullo, Andrew  
Soucy, Connie  
Sullivan, Francis  
Velez, Hector

Bergin, Peter  
Coughlin, Pamela  
Day, Russell  
Emerton, Larry  
Graham, John  
Hinkle, Peyton  
Jasper, Shawn  
McRae, Karen  
Ober, Lynne  
Rowe, Robert  
Spaulding, Jayne  
Tahir, Saghir  
Villeneuve, Maurice

#### **MERRIMACK**

Anderson, Eric  
Lockwood, Priscilla

Hess, David  
MacKay, James

Humphries, Charlie  
Owen, Derek

Kidder, David

#### **ROCKINGHAM**

Allen, Mary  
Camm, Kevin  
Dalrymple, David  
Fesh, Bob  
Gleason, John  
Hopfgarten, Paul  
Itse, Daniel  
Katsakiores, Phyllis  
McMahon, Charles  
Pearson, Mark  
Sanders, Elisabeth  
Wells, Roger

Baldasaro, Alfred  
Carson, Sharon  
DiFruscia, Anthony  
Flanders, John Sr  
Gould, Kenneth  
Hutchinson, Karen  
Johnson, Robert  
Kelley, Jane  
Moore, Benjamin  
Quandt, Matthew  
Waterhouse, Kevin  
Weyler, Kenneth

Bedrick, Jason  
Case, Frank  
Elliott, Robert  
Garcia, Marilinda  
Guthrie, Joseph  
Ingram, Russell  
Kappler, Lawrence  
Lund, Howie  
Moore, Bennett  
Rausch, James  
Weare, Everett  
Wickson, Rick

Bettencourt, David  
Charron, Gene  
Emiro, Frank  
Garrity, James  
Headd, James  
Introne, Robert  
Katsakiores, George  
McKinney, Betsy  
Packard, Sherman  
Reagan, John  
Welch, David  
Winchell, George

#### **STRAFFORD**

Brown, Julie

Sprague, Dale

Watson, Robert

#### **SULLIVAN**

Ferland, Brenda

Rodeschin, Beverly

#### **NAYS 193**

#### **BELKNAP**

Arsenault, Beth  
Wood, Jane

Morrison, Gail

Pilliod, James

Reever, Judith

#### **CARROLL**

Ahlgren, Christopher  
Cunningham, Howard

Bridgham, Robert

Buco, Thomas

Butler, Edward

#### **CHESHIRE**

Burrige, Delmar

Butcher, Suzanne

Butterworth, Timothy

Butynski, William

Chase, William  
Lerandeau, Alfred  
Richardson, Barbara  
Weber, Lucy

Dunn, J. Timothy  
Loll, Thomas  
Roberts, Kris  
Weed, Charles

Eaton, Daniel  
Mitchell, Bonnie  
Robertson, Timothy

Espieffs, Peter  
Plifka, Stanley Jr  
Sad, Tara

#### COOS

Hatch, William  
Thomas, Yvonne

Merrick, Evalyn

Merrick, Scott

Remick, William

#### GRAFTON

Aguiar, James  
Estes, Carole  
Laliberte, Suzanne  
Nordgren, Sharon

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pierce, David

Benn, Bernard  
Hammond, Lee  
Matheson, Robert  
Preston, Philip

Cooney, Mary  
Harding, A Laurie  
Mulholland, Catherine

#### HILLSBOROUGH

Baroody, Benjamin  
Campbell, David  
Edwards, Andrew  
Foster, Linda  
Hackel, Paul  
Harvey, Suzanne  
Judy, Jean  
Lessard, Rudy  
Long, Patrick

Beaulieu, Jane  
Clemons, Jane  
Essex, David  
Garrity, Patrick  
Haley, Robert  
Hebert, Roger  
Kaelin, Michael  
Levasseur, Nickolas  
Mack, Ron

Beck, Catriona  
Cote, David  
Fontas, Jeffrey  
Ginsburg, Ruth  
Hall, Betty  
Irwin, Anne-Marie  
Lasky, Bette  
Levesque, Melanie  
Martineau, Jesse

Brunelle, Michael  
Cote, Peter  
Forest, Armand  
Goley, Jeffrey  
Hammond, Jill  
Jean, Claudette  
Leishman, Peter  
Lisle, Carolyn  
Matarazzo, Anthony  
Sr  
Peterson, Andy  
Schulze, Joan  
Smith, Sandra

Mesa, Lily  
Pilotte, Maurice  
Shattuck, Gilman  
Sullivan, Daniel

Movsesian, Lori  
Reuschel, Michael  
Shaw, Barbara  
Sysyn, Mary

O'Neil, James  
Rosenwald, Cindy  
Simon, Anthony

#### MERRIMACK

Baxley, Maureen

Beauchesne,  
Suzanne

Blanchard, Elizabeth

Brown, Carole

Brueggemann, Donald  
DeStefano, Stephen  
Gile, Mary  
Kjellman, Eleanor  
Glynn

Clarke, Claire  
Ehlers, Eileen  
Greco, Vincent  
McMahon, Patricia

Davis, Frank  
Foose, Robert  
Hager, Elizabeth  
Osborne, Jessie

DeJoie, John  
French, Barbara  
Hamm, Christine  
Porter, Margaret

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

Reardon, Tara  
Tilton, Joy  
Webb, Leigh

Richardson, Gary  
Tupper, Frank  
Wheeler, Deborah

Ryan, Jim  
Wallner, Mary  
Williams, Robert

#### ROCKINGHAM

Abbott, Dennis  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Kennedy, James  
McCarthy, Linda  
Powers, James  
Snow, Richard

Borden, David  
Casey, Kimberley  
Grote, Otto  
Kepner, Susan  
McKenna, Daniel  
Preston, Mark  
Splaine, James

Brown, C. Pennington  
Day, Judith  
Henson, John  
Lister, Charlotte  
Moody, Marcia  
Robertson, Carl  
Stiles, Nancy

Buxton, Donald  
Devine, James  
Howard, Doreen  
Marsh, Michael  
Nord, Susi  
Russell, Trink

### STRAFFORD

|                 |                  |                   |                  |
|-----------------|------------------|-------------------|------------------|
| Berube, Roger   | Billian, Deborah | Brennan, William  | Brown, Larry     |
| Browne, Brendon | Burke, Rachel    | Cyr, James        | DeChane, Marlene |
| Fargo, Thomas   | Goodwin, Earle   | Grassie, Anne     | Hilliard, Dana   |
| Kaen, Naida     | Knowles, William | Mickelonis, Shawn | Perry, Robert    |
| Rollo, Deanna   | Rollo, Michael   | Rous, Emma        | Schmidt, Peter   |
| Smith, Marjorie | Spang, Judith    | Wall, Janet       | Warren, Nancy    |

### SULLIVAN

|                 |                   |                 |                     |
|-----------------|-------------------|-----------------|---------------------|
| Cloutier, John  | Converse, Larry   | Donovan, Thomas | Franklin, Peter     |
| Gagnon, Raymond | Gottling, Suzanne | Houde, Matthew  | Jillette, Arthur Jr |
| Nielsen, Ellen  | Phinizy, James    | Skinder, Carla  |                     |

and the motion failed.

The House recessed at 1:00 p.m.

### RECESS

### (Speaker Norelli in the Chair)

The House reconvened at 2:00 p.m.

### REGULAR CALENDAR (CONT'D)

***SB 235-FN-A***, relative to milk support for dairy farmers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard H. Snow for the Majority of Environment and Agriculture: This bill is the second and third leg of the milking stool that will help keep New Hampshire's dairy farms viable and also help preserve the open spaces they protect. It is the second stage of a multi-part program designed to ensure that New Hampshire agriculture stays viable and strong. This legislation accomplishes two significant, long term objectives. The first objective is to provide our dairy farmers with a subsidy when national milk prices, which are set by a federal milk pricing order, fall below a target price equivalent to the cost of producing the milk. Milk pricing has been regulated by the federal government since 1937. It is one of our country's most highly regulated commodities. Our subsidy will allow our dairy farmers to remain competitive with other milk-producing regions that have lower costs. The bill establishes an independent board to regularly monitor and adjust the target price level and to consider any other cost or price factors that might affect the price of fluid milk. The bill is also intended to help insulate our dairy farms from predatory pricing and New Hampshire from a total reliance on imports from the western states, where there is a continued concentration and industrialization of the nation's dairy supply. (Depending on imported food and feed from developing countries that are not subject to the same safety and quality standards we observe also raises concerns). Recent headlines about compromised food quality, feed supply and safety have raised consumer awareness of the value of a healthy, local food production and supply system. We have an opportunity now to help prevent further losses of our capacity to produce fresh, local milk. (Currently about 134 NH dairy farms produce over 34 million gallons of fresh milk annually, enough to supply over twenty-five gallons for every man, woman and child in New Hampshire). The second objective is to provide a stable source of funding for the purchase of Agricultural Land Development Rights, a program established by this legislature in 1985, by establishing a two and one half cent fee (only 62.5 cents per person per annum) on every gallon of milk sold at the local retail level. Keeping agricultural land open provides significant, tangential benefits to our state. New Hampshire's dairy industry is responsible for over 85,000 acres of open space supporting hunting, fishing, snowmobiling and other recreational activities, fundamental to the state's revenue stream. Purchasing the development rights to agricultural land helps preserve them. A dedicated fund was established in 1985 to do that, but no regular, reliable source of

money has been available for the fund for a number of years. This bill will provide that funding source. The committee has worked diligently with the sponsors of the bill, members of the farm business community, conservation advocates, and those citizens of NH who want to preserve the New Hampshire way of life, in order to come up with legislation that will satisfy the diverse requirements of an interstate milk production system that is regulated at the federal level and subject to interstate commerce. The majority of our committee respectfully request that you support this joint effort. Vote 16-1.

Rep. Steve Vaillancourt for the Minority of Environment and Agriculture: This bill creates a new sales tax. It creates a “fee” for each gallon of milk sold in New Hampshire and dedicates it for “the acquisition of agricultural land development rights.” A tax is a tax, no matter how one labels it. A dedicated fund is a dedicated fund, no matter how one labels it. If a person does not report on how much he or she sells in three months and enclose the appropriate tax, a 10% penalty will be added. Where does this end? The majority of people in this Legislature ran on a platform opposed to a sales tax, but it doesn’t count when it applies to milk. This bill is a bail out that will hurt business and our consumers.

#### **Majority Amendment (1516h)**

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

AN ACT establishing a milk producers emergency relief fund, assessing dairy processors a fee per gallon of milk sold in New Hampshire, and using the proceeds for the acquisition of agricultural land development rights.

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

1 New Subdivision; Milk Producers Emergency Relief Fund. Amend RSA 184 by inserting after section 105 the following new subdivision:

Milk Producers Emergency Relief Fund

184:106 Definitions. In this subdivision:

I. “Annual production” means the total quantity of milk produced in a 12-month period beginning June 1 and ending May 31 of the next calendar year. Total quantity is expressed in hundredweight.

II. “Base price” means the price of milk calculated each month by adding to the Boston Blend Price the amount per hundredweight received by milk producers as a monthly payment from the federal government due to low milk prices.

III. “Boston Blend Price” means the Suffolk County, Massachusetts statistical uniform price of milk as determined for each month by the Northeast Market Administrator of the United States Department of Agriculture and expressed per hundredweight of milk.

IV. “Commissioner” means the commissioner of the department of agriculture, markets, and food.

V. “Department” means the department of agriculture, markets, and food.

VI. “Milk producer” means “milk producer” as defined in RSA 184:79, IX, except that governmental or institutional entities shall be excluded.

VII. “Target price” means the short-run break-even point for annual production.

Target price shall be determined in accordance with RSA 184:108.

184:107 Milk Producers Emergency Relief Fund Established.

I. There is established a milk producers emergency relief fund in the office of the state treasurer. This fund shall be administered by the commissioner who shall deposit into the fund any appropriations made to the department from the general fund to be used consistent with the definitions and provisions of this subdivision, to reimburse New Hampshire producers of raw milk when the base price of milk falls below the target price. The fund shall be non-lapsing and shall be continually appropriated to the department. The treasurer may invest the proceeds of the fund as provided by law and any income earned on such investment shall be credited to the fund.

II. Beginning with the month of July in 2008, for each month that the base price is below the target price, each participating milk producer in the state shall receive an amount

of money equal to the month's production in hundredweight multiplied by the difference between the target price and the base price for the month. The commissioner shall make payment from the fund on a quarterly basis after all information necessary to compute payment amounts is available for the applicable prior 3 month period.

III. In the event there is an insufficient balance in the fund to make full payment to all producers, the commissioner shall prorate payments to each producer to the extent funds are available. Any amount not paid to a producer shall be carried forward and later paid should sufficient funds become available.

184:108 Target Price. The target price for New Hampshire milk producers shall be \$16.94 per hundredweight and shall be adjusted as provided in RSA 184:110, II.

184:109 Milk Producers Emergency Relief Fund Board Established; Membership.

I. There is established the milk producers emergency relief fund board, to be composed of the following members:

(a) The commissioner.

(b) Four members appointed by the governor, who shall have no official business or professional connection or relation with any segment of the dairy industry.

(c) One member of the house of representatives who shall be a member of the house environment and agriculture committee, appointed by the speaker.

(d) One member of the senate, appointed by the senate president.

II. The board shall select a chairperson from among its members at its organizational meeting.

III. The board members shall serve without compensation, except that while attending to the duties of the board, the legislative members shall be reimbursed for mileage at the legislative rate and the non-legislative members shall be reimbursed for mileage at the state employee rate.

IV. Any member of the board having an individual interest, or an interest in another business, which may conflict with an issue under consideration by the board, shall not participate in any deliberations or vote of the board on the issue before the board.

V. The initial terms of the board members under subparagraph I(b) shall expire on January 1, 2010. New board members appointed under subparagraph I(b) shall have 4-year terms. Legislative members shall serve terms coterminous with their legislative terms. Upon term expiration, each appointed member shall hold office until a successor is appointed. Board members may be reappointed to subsequent terms, including those members whose terms expire as of January 1, 2010. Should a board member under subparagraph I(b) not fill out a term for any reason, a successor shall be appointed by the governor for the remainder of that term.

184:110 Board Powers and Duties.

I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Developing eligibility criteria for obtaining relief from the milk producers emergency relief fund.

(b) Procedures for processing applications for compensation from the milk producers emergency relief fund and verifying claims.

(c) Procedures for calculating payments to milk producers.

II. The board shall review, and adjust as necessary, the target price at any time, but shall do so at least semi-annually by October 1 and April 1 of each year. The first such review and adjustment of the target price shall be completed no later than April 1, 2008. The board shall hold at least one public hearing prior to each adjustment of the target price. Adjustment of the target price shall be exempt from rulemaking under RSA 541-A.

III. The board shall submit to the governor, the speaker of the house of representatives and the president of the senate a report, no later than October 1 of each year, on the status of the emergency milk producers relief fund, including the state of the milk industry. The report in even-numbered years shall include a request for any necessary appropriation in the next biennium from the general fund. Any appropriations to the board

shall be included in the department's operating budget for each biennium. The first such report shall be submitted no later than October 1, 2008.

IV. The board, with approval of the governor and council, may employ, using fund moneys, legal counsel as necessary to perform its duties in administering the emergency milk producers relief fund.

V. The board may request that the attorney general issue subpoenas, examine witnesses, or request any other information on behalf of the board for the purposes of determining eligibility for compensation under this subdivision.

2 New Section; Acquisition of Agricultural Land Development Rights. Amend RSA 432 by inserting after section 31-a the following new section:

432:31-b Milk Distribution Fee and Payment.

I. Milk plants, milk distributors, or producer-distributors licensed under RSA 184:84 shall be assessed a fee of \$0.025 per gallon of milk sold or transferred for retail sale in this state. All fees shall be deposited in the separate account established in RSA 432:30 for the acquisition of agricultural land development rights and shall be non-lapsing.

II. The fee shall be collected by the department of agriculture, markets and food. Each entity subject to the fee shall, on or before the twentieth day of July, October, January, and April, submit a return to the department on forms prescribed and furnished by the commissioner. The return shall report the total number of gallons sold or transferred for retail sale in the state during the previous 3 calendar months along with such other information as the department may require for accurate collection of the fee. The return shall also include payment of the fee based on the number of gallons reported. The first return shall be filed no later than October 20, 2007.

III. Failure to file by the required date or to enclose fees due shall result in the assessment of a 10 percent penalty to be added to the amount of fees due for the quarterly return. Said penalty shall immediately accrue and thereafter the overdue fees and the penalty shall bear interest at the annual rate of 12 percent.

IV. No entity subject to this fee shall sell or transfer for retail sale milk in this state without paying the fee when due.

V. The commissioner shall adopt rules under RSA 541-A relative to the process for collecting the fee and identifying those entities liable for payment of the fee.

VI. Any person who violates this section shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

3 Reference Change. Amend RSA 432:30, I to read as follows:

I. The state treasurer shall establish a separate account to which shall be credited all funds appropriated or acquired to fund the acquisition of development rights in accordance with ~~[RSA 432:17-31-a]~~ **RSA 432:17-31-b**. This shall be a non-lapsing account, and funds in said account are hereby appropriated for the purposes of this subdivision.

4 Minimum Prices. Amend RSA 434:56 to read as follows:

434:56 Establishment of Minimum Producer Dairy Prices. ***Notwithstanding the provisions of RSA 184:106-110***, the commissioner, after consulting with the ~~[agricultural advisory]~~ **milk producers emergency relief fund** board, may establish by order an equitable minimum price to be paid to ~~[dairy]~~ **milk** producers for raw milk produced in New Hampshire on the basis of the use thereof in the various classes, grades and forms. The commissioner, after consulting with the ~~[agricultural advisory]~~ board, may from time to time make, amend or rescind an order if the commissioner finds that the federal milk marketing order covering New Hampshire is adequate or inadequate as the case may be to ensure a stable raw milk production and distribution system in the state. ~~[In no case shall the commissioner establish by order a price greater than the average price established for comparable classes, grades and forms of raw milk in the contiguous states.]~~

5 New Subparagraph; Application of Receipts; Emergency Milk Producers Relief Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the emergency milk producers relief fund established under RSA 184:107.

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

#### AMENDED ANALYSIS

This bill:

I. Establishes a milk producers emergency relief fund.

II. Assesses dairy processors a fee per gallon of milk sold in New Hampshire.

III. Uses the proceeds for the acquisition of agricultural land and development rights.

Majority amendment adopted.

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

Rep. Vaillancourt spoke against and yielded to questions.

Reps. Snow and Phinizy spoke in favor and yielded to questions.

Rep. Vaillancourt moved that Section 1 of the bill be divided from Sections 2 and 3.

The Speaker ruled that the bill was divisible.

The question now being to divide the bill.

Rep. Phinizy spoke against.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Owen requested a roll call; sufficiently seconded.

**YEAS 124 NAYS 213**

#### YEAS 124

#### BELKNAP

Allen, Janet  
Heald, Bruce  
Russell, David  
Whalley, Michael

Boyce, Laurie  
Millham, Alida  
Thomas, John

Clark, Charles  
Nedeau, Stephen  
Tilton, Franklin

Flanders, Donald  
Pilliod, James  
Wendelboe, Fran

#### CARROLL

Brown, Carolyn  
Merrow, Harry

Chandler, Gene  
Stevens, Stanley

Denley, William

Martin, James

#### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

Pelkey, Stephen

#### COOS

Remick, William

Tholl, John Jr

#### GRAFTON

Eaton, Stephanie

Gionet, Edmond

Ingbretson, Paul

Sorg, Gregory

#### HILLSBOROUGH

Barry, Richard  
Christensen, Chris  
Daler, Jennifer  
Drisko, Richard  
Francoeur, Bea

Batula, Peter  
Christiansen, Lars  
Daniels, Gary  
Elliott, Nancy  
Graham, John

Bergeron, Jean-Guy  
Clark, Mark  
Day, Russell  
Emerton, Larry  
Haefner, Robert

Bergin, Peter  
Coughlin, Pamela  
Dokmo, Cynthia  
Fletcher, Richard  
Hawkins, Ken

Hinkle, Peyton  
L'Heureux, Robert  
Mooney, Maureen  
Rowe, Robert  
Tahir, Saghir

Hogan, Edith  
Lawrence, James  
Ober, Russell III  
Soucy, Connie  
Ulery, Jordan

Infantine, William  
Manney, Pamela  
Price, Pamela  
Spaulding, Jayne  
Vaillancourt, Steve

Kurk, Neal  
McRae, Karen  
Renzullo, Andrew  
Stepanek, Stephen  
Villeneuve, Maurice

#### **MERRIMACK**

Anderson, Eric  
Reed, Dennis

Hess, David

Humphries, Charlie

MacKay, James

#### **ROCKINGHAM**

Allen, Mary  
Bettencourt, David  
Case, Frank  
Elliott, Robert  
Garcia, Marilinda  
Griffin, Mary  
Hutchinson, Karen  
Katsakiores, Phyllis  
Packard, Sherman  
Quandt, Matthew  
Sanders, Elisabeth  
Wells, Roger

Baldasaro, Alfred  
Bishop, Franklin  
Charron, Gene  
Emiro, Frank  
Garrity, James  
Guthrie, Joseph  
Ingram, Russell  
McKinney, Betsy  
Pearson, Mark  
Rausch, James  
Stiles, Nancy  
Weyler, Kenneth

Bedrick, Jason  
Camm, Kevin  
Dalrymple, David  
Fesh, Bob  
Gleason, John  
Headd, James  
Kappler, Lawrence  
McMahon, Charles  
Priestley, Anne  
Reagan, John  
Weare, Everett  
Wickson, Rick

Belanger, Ronald  
Carson, Sharon  
Devine, James  
Flanders, John Sr  
Gould, Kenneth  
Hopfgarten, Paul  
Katsakiores, George  
Moore, Bennett  
Quandt, Marshall  
Robertson, Carl  
Welch, David

#### **STRAFFORD**

Goodwin, Earle

Knowles, William

#### **SULLIVAN**

Rodeschin, Beverly

#### **NAYS 213**

#### **BELKNAP**

Morrison, Gail

Tobin, William

Wood, Jane

#### **CARROLL**

Bridgham, Robert  
Heard, Virginia

Buco, Thomas  
Knox, J. David

Butler, Edward

Cunningham, Howard

#### **CHESHIRE**

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

Burridge, Delmar  
Chase, William  
Lerandean, Alfred  
Plifka, Stanley Jr  
Sad, Tara

Butcher, Suzanne  
Dunn, J. Timothy  
Loll, Thomas  
Richardson, Barbara  
Weber, Lucy

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

#### **COOS**

Hatch, William

King, Frederick

Theberge, Robert

Thomas, Yvonne

#### **GRAFTON**

Aguiar, James  
Cooney, Mary  
Hammond, Lee  
Mulholland, Catherine  
Williams, Burton

Almy, Susan  
Dingman, Vernon III  
Laliberte, Suzanne  
Nordgren, Sharon

Andersen, Gene  
Estes, Carole  
Lovett, Sid  
Preston, Philip

Benn, Bernard  
Friedrich, Carol  
Matheson, Robert  
Solomon, Peter

### HILLSBOROUGH

Baroody, Benjamin  
Campbell, David  
Edwards, Andrew  
Foster, Linda  
Gorman, Mary  
Hammond, Jill  
Holden, Randolph  
Jeudy, Jean  
Leishman, Peter  
Lisle, Carolyn  
Matarazzo, Anthony  
Sr  
O'Connell, Timothy  
Pilotte, Maurice  
Shattuck, Gilman  
Smith, David  
Sullivan, Francis

Beaulieu, Jane  
Clemons, Jane  
Essex, David  
Garrity, Patrick  
Hackel, Paul  
Hansen, Ryan  
Irwin, Anne-Marie  
Kaelin, Michael  
Lessard, Rudy  
Long, Patrick  
Mesa, Lily

O'Neil, James  
Reuschel, Michael  
Shaw, Barbara  
Smith, Sandra  
Sysyn, Mary

Beck, Catriona  
Cote, David  
Fontas, Jeffrey  
Ginsburg, Ruth  
Haley, Robert  
Harvey, Suzanne  
Jasper, Shawn  
Kelley, John  
Levasseur, Nickolas  
Mack, Ron  
Messier, Irene

Ober, Lynne  
Rosenwald, Cindy  
Shaw, Kimberly  
Spratt, Stephen  
Winters, Joel

Brunelle, Michael  
Cote, Peter  
Forest, Armand  
Goley, Jeffrey  
Hall, Betty  
Hebert, Roger  
Jean, Claudette  
Lasky, Bette  
Levesque, Melanie  
Martineau, Jesse  
Movsesian, Lori

Peterson, Andy  
Schulze, Joan  
Simon, Anthony  
Sullivan, Daniel

### MERRIMACK

Baxley, Maureen  
  
Brueggemann, Donald  
DeStefano, Stephen  
Gile, Mary  
Kidder, David  
Owen, Derek  
Richardson, Gary  
Tupper, Frank  
Wheeler, Deborah

Beauchesne, Suzanne  
Clarke, Claire  
Ehlers, Eileen  
Greco, Vincent  
Lockwood, Priscilla  
Porter, Margaret  
Ryan, Jim  
Wallner, Mary  
Williams, Robert

Blanchard, Elizabeth  
  
Davis, Frank  
Foose, Robert  
Hager, Elizabeth  
McMahon, Patricia  
Potter, Frances  
Shurtleff, Stephen  
Walz, Mary  
Yeaton, Charles

Brown, Carole  
  
DeJoie, John  
French, Barbara  
Hamm, Christine  
Osborne, Jessie  
Reardon, Tara  
Tilton, Joy  
Webb, Leigh

### ROCKINGHAM

Abbott, Dennis  
Casey, Kimberley  
Grote, Otto  
Kelley, Jane  
Lund, Howie  
Moody, Marcia  
Russell, Trinka  
Winchell, George

Borden, David  
Day, Judith  
Henson, John  
Kennedy, James  
Marsh, Michael  
Nord, Susi  
Snow, Richard

Brown, C. Pennington  
DiFruscia, Anthony  
Howard, Doreen  
Kepner, Susan  
McCarthy, Linda  
Powers, James  
Splaine, James

Buxton, Donald  
Flockhart, Eileen  
Johnson, Robert  
Lister, Charlotte  
McKenna, Daniel  
Preston, Mark  
Waterhouse, Kevin

### STRAFFORD

Berube, Roger  
Brown, Larry  
DeChane, Marlene  
Mickelonis, Shawn  
Rous, Emma  
Sprague, Dale

Billian, Deborah  
Browne, Brendon  
Fargo, Thomas  
Perry, Robert  
Schmidt, Peter  
Wall, Janet

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

Brown, Julie  
Cyr, James  
Kaen, Naida  
Rollo, Michael  
Spang, Judith  
Watson, Robert

### **SULLIVAN**

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

and the motion failed.

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

Rep. Kurk spoke against.

Rep. O'Connell spoke in favor

Rep. Kurk requested a roll call; sufficiently seconded.

**YEAS 207 NAYS 131**

### **YEAS 207**

### **BELKNAP**

|                |                |                |            |
|----------------|----------------|----------------|------------|
| Morrison, Gail | Pilliod, James | Tobin, William | Wood, Jane |
|----------------|----------------|----------------|------------|

### **CARROLL**

|                  |                |                |                    |
|------------------|----------------|----------------|--------------------|
| Bridgham, Robert | Buco, Thomas   | Butler, Edward | Cunningham, Howard |
| Heard, Virginia  | Knox, J. David |                |                    |

### **CHESHIRE**

|                    |                    |                     |                      |
|--------------------|--------------------|---------------------|----------------------|
| Allen, Peter       | Burridge, Delmar   | Butcher, Suzanne    | Butterworth, Timothy |
| Butynski, William  | Chase, William     | Dunn, J. Timothy    | Eaton, Daniel        |
| Espiefs, Peter     | Lerandeau, Alfred  | Loll, Thomas        | Mitchell, Bonnie     |
| Parkhurst, Henry   | Plifka, Stanley Jr | Richardson, Barbara | Roberts, Kris        |
| Robertson, Timothy | Sad, Tara          | Weber, Lucy         | Weed, Charles        |

### **COOS**

|                |                 |                  |                |
|----------------|-----------------|------------------|----------------|
| Hatch, William | King, Frederick | Theberge, Robert | Thomas, Yvonne |
|----------------|-----------------|------------------|----------------|

### **GRAFTON**

|                  |                       |                    |                  |
|------------------|-----------------------|--------------------|------------------|
| Aguiar, James    | Almy, Susan           | Andersen, Gene     | Benn, Bernard    |
| Cooney, Mary     | Dingman, Vernon III   | Estes, Carole      | Friedrich, Carol |
| Hammond, Lee     | Harding, A Laurie     | Laliberte, Suzanne | Lovett, Sid      |
| Matheson, Robert | Mulholland, Catherine | Nordgren, Sharon   | Preston, Philip  |
| Solomon, Peter   | Williams, Burton      |                    |                  |

### **HILLSBOROUGH**

|                   |                  |                   |                   |
|-------------------|------------------|-------------------|-------------------|
| Baroody, Benjamin | Beaulieu, Jane   | Beck, Catriona    | Bergin, Peter     |
| Campbell, David   | Clemons, Jane    | Cote, David       | Cote, Peter       |
| Coughlin, Pamela  | Daler, Jennifer  | Edwards, Andrew   | Essex, David      |
| Fontas, Jeffrey   | Forest, Armand   | Foster, Linda     | Garrity, Patrick  |
| Ginsburg, Ruth    | Goley, Jeffrey   | Gorman, Mary      | Hackel, Paul      |
| Haley, Robert     | Hall, Betty      | Hammond, Jill     | Harvey, Suzanne   |
| Hebert, Roger     | Holden, Randolph | Irwin, Anne-Marie | Jean, Claudette   |
| Judy, Jean        | Kaelin, Michael  | Lasky, Bette      | Levesque, Melanie |
| Lisle, Carolyn    | Long, Patrick    | Mack, Ron         | Martineau, Jesse  |

|                       |                   |                |                  |
|-----------------------|-------------------|----------------|------------------|
| Matarazzo, Anthony Sr | Mesa, Lily        | Messier, Irene | Movsesian, Lori  |
| O'Connell, Timothy    | O'Neil, James     | Peterson, Andy | Pilotte, Maurice |
| Reuschel, Michael     | Rosenwald, Cindy  | Schulze, Joan  | Shattuck, Gilman |
| Shaw, Barbara         | Shaw, Kimberly    | Simon, Anthony | Spratt, Stephen  |
| Sullivan, Daniel      | Sullivan, Francis | Sysyn, Mary    |                  |

#### MERRIMACK

|                     |                     |                      |                 |
|---------------------|---------------------|----------------------|-----------------|
| Baxley, Maureen     | Beauchesne, Suzanne | Blanchard, Elizabeth | Brown, Carole   |
| Brueggemann, Donald | Clarke, Claire      | Davis, Frank         | DeJoie, John    |
| DeStefano, Stephen  | Ehlers, Eileen      | Foose, Robert        | French, Barbara |
| Gile, Mary          | Greco, Vincent      | Hager, Elizabeth     | Hamm, Christine |
| Kidder, David       | Lockwood, Priscilla | McMahon, Patricia    | Osborne, Jessie |
| Owen, Derek         | Porter, Margaret    | Potter, Frances      | Reardon, Tara   |
| Richardson, Gary    | Ryan, Jim           | Shurtleff, Stephen   | Tilton, Joy     |
| Tupper, Frank       | Wallner, Mary       | Walz, Mary           | Webb, Leigh     |
| Wheeler, Deborah    | Williams, Robert    | Yeaton, Charles      |                 |

#### ROCKINGHAM

|                  |                 |                      |                   |
|------------------|-----------------|----------------------|-------------------|
| Abbott, Dennis   | Borden, David   | Brown, C. Pennington | Buxton, Donald    |
| Casey, Kimberley | Day, Judith     | DiFruscia, Anthony   | Flockhart, Eileen |
| Grote, Otto      | Henson, John    | Howard, Doreen       | Johnson, Robert   |
| Kelley, Jane     | Kennedy, James  | Kepner, Susan        | Lister, Charlotte |
| McCarthy, Linda  | McKenna, Daniel | Moody, Marcia        | Nord, Susi        |
| Powers, James    | Preston, Mark   | Robertson, Carl      | Russell, Trinkia  |
| Snow, Richard    | Splaine, James  | Wells, Roger         |                   |

#### STRAFFORD

|                  |                  |                   |                |
|------------------|------------------|-------------------|----------------|
| Berube, Roger    | Billian, Deborah | Brennan, William  | Brown, Julie   |
| Brown, Larry     | Browne, Brendon  | Burke, Rachel     | Cyr, James     |
| DeChane, Marlene | Fargo, Thomas    | Goodwin, Earle    | Hilliard, Dana |
| Kaen, Naida      | Knowles, William | Mickelonis, Shawn | Perry, Robert  |
| Rollo, Deanna    | Rollo, Michael   | Rous, Emma        | Schmidt, Peter |
| Smith, Marjorie  | Spang, Judith    | Sprague, Dale     | Wall, Janet    |
| Warren, Nancy    | Watson, Robert   |                   |                |

#### SULLIVAN

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

#### NAYS 131

#### BELKNAP

|              |                  |                 |                  |
|--------------|------------------|-----------------|------------------|
| Allen, Janet | Boyce, Laurie    | Clark, Charles  | Flanders, Donald |
| Heald, Bruce | Millham, Alida   | Nedeau, Stephen | Russell, David   |
| Thomas, John | Tilton, Franklin | Wendelboe, Fran | Whalley, Michael |

#### CARROLL

|                |                  |                 |               |
|----------------|------------------|-----------------|---------------|
| Brown, Carolyn | Chandler, Gene   | Denley, William | Martin, James |
| Merrow, Harry  | Stevens, Stanley |                 |               |

### **CHESHIRE**

|                |            |               |                 |
|----------------|------------|---------------|-----------------|
| Emerson, Susan | Hunt, John | Johnson, Jane | Pelkey, Stephen |
|----------------|------------|---------------|-----------------|

### **COOS**

|                 |                |
|-----------------|----------------|
| Remick, William | Tholl, John Jr |
|-----------------|----------------|

### **GRAFTON**

|                  |                |                  |               |
|------------------|----------------|------------------|---------------|
| Eaton, Stephanie | Gionet, Edmond | Ingbretson, Paul | Sorg, Gregory |
|------------------|----------------|------------------|---------------|

### **HILLSBOROUGH**

|                    |                     |                     |                   |
|--------------------|---------------------|---------------------|-------------------|
| Barry, Richard     | Batula, Peter       | Bergeron, Jean-Guy  | Brunelle, Michael |
| Christensen, Chris | Christiansen, Lars  | Clark, Mark         | Daniels, Gary     |
| Day, Russell       | Dokmo, Cynthia      | Drisko, Richard     | Elliott, Nancy    |
| Emerton, Larry     | Fletcher, Richard   | Francoeur, Bea      | Graham, John      |
| Haefner, Robert    | Hansen, Ryan        | Hawkins, Ken        | Hinkle, Peyton    |
| Hogan, Edith       | Infantine, William  | Jasper, Shawn       | Kelley, John      |
| Kurk, Neal         | L'Heureux, Robert   | Lawrence, James     | Leishman, Peter   |
| Lessard, Rudy      | Levasseur, Nickolas | Manney, Pamela      | McRae, Karen      |
| Mooney, Maureen    | Ober, Lynne         | Ober, Russell III   | Price, Pamela     |
| Renzullo, Andrew   | Rowe, Robert        | Smith, David        | Smith, Sandra     |
| Soucy, Connie      | Spaulding, Jayne    | Stepanek, Stephen   | Tahir, Saghir     |
| Ulery, Jordan      | Vaillancourt, Steve | Villeneuve, Maurice | Winters, Joel     |

### **MERRIMACK**

|                |             |                    |                |
|----------------|-------------|--------------------|----------------|
| Anderson, Eric | Hess, David | Humphries, Charlie | MackKay, James |
| Reed, Dennis   |             |                    |                |

### **ROCKINGHAM**

|                      |                    |                   |                     |
|----------------------|--------------------|-------------------|---------------------|
| Allen, Mary          | Baldasaro, Alfred  | Bedrick, Jason    | Belanger, Ronald    |
| Bettencourt, David   | Bishop, Franklin   | Camm, Kevin       | Carson, Sharon      |
| Case, Frank          | Charron, Gene      | Dalrymple, David  | Devine, James       |
| Elliott, Robert      | Emiro, Frank       | Fesh, Bob         | Flanders, John Sr   |
| Garcia, Marilinda    | Garrity, James     | Gleason, John     | Gould, Kenneth      |
| Griffin, Mary        | Guthrie, Joseph    | Headd, James      | Hopfgarten, Paul    |
| Hutchinson, Karen    | Ingram, Russell    | Kappler, Lawrence | Katsakiores, George |
| Katsakiores, Phyllis | Lund, Howie        | Marsh, Michael    | McKinney, Betsy     |
| McMahon, Charles     | Moore, Bennett     | Packard, Sherman  | Pearson, Mark       |
| Priestley, Anne      | 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**

None

### **SULLIVAN**

Rodeschin, Beverly  
and the majority committee report was adopted.  
Referred to the Committee on Ways and Means.

**SB 148-FN**, relative to retirement system status for members of the university system police force. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Ken Hawkins for the Majority of Executive Departments and Administration: This bill would allow police employed by UNH and Plymouth State University to become members of Group II of the New Hampshire Retirement System (Keene has a separate security force). These officers do attend the police academy; however, the difference occurs when you look at who is allowed to be a member of Group II. The RSA is very explicit in that Group II members must be employed by a political subdivision of the state, and UNH & Plymouth State are not political subdivisions. In addition, we heard testimony from legislators from the Durham and Plymouth areas that they were not in support of this bill. The towns, as well as the university, also were opposed. There was conflicting testimony regarding whether or not UNH would be exempt from Social Security. If they weren't exempt, it would place an additional burden on the students paying tuition because the university system would have increased costs by paying into both Social Security and NH Retirement for each officer. Currently, the university system is a defined contribution system versus the NH Retirement System which is a defined benefit system, but the university system allows officers to retire after 20 years, which allows the university to match this Group II benefit. This topic has come up previously and, based upon all of the testimony in opposition, we concluded this is an issue to be worked out between the towns, the university system and the campus police. Vote 12-5.

Rep. Daniel J. Sullivan for the Minority of Executive Departments and Administration: The minority feels that the officers of the University System Police Department deserve the same rights as any other police officer in the state, which includes membership in Group II of the New Hampshire Retirement System. These officers have the same training and run the same risks while working side by side with officers of other local police agencies. They serve not only the campus, but the greater community, and see the same level of crime as their counterparts of neighboring departments. The minority strongly disagrees with the ITL of SB 148 and believes we should finally give these officers Group II retirement benefits they deserve.

Rep. Daniel Sullivan spoke against and yielded to questions.

Rep. Patricia McMahon spoke in favor and yielded to questions.

#### **MOTION TO LAY ON THE TABLE**

Rep. Campbell moved that **SB 148-FN**, relative to retirement system status for members of the university system police force be laid on the table.

Rep. Manney spoke against.

Rep. Patricia McMahon spoke in favor.

Rep. Michael Rollo requested a roll call; sufficiently seconded.

**YEAS 114 NAYS 221**

**YEAS 114**

#### **BELKNAP**

Flanders, Donald

Millham, Alida

Morrison, Gail

Tilton, Franklin

#### **CARROLL**

Butler, Edward  
Stevens, Stanley

Cunningham, Howard

Denley, William

Heard, Virginia

#### **CHESHIRE**

Allen, Peter

Butcher, Suzanne

Butterworth, Timothy

Butynski, William

Chase, William  
Richardson, Barbara

Eaton, Daniel  
Robertson, Timothy

Lerandeau, Alfred  
Weber, Lucy

Mitchell, Bonnie

### COOS

Hatch, William

### GRAFTON

Almy, Susan  
Harding, A Laurie  
Nordgren, Sharon

Benn, Bernard  
Ingbretson, Paul  
Preston, Philip

Cooney, Mary  
Laliberte, Suzanne  
Sorg, Gregory

Dingman, Vernon III  
Mulholland, Catherine  
Williams, Burton

### HILLSBOROUGH

Beck, Catriona  
Cote, David  
Francoeur, Bea  
Hammond, Jill  
Lawrence, James  
Peterson, Andy  
Schulze, Joan  
Ulery, Jordan

Campbell, David  
Cote, Peter  
Graham, John  
Hawkins, Ken  
Lisle, Carolyn  
Pilotte, Maurice  
Smith, Sandra

Christiansen, Lars  
Fletcher, Richard  
Hackel, Paul  
Irwin, Anne-Marie  
Mack, Ron  
Renzullo, Andrew  
Soucy, Connie

Clark, Mark  
Foster, Linda  
Hall, Betty  
Kaelin, Michael  
Messier, Irene  
Rosenwald, Cindy  
Spratt, Stephen

### MERRIMACK

Blanchard, Elizabeth  
Gile, Mary  
McMahon, Patricia  
Webb, Leigh

Brueggemann, Donald  
Hamm, Christine  
Potter, Frances

Davis, Frank  
Kidder, David  
Richardson, Gary

Foose, Robert  
Lockwood, Priscilla  
Wallner, Mary

### ROCKINGHAM

Abbott, Dennis  
Camm, Kevin  
Flockhart, Eileen  
Johnson, Robert  
McKinney, Betsy  
Robertson, Carl

Belanger, Ronald  
Casey, Kimberley  
Gould, Kenneth  
Lister, Charlotte  
Moody, Marcia  
Russell, Trinkka

Bishop, Franklin  
Day, Judith  
Grote, Otto  
Lund, Howie  
Priestley, Anne

Borden, David  
Fesh, Bob  
Headd, James  
Marsh, Michael  
Reagan, John

### STRAFFORD

Brennan, William  
Knowles, William  
Spang, Judith

Burke, Rachel  
Rous, Emma  
Wall, Janet

Goodwin, Earle  
Schmidt, Peter

Kaen, Naida  
Smith, Marjorie

### SULLIVAN

Franklin, Peter  
Nielsen, Ellen

Gagnon, Raymond  
Rodeschin, Beverly

Gottling, Suzanne  
Skinder, Carla

Houde, Matthew

### NAYS 221

### BELKNAP

Allen, Janet  
Pilliod, James  
Wendelboe, Fran

Boyce, Laurie  
Russell, David  
Whalley, Michael

Clark, Charles  
Thomas, John  
Wood, Jane

Nedeau, Stephen  
Tobin, William

### CARROLL

Bridgham, Robert  
Knox, J. David

Brown, Carolyn  
Martin, James

Buco, Thomas  
Merrow, Harry

Chandler, Gene  
Patten, Betsey

### CHESHIRE

Burrige, Delmar  
Johnson, Jane  
Plifka, Stanley Jr

Dunn, J. Timothy  
Loll, Thomas  
Roberts, Kris

Emerson, Susan  
Parkhurst, Henry  
Sad, Tara

Espiefs, Peter  
Pelkey, Stephen  
Weed, Charles

### COOS

King, Frederick  
Thomas, Yvonne

Remick, William

Theberge, Robert

Tholl, John Jr

### GRAFTON

Aguiar, James  
Friedrich, Carol  
Matheson, Robert

Andersen, Gene  
Gionet, Edmond  
Solomon, Peter

Eaton, Stephanie  
Hammond, Lee

Estes, Carole  
Lovett, Sid

### HILLSBOROUGH

Baroody, Benjamin  
Bergeron, Jean-Guy  
Clemons, Jane  
Day, Russell  
Elliott, Nancy  
Forest, Armand  
Gorman, Mary  
Harvey, Suzanne  
Holden, Randolph  
Judy, Jean  
Lasky, Bette  
Levesque, Melanie  
Matarazzo, Anthony  
Sr  
Movsesian, Lori  
Ober, Russell III  
Shattuck, Gilman  
Smith, David  
Sullivan, Francis  
Villeneuve, Maurice

Barry, Richard  
Bergin, Peter  
Coughlin, Pamela  
Dokmo, Cynthia  
Emerton, Larry  
Garrity, Patrick  
Haefner, Robert  
Hebert, Roger  
Infantine, William  
Kelley, John  
Leishman, Peter  
Long, Patrick  
McRae, Karen  
O'Connell, Timothy  
Price, Pamela  
Shaw, Barbara  
Spaulding, Jayne  
Sysyn, Mary  
Winters, Joel

Batula, Peter  
Brunelle, Michael  
Daler, Jennifer  
Drisko, Richard  
Essex, David  
Ginsburg, Ruth  
Haley, Robert  
Hinkle, Peyton  
Jasper, Shawn  
Kurk, Neal  
Lessard, Rudy  
Manney, Pamela  
Mesa, Lily  
O'Neil, James  
Reuschel, Michael  
Shaw, Kimberly  
Stepanek, Stephen  
Tahir, Saghir

Beaulieu, Jane  
Christensen, Chris  
Daniels, Gary  
Edwards, Andrew  
Fontas, Jeffrey  
Goley, Jeffrey  
Hansen, Ryan  
Hogan, Edith  
Jean, Claudette  
L'Heureux, Robert  
Levasseur, Nickolas  
Martineau, Jesse  
Mooney, Maureen  
Ober, Lynne  
Rowe, Robert  
Simon, Anthony  
Sullivan, Daniel  
Vaillancourt, Steve

### MERRIMACK

Anderson, Eric

Baxley, Maureen

Beauchesne,  
Suzanne

Brown, Carole

Clarke, Claire  
French, Barbara  
Humphries, Charlie  
Porter, Margaret  
Shurtleff, Stephen  
Williams, Robert

DeJoie, John  
Greco, Vincent  
MacKay, James  
Reardon, Tara  
Tilton, Joy  
Yeaton, Charles

DeStefano, Stephen  
Hager, Elizabeth  
Osborne, Jessie  
Reed, Dennis  
Tupper, Frank

Ehlers, Eileen  
Hess, David  
Owen, Derek  
Ryan, Jim  
Walz, Mary

### ROCKINGHAM

Allen, Mary

Baldasaro, Alfred

Bedrick, Jason

Bettencourt, David

|                      |                   |                     |                      |
|----------------------|-------------------|---------------------|----------------------|
| Brown, C. Pennington | Buxton, Donald    | Carson, Sharon      | Case, Frank          |
| Charron, Gene        | Dalrymple, David  | Devine, James       | DiFruscia, Anthony   |
| Elliott, Robert      | Emiro, Frank      | Flanders, John Sr   | Garcia, Marilinda    |
| Garrity, James       | Gleason, John     | Griffin, Mary       | Guthrie, Joseph      |
| Henson, John         | Hopfgarten, Paul  | Howard, Doreen      | Hutchinson, Karen    |
| Ingram, Russell      | Kappler, Lawrence | Katsakiores, George | Katsakiores, Phyllis |
| Kelley, Jane         | Kennedy, James    | Kepner, Susan       | McCarthy, Linda      |
| McKenna, Daniel      | McMahon, Charles  | Moore, Bennett      | Nord, Susi           |
| Packard, Sherman     | Pearson, Mark     | Powers, James       | Preston, Mark        |
| Quandt, Marshall     | Quandt, Matthew   | Rausch, James       | Sanders, Elisabeth   |
| Snow, Richard        | Splaine, James    | Stiles, Nancy       | Waterhouse, Kevin    |
| Weare, Everett       | Welch, David      | Wells, Roger        | Weyler, Kenneth      |
| Wickson, Rick        | Winchell, George  |                     |                      |

#### **STRAFFORD**

|                 |                   |                  |                |
|-----------------|-------------------|------------------|----------------|
| Berube, Roger   | Billian, Deborah  | Brown, Julie     | Brown, Larry   |
| Browne, Brendon | Cyr, James        | DeChane, Marlene | Fargo, Thomas  |
| Hilliard, Dana  | Mickelonis, Shawn | Perry, Robert    | Rollo, Deanna  |
| Rollo, Michael  | Sprague, Dale     | Warren, Nancy    | Watson, Robert |

#### **SULLIVAN**

|                |                 |                 |                 |
|----------------|-----------------|-----------------|-----------------|
| Cloutier, John | Converse, Larry | Donovan, Thomas | Ferland, Brenda |
|----------------|-----------------|-----------------|-----------------|

Jillette, Arthur Jr  
and the motion failed.

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

Reps. Manney and DeJoie spoke against and yielded to questions.

Rep. Hilliard spoke against.

Reps. Cooney, Hawkins and Marjorie Smith spoke in favor.

Rep. Michael Rollo requested a roll call; sufficiently seconded.

**YEAS 204 NAYS 126**

#### **YEAS 204**

#### **BELKNAP**

|                  |                  |                 |                  |
|------------------|------------------|-----------------|------------------|
| Allen, Janet     | Boyce, Laurie    | Clark, Charles  | Flanders, Donald |
| Millham, Alida   | Morrison, Gail   | Nedeau, Stephen | Pilliod, James   |
| Russell, David   | Tilton, Franklin | Tobin, William  | Wendelboe, Fran  |
| Whalley, Michael |                  |                 |                  |

#### **CARROLL**

|                    |                 |                 |                  |
|--------------------|-----------------|-----------------|------------------|
| Bridgham, Robert   | Brown, Carolyn  | Butler, Edward  | Chandler, Gene   |
| Cunningham, Howard | Denley, William | Heard, Virginia | Knox, J. David   |
| Martin, James      | Merrow, Harry   | Patten, Betsey  | Stevens, Stanley |

#### **CHESHIRE**

|                    |                   |                      |                     |
|--------------------|-------------------|----------------------|---------------------|
| Allen, Peter       | Butcher, Suzanne  | Butterworth, Timothy | Butynski, William   |
| Chase, William     | Eaton, Daniel     | Emerson, Susan       | Hunt, John          |
| Johnson, Jane      | Lerandeau, Alfred | Mitchell, Bonnie     | Richardson, Barbara |
| Robertson, Timothy | Weber, Lucy       |                      |                     |

### COOS

|                |                 |                 |
|----------------|-----------------|-----------------|
| Hatch, William | King, Frederick | Remick, William |
|----------------|-----------------|-----------------|

### GRAFTON

|                     |                       |                  |                    |
|---------------------|-----------------------|------------------|--------------------|
| Aguiar, James       | Almy, Susan           | Benn, Bernard    | Cooney, Mary       |
| Dingman, Vernon III | Eaton, Stephanie      | Estes, Carole    | Friedrich, Carol   |
| Gionet, Edmond      | Harding, A Laurie     | Ingbretson, Paul | Laliberte, Suzanne |
| Matheson, Robert    | Mulholland, Catherine | Nordgren, Sharon | Pierce, David      |
| Preston, Philip     | Sorg, Gregory         | Williams, Burton |                    |

### HILLSBOROUGH

|                   |                     |                     |                    |
|-------------------|---------------------|---------------------|--------------------|
| Barry, Richard    | Batula, Peter       | Beck, Catriona      | Bergeron, Jean-Guy |
| Bergin, Peter     | Campbell, David     | Christensen, Chris  | Christiansen, Lars |
| Clark, Mark       | Cote, David         | Coughlin, Pamela    | Daler, Jennifer    |
| Daniels, Gary     | Day, Russell        | Dokmo, Cynthia      | Drisko, Richard    |
| Elliott, Nancy    | Fletcher, Richard   | Foster, Linda       | Francoeur, Bea     |
| Ginsburg, Ruth    | Gorman, Mary        | Graham, John        | Hackel, Paul       |
| Haefner, Robert   | Hall, Betty         | Hammond, Jill       | Hansen, Ryan       |
| Hawkins, Ken      | Hinkle, Peyton      | Hogan, Edith        | Infantine, William |
| Irwin, Anne-Marie | Jasper, Shawn       | Kaelin, Michael     | Kurk, Neal         |
| L'Heureux, Robert | Lawrence, James     | Leishman, Peter     | Levesque, Melanie  |
| Lisle, Carolyn    | Mack, Ron           | McRae, Karen        | Messier, Irene     |
| Mooney, Maureen   | O'Connell, Timothy  | Ober, Lynne         | Ober, Russell III  |
| Peterson, Andy    | Pilotte, Maurice    | Price, Pamela       | Renzullo, Andrew   |
| Rosenwald, Cindy  | Schulze, Joan       | Smith, David        | Smith, Sandra      |
| Soucy, Connie     | Spratt, Stephen     | Stepanek, Stephen   | Tahir, Saghir      |
| Ulery, Jordan     | Vaillancourt, Steve | Villeneuve, Maurice |                    |

### MERRIMACK

|                   |                      |                     |                  |
|-------------------|----------------------|---------------------|------------------|
| Anderson, Eric    | Blanchard, Elizabeth | Brueggemann, Donald | Davis, Frank     |
| Foose, Robert     | French, Barbara      | Gile, Mary          | Hamm, Christine  |
| Hess, David       | Kidder, David        | Lockwood, Priscilla | MacKay, James    |
| McMahon, Patricia | Porter, Margaret     | Reed, Dennis        | Richardson, Gary |
| Tupper, Frank     | Wallner, Mary        | Webb, Leigh         |                  |

### ROCKINGHAM

|                    |                  |                   |                   |
|--------------------|------------------|-------------------|-------------------|
| Abbott, Dennis     | Allen, Mary      | Baldasaro, Alfred | Belanger, Ronald  |
| Bishop, Franklin   | Borden, David    | Camm, Kevin       | Carson, Sharon    |
| Case, Frank        | Casey, Kimberley | Charron, Gene     | Dalrymple, David  |
| Day, Judith        | Fesh, Bob        | Flockhart, Eileen | Garcia, Marilinda |
| Gould, Kenneth     | Griffin, Mary    | Grote, Otto       | Headd, James      |
| Hopfgarten, Paul   | Ingram, Russell  | Johnson, Robert   | Kappler, Lawrence |
| Lister, Charlotte  | Lund, Howie      | Marsh, Michael    | McKinney, Betsy   |
| McMahon, Charles   | Moore, Bennett   | Packard, Sherman  | Priestley, Anne   |
| Rausch, James      | Reagan, John     | Robertson, Carl   | Russell, Trinka   |
| Sanders, Elisabeth | Snow, Richard    | Stiles, Nancy     | Waterhouse, Kevin |
| Welch, David       | Weyler, Kenneth  |                   |                   |

### STRAFFORD

|                  |                  |               |                |
|------------------|------------------|---------------|----------------|
| Brennan, William | Burke, Rachel    | Fargo, Thomas | Goodwin, Earle |
| Kaen, Naida      | Knowles, William | Rous, Emma    | Schmidt, Peter |
| Smith, Marjorie  | Spang, Judith    | Wall, Janet   | Watson, Robert |

### **SULLIVAN**

Franklin, Peter  
Nielsen, Ellen

Gagnon, Raymond  
Rodeschin, Beverly

Gottling, Suzanne  
Skinder, Carla

Houde, Matthew

### **NAYS 126**

### **BELKNAP**

Wood, Jane

### **CARROLL**

None

### **CHESHIRE**

Burridge, Delmar  
Parkhurst, Henry  
Sad, Tara

Dunn, J. Timothy  
Pelkey, Stephen  
Weed, Charles

Espiefs, Peter  
Plifka, Stanley Jr

Loll, Thomas  
Roberts, Kris

### **COOS**

Theberge, Robert

Tholl, John Jr

Thomas, Yvonne

### **GRAFTON**

Andersen, Gene

Hammond, Lee

Lovett, Sid

Solomon, Peter

### **HILLSBOROUGH**

Baroody, Benjamin  
Cote, Peter  
Fontas, Jeffrey  
Haley, Robert  
Jean, Claudette  
Lessard, Rudy  
Matarazzo, Anthony  
Sr  
Reuschel, Michael  
Simon, Anthony  
Sysyn, Mary

Beaulieu, Jane  
Edwards, Andrew  
Forest, Armand  
Harvey, Suzanne  
Jeudy, Jean  
Levasseur, Nickolas  
Mesa, Lily

Shattuck, Gilman  
Spaulding, Jayne  
Winters, Joel

Brunelle, Michael  
Emerton, Larry  
Garrity, Patrick  
Hebert, Roger  
Kelley, John  
Manney, Pamela  
Movsesian, Lori

Shaw, Barbara  
Sullivan, Daniel

Clemons, Jane  
Essex, David  
Goley, Jeffrey  
Holden, Randolph  
Lasky, Bette  
Martineau, Jesse  
O'Neil, James

Shaw, Kimberly  
Sullivan, Francis

### **MERRIMACK**

Baxley, Maureen

DeJoie, John  
Osborne, Jessie  
Shurtleff, Stephen  
Williams, Robert

Beauchesne, Suzanne  
DeStefano, Stephen  
Owen, Derek  
Tilton, Joy  
Yeaton, Charles

Brown, Carole

Ehlers, Eileen  
Reardon, Tara  
Walz, Mary

Clarke, Claire

Greco, Vincent  
Ryan, Jim  
Wheeler, Deborah

### **ROCKINGHAM**

Bedrick, Jason  
Devine, James  
Flanders, John Sr  
Henson, John

Bettencourt, David  
DiFruscia, Anthony  
Garrity, James  
Howard, Doreen

Brown, C. Pennington  
Elliott, Robert  
Gleason, John  
Hutchinson, Karen

Buxton, Donald  
Emiro, Frank  
Guthrie, Joseph  
Katsakiores, George

Katsakiores, Phyllis  
McKenna, Daniel  
Powers, James  
Splaine, James  
Winchell, George

Kelley, Jane  
Moody, Marcia  
Preston, Mark  
Weare, Everett

Kennedy, James  
Nord, Susi  
Quandt, Marshall  
Wells, Roger

Kepner, Susan  
Pearson, Mark  
Quandt, Matthew  
Wickson, Rick

#### STRAFFORD

Berube, Roger  
Browne, Brendon  
Mickelonis, Shawn  
Sprague, Dale

Billian, Deborah  
Cyr, James  
Perry, Robert  
Warren, Nancy

Brown, Julie  
DeChane, Marlene  
Rollo, Deanna

Brown, Larry  
Hilliard, Dana  
Rollo, Michael

#### SULLIVAN

Cloutier, John  
Jillette, Arthur Jr

Converse, Larry

Donovan, Thomas

Ferland, Brenda

and the majority committee report was adopted.

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

Rep. Daniel J. Sullivan for the Majority of Executive Departments and Administration: This bill establishes a Line of Duty death benefit for \$100,000 for the family of a police officer or firefighter who perishes while serving the people of New Hampshire in the performance of his or her duties. The committee amended language in the bill which would have added a committee to study the feasibility of including emergency medical technicians as well. The committee feels that the amended version projects more accurately the true spirit of the intention of the bill, honoring police officers and firefighters of our state who give the ultimate sacrifice for their fellow man and to assist their survivors. It also establishes a committee to study the eligibility of the recipient and implementation of the award. Vote 12-5.

Rep. Alida I. Millham for the Minority of Executive Departments and Administration: The minority support the work of the fire and police members of our state. We understand the risks of each and every one in the line of duty. While the payment would be a gesture, the minority feels there are better and more comprehensive ways to further protect these employees and their families. The legislative process demands not rushing legislation through on the basis of an emotional reaction to a tragic situation. There are other public employees who work in harm's way and need consideration in this process. This issue would be best considered in the collective bargaining process.

#### Majority Amendment (1528h)

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

AN ACT 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 eligibility for and award of the benefit.

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

1 New Section; Death Benefit for Police Officer or Firefighter Killed in Line of Duty.

Amend RSA 21-I by inserting after section 29 the following new section:

21-I:29-a Death Benefit for Police Officer or Firefighter Killed in Line of Duty.

I. In this section:

(a) "Family" means the surviving spouse of the police officer or firefighter, or if there is no surviving spouse, the child or children of such police officer or firefighter or, if there is no surviving child, the parent or parents of such police officer or firefighter.

(b) "Firefighter" means any firefighter, including auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters who are employed by a city or town within the state of New Hampshire, or any firefighter employed by the state of New Hampshire.

(c) "Killed in the line of duty" means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death.

(d) "Police officer" means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers who are employed by a city or town within the state of New Hampshire, or any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.

II. In addition to any other benefits provided under this chapter, the state treasurer shall pay a \$100,000 death benefit to the family of a police officer or firefighter killed in the line of duty. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. This section shall be known as "Michael's Law," in honor of Manchester Police Officer Michael Briggs who was shot while on duty.

2 Committee Established. There is established a committee to study the policies and methods for determining eligibility for, and the award of, benefits under section 1 of this act.

3 Membership and Compensation.

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

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

4 Duties. The committee shall study the policies and methods for determining eligibility for, and the award of, benefits under section 1 of this act.

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

6 Report. The committee 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 1, 2007.

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

#### AMENDED ANALYSIS

This bill establishes a death benefit to be paid to the family of a state or local police officer or firefighter killed in the line of duty.

The bill also establishes a committee to study the policies and methods for determining eligibility for, and the award of, the death benefit.

Majority amendment adopted.

Majority committee report adopted.

Rep. Patrick Garrity declared a conflict of interest and did not participate.

Referred to the Committee on Finance.

**SB 47-FN-A**, making a supplemental appropriation for school building aid. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth L. Weyler for Finance: School construction aid for FY 2007 was budgeted at \$40,735,039. There was a shortfall of \$2,252,356 due to three circumstances. The first was the increasing use of capital appreciation bonds by many of the districts. This financing method results in payments beginning earlier than customary. The second reason was districts choosing ten year bonding over twenty year. The third reason was legislation changing the formula on multi-district/state cost sharing. This change allowed districts that had long term tuition contracts to be treated as if they were a multi-town district. This latter affected Manchester, Conway, and Sanborn Regional. The bill was amended to reduce the amount to that stated above and also to allow a third payment for FY 2007 for the districts affected. Future legislation will make the amounts for construction aid more predictable. Vote 18-0.

**Amendment (1428h)**

Amend the bill by replacing section 1 with the following:

1 Supplemental Appropriation; School Building Aid. In addition to any other sums appropriated to PAU 06, 03, 02, 02, 02, class 90, school building aid, there is hereby appropriated the sum of \$2,252,356 to the department of education for the fiscal year ending June 30, 2007 for school building aid. The governor is authorized to draw a warrant for such amount from any money in the treasury not otherwise appropriated. Notwithstanding RSA 198:15-a, the commissioner of the department of education is authorized to disburse this additional sum upon the effective date of this act.

**AMENDED ANALYSIS**

This bill makes a supplemental appropriation of \$2,252,356 to the department of education for school building aid for the 2007 fiscal year.

This bill is a request of the department of education.

Amendment adopted.

Committee report adopted.

Ordered to third reading.

***SB 191-FN-A*, relative to the nongame species account in the fish and game fund. **OUGHT TO PASS WITH AMENDMENT.****

Rep. John W. Henson for Fish and Game: This bill will provide resources to match federal grants to support non-game species management. The match requirement has changed from a three to one match to a one to one match. There is \$600,000 of federal matching funds available in 2007. Private contributions and other sources will fund \$250,000 leaving \$350,000 needed from the General Fund. This is not an increase in total program spending from previous years. New Hampshire Fish and Game's program, recognized as one of the best in the nation, has been very successful and is targeted to avoid putting more species on the endangered or threatened list. When a species becomes listed, the cost of management increases exponentially. Non-game species are a valuable asset to the state. Vote 15-0.

**Amendment (1331h)**

Amend RSA 212-B:6, II as inserted by section 1 of the bill by replacing it with the following:

II. ~~[The fish and game department shall issue a certificate of participation to any individual who donates not less than \$10 to the nongame species account established in paragraph I.]~~ The state treasurer shall deposit annually from the general fund into the special nongame species account an amount equal to the moneys donated **and federal grants appropriated for the nongame species management act** during any fiscal year under this paragraph up to and including a total of ~~[\$50,000]~~ **\$350,000** annually. The governor is authorized to draw ~~[his]~~ **a** warrant for such amount out of any money in the treasury not otherwise appropriated. This is a continuing appropriation.

Amendment adopted.

Committee report adopted.

Referred to the Committee on Finance.

**SB 138-FN-A**, relative to the waiting list for services to persons with developmental disabilities and acquired brain disorders and making appropriations therefor. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Ruth Z. Bleyler for the Majority of Health, Human Services and Elderly Affairs: This bill requires the Department of HHS to fund services to persons with developmental disabilities and acquired brain disorders within 90 days of eligibility. Not only does it provide a permanent solution to end the waitlist, but it also makes necessary improvements for building the capacity of the area agency system by including pay increases for direct care support staff; a rate increase for family home care providers; evaluating the need for assistive technologies; and a quality assurance system. After years of funding cuts and system erosion, the majority of the committee was convinced by the testimony of experts that both funding and infrastructure improvements are necessary to provide high quality and timely services to these vulnerable individuals. Vote 13-7.

Rep. Charles E. McMahon for the Minority of Health, Human Services and Elderly Affairs: This measure seeks to provide the financial means to end the Developmental Disability (DD) Wait List by amending SB 138 to include the money needed to end the Wait List as we know it. It does this by providing the funding necessary to meet the 90 day maximum wait for services goal as originally set forth in the Renewing the Vision Plan of 2001. The DD Wait List has for over two decades been the gate-keeper for support services promised to New Hampshire families after the closing of the Laconia State School in 1990. The Legislature since then has consistently under-funded the waiting list and as a result, access to programs and services for those families with developmentally disabled young adults has suffered, greatly. The untold strain on individuals and their extended families is one that is met with a resiliency and resolve that has made New Hampshire proud and a model for the rest of the country. These families have committed to meet the ever changing needs of their disabled family members in the face of financial and personal hardship while saving the State of New Hampshire virtually millions of dollars. They have done their part, it is now time for us to do ours. Over the past four years, the DD Wait List Oversight Committee resolved, together, to work with one bi-partisan common goal, the elimination of the Wait List by offering a viable plan as a direct result of these efforts. Yet the bill was retained in committee with the claim that area agencies could not meet the service challenge over two years which full funding provided. Then, SB 138 suddenly appeared, with additional issues, but not ending the wait list as quickly as would be hoped for. In effect, it is Renewing the Vision once again, providing the false promise of helping some families on the wait list while not providing the funding required for all families. This is not right. Subsequently, the claim that the area agencies cannot meet their obligations has been totally refuted through a signed document by all area agency heads. Working with the department and with the support of Division III House Finance, we are now \$2.3 million away from full funding and the end of this abomination known as the waiting list. Let us prioritize and join together in support of this amendment to fully support the section in SB 138 for wait list funding and meet the goal of the 90 day maximum wait over the upcoming two year biennium. We can and must offer to those citizens of New Hampshire with severe disabilities the support and hope for a better life with nothing less than full funding for them and their families.

Rep. Charles McMahon offered minority amendment (1346h).

#### **Minority Amendment (1346h)**

Amend paragraphs II-V of section 8 of the bill by replacing them with the following:

II. The sum of \$4,100,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2008 and the sum of \$11,900,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2009 are hereby appropriated to the department of health and human services, for the purposes of providing services to

persons with developmental disabilities and acquired brain disorders who have applied and have been determined eligible for services and who have been placed on a waiting list for such services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

III. For the enhanced family care rate increase under RSA 171-A:1-d, II as inserted by section 3 of this act, the sum of \$480,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2009 are hereby appropriated to the department of health and human services, for the purposes of funding this rate increase. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. For the assistive technology assessments under RSA 171-A:6, II as inserted by section 6 of this act, the sum of \$100,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2008 and the sum of \$200,000 in general funds together with federal matching funds for the fiscal year ending June 30, 2009 are hereby appropriated to the department of health and human services, for the purposes of funding these assessments. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Reps. Rosenwald, Nordgren and Donovan spoke against.

Reps. Charles McMahon, Batula and Whalley spoke in favor.

Rep. Batula requested a roll call; sufficiently seconded.

**YEAS 142 NAYS 162**

**YEAS 142**

**BELKNAP**

|                  |                  |                 |                  |
|------------------|------------------|-----------------|------------------|
| Allen, Janet     | Boyce, Laurie    | Clark, Charles  | Flanders, Donald |
| Millham, Alida   | Morrison, Gail   | Nedeau, Stephen | Pilliod, James   |
| Russell, David   | Tilton, Franklin | Tobin, William  | Wendelboe, Fran  |
| Whalley, Michael | Wood, Jane       |                 |                  |

**CARROLL**

|                |                |                 |                  |
|----------------|----------------|-----------------|------------------|
| Brown, Carolyn | Chandler, Gene | Denley, William | Knox, J. David   |
| Martin, James  | Merrow, Harry  | Patten, Betsey  | Stevens, Stanley |

**CHESHIRE**

|                |            |               |                 |
|----------------|------------|---------------|-----------------|
| Emerson, Susan | Hunt, John | Johnson, Jane | Pelkey, Stephen |
|----------------|------------|---------------|-----------------|

**COOS**

|                 |                 |
|-----------------|-----------------|
| King, Frederick | Remick, William |
|-----------------|-----------------|

**GRAFTON**

|                  |                |                  |                  |
|------------------|----------------|------------------|------------------|
| Eaton, Stephanie | Gionet, Edmond | Lovett, Sid      | Matheson, Robert |
| Solomon, Peter   | Sorg, Gregory  | Williams, Burton |                  |

**HILLSBOROUGH**

|                    |                    |                    |                      |
|--------------------|--------------------|--------------------|----------------------|
| Barry, Richard     | Batula, Peter      | Bergeron, Jean-Guy | Bergin, Peter        |
| Christensen, Chris | Christiansen, Lars | Coughlin, Pamela   | Crane, Elenore Casey |
| Daniels, Gary      | Day, Russell       | Dokmo, Cynthia     | Drisko, Richard      |
| Elliott, Nancy     | Emerton, Larry     | Graham, John       | Haefner, Robert      |
| Hawkins, Ken       | Hinkle, Peyton     | Hogan, Edith       | Holden, Randolph     |

Infantine, William  
Lessard, Rudy

Messier, Irene  
Ober, Lynne  
Renzullo, Andrew  
Spratt, Stephen  
Vaillancourt, Steve

Jasper, Shawn  
Manney, Pamela

Mooney, Maureen  
Ober, Russell III  
Shaw, Kimberly  
Stepanek, Stephen  
Villeneuve, Maurice

L'Heureux, Robert  
Matarazzo, Anthony  
Sr  
O'Connell, Timothy  
Peterson, Andy  
Soucy, Connie  
Tahir, Saghir

Lawrence, James  
McRae, Karen

O'Neil, James  
Price, Pamela  
Spaulding, Jayne  
Ulery, Jordan

#### **MERRIMACK**

Anderson, Eric  
Lockwood, Priscilla

DeStefano, Stephen  
MacKay, James

Hamm, Christine  
Reed, Dennis

Hess, David

#### **ROCKINGHAM**

Allen, Mary  
Bettencourt, David  
Carson, Sharon  
Devine, James  
Fesh, Bob  
Gleason, John  
Headd, James  
Johnson, Robert  
McKinney, Betsy  
Quandt, Marshall  
Sanders, Elisabeth  
Weare, Everett  
Winchell, George

Baldasaro, Alfred  
Bishop, Franklin  
Case, Frank  
DiFruscia, Anthony  
Flanders, John Sr  
Gould, Kenneth  
Hopfgarten, Paul  
Katsakiores, George  
McMahon, Charles  
Quandt, Matthew  
Snow, Richard  
Welch, David

Bedrick, Jason  
Buxton, Donald  
Charron, Gene  
Elliott, Robert  
Garcia, Marilinda  
Griffin, Mary  
Hutchinson, Karen  
Katsakiores, Phyllis  
Packard, Sherman  
Rausch, James  
Stiles, Nancy  
Wells, Roger

Belanger, Ronald  
Camm, Kevin  
Dalrymple, David  
Emiro, Frank  
Garrity, James  
Guthrie, Joseph  
Ingram, Russell  
Lund, Howie  
Priestley, Anne  
Robertson, Carl  
Waterhouse, Kevin  
Weyler, Kenneth

#### **STRAFFORD**

Brown, Julie

Fargo, Thomas

Sprague, Dale

#### **SULLIVAN**

Ferland, Brenda

Rodeschin, Beverly

#### **NAYS 162**

#### **BELKNAP**

None

#### **CARROLL**

Bridgham, Robert

Buco, Thomas

Butler, Edward

Heard, Virginia

#### **CHESHIRE**

Burridge, Delmar  
Dunn, J. Timothy  
Mitchell, Bonnie  
Roberts, Kris  
Weed, Charles

Butcher, Suzanne  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy

Butterworth, Timothy  
Espieffs, Peter  
Plifka, Stanley Jr  
Sad, Tara

Butynski, William  
Lerandeau, Alfred  
Richardson, Barbara  
Weber, Lucy

#### **COOS**

Hatch, William

Theberge, Robert

Thomas, Yvonne

### **GRAFTON**

|                   |                    |                       |                  |
|-------------------|--------------------|-----------------------|------------------|
| Aguiar, James     | Almy, Susan        | Andersen, Gene        | Benn, Bernard    |
| Cooney, Mary      | Estes, Carole      | Friedrich, Carol      | Hammond, Lee     |
| Harding, A Laurie | Laliberte, Suzanne | Mulholland, Catherine | Nordgren, Sharon |
| Preston, Philip   |                    |                       |                  |

### **HILLSBOROUGH**

|                     |                   |                   |                  |
|---------------------|-------------------|-------------------|------------------|
| Baroody, Benjamin   | Beck, Catriona    | Brunelle, Michael | Campbell, David  |
| Cote, David         | Cote, Peter       | Daler, Jennifer   | Edwards, Andrew  |
| Essex, David        | Fletcher, Richard | Fontas, Jeffrey   | Foster, Linda    |
| Garrity, Patrick    | Ginsburg, Ruth    | Goley, Jeffrey    | Gorman, Mary     |
| Hackel, Paul        | Hall, Betty       | Hammond, Jill     | Harvey, Suzanne  |
| Hebert, Roger       | Irwin, Anne-Marie | Jean, Claudette   | Judy, Jean       |
| Kelley, John        | Kurk, Neal        | Lasky, Bette      | Leishman, Peter  |
| Levasseur, Nickolas | Levesque, Melanie | Lisle, Carolyn    | Mack, Ron        |
| Martineau, Jesse    | Mesa, Lily        | Movsesian, Lori   | Pilote, Maurice  |
| Reuschel, Michael   | Rosenwald, Cindy  | Schulze, Joan     | Shattuck, Gilman |
| Shaw, Barbara       | Simon, Anthony    | Smith, David      | Sullivan, Daniel |
| Sullivan, Francis   | Sysyn, Mary       | Winters, Joel     |                  |

### **MERRIMACK**

|                   |                   |                 |                     |
|-------------------|-------------------|-----------------|---------------------|
| Baxley, Maureen   | Bouchard, Candace | Brown, Carole   | Brueggemann, Donald |
| Clarke, Claire    | Davis, Frank      | DeJoie, John    | Ehlers, Eileen      |
| Foose, Robert     | French, Barbara   | Gile, Mary      | Greco, Vincent      |
| McMahon, Patricia | Osborne, Jessie   | Owen, Derek     | Porter, Margaret    |
| Reardon, Tara     | Richardson, Gary  | Ryan, Jim       | Shurtleff, Stephen  |
| Tilton, Joy       | Tupper, Frank     | Wallner, Mary   | Walz, Mary          |
| Webb, Leigh       | Wheeler, Deborah  | Yeaton, Charles |                     |

### **ROCKINGHAM**

|                 |                   |                      |                  |
|-----------------|-------------------|----------------------|------------------|
| Abbott, Dennis  | Borden, David     | Brown, C. Pennington | Casey, Kimberley |
| Day, Judith     | Flockhart, Eileen | Grote, Otto          | Henson, John     |
| Howard, Doreen  | Kennedy, James    | Marsh, Michael       | McCarthy, Linda  |
| McKenna, Daniel | Moody, Marcia     | Nord, Susi           | Powers, James    |
| Russell, Trinka | Splaine, James    |                      |                  |

### **STRAFFORD**

|                 |                  |                  |                   |
|-----------------|------------------|------------------|-------------------|
| Berube, Roger   | Billian, Deborah | Brennan, William | Brown, Larry      |
| Browne, Brendon | Burke, Rachel    | Cyr, James       | DeChane, Marlene  |
| Hilliard, Dana  | Kaen, Naida      | Knowles, William | Mickelonis, Shawn |
| Perry, Robert   | Rollo, Deanna    | Rollo, Michael   | Rous, Emma        |
| Schmidt, Peter  | Smith, Marjorie  | Spang, Judith    | Wall, Janet       |
| Warren, Nancy   | Watson, Robert   |                  |                   |

### **SULLIVAN**

|                 |                   |                 |                     |
|-----------------|-------------------|-----------------|---------------------|
| Cloutier, John  | Converse, Larry   | Donovan, Thomas | Franklin, Peter     |
| Gagnon, Raymond | Gottling, Suzanne | Houde, Matthew  | Jillette, Arthur Jr |
| Nielsen, Ellen  | Phinzy, James     | Skinder, Carla  |                     |

and the minority amendment failed.

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

Rep. Butcher spoke in favor.

Rep. Mitchell requested a roll call; sufficiently seconded.

**YEAS 300 NAYS 5**

**YEAS 300**

**BELKNAP**

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

Boyce, Laurie  
Morrison, Gail  
Tilton, Franklin  
Wood, Jane

Clark, Charles  
Nedeau, Stephen  
Tobin, William

Flanders, Donald  
Pilliod, James  
Wendelboe, Fran

**CARROLL**

Bridgham, Robert  
Chandler, Gene  
Martin, James

Brown, Carolyn  
Denley, William  
Morrow, Harry

Buco, Thomas  
Heard, Virginia  
Patten, Betsey

Butler, Edward  
Knox, J. David  
Stevens, Stanley

**CHESHIRE**

Burrige, Delmar  
Dunn, J. Timothy  
Hunt, John  
Parkhurst, Henry  
Roberts, Kris  
Weed, Charles

Butcher, Suzanne  
Eaton, Daniel  
Johnson, Jane  
Pelkey, Stephen  
Robertson, Timothy

Butterworth, Timothy  
Emerson, Susan  
Lerandean, Alfred  
Plifka, Stanley Jr  
Sad, Tara

Butynski, William  
Espieffs, Peter  
Mitchell, Bonnie  
Richardson, Barbara  
Weber, Lucy

**COOS**

Hatch, William  
Thomas, Yvonne

King, Frederick

Remick, William

Theberge, Robert

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Gionet, Edmond  
Lovett, Sid  
Preston, Philip

Almy, Susan  
Eaton, Stephanie  
Hammond, Lee  
Matheson, Robert  
Solomon, Peter

Andersen, Gene  
Estes, Carole  
Harding, A Laurie  
Mulholland, Catherine  
Sorg, Gregory

Benn, Bernard  
Friedrich, Carol  
Laliberte, Suzanne  
Nordgren, Sharon  
Williams, Burton

**HILLSBOROUGH**

Baroody, Benjamin  
Bergeron, Jean-Guy  
Christensen, Chris  
Cote, Peter  
Daniels, Gary  
Edwards, Andrew  
Fontas, Jeffrey  
Goley, Jeffrey  
Haefner, Robert  
Hawkins, Ken  
Holden, Randolph  
Jean, Claudette  
Lasky, Bette  
Levasseur, Nickolas

Barry, Richard  
Bergin, Peter  
Christiansen, Lars  
Coughlin, Pamela  
Day, Russell  
Elliott, Nancy  
Foster, Linda  
Gorman, Mary  
Hall, Betty  
Hebert, Roger  
Infantine, William  
Jeudy, Jean  
Lawrence, James  
Levesque, Melanie

Batula, Peter  
Brunelle, Michael  
Clemons, Jane  
Crane, Elenore Casey  
Dokmo, Cynthia  
Emerton, Larry  
Garrity, Patrick  
Graham, John  
Hammond, Jill  
Hinkle, Peyton  
Irwin, Anne-Marie  
Kelley, John  
Leishman, Peter  
Lisle, Carolyn

Beck, Catriona  
Campbell, David  
Cote, David  
Daler, Jennifer  
Drisko, Richard  
Essex, David  
Ginsburg, Ruth  
Hackel, Paul  
Harvey, Suzanne  
Hogan, Edith  
Jasper, Shawn  
L'Heureux, Robert  
Lessard, Rudy  
Mack, Ron

|                     |                     |                       |                   |
|---------------------|---------------------|-----------------------|-------------------|
| Manney, Pamela      | Martineau, Jesse    | Matarazzo, Anthony Sr | McRae, Karen      |
| Mesa, Lily          | Messier, Irene      | Mooney, Maureen       | Movsesian, Lori   |
| O'Connell, Timothy  | O'Neil, James       | Ober, Lynne           | Peterson, Andy    |
| Pilotte, Maurice    | Price, Pamela       | Renzullo, Andrew      | Reuschel, Michael |
| Rosenwald, Cindy    | Schulze, Joan       | Shattuck, Gilman      | Shaw, Barbara     |
| Shaw, Kimberly      | Simon, Anthony      | Smith, David          | Soucy, Connie     |
| Spaulding, Jayne    | Spratt, Stephen     | Stepanek, Stephen     | Sullivan, Daniel  |
| Sullivan, Francis   | Sysyn, Mary         | Tahir, Saghir         | Ulery, Jordan     |
| Vaillancourt, Steve | Villeneuve, Maurice |                       |                   |

#### MERRIMACK

|                     |                  |                    |                 |
|---------------------|------------------|--------------------|-----------------|
| Anderson, Eric      | Baxley, Maureen  | Bouchard, Candace  | Brown, Carole   |
| Brueggemann, Donald | Clarke, Claire   | Davis, Frank       | DeJoie, John    |
| DeStefano, Stephen  | Ehlers, Eileen   | Foose, Robert      | French, Barbara |
| Gile, Mary          | Greco, Vincent   | Hamm, Christine    | Hess, David     |
| Lockwood, Priscilla | MacKay, James    | McMahon, Patricia  | Osborne, Jessie |
| Owen, Derek         | Porter, Margaret | Reardon, Tara      | Reed, Dennis    |
| Richardson, Gary    | Ryan, Jim        | Shurtleff, Stephen | Tilton, Joy     |
| Tupper, Frank       | Wallner, Mary    | Walz, Mary         | Webb, Leigh     |
| Wheeler, Deborah    | Yeaton, Charles  |                    |                 |

#### ROCKINGHAM

|                    |                     |                      |                      |
|--------------------|---------------------|----------------------|----------------------|
| Abbott, Dennis     | Allen, Mary         | Baldasaro, Alfred    | Belanger, Ronald     |
| Bettencourt, David | Bishop, Franklin    | Borden, David        | Brown, C. Pennington |
| Buxton, Donald     | Camm, Kevin         | Carson, Sharon       | Case, Frank          |
| Casey, Kimberley   | Charron, Gene       | Dalrymple, David     | Day, Judith          |
| Devine, James      | DiFruscia, Anthony  | Elliott, Robert      | Emiro, Frank         |
| Fesh, Bob          | Flanders, John Sr   | Flockhart, Eileen    | Garcia, Marilinda    |
| Garrity, James     | Gleason, John       | Gould, Kenneth       | Griffin, Mary        |
| Grote, Otto        | Guthrie, Joseph     | Headd, James         | Henson, John         |
| Hopfgarten, Paul   | Howard, Doreen      | Hutchinson, Karen    | Ingram, Russell      |
| Johnson, Robert    | Katsakiores, George | Katsakiores, Phyllis | Kennedy, James       |
| Lund, Howie        | Marsh, Michael      | McCarthy, Linda      | McKenna, Daniel      |
| McKinney, Betsy    | McMahon, Charles    | Moody, Marcia        | Nord, Susi           |
| Packard, Sherman   | Powers, James       | Priestley, Anne      | Quandt, Marshall     |
| Quandt, Matthew    | Rausch, James       | Robertson, Carl      | Russell, Trinka      |
| Sanders, Elisabeth | Snow, Richard       | Splaine, James       | Stiles, Nancy        |
| Waterhouse, Kevin  | Weare, Everett      | Welch, David         | Wells, Roger         |
| Weyler, Kenneth    | Winchell, George    |                      |                      |

#### STRAFFORD

|                  |                   |                  |                 |
|------------------|-------------------|------------------|-----------------|
| Berube, Roger    | Billian, Deborah  | Brennan, William | Brown, Julie    |
| Brown, Larry     | Browne, Brendon   | Burke, Rachel    | Cyr, James      |
| DeChane, Marlene | Fargo, Thomas     | Hilliard, Dana   | Kaen, Naida     |
| Knowles, William | Mickelonis, Shawn | Perry, Robert    | Rollo, Deanna   |
| Rollo, Michael   | Rous, Emma        | Schmidt, Peter   | Smith, Marjorie |
| Spang, Judith    | Sprague, Dale     | Wall, Janet      | Warren, Nancy   |
| Watson, Robert   |                   |                  |                 |

#### SULLIVAN

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

Skinder, Carla

**NAYS 5**

**BELKNAP**

None

**CARROLL**

None

**CHESHIRE**

None

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

Fletcher, Richard

Kurk, Neal

Ober, Russell III

Winters, Joel

**MERRIMACK**

None

**ROCKINGHAM**

Bedrick, Jason

**STRAFFORD**

None

**SULLIVAN**

None

and the majority committee report was adopted.  
Referred to the Committee on Finance.

**(Deputy Speaker Foster in the Chair)**  
**REGULAR CALENDAR (CONT'D)**

***SB 176-FN***, relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert G. Bridgham for Health, Human Services and Elderly Affairs: This bill sets a lower threshold blood lead level for children that triggers investigation of lead exposure hazards in the child's environment. The threshold value of 10 micrograms/deciliter in this bill has been recommended by the Center for Disease Control since 1991. Concentrations of lead at or above 10 micrograms/deciliter are known to reduce growth and intellectual development in young children, when growth rates, especially in the nervous system, are greatest. Consequently, elevated lead levels cause increase special education costs. When the child lives in a leased or rented dwelling, the bill authorizes inspection for lead exposure

hazard of all units in the dwelling. The bill makes one change to current law's required response when a lead exposure hazard is found—if the hazard is found in a unit where a child doesn't reside or regularly frequent, interim controls may be used for an extended period. Interim controls, such as painting, are less extensive (and expensive) than full abatement. The bill creates a commission, including legislators, officials, health officers, landlords, and other interested parties, to study considerations and strategies important to furthering prevention of lead poisoning in New Hampshire. The commission will report by November 1, 2008. As amended, the lower threshold and multi-unit inspections will take effect July 1, 2008, to allow the HHS department to build the necessary work force for proper compliance and also allow landlords more time to voluntarily inspect and repair their premises. Vote 19-1.

#### **Amendment (1534h)**

Amend RSA 130-A:7, V as inserted by section 4 of the bill by replacing it with the following:

V. Interim controls, as defined in this chapter, may be used as an acceptable alternative to lead hazard abatement only with the prior written approval of the commissioner and for a period not to exceed 2 years. Within that 2-year period the person subject to the order shall either take the steps necessary to eliminate or enclose the lead exposure hazards or remove the dwelling or dwelling unit from the rental market. ***For orders issued in leased or rented dwellings where no child resides or frequents regularly at the time of inspection and issuance of the order, interim controls may be used for a period exceeding 2 years with the prior written approval of the commissioner if a hardship is claimed by the lessor and approved by the commissioner and if a lead exposure hazard reduction plan or any other subsequent plan is adopted and in place at the department to address compliance with the intent of this section. The commissioner shall adopt rules, under RSA 541-A, for the procedures for extensions of interim controls.***

Amend RSA 130-A:10, VI as inserted by section 7 of the bill by replacing it with the following:

VI. Procedures for issuing orders under RSA 130-A:7, including procedures for extending the time available for lead hazard reduction ***and interim controls for leased or rented dwellings where no child resides or frequents regularly at the time of inspection and issuance of the order.***

Amend paragraph I of section 11 of the bill by replacing it with the following:

- I. The members of the commission shall be as follows:
- (a) Two members of the senate, appointed by the president of the senate.
  - (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
  - (c) The governor, or designee.
  - (d) The attorney general, or designee.
  - (e) The commissioner of the department of health and human services, or designee.
  - (f) The commissioner of the department of education, or designee.
  - (g) A parent of a lead poisoned child, appointed by the governor.
  - (h) A lead safe renovator/instructor, appointed by the commissioner of the department of health and human services.
  - (i) Three representatives of the New Hampshire Property Owners Association, appointed by the association.
  - (j) Two New Hampshire property owners, one owning a property of 4 or fewer units and one owning a property of 20 or more units, appointed by the governor.
  - (k) A representative of the insurance industry, appointed by the insurance commissioner.
  - (l) A representative of The Way Home, appointed by such organization.

(m) A representative of a municipal health department, appointed by the commissioner of health and human services.

(n) A representative of the Minority Health Office, department of health and human services, appointed by the office.

(o) A representative of the Endowment for Health, appointed by such organization.

(p) A representative of the New Hampshire Charitable Foundation, appointed by the foundation.

(q) The program director of the Dartmouth Toxic Metals Research Program, Center for Environmental Health Sciences, Dartmouth College, or designee.

(r) A representative of a local lead action committee, appointed by the commissioner of the department of health and human services.

(s) A representative of the New Hampshire Association of Realtors, appointed by the president of the association.

(t) A representative of New Hampshire Legal Assistance, familiar with tenant issues, appointed by the executive director.

Amend the bill by replacing section 12 with the following:

12 Duties; Funding.

I. The commission shall identify and consider the full range of legislative and policy strategies that may be effective in furthering lead poisoning prevention in New Hampshire. In its deliberation, the commission shall seek input from individuals or entities that the commission deems relevant to its study recognizing that all stakeholders will need to work together to develop fair and workable solutions that prevent childhood lead poisoning for the purposes of examining the following issues of concern, including but not limited to:

(a) The efficacy of current laws, regulations, education and certification standards, and clinical protocols in reducing the exposure of children to lead hazards.

(b) Examining evidenced-based or promising practices from other states and jurisdictions relative to statewide policy, local ordinance, educational programming and financing strategies.

(c) Considering the economic impact of lead prevention policies and determining strategies and funding mechanisms for distributing the economic costs as broadly as possible.

(d) Examining the insurance-related concerns tied to lead and lead exposure including accessibility to insurance coverage and liability issues.

(e) Developing strategies and protocols for addressing the needs of particular communities or regions of the state or certain populations within the state most impacted by lead poisoning.

II. The commission may seek grant funding support to carry out its duties under paragraph I.

Amend the bill by replacing section 16 with the following:

16 Effective Date.

I. Sections 10-14 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 2008.

Amendment adopted.

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

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Headd requested a roll call; sufficiently seconded.

**YEAS 227 NAYS 75**

**YEAS 227**

### **BELKNAP**

Clark, Charles  
Wood, Jane

Millham, Alida

Morrison, Gail

Pilliod, James

### **CARROLL**

Bridgham, Robert  
Knox, J. David

Brown, Carolyn  
Martin, James

Buco, Thomas  
Patten, Betsey

Heard, Virginia

### **CHESHIRE**

Burrige, Delmar  
Chase, William  
Hunt, John  
Parkhurst, Henry  
Roberts, Kris  
Weed, Charles

Butcher, Suzanne  
Dunn, J. Timothy  
Johnson, Jane  
Pelkey, Stephen  
Robertson, Timothy

Butterworth, Timothy  
Eaton, Daniel  
Lerandeau, Alfred  
Plifka, Stanley Jr  
Sad, Tara

Butynski, William  
Espieffs, Peter  
Mitchell, Bonnie  
Richardson, Barbara  
Weber, Lucy

### **COOS**

Hatch, William

Theberge, Robert

Thomas, Yvonne

### **GRAFTON**

Aguiar, James  
Cooney, Mary  
Hammond, Lee  
Matheson, Robert  
Williams, Burton

Almy, Susan  
Estes, Carole  
Harding, A Laurie  
Mulholland, Catherine

Andersen, Gene  
Friedrich, Carol  
Laliberte, Suzanne  
Nordgren, Sharon

Benn, Bernard  
Gionet, Edmond  
Lovett, Sid  
Preston, Philip

### **HILLSBOROUGH**

Baroody, Benjamin  
Brunelle, Michael  
Coughlin, Pamela  
Emerton, Larry  
Ginsburg, Ruth  
Hackel, Paul  
Hebert, Roger  
Jean, Claudette  
Leishman, Peter  
Lisle, Carolyn  
Martineau, Jesse

Batula, Peter  
Campbell, David  
Daler, Jennifer  
Essex, David  
Goley, Jeffrey  
Hall, Betty  
Holden, Randolph  
Judy, Jean  
Lessard, Rudy  
Long, Patrick  
Matarazzo, Anthony  
Sr

Beck, Catriona  
Clemons, Jane  
Dokmo, Cynthia  
Fontas, Jeffrey  
Gorman, Mary  
Hammond, Jill  
Irwin, Anne-Marie  
Kelley, John  
Levasseur, Nickolas  
Mack, Ron  
Mesa, Lily

Bergin, Peter  
Cote, David  
Edwards, Andrew  
Garrity, Patrick  
Graham, John  
Harvey, Suzanne  
Jasper, Shawn  
Lasky, Bette  
Levesque, Melanie  
Manney, Pamela  
Messier, Irene

Movsesian, Lori  
Pilotte, Maurice  
Schulze, Joan  
Smith, David  
Sullivan, Francis

O'Connell, Timothy  
Price, Pamela  
Shattuck, Gilman  
Spaulding, Jayne  
Sysyn, Mary

O'Neil, James  
Reuschel, Michael  
Shaw, Barbara  
Spratt, Stephen  
Tahir, Saghir

Peterson, Andy  
Rosenwald, Cindy  
Shaw, Kimberly  
Sullivan, Daniel  
Winters, Joel

### **MERRIMACK**

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

Baxley, Maureen  
Davis, Frank  
French, Barbara  
Hess, David

Bouchard, Candace  
DeStefano, Stephen  
Gile, Mary  
Kjellman, Eleanor  
Glynn  
Osborne, Jessie

Brown, Carole  
Ehlers, Eileen  
Greco, Vincent  
Lockwood, Priscilla

MacKay, James

McMahon, Patricia

Owen, Derek

Porter, Margaret  
Shurtleff, Stephen  
Walz, Mary

Reardon, Tara  
Tilton, Joy  
Webb, Leigh

Richardson, Gary  
Tupper, Frank  
Wheeler, Deborah

Ryan, Jim  
Wallner, Mary  
Yeaton, Charles

#### ROCKINGHAM

Abbott, Dennis  
Brown, C. Pennington  
Charron, Gene  
Flockhart, Eileen  
Griffin, Mary  
Ingram, Russell  
Kennedy, James  
McMahon, Charles  
Priestley, Anne  
Russell, Trink  
Winchell, George

Allen, Mary  
Buxton, Donald  
Day, Judith  
Garrity, James  
Grote, Otto  
Johnson, Robert  
Marsh, Michael  
Moody, Marcia  
Quandt, Marshall  
Snow, Richard

Bishop, Franklin  
Case, Frank  
DiFruscia, Anthony  
Gleason, John  
Henson, John  
Katsakiores, George  
McCarthy, Linda  
Nord, Susi  
Quandt, Matthew  
Splaine, James

Borden, David  
Casey, Kimberley  
Flanders, John Sr  
Gould, Kenneth  
Howard, Doreen  
Katsakiores, Phyllis  
McKenna, Daniel  
Powers, James  
Robertson, Carl  
Wells, Roger

#### STRAFFORD

Berube, Roger  
Brown, Larry  
DeChane, Marlene  
Knowles, William  
Rollo, Michael  
Spang, Judith  
Watson, Robert

Billian, Deborah  
Browne, Brendon  
Fargo, Thomas  
Mickelonis, Shawn  
Rous, Emma  
Sprague, Dale

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

Brown, Julie  
Cyr, James  
Kaen, Naida  
Rollo, Deanna  
Smith, Marjorie  
Warren, Nancy

#### SULLIVAN

Cloutier, John  
Franklin, Peter  
Jillette, Arthur Jr

Converse, Larry  
Gagnon, Raymond  
Nielsen, Ellen

Donovan, Thomas  
Gottling, Suzanne  
Phinzy, James

Ferland, Brenda  
Houde, Matthew  
Skinder, Carla

#### NAYS 75

#### BELKNAP

Allen, Janet  
Russell, David  
Whalley, Michael

Boyce, Laurie  
Tilton, Franklin

Flanders, Donald  
Tobin, William

Nedeau, Stephen  
Wendelboe, Fran

#### CARROLL

Chandler, Gene

Denley, William

Merrow, Harry

Stevens, Stanley

#### CHESHIRE

Emerson, Susan

#### COOS

King, Frederick

Remick, William

#### GRAFTON

Eaton, Stephanie

Ingretson, Paul

Sorg, Gregory

### HILLSBOROUGH

|                      |                    |                    |                     |
|----------------------|--------------------|--------------------|---------------------|
| Barry, Richard       | Bergeron, Jean-Guy | Christensen, Chris | Christiansen, Lars  |
| Crane, Elenore Casey | Daniels, Gary      | Day, Russell       | Drisko, Richard     |
| Elliott, Nancy       | Fletcher, Richard  | Haefner, Robert    | Hawkins, Ken        |
| Hinkle, Peyton       | Hogan, Edith       | Infantine, William | Kurk, Neal          |
| L'Heureux, Robert    | Lawrence, James    | McRae, Karen       | Mooney, Maureen     |
| Ober, Lynne          | Ober, Russell III  | Renzullo, Andrew   | Simon, Anthony      |
| Soucy, Connie        | Stepanek, Stephen  | Ulery, Jordan      | Vaillancourt, Steve |
| Villeneuve, Maurice  |                    |                    |                     |

### MERRIMACK

Reed, Dennis

### ROCKINGHAM

|                   |                   |                    |                    |
|-------------------|-------------------|--------------------|--------------------|
| Baldasaro, Alfred | Bedrick, Jason    | Bettencourt, David | Camm, Kevin        |
| Carson, Sharon    | Dalrymple, David  | Devine, James      | Elliott, Robert    |
| Emiro, Frank      | Fesh, Bob         | Garcia, Marilinda  | Guthrie, Joseph    |
| Headd, James      | Hopfgarten, Paul  | Hutchinson, Karen  | Lund, Howie        |
| McKinney, Betsy   | Packard, Sherman  | Rausch, James      | Sanders, Elisabeth |
| Stiles, Nancy     | Waterhouse, Kevin | Weare, Everett     | Welch, David       |
| Weyler, Kenneth   |                   |                    |                    |

### STRAFFORD

None

### SULLIVAN

Rodeschin, Beverly

and the committee report was adopted.

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

Referred to the Committee on Finance.

***SB 213-FN-A***, establishing a comprehensive cancer plan fund and making an appropriation therefor, and establishing a comprehensive cancer plan oversight board. **OUGHT TO PASS.**

Rep. Robert G. Bridgham for Health, Human Services and Elderly Affairs: This bill uses some of the bonus money from the tobacco settlement to fund a targeted set of activities in cancer prevention as part of a comprehensive cancer plan, prepared under earlier funding. Approximately 65% of the funds are used for advertising and other efforts to discourage smoking and for help to smokers in quitting. Screening, or related activities, will be funded for breast, cervical, colorectal, and prostate cancer, with special emphasis on low-income populations. An oversight board is established to oversee allocation of moneys from the cancer plan fund. The activities funded will prevent the development of a significant number of important cancers, avoiding the sickness, death, emotional impact, and cost of care that would otherwise have been experienced. Vote 19-0.

Committee report adopted.

Referred to the Committee on Finance.

***SB 215-FN-A***, making an appropriation for AIDS services. **OUGHT TO PASS.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: New Hampshire has a comprehensive program to deal with the variety of services required for those who live with HIV/AIDS that are provided by the following agencies: Community Resource Network (ACORN) in Lebanon, AIDS Response Seacoast (ARS) in Portsmouth, AIDS Services for

Monadnock in Keene, the Greater Manchester AIDS in central and southern New Hampshire and the Southern New Hampshire HIV/AIDS Task Force in Nashua. One of the significant sources of income for these agencies was from the Boston Public Health Commission which administers the Ryan White title federal monies. This money is used for drug reimbursement, primary care, case management, mental health, substance abuse, transportation, housing, food services, client advocacy and peer support services. Unfortunately, New Hampshire is not going to continue to receive these funds for essential services. This bill restores one million dollars that will be specifically assigned to the above AIDS service organizations to support the continuation of needed services. The committee unanimously supported the bill. Vote 20-0.  
Committee report adopted.  
Referred to the Committee on Finance.

***SB 226-FN***, relative to the temporary assistance to needy families (TANF) program.

**MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Suzanne S. Butcher for the Majority of Health, Human Services and Elderly Affairs: This bill makes changes to the Temporary Assistance to Needy Families (TANF) program to: 1) reinforce current law that the primary goal of TANF is to move recipients to employment that enables them to support their families; 2) require outcome measures from DHHS that show how well recipients are able to get and keep jobs and earn enough to move out of poverty and no longer need TANF; 3) provide DHHS with five options being used by many other states to meet the federal participation rate and increase flexibility to design programs that move recipients into jobs and out of poverty. After much supportive testimony and two subcommittee hearings, the bill was amended to clearly state that DHHS has the authority to mandate an employment orientation interview as a condition of eligibility for TANF financial assistance. The increased flexibility of programmatic elements will help New Hampshire meet federal participation rates and avoid financial penalties. With regard to fiscal impact, the department agreed the original fiscal note was incorrect and expressed concern only about resources that may be needed to produce the outcome measures. Vote 16-4.

Rep. Peter L. Batula for the Minority of Health, Human Services and Elderly Affairs: The TANF (temporary assistance to needy families) is an assistance program supported by 50% state and 50% federal funding. In most all cases there is a five year maximum lifetime benefit. In 2006 the federal government reauthorized the TANF program as part of the Federal Deficit Reduction Act along with new guidelines for the states. New Hampshire reacted to the new guidelines including a renewed commitment to move people from welfare to work. Failure to meet the federal guidelines states would heavily be financially penalized in the millions. In June of 2006, this legislature passed HB 1331 which would put this state on the pathway to meeting federal guidelines while meeting the educational and training needs of the TANF client. When the 2006, HB 1331, went into effect, over the last 10 months it was evident that HB 1331 was a good working document. As an example, HB 1331 contained a requirement that each client "shall" attend orientation classes periodically which was offered to assist the client in getting more prepared to enter or reenter the workplace. Prior to HB 1331, the orientation attendance/participation was 70% no shows. After HB 1331, participation rose significantly to 75% show which proves in one case that the current program is working. Now SB 226, in the opinion of the minority on the committee, weakens the current state by eliminating the "shall" participate requirement to the "department has the authority to require" which will weaken the bill according to the minority of the committee. Overall the minority is concerned that this change and others in SB 226 would severely weaken the current, ten month old working piece of legislation and end up with less training for the clients and potentially the financial penalty to the state by the feds.

### Majority Amendment (1521h)

Amend RSA 167:79, III(a) as inserted by section 6 of the bill by replacing it with the following:

(a) ***The department has the authority to require*** ~~[an applicant shall attend]~~ appointments necessary for entry into the employment program, including but not ~~[necessarily]~~ limited to the initial orientation interview, ***as a condition of eligibility for TANF financial assistance in accordance with rules established pursuant to RSA 541-A. The department shall provide an opportunity for an orientation interview within 10 days of the date of application and shall offer referral assistance for child care and transportation.***

On a division vote, 189 members having voted in the affirmative and 92 in the negative, the majority committee amendment was adopted.

Majority committee report adopted.

Referred to the Committee on Finance.

**SB 261**, naming the state law library the John W. King law library. **OUGHT TO PASS.**

Rep. Stephen J. Shurtleff for Judiciary: The late Governor John W. King led a life dedicated to service to the people of New Hampshire. He served as minority leader in the New Hampshire House. He went on to serve three terms as Governor. After he left the governorship he was appointed Associate Justice of the Supreme Court. From that position he rose to become Chief Justice of the New Hampshire Supreme Court. It is only fitting that the State Law Library be named in his honor. Vote 17-2.

Committee report adopted.

Ordered to third reading.

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

**OUGHT TO PASS.**

Rep. Jeffrey P. Goley for Labor, Industrial and Rehabilitative Services: The bill designates an increased portion of employer contributions for deposit into contingency, reduces the amount deposited in the training fund, and makes deposits into the training fund fixed. This bill also transfers the job training program and funding for the program from the department of regional community technical colleges to the department of resources and economic development. The bill was supported by both the technical colleges and DRED. Vote 12-7.

Rep. DiFruscia moved Recommit.

Rep. Goley spoke against and yielded to questions.

Rep. Gorman spoke in favor and yielded to questions.

Reps. DeChane and Wallner spoke against.

Reps. DiFruscia and Bishop spoke in favor.

On a division vote, 142 members having voted in the affirmative and 143 in the negative, the motion failed.

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

On a division vote, 153 members having voted in the affirmative and 136 in the negative, the committee report was adopted.

Referred to the Committee on Ways and Means.

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Campbell moved that the House reconsider its action whereby it adopted the committee report of Ought to Pass on **SB 97**, relative to unemployment administrative contributions and the training fund, and transferring the job training program administered by the department of regional community-technical colleges

to the department of resources and economic development.

Reps. Campbell and Daniel Eaton spoke against.

Rep. DiFruscia spoke in favor.

On a division vote, 130 members having voted in the affirmative and 157 in the negative, the motion failed.

#### **REGULAR CALENDAR (CONT'D)**

***SB 195-FN***, relative to unemployment benefits for persons needed to care for family members who are disabled. **OUGHT TO PASS.**

Rep. Franklin C. Bishop for Labor, Industrial and Rehabilitative Services: This bill allows individuals who need to care for disabled family members, who are certified by a licensed physician of the need of full time care, to be eligible for part time benefits. Vote 17-2.

Committee report adopted.

Ordered to third reading.

***SB 54***, relative to dog license fees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Betsey L. Patten for the Majority of Municipal and County Government: This bill proposes to increase the fee required to license dogs owned or kept in a municipality to be "no more than \$5.00" instead of the current "no more than \$1.00," as stated in RSA 466:39. All dog owners are required to furnish rabies vaccination verification to the municipal clerk prior to licensure. The majority of the committee knows that a rabies vaccination is costly, although there is help for income eligible owners. However the vaccination program is a higher public policy priority than an increase of licensing fees. There was concern by the majority that a license increase might force dog owners to opt out of the successful rabies vaccination program presently in statute. Vote 8-5.

Rep. Earle Goodwin for the Minority of Municipal and County Government: The Minority believes that the increase in annual fees required for a dog license at no more than \$5.00 in addition to the current \$1.00 fee is a reasonable fee under the circumstances. This would partially defray the cost of certified mail, supplies, labor, etc., of participating cities/towns. This is enabling and could be less than the \$5.00 and is a small part of the cost of owning a dog, such as shots, food, housing, etc.

Rep. Simon moved Recommit.

On a division vote, 208 members having voted in the affirmative and 46 in the negative, the motion was adopted.

Recommitted to the Committee on Municipal and County Government.

#### **(Speaker Norelli in the Chair)**

#### **REGULAR CALENDAR (CONT'D)**

***SB 217-FN-A***, establishing the New Hampshire housing and conservation planning program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY:**

**INEXPEDIENT TO LEGISLATE**

Rep. Jessie L. Osborne for the Majority of Municipal and County Government: The majority of the committee feels that the Housing and Conservation Program established by this bill enables the Office of Planning and Energy to administer a program which can aid communities in making decisions regarding housing and conservation issues. The program is voluntary and utilizes grants and has a set of guidelines for the applicants. The program will be overseen by an advisory board consisting of legislation, licenses and conservation interests. This is a program which will try to bridge the differences between development and conservation by creating opportunities for communities to utilize a new planning tool. This is a voluntary grant program which is encouraging communities to look to their future planning needs. The amendment just added legislative members to the board. Vote 9-5.

Rep. Joseph A. Guthrie for the Minority of Municipal and County Government: This bill

creates a new Housing and Conservation Planning Program which enables municipalities to apply for matching grants to assist them in their plan for growth and development that permits a balanced housing stock while still considering the natural resources and open space in the municipality is a laudable program. The amendment adds House and Senate members to the advisory committee that will be reviewing and commenting on administrative rules promulgated by the Office of Energy and Planning. The minority of the committee feels that adding funding to any new program is stretching the limit of our taxpayers' ability to cover new costs when there are programs already in place that need attention.

**Majority Amendment (1437h)**

Amend RSA 4-C:29, III as inserted by section 1 of the bill by replacing it with the following:

III. The advisory board shall consist of:

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

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

(c) One member appointed by each of the following entities:

(1) The New Hampshire Housing Finance Authority.

(2) The New Hampshire Municipal Association.

(3) The New Hampshire Association of Regional Planning Commission

Executives.

(4) The Business and Industry Association of New Hampshire.

(5) The New Hampshire Community Loan Fund.

(6) The Home Builders and Remodelers Association of New Hampshire.

(7) The Land and Community Heritage Commission.

(8) The New Hampshire Preservation Alliance.

(9) The New Hampshire Main Street Program.

(10) The Society for the Protection of New Hampshire Forests.

(11) The Audubon Society of New Hampshire.

(12) The Jordan Institute.

IV. Members of the advisory board shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board.

Majority amendment adopted.

Majority committee report adopted.

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

Referred to the Committee on Finance.

**SB 67-FN-A**, relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick T. Long for Public Works and Highways: The committee feels that continuing with the recommendations of the YDC Master Plan gives relief to the state by subdividing property, preserves certain buildings for possible future use, demolishes buildings that have no historical value, or current operational value, and sells two properties for not less than fair market value. The appropriation of \$200,000 allows this to happen. The two properties are currently valued at \$421,000. The amendment makes the \$200,000 a non-lapsing appropriation from the 2007 budget. Vote 17-0.

**Amendment (1414h)**

Amend the bill by replacing all after section 2 with the following:

3 Appropriation. The sum of \$200,000 is hereby appropriated for the fiscal year ending June 30, 2007 to the department of health and human services for the purpose of implementing section 1 of this act, and such appropriation shall be nonlapsing. The governor

is authorized to draw a warrant for such amount out of any money in the treasury not otherwise appropriated.

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

Amendment adopted.

Committee report adopted.

Referred to the Committee on Finance.

***SB 68-FN-A***, making an appropriation to the department of environmental services to implement the New Hampshire estuaries project's comprehensive conservation and management plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Elisabeth N. Sanders for Resources, Recreation and Development: This bill makes an appropriation to the Department of Environmental Services (DES) to implement the New Hampshire Estuaries Project's comprehensive conservation and management plan. The New Hampshire Estuaries Project (NHEP) has a ten year record of successfully implementing programs that benefit New Hampshire's estuaries, 43 seacoast region communities, and the state. In 2000 a comprehensive management plan was developed by citizens, organizations, industries, local government and state and national agencies, and approved by the New Hampshire governor and the US environmental services administrator. The specific action items in the plan target the protection of the environment and economies of the state and seacoast region. Funding for the plan's implementation comes from the US EPA. For every federal dollar that the NHEP receives, the NHEP is required to have a non-federal match. This year the federal funding has been cut by \$317,000. The funding amount has been reduced to \$418,000. Therefore, an appropriation in the amount of \$250,000 for Fiscal Year 2008 is necessary to continue to successfully accomplish the estuary monitoring programs, community assistance programs, and strategic planning as it has for the last several years. Vote 14-0.

#### **Amendment (1504h)**

Amend the bill by replacing section 1 with the following:

1 Appropriation. The sum of \$250,000 for the fiscal year ending June 30, 2008 and the sum of \$250,000 for the fiscal year ending June 30, 2009 are hereby appropriated to the department of environmental services, for the purposes of implementing the New Hampshire estuaries project's comprehensive conservation and management plan by undertaking activities, making grants, and entering into contracts to accomplish actions identified in the New Hampshire estuaries project's approved implementation plan. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Amendment adopted.

Committee report adopted.

Referred to the Committee on Finance.

***SB 73-FN-A***, relative to lottery prizes and administration by the lottery commission.

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

Rep. Roger G. Wells for the Majority of Ways and Means: A person making minimum wage can lose a half a day's pay in 12 seconds. It is surprising that so many who oppose video gambling are in favor of the \$30 scratch ticket. Scratch tickets are available at hundreds of locations on every street corner, grocery stores and gas stations, while being advertised and promoted by the state. Gambling should have an entertainment component; as video gambling has an entertainment component, the scratch ticket does not. We should not be encouraging retailers to exceed goals with monetary incentives to extract more dollars from customers while at the same time supposedly promoting restraint amongst those with addictions. Vote 13-4.

Rep. Michael G. Marsh for the Minority of Ways and Means: This bill has three purposes: it authorizes the lottery commission to offer a new \$30 scratch-ticket game; it allows the lottery commission to increase sales by offering, at its discretion, incentive awards of up to \$500 to agents meeting or exceeding their sales targets and up to \$30,000 to agents selling a jackpot ticket; and it increases the maximum payout percentage for Tri-State lotto game so we are consistent with the other 2 states that offer the game. Although the House has already given the lottery commission authority for the \$30 scratch ticket in HB 2, the majority was concerned that this new game would be as addictive as slot machines, and so chose to report the bill as ITL. The minority amendment removes the scratch-ticket section from the bill, but retains the remaining two sections, which are important to help the lottery commission meet its revenue targets in the coming biennium.

#### **LAID ON TABLE**

Rep. Daniel Eaton moved that **SB 73-FN-A**, relative to lottery prizes and administration by the lottery commission be laid on the table.

On a division vote, 169 members having voted in the affirmative and 111 in the negative, the motion was adopted.

#### **BILL REMOVED FROM CONSENT CALENDAR**

**SB 236**, extending the authority for police mutual aid. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jessie L. Osborne for Municipal and County Government: The committee felt that this request to allow the police in towns or cities to use mutual aid agreements to legally support each other upon the request of a duly authorized police officer. The department of safety requests this change with the support of the NH Association of Police Chiefs. The amendment makes technical changes. Vote 13-0.

#### **Amendment (1441h)**

Amend RSA 105:13 as inserted by section 1 of the bill by replacing it with the following:

105:13 Extended Authority.

**I.** The authority of any duly authorized police officer, constable or watchman of any town **or city** shall extend to any other city or town in the state, provided that the chief law enforcement officer of the requesting town or city has executed with the chief law enforcement officer of the responding town **or city** a written agreement which sets forth the terms and conditions under which such assistance may be requested or rendered. The executed agreement shall constitute authorization for every request for assistance, and for any assistance rendered in accordance with the terms and conditions of the written agreement, regardless of whether the responding police officer, constable, or watchman is named in the agreement. In an emergency situation, the ranking on-duty law enforcement official of a town or city is authorized to make an oral request for assistance to the ranking on-duty law enforcement official in the responding town, subject to the terms and conditions of such written agreement, and the authority of the responding police officer, constable, or watchman shall extend to the requesting town. The written agreement shall remain in full force and effect until terminated by the mutual consent of the chief law enforcement officers of each town or city, or until 10 days after the chief law enforcement officer of one town or city has received notification from the chief law enforcement officer of the other town or city of his **or her** intention to terminate.

**II. Notwithstanding the provisions of paragraph I, any duly authorized police officer, constable, or watchman shall have temporary police authority in another jurisdiction in the state, when requested by a law enforcement officer from such jurisdiction in the state to render assistance to such officer under such officer's direction in an emergency for the purposes of making an arrest or effecting custody of a detainee, conducting a search, quelling a disturbance, providing traffic or**

*crowd control, or securing a crime scene, until relieved by the requesting officer or otherwise directed by the ranking on-duty officer of the requesting jurisdiction.*

*III. Notwithstanding the provisions of paragraph I, any duly authorized police officer, constable, or watchman from a nearby town or city may exercise temporary police authority as necessary to respond to a crime in progress, traffic accident, natural or human-caused disaster, disturbance in progress, or other emergency, if requested by a public safety dispatch center authorized to dispatch for the jurisdiction where the event is occurring, because there is no local officer or state trooper available for immediate response and in the judgment of the dispatch center the public safety requires an immediate response. Such officer's authority shall terminate when relieved by an officer with authority in the jurisdiction receiving the assistance, unless the officer with authority requests assistance pursuant to paragraph II.*

*IV. When providing assistance under this section the officer shall remain an employee of his or her respective department.*

Rep. Patten moved Recommit.

Adopted.

Recommitted to the Committee on Municipal and County Government.

## 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 Thursday, May 31, 2007 at 10:00 a.m.

Adopted.

## LATE SESSION

### Third reading and final passage

**SB 29**, updating laws relative to child impact seminars to reflect the implementation of the judicial branch family division.

**SB 80**, relative to qualified minor's trusts.

**SB 152**, relative to permanency planning for delinquent children, abused and neglected children, and children in need of services.

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

**SB 104**, relative to the directory of charitable trusts.

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

**SB 124**, changing the membership of the economic development matching grants screening committee.

**SB 161-FN**, relative to the registration fees for mortgage servicing companies.

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

**SB 66**, relative to involuntary civil commitment of sexually violent predators and relative to payment of the sex offender registration fee by criminal offenders.

**SB 136**, relative to the attorney general's authority to appoint, organize, and assign investigatory personnel at the department of justice.

**SB 194**, establishing a commission to study the trafficking of persons across borders for sexual and labor exploitation.

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

**SB 28**, redefining the "board of the public employer for the judiciary" in public employee

collective bargaining.

**SB 108**, making technical corrections to the probate laws.

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

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

**SB 59**, establishing a committee to study the effect on the unemployment compensation trust fund of employees with negative balance separate accounts.

**SB 69**, relative to exceptions to the confidentiality provisions for certain department of employment security records.

**SB 40**, relative to the modular building code.

**SB 99**, relative to the terms for payment in lieu of taxes for renewable generation facilities.

**SB 118**, increasing fines for certain dog violations.

**SB 160-FN-L**, adding members to the Skyhaven airport operation commission and changing the required completion date for the Skyhaven airport transfer plan.

**SB 50**, relative to the membership of the state veterans' advisory committee and authorizing the state veterans council to accept certain donations and bequests.

**SB 221**, establishing a commission to organize events in celebration of the Abraham Lincoln bicentennial.

**SB 234-FN**, relative to privileges, benefits, and immunities for national guard members.

**SB 187**, relative to motor vehicles operated in parades.

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

**SB 87**, making technical corrections to certain lottery commission provisions.

**SB 193**, relative to adjustments to the child support guidelines under special circumstances.

**SB 38**, relative to uninsured or hit-and-run motor vehicle coverage.

**SCR 2**, urging Congress to amend the No Child Left Behind Act.

**SB 47-FN-A**, making a supplemental appropriation for school building aid.

**SB 261**, naming the state law library the John W. King law library.

**SB 195-FN**, relative to unemployment benefits for persons needed to care for family members who are disabled.

#### UNANIMOUS CONSENT

Reps. Boyce and Lovett addressed the House.

#### RECESS MOTION

Rep. Wallner moved that the House stand in recess for the purpose of enrolled bill amendments, enrolled bill reports, receiving Senate messages and forming a Committee of Conference on **HB 653**, relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

Adopted.

The House recessed at 6:00 p.m.

#### RECESS

(Rep. Daniel Eaton in the Chair)

#### SENATE MESSAGES

#### CONCURRENCE

**HB 41**, relative to human immunodeficiency virus education, prevention, and control.

**HB 59**, relative to crossbow hunting by a person with a disability.

**HB 99**, relative to the youth employment law.

**HB 101**, relative to annual training for members of the workers' compensation appeals board.

**HB 117**, creating an exception for the storage of black gunpowder by historical reenactors and certain nonprofit entities.

**HB 152**, relative to public access to meeting minutes.

**HB 158**, requiring insurance companies to allow covered persons to purchase an up-to-90-day supply of covered prescription drugs on the covered person's health plan formulary under certain circumstances.

**HB 189**, relative to swim lines in public waters.

**HB 243**, relative to a rabies immunization exemption.

**HB 301**, relative to nonresident registration of motor vehicles.

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

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

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

**HB 427**, defining construction and demolition debris and certified waste-derived product, and relative to the department of environmental services certifying waste-derived products of the wood component of construction and demolition debris.

**HB 458**, relative to the exemption of replacement or redundant wells from the large groundwater withdrawal permitting process.

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

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

**HB 588-FN-L**, relative to Cates Hill Road and Jericho Lake Road in the city of Berlin.

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

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

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

**HB 714-FN**, relative to motorized watercraft rental agencies.

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

**HB 889-FN**, relative to securities regulation.

**HB 911-FN-L**, establishing an automated external defibrillator advisory commission.

**HCR 3**, urging that New Hampshire members and veterans of the armed forces and national guard and their dependents receive health screening for depleted uranium exposure.

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

#### **NONCONCURRENCE**

**HB 93**, relative to use of the child support guidelines worksheet.

**HB 139**, relative to the reporting of burn injuries.

**HB 324**, relative to the use of artificial trans fats and saturated fats in food prepared and served in public schools.

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

**HB 604-FN**, prohibiting the taking of deer from baited areas.

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

#### **RE-REFERRED TO COMMITTEE**

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

#### **LAID ON THE TABLE**

**HB 71**, prohibiting the sale, rent, lease, transfer, or distribution of records, information, or

lists of licensed dog owners in New Hampshire to another person by the town clerk's office.  
**HB 244**, repealing a certain provision of law regarding advance directives and mentally incompetent or developmentally disabled persons.

**HB 513**, establishing a housing commission.

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

**HB 597-FN**, relative to expenditure caps for institutional health facilities under the certificate of need law.

### **ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bills numbered 152, 153, 468 and 911.

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

### **RECESS**

**(Rep. Clemons in the Chair)**

### **SENATE MESSAGES**

#### **CONCURRENCE**

**HB 61**, designating segments of the Ammonoosuc River into the rivers management protection program.

**HB 135**, establishing the second Sunday in October as Firefighters Memorial Day.

**HB 144**, relative to operation of boats on Spectacle Pond.

**HB 191**, relative to the authority of the secretary of state concerning sealed ballots in a state election.

**HB 213**, relative to the availability of school nutrition program funds for charter school and nonpublic schools.

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

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

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

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

**HB 418**, relative to RV friendly highway signs.

**HB 440-FN**, relative to the authority to quarantine to prevent dissemination of forest pests, relative to police training for forest rangers, and relative to forest resources and timber harvesting.

**HB 459**, relative to the identification of wells.

**HB 472-FN**, increasing fees for hazardous waste management and contaminated site cleanup, establishing rulemaking authority to set future fees, and changing reporting requirements.

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

**HB 556**, relative to school emergency response plans.

**HB 705**, relative to the disposal of highway or turnpike funded real estate.

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

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

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

#### **NONCONCURRENCE**

**HB 147**, relative to counting kindergarten pupils in charter school attendance.

**HB 451-FN**, increasing the state's portion of special education funding.

#### **RE-REFERRED TO COMMITTEE**

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

**LAID ON THE TABLE**

**HB 523**, relative to lobbyist registration and statements.

**ENROLLED BILL AMENDMENT**

**HB 889-FN**, relative to securities regulation.

**Amendment (1708-EBA)**

Amend line 2 of RSA 421-B:2, IV-a(a)(2) as inserted by section 3 of the bill by replacing it with the following:

in paragraph II, regularly conducts the business of effecting any transactions in, or inducing

Amend line 1 of RSA 421-B:2, IV-a(b) as inserted by section 3 of the bill by replacing it with the following:

(b) Notwithstanding the exclusions provided in subparagraph IV-a(a)(2), any location that

Amend line 2 of RSA 421-B:7, VII(d)(2)(D) as inserted by section 7 of the bill by replacing it with the following:

***investment advisory contract with a client, the investment adviser will obtain from such***

Adopted.

RECESS