

HOUSE RECORD

Second Year of the 160th General Court Calendar and Journal of the 2008 Session

Vol. 30

Concord, N.H.

Wednesday, January 30, 2008

No. 14

HOUSE JOURNAL No. 3 (cont.)

Wednesday, January 23, 2008

RECESS

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 4

Wednesday, January 30, 2008

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 Rardin, Pastor of the South Congregational Church in Concord.

Servant of Unity. A prayer by Teresa of Avila.

Most of us in power have not the strength or wisdom to be satisfied with the way things are. The sane, no contentment, for beauty is their lover and beauty is never absent from this world. The farther away light is from one's touch, the more one naturally speaks of the need for change. Yes, overthrow any government inside of you that makes you weep. The child blames the external and focuses his energies there. The warrior conquers the realms within and becomes gifted. Only the inspired should make decisions that affect the lives of many. Never any of us who has not held God in our arms and become the servant of unity. Amen.

Rep. Franklin Bishop, member from Raymond, led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Peter Cote, Mesa, Nagle and Owen, the day, illness.

Reps. Bleyler, Claudia Chase, Foose, Grassie, Stephen Johnson, Lisle, Benjamin Moore, Price, Priestley, Reed, Reuschel, Rochette, Deanna Rollo, Marjorie Smith and Tahir, the day, important business.

Rep. Tupper, the day, illness in the family.

INTRODUCTION OF GUESTS

Elizabeth Sullivan and Deborah Capistran, Mary Simpson, and Nikki Gauldreault, daughters and guests of Rep. Francis Sullivan. Mark Montminy, Mark Taylor, Richard McLaughlin, Scott Knowlton, David Wentworth, Michelle Suarez, Jeff Philips, Sharon Davis-McKay and Bruce McKay, guests of Rep. McLeod. Michelle Talwani, guest of Rep. Wallner. Members of the 4th grade class from Griffin Memorial School in Litchfield, guests of the Litchfield delegation.

Christy Barstow, a sophomore at Portsmouth High School and Paul Sanders of Westmoreland, Pages for the Day.

RESOLUTION

Rep. Wallner offered the following: RESOLVED, that late drafting and introduction having been approved by the Rules Committee, House Bill numbered 1643 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committees.

Adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1643-FN, relative to medical benefits payment by the retirement system for eligible group I teachers and political subdivision employees in the retirement system. (Wallner, Merr 12; Whalley, Belk 5; Downing, Dist 22; Janeway, Dist 7: Joint Committee on Executive Departments and Administration and Finance)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 754-FN, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority. (Amendment printed SJ 1-17-2008)

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

Adopted.

HB 351, clarifying that the definition of “overseas business organization” includes all foreign incorporated business organizations and all 80/20 business organizations, and redefining “business activity” for purposes of the business profits tax. (Amendment printed SJ 1-17-2008)

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

Adopted.

SUSPENSION OF HOUSE RULES

Reps. Wallner and Whalley moved that the Rules be so far suspended to allow the deadline for reporting from the first committee on **HB 1642-FN**, relative to funding for charter schools authorized by the state board of education, to be extended to February 21, 2008.

Adopted by the necessary two-thirds.

COMMITTEE REPORTS

CONSENT CALENDAR

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

HB 1339, establishing an optional mortgage loan payment program for payment of property taxes and municipal charges of qualifying elderly homeowners, removed by Rep. David Smith.

HB 1134-FN, including upkeep and improvements of the state park system within the land and community heritage investment program, removed by Rep. Nancy Elliott.

HB 1229, requiring the office of energy and planning to maintain a map of the state's lands under conservation or development restrictions, removed by Rep. Bishop.

HB 1535, relative to establishing a factual data base for wetland decision accountability, removed by Rep. Laliberte.

Consent Calendar adopted.

HJR 10, urging congress to allow for the interstate sale of state inspected meat and poultry. **OUGHT TO PASS.**

Rep. James F. Powers for Environment and Agriculture: Federal law dictates that all state meat and poultry inspections be at least equal to federal standards, yet forbids state-inspected meat from being sold in interstate commerce. By contrast, any meat and poultry inspected in foreign countries which have programs equal to federal standards can be marketed throughout the U.S. New Hampshire's family farms would benefit from being able to sell their high quality state-inspected products in other states as well. This Resolution urges the NH congressional delegation to ensure that legislation is passed by Congress which will allow this to occur. Vote 16-0.

HJR 11, requesting the United States Department of Agriculture to provide redress for price reporting errors in milk prices. **OUGHT TO PASS.**

Rep. Richard H. Snow for Environment and Agriculture: The USDA sets the price that dairy farmers receive for their milk. The price of milk is determined by USDA by collecting data about the price of nonfat dry milk, in accordance with federal statutes. The USDA has publicly admitted that there were serious errors in the data they collected for some period of time in 2007. These data errors appear to have caused New Hampshire farmers to receive less money for their milk than they should have, had the data been accurate. The magnitude of the problem is under investigation by the federal government. This resolution requests that USDA, as early as possible, provide back-payments to our dairy producers to compensate them for their losses. Further, it requests that USDA immediately institute auditing procedures to avoid future price errors and, in the interim, provide the public with the raw data used to compute the non-fat dry milk prices on a regular basis. Vote 16-0.

HJR 12, relative to support for research into colony collapse disorder. **OUGHT TO PASS.**

Rep. Leigh A. Webb for Environment and Agriculture: Whereas, the full committee recognizes the threat to all agriculture and the fruit, vegetables, and food on our tables posed by the alarming decline in the number of bees available to pollinate our crops, we as a body strongly support the position stated in this pointed resolution to fund the research required to determine the cause and cure for colony collapse disorder. Vote 16-0.

HB 1136, relative to automated external defibrillators. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Evalyn S. Merrick for Health, Human Services and Elderly Affairs: The use of Automated External Defibrillators can save the lives of New Hampshire citizens suffering from sudden cardiac arrest. This bill, as amended, encourages training for the use of AED's for those responders most likely to use them. This bill also allows for the opportunity of the

general public to use an AED when an emergency arises and no trained responder is available. Vote 17-0.

Amendment (0154h)

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

1 Purpose. The general court recognizes that the use of automated external defibrillators (AEDs) in the state of New Hampshire has had a demonstrably positive impact on saving the lives of New Hampshire citizens in cardiac arrest. Therefore, it is the intent of the general court that access to AEDs be made widely available to businesses, schools, fire and police departments, and other public and private organizations throughout the state. The elimination of the requirement that all expected users of AEDs be trained in cardiopulmonary resuscitation (CPR) and AED use will remove a barrier to the development of lay rescuer AED programs, thereby assisting emergency personnel in saving the lives of New Hampshire citizens when responding to emergencies.

2 Training. Amend RSA 153-A:30 to read as follows:

153-A:30 Training. Every person, association, corporation or other organization that acquires an automated external defibrillator shall require ~~[every individual]~~ **anticipated responders** expected to use the automated external defibrillator to receive training in cardiopulmonary resuscitation and automated external defibrillator use. ***This section shall not limit the use of the automated external defibrillator to the anticipated responder nor shall this section limit the provisions of RSA 153-A:31.***

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

AMENDED ANALYSIS

This bill limits the training requirement for automated external defibrillator use to anticipated responders.

HB 1316, establishing a committee to study the use of mercury in childhood vaccines. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne S. Butcher for Health, Human Services and Elderly Affairs: The committee learned from the state epidemiologist that the New Hampshire immunization program is the only provider of childhood vaccines in New Hampshire, and that none of the vaccines the program provides (including the pediatric flu vaccine) contain mercury. We believe that the Food and Drug Administration and the Centers for Disease Control, rather than a legislative study committee in New Hampshire, are the appropriate organizations to assess the biological and epidemiological research on the relationship between autism and childhood inoculations. Vote 17-0.

HB 1395-FN, establishing the AIDS drug assistance program fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joan H. Schulze for Health, Human Services and Elderly Affairs: This bill was requested by the Division of Public Health Services in order to comply with a federal mandate regarding the accounting procedures of drug rebates received by the state under the AIDS Drug Assistance Program. The federal Ryan White Comprehensive AIDS Resources Act addresses the unmet health needs of persons living with HIV by funding medications, primary health care and support services. The AIDS Drug Assistance Program (ADAP) is that portion of the NH Care program that provides medications to eligible persons living with HIV/AIDS. Drug rebates for ADAP are the state's only mechanism currently to assure that all eligible clients can access needed medications. In January 2007, the US Health Resources and Service Administration instructed states to treat ADAP drug rebate funds as program income. Budget 08-09 includes a class line for Drug Rebates. There will be no impact to the state since revenue received in drug rebate funds must be used for ADAP program expenditures. This bill creates a non lapsing fund for rebates from pharmaceutical companies on medications purchased through this program. These rebates are in addition to

the N.H. Care Program and can only be used for ADAP expenditures, such as medications or primary care services. An effective date of upon passage allows for any unspent revenue to come forward into FY 09. Vote 18-0.

Amendment (0053h)

Amend the bill by replacing section 3 with the following:

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

Referred to the committee on Finance.

HB 1467, establishing a commission to study the feasibility of constructing a state hospital facility to treat certain youths addicted to heroin or cocaine. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: The sponsors of this bill have brought an issue of considerable significance for study. Several resources are presently available to address the treatment of drug use including treatment of youth suffering from addiction to heroin and cocaine. There is an ongoing legislative caucus studying a variety of addictions including methamphetamines. There is also the Governor's Commission on Alcoholism, Drug Abuse and Prevention and the legislative mandated Mental Health Commission. All of these groups can be accessed to consider the study as outlined in this bill. Vote 18-0.

HB 1542-L, relative to burials in cemeteries. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Daler for Health, Human Services and Elderly Affairs: This bill would have required all cemeteries in the state to allow burial of bodies regardless of the container or whether the body had been embalmed. Failure to do so would be a misdemeanor. The committee felt that local cemeteries and cemetery trustees should decide how burials take place in their facilities. This does not preclude the development of "green" burial sections within existing or new cemeteries. We heard testimony that this is, in fact, happening. Vote 17-0.

HB 1560-FN-A-L, relative to the pharmaceutical assistance program and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas E. Donovan for Health, Human Services and Elderly Affairs: This bill addresses an important issue: the gap in Medicare Part D for prescription drugs for nursing home patients. However, the prime sponsor testified before the committee that there were problems with the way the bill was drafted. For example, it amended a statute that had never taken effect. In addition, there was concern that the bill might interfere with federal regulation. Therefore, the prime sponsor requested the ITL. Vote 18-0.

HB 1135, establishing a commission to study enabling counties to have taxing authority and impose county taxes. **INEXPEDIENT TO LEGISLATE.**

Rep. Andy Peterson for Municipal and County Government: The committee unanimously agreed that there is no need for a legislative commission to study the creation of a new taxing authority in New Hampshire at this time. Any concrete proposal on this matter would likely require a Constitutional change. If the members of the Association of Counties wish to study this matter, nothing prohibits them from doing so. Vote 14-0.

HB 1182, relative to appraisals of property with off-site views. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G. Stohl for Municipal and County Government: The intent of this bill is to require the Department of Revenue Administration to supervise the process of appraising properties with a view. What this bill wishes to do is already being done to a certain extent. All assessors that assess property for tax purposes in New Hampshire are certified by DRA. All

properties that are assessed by DRA certified assessors for tax purposes are required to have on-site visits by the assessors. The bill wishes to restrict the use of Computer Assisted Mass Appraisal System, or CAMA, from creating and maintaining an appraisal of a view feature. The Committee agrees that a CAMA system should not create an appraisal of a view feature, but once the assessor has visited the site and assessed the view factor and any other factor (s), the assessed value of these factors can and should be maintained in a CAMA system. The last mandate in this bill is that legitimate arm's length sales of such properties that share the same off-site view feature shall also be used to assess such properties. These sales, as with all sales within a municipality, are included in the study which is done during a mass appraisal. Vote 14-0.

HB 1191, relative to environmental investigations in tax lien and tax sale proceedings.
OUGHT TO PASS.

Rep. Andy Peterson for Municipal and County Government: The bill cleans up misplaced references in the RSA's on this subject to match with long standing practices. In essence, this is merely a housekeeping measure. Vote 14-0.

HB 1199, relative to the residency requirement for the elderly property tax exemption.
INEXPEDIENT TO LEGISLATE.

Rep. Larry Brown for Municipal and County Government: The property tax is a difficult and nuanced issue. The committee appreciates the work of the sponsor in seeking equity and understands the financial pressures which the property tax places on the elderly whose income and assets are below certain amounts. The committee was concerned about the demands of increased record keeping. Felt that it was unproductively restrictive re: residency and that the issue of down sizing was not covered. Its conclusion was unanimous. Vote 14-0.

HB 1253-FN-L, relative to the ability of towns to recoup money lent to homeowners upon foreclosure. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric G. Stohl for Municipal and County Government: The intent of this bill is to make it mandatory that a lien that is placed upon a property shall have priority over a mortgage and any other liens filed with the register of deeds. As the bill is drafted, there are areas that would need changing in order to accomplish what the sponsors wanted to do. At the request of the prime sponsor, he recommends the bill to be Inexpedient to Legislate. Vote 14-0.

HB 1315, allowing municipalities to adopt a home improvement property tax credit for homes 75 years old or older. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Brown for Municipal and County Government: The protection, preservation, revitalization, retention and/or reuse of our housing stock is a major basis of municipal income via the property tax which we cherish. That being said, it was the unanimous conclusion of the committee that market forces and financial self interest will, over time, accomplish the same goal without a differential expense to the property owners excluded by this bill. It was also felt that condition and costs could be subject to manipulation. Lastly the municipal record keeping necessary to document a cost, levy a tax, and defend those on appeal was seen as an onerous cost. Vote 14-0.

HB 1346, relative to the regulation of junk dealers, scrap metal dealers and pawnbrokers.
OUGHT TO PASS WITH AMENDMENT.

Rep. Bennett F. Moore for Municipal and County Government: The bill adds several requirements to the operators of junk and scrap metal dealers. The changes are intended to address the ever increasing issue of the taking of valuable commodity material from properties in the region. The bill requires that the dealers maintain records of purchase

transactions and that they be verified by positive identification of each seller of material. The bill also changes the authority to issue licenses from police authorities to the local governing body and changes language to allow using identification photos by junk and scrap dealers and pawn brokers. Vote 12-1.

Amendment (0072h)

Amend the bill by replacing section 2 with the following:

2 Junk Dealers; Governing Body; Scrap Metal. Amend RSA 322:1 to read as follows:

322:1 License. The ~~[police commissioners of any city or town, or the mayor and aldermen of any city or the selectmen of any town in which there is no police commission]~~ ***governing body of any town, city, or unincorporated place***, may, in their discretion, license suitable persons to be dealers in and keepers of shops for the purchase and sale, or barter, of old junk, old ***or scrap*** metals, old or second-hand bottles, cotton or woolen mill waste, unfinished cloth, cotton or woolen mill yarns in an unfinished state, not of family manufacture, or second-hand articles, excepting furniture and books, within their respective cities ~~[or]~~, towns, ***or unincorporated places***, or to accumulate, store or handle said commodities therein for the purpose of sale or barter elsewhere, or as bailees for others, and may determine and designate the place where the business is to be carried on, and the place where the commodities aforesaid may be accumulated, stored or handled, under such license. Amend the bill by replacing sections 5 and 6 with the following:

5 Junk and Scrap Metal Dealers; Identification. Amend RSA 322:10 to read as follows:

322:10 ~~[Badge]~~ ***Identification***. Every ~~[person]~~ ***licensee*** going about from place to place collecting said commodities named in RSA 322:1 shall also ~~[wear a badge]~~ ***carry a photo identification*** on ~~[his hat or cap]~~ or about his ***or her*** person, with the number of his ***or her*** license thereon ~~[in brass or plated figures not less than one inch high]~~ so placed that the number may be distinctly seen and read. The ~~[badge shall]~~ ***identification may be required to*** be furnished by the ~~[board of police commissioners or by the city clerk of cities, or by the selectmen of towns]~~ ***licensing authority*** upon payment of a suitable fee therefor.

6 Pawnbrokers; Licenses. Amend RSA 398:5 to read as follows:

398:5 Licenses. The ~~[board of police commissioners of any city or town or the mayor and aldermen of any city or the selectmen of any town in which a police commission has not been established]~~ ***governing body of any town, city, or unincorporated place*** may license suitable persons to carry on the business of pawnbrokers in said city ~~[or]~~, town, ***or place*** for one year, and may revoke such licenses, in their discretion, after a hearing on charges preferred.

AMENDED ANALYSIS

This bill clarifies the authority for cities, towns, and unincorporated places to regulate junk dealers, scrap metal dealers, and pawnbrokers.

Referred to the committee on Executive Departments and Administration.

HB 1407, relative to permission to discharge a firearm in the compact part of a town or city. **ought to pass with amendment.**

Rep. Mark A. Pearson for Municipal and County Government: Although this bill came to the committee with the intention to remove “written” permission in order to discharge a firearm in a compact area, the committee felt that written permission from not only the chief of police, but the governing body would clear any ambiguity, and adding permission from the current chief of police and governing body clarifies the statute. Vote 11-0.

Amendment (0084h)

Amend RSA 644:13, I as inserted by section 1 of the bill by replacing it with the following:

I. A person is guilty of a violation if, within the compact part of a town or city, such person fires or discharges any cannon, gun, pistol, or other firearm, except by written permission of the ***current*** chief of police ~~[or]~~ ***and*** governing body.

AMENDED ANALYSIS

This bill requires written permission of the current chief of police and governing body in order to discharge a firearm in the compact part of a town or city.
Referred to the committee on Criminal Justice and Public Safety.

HB 1463, allowing municipalities to grant a property tax exemption for residential property of qualified low income persons in need of property tax relief. **INEXPEDIENT TO LEGISLATE.**

Rep. Bennett F. Moore for Municipal and County Government: The committee continues to be concerned about the effect of exemptions that are requested for one group of property tax payers. The concern is that these exemptions merely pass the property tax onto others in the community. This bill would have allowed municipalities to create an exemption for low income property owners, similar to the exemption now available to the elderly. Tax abatements and other tools are already available to governing bodies which can be used to address the issue as facts and circumstances allow. The committee realizes that property taxes can be a large burden for low income residents but such an exemption would raise the rent for others. Vote 14-0.

HB 1474-FN, relative to the construction and operation of shooting ranges. **INEXPEDIENT TO LEGISLATE.**

Rep. Jessie L. Osborne for Municipal and County Government: The prime sponsor requested that the bill be voted inexpedient to legislate. Vote 11-0.

HB 1476, relative to shooting ranges. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurie J. Boyce for Municipal and County Government: At the request of the prime sponsor the bill was withdrawn. The sponsors feel they need more time and the information to make this bill viable. Vote 11-0.

HB 1478, relative to the quorum for meetings of the equalization standards board. **OUGHT TO PASS.**

Rep. Betsey L. Patten for Municipal and County Government: The equalization standards board was created with thirteen members and a quorum of seven members needed to hold a meeting. The bill as introduced decreases the numbers for a quorum to five since historically there have not been enough members in attendance to hold a meeting. The committee was concerned that a policy might be approved by less than a majority of the committee. The equalization standards board has the ability to create a board policy that would take care of the issue by determining that a policy can only be changed with a majority of the board. The amendment deals with both the equalization and assessing standards board members who are absent for four meetings in any one year. There is no current mechanism to remove a member until his or her term is expired. The amendment allows the appointing authority – either the Governor and Council, Speaker of the House or the President of the Senate – to remove and appoint a new member if four absences occur. In order to have a successful working board the committee voted for the amendment change. Vote 12-0.
Referred to the committee on Executive Departments and Administration.

HB 1523, relative to the use of clotheslines. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Brown for Municipal and County Government: It was the bi-partisan agreement of the entire committee that increased public awareness of and use of conservation measures is important. The committee, for example, took particular note of testimony re: the savings in “wash day” energy use which can be obtained by cold water washing and/or the efficiencies of energy star appliances. It was however the agreement of the majority of the committee that this particular bill would be unconstitutionally retroactive and destructive of existing contracts, covenants, association by-laws and local zoning regulation. Education, reasonable

advocacy, and sea-change seem the present best way to accomplish the bill's goals. Vote 11-1.

HB 1165, relative to department of transportation traffic control regulations. **OUGHT TO PASS.**

Rep. John A. Graham for Public Works and Highways: This bill is at the request of the Department of Transportation. It eliminates the requirement that the DOT provide a copy of any traffic control regulations to the clerks of the towns affected. Currently the official copy of the regulation is maintained at the DOT and is available for public review. The DOT routinely provides copies of these regulations to the police departments of the affected towns. The committee heard testimony that the clerks of the town do file the copies and that some have requested reimbursement from the DOT for this service. Passage of the bill will eliminate this potential problem. It will also save the DOT money, from the highway fund, for copying and distributing the required copies to the clerks. The department will continue to provide copies to the local police to ensure enforcement of the regulations. Vote 14-0.

HB 1207, relative to standards for highway and bridge construction. **OUGHT TO PASS.**

Rep. John R. Cloutier for Public Works and Highways: This bill would have a twofold purpose. First, it would require municipalities and counties to comply with standards in the New Hampshire Department of Transportation manuals for highway and bridge construction, if such entities wish to receive highway and bridge aid. Second, it would allow the Transportation Commissioner to adopt such manuals by reference. This bill is at the request of the Department of Transportation and simply codifies such standards and manuals which are in administrative rules. Vote 15-0.

HB 1220, establishing a commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges. **OUGHT TO PASS.**

Rep. John R. Cloutier for Public Works and Highways: This bill would establish an 11-member commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges, an issue which soon has to be confronted for the purposes of revenue and fairness as motor vehicles not powered by fossil fuels become more popular because of rising fuel costs and concerns for a cleaner environment. This commission will have until November 1 of this year to make recommendations. Vote 15-0.

HB 1228, relative to sales of motor fuel by the department of transportation to certain nonprofit corporations. **OUGHT TO PASS.**

Rep. John A. Graham for Public Works and Highways: The Department of Transportation is currently able to sell motor fuel to eligible non-profit organizations who transport the elderly and disabled without charging them the state's road toll (gas tax). This bill will enable the DOT to continue this practice for these same organizations that also from time to time transport members of the public. The committee heard testimony that to be eligible for this program the non-profit organization must also meet the requirements of, and be exempt from, the federal gasoline tax. Further testimony highlighted the fact that there would be, at this time, no additional organizations added to those eligible as a result of this clarification of existing law. Vote 15-0.

HB 1448-FN, relative to documents prepared by the department of transportation and fees for such documents. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John R. Cloutier for Public Works and Highways: This bill, as amended, would authorize the Commissioner of Transportation to prepare and distribute certain documents related to the responsibilities of the Department. It also allows the Commissioner to charge

reimbursement fees for the costs of preparing and distributing such documents. Furthermore, the Commissioner shall publish a schedule of the fees subject to approval of the Legislative Fiscal Committee. This bill is a Department of Transportation request and simply codifies the Department's existing practice of charging reimbursement fees for its documents now. Finally, these fees will be deposited into the highway fund. Vote 15-0.

Amendment (0081h)

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

AN ACT relative to documents prepared by the department of transportation and reimbursement fees for such documents.

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

1 New Section; Authority of Commissioner of Transportation to Charge Reimbursement Fees for Documents. Amend RSA 21-L by inserting after section 4 the following new section:

21-L:4-a Reports, Manuals, and Other Publications; Reimbursement Fees. The commissioner of transportation is authorized to prepare, publish, and distribute reports, manuals, plans, specifications, charts, surveys, or other documents consistent with the responsibilities of the department. The commissioner may charge fees to reimburse the department for costs incurred in producing or copying such documents, and for applicable mailing costs. The commissioner shall publish a schedule of reimbursement fees to be approved by the fiscal committee of the general court. The schedule of reimbursement fees may be updated on a bi-annual basis.

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

AMENDED ANALYSIS

This bill:

I. Authorizes the commissioner of transportation to prepare and distribute certain documents.

II. Establishes reimbursement fees for such documents.

This bill is a request of the department of transportation.

Referred to the committee on Ways and Means.

HB 1453, relative to civil liability for damage to protective barriers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways: This bill retains the rule that a driver who damages a guardrail, barrier or creates an obstruction in a public highway is responsible to reimburse the state or municipality, regardless of fault. The amendment makes it clear that if a third party is injured, the person who damaged the barrier is responsible to the third party only to the extent that he or she was at fault in accordance with current liability laws. Vote 15-0.

Amendment (0090h)

Amend the bill by replacing section 1 with the following:

1 Civil Liability. Amend RSA 236:39 to read as follows:

236:39 Civil Liability. If any person, without authority, shall place any obstruction in a highway, or cause any defect, insufficiency, or want of repair of a highway which renders it unsuitable for public travel, he or she shall be liable to the state for all damages to the highway, including replacement costs of protective barriers, when maintained by the state, or to the municipality for all damages to a highway, including replacement costs of protective barriers, when maintained by the municipality, and for all damages and costs which the state or municipality shall be compelled to pay to any person injured by such obstruction, defect, insufficiency, or want of repair ***as established through an appropriate contribution claim or under the rules of joint and several liability.***

AMENDED ANALYSIS

This bill clarifies the civil liability of a person who damages a highway or protective barrier.

HB 1128, mandating the commissioner of the department of environmental services to conduct an examination of Willand Pond in the Dover/Somersworth area. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela J. Hubbard for Resources, Recreation and Development: The committee voted unanimously to ITL this bill at the request of the bill's prime sponsor as the issues which prompted the introduction of the bill are being dealt with successfully. Vote 15-0.

HB 1151, relative to reporting dates for the instream flow pilot program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lawrence M. Kappler for Resources, Recreation and Development: The Instream Flow Pilot Study was established by the legislature for establishing the minimum amount of water that needs to be maintained in rivers, and ways to assure this flow will be maintained. The scientific research has taken longer than expected, partially because of the rainy summer last year, so an extension is needed. Vote 11-0.

Amendment (0073h)

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

1 Instream Flow Pilot Program; Reporting Date Extended. Amend 2002, 278:2, III as amended by 2003, 319:48 to read as follows:

III. The commissioner of the department of environmental services shall initiate and adopt rules pursuant to RSA 541-A for other rivers designated under RSA 483:15 only after the adoption and implementation of the rules relative to protected instream flows pursuant to RSA 483:9-c for the Lamprey and Souhegan rivers and completion of the report required under section 3, III(d) of this act, but not before December 1, ~~[2008]~~ **2010**.

2 Instream Flow Pilot Program; Reporting Dates Extended. Amend 2002, 278:3, III as amended by 2003, 319:49 to read as follows:

III. The commissioner of the department of environmental services shall:

(a) By April 1, ~~[2007]~~ **2009**, conduct protected instream flow studies and submit a report that details the results of science for the pilot program, including the projected impacts of the protected instream flows and water management plans to be implemented on water users, wildlife, recreation, and other interests along the rivers and any recommendations for proposed legislation. The department shall hold a public hearing jointly with the senate environment committee and the house resources, recreation and development committee within 60 days and be open for a public comment period of an additional 30 days. The department shall consider the public comments received in any revisions to the protected instream flow levels and water management plans for the Lamprey River and the Souhegan River.

(b) By October 1, ~~[2007]~~ **2009**, adopt and implement the protected instream flows and water management plans relative to the Lamprey River and the Souhegan River.

(c) One year after the adoption and implementation of the protected instream flow levels and water management plans for the Lamprey River and the Souhegan River, the department shall hold a public hearing and open a 30-day public comment period. The department shall consider the public comments received in any revisions to the protected instream flow levels and water management plans for the Lamprey River and the Souhegan River.

(d) By December 1, ~~[2008]~~ **2010**, submit a report that details the activities and results of the pilot program, including the impacts of the protected instream flows and water management plans on water users, wildlife, recreation, and other interests along the rivers and any recommendations for proposed legislation. The report shall also include a summary of public comments received and the completed instream flow studies and the adopted

protected instream flow levels and water management plans and shall be submitted to the senate president, the speaker of the house of representatives, the governor, and the state library.

3 Committee to Study the Impact of Water Withdrawals on Instream Flows; Report Date Extended. Amend RSA 2000, 242:5 as amended by 2001, 138:6, 2002, 278:6, and 2003, 319:50 to read as follows:

242:5 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, ~~[2008]~~ **2010**.

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

HB 1295, establishing a commission to study issues relating to stormwater. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan R. Kepner for Resources, Recreation and Development: Stormwater is becoming a major water quality and quantity issue facing New Hampshire. The impacts include economic, public safety, regulatory and environmental. This bill will establish a commission made up of agencies and experts involved with these issues to study and recommend sustainable stormwater management. Vote 11-0.

Amendment (0122h)

Amend the bill by replacing sections 2 through 4 with the following:

2 Membership and Compensation.

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

(a) Three members of the house of representatives, including at least one member of the resources, recreation, and development committee, appointed by the speaker of the house of representatives.

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

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

(d) A representative of the New Hampshire Association of Regional Planning Commissions, appointed by that organization.

(e) A representatives of the Business and Industry Association of New Hampshire, appointed by that organization.

(f) A representative of the New Hampshire Local Government Center, appointed by that organization.

(g) An expert on stormwater management or watershed management from the university system of New Hampshire, appointed by the university president.

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

(i) A representative of the Home Builders and Remodelers Association of New Hampshire, appointed by that organization.

(j) A member of the New Hampshire Rivers Council, appointed by that organization.

(k) A member of the New Hampshire Lakes Association, appointed by that organization.

(l) A representative of the Associated General Contractors of New Hampshire, appointed by that organization.

(m) A representative of the New Hampshire Public Works Association who is employed by a municipal separate storm sewer system community.

(n) A representative of the American Council of Engineering Companies of New Hampshire, appointed by the council.

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

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

3 Duties. The commission shall study:

- (a) The effects of stormwater and stormwater management on water quality, water supply and quantity, terrestrial and aquatic habitat, flooding, and drought hazards.
- (b) The relationship between land use change and stormwater.
- (c) The relationships among and adequacy of federal, state, and local regulations and practices that pertain to stormwater management.
- (d) State and municipal infrastructure construction and maintenance practices.
- (e) The role of design, construction, and maintenance practices by residential, commercial, and industrial property owners.
- (f) The effects of climate change on stormwater and stormwater management.

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

HB 1440, relative to reciprocity with the state of Maine for registration of OHRVs and snowmobiles. **INEXPEDIENT TO LEGISLATE.**

Rep. Harry C. Merrow for Resources, Recreation and Development: Everyone agrees that reciprocity is a good thing and the governor and department heads are constantly hearing discussions regarding this. The department has made every attempt to negotiate reciprocity with Maine on OHRV and snowmobile registrations for years. We believe mandating this in law could easily hinder these negotiations rather than help them. Vote 11-0.

HB 1629-FN-A-L, relative to the evaluation of recycling and energy conversion options for grease trap wastes at the Winnepesaukee river basin program's Franklin wastewater treatment facility and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald A. Brueggemann for Resources, Recreation and Development: This bill was one of several recommendations of a commission established to study the proper disposal of fats, oils and grease that are the waste product of the food industry. This waste can be an environmental issue if improperly disposed of and there is a potential for its conversion into energy. Recognizing the issue, the Department of Environmental Services (DES) has offered to work on implementing other of the commission's recommendations (such as education and training) and suggested we allow the expenditure for this study (\$100,000) be considered in the context of the next biennial budget. Given the current budget projections, the committee agreed to defer this project. Vote 11-0.

COMMITTEE REPORTS

SPECIAL ORDERS – RETAINED BILLS

HB 40, relative to living wills and durable powers of attorney for health care. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lucy M. Weber for the Majority of Judiciary: Currently, a health care provider may accept and act on either an original or a copy of an advance health care directive. This bill would require the health care provider to wait for the production of the original document before following the wishes contained in an advance directive. The majority is concerned that this would cause delay in acting on the wishes of the principal. It would cause particular difficulty for seniors who move between New Hampshire and warmer weather states. Requiring the production of the original document would also cause unnecessary extra stress to family members during a difficult time. Finally, the committee heard no testimony that would cause concern that copies of these documents are being used improperly. Vote 15-5.

Rep. Robert H. Rowe for the Minority of Judiciary: Under our law, there is only one original copy of a person's will. This is also the law as to a New Hampshire advanced directive

(durable power of attorney/living will). Only a single original document has legal validity. This is not the case as to other legal documents, such as contracts where there can be multiple originals; all valid and enforceable. The minority believe it is bad policy to allow a copy, fax or e-mail to be enforceable without further proof that the copy is, in fact, a copy of an existing and enforceable advanced directive and not a copy of a document that has been revoked or amended. The advanced directive form states that the one original executed directive cannot be changed or modified; this revokes the document as does the destruction of the original. It can happen that copies of an obsolete, revoked or changed advanced directive will be copied, faxed or e-mailed and then used as proof of the individual's intent. Since the issue is a person's life, we should err on the side of caution; a mistake in utilizing a copy of an obsolete or revoked cannot be corrected.

Rep. Rowe spoke against and yielded to questions.

Reps. Weber and Knox spoke in favor.

Rep. Rowe requested a roll call; sufficiently seconded.

YEAS 244 NAYS 93

YEAS 244

BELKNAP

Allen, Janet
Morrison, Gail

Arsenault, Beth
Reever, Judith

Flanders, Donald
Tobin, William

Millham, Alida
Wood, Jane

CARROLL

Ahlgren, Christopher
Cunningham, Howard
Patten, Betsey

Bridgham, Robert
Heard, Virginia

Brown, Carolyn
Knox, J. David

Buco, Thomas
Martin, James

CHESHIRE

Allen, Peter
Butynski, William
Espieffs, Peter
Loll, Thomas
Richardson, Barbara
Weber, Lucy

Burridge, Delmar
Chase, William
Hunt, John
Mitchell, Bonnie
Roberts, Kris
Weed, Charles

Butcher, Suzanne
Dunn, J. Timothy
Johnson, Jane
Parkhurst, Henry
Robertson, Timothy

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

COOS

Hatch, William
Stohl, Eric

Ingersoll, Paul Sr
Tholl, John Jr

Mears, Edgar
Thomas, Yvonne

Merrick, Evalyn

GRAFTON

Aguiar, James
Cooney, Mary
Hammond, Lee
Matheson, Robert
Pierce, David

Almy, Susan
Estes, Carole
Harding, A Laurie
McLeod, Martha
Preston, Philip

Andersen, Gene
Friedrich, Carol
Laliberte, Suzanne
Mulholland, Catherine
Solomon, Peter

Benn, Bernard
Gionet, Edmond
Lovett, Sid
Nordgren, Sharon
Williams, Burton

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Clemons, Jane
Drisko, Richard

Batula, Peter
Brunelle, Michael
Cote, David
Edwards, Andrew

Beaulieu, Jane
Campbell, David
Daler, Jennifer
Essex, David

Beck, Catriona
Christensen, Chris
Dokmo, Cynthia
Fontas, Jeffrey

Forest, Armand
Ginsburg, Ruth
Graham, John
Hammond, Jill
Jean, Claudette
Knowles, John
Leishman, Peter
Marshall, Seth

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

Foster, Linda
Goley, Jeffrey
Hackel, Paul
Harvey, Suzanne
Jeudy, Jean
Knowles, Mary Ann
Levesque, Melanie
Martineau, Jesse

O'Brien, Michael Sr
Rosenwald, Cindy
Shaw, Barbara
Sullivan, Daniel
Villeneuve, Maurice

Gargas, Carolyn
Gorman, Mary
Haley, Robert
Hebert, Roger
Kaelin, Michael
Kopka, Angeline
Long, Patrick
Matarazzo, Anthony
Sr

O'Connell, Timothy
Scannell, David
Smith, David
Sullivan, Francis
Winters, Joel

Garrity, Patrick
Goyette, Peter
Hall, Betty
Irwin, Anne-Marie
Kelley, John
Lasky, Bette
Mack, Ron
Messier, Irene

O'Neil, James
Schulze, Joan
Spaulding, Jayne
Sysyn, Mary

MERRIMACK

Baxley, Maureen
Brueggemann, Donald
DeStefano, Stephen
Greco, Vincent
Kidder, David

Porter, Margaret
Shurtleff, Stephen
Webb, Leigh

Blanchard, Elizabeth
Clarke, Claire
Ehlers, Eileen
Hager, Elizabeth
Kjellman, Eleanor
Glynn

Potter, Frances
Tilton, Joy
Wheeler, Deborah

Bouchard, Candace
Davis, Frank
French, Barbara
Hamm, Christine
Lockwood, Priscilla

Richardson, Gary
Wallner, Mary
Williams, Robert

Brown, Carole
DeJoie, John
Gile, Mary
Kelly, Sally
Osborne, Jessie

Ryan, Jim
Walz, Mary
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Case, Frank
DiFruscia, Anthony
Flockhart, Eileen
Howard, Doreen
Lister, Charlotte
McKinney, Betsy
Nord, Susi
Preston, Mark
Snow, Richard
Wells, Roger

Allen, Mary
Casey, Kimberley
Elliott, Robert
Gould, Kenneth
Ingram, Russell
Marsh, Michael
McMahon, Charles
Pantelakos, Laura
Robertson, Carl
Splaine, James
Wickson, Rick

Borden, David
Charron, Gene
Emiro, Frank
Grote, Otto
Kennedy, James
McEachern, Paul
Moody, Marcia
Petterson, Don
Russell, Trink
Stiles, Nancy

Brown, C. Pennington
Day, Judith
Fesh, Bob
Henson, John
Kepner, Susan
McKenna, Daniel
Moore, Bennett
Powers, James
Serlin, Christopher
Webber, James

STRAFFORD

Berube, Roger
Brown, Larry
Domingo, Baldwin
Hutz, Sarah
Perry, Robert
Sprague, Dale
Watson, Robert

Billian, Deborah
Burke, Rachel
Fargo, Thomas
Kaen, Naida
Rollo, Michael
Srnc, Robert

Brennan, William
Cyr, James
Hofemann, Roland
Knowles, William
Schmidt, Peter
Vachon, Dennis

Brown, Julie
DeChane, Marlene
Hubbard, Pamela
Mickelonis, Shawn
Spang, Judith
Wall, Janet

SULLIVAN

Cloutier, John
Franklin, Peter
Nielsen, Ellen

Converse, Larry
Gagnon, Raymond
Phinazy, James

Donovan, Thomas
Gottling, Suzanne
Rodeschin, Beverly

Ferland, Brenda
Houde, Matthew
Skinder, Carla

NAYS 93

BELKNAP

Boyce, Laurie
Pilliod, James
Whalley, Michael

Clark, Charles
Thomas, John

Heald, Bruce
Tilton, Franklin

Nedeau, Stephen
Wendelboe, Fran

CARROLL

Chandler, Gene

Denley, William

Merrow, Harry

Stevens, Stanley

CHESHIRE

Emerson, Susan

COOS

King, Frederick

Remick, William

GRAFTON

Bulis, Lyle

Dingman, Vernon III

Ingbretson, Paul

Sorg, Gregory

HILLSBOROUGH

Barry, Richard
Coughlin, Pamela
Fletcher, Richard
Hogan, Edith
L'Heureux, Robert
Ober, Lynne
Renzullo, Andrew

Bergeron, Jean-Guy
Daniels, Gary
Haefner, Robert
Infantine, William
Manney, Pamela
Ober, Russell III
Rowe, Robert

Christiansen, Lars
Day, Russell
Hawkins, Ken
Jasper, Shawn
McRae, Karen
Peterson, Andy
Soucy, Connie

Clark, Mark
Elliott, Nancy
Hinkle, Peyton
Kurk, Neal
Mooney, Maureen
Reeves, Sandra
Stepanek, Stephen

MERRIMACK

Anderson, Eric
MacKay, James

Boutin, David

Hess, David

Humphries, Charlie

ROCKINGHAM

Baldasaro, Alfred
Bishop, Franklin
Dalrymple, David
Garcia, Marilinda
Hutchinson, Karen
Katsakiores, George
Nowe, Ronald
Quandt, Matthew
Waterhouse, Kevin
Winchell, George

Bedrick, Jason
Cali-Pitts, Jacqueline
Devine, James
Garrity, James
Introne, Robert
Katsakiores, Phyllis
Packard, Sherman
Rausch, James
Weare, Everett

Belanger, Ronald
Camm, Kevin
Dumaine, Dudley
Griffin, Mary
Itse, Daniel
Lund, Howie
Pearson, Mark
Reagan, John
Welch, David

Bettencourt, David
Carson, Sharon
Flanders, John Sr
Headd, James
Kappler, Lawrence
Major, Norman
Quandt, Marshall
Sanders, Elisabeth
Weyler, Kenneth

STRAFFORD

Brown, Jennifer

Miller, Joseph

SULLIVAN

Jillette, Arthur Jr
and the majority committee report was adopted.

COMMUNICATION

January 30, 2008
Ms. Karen Wadsworth
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham County District No. 1
Maureen Mann, d, Deerfield (52 Stage Rd) 03037

Sincerely,
William M. Gardner
Secretary of State

INTRODUCTION OF GUESTS

Robert Mann, James Simos, Dan Conant, Barbara Mathews, Kathleen Weber, Erick Berglund and Kathleen Berglund, husband and guests of Rep. Mann.

SPECIAL ORDERS – RETAINED BILLS (CONT'D)

HB 57, relative to advance directives for durable powers of attorney and living wills.
MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.
Rep. Lucy M. Weber for the Majority of Judiciary: Currently, the statute requires that health care directives be “substantially in the form set forth in RSA 137-J:20.” This bill would add the words “or other form desired by the principal.” The purpose of the underlying statute was to create a degree of uniformity in the form of these documents. The majority believes that the word “substantially” is sufficient to allow enough latitude to customize the documents to accurately reflect the wishes of the principal, without returning to the confusion created by a complete departure from the current form. Vote 12-6.
Rep. Nancy J. Elliott for the Minority of Judiciary: The bill allows for the individual to have a choice in the wording of their advance directive (end of life document). The ONLY form currently allowed by law has only two very restrictive choices. 1) Life sustaining treatment is not to be started... and 2) Life sustaining treatment is to be given... There is no in between. In NH it is all or nothing. If you want to be kept hydrated in some instances and not in others, it is not allowed on our advanced directive form. Also hydration and nutrition are linked. Some may want to be kept hydrated so they would not suffer an excruciating death but would not want to be fed by a tube. They must check off both or nothing. Consequently, many citizens are hesitant to sign this document. As our law accepts out of state documents, citizens coming from other states have more rights than NH residents. We should give everyone the right to make personal choices for the end of their life.
Rep. Nancy Elliott spoke against.
Rep. Weber spoke in favor.
Rep. Nancy Elliott requested a roll call; sufficiently seconded.

YEAS 230 NAYS 111

YEAS 230

BELKNAP

Arsenault, Beth
Reever, Judith

Flanders, Donald
Wood, Jane

Millham, Alida

Morrison, Gail

CARROLL

Bridgham, Robert
Knox, J. David

Buco, Thomas
Martin, James

Cunningham, Howard
Patten, Betsey

Heard, Virginia

CHESHIRE

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

Burridge, Delmar
Chase, William
Lerandeau, 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
Merrick, Evalyn

Ingersoll, Paul Sr
Theberge, Robert

King, Frederick
Thomas, Yvonne

Mears, Edgar

GRAFTON

Aguiar, James
Cooney, Mary
Harding, A Laurie
McLeod, Martha
Preston, Philip

Almy, Susan
Estes, Carole
Laliberte, Suzanne
Mulholland, Catherine
Solomon, Peter

Andersen, Gene
Friedrich, Carol
Lovett, Sid
Nordgren, Sharon
Williams, Burton

Benn, Bernard
Hammond, Lee
Matheson, Robert
Pierce, David

HILLSBOROUGH

Baroody, Benjamin
Brunelle, Michael
Daler, Jennifer
Essex, David
Gargas, Carolyn
Gorman, Mary
Haley, Robert
Hebert, Roger
Kaelin, Michael
Kopka, Angeline
Long, Patrick

Beaulieu, Jane
Campbell, David
Dokmo, Cynthia
Fontas, Jeffrey
Garrity, Patrick
Goyette, Peter
Hall, Betty
Irwin, Anne-Marie
Kelley, John
Lasky, Bette
Mack, Ron

Beck, Catriona
Clemons, Jane
Drisko, Richard
Forest, Armand
Ginsburg, Ruth
Graham, John
Hammond, Jill
Jean, Claudette
Knowles, John
Leishman, Peter
Marshall, Seth

Bergin, Peter
Cote, David
Edwards, Andrew
Foster, Linda
Goley, Jeffrey
Hackel, Paul
Harvey, Suzanne
Jeudy, Jean
Knowles, Mary Ann
Levesque, Melanie
Matarazzo, Anthony
Sr

Messier, Irene
O'Neil, James
Schulze, Joan
Spratt, Stephen
Vaillancourt, Steve

Movsesian, Lori
Peterson, Andy
Shattuck, Gilman
Sullivan, Daniel
Winters, Joel

O'Brien, Michael Sr
Pilotte, Maurice
Shaw, Barbara
Sullivan, Francis

O'Connell, Timothy
Rosenwald, Cindy
Smith, David
Sysyn, Mary

MERRIMACK

Baxley, Maureen
Brueggemann, Donald
DeStefano, Stephen
Greco, Vincent
Kidder, David

Blanchard, Elizabeth
Clarke, Claire
Ehlers, Eileen
Hager, Elizabeth
Kjellman, Eleanor
Glynn

Bouchard, Candace
Davis, Frank
French, Barbara
Hamm, Christine
Lockwood, Priscilla

Brown, Carole
DeJoie, John
Gile, Mary
Kelly, Sally
Osborne, Jessie

Porter, Margaret
Shurtleff, Stephen
Webb, Leigh

Potter, Frances
Tilton, Joy
Wheeler, Deborah

Richardson, Gary
Wallner, Mary
Williams, Robert

Ryan, Jim
Walz, Mary
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Case, Frank
Elliott, Robert
Henson, John
Kepner, Susan
McEachern, Paul
Moore, Bennett
Powers, James
Serlin, Christopher
Webber, James

Borden, David
Casey, Kimberley
Flockhart, Eileen
Howard, Doreen
Lister, Charlotte
McKenna, Daniel
Nord, Susi
Preston, Mark
Snow, Richard
Wells, Roger

Brown, C. Pennington
Day, Judith
Gould, Kenneth
Ingram, Russell
Mann, Maureen
McKinney, Betsy
Pantelakos, Laura
Robertson, Carl
Splaine, James

Cali-Pitts, Jacqueline
DiFruscia, Anthony
Grote, Otto
Kennedy, James
Marsh, Michael
Moody, Marcia
Pettersen, Don
Russell, Trinkia
Stiles, Nancy

STRAFFORD

Berube, Roger
Brown, Julie
DeChane, Marlene
Hubbard, Pamela
Mickelonis, Shawn
Rous, Emma
Srnc, Robert

Billian, Deborah
Brown, Larry
Domingo, Baldwin
Hutz, Sarah
Miller, Joseph
Schmidt, Peter
Vachon, Dennis

Brennan, William
Burke, Rachel
Fargo, Thomas
Kaen, Naida
Perry, Robert
Spang, Judith
Wall, Janet

Brown, Jennifer
Cyr, James
Hofemann, Roland
Knowles, William
Rollo, Michael
Sprague, Dale

SULLIVAN

Cloutier, John
Franklin, Peter
Nielsen, Ellen

Converse, Larry
Gottling, Suzanne
Phinizy, James

Donovan, Thomas
Houde, Matthew
Rodeschin, Beverly

Ferland, Brenda
Jillette, Arthur Jr
Skinder, Carla

NAYS 111

BELKNAP

Allen, Janet
Nedeau, Stephen
Tobin, William

Boyce, Laurie
Pilliod, James
Wendelboe, Fran

Clark, Charles
Thomas, John
Whalley, Michael

Hald, Bruce
Tilton, Franklin

CARROLL

Ahlgren, Christopher
Morrow, Harry

Brown, Carolyn
Stevens, Stanley

Chandler, Gene

Denley, William

CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

COOS

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Bulis, Lyle
Sorg, Gregory

Dingman, Vernon III

Gionet, Edmond

Ingbretson, Paul

HILLSBOROUGH

Barry, Richard	Batula, Peter	Bergeron, Jean-Guy	Christensen, Chris
Christiansen, Lars	Clark, Mark	Coughlin, Pamela	Daniels, Gary
Day, Russell	Elliott, Nancy	Fletcher, Richard	Haefner, Robert
Hawkins, Ken	Hinkle, Peyton	Hogan, Edith	Infantine, William
Jasper, Shawn	Kurk, Neal	L'Heureux, Robert	Lawrence, James
Manney, Pamela	Martineau, Jesse	McRae, Karen	Mooney, Maureen
Ober, Lynne	Ober, Russell III	Reeves, Sandra	Renzullo, Andrew
Rowe, Robert	Scannell, David	Soucy, Connie	Spaulding, Jayne
Stepanek, Stephen	Ulery, Jordan	Villeneuve, Maurice	

MERRIMACK

Anderson, Eric	Boutin, David	Humphries, Charlie	MacKay, James
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ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bedrick, Jason	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Camm, Kevin	Carson, Sharon
Charron, Gene	Dalrymple, David	Devine, James	Dumaine, Dudley
Emiro, Frank	Fesh, Bob	Flanders, John Sr	Garcia, Marilinda
Garrity, James	Griffin, Mary	Headd, James	Hutchinson, Karen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, George
Katsakiores, Phyllis	Lund, Howie	Major, Norman	McMahon, Charles
Nowe, Ronald	Packard, Sherman	Pearson, Mark	Quandt, Marshall
Quandt, Matthew	Rausch, James	Reagan, John	Sanders, Elisabeth
Waterhouse, Kevin	Weare, Everett	Welch, David	Weyler, Kenneth
Wickson, Rick	Winchell, George		

STRAFFORD

Watson, Robert

SULLIVAN

Gagnon, Raymond
and the majority committee report was adopted.

SB 32-FN, increasing the maximum amount of debt or damages for small claims actions.
MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Robert H. Rowe for the Majority of Judiciary: This bill increases the small claims limit in district court from \$5,000 to \$10,000. The committee was concerned that a blanket increase to \$10,000 had the possibility of causing harm to the elderly and lower income families, allowing our citizens to, possibly, be taken advantage of by less than honorable plaintiffs. A compromise amendment was offered, allowing for the increase in limits but with conditions. The amendment provides that small claims actions above \$5,000 first be mediated in district court and then if mediation was not successful, the case would be presented to the court under oath. It was believed that if the parties and witnesses were subject to the penalties of perjury, any harm would be limited. Still the defendants are protected in that they have the option in cases above \$1,500 to have the matter tried before a jury and this in a formal setting and allowing for detailed witness and evidence discovery. Vote 14-6.

Rep. Anthony R. DiFruscia for the Minority of Judiciary: The present \$5,000 limit in small claims actions has worked well. The facts are that only two states have limits of \$10,000 in small claim actions, while 38 states have \$5,000 limits or less. Small claims courts have no

rules of discovery. The danger is that a person may be denied the right to fair trial. "If it ain't broke, don't fix it."

Majority Amendment (2501h)

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

AN ACT increasing the maximum amount of debt or damages for small claims actions and requiring mediation for small claims actions exceeding \$5,000 and establishing a fee for the cost of such mediation.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Mediation Required. Amend RSA 503:1 by inserting after paragraph III the following new paragraph:

IV. When the amount of debt or damages exceeds \$5,000 and no claim is made for trial by jury under paragraph III, the parties to the action shall be required to participate in a mediation program in the district courts approved by the office of mediation and arbitration established under RSA 490-E. If mediation of such action does not result in resolution of the action, the case shall be presented to the judge under oath.

3 Small Claims Exceeding \$5,000; Mediation Fee. RSA 503:4, II is repealed and reenacted to read as follows:

II. The sum of \$5 shall be added to each entry fee collected in the district courts for small claims actions in which the amount of debt or damages is \$5000 or less and the sum of \$60 shall be added to each entry fee collected in the district courts for small claims actions in which the amount of debt or damages exceeds \$5000. Such sums shall be deposited in the mediation and arbitration fund established under RSA 490-E:4.

4 Effective Date. This act shall take effect January 1, 2009.

AMENDED ANALYSIS

This bill increases the maximum amount of debt or damages for small claims actions. The bill also requires mediation for small claims actions exceeding \$5,000 and establishes a fee for the cost of such mediation.

Majority committee amendment adopted.

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

Rep. DiFruscia spoke against and yielded to questions.

Rep. Rowe spoke in favor.

On a division vote, 262 members having voted in the affirmative and 81 in the negative, the majority committee report was adopted.

Ordered to third reading.

HB 847, relative to general rules for vessels operating on water. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Howard N. Cunningham for the Majority of Transportation: Over 100 people attended and testified at the public hearing on this bill. Because the issue was so protracted and difficult, the committee decided to retain the bill for further study. During the summer of 2007, marine patrol monitored several test areas on Lake Winnepesaukee and a number of committee members took an excursion on the big lake for a first hand experience. The marine patrol results were heard by the committee in October. This information, along with ongoing constituent correspondence, led to a compromise amendment which focuses only on Lake Winnepesaukee instead of every body of water in New Hampshire. This amendment sets a 45/25 (day/night) speed limit and is designed to sunset on January 1, 2011. This interval will provide an adequate period of time to make pre/post speed limit comparisons. Vote 7-6.

Rep. Sherman A. Packard for the Minority of Transportation: When passing new laws it should be done for a reason. What is the reason for passing a boat speed limit bill? During

July, August and September, the marine patrol conducted speed sampling on 55 days and nights. A total of 3,852 vessels were clocked, 62 of these were after 8 p.m. Of the 3,852, eighty-three (83) were traveling between 41-50 mph, 8 were traveling between 51-60 mph and 3 were traveling between 61-70 mph, with the maximum speed at 62 mph. Of those boats traveling over 40 mph, only 36 were traveling over 45 mph or 0.9%. A far greater percentage of people disobey our speed limits on our roads. Is this just another law that will punish all responsible boat owners because of the irresponsible actions of a very small percentage of boat owners? Do we really believe that by passing this law that this small percentage of inconsiderate and irresponsible people will change their habits?

Majority Amendment (2538h)

Amend RSA 270-D:2, X(a) as inserted by section 1 of the bill by replacing it with the following:

X.(a) No person shall operate a vessel on Lake Winnepesaukee at a speed greater than is reasonable and prudent under the existing conditions and without regard for the actual and potential hazards then existing. In all cases, speed shall be controlled so that the operator will be able to avoid endangering or colliding with any person, vessel, object, or shore.

Amend the bill by replacing all after section 1 with the following:

2 Repeal. RSA 270-D:2, X-XI, relative to speed limits on Lake Winnepesaukee, is repealed.

3 Effective Date.

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

II. The remainder of this act shall take effect January 1, 2011.

AMENDED ANALYSIS

This bill establishes speed limitations for vessels traveling on Lake Winnepesaukee. This bill also requires that violations of the general rules for vessels operating on water become a part of the motor vehicle driving record of the person convicted. These provisions are repealed on January 1, 2011.

Majority committee amendment adopted.

Rep. Denley offered floor amendment (0308h).

Floor Amendment (0308h)

Amend RSA 270-D:2, X(b) –(d) as inserted by section 1 of the bill by replacing it with the following:

(b) Where no hazard exists that requires lower speed for compliance with subparagraph (a), the speed of any vessel in excess of 25 miles per hour during the period from ½ hour after sunset to ½ hour before sunrise shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

(c) The speed limitation set forth in subparagraph (b) shall not apply to vessels when operated with due regard for safety under the direction of the peace officers in the chase or apprehension of violators of the law or of persons charged with, or suspected of, any such violation, nor to fire department or fire patrol vessels, nor to private emergency vessels when traveling to emergencies. This exemption shall not, however, protect the operator of any such vessel from the consequences of a reckless disregard of the safety of others.

(d) The speed limitation set forth in subparagraph (b) shall not apply to boat racing permitted under RSA 270:27.

AMENDED ANALYSIS

This bill establishes speed limitations for vessels traveling on Lake Winnepesaukee. This bill also requires that violations of the general rules for vessels operating on water become a part of the motor vehicle driving record of the person convicted.

Rep. Denley spoke in favor.

Rep. Ryan spoke against.

On a division vote, 83 members having voted in the affirmative and 260 in the negative, floor amendment (0308h) failed.

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

Rep. Whalley spoke against and yielded to questions.

Rep. Packard spoke against.

Reps. Cunningham, Pilliod and C. Pennington Brown spoke in favor.

Rep. Ryan requested a roll call; sufficiently seconded.

YEAS 236 NAYS 111

YEAS 236

BELKNAP

Arsenault, Beth
Nedeau, Stephen
Tobin, William

Flanders, Donald
Pilliod, James
Wood, Jane

Heald, Bruce
Reever, Judith

Millham, Alida
Tilton, Franklin

CARROLL

Ahlgren, Christopher
Butler, Edward
Patten, Betsey

Bridgham, Robert
Cunningham, Howard
Stevens, Stanley

Brown, Carolyn
Heard, Virginia

Buco, Thomas
Martin, James

CHESHIRE

Allen, Peter
Butynski, William
Johnson, Jane
Plifka, Stanley Jr
Sad, Tara

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

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

Butterworth, Timothy
Espieffs, Peter
Parkhurst, Henry
Robertson, Timothy

COOS

Hatch, William
Theberge, Robert

Mears, Edgar
Tholl, John Jr

Merrick, Evalyn
Thomas, Yvonne

Remick, William

GRAFTON

Aguiar, James
Bulis, Lyle
Hammond, Lee
Matheson, Robert
Pierce, David

Almy, Susan
Cooney, Mary
Harding, A Laurie
McLeod, Martha
Preston, Philip

Andersen, Gene
Estes, Carole
Laliberte, Suzanne
Mulholland, Catherine
Solomon, Peter

Benn, Bernard
Friedrich, Carol
Lovett, Sid
Nordgren, Sharon
Williams, Burton

HILLSBOROUGH

Baroody, Benjamin
Brunelle, Michael
Daler, Jennifer
Essex, David
Garrity, Patrick
Haley, Robert
Hebert, Roger
Kaelin, Michael
Kopka, Angeline

Beaulieu, Jane
Campbell, David
Dokmo, Cynthia
Fontas, Jeffrey
Ginsburg, Ruth
Hall, Betty
Irwin, Anne-Marie
Kelley, John
L'Heureux, Robert

Beck, Catriona
Clemons, Jane
Drisko, Richard
Forest, Armand
Gorman, Mary
Hammond, Jill
Jean, Claudette
Knowles, John
Lasky, Bette

Bergin, Peter
Cote, David
Edwards, Andrew
Foster, Linda
Hackel, Paul
Harvey, Suzanne
Jeudy, Jean
Knowles, Mary Ann
Levesque, Melanie

Long, Patrick	Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr
Messier, Irene	Movsesian, Lori	O'Brien, Michael Sr	O'Connell, Timothy
O'Neil, James	Pilotte, Maurice	Rosenwald, Cindy	Scannell, David
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Simon, Anthony
Soucy, Connie	Spaulding, Jayne	Spratt, Stephen	Sullivan, Francis
Sysyn, Mary	Winters, Joel		

MERRIMACK

Baxley, Maureen	Beauchesne, Suzanne	Blanchard, Elizabeth	Bouchard, Candace
Brown, Carole	Brueggemann, Donald	Clarke, Claire	Davis, Frank
Ehlers, Eileen	French, Barbara	Gile, Mary	Greco, Vincent
Hager, Elizabeth	Hamm, Christine	Kelly, Sally	Kidder, David
Kjellman, Eleanor	Lockwood, Priscilla	Mackay, James	McMahon, Patricia
Glynn			
Osborne, Jessie	Porter, Margaret	Potter, Frances	Reardon, Tara
Richardson, Gary	Ryan, Jim	Shurtleff, Stephen	Tilton, Joy
Wallner, Mary	Walz, Mary	Webb, Leigh	Wheeler, Deborah
Williams, Robert	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Case, Frank	Casey, Kimberley	Charron, Gene
Day, Judith	DiFruscia, Anthony	Elliott, Robert	Flockhart, Eileen
Gould, Kenneth	Grote, Otto	Henson, John	Howard, Doreen
Hutchinson, Karen	Kennedy, James	Kepner, Susan	Lister, Charlotte
Mann, Maureen	Marsh, Michael	McKenna, Daniel	McKinney, Betsy
Moody, Marcia	Moore, Bennett	Nord, Susi	Pantelakos, Laura
Pettersson, Don	Powers, James	Preston, Mark	Robertson, Carl
Russell, Trinka	Serlin, Christopher	Snow, Richard	Splaine, James
Stiles, Nancy	Webber, James	Wells, Roger	Weyler, Kenneth

STRAFFORD

Berube, Roger	Billian, Deborah	Brennan, William	Brown, Jennifer
Brown, Julie	Brown, Larry	Browne, Brendon	Burke, Rachel
Cyr, James	DeChane, Marlene	Domingo, Baldwin	Fargo, Thomas
Hofemann, Roland	Hubbard, Pamela	Hutz, Sarah	Kaen, Naida
Knowles, William	Mickelonis, Shawn	Miller, Joseph	Perry, Robert
Rollo, Michael	Rous, Emma	Schmidt, Peter	Spang, Judith
Srnek, Robert	Wall, Janet	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	

NAYS 111

BELKNAP

Allen, Janet	Boyce, Laurie	Clark, Charles	Thomas, John
Wendelboe, Fran	Whalley, Michael		

CARROLL

Chandler, Gene Denley, William Merrow, Harry

CHESHIRE

Emerson, Susan Hunt, John Loll, Thomas Pelkey, Stephen

COOS

Ingersoll, Paul Sr King, Frederick Stohl, Eric

GRAFTON

Dingman, Vernon III Eaton, Stephanie Gionet, Edmond Sorg, Gregory

HILLSBOROUGH

Barry, Richard	Batula, Peter	Bergeron, Jean-Guy	Christensen, Chris
Christiansen, Lars	Clark, Mark	Coughlin, Pamela	Daniels, Gary
Day, Russell	Elliott, Nancy	Fletcher, Richard	Francoeur, Bea
Gargas, Carolyn	Goley, Jeffrey	Goyette, Peter	Graham, John
Haefner, Robert	Hansen, Ryan	Hawkins, Ken	Hinkle, Peyton
Hogan, Edith	Holden, Randolph	Infantine, William	Jasper, Shawn
Kurk, Neal	Lawrence, James	Leishman, Peter	Manney, Pamela
Martineau, Jesse	McRae, Karen	Mooney, Maureen	Moran, Edward
Ober, Lynne	Ober, Russell III	Peterson, Andy	Reeves, Sandra
Renzullo, Andrew	Rowe, Robert	Smith, David	Stepanek, Stephen
Sullivan, Daniel	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Maurice

MERRIMACK

Anderson, Eric Boutin, David DeJoie, John Hess, David
Humphries, Charlie

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bedrick, Jason	Bettencourt, David
Bishop, Franklin	Camm, Kevin	Carson, Sharon	Dalrymple, David
Devine, James	Dumaine, Dudley	Emiro, Frank	Fesh, Bob
Flanders, John Sr	Garcia, Marilinda	Garrity, James	Gleason, John
Griffin, Mary	Headd, James	Ingram, Russell	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, George	Katsakiores, Phyllis
Lund, Howie	Major, Norman	McEachern, Paul	McMahon, Charles
Nowe, Ronald	Packard, Sherman	Pearson, Mark	Quandt, Marshall
Quandt, Matthew	Reagan, John	Sanders, Elisabeth	Waterhouse, Kevin
Weare, Everett	Wickson, Rick	Winchell, George	

STRAFFORD

Sprague, Dale

SULLIVAN

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

COMMITTEE REPORTS

REGULAR CALENDAR

HB 1385, waiving medical records fees for persons applying for Supplemental Security Income (SSI) or Social Security Disability Income (SSDI). **INEXPEDIENT TO LEGISLATE.**

Rep. Robert G. Bridgham for Health, Human Services and Elderly Affairs: This bill would prohibit charges for medical records requested by applicants for Supplemental Security Income (SSI) or Social Security Disability Income (SSDI) or their representatives. The committee noted that this would shift the costs of providing these records from the applicants or, most often, the lawyers or other representatives, to their hospitals and health care providers. The bill contained no limits on the number or volume of copies that could be requested, the number of requests that could be made, and required no verification of need. New Hampshire already has a law limiting the fees that may be charged for medical records. Vote 14-4.

Committee report adopted.

HB 1365-FN, relative to changes in the rates of highway tolls. **REFER FOR INTERIM STUDY.**

Rep. Gene G. Chandler for Public Works and Highways: While this bill dealt with a rollback in toll rates to rates in effect prior to October 2007 and transferring authority to the legislature for the establishment of toll rates; the committee wishes to study the concept of having either the legislature, or Executive Council be the authority for toll rates – discount rates – motor fuel taxes, etc. The question is whether New Hampshire is better served by having either the legislative or executive branch control these issues, or leave the situation as it is now. Vote 14-1.

Committee report adopted.

HB 1372-FN, relative to allowing driveway construction permit fees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John R. Cloutier for Public Works and Highways: This bill, as amended, would allow the New Hampshire Department of Transportation to charge reimbursement fees for commercial, industrial, enterprise, or subdivision driveway construction permits issued under RSA 236:13. The fees from this bill, which is at the Department of Transportation's request, will go into the Highway Fund. It is for work the Department has done in the past and is now doing without reimbursement. The bill's intent is to charge reimbursement fees for major development projects, not small or temporary projects such as logging operations or tiny subdivisions. Vote 14-1.

Amendment (0114h)

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Driveway Construction Permit Fees. Amend RSA 236:13, III by inserting after subparagraph (c) the following new subparagraph:

(d) The department of transportation may charge a fee to cover costs expended to perform engineering reviews and construction inspections associated with the issuance of driveway permits issued under this paragraph. The fee for work performed by department technical and engineering personnel shall be \$65 per hour. The fee for work performed by consultants engaged by the department to assist with this work will be the actual costs charged by the consultant, not to exceed \$105.00 per hour.

Committee amendment adopted.

Committee report adopted.

Referred to the committee on Ways and Means.

HB 1428, naming a portion of the Franconia Notch Parkway after Corporal Bruce McKay. **REFER FOR INTERIM STUDY.**

Rep. David B. Campbell for Public Works and Highways: In keeping with a quarter-century precedent, when naming state highways and bridges in honor of individuals, including fallen soldiers and police officers, the Public Works and Highways Committee has always relied on the collective support and direction of the local community in determining where and how to make such an honor. The committee unanimously supported sending this bill to Interim Study, in order to give the sponsors (who have offered an amendment on another section of state highway) and the community time to reach a consensus for an appropriate memorial to honor a police officer, killed in line of duty. Vote 15-0.

Reps. DeJoie, Winchell and McLeod spoke against.

Reps. Campbell, Shurtleff and Chandler spoke in favor.

Rep. Ingersoll requested a roll call; sufficiently seconded.

YEAS 257 NAYS 95

YEAS 257

BELKNAP

Allen, Janet
Flanders, Donald
Reever, Judith
Wendelboe, Fran

Arsenault, Beth
Millham, Alida
Thomas, John
Whalley, Michael

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

Clark, Charles
Pilliod, James
Tobin, William

CARROLL

Ahlgren, Christopher
Denley, William
Patten, Betsey

Brown, Carolyn
Heard, Virginia

Chandler, Gene
Knox, J. David

Cunningham, Howard
Merrow, Harry

CHESHIRE

Allen, Peter
Dunn, J. Timothy
Johnson, Jane
Plifka, Stanley Jr
Sad, Tara

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

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

Chase, William
Espieffs, Peter
Parkhurst, Henry
Robertson, Timothy

COOS

King, Frederick

Mears, Edgar

Stohl, Eric

Theberge, Robert

GRAFTON

Aguiar, James
Bulis, Lyle
Estes, Carole
Ingbretson, Paul
Sorg, Gregory

Almy, Susan
Cooney, Mary
Gionet, Edmond
Mulholland, Catherine
Williams, Burton

Andersen, Gene
Dingman, Vernon III
Hammond, Lee
Pierce, David

Benn, Bernard
Eaton, Stephanie
Harding, A Laurie
Preston, Philip

HILLSBOROUGH

Barry, Richard
Bergeron, Jean-Guy
Christensen, Chris
Cote, David
Dokmo, Cynthia
Fletcher, Richard
Garritty, Patrick

Batula, Peter
Bergin, Peter
Christiansen, Lars
Crane, Elenore Casey
Drisko, Richard
Fontas, Jeffrey
Ginsburg, Ruth

Beaulieu, Jane
Brunelle, Michael
Clark, Mark
Daler, Jennifer
Edwards, Andrew
Foster, Linda
Goley, Jeffrey

Beck, Catriona
Campbell, David
Clemons, Jane
Daniels, Gary
Essex, David
Francoeur, Bea
Gorman, Mary

Goyette, Peter
Hall, Betty
Hinkle, Peyton
Jean, Claudette
Knowles, Mary Ann
Long, Patrick
McRae, Karen
O'Brien, Michael Sr
Pilotte, Maurice
Schulze, Joan
Smith, David
Sullivan, Daniel
Vaillancourt, Steve

Graham, John
Hansen, Ryan
Hogan, Edith
Jeudy, Jean
Kopka, Angeline
Mack, Ron
Messier, Irene
O'Connell, Timothy
Reeves, Sandra
Shattuck, Gilman
Spaulding, Jayne
Sullivan, Francis
Villeneuve, Maurice

Hackel, Paul
Hawkins, Ken
Holden, Randolph
Kaelin, Michael
Lasky, Bette
Marshall, Seth
Moran, Edward
Ober, Lynne
Renzullo, Andrew
Shaw, Barbara
Spratt, Stephen
Sysyn, Mary
Winters, Joel

Haefner, Robert
Hebert, Roger
Irwin, Anne-Marie
Knowles, John
Levesque, Melanie
Martineau, Jesse
Movsesian, Lori
Ober, Russell III
Rosenwald, Cindy
Simon, Anthony
Stepanek, Stephen
Ulery, Jordan

MERRIMACK

Anderson, Eric

Baxley, Maureen

Beauchesne,
Suzanne

Blanchard, Elizabeth

Bouchard, Candace
Clarke, Claire
Gile, Mary
Humphries, Charlie

Boutin, David
Davis, Frank
Greco, Vincent
Kjellman, Eleanor
Glynn

Brown, Carole
DeStefano, Stephen
Hager, Elizabeth
Lockwood, Priscilla

Brueggemann, Donald
French, Barbara
Hamm, Christine
MacKay, James

McMahon, Patricia
Reardon, Tara
Tilton, Joy
Wheeler, Deborah

Osborne, Jessie
Richardson, Gary
Wallner, Mary
Williams, Robert

Porter, Margaret
Ryan, Jim
Walz, Mary

Potter, Frances
Shurtleff, Stephen
Webb, Leigh

ROCKINGHAM

Abbott, Dennis
Bishop, Franklin
Camm, Kevin
Dalrymple, David
Flockhart, Eileen
Griffin, Mary
Introne, Robert
Katsakiores, Phyllis
Mann, Maureen
Moore, Bennett
Pantelakos, Laura
Snow, Richard
Wells, Roger

Allen, Mary
Borden, David
Case, Frank
Day, Judith
Garcia, Marilinda
Grote, Otto
Itse, Daniel
Kepner, Susan
McEachern, Paul
Nord, Susi
Pettersen, Don
Splaine, James
Weyler, Kenneth

Bedrick, Jason
Brown, C. Pennington
Casey, Kimberley
Emiro, Frank
Gleason, John
Henson, John
Kappler, Lawrence
Lister, Charlotte
McKinney, Betsy
Nowe, Ronald
Robertson, Carl
Stiles, Nancy
Wickson, Rick

Belanger, Ronald
Cali-Pitts, Jacqueline
Charron, Gene
Fesh, Bob
Gould, Kenneth
Ingram, Russell
Katsakiores, George
Major, Norman
McMahon, Charles
Packard, Sherman
Russell, Trinkia
Webber, James

STRAFFORD

Billian, Deborah
Burke, Rachel
Hofemann, Roland
Perry, Robert
Sprague, Dale

Brennan, William
Cyr, James
Hubbard, Pamela
Rollo, Michael
Srnc, Robert

Brown, Jennifer
DeChane, Marlene
Hutz, Sarah
Rous, Emma
Wall, Janet

Browne, Brendon
Fargo, Thomas
Kaen, Naida
Spang, Judith
Watson, Robert

SULLIVAN

Cloutier, John
Franklin, Peter

Converse, Larry
Gottling, Suzanne

Donovan, Thomas
Houde, Matthew

Ferland, Brenda
Phinizy, James

NAYS 95

BELKNAP

Heald, Bruce Nedeau, Stephen

CARROLL

Bridgham, Robert Bucu, Thomas Butler, Edward Martin, James
Stevens, Stanley

CHESHIRE

Burridge, Delmar Butynski, William Hunt, John Loll, Thomas
Pelkey, Stephen

COOS

Hatch, William Ingersoll, Paul Sr Merrick, Evalyn Remick, William
Tholl, John Jr Thomas, Yvonne

GRAFTON

Friedrich, Carol Laliberte, Suzanne Lovett, Sid Matheson, Robert
McLeod, Martha Nordgren, Sharon Solomon, Peter

HILLSBOROUGH

Baroody, Benjamin Coughlin, Pamela Day, Russell Elliott, Nancy
Forest, Armand Gargasz, Carolyn Haley, Robert Hammond, Jill
Harvey, Suzanne Infantine, William Jasper, Shawn Kelley, John
Kurk, Neal L'Heureux, Robert Lawrence, James Leishman, Peter
Manney, Pamela Matarazzo, Anthony Mooney, Maureen O'Neil, James
Sr
Peterson, Andy Rowe, Robert Scannell, David Soucy, Connie

MERRIMACK

DeJoie, John Ehlers, Eileen Kelly, Sally Kidder, David
Yeaton, Charles

ROCKINGHAM

Baldasaro, Alfred Bettencourt, David Carson, Sharon Devine, James
DiFruscia, Anthony Dumaine, Dudley Elliott, Robert Flanders, John Sr
Garrity, James Headd, James Howard, Doreen Hutchinson, Karen
Kennedy, James Lund, Howie Marsh, Michael McKenna, Daniel
Moody, Marcia Pearson, Mark Powers, James Preston, Mark
Quandt, Marshall Quandt, Matthew Reagan, John Sanders, Elisabeth
Serlin, Christopher Waterhouse, Kevin Weare, Everett Welch, David
Winchell, George

STRAFFORD

Berube, Roger Brown, Julie Brown, Larry Knowles, William
Mickelonis, Shawn Miller, Joseph Schmidt, Peter

SULLIVAN

Gagnon, Raymond Jillette, Arthur Jr Nielsen, Ellen Rodeschin, Beverly

Skinder, Carla
and the committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Wendelboe moved that the debate on **HB 1428**, naming a portion of the Franconia Notch Parkway after Corporal Bruce McKay, be printed in the Permanent Journal.
Adopted.

DEBATE ON HB 1428

Rep. DeJoie: Thank you, Madam Speaker. Colleagues in the House this will be brief. I had to double space it and write it big so I could read it. I rise today in support of naming a road after Officer Bruce McKay. Over the past ten years, five New Hampshire police officers have died in the line of duty. In 1997, State Troopers Leslie Lord and Scott Phillips and Epsom Patrolman Jeremy Sharron made the ultimate sacrifice. In 2006, they were joined by Manchester Officer Michael Briggs and in 2007, Franconia Officer Bruce McKay. Each time a bill was introduced and a road was named for the officer within the first year following their death. Today, the New Hampshire law enforcement community is asking this body to continue the same tradition by naming a road for Officer McKay. There has been much discussion about this bill focused on whether the community is ready to memorialize Officer McKay. This misses an important point. Officer McKay was killed in the line of duty. He was shot four times in the back and run over by a car. Many of you know I'm a firefighter. I'm a first responder. All first responders, firefighters and law enforcement share a code with the military that no one is to be left behind on the battlefield. Officer McKay is still on that battlefield. That may sound overly dramatic, but I feel it in my heart. I first understood what this meant as a brand new firefighter when I learned of a fire in Worcester, Massachusetts, at a warehouse. We were at the firehouse when the news reported the fire. As a new firefighter, like most new recruits, I was really a little bit jealous just being able to watch this fire on TV. This jealousy quickly turned to horror and sadness as we watched the news reporting that two firefighters were missing. I had a sick feeling in my stomach which became worse when the news reported four and then six missing firefighters. They were all lost searching for other firefighters. Finally, after what seemed like a lifetime, the news reported that all six firefighters were presumed dead. A few days later I went to the scene of the fire, to the fire building. The building was now in rubble. Nothing was standing of it and the rubble took up the space probably about the size of this chamber. I was surprised to see firefighters on their hands and knees sifting through the rubble, which at that point, they had been doing for days. When I asked what they were looking for, I was told they were looking for any remains of the missing firefighters. I must have had a puzzled look on my face because I was told, "We always bring our brothers home. No one is left on the battlefield." This is the same bond that law enforcement officers share with one another. Now we are asked to memorialize Officer McKay. Memorialize him in a way that is fitting for a fallen officer. Law enforcement has been trying to honor this officer, to remove him from the battlefield, for nearly a year. Police officers, state troopers, police chiefs and the sheriffs are asking for our help. They are asking us to help bring their brother, Officer Bruce McKay home today. Thank you.

Speaker: The question before the House is on the adoption of the committee report of Refer for Interim Study on House Bill 1428. The Chair recognizes the member from Nashua, Rep. Campbell.

Rep. Campbell: Thank you, Madam Speaker. My Honorable colleagues, I rise on behalf of the committee to speak in favor of the committee report of Refer for Interim Study. I have had the privilege of serving four terms in this House of Representatives - two terms in my early twenties and now a second term in my late forties - but one thing has remained constant. This very special citizen legislature is made up of men and women willing to

volunteer their time to serve the people of their districts and our state. We are from different backgrounds, different parties and different political philosophies. I believe without exception we all try to do the right thing. There is an innate sense of fairness that is the very fabric of what makes New Hampshire and this legislative body so unique. However, for anyone to mistake, suggest or intimate that the fifteen members of the Public Works and Highways committee in any way disrespect law enforcement or dishonor a police officer killed in the line of duty, is simply wrong. More than that, it is unfair and disrespectful to who and what each of us are and why we chose to serve. Does anyone truly believe that the entire membership of the Public Works committee, comprised of two retired Army Colonels, a former Speaker of this House, a first responder, an officer of the court and several former or present municipal officials actually disrespects the New Hampshire law enforcement community? That we do not honor or that we will not honor Corporal Bruce McKay? That in our very serious and considered deliberations that we did not try to do the right thing? Does anybody truly believe that the editorial boards of The Union Leader, the Concord Monitor and the Littleton Courier also dishonor police officers because each of those newspapers encouraged or supported our committee's recommendation? The very reason standing committees and this House follow and abide by precedent and procedure is to handle sensitive situations just like the one before us today. I will let my Honorable friend and colleague from Bartlett, who has chaired and served on Public Works far longer than I, tell you about the committee's precedent. Suffice to say that our committee voted to refer this bill to interim study because we received public testimony, correspondence and petitions that revealed to us a deeply divided town and local area. A local area that shares a common school district and the social ties that bind all adjacent New Hampshire communities. I am very proud to say that at no time during the public hearing and at no time during the executive session did any member of our committee make any issue about any individual's personality or character. I believe, my fellow Representatives, that if you sat on our committee, if you stood in our shoes, that most of you would have done exactly what the committee on Public Works and Highways voted unanimously to do: recommend that this bill be referred to interim study to allow a town and local communities some time to heal and to give all of us some time to reach a consensus on how and where to best honor Corporal Bruce McKay. Thank you, my fellow Representatives. Thank you, Madam Speaker.

Speaker: The question before the House is on the adoption of the committee report of Refer for Interim Study on House Bill 1428. The Chair recognizes the member from Atkinson, Representative Winchell.

Rep. Winchell: Thank you, Madam Speaker. As most of you know, I'm a retired police officer so you understand why I am here. In this House we have had bills honoring police officers and servicemen killed in Iraq. Just last year we had a bill, family sat up there in the gallery, one person mistakenly voted against naming a bridge in Plymouth after that serviceman. A recommendation was brought for reconsideration and it was unanimous to name that bridge in Plymouth after that fallen soldier. Corporal McKay's bill is recommended to be sent to Interim Study, which is a nice way to kill it, as you know. Melvin Keddy, a section of Route 125 in Kingston was named after him. He was a police officer killed, struck by a car and killed in the line of duty. That was not sent to Interim Study. The bridge in Plymouth was not sent to Interim Study. I have never, I am in my sixth year here, never as the previous speaker spoke, I have never heard anyone speak against law enforcement, putting them down for their profession. Obviously, there is a lot of hard feelings on this particular bill, but I submit to you those hard feelings are not going to go away. I sat in one of the hearings and listened to people in the background. Ten years from now, maybe those strong feelings will go away so I think you have to consider what we've done here in the past. Consider, especially the people in the North Country, I know you are in an awkward position because there is so many hard feelings. Again, they are not going to go away. I suggest that you do the right thing and overturn the committee's recommendation to send to Interim Study and vote for passage. There is a floor amendment

that I think is going to appease most people, not everybody, but I think you have to do the right thing. He was killed in the line of duty. In twenty-eight years, I went home every single night except one when I got hit by a car. I went home safely every night. He did not go home and I think he deserves to have a section of any highway, any road up in the North Country or whatever you want to name after him. He deserves that today as we have done in past bills and in previous sessions in this House and not put it off until who knows when. Thank you, Madam Speaker.

Speaker: The question before the House is on the adoption of the committee report of Refer for Interim Study on House Bill 1428. The Chair recognizes the member from Concord, Representative Shurtleff.

Rep. Shurtleff: Thank you, Madam Speaker. My fellow House Members, I spent my life in law enforcement starting in 1966 when I went in the Army and spent three years as a military policeman, a year of it in Vietnam and the last year with the Armed Forces Police in New York City. When I got out of the service in 1969, I joined the Concord Police Department. Subsequently, in 1974 I was hired by the U.S. Department of Justice as a Deputy U.S. Marshal. After three months of training, I went to my first duty station in Cleveland, Ohio. Three years later I was able to come back home to New Hampshire. In the year 2000 I retired as a Supervisory Deputy U.S. Marshal after twenty six years with the Department of Justice and, after I retired, I became a substitute school teacher in the Merrimack Valley School District. A job I really enjoyed. Then, 9/11 came. I guess I was something like an old fire horse. I felt I had to be doing something more so I joined the Canterbury Police Department and eventually became a Sergeant. Then one cold rainy day while I was investigating a minor traffic accident, it dawned on me. I didn't need to do this anymore. I guess it was then that I decided that instead of enforcing laws, I would rather be making them. I ended up in this distinguished body. The saddest days of my life, other than the passing of my own parents, have been attending funerals for police officers who have died in the line of duty. Starting in August of 1992, when Billy Degan, a UNH graduate and a Deputy Marshal from Boston was killed at Ruby Ridge. That has been over fifteen years now since his funeral, but I can still see his wife standing on the steps of Saint Ann's Roman Catholic Church in Quincy, Mass., holding the hands of her son and her daughter. I have tremendous respect and admiration for the sponsors of House Bill 1428. I greatly appreciate their thoughtfulness and their kindness in wanting to honor a fallen brother. But as we all know, there is a small town in the White Mountains of New Hampshire with a population of just 280 where those wounds haven't healed yet, and I say to you and I say to my brothers and sisters in uniform, officers and firefighters alike, that the day will come when Corporal Bruce McKay will be memorialized. When that day comes, it must be his day and his day only. It can't be defaced by controversy. I ask you to join with me in support of the Public Works committee's 15-0 vote for Interim Study. Thank you, Madam Speaker.

Speaker: The question before the House is on the adoption of the committee report of Refer for Interim Study on House Bill 1428. The Chair recognizes the member from Franconia, Representative McLeod.

Rep. McLeod: Thank you, Madam Speaker. Members of the House, I rise today in opposition to the Interim Study motion of the Public Works committee. I do want to start by saying that I don't think anyone thinks that the Public Works committee disrespects Officer McKay at all. It's really about the perception that is out there in the communities and in the state. That's really what it's about. It's a very emotional issue. I am the only Representative for the town of Franconia. I am a native. I was born and raised there. I know very well how the community feels and I know almost all the people involved in this. I would not be standing here asking you to overturn the Interim report if I didn't feel that this is what our community needs in order to move on from this tragic event. Last May, Franconia's Corporal Bruce McKay was killed. We were all deeply shaken by the tragedy that occurred. Our fallen officer's family, our other officers, the first responders, our town employees, our elected officials, individuals throughout the community and the families of all

of those involved including the Kenney family. In August of this year, Corporal Bruce McKay's fiancé came to me on behalf of the McKay family and asked that the Legislature honor Corporal McKay in the tradition of New Hampshire law enforcement with a sign along a roadway he had patrolled. Let's be real here. We are talking about a 12 x 18 black and white sign along the roadway. I believe that honoring an officer who was killed while protecting our community is a simple request and can be handled in a straightforward and direct way. I believe it is right to honor the McKay family's wish that a roadway he patrolled in the area of Franconia Notch be memorialized for their son. He was a public servant who was killed on duty and while serving our town. At the family's request, as a Legislator, I sponsored the legislation. It's important to know that the Selectmen in the town of Franconia unanimously supported this legislation. Governor Lynch wrote a letter of support for this legislation and lent his support as well. In the words of Attorney General Ayotte in a letter to the Public Works committee, "The men and women of law enforcement leave their families every day to address some of the most difficult problems we can confront as a state. They risk their lives and safety to ensure our safety and the safety of our families. On the day of his death, Corporal McKay left his daughter and his fiancé to keep the people of Franconia safe." I ask that you think carefully about the message that a vote for Interim Study sends to the residents of our state. There is nothing more to study about this. Officer McKay's family has made a deep sacrifice for the rest of us. They don't deserve to be told to go away for any amount of time. There is a simple request. A study committee sends the wrong message to them. It sends the wrong message to the law enforcement community that makes so many sacrifices for us. It sends the wrong message to the entire state that looks to our men and women in uniform for protection. If the Interim Study motion is overturned, I plan to offer an Ought to Pass with amended motion. The amendment is in your seat pockets. It changes the location of the sign to an intersecting roadway in the park that addresses many of the concerns that you have heard about from people. Bruce McKay, a twelve year veteran of Franconia New Hampshire Police Department was shot in the line of duty trying to uphold the law. I believe that he deserves to be honored now, honored within a year of his death just like the other four officers who were killed in the line of duty in the last ten years. Please show support for the McKay family and for the law enforcement community. Please press the red button and overturn the Interim Study motion so that we can discuss the bill and the amendment. Thank you very much.

Speaker: The question before the House is on the adoption of the committee report of Refer for Interim Study on House Bill 1428. The Chair recognizes the member from Bartlett, Representative Chandler. I will say that this is the final speaker and there will be a roll call.

Rep. Chandler: Thank you very much, Madam Speaker. As has been mentioned, when the Public Works committee did its deliberation on this bill, at no time were the qualifications, the actions of the people involved in this, under our consideration. That's for other people to work on and worry about how that happens. The Public Works committee has a proud and honorable history in the years that I have been on it, which is more than I'd like to remember, of honoring our police officers, veterans, any number of different people and we have done it in the appropriate way at the right time and the right place in the right way, in my opinion. Apparently, because the House has voted with us so many times, I believe they share that. Our position has always, almost, I say always but I hesitate to say that anymore, to be so definitive, but I can't think of a time, let me put it that way, when the House Public Works committee has asked this House to vote for or against a naming bill where we don't have the support of the community. Every single time we have an issue with a naming bill we ask for and receive, in one fashion or another, letters indicating the community support or non-support. We have killed bills. The troopers that met an unfortunate untimely death in the face of duty back in 1989; we had a bill in the early 90's to name a highway after those troopers. The committee found that inexpedient to legislate at the time because there wasn't, what we felt was not enough support from the local communities for that to happen. It passed a few years later. The community got together, came back to the committee. We

passed it. That's done. It's been named for those troopers. That's all we're asking for here is the community to come up with a recommendation. Without objection, I would just like to read one paragraph, understanding that this is from the Franconia Recovery and Reconciliation Committee, which has been charged with coming up with a report on how the community should get through this process and what recommendations they should make. They have a report date to finish up their project by July of this year. "Understanding that roadside signs are a tradition in New Hampshire for honoring a line of duty death, we respectfully suggest that consideration of House Bill 1428 be tabled for a time sufficient for us to complete our year long process. Thanks for your consideration. This will help all of us in our work to its healing and moving forward." I just ask you if you have a situation like this or any other situation in your community where you were working on an issue and had a committee doing it, would you like the Legislature to enforce it's will on your community until you had time to finish the job? That's why we're asking. We didn't kill this bill. We want to put it in Interim Study. We want to hear from the community, this committee. Find out what they'd like to do and then move forward. Thank you very much. Please support Interim Study.

REGULAR CALENDAR (CONT'D)

HB 1555-FN, relative to an E-Z Pass discount for residents of Merrimack. **INEXPEDIENT TO LEGISLATE.**

Rep. Dale R. Sprague for Public Works and Highways: This bill would have given all E-Z Pass account holders with a Merrimack zip code a 100% discount on exits 10, 11 and 12 of the Everett Turnpike. This bill would have also reduced the E-Z Pass discount for all vehicles from 30% to 28%. The committee's position is the turnpike system was created and designed to work as a "pay as you use system." It is unfair to target one community and give them a "free pass" without allowing all users of the system to reap the same benefit. Vote 15-0.

Rep. Stepanek spoke against and yielded to questions.

Rep. Cloutier spoke in favor.

On a division vote, 238 members having voted in the affirmative and 97 in the negative, the committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Weyler moved that the debate on ***HB 1555-FN***, relative to an E-Z Pass discount for residents of Merrimack, be printed in the Permanent Journal.

Motion failed.

MOTION TO SPECIAL ORDER

Rep. Foster moved that the bills removed from the Consent Calendar be made Special Orders for the next session day in their Regular Calendar order.

Adopted.

RESOLUTION

Rep. Wallner offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, February 6, 2008 at 10:00 a.m.

Adopted.

LATE SESSION

THIRD READING AND FINAL PASSAGE

HJR 10, urging congress to allow for the interstate sale of state inspected meat and poultry.
HJR 11, requesting the United States Department of Agriculture to provide redress for price reporting errors in milk prices.
HJR 12, relative to support for research into colony collapse disorder.
HB 1136, relative to automated external defibrillators.
HB 1191, relative to environmental investigations in tax lien and tax sale proceedings.
HB 1165, relative to department of transportation traffic control regulations.
HB 1207, relative to standards for highway and bridge construction.
HB 1220, establishing a commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges.
HB 1228, relative to sales of motor fuel by the department of transportation to certain nonprofit corporations.
HB 1453, relative to civil liability for damage to protective barriers.
HB 1151, relative to reporting dates for the instream flow pilot program.
HB 1295, establishing a commission to study issues relating to stormwater.
SB 32-FN, increasing the maximum amount of debt or damages for small claims actions.
HB 847, relative to general rules for vessels operating on water.

RECESS MOTION

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

The House recessed at 1:25 p.m.

RECESS