HOUSE RECORD

First Year of the 161st General Court
Calendar and Journal of the 2009 Session

Vol. 31 **Concord, N.H.** **Wednesday, February 18, 2009** **No. 18**

HOUSE JOURNAL No. 5 (cont.)

Thursday, February 12, 2009

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 6

Wednesday, February 18, 2009

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

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.
O God of heavy lifting, in the face of all that weighs on us in life, budgetary constraints, endless piles of information, matters of heavy personal concern, remind us daily that we are blessed with companions and colleagues to lighten the load and to help navigate the course. Show us what it means to give a little bit more of our trust and our awareness over to You that we might travel lightly with our eyes not only on the details but on the horizon of all that is new, all that is vital, and all that is hopeful. As You lift us up, so let us, by the work presented to us here in this chamber, strive to lift, if only a little bit, the lives of those whom we represent. In Your uplifting and Holy name we pray. Amen.

Representative Jessie Osborne, member from Concord, led the Pledge of Allegiance.

The National Anthem was sung by Regan Hartley of Dover, a senior at Portsmouth Christian Academy and the reigning Miss Kearsarge.

LEAVES OF ABSENCE

Reps. Case, Lisle, Nedeau, Priestley, Veazey and Carol Williams, the day, illness.
Reps. Gene Andersen, Dowling, James Garrity, Hawkins, Gina Hutchinson, Introne, George Katsiantonis, Knox, Owen, Donald Ryder, Stuart, Twombly and Yeaton, the day, important business.

INTRODUCTION OF GUESTS

Kristi Hartley, mother of the singer, guest of the House. Nancy and Teddi Moskowitz, daughter and granddaughter of Rep. Swinford. Iris Thompson and Robert Thompson, guests of Rep. Levesque. Elaine Frank and Kristina Diamond, guests of Rep. Sally Kelly.

PETITIONS

Petitioner Representative Daniel Itse of Fremont on behalf of Barry Arnofsky of Merrimack, Massachusetts, seeks redress relative to a dispute with the Department of Transportation regarding erosion in Fremont along the Exeter River.

Petitioner Representative Alfred Baldasaro of Londonderry on behalf of Duane Besso of Londonderry, seeks redress relative to a dispute regarding a Derry District Court judge and an official of the town of Londonderry.

Petitioner Representative Daniel Itse of Fremont on behalf of Debra Nutton of Nottingham, seeks redress relative to a dispute regarding a Hooksett District Court judge and two marital masters of the Derry Family Division.

Petitioner Representative Daniel Itse of Fremont on behalf of Thomas Whalen of Raymond, seeks redress relative to a dispute regarding a Hooksett District Court judge and a marital master of the Derry Family Division.

Petitioner Representative Daniel Itse of Fremont on behalf of David Johnson of Londonderry, seeks redress relative to a dispute regarding a marital master of the Derry Family Division.

CLERK'S NOTE

Copies of petitions are on file in the Clerk's Office.

MOTION TO VACATE

Rep. Almy moved that the House vacate the reference of ***HB 697,*** relative to the penalty against public utilities, to the Committee on Ways and Means.
Adopted.
The Speaker referred ***HB 697*** to the Committee on Science, Technology and Energy.

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 184-FN, authorizing the liquor commission to sell tobacco products at state liquor stores located on interstate highways, removed by Rep. Walz.
HB 192, relative to a replica monument of the Old Man of the Mountain, removed by Rep. Gidge.
Consent Calendar adopted.
Rep. Andy Peterson declared a conflict of interest on ***HB 287-FN***, and did not participate in the vote on the Consent Calendar.

HB 38, relative to the minimum amount of child support ordered by the court. **INEXPEDIENT TO LEGISLATE.**
Rep. Barbara H. Richardson for Children and Family Law: An economic report on the cost of raising children will be released in March, 2009. The committee believed it would be premature to pass this bill prior to receiving this report. Vote 17-0.

HB 79, relative to use of the child support guideline worksheet. **OUGHT TO PASS.**
Rep. David A. Bickford for Children and Family Law: This bill requires the court or court personnel to retain the child support guideline worksheet in the court file and be prepared to make it available for inspection at the request of the parties. Therefore all parties will know how child support was delivered. Vote 17-0.

HB 116, relative to the membership of the legislative youth advisory council. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jane B. Johnson for Children and Family Law: This bill, as amended, allows the council to request the appointment of a replacement member when an original member has had 3 consecutive absences without cause. The replacement member shall serve for the remainder of the term. Vote 17-0.

Amendment (0242h)
Amend the bill by replacing all after the enacting clause with the following:
1 New Paragraph; Legislative Youth Advisory Council. Amend RSA 19-K:2 by inserting after paragraph V the following new paragraph:
VI. If a member misses 3 consecutive meetings, without cause, the council may request that the appointing authority appoint a replacement member. Upon appointment of the replacement, the prior appointment shall terminate and the replacement shall serve for the remainder of the prior member's term.
2 Effective Date. This act shall take effect upon its passage.

HB 132, relative to access to case records of the department of health and human services. **OUGHT TO PASS.**
Rep. Edward P. Moran for Children and Family Law: This bill was requested by the department of health and human services. It is intended to permit welfare and law enforcement agencies from other states to have access to health and human services records which would be necessary for these agencies to carry out their responsibility under law to protect children from abuse or neglect. Vote 16-1.

HB 173, relative to the basis for awarding custody to a stepparent or grandparent. **OUGHT TO PASS.**
Rep. David A. Bickford for Children and Family Law: The appropriate venue for grandparents and stepparents is through RSA 463 the guardianship of minors statute which is designed to provide procedural and substantive safeguards for the rights of parents and minor children. This removes the provision as being inappropriate under RSA 461-A which is just for parents and children. Vote 18-0.

HB 392-FN, establishing a cigar bar liquor license. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Joel F. Winters for Commerce and Consumer Affairs: Under the amendment, a new liquor license would be created for tobacco retailers who have more than 60% of their business income from cigar related products. Prior to a license being granted, the city or town would have to vote to accept these new provisions. Licenses would also have to prohibit anyone under 18 from entering the store. Vote 19-1.

Amendment (0286h)

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

AN ACT establishing an on-premises cigar, beverage, and liquor license.

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

1 New Section; On-Premises Cigar, Beverage, and Liquor Licenses. Amend RSA 178 by inserting after section 20 the following new section:

178:20-a On-Premises Cigar, Beverage, and Liquor Licenses.

I. The commission may issue a license to a person holding a tobacco retailers license under RSA 178:19-a for premises where more than 60 percent of total business income is derived from cigar-related products in any town which has voted to accept the provisions of RSA 663:5, I(b), (c), and (d). The license shall entitle the licensee to serve beverages containing at least 1/2 percent and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit by the glass or other suitable container and by the bottle with the cork or cap removed; specialty beer in any suitable container; liquor containing more than 6 percent alcohol by volume at 60 degrees Fahrenheit, by the glass or other suitable container; and wines, by the glass, by the bottle with the cork or cap removed; or other suitable container, under rules adopted by the commission.

II. No beverage or liquor shall be consumed on the premises except that which is sold by the licensee.

III. The commission shall only issue a license under this section if persons under the age of 18 are prohibited entry to the licensed premises.

2 On-Premises License Fees. Amend RSA 178:29, I to read as follows:

I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
Airport				$1,200
Ballroom	$45			$1,200
Bed and Breakfast		$480	$840	
Beer Festival				
One-day	$250			
Two-day	$300			
Three-day	$350			
Catering (all)				$1,200
Catering (off-site only)				$840
Catering (on-site only)				
18 events	$5			
36 events	$5			
52 events	$5			
Club Military				$100
Club Social				
9 events	$250			
18 events	$450			
36 events	$750			
52 events	$1,200			
Club Private				$1,200
Club Veterans				
9 events	$250			
18 events	$450			
36 events	$750			
52 events	$1,200			
College Club				$1,200

Convention Center			$2,400
Dining Car	$480		$840
Fairs	$112		
Hotel	$840		$1,200
One day License			$100
Performing Arts			$360
Racetrack/Motor Vehicle			$1,800
Racetrack/Pari-Mutuel			$3,000
Rail Cars			$1,200
Restaurant	$480	$840	$1,200
Special License		$25	
Sports/Entertainment Complex			$1,800
9 events $250			
18 events $450			
36 events $750			
52 events $1,200			
Sports Recreation Facility			$1,200
Tobacco Retailer		***$1,200***	
Vessel	$480	$840	$1,200

3 Effective Date. This act shall take effect January 1, 2010.

AMENDED ANALYSIS

This bill establishes an on-premises cigar, beverage, and liquor license.

Referred to the Committee on Ways and Means.

HB 564-FN, relative to wheelchair van accessible parking spaces. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susi Nord for Commerce and Consumer Affairs: This bill creates a definition of ramp/lift van and designates that parking lots of over 50 spaces will maintain a number of ramp/lift van only spaces in addition to the regular inventory of handicap accessible spaces. Current law designates the number of regular and van accessible spaces that must be available based on lot size and allows anyone with a placard to park in the van accessible spaces. This bill creates the category of ramp/lift van only spaces and designates a small number of the total inventory of handicap accessible spaces that only the ramp/lift van may use for larger lots. This bill would apply to new parking lots as of 2010 and to existing lots when they re-stripe/pave after that time. Vote 20-0.

Amendment (0278h)

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

1 New Sections; Accessible Parking. Amend RSA 155-A by inserting after section 5 the following new sections:

155-A:5-a Handicap Accessible, Van Accessible, and Ramp/Lift Equipped Van Only Parking Spaces.

I. Any new construction containing a parking area or parking areas commenced after January 1, 2010 shall have the following number of handicap accessible, van accessible, and ramp/lift equipped van only parking spaces reserved for individuals with walking disabilities:

(a) If there are 25 or less total parking spaces, there shall be one handicap accessible parking space which must be van accessible.

(b) If there are between 25 and 50 parking spaces, there shall be 2 handicap accessible parking spaces one of which must be van accessible.

(c) If there are between 51 and 75 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 2 handicap accessible parking spaces.

(d) If there are between 76 and 100 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 3 handicap accessible parking spaces.

(e) If there are between 101 and 150 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 4 handicap accessible parking spaces.

(f) If there are between 151 and 200 parking spaces, there shall be one van accessible parking space, one ramp/lift equipped van only parking space, and 5 handicap accessible parking spaces.

(g) If there are between 201 and 300 parking spaces, there shall be one van accessible parking space, 2 ramp/lift equipped van only spaces and 5 handicap accessible parking spaces.

(h) If there are between 301 and 400 parking spaces, there shall be one van accessible parking space, 2 ramp/lift equipped van only parking spaces, and 6 handicap accessible parking spaces.

(i) If there are between 401 and 500 parking spaces, there shall be one van accessible parking space, 2 ramp/lift equipped van only parking spaces, and 7 handicap accessible parking spaces.

(j) If there are between 501 and 1,000 total parking spaces, there shall be 2 van ramp/lift equipped only parking spaces and a number of handicap accessible parking spaces equal to 2 percent of the total number of parking spaces.

(k) If there are over 1,000 parking spaces, there shall be 2 ramp/lift equipped van only parking spaces, 20 handicap accessible parking spaces, plus 1 handicap accessible parking space for every 100 parking spaces there are over 1,000 parking spaces.

II. Property owners with an existing parking area or parking areas shall conform to the standards in paragraph I when the existing parking area or parking areas are repaved, resurfaced, repainted, or otherwise reconstituted.

III. A person who violates the provisions of this section shall be fined up to $50 for a first offense and up to $100 for each subsequent offense.

IV. In this section, "ramp/life equipped van" shall be as defined in RSA 259:83-a.

2 New Section; Ramp/lift Equipped Vehicle Defined. Amend RSA 259 by inserting after section 83 the following new section:

259:83-a Ramp/lift equipped Van. "Ramp/lift equipped van" as used in RSA 155-A:5 and RSA 265:73-a means: a minivan, full-size van, or extended full-size van that has been modified with specialized equipment to permit safe ingress and egress through the side of the vehicle using wheeled assistance technology devices for the mobility impaired (including wheelchairs, power chairs, and scooters). Such specialized equipment refers to electrically operated articulating lifts or ramps.

3 Signage; Van Accessible Spaces. Amend RSA 265:73-a to read as follows:

265:73-a Parking Signs; Disabled. A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building. Said sign shall be clearly visible to anyone directly approaching that particular space. ***Spaces designated for ramp/lift equipped vans only and for van accessible parking shall be marked by a sign affixed to a post or building with the words "RAMP/LIFT VAN ACCESSIBLE PARKING" or "RAMP/LIFT VANS ONLY" in large letters.***

4 Effective Date. This act shall take effect January 1, 2010.

AMENDED ANALYSIS

This bill requires new construction to designate certain areas as van accessible parking and ramp/lift equipped van only parking.

Referred to the Committee on Public Works and Highways.

HB 225, relative to room and board scholarships for children of firefighters and police

officers. **OUGHT TO PASS.**
Rep. Nancy F. Stiles for Education: The language in this bill was a coordinated effort of the state treasurer and representatives of the firefighters association, UNH and the post secondary commission. This bill assists current statute by setting up the vehicle for receiving and disbursing money received by the state treasurer for room and board expenses for children of firefighters and police officers who died in the line of duty. There had been no mechanism for disbursement in the current statute. Vote 18-0.
Referred to the Committee on Ways and Means.

HB 441-FN, relative to CART providers and sign language interpreters. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Claire D. Clarke for Education: This bill appropriates $1 to the postsecondary education commission from the general fund to establish a CART provider and sign language interpreter net tuition repayment fund. This bill is necessary to provide the deaf and hard of hearing individuals in New Hampshire with access to services of CART (computer aided real-time translation) providers and/or competent sign language interpreters at all levels of our government. This includes hospitals, courts and schools. According to statistics, we presently have only 80 translators in New Hampshire. For translators who agree to work in New Hampshire for five years, this bill includes procedures for repayment of tuition costs from private sources, and participation in a mentoring program. The General Court shall receive an annual report by the commissioner of post secondary education on the effectiveness of the program. Vote 20-0.

Amendment (0221h)
Amend RSA 200-M as inserted by section 1 of the bill by inserting after paragraph 200-M:3 the following new paragraph, and renumbering RSA 200-M:4-5 as RSA 200-M:5-6, respectively:
200-M:4 Program Requirement. Sign language interpreters who are applicants or recipients of the fund shall participate in a mentoring program in accordance with rules adopted under RSA 200-M:6.
Amend RSA 200-M:6 as inserted by section 1 of the bill by replacing it with the following:
200-M:6 Administration; Rulemaking. The postsecondary education commission shall adopt rules, pursuant to RSA 541-A, relative to procedures, eligibility, and qualifications for applicants, qualifying educational costs, criteria for terms of service by a CART provider and/or sign language interpreter, procedures for repayment of net tuition costs, the participation in a mentoring program as required by RSA 200-M:4, and the administration of the program by the postsecondary education commission. The commissioner of the postsecondary education commission shall annually report to the general court on the effectiveness of this program.
Amend the bill by replacing sections 2-3 with the following:
2 Appropriation. The sum of $1 is hereby appropriated for the fiscal year ending June 30, 2009 to the postsecondary education commission for deposit in the CART provider and sign language interpreter net tuition repayment fund established in RSA 200-M:5. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
3 New Subparagraph; State Treasurer; Accounts Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph:
(277) Moneys deposited in the CART provider and sign language interpreter net tuition repayment fund established in RSA 200-M:5.
Referred to the Committee on Ways and Means.

HB 547-FN-L, relative to distributions of adequate education aid. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E. Shaw for Education: This bill proposes a permanent hold harmless provision for state education aid but makes no allowance for decreasing enrollments and would perpetuate an unconstitutional method of apportioning funds. Vote 18-2.

HB 688, relative to the chartered public school approval process and relative to open enrollment schools. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Nancy F. Stiles for Education: This bill separates the statute to bring clarity to the two processes of establishing an open enrollment school and that of a school district charter school. It streamlines the process and leaves the final decision in the hands of the district voters. The amendment requires that a public hearing be held as part of the process. Vote 17-3.

Amendment (0230h)
Amend the bill by inserting after section 14 the following and renumbering the original sections 15-16 to read as 16-17, respectively:

15 Chartered Public Schools; Applications. Amend RSA 194-B:3, III(b) to read as follows:

(b) Proposed applications and contracts to establish a chartered public school shall be presented by July 1 of the year preceding intended operation of the chartered public school by its prospective board of trustees to the school board of the district in which the chartered public school intends to be located. ***The school board shall hold at least one public hearing on the application prior to September 15.***
Referred to the Committee on Finance.

HB 386, relative to challenges of voters. **INEXPEDIENT TO LEGISLATE.**
Rep. Michael J. Bartlett for Election Law: This bill establishes requirements for challenging a voter including a challenge affidavit. The committee believes that HB 386 is encompassed within HB 276, therefore redundant and not necessary. Vote 18-0.

HB 232, permitting the pesticide control board to establish pesticide fees. **OUGHT TO PASS.**
Rep. Robert H. Haefner for Environment and Agriculture: The committee agreed with removing the pesticide fees from statute and placing them in rules with no accompanying fee increase. Many fees are set in rules and not statute. We think this is the more efficient process. The concern of diminished legislative oversight is reduced in that joint legislative committee on administrative rules (JLCAR) is in place with 5 Representatives and 5 Senators to oversee rule changes, including fees, by the executive branch. Fee increases are not automatic in the rule process, but must be approved by the General Court's JLCAR committee. Vote 14-1.
Referred to the Committee on Ways and Means.

HB 93, relative to the minimum age for fighting sports competitions. **OUGHT TO PASS.**
Rep. Don Petterson for Executive Departments and Administration: This bill provides that the required minimum age of 18 years for participants in professional boxing and wrestling competitions also be applied to mixed martial arts, kick boxing, and any other form of professional combat sports as defined in RSA 285:16. Vote 17-0.

HB 98, relative to reinstatement of lapsed licenses of speech-language pathologists. **OUGHT TO PASS.**
Rep. Charlotte Houde-Quimby for Executive Departments and Administration: This bill corrects language in RSA 326-F:7, which presented an obstacle to the speech pathology board's ability to write administrative rules governing the re-instatement of lapsed licenses pursuant to their rulemaking authority. Vote 17-0.

HB 243, authorizing the designation of special assistant attorneys general. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ken Hawkins for Executive Departments and Administration: This bill would allow the New Hampshire attorney general to appoint, without compensation, assistant U.S. attorneys or assistant county attorneys to assist with state cases. The appointment would require prior authorization from the U.S. attorney or respective county attorney. Vote 17-0.

Amendment (0272h)
Amend RSA 21-M:3, III(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The attorney general may, in his or her discretion, designate to serve without compensation, current assistant United States Attorneys, with prior authorization from the United States Attorney, or assistant county attorneys, with prior authorization from the county attorney, to assist with state cases.

AMENDED ANALYSIS
This bill allows the attorney general, in his or her discretion, to designate current assistant United States Attorneys, with prior authorization from the United States Attorney, or assistant county attorneys, with prior authorization from the county attorney, as special assistant attorneys general to assist with state cases.

HB 599-FN, relative to reclassification of the position of forensic toxicologist in the department of safety. **OUGHT TO PASS.**
Rep. Carol M. McGuire for Executive Departments and Administration: This bill reclassifies the position of forensic toxicologist from an unclassified position to a classified position, at the same or lower pay level, which is more appropriate for this sort of professional position. The change should make it easier to fill the position, which will save the current expenses for specialized laboratory tests and expert witness fees. In 2007, HB 749 had the same position change. It was passed by the house on the consent calendar before being amended and tabled by the senate. Vote 17-0.
Referred to the Committee on Finance.

HB 41, allowing the executive director of fish and game to donate certain hunting and fishing permits to the wildlife heritage foundation of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**
Rep. David H. Watters for Fish and Game and Marine Resources: This bill allows the executive director of fish and game to donate each fiscal year up to five fishing and hunting license along with any necessary permits to the Wildlife Heritage Foundation of New Hampshire, the department's official nonprofit partner. This limited program will enhance fundraising for the wildlife heritage foundation which benefits fish and game special activities. Vote 14-0.

Amendment (0161h)
Amend the bill by replacing section 1 with the following:

1 New Section; Wildlife Heritage Foundation; Donation of Permits. Amend RSA 206 by inserting after section 33-d the following new section:

206:33-e Wildlife Heritage Foundation; Donation of Permits.

I. The executive director may donate up to 5 fishing licenses and hunting licenses along with any necessary permits to take up to 5 moose, up to 5 deer, and up to 5 bear, each calendar year to the wildlife heritage foundation of New Hampshire, the official nonprofit partner of the department pursuant to RSA 206:33-c. The donated permits shall be used by the foundation to assist in its corporate mission. The donation of permits shall not affect the number of permits to be made available to the public by the department.

II. The licenses and permits donated under paragraph I shall be valid anywhere in the state open to the taking of the species selected, and shall be valid to take moose, deer, or bear of either sex during the established hunting season for that species. Prior to being issued a hunting license under this section, a person shall meet the hunting education requirements under RSA 214:23-a.

HB 182, relative to fish and game department authorization to administer programs involving federal aid, and relative to biennial reports of the department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael J. McCarthy for Fish and Game and Marine Resources: This bill will clarify the authority of the fish and game department to conduct programs involving federal aid. It also combines two statutes relative to biennial reports submitted by the department and updates language relative to reporting non-resident honorary licenses. Vote 13-0.

Amendment (0141h)

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

2 Fish and Game Department; Reports to the General Court. Amend the introductory paragraph of RSA 206:9-a, I to read as follows:

I. The executive director of the fish and game department shall, not later than October 1 of each odd-numbered year, submit a report to the ***governor and council and to the*** general court [~~outlining~~] ***to include: a summary report of department proceedings; a description of the license fee reductions, waivers, and promotion activities pursuant to RSA 214:9-f; and recommendations*** for changes in the fee structure for all licenses and permits issued by the department. This report shall include consideration of:

3 Report; Nonresident Honorary Licenses. Amend RSA 214:13-a to read as follows:

214:13-a Nonresident Honorary Licenses. The executive director may issue honorary hunting or fishing licenses to the President and Vice President of the United States and to nonresident governors, fish and game officials, accredited sportswriters and photographers, recognized conservationists, and foreign ambassadors and dignitaries without charge. During a calendar year there shall be no limit as to the number of each type of honorary license so issued. The executive director shall determine the form of such honorary licenses. The fish and game commission shall periodically review the total issue of honorary licenses hereunder, and may regulate the number thereof. The executive director shall on or before [~~January 15, 1969 and biennially thereafter on or before~~] January 15 in each year [~~the general court assembles~~] submit a complete list, to the [~~chairperson of the house wildlife and marine resources committee, and to the chairperson of the senate fish and game/recreation committee~~] ***chairpersons of the house and senate standing committees having jurisdiction over fish and game matters***, containing the names, addresses, and positions or titles of all persons to whom such an honorary license has been issued and each such license issued shall be consecutively numbered.

4 Repeals. The following are repealed:

I. RSA 206:9-a, II, relative to the first fish and game biennial report to the general court.

II. RSA 206:21, relative to reports of the executive director of fish and game.

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

HB 451, authorizing a transaction fee for license agents electronically issuing fish and game licenses. **OUGHT TO PASS.**

Rep. Elisabeth N. Sanders for Fish and Game and Marine Resources: This bill would permit agents of fish and game to collect an internet transaction fee when issuing online licenses. The fee would go directly to the contracted vendor for its electronic services. Approximately 23% of all fishing and hunting licenses are purchased online. The internet service provides a convenient method for residents and non-residents to purchase their licenses. Vote 12-0.

HB 545-FN, relative to the wildlife damage control program in the fish and game department. **OUGHT TO PASS.**
Rep. Lyle E. Bulis for Fish and Game and Marine Resources: This bill, as requested by the department, changes the cost sharing formula to a program where the fish and game department will pay for the fencing materials and the landowner is responsible for installation. Material cost re-imbursement is completed after construction an in inspection by the department. This bill also removes the "sunset" provision of the existing statute. Vote 16-0.

HB 549, relative to the taking of snapping turtles. **INEXPEDIENT TO LEGISLATE.**
Rep. John W. Henson for Fish and Game and Marine Resources: This bill is intended to limit the taking of snapping turtles. While supporting the intent of this bill, the committee found that this is within the ability of the rulemaking authority of the fish and game department. Necessary additions to the rules to protect the turtles will be discussed between the prime sponsor and the fish and game department. Using the rulemaking process will allow the department to react to changing conditions in an efficient and timely manner. Vote 16-0.

HB 146-FN-L, relative to the minimum wage. **INEXPEDIENT TO LEGISLATE.**
Rep. Mary J. Gorman for Labor, Industrial and Rehabilitative Services: In the interest of keeping people employed, the committee cannot at this time support an increase in the minimum wage. The prime sponsor agreed and is encouraged to reintroduce this bill once the recession recedes. Vote 17-0.

HB 164, relative to repayment of loans under the workforce incentive program. **INEXPEDIENT TO LEGISLATE.**
Rep. Mary J. Gorman for Labor, Industrial and Rehabilitative Services: This bill is not necessary because its intended purpose is already in statute. RSA 457-A:6 addresses the rights, obligations and responsibilities of parties who enter a civil union. Vote 19-0.

HB 216-FN, relative to fees for legal services rendered to workers' compensation claimants. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Sally H. Kelly for Labor, Industrial and Rehabilitative Services: This bill amends RSA 281A:44 VI by adding a specific time frame when the insurer can make an offer to settle a workers compensation claim prior to a hearing. The committee agreed by a unanimous vote that the insurance company may settle a minimum of 21 days before the scheduled hearing without any penalty. Vote 19-0.

Amendment (0192h)
Amend RSA 281-A:44, VI as inserted by section 1 of the bill by replacing it with the following:

VI. No attorney representing a claimant shall contract for, charge for, or collect a fee for legal service rendered to the claimant at the department level unless the fee has been approved by the commissioner. In determining the amount of the allowable fee, the commissioner shall consider, among other things, the nature, length and complexity of the service performed, the usual and customary charge for work of the like kind and the benefit accruing to the claimant as a result of the legal service performed; provided, however, that when an insurance carrier, self insurer, or payor acting on behalf of such carrier or self insurer disputes the causal relationship of a medical bill to the claimant's injury, or whether a medical bill was required by the nature of the injury, and denies payment of such bill, is after a hearing, ordered to pay or reimburse the bill by the commissioner ***or if the payment is voluntarily made less than 21 days prior to the date of the initially scheduled***

hearing, the claimant shall be entitled to reimbursement of reasonable counsel fees and costs as approved by the commissioner. The claimant shall be entitled to reasonable fees and costs pending appeal.

HB 343, relative to payroll deductions. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Herbert D. Richardson for Labor, Industrial and Rehabilitative Services: Current law prohibits an employer from withholding any portion of an employee's wage unless it is authorized by one of 10 statutory exceptions. HB 343 simply adds one more exception – authorizing the withholding of wages to pay for legal service plans and identity theft plans that are permitted by the employer to be offered through the employer. Vote 17-0.

Amendment (0082h)
Amend the bill by replacing section 2 with the following:
2 Effective Date. This act shall take effect upon its passage.

CACR 5, relating to funding for education. Providing that revenue from lotteries and games of chance may only be used for educational purposes. **INEXPEDIENT TO LEGISLATE.**
Rep. Christine C. Hamm for Local and Regulated Revenues: Based on the sponsor withdrawing this constitutional amendment, the committee voted unanimously that it not go forward. Vote 16-0.

HB 91, allowing municipalities to extend the veterans' tax credit to veterans who do not have service in a war or conflict, and relative to the definition of veteran. **INEXPEDIENT TO LEGISLATE.**
Rep. Doreen Howard for Local and Regulated Revenues: The committee felt that this bill narrows the eligibility of veterans to only those with a disability rating of 30 percent or greater as well as changing the definition of veteran. It also puts a residency requirement of two years on veterans who receive a tax credit. HB 91 was not an enabling act but a mandatory one. Vote 19-0.

HB 159, relative to the county tax payment by the town of Milan. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert L. Theberge for Local and Regulated Revenues: The bill as presented would allow the town of Milan to defer 40% of its county tax for a six month period without any penalty nor interest charges. The committee unanimously agrees that the legislation is not fair or equitable for all other municipalities in the county. The committee highly recommended that the town of Milan consider tax anticipation notes (TANS) to address its budget shortfall. Vote 18-0.

HB 188, enabling municipalities to extend the veterans' property tax credit to all honorably discharged veterans. **INEXPEDIENT TO LEGISLATE.**
Rep. William A. Stetson for Local and Regulated Revenues: This bill would allow municipalities to grant the veteran's property tax credit to all honorably discharged service men and women that have served a minimum of 90 days on active duty. While the committee has the deepest respect for all veterans, the committee believes this bill could potentially double the amount of the veteran's property tax credits, exempting over $2.8 billion of property value state wide. Vote 19-0.

HB 246, relative to encouraging discretionary preservation easements for historic structures. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert L. Theberge for Local and Regulated Revenues: This legislation has used the "barn bill" as a vehicle to also include the preservation of other historic structures outside of a historic district. The committee feels that the rational for the preservation of barns should

not be extended to other historic structures. The assessment value of a barn is far less than other historic buildings. The bill would allow municipalities to grant tax credits for historic purposes on other structures outside of a designated historic district which would diminish the purpose and function of the latter. The credit could range from a minimum of 25% to maximum of 75%. Therefore a historic structure, assessed at $400,000, could result in a shift to taxpayers of from $100,000 to $300,000 per $400,000 structure. The agreement would be for a minimum of a 5-year period with the possibility of renewal. The committee strongly agrees that this would give far too much power to the governing body which in turn could be suspect. In addition, the appraisal process for discretionary easements would be far too costly. RSA 79-E was established to assist communities in their revitalization programs and would be a more appropriate vehicle than the "barn bill." Vote 18-0.

HB 287-FN, relative to the sale of liquor by grocery and drug stores. **INEXPEDIENT TO LEGISLATE.**
Rep. Kathleen N. Taylor for Local and Regulated Revenues: The sponsor of this bill intended it to apply to "mom and pop" stores and it is an attempt to curtail the sale of tobacco products. This is a part of a much larger issue and will be discussed in the Liquor Modernization Act. Vote 16-0.

HB 298, excluding the value of a view from determination of market value for property tax assessments. **INEXPEDIENT TO LEGISLATE.**
Rep. Eric G. Stohl for Local and Regulated Revenues: This bill seeks to exclude the value of the view external to a property from the appraisal of a property for property tax purposes. This bill is the fourth attempt in as many years to mandate the fact that a view from a piece of property has no value. HB 284 in 2005, HB 804 in 2007 and SB 491 in 2008 have all sought to do the same thing. Each and every time, the committee that heard the testimony came up with the same recommendation as we do here. There is value in a view that is seen from a piece of property and that value directly affects the market value of the property. These increases in market values are reflected and become obvious in the sales of properties that have views and those that do not. Vote 18-0.

HB 427-FN-A-L, relative to equine licenses. **INEXPEDIENT TO LEGISLATE.**
Rep. Andrew R. Peterson for Local and Regulated Revenues: The prime sponsor of this bill came before our committee to ask that the bill, which encountered tremendous opposition from New Hampshire horse owners, be found inexpedient to legislate. Vote 17-0.

HB 454-FN, relative to a lottery ticket to benefit homeless veterans' programs. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert L. Theberge for Local and Regulated Revenues: This legislation sought to generate revenues in support for veteran homeless programs through the sale of scratch tickets. The members of the committee along with the NH State Veterans Advisory Committee (SVAC) agrees with the intent of the bill but does not agree with the mechanism. The NH State Constitution clearly states that all revenues generated by the sale of lottery tickets must be used exclusively for educational programs and cannot be used for any other purpose. Vote 18-0.

HB 455-FN, relative to a lottery ticket to benefit the state veterans council. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert L. Theberge for Local and Regulated Revenues: The purpose of this bill was to generate funds to support the state's veterans council. Although the members support the intent of the legislation, the mechanism is unconstitutional. All moneys generated through the sale of lottery tickets must fund educational programs and cannot be used for any other programs. Vote 18-0.

HB 86, allowing municipalities to impose administrative fines for violations of ordinances.
OUGHT TO PASS WITH AMENDMENT.
Rep. Betsey L. Patten for Municipal and County Government: The amendment allows the local official with authority to prosecute an offense under any municipal code, ordinance, bylaw or regulation to serve a local ordinance citation as outlined in the proposed new section RSA 31:39-C, where currently only a summons to go to court is authorized. The process is set out in law with required notice and a reasonable opportunity to cure the violation or offense. If the district court rules in the favor of the municipality the civil penalties are remitted to the municipality. The committee noted that this process would be another tool to use in the enforcement of their local ordinances and regulations. Vote 17-0.

Amendment (0004h)

Amend the title of the bill by replacing it with the following:
AN ACT allowing towns to issue citations and accept pleas by mail for local ordinance violations.
Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Powers of Towns; Ordinances; Citations and Pleas by Mail. Amend RSA 31 by inserting after section 39-b the following new section:

31:39-c Local Ordinance Citations; Pleas by Mail. In addition to any other enforcement procedure authorized by law, a local official with authority to prosecute an offense under any municipal code, ordinance, bylaw, or regulation, if such offense is classified as a violation under applicable law, may issue and serve upon the defendant, in addition to a summons to appear in the district court, a local ordinance citation as set forth in this section. The defendant receiving such a citation may plead guilty or nolo contendere by mail by entering that plea as provided herein. If such a plea is accepted by the district court, the defendant shall not be required to appear personally or by counsel; otherwise the defendant shall appear as directed by the court. The following procedure shall be used:

I. No local ordinance citation as set forth in this section shall be served unless the defendant has first been given written notice of the violation by the municipality and has had a reasonable opportunity to cure the violation or has expressly refused to do so.

II. The local ordinance citation shall contain:

(a) The caption: "Local Ordinance Citation, Town (City) of ___".

(b) The name of the offender, and address if known to the prosecuting official.

(c) The code, ordinance, bylaw, or regulation the offender is charged with violating.

(d) The act or circumstances constituting the violation.

(e) The place of the violation.

(f) The date upon which the offender received written notice of the violation by the municipality.

(g) The time and date, if any, upon which any further violation or continuing violation was witnessed subsequent to such written notice.

(h) The amount of the penalty that is payable by the offender. If the offense is a continuing one for which a penalty is assessed for each day the offense continues, the amount of the penalty shall be based on the number of days the violation has continued since the time notice was given to the offender, up to a maximum of 10 days' violation charged in one citation.

(i) Instructions informing the defendant that the defendant may answer the citation by mail or may personally appear in court upon the date on the summons, and instructing the defendant how to enter a plea by mail, together with either the amount of the penalty specified in the citation, or a request for a trial.

(j) The address of the clerk of the district court where the plea by mail may be entered.

(k) A warning to the defendant that failure to respond to the citation on or before the date on the summons may result in the defendant's arrest as provided in paragraph V.

(l) The signature of the prosecuting official.

III. Defendants who are issued a summons and local ordinance citation and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the civil penalty, as set forth in the citation, to the clerk of the court prior to the arraignment date, or shall appear in court on the date of arraignment.

IV. Civil penalties collected by the district court under this section shall be remitted to the municipality issuing the citation. Whenever a defendant (a) does not enter a plea by mail prior to the arraignment day or does not appear personally or by counsel on or before that date or move for a continuance; or (b) otherwise fails to appear for a scheduled court appearance in connection with a summons for any offense, the defendant shall be defaulted and the court shall determine what the civil penalty would be upon a plea of guilty or nolo contendere and shall impose an administrative processing fee in addition to the civil penalty. Such fee shall be the same as the administrative processing fee under RSA 502-A:19-b, and shall be retained by the court for the benefit of the state.

V. The court may, in its discretion, issue a bench warrant for the arrest of any defendant who:

(a) Is defaulted in accordance with the provisions of paragraph IV of this section;

(b) Fails to pay a fine or other penalty imposed in connection with a conviction for a violation of a local code, ordinance, bylaw, or regulation which a court has determined the defendant is able to pay, or issues a bad check in payment of a fine or other penalty; or

(c) Fails to comply with a similar order on any matter within the court's discretion.

VI. For cause, the court in its discretion may refuse to accept a plea by mail and may impose a fine or penalty other than that stated in the local ordinance citation. The court may order the defendant to appear personally in court for the disposition of the defendant's case.

VII. The prosecuting official may serve additional local ordinance citations, without giving additional written notice or appeal opportunity under paragraph I, if the facts or circumstances constituting the violation continue beyond the date or dates of any prior citation. A plea of guilty or nolo contendere to the prior citation shall not affect the rights of the defendant with respect to a subsequent citation.

VIII. Forms and rules for the local ordinance citation and summons shall be developed and adopted by the New Hampshire supreme court.

IX. This section is not intended in any way to abrogate other enforcement actions or remedies in the district or superior court, nor to require written notice as a prerequisite to other types of actions or remedies for violations of local codes, ordinances, bylaws, or regulations.

X. This section shall not apply to offenses that are subject to enforcement under RSA 676, or to motor vehicle offenses under title XXI or any local law enacted thereunder.

2 Effective Date. This act shall take effect January 1, 2010.

AMENDED ANALYSIS

This bill allows municipalities to enforce municipal codes and ordinances by issuing citations and accepting pleas by mail for violations.

SB 38, relative to placing vote tallies on town and school district ballots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsey L. Patten for Municipal and County Government: Through SB 38 the governing body has the ability on its own initiative to place the vote tally on budget items or any warrant articles. This amendment to RSA 32:5,V-a and RSA 40:13,V-a gives the governing body the opportunity to let its residents know the results of its voting process. Vote 16-0.

Amendment (0326h)

Amend RSA 32:5, V-a as inserted by section 1 of the bill by replacing it with the following:

V-a. Any town may vote to require that all votes by an advisory budget committee, a town budget committee, and the governing body or, in towns without a budget committee, all votes of the governing body relative to budget items or ***any*** warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town warrant next to the affected warrant article. ***If a town has not voted to require such tallies to be printed in the town warrant next to the affected warrant article, the governing body may do so on its own initiative.***

Amend RSA 40:13, V-a as inserted by section 2 of the bill by replacing it with the following:

V-a. Any town may vote to require that all votes by an advisory budget committee, a town budget committee, and the governing body or, in towns without a budget committee, all votes of the governing body relative to budget items or ***any*** warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town warrant next to the affected warrant article. ***If a town has not voted to require such tallies to be printed in the town warrant next to the affected warrant article, the governing body may do so on its own initiative.***

AMENDED ANALYSIS

This bill clarifies the ability of governing bodies to voluntarily place vote tallies on a ballot without having a vote of the town requiring them to do so.

HB 185-FN, relative to the installation of sound barriers along a certain segment of the F.E. Everett turnpike in the town of Merrimack. **INEXPEDIENT TO LEGISLATE.**
Rep. John A. Graham for Public Works and Highways: This bill would have required the DOT to build a sound barrier along a section of the F. E. Everett Turnpike in Merrimack. Between the time the committee heard the bill and the executive session, DOT held a meeting with the abutters and town officials. The DOT presented a solution to the noise and safety concerns that this bill would have addressed. This solution, which can be implemented without legislation, was acceptable to both the town and the abutters. With this agreement, the sponsors are in accord with the committee that this bill be found ITL. Vote 18-0.

HB 511-FN, relative to a corridor study of Route 33. **INEXPEDIENT TO LEGISLATE.**
Rep. Maureen R. Mann for Public Works and Highways: Traffic signals are scheduled to be installed along the corridor in the next year and the Rockingham County Planning Commission requests that a study be deferred until the effect of the lights is known. Further, the committee feels this legislation circumvents the 10-Year Highway Plan by not following the standard process for inclusion of a project in the plan. Vote 17-0.

HB 608-FN, establishing a committee to oversee the design and construction of a public works employee memorial for public works employees who died in the course of performing public duties. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Alfred C. Lerandeau for Public Works and Highways: The intent of this bill is to establish a committee to oversee the design and construction, at no cost to the State of New Hampshire, of a public works employee memorial for all public works employees killed in the line of duty. In its finality, we are honoring people who have given their all for the motoring public. The amendment adds one member shall be a classified state employee of the department of transportation appointed by the N. H. State Employee Association. The amendment also changes the committee quorum from three to five. Vote 18-0.

Amendment (0259h)

Amend RSA 4:9-k, I(e) as inserted by section 1 of the bill by replacing it with the following:

(e) One member, who shall be a classified state employee of the department of transportation, appointed by the New Hampshire State Employees Association.

(f) One member, who shall be a family member of a public works employee who died in the course of performing public works duties on behalf of the state, appointed by the governor.

Amend RSA 4:9-k, II as inserted by section 1 of the bill by replacing it with the following:

II. The members of the committee shall elect a chairperson from among the members. The commissioner of transportation, or designee, shall call the first meeting of the committee. Four members of the committee shall constitute a quorum.

Referred to the Committee on Ways and Means.

HB 112, relative to addresses on motor vehicle registrations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian D. Rhodes for Transportation: This bill provides residents with the ability to register their motor homes while traveling out of state for up to two years. It also addresses re-registration for residents, who due to unforeseen circumstances, are without a permanent street address. Vote 17-0.

Amendment (0256h)

Amend the bill by replacing section 1 with the following:

1 New Sections; Re-Registration by Residents Without a Permanent Street Address. Amend RSA 261 by inserting after section 52-a the following new sections:

261:52-b Re-Registration by Residents Temporarily Traveling out of the State. Residents who are without a permanent street address at the time of re-registration because they are traveling outside of the state in recreational vehicles for a period of up to 2 years may renew a vehicle registration by completing a written attestation of residency and providing a letter from an adult property-owning resident of the municipality who agrees to act as the person's mailing address for purposes of contact by the department. Residency for the purposes of this section shall be defined as intention to return to the municipality after a period of time not to exceed 2 years.

261:52-c Re-Registration by Residents Without a Permanent Street Address. Residents who are homeless without a permanent street address at the time of re-registration may register a vehicle by certifying that they are currently resident in the town and providing a letter from a local social service agency stating that they have permission to use the agency as a mailing address for purposes of contact by the department. Residency for the purposes of this section shall be defined as the expressed intention to continue to reside in the municipality.

261:52-d Indication of Contact Address. A re-registration application completed under RSA 261:52-b or RSA 261:52-c shall contain an indication that the address provided is not the physical residence of the registrant but a mailing address for purposes of contact.

HB 162, relative to recycled and rebuilt vehicles. **OUGHT TO PASS.**

Rep. C. Pennington Brown for Transportation: This bill, supported by department of environmental services, deals with "end of life vehicles" and proper recycling in an environmentally protective manner. Vote 15-0.

HB 211-FN, relative to drivers' licenses and relative to the definition of "drivers' school." **OUGHT TO PASS.**

Rep. Jennifer R. Coffey for Transportation: The committee feels this bill clarifies the definition of a drivers' school and that of an advanced instruction drivers' class. It also protects the privacy of driver's license holders and provides for an address change on driver's license. Vote 17-0.

Referred to the Committee on Ways and Means.

HB 215, making technical corrections to certain OHRV and snowmobile laws. **OUGHT TO**

PASS.
Rep. C. Pennington Brown for Transportation: This bill amends the appropriate OHRV and snowmobile laws to be consistent with current RSA's and provides law enforcement statutory authority to enforce laws against operating while intoxicated or under the influence. These are technical corrections and are needed. Vote 17-0.
Referred to the Committee on Criminal Justice and Public Safety.

HB 465-FN-A, relative to driver's license fees. **INEXPEDIENT TO LEGISLATE.**
Rep. Jennifer R. Coffey for Transportation: This bill intends to increase the cost of a driver's license to help fund the police standards and training council fund. The committee recognizes the well intentioned effort. However, there are concerns regarding the distribution of funds as noted by the department of transportation and an increased burden upon the citizens during difficult financial times. Vote 14-1.

HB 576-FN, establishing number plates supporting New Hampshire public higher education. **INEXPEDIENT TO LEGISLATE.**
Rep. John A. Hikel for Transportation: This bill is for the purpose of raising money through license plate sales. It is the committee's decision that license plates shall be used to identify vehicles and not to raise money for not-for-profit charities. Vote 16-0.

HB 435-FN-A, relative to sales of tobacco products in state liquor stores and reducing the rate of the tobacco tax. **INEXPEDIENT TO LEGISLATE.**
Rep. Frank W. Davis for Ways and Means: This legislation would result in extensive changes to tobacco sales revenue. This bill would reduce the tobacco tax from $1.33 to $.67 per package. The department of revenue administration estimated that the education trust revenue would be reduced by about $94.4 million. This legislation would also transfer the sales of tobacco from the current 1250 outlets to the state liquor stores. The state liquor commission stated that it did not wish to sell tobacco. Because of limited space in the liquor stores it might be necessary to remove some wine and spirit products to make room for tobacco products. The committee felt that tobacco sales and revenue might be further reduced because of the limited retail locations and limited hours of operation available to the consumer. Vote 16-0.

HB 472-FN-A, establishing a tax on the sale of permissible fireworks. **INEXPEDIENT TO LEGISLATE.**
Rep. David J. Bettencourt for Ways and Means: This legislation would have essentially created a sales tax on fireworks. The committee felt that such a policy was unwise. Vote 16-0.

HB 516-FN, abolishing fees for nondriver's picture identification cards. **INEXPEDIENT TO LEGISLATE.**
Rep. Susan G. Price for Ways and Means: This bill would allow drivers under a suspended license for driving while intoxicated or due to motor vehicle moving violations to receive non-driver photo identification free of charge. This would result in a loss of state revenue by $400,000, 12 percent of which is distributed to municipalities. Vote 16-0.

RESOLUTION

Rep. Wallner offered the following: RESOLVED, that ***SB 38,*** relative to placing vote tallies on town and school district ballots, be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time.
Adopted.

Third reading and final passage

SB 38, relative to placing vote tallies on town and school district ballots.

REGULAR CALENDAR

HB 56-FN, renaming a bridge to honor U. S. Navy Seal Daniel Healy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: This bill renames a bridge that connects the towns of Exeter and Stratham in honor of Senior Chief Dan Healy, a member of the US Navy Seals, who lost his life while engaged in combat operations in Afghanistan. The committee heard testimony that the local communities are in support of this action. The amendment simply states that the construction and placement of any signage associated with this renaming will not be charged to the state. Vote 11-0.

Amendment (0001h)

Amend the bill by replacing section 2 with the following:

2 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers authorized under section 1 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers authorized under this act shall be approved by the department of transportation.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Graham spoke in favor.
Committee report adopted and ordered to third reading.

SPECIAL ORDERS

HB 119, establishing a commission to consider the feasibility of adopting the Atlantic Daylight Savings Plan. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John B. Hunt for the Majority of Commerce and Consumer Affairs: Although there are many good reasons for taking advantage of the extra day light, the reality is that attempting to change New Hampshire's clocks to gain an extra hour between June 15 and September 15 will cause more problems than benefits. Just like the parts of Indiana that are close to Chicago, the southern part of New Hampshire is clearly part of the Boston area that would create a nightmare for those who commute in and out. For instance, the airport in Manchester is called the Manchester Boston Regional Airport. Finally, the commission does not represent all those who would be affected but it does include a representative of the NH Golf Association. Vote 11-9.

Rep. Paul McEachern for the Minority of Commerce and Consumer Affairs: The minority believes that this bill offers so much upside both to New Hampshire as a vacation destination and to energy savings that it is worth a serious study. By switching a daylight hour to the end of the day we can make the summer months more family friendly. The vote in committee failed on a tie 10-10 vote on the motion of ought to pass with amendment.
Reps. McEachern, Splaine and Baldasaro spoke against.
Reps. Ladd and Reardon spoke in favor.
On a division vote, 280 members having voted in the affirmative and 77 in the negative, the majority committee report was adopted.

COMMUNICATION

February 18, 2009

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:
Hillsborough County District No. 20, Ruth Ginsburg, d, Nashua (6 Dover St.) 03063

Sincerely,
William M. Gardner
Secretary of State

SPECIAL ORDERS (CONT'D)

CACR 4, relating to elections. Providing that certain persons may vote in primaries prior to turning 18 years of age. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kevin D. Hodges for the Majority of Election Law: The committee feels that our main goal is to increase voter and civic participation. This bill allows 17 year olds to vote in a primary election if they will turn 18 before a general election. It appears as a CACR because the Supreme Court advised the General Court that a similar bill, passed in 2008, was unconstitutional. This bill would give the people of New Hampshire an opportunity to decide this issue. Studies have shown that a voter who starts voting at a young age is more likely to become a habitual voter throughout his/her adult life. This fulfills our goal of increased participation in the process. To those who would claim that CACR 4 prevents a 17 year old from voting in non partisan town or municipal election and is therefore confusing, the majority would say that voting in a primary election is different from voting in a town election or a general election because primaries, as party functions, do not have the ultimate impact in determining who is elected to office in a November general election. In essence, winning a primary does not guarantee an elected office nor does it require official action from the secretary of state. To those who would claim that a voter must be 18 because that is the law and common sense dictates it, the majority would counter that our society has, from time to time, revisited the collective wisdom of the past and made changes to laws regarding age requirements for specific rights and responsibilities. We have lowered the age for military service to 17 and driving to 16 and we have increased the legal drinking age to 21. Most importantly, we have even lowered the voting age from 21 to 18. So, while 17 year olds can be tried as adults for crimes committed as a minor, they are not allowed to participate in the civic system that would set the laws that govern their behavior. We find this to be unjust. The majority of the committee believes in the value of encouraging young people to vote. We also believe that the general public should have the opportunity to decide if 17 year olds should have the opportunity to determine the nominees for whom they will ultimately be able to vote for in the November election. Vote 11-8.

Rep. Dino A. Scala for the Minority of Election Law: This bill allows a discrepancy in voting by allowing a person to vote for the "future" president but would not allow same person (voter) to vote for town selectman. The minority feels that 17 years old is too young to vote.

Majority Amendment (0156h)

Amend the resolution by replacing paragraph I with the following:

I. That article 11 of the first part of the constitution be amended to read as follows:

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. ***A person who is 17 years of age may vote in a primary election preceding a general election at which such person will be 18 years of age.*** Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or

unincorporated place where he ***or she*** has his ***or her*** domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery***,*** or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending article 11 of the first part of the constitution to read as follows:

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. A person who is 17 years of age may vote in a primary election preceding a general election at which such person will be 18 years of age. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he or she has his or her domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery, or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office."

Majority committee amendment adopted.

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

Rep. Jasper spoke against.

Rep. Winters spoke in favor.

Rep. Hodges spoke in favor and yielded to questions.

On a division vote, 193 members having voted in the affirmative and 176 in the negative, the majority committee report failed lacking the necessary three-fifths vote.

HB 276-FN, relative to challenges of voters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David M. Pierce for Election Law: New Hampshire law permits anyone to challenge another's right to vote for no reason at all. As a result, mass, indiscriminate and groundless challenges of voters have been made solely for the purpose of preventing or delaying voters from voting. But the right to vote is a fundamental right that should not be burdened except

upon a showing of good cause. This bill requires a showing of good cause by requiring a challenger to state specific, articulate facts that a voter is ineligible to vote. HB 276 brings a balanced approach to challenges because it protects the right to vote as well as the ability to assert a challenge if it is legitimate and well grounded. Vote 16-0.

Amendment (0132h)

Amend RSA 659:27 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph:

III. No voter or appointed challenger shall challenge a person's qualifications to be a voter at the election day voter registration table.

Amend RSA 659:27-a, I as inserted by section 2 of the bill by replacing it with the following:

I. No challenge may be asserted except in the form of a signed affidavit, under oath administered by an election official, in the following form:

INFORMATION ON THE PERSON MAKING THE CHALLENGE

Name of Person Making the Challenge:

_____

Last Name First Name Middle Name/initial

_____

Party affiliation

_____

If person making a challenge is a voter: Physical Address – Street Name & Number

_____

If person is a political party or attorney general appointee: mailing address & phone number

_____

The challenger's qualifications to assert the challenge

INFORMATION ON THE VOTER BEING CHALLENGED: The person making the challenge shall complete the following:

Name being used by the voter who you wish to challenge:

_____

Last Name First Name Middle Name

GROUNDS FOR THE CHALLENGE: The person making the challenge shall indicate the ground on which the challenge is made (check all grounds that apply).

___ The person seeking to vote is not the individual whose name he or she has given

___ The person seeking to vote has already voted in the election at (name polling place) _____ at approximately (state time if known) _____

___ The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws (state offense, court, and date of conviction)

_____

___ The person seeking to vote is under 18 years of age

___ The person seeking to vote is not a United States Citizen

___ The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote (state persons true domicile —town/city)

_____

___ The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration (state name of institution person is in)

_____

___ This is a primary and the person seeking to vote in the (state political party name) _____ primary is not a declared member of the party he or she claims to be affiliated with

___ The person seeking to vote is ineligible to vote pursuant to the following state or federal statute or constitutional provision: _____

BASIS FOR THE CHALLENGE: The person making the challenge shall state the specific source of the information or personal knowledge upon which the challenge of the particular individual is based:

_____

_____

_____

OATH: The person making the challenge shall complete the following:

I hereby swear and affirm, under the penalties of perjury, that to the best of my knowledge and belief the information above is true and correct.

_____

(Signature of challenger)

On the date shown above, before me, _____ (print name of notary public, justice of the peace, election officer), appeared _____ (print name of person whose signature is being notarized), (known to me or satisfactorily proven (circle one)) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

_____

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

TO BE COMPLETED BY THE MODERATOR: Ruling on the challenge:

If the ground at issue is age, citizenship, or domicile: The supervisors of the checklist have ruled that the challenged voter is: qualified as a voter; not qualified as a voter.

The moderator rules on challenges based on other grounds. The Moderator rules that the challenge is: well grounded; not well grounded. If it is ruled that the voter is not qualified or that the challenge is well grounded, the challenged person may vote only if he or she completes and swears to a challenged votes affidavit.

Amend RSA 659:27-a, II(c) as inserted by section 2 of the bill by replacing it with the following:

(c) The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws, such conviction having been for the offense specified in the challenge.

Amend RSA 659:27-a, II(f) as inserted by section 2 of the bill by replacing it with the following:

(f) The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote because the person's true domicile is in the town or city specified in the challenge.

Amend RSA 659:27-a, II(g) as inserted by section 2 of the bill by replacing it with the following:

(g) The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration in the institution specified in the challenge.

Amend the bill by replacing section 4 with the following:

4 Absentee Ballots; Announcement by Moderator and Challenges. Amend RSA 659:50 and RSA 659:51 to read as follows:

659:50 Announcement by Moderator. The moderator shall begin processing absentee ballots by clearly announcing that he ***or she*** is about to open the envelopes which were delivered to him ***or her***. The moderator shall then remove the affidavit envelope containing the ballots of each absentee voter and shall compare the signature on the affidavit envelope with the signature on the application for the ballot. If:

I. The name of the voter is on the checklist***, except for voters provided for in RSA 7:46***; and

II. The affidavit on the envelope appears to be properly executed; and

III. The signature on the affidavit appears to be executed by the same person who signed the application; and

IV. The signatures appear to be the signatures of a duly qualified voter who has not voted at the election; then the moderator shall publicly announce the name of the absentee voter***, except for voters provided for in RSA 7:46***. If these conditions are not met, the moderator shall follow the procedure provided in RSA 659:53.

659:51 Challenges.

I. All absentee ballots are subject to challenge after the moderator publicly announces the name of the absentee voter***, except for voters provided for in RSA 7:46,*** but not after the ballot is removed from the envelope. [~~A person who makes a challenge shall state the reason for the challenge.~~] ***No challenge to an absentee ballot may be asserted except in conformity with the requirements of RSA 659:27-a.***

II. If the ballot is challenged, the moderator shall write on the affidavit envelope containing the ballot the word "challenged" and the name and address of the person who makes the challenge and the basis of the challenge. The moderator shall also number each challenged envelope consecutively by marking, for example, the first challenged ballot "Challenged Ballot No. 1".

III. The moderator shall then determine if the challenge to the ballot is well grounded. If the moderator decides the challenge is well grounded, he ***or she*** shall not open the envelope but shall preserve it with the other ballots cast at the election as provided in RSA 659:101. If the moderator decides that the challenge is not well grounded, he ***or she*** shall open the affidavit envelope so the affidavit thereon is not destroyed and proceed first to mark on the reverse of the folded ballot the corresponding challenge number as previously marked on the envelope. [~~He~~] ***The moderator*** shall then proceed to deposit the ballot as provided in RSA 659:52.

AMENDED ANALYSIS

This bill establishes additional requirements for challenging voters, including a challenge affidavit, and establishes penalties for prohibited challenges.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Ingbretson spoke against.
Rep. Pierce spoke in favor.
Rep. Pierce requested a roll call; sufficiently seconded.

YEAS 256 NAYS 114

YEAS 256

BELKNAP

Arsenault, Beth	Fields, Dennis	Merry, Liz	Miller, Kate
Millham, Alida	Pilliod, James	Reever, Judith	Russell, David
St. Cyr, Jeffrey			

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Buco, Thomas	Butler, Edward
Chandler, Gene	Patten, Betsey	Scala, Dino	Stevens, Stanley
Wiley, Susan			

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Eaton, Daniel
Johnson, Jane	Lerandeau, Alfred	Lindsey, Steven	Meader, David
Mitchell, Bonnie	Parkhurst, Henry	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sad, Tara	Weber, Lucy	Weed, Charles

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Stohl, Eric	Theberge, Robert	Thomas, Yvonne

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Laliberte, Suzanne
Matheson, Robert	Mulholland, Catherine	Pastor, Beatriz	Pierce, David
Preston, Philip	Smith, Suzanne	Taylor, Kathleen	Townsend, Charles
Williams, Burton			

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Bergin, Peter	Boisvert, Ronald	Campbell, David	Caron, June
Chandley, Shannon	Chase, Claudia	Chininis, Alexis	Clemons, Jane
Cote, David	Craig, James	Doherty, Shaun	Dokmo, Cynthia
Drisko, Richard	Emerton, Larry	Farley, Michael	Flurey, Joan
Foster, Linda	Gargasz, Carolyn	Garrity, Patrick	Gidge, Kenneth
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Hackel, Paul
Haley, Robert	Hammond, Jill	Hardy, Valerie	Harvey, Philip
Harvey, Suzanne	Hebert, Roger	Hinch, Richard	Hodges, Kevin
Irwin, Anne-Marie	Jasper, Shawn	Jeudy, Jean	Katsiantonis, Thomas
Kelley, John	Knowles, John	Knowles, Mary Ann	Komi, Richard
Kopka, Angeline	Kurk, Neal	L'Heureux, Robert	LaPlante, Roland
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Long, Patrick
Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr	Messier, Irene
Movsesian, Lori	Nixon, David	O'Brien, Michael Sr	O'Neil, James
Pellegrino, Tony	Pilotte, Maurice	Poznanski, Brian	Price, Pamela
Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Soucy, Timothy	Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr
Winters, Joel			

MERRIMACK

Anderson, Eric	Bartlett, Michael	Bouchard, Candace	Boutin, David
Brown, Carole	Clarke, Claire	Davis, Frank	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	Kidder, David	Lockwood, Priscilla
Osborne, Jessie	Porter, Margaret	Potter, Frances	Reardon, Tara
Rice, Chip	Richardson, Gary	Rodd, Beth	Schuett, Dianne
Shurtleff, Stephen	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Wheeler, Deborah	Williams, Robert		

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Casey, Kimberley	Charron, Gene	Cushing, Robert	Day, Judith
DeSimone, Debra	DiPentima, Rich	Elliott, Robert	Emiro, Frank
Ferrante, Beverly	Flanders, John Sr	Gould, Kenneth	Griffin, Mary
Henson, John	Hoelzel, Kathleen	Howard, Doreen	Ingram, Russell
Kepner, Susan	Lyons, Melissa	Major, Norman	Mann, Maureen

McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi
Packard, Sherman	Pantelakos, Laura	Petterson, Don	Preston, Mark
Rausch, James	Read, Robin Jr	Russell, Joseph	Russell, Trinka
Scamman, Stella	Scamman, W. Douglas Jr	Schlachman, Donna	Splaine, James
Webber, Carolyn	Wells, Roger		

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Brown, Jennifer
Brown, Larry	Browne, Brendon	Burke, Rachel	Cyr, James
Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela	Hutz, Sarah
Kaen, Naida	Lauterborn, Elaine	Lewis, Robert	Perry, Robert
Price, Susan	Rogers, Rose Marie	Rollo, Deanna	Rollo, Michael
Rous, Emma	Ryder, Mark	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Vachon, Dennis	Wall, Janet
Ward, Kenneth	Watters, David		

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	Maiola, Anthony	McClammer, Jim
Skinder, Carla	Sweeney, Cynthia		

NAYS 114

BELKNAP

Bolster, Peter	Boyce, Laurie	Flanders, Donald	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Fleck, Joseph	McConkey, Mark	Roberts, John	Umberger, Karen

CHESHIRE

Emerson, Susan	Hunt, John	Laurent, John	Sterling, Franklin Jr

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert

GRAFTON

Bulis, Lyle	Gionet, Edmond	Gould, Franklin	Ingbretson, Paul
Ladd, Rick Jr	Maybeck, Margie	Ward, Brien	

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Day, Russell
Elliott, Nancy	Gagne, Larry	Gandia, Laura	Graham, John
Haefner, Robert	Hikel, John	Hinkle, Peyton	Hogan, Edith
Holden, Frank	Holden, Rip	Hopper, Gary	Infantine, William
McCarthy, Michael	Mead, Robert	Moran, Edward	O'Brien, William
Ober, Lynne	Ober, Russell III	Palmer, Stephen	Pepino, Leo
Peterson, Andrew	Pratt, Calvin	Renzullo, Andrew	Rowe, Robert

Seidel, Carl	Silva, Peter	Soucy, Connie	Spaulding, Jayne
Tahir, Saghir	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Willette, Robert			

MERRIMACK

Coffey, Jennifer	Hess, David	Kotowski, Frank	McGuire, Carol
Palfrey, David	Reed, Dennis	Smith, Todd	

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Comerford, Timothy	Crisler, Margaret
Devine, James	DiFruscia, Anthony	Dumaine, Dudley	Fesh, Robert
Hagan, Joseph	Headd, James	Hutchinson, Karen	Itse, Daniel
Kappler, L. Mike	Katsakiores, George	Katsakiores, Phyllis	Kolodziej, Walter
McKinney, Betsy	McMahon, Charles	Nevins, Chris	Perkins, Amy
Perkins, Lawrence	Quandt, Matt	Reagan, John	Sanders, Elisabeth
Sapareto, Frank	Sedensky, John	Smith, William	Stiles, Nancy
Sullivan, James	Tucker, Pamela	Van Patten, Don	Weare, Everett
Welch, David			

STRAFFORD

Brown, Julie	Groen, Warren	Vita, Carol

SULLIVAN

Howard, Thomas	Osgood, Joe	Rodeschin, Beverly

and the committee report was adopted.
Referred to the Committee on Criminal Justice and Public Safety.

HB 369, establishing a spending cap on state budget requests. **INEXPEDIENT TO LEGISLATE.**
Rep. John DeJoie for Finance: This bill seeks to set a limit for the increase of the state budget. While well intentioned, it needlessly removes budgetary authority from the legislature. The responsibility of the legislature is to craft a balanced budget which provides needed services for citizens of New Hampshire. This legislature will continue to fulfill this responsibility without artificial barriers that prevent this body from using its reasoned judgment to craft the budget. Vote 21-4.
Rep. Bettencourt requested a roll call; sufficiently seconded.

YEAS 251 NAYS 119

YEAS 251

BELKNAP

Arsenault, Beth	Bolster, Peter	Merry, Liz	Miller, Kate
Millham, Alida	Pilliod, James	Reever, Judith	St. Cyr, Jeffrey

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Umberger, Karen
Wiley, Susan			

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Eaton, Daniel
Lerandeau, Alfred	Lindsey, Steven	Meader, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Rappaport, Laurence	Remick, William	Richardson, Herbert
Theberge, Robert	Thomas, Yvonne		

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Ladd, Rick Jr	Laliberte, Suzanne	Matheson, Robert	Mulholland, Catherine
Pastor, Beatriz	Pierce, David	Preston, Philip	Smith, Suzanne
Taylor, Kathleen	Townsend, Charles		

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Belvin, William	Bergin, Peter	Boisvert, Ronald	Campbell, David
Caron, June	Chandley, Shannon	Chase, Claudia	Chininis, Alexis
Clemons, Jane	Cote, David	Craig, James	Dokmo, Cynthia
Drisko, Richard	Emerton, Larry	Farley, Michael	Flurey, Joan
Foster, Linda	Gargasz, Carolyn	Garrity, Patrick	Gidge, Kenneth
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Graham, John
Hackel, Paul	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hebert, Roger	Hinch, Richard
Hinkle, Peyton	Hodges, Kevin	Irwin, Anne-Marie	Jeudy, Jean
Katsiantonis, Thomas	Kelley, John	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Long, Patrick	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Movsesian, Lori	Nixon, David
O'Brien, Michael Sr	O'Neil, James	Peterson, Andrew	Pilotte, Maurice
Poznanski, Brian	Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Shaw, Kimberly	Soucy, Timothy	Spaulding, Jayne	Sullivan, Daniel
Thompson, Robert	Walsh, Robert Jr		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Kelly, Sally
Kidder, David	Lockwood, Priscilla	McMahon, Patricia	Osborne, Jessie
Palfrey, David	Porter, Margaret	Potter, Frances	Reardon, Tara
Rice, Chip	Richardson, Gary	Rodd, Beth	Schuett, Dianne
Shurtleff, Stephen	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Wheeler, Deborah	Williams, Robert		

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Borden, David	Bridle, Russell

Brown, C. Pennington	Cali-Pitts, Jacqueline	Casey, Kimberley	Charron, Gene
Cushing, Robert	Day, Judith	DiPentima, Rich	Elliott, Robert
Flanders, John Sr	Gould, Kenneth	Griffin, Mary	Henson, John
Howard, Doreen	Kappler, L. Mike	Kepner, Susan	Lyons, Melissa
Major, Norman	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Petterson, Don
Preston, Mark	Rausch, James	Read, Robin Jr	Russell, Joseph
Russell, Trinka	Scamman, Stella	Scamman, W. Douglas Jr	Schlachman, Donna
Splaine, James	Stiles, Nancy	Weare, Everett	Webber, Carolyn
Wells, Roger			

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Brown, Jennifer
Brown, Julie	Brown, Larry	Browne, Brendon	Burke, Rachel
Cyr, James	Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela
Hutz, Sarah	Kaen, Naida	Lauterborn, Elaine	Lewis, Robert
Perry, Robert	Price, Susan	Rogers, Rose Marie	Rollo, Deanna
Rollo, Michael	Rous, Emma	Ryder, Mark	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Sprague, Dale	Vachon, Dennis
Wall, Janet	Ward, Kenneth	Watters, David	

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	Maiola, Anthony	McClammer, Jim
Rodeschin, Beverly	Skinder, Carla	Sweeney, Cynthia	

NAYS 119

BELKNAP

Boyce, Laurie	Fields, Dennis	Flanders, Donald	Russell, David
Swinford, Elaine	Wendelboe, Fran		

CARROLL

Ahlgren, Christopher	Fleck, Joseph	McConkey, Mark	Patten, Betsey
Roberts, John	Scala, Dino	Stevens, Stanley	

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

None

GRAFTON

Bulis, Lyle	Gionet, Edmond	Ingbretson, Paul	Maybeck, Margie
Ward, Brien	Williams, Burton		

HILLSBOROUGH

Batula, Peter	Boehm, Ralph	Cebrowski, John	Christensen, Chris

Christiansen, Lars	Daniels, Gary	Day, Russell	Doherty, Shaun
Elliott, Nancy	Gagne, Larry	Gandia, Laura	Haefner, Robert
Hikel, John	Hogan, Edith	Holden, Frank	Holden, Rip
Hopper, Gary	Infantine, William	Jasper, Shawn	Kurk, Neal
L'Heureux, Robert	McCarthy, Michael	Mead, Robert	Messier, Irene
Moran, Edward	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Pratt, Calvin
Price, Pamela	Renzullo, Andrew	Rowe, Robert	Seidel, Carl
Silva, Peter	Soucy, Connie	Tahir, Saghir	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert	Winters, Joel

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Hess, David
Kotowski, Frank	McGuire, Carol	Reed, Dennis	Smith, Todd

ROCKINGHAM

Baldasaro, Alfred	Bates, David	Belanger, Ronald	Bettencourt, David
Bishop, Franklin	Comerford, Timothy	Crisler, Margaret	DeSimone, Debra
Devine, James	DiFruscia, Anthony	Dumaine, Dudley	Emiro, Frank
Ferrante, Beverly	Fesh, Robert	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Hutchinson, Karen	Ingram, Russell	Itse, Daniel
Katsakiores, George	Katsakiores, Phyllis	Kolodziej, Walter	McKinney, Betsy
McMahon, Charles	Nevins, Chris	Packard, Sherman	Perkins, Amy
Perkins, Lawrence	Quandt, Matt	Reagan, John	Sanders, Elisabeth
Sapareto, Frank	Sedensky, John	Smith, William	Sullivan, James
Tucker, Pamela	Van Patten, Don	Welch, David	

STRAFFORD

Groen, Warren	Vita, Carol

SULLIVAN

Howard, Thomas	Osgood, Joe

and the committee report was adopted.

HB 440-FN, repealing the state's authority to bond school building aid costs.
INEXPEDIENT TO LEGISLATE.
Rep. John DeJoie for Finance: This bill called for repealing the state's authority to bond school building aid costs for the 2008 and 2009 fiscal years in the event of a general fund unreserved, undesignated deficit at the close of the fiscal year. The FY 2008 books have been closed, audited and the Comprehensive Annual Financial Review (CAFR) has been released. The authority to issue $40 million in bonds for 2008 was not used and no bonds were issued. The 2009 audit will not be completed until very near the end of calendar 2009. We would know then if a general fund deficit existed and if bonds would have to be issued to offset up to $40 million. We are making every effort to end FY 2009 with a balanced budget. However, if the general fund ended up in deficit, and if this bill were passed we would be denied the option to issue bonds to pay for school building aid expenditures and would enter FY 2010, a year that we know will present serious fiscal challenges, with up to $40 million of deficit that could have been avoided by the use of this reasonable financing option. Vote 14-10.
Rep. W. Douglas Scamman spoke against and yielded to questions.
Rep. Marjorie Smith spoke in favor and yielded to questions.
Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 210 NAYS 160

YEAS 210

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Pilliod, James
Reever, Judith			

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Eaton, Daniel
Lerandeau, Alfred	Lindsey, Steven	Meader, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Matheson, Robert	Mulholland, Catherine	Pastor, Beatriz
Pierce, David	Preston, Philip	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles			

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Clemons, Jane	Cote, David
Craig, James	Farley, Michael	Flurey, Joan	Foster, Linda
Garrity, Patrick	Gidge, Kenneth	Ginsburg, Ruth	Goley, Jeffrey
Gorman, Mary	Hackel, Paul	Haley, Robert	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hebert, Roger
Hodges, Kevin	Irwin, Anne-Marie	Jeudy, Jean	Katsiantonis, Thomas
Kelley, John	Knowles, John	Knowles, Mary Ann	Komi, Richard
Kopka, Angeline	LaPlante, Roland	Levasseur, Nickolas	Levesque, Melanie
Long, Patrick	Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr
Movsesian, Lori	Nixon, David	O'Brien, Michael Sr	O'Neil, James
Pilotte, Maurice	Poznanski, Brian	Rhodes, Brian	Rokas, Theodoros
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Shaw, Kimberly	Soucy, Timothy	Sullivan, Daniel	Thompson, Robert
Walsh, Robert Jr	Winters, Joel		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	Foose, Robert	French, Barbara

Gile, Mary	Hamm, Christine	Kelly, Sally	McMahon, Patricia
Osborne, Jessie	Porter, Margaret	Potter, Frances	Reardon, Tara
Rice, Chip	Richardson, Gary	Rodd, Beth	Schuett, Dianne
Shurtleff, Stephen	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Wheeler, Deborah	Williams, Robert		

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Casey, Kimberley	Cushing, Robert	Day, Judith
DiFruscia, Anthony	DiPentima, Rich	Gleason, John	Gould, Kenneth
Henson, John	Howard, Doreen	Kepner, Susan	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi
Pantelakos, Laura	Petterson, Don	Preston, Mark	Read, Robin Jr
Russell, Joseph	Russell, Trinka	Schlachman, Donna	Splaine, James
Webber, Carolyn			

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Julie
Brown, Larry	Browne, Brendon	Burke, Rachel	Cyr, James
Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela	Hutz, Sarah
Kaen, Naida	Lauterborn, Elaine	Lewis, Robert	Perry, Robert
Rogers, Rose Marie	Rollo, Deanna	Rollo, Michael	Rous, Emma
Ryder, Mark	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Vachon, Dennis	Wall, Janet	Ward, Kenneth
Watters, David			

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla

NAYS 160

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Russell, David	St. Cyr, Jeffrey	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark
Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen			

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert	Stohl, Eric

GRAFTON

Bulis, Lyle	Gionet, Edmond	Ingbretson, Paul	Ladd, Rick Jr
Maybeck, Margie	Ward, Brien	Williams, Burton	

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Gandia, Laura
Gargasz, Carolyn	Graham, John	Haefner, Robert	Hikel, John
Hinch, Richard	Hinkle, Peyton	Hogan, Edith	Holden, Frank
Holden, Rip	Hopper, Gary	Infantine, William	Jasper, Shawn
Kurk, Neal	L'Heureux, Robert	McCarthy, Michael	Mead, Robert
Messier, Irene	Moran, Edward	O'Brien, William	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Pellegrino, Tony	Pepino, Leo
Peterson, Andrew	Pratt, Calvin	Price, Pamela	Ramsey, Peter
Renzullo, Andrew	Rowe, Robert	Seidel, Carl	Silva, Peter
Soucy, Connie	Spaulding, Jayne	Tahir, Saghir	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert	

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	DeStefano, Stephen
Hess, David	Kidder, David	Kotowski, Frank	Lockwood, Priscilla
McGuire, Carol	Palfrey, David	Reed, Dennis	Smith, Todd

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Charron, Gene	Comerford, Timothy
Crisler, Margaret	DeSimone, Debra	Devine, James	Dumaine, Dudley
Elliott, Robert	Emiro, Frank	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Griffin, Mary	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Ingram, Russell	Itse, Daniel	Kappler, L. Mike
Katsakiores, George	Katsakiores, Phyllis	Kolodziej, Walter	Lyons, Melissa
Major, Norman	McKinney, Betsy	McMahon, Charles	Nevins, Chris
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Quandt, Matt
Rausch, James	Reagan, John	Sanders, Elisabeth	Sapareto, Frank
Scamman, Stella	Scamman, W. Douglas Jr	Sedensky, John	Smith, William
Stiles, Nancy	Sullivan, James	Tucker, Pamela	Van Patten, Don
Weare, Everett	Welch, David	Wells, Roger	

STRAFFORD

Bickford, David	Groen, Warren	Price, Susan	Vita, Carol

SULLIVAN

Howard, Thomas	Maiola, Anthony	Osgood, Joe	Rodeschin, Beverly

and the committee report was adopted.

HB 221-FN-A, requiring a discount to wholesalers on cash purchases of tobacco tax stamps.
INEXPEDIENT TO LEGISLATE.
Rep. John D. Kelley for Ways and Means: This bill has been brought forward in each of the last two terms and defeated. In addition, the bill will cause a potential loss of $1,628,704

from the general fund. Vote 14-4.
On a division vote, 258 members having voted in the affirmative and 102 in the negative, the committee report was adopted.

REMOVED FROM THE TABLE

Reps. Wallner and Packard moved that ***HB 51-FN-A,*** reestablishing the initial monthly gross charge exemption to the communications services tax, be removed from the table. (Pending question: Majority committee report of Inexpedient to Legislate)
Adopted.

The question now being adoption of the majority committee report of Inexpedient to Legislate
Rep. Ulery spoke against and yielded to questions.
Rep. Vaillancourt spoke against.
Rep. Hatch spoke in favor.
Rep. Vaillancourt requested a roll call; sufficiently seconded.

YEAS 202 NAYS 159

YEAS 202

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Reever, Judith

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carr, Daniel	Eaton, Daniel	Lerandeau, Alfred
Lindsey, Steven	Meader, David	Mitchell, Bonnie	Parkhurst, Henry
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Sad, Tara
Weber, Lucy	Weed, Charles		

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Gould, Franklin	Harding, Laurie	Laliberte, Suzanne
Matheson, Robert	Mulholland, Catherine	Pastor, Beatriz	Pierce, David
Preston, Philip	Smith, Suzanne	Taylor, Kathleen	Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Caron, June	Chandley, Shannon	Chase, Claudia
Chininis, Alexis	Clemons, Jane	Cote, David	Craig, James
Farley, Michael	Flurey, Joan	Foster, Linda	Garrity, Patrick
Gidge, Kenneth	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Hackel, Paul	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hebert, Roger	Hodges, Kevin

Holden, Rip	Irwin, Anne-Marie	Jeudy, Jean	Katsiantonis, Thomas
Kelley, John	Knowles, John	Knowles, Mary Ann	Komi, Richard
Kopka, Angeline	LaPlante, Roland	Leishman, Peter	Levasseur, Nickolas
Levesque, Melanie	Long, Patrick	Mack, Ron	Marshall, Seth
Moran, Edward	Movsesian, Lori	Nixon, David	O'Brien, Michael Sr
O'Neil, James	Pilotte, Maurice	Poznanski, Brian	Ramsey, Peter
Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy	Schulze, Joan
Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly	Soucy, Timothy
Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr	

MERRIMACK

Bartlett, Michael	Brown, Carole	Clarke, Claire	Davis, Frank
DeJoie, John	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Kelly, Sally	McMahon, Patricia
Osborne, Jessie	Porter, Margaret	Potter, Frances	Reardon, Tara
Rice, Chip	Richardson, Gary	Rodd, Beth	Schuett, Dianne
Shurtleff, Stephen	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Wheeler, Deborah	Williams, Robert		

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiFruscia, Anthony	DiPentima, Rich
Henson, John	Howard, Doreen	Kepner, Susan	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi
Pantelakos, Laura	Petterson, Don	Preston, Mark	Read, Robin Jr
Russell, Joseph	Russell, Trinka	Schlachman, Donna	Webber, Carolyn

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Larry
Browne, Brendon	Burke, Rachel	Cyr, James	Hofemann, Roland
Horrigan, Timothy	Hubbard, Pamela	Hutz, Sarah	Kaen, Naida
Lewis, Robert	Perry, Robert	Price, Susan	Rogers, Rose Marie
Rollo, Deanna	Rollo, Michael	Rous, Emma	Ryder, Mark
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Vachon, Dennis
Wall, Janet	Ward, Kenneth	Watters, David	

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla
Sweeney, Cynthia			

NAYS 159

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Pilliod, James	Russell, David	St. Cyr, Jeffrey
Swinford, Elaine	Wendelboe, Fran		

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark

Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen			

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert	Stohl, Eric

GRAFTON

Bulis, Lyle	Friedrich, Carol	Gionet, Edmond	Ingbretson, Paul
Ladd, Rick Jr	Maybeck, Margie	Ward, Brien	Williams, Burton

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Elliott, Nancy
Emerton, Larry	Gagne, Larry	Gandia, Laura	Gargasz, Carolyn
Graham, John	Haefner, Robert	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hogan, Edith	Holden, Frank	Hopper, Gary
Infantine, William	Jasper, Shawn	Kurk, Neal	L'Heureux, Robert
Matarazzo, Anthony Sr	McCarthy, Michael	Mead, Robert	Messier, Irene
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Pellegrino, Tony	Pepino, Leo	Peterson, Andrew	Pratt, Calvin
Price, Pamela	Renzullo, Andrew	Rowe, Robert	Seidel, Carl
Silva, Peter	Soucy, Connie	Spaulding, Jayne	Tahir, Saghir
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert
Winters, Joel			

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Hess, David
Kidder, David	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
Palfrey, David	Smith, Todd		

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bridle, Russell	Cali-Pitts, Jacqueline	Charron, Gene	Comerford, Timothy
Crisler, Margaret	DeSimone, Debra	Devine, James	Dumaine, Dudley
Elliott, Robert	Emiro, Frank	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Gleason, John	Gould, Kenneth	Griffin, Mary
Hagan, Joseph	Headd, James	Hoelzel, Kathleen	Hutchinson, Karen
Ingram, Russell	Itse, Daniel	Kappler, L. Mike	Katsakiores, George
Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman	McKinney, Betsy
McMahon, Charles	Nevins, Chris	Packard, Sherman	Quandt, Matt
Rausch, James	Reagan, John	Sanders, Elisabeth	Sapareto, Frank
Scamman, Stella	Sedensky, John	Smith, William	Splaine, James
Stiles, Nancy	Sullivan, James	Tucker, Pamela	Van Patten, Don
Weare, Everett	Welch, David	Wells, Roger	

STRAFFORD

Bickford, David Brown, Julie Groen, Warren Lauterborn, Elaine
Vita, Carol

SULLIVAN

Howard, Thomas Maiola, Anthony Osgood, Joe Rodeschin, Beverly
and the majority committee report was adopted.

UNANIMOUS CONSENT

Rep. Kris Roberts addressed the House.

MOTION TO PRINT REMARKS

Rep. Levesque moved that the remarks made by Rep. Kris Roberts be printed in the Permanent Journal. Rep. Packard seconded the motion.
Adopted.

REMARKS

Rep. Kris Roberts: Thank you, Madam Speaker. Sometimes when we least expect it, regardless of the cost and risk to our well being, we stand up because it is the right thing, the moral thing to do. That sometime took place in the city of Dover, New Hampshire, a mill town whose financial well-being was dependent on slave produced, low price southern cotton; where Samuel Beede, editor of the *Dover Morning Star* wrote a story where he declared that although slavery was evil, the North was just as guilty as the South. In 1834, after Beede's untimely death, William Burr became editor and wrote that slavery was not only evil but was a religious and a moral issue. Despite near financial ruin and threat of physical violence requiring police protection, he continued to fight the good fight. On March 2, 1860, he was invited to sit on the speakers' platform while Abraham Lincoln gave his speech in the Dover City Hall. A direct result of William Burr's and the *Morning Star's* action, Dover became the first New Hampshire city to send anti-slavery members to the General Court. Forced from the Democratic Party for his strength of conviction and for his anti-slavery stand, John Parker Hale, who practiced law in Dover, would become the first anti-slavery Senator elected to Congress. William Burr fought the hard, long and unpopular battle. He saw the end of slavery in the United States and he played a major role in winning the battle to end one of the greatest crimes against humanity. For his actions he paid a heavy price. In 1866 he suffered an early and unexpected death. Because of New Hampshire men and women like William Burr some of us today have a voice. So today I want to give a voice to three slaves and their connections and contributions to New Hampshire. There is one more voice, a living voice, a 99 year old voice sitting here today up in the gallery that I hope you take an opportunity to meet today. Mrs. Iris Thompson, a resident of Milford NH, is a woman who took part in the Freedom House and Martin Luther King's March on Washington. In 1645, over 360 years ago, a group of slave traders attacked a small village in Africa. On that Sunday, they killed a large number of villagers and captured a number of others for the long and deadly trip to the slave markets of what is now America. Upon completion of the harsh trip, a young man found himself on the auction floor of the Boston slave market where he was sold to Mr. William of Piscataqua. Once that young man, the first recorded slave in the colony, was brought to New Hampshire, the General Court ordered him to be returned to Africa because the slave traders had violated the Sabbath. During the Revolutionary war, over 180 New Hampshire blacks, slave and free, and an unknown number of mulattoes violated New Hampshire law to serve and fight in the New Hampshire militia or the Continental Army allowing New Hampshire to meet its quota of able body men. For the most part, every single man has been lost to the winds of time. However, one man, Prince Whipple, the slave of General Whipple has refused to vanish from history. He served and engaged in combat along side both General Whipple and General Washington. It has been

argued that he is the black soldier in Emanuel Leutze's "Washington Crossing the Delaware" which is on display in the Metropolitan Museum of Art and in Thomas Sally's "The Passage of the Delaware" which is currently located in the Museum of Fine Art in Boston. After the Revolutionary War he was given his freedom and returned to New Hampshire where he married, had a child and lived out his life. After General Washington was elected President, the slave that Martha Washington took with her to New York City was a young woman named Ona Maria Stein. During Washington's second term in office she ran away and was given passage on a ship bound for New Hampshire. When President Washington learned that she was living in Portsmouth as a free woman, he directed Joseph Whipple, the Portsmouth's Custom Collector to locate and seize her and return her to him for which he would cover all expenses. However, after talking to her, John Whipple was so impressed by her desire, her hunger for freedom that he wrote President Washington to tell him that the people of New Hampshire believed in universal freedom and as such he would not return her. A few years later President Washington asked his nephew who was traveling to New Hampshire for business to do his best to locate Ona and any children she may have had and return them to Virginia. For if one's mother was a slave all her children were slaves from the moment of their birth. Senator Langdon, learning of the impending kidnapping, made sure Ona and her family was given the opportunity to escape. Like other colonies, New Hampshire had an early history with slavery. At its peak there were about 900 slaves, but by 1790 most had become free. For example, of the 83 blacks living in Exeter, 81 were free men and women. Men like William Burr, John Whipple, Senators Hale and Langdon risked a great deal. How many of us would break the law and tell the President of the United States, the father of our country, no? Men like Father Jonathan Daniels of Keene, almost 200 years later, would lose his life to ensure black men and women were not only free but equal. Black men like Prince Whipple who were willing to face death on the battlefield to fight for freedom even though he was not free himself. Women like Ona Marie Stein, who is listed in Women of Granite, 25 New Hampshire Women You Should Know, who risked being captured, beaten, and being sold to the brutal West Indies where slaves were worked to death in the sugar fields just for the opportunity to be free. Women like Rosary Cooper who became one of the nation's high crane operators, helping to build warships at the Portsmouth Naval Shipyard during World War II. So as we come to the close of Black History Month, it is important to realize that blacks have been in New Hampshire for at least 363 years and have played an important role in the lives of many of the men whose pictures are hanging in the hallways of this building, have towns named after them, and dot the history books of New Hampshire. Blacks, both men and women, have played a small, often unknown but important role in the history of New Hampshire and without question will play an even more important role in the future of New Hampshire. I thank this House for the opportunity to speak here today, because in the end, that is all any person in New Hampshire, regardless of color: black, white, brown red, yellow and any other color in between, asks for, the opportunity to be a proud American, the opportunity to contribute to the welfare of the whole, the opportunity to make the best of their God given talents. Again, I say thank you.

The House recessed at 12:30 p.m.

RECESS

(Speaker Norelli in the Chair)

The House reconvened at 1:40 p.m.

REGULAR CALENDAR (CONT'D)

CACR 2, relating to funding of public education. Providing that the legislature shall define standards for education, determine the level of state funding thereof, establish standards of accountability, and allocate state funds in a manner that mitigates disparities in educational

opportunity and fiscal capacity, provided that a reasonable share of state funds shall be distributed on a per pupil basis. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kimberly C. Shaw for the Majority of Education: The majority of the committee believes that this CACR is unnecessary and unwarranted. Similar amendments have been defeated by the legislature over the last several years. This CACR would lower the standard of judicial review from "strict scrutiny" where the burden is on the legislature to prove that a funding solution is constitutional to a "reasonable" standard where the burden shifts to the plaintiff to show why a funding solution is not reasonable. The majority further believes that tampering with the Constitution is not the way to solve a financial crisis or reverse a judicial decision with which some might disagree. The court has ruled that the legislature must meet its constitutional responsibility but has not mandated how this is done. Vote 11-9.

Rep. Pamela G. Price for the Minority of Education: This constitutional amendment clarifies and reestablishes the role of the legislature in the funding of public education. It clarifies that the legislature shall define standards and determine the level of state funding for education. It allows education dollars to be targeted as long as a reasonable share is allotted on a per pupil basis. The court will still retain oversight should the legislature act unreasonably. This is exactly the same language which was supported by the governor last year. The minority believes that after years of court intervention the public deserves to weigh in on this important issue.

Rep. Hess spoke against.

Reps. Kimberly Shaw and Hamm spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 231 NAYS 117

YEAS 231

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Millham, Alida
Pilliod, James	Reever, Judith	Wendelboe, Fran	

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butterworth, Timothy	Butynski, William
Carlson, Nancy	Carr, Daniel	Eaton, Daniel	Emerson, Susan
Lerandeau, Alfred	Lindsey, Steven	Meader, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Theberge, Robert	Thomas, Yvonne

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bulis, Lyle
Cooney, Mary	Ford, Susan	Friedrich, Carol	Gould, Franklin
Harding, Laurie	Ingbretson, Paul	Laliberte, Suzanne	Matheson, Robert
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Pierce, David
Preston, Philip	Smith, Suzanne	Townsend, Charles	

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Bergin, Peter	Boisvert, Ronald	Campbell, David	Caron, June
Chandley, Shannon	Chase, Claudia	Chininis, Alexis	Clemons, Jane
Cote, David	Craig, James	Dokmo, Cynthia	Elliott, Nancy
Farley, Michael	Flurey, Joan	Foster, Linda	Gagne, Larry
Garrity, Patrick	Gidge, Kenneth	Gorman, Mary	Hackel, Paul
Hammond, Jill	Hardy, Valerie	Harvey, Philip	Harvey, Suzanne
Hebert, Roger	Hodges, Kevin	Hogan, Edith	Holden, Frank
Infantine, William	Irwin, Anne-Marie	Jeudy, Jean	Katsiantonis, Thomas
Kelley, John	Knowles, John	Knowles, Mary Ann	Komi, Richard
Kopka, Angeline	LaPlante, Roland	Leishman, Peter	Levasseur, Nickolas
Long, Patrick	Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr
Mead, Robert	Messier, Irene	Movsesian, Lori	O'Brien, William
O'Neil, James	Palmer, Stephen	Peterson, Andrew	Pilotte, Maurice
Poznanski, Brian	Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Shaw, Kimberly	Soucy, Connie	Soucy, Timothy	Thompson, Robert
Vaillancourt, Steve	Walsh, Robert Jr	Willette, Robert	Winters, Joel

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Davis, Frank
DeJoie, John	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	Kidder, David	Lockwood, Priscilla
McMahon, Patricia	Osborne, Jessie	Palfrey, David	Porter, Margaret
Potter, Frances	Reardon, Tara	Rice, Chip	Richardson, Gary
Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen	Stetson, William
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline
Casey, Kimberley	Comerford, Timothy	Cushing, Robert	Day, Judith
DiPentima, Rich	Dumaine, Dudley	Emiro, Frank	Ferrante, Beverly
Gould, Kenneth	Henson, John	Howard, Doreen	Itse, Daniel
Kepner, Susan	Mann, Maureen	McCarthy, Barbara	McKinney, Betsy
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Petterson, Don
Read, Robin Jr	Reagan, John	Russell, Joseph	Russell, Trinka
Sapareto, Frank	Schlachman, Donna	Sullivan, James	Webber, Carolyn
Wells, Roger			

STRAFFORD

Bickford, David	Brennan, William	Brown, Jennifer	Brown, Julie
Brown, Larry	Burke, Rachel	Cyr, James	Grassie, Anne
Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela	Hutz, Sarah
Kaen, Naida	Keans, Sandra	Lauterborn, Elaine	Lewis, Robert
Perry, Robert	Price, Susan	Rogers, Rose Marie	Rollo, Deanna
Rous, Emma	Ryder, Mark	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Vachon, Dennis	Wall, Janet
Ward, Kenneth	Watters, David		

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Harris, Sandra	Houde-Quimby, Charlotte
McClammer, Jim	Skinder, Carla	Sweeney, Cynthia	

NAYS 117

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Russell, David	St. Cyr, Jeffrey	Swinford, Elaine	

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark
Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen			

CHESHIRE

Johnson, Jane	Laurent, John	Sterling, Franklin Jr

COOS

Rappaport, Laurence	Richardson, Herbert	Stohl, Eric

GRAFTON

Gionet, Edmond	Ladd, Rick Jr	Maybeck, Margie	Ward, Brien

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Day, Russell
Doherty, Shaun	Drisko, Richard	Emerton, Larry	Gandia, Laura
Gargasz, Carolyn	Graham, John	Haefner, Robert	Haley, Robert
Hikel, John	Hinch, Richard	Hinkle, Peyton	Hopper, Gary
Jasper, Shawn	Kurk, Neal	L'Heureux, Robert	Ober, Lynne
Ober, Russell III	Pellegrino, Tony	Pepino, Leo	Pratt, Calvin
Price, Pamela	Renzullo, Andrew	Rowe, Robert	Seidel, Carl
Silva, Peter	Spaulding, Jayne	Tahir, Saghir	Ulery, Jordan
Villeneuve, Moe			

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Hess, David
Kotowski, Frank	McGuire, Carol	Reed, Dennis	Smith, Todd

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Bishop, Franklin	Bridle, Russell	Charron, Gene	Crisler, Margaret
DeSimone, Debra	Devine, James	DiFruscia, Anthony	Elliott, Robert
Fesh, Robert	Flanders, John Sr	Griffin, Mary	Hagan, Joseph
Headd, James	Hoelzel, Kathleen	Hutchinson, Karen	Ingram, Russell
Kappler, L. Mike	Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman
McMahon, Charles	Nevins, Chris	Packard, Sherman	Perkins, Amy
Perkins, Lawrence	Rausch, James	Sanders, Elisabeth	Scamman, Stella

Scamman, W. Douglas Jr	Sedensky, John	Smith, William	Stiles, Nancy
Tucker, Pamela	Van Patten, Don	Weare, Everett	Welch, David

STRAFFORD

Groen, Warren	Vita, Carol		

SULLIVAN

Gottling, Suzanne	Howard, Thomas	Osgood, Joe	Rodeschin, Beverly

and the majority committee report was adopted.

CACR 3, relating to public schools. Providing that it shall be the duty of the legislature to encourage the interest of literature and the sciences and all seminaries and public schools.
INEXPEDIENT TO LEGISLATE.
Rep. Judith T. Reever for Education: This resolution would change the word "cherish" in article 83 of the second part of the Constitution, to the word "encourage." "Cherish" is the word the court used to define the state's responsibility to fully fund an adequate education. The majority of the committee felt without "cherish" the state's support for educational adequacy would be at risk. Vote 12-5.
Rep. Rowe spoke against.
Rep. Rous spoke in favor.
Rep. Dumaine requested a roll call; sufficiently seconded.

YEAS 250 NAYS 118

YEAS 250

BELKNAP

Arsenault, Beth	Bolster, Peter	Merry, Liz	Miller, Kate
Millham, Alida	Pilliod, James	Reever, Judith	

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Fleck, Joseph
Patten, Betsey	Scala, Dino	Umberger, Karen	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Eaton, Daniel
Lerandeau, Alfred	Lindsey, Steven	Meader, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Theberge, Robert	Thomas, Yvonne

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Ladd, Rick Jr	Laliberte, Suzanne	Matheson, Robert	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Pierce, David	Preston, Philip

Smith, Suzanne	Taylor, Kathleen	Townsend, Charles	Williams, Burton

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Bergin, Peter	Boisvert, Ronald	Campbell, David	Caron, June
Cebrowski, John	Chandley, Shannon	Chase, Claudia	Chininis, Alexis
Clemons, Jane	Cote, David	Craig, James	Dokmo, Cynthia
Drisko, Richard	Farley, Michael	Flurey, Joan	Foster, Linda
Gargasz, Carolyn	Garrity, Patrick	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Hackel, Paul	Haley, Robert	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hebert, Roger
Hodges, Kevin	Holden, Rip	Irwin, Anne-Marie	Jeudy, Jean
Katsiantonis, Thomas	Kelley, John	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Long, Patrick	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Messier, Irene	Movsesian, Lori
O'Neil, James	Peterson, Andrew	Pilotte, Maurice	Poznanski, Brian
Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Soucy, Timothy	Thompson, Robert	Walsh, Robert Jr	

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Coffey, Jennifer	Davis, Frank	DeJoie, John	DeStefano, Stephen
Foose, Robert	French, Barbara	Gile, Mary	Hamm, Christine
Kelly, Sally	Kotowski, Frank	Lockwood, Priscilla	McMahon, Patricia
Osborne, Jessie	Palfrey, David	Porter, Margaret	Potter, Frances
Reardon, Tara	Rice, Chip	Richardson, Gary	Rodd, Beth
Schuett, Dianne	Shurtleff, Stephen	Smith, Todd	Stetson, William
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Belanger, Ronald	Bishop, Franklin
Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline	Casey, Kimberley
Charron, Gene	Crisler, Margaret	Cushing, Robert	Day, Judith
DiFruscia, Anthony	DiPentima, Rich	Elliott, Robert	Flanders, John Sr
Gould, Kenneth	Henson, John	Howard, Doreen	Kappler, L. Mike
Kepner, Susan	Lyons, Melissa	Mann, Maureen	McCarthy, Barbara
McEachern, Paul	Moody, Marcia	Nord, Susi	Pantelakos, Laura
Petterson, Don	Preston, Mark	Rausch, James	Read, Robin Jr
Russell, Joseph	Sapareto, Frank	Scamman, Stella	Scamman, W. Douglas Jr
Schlachman, Donna	Splaine, James	Stiles, Nancy	Sullivan, James
Tucker, Pamela	Webber, Carolyn	Wells, Roger	

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Julie
Brown, Larry	Browne, Brendon	Burke, Rachel	Cyr, James
Domingo, Baldwin	Grassie, Anne	Hofemann, Roland	Horrigan, Timothy
Hubbard, Pamela	Hutz, Sarah	Kaen, Naida	Keans, Sandra
Lauterborn, Elaine	Lewis, Robert	Perry, Robert	Price, Susan
Rogers, Rose Marie	Rollo, Deanna	Rollo, Michael	Rous, Emma

Ryder, Mark	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Vachon, Dennis	Wall, Janet	Ward, Kenneth
Watters, David			

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla
Sweeney, Cynthia			

NAYS 118

BELKNAP

Boyce, Laurie	Fields, Dennis	Flanders, Donald	Russell, David
St. Cyr, Jeffrey	Swinford, Elaine	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Chandler, Gene	McConkey, Mark	Roberts, John
Stevens, Stanley			

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Richardson, Herbert	Stohl, Eric

GRAFTON

Bulis, Lyle	Gionet, Edmond	Ingbretson, Paul	Maybeck, Margie
Ward, Brien			

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Christensen, Chris
Christiansen, Lars	Daniels, Gary	Day, Russell	Doherty, Shaun
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Gandia, Laura
Graham, John	Haefner, Robert	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hogan, Edith	Holden, Frank	Hopper, Gary
Infantine, William	Jasper, Shawn	Kurk, Neal	L'Heureux, Robert
Mead, Robert	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Pratt, Calvin
Price, Pamela	Renzullo, Andrew	Rowe, Robert	Seidel, Carl
Silva, Peter	Soucy, Connie	Spaulding, Jayne	Tahir, Saghir
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert
Winters, Joel			

MERRIMACK

Anderson, Eric	Boutin, David	Hess, David	Kidder, David
McGuire, Carol	Reed, Dennis		

ROCKINGHAM

Baldasaro, Alfred	Bates, David	Bettencourt, David	Bridle, Russell
Comerford, Timothy	DeSimone, Debra	Devine, James	Dumaine, Dudley
Emiro, Frank	Ferrante, Beverly	Fesh, Robert	Griffin, Mary
Hagan, Joseph	Headd, James	Hoelzel, Kathleen	Hutchinson, Karen
Ingram, Russell	Itse, Daniel	Katsakiores, Phyllis	Kolodziej, Walter
Major, Norman	McKinney, Betsy	McMahon, Charles	Nevins, Chris
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Quandt, Matt
Reagan, John	Sanders, Elisabeth	Sedensky, John	Smith, William
Van Patten, Don	Weare, Everett	Welch, David	

STRAFFORD

Bickford, David	Groen, Warren	Vita, Carol

SULLIVAN

Howard, Thomas	Maiola, Anthony	Osgood, Joe	Rodeschin, Beverly

and the committee report was adopted.

CACR 8, relating to public education. Providing that the recognition of local control of education in the New Hampshire constitution is reestablished. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Judith E. Day for the Majority of Education: This bill changes the term "high principles" that is currently in Part I, Article 6 of the state constitution to "the fundamental principles of the constitution." It also expands local control by allowing schools to establish their own curriculum. The majority of the committee felt that the term "high principles" should remain such and that local control should not be expanded in this way as current practice maintains an appropriate balance between local decision-making and state standards. Vote 11-7.

Rep. Paul Ingbretson for the Minority of Education: When voters amended the Constitution in 1968 we inadvertently removed our legislative authority over education. This bill puts that authority back in. At that time we also replaced the word "evangelical" with "high" to describe the principles we want to enable. "Evangelical Principles" was a phrase meaning "bottom-up" referring to our form of government (which is the same as that of the evangelical church's) and should be put back in with the phrase, "fundamental principles of the constitution."

Rep. Itse requested a roll call; sufficiently seconded.

YEAS 239 NAYS 129

YEAS 239

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Millham, Alida
Pilliod, James	Reever, Judith		

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Eaton, Daniel
Lerandeau, Alfred	Lindsey, Steven	Meader, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy

Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Theberge, Robert	Thomas, Yvonne

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Matheson, Robert	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Pierce, David	Preston, Philip	Smith, Suzanne
Taylor, Kathleen	Townsend, Charles	Williams, Burton	

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Bergin, Peter	Boisvert, Ronald	Campbell, David	Caron, June
Chandley, Shannon	Chase, Claudia	Chininis, Alexis	Clemons, Jane
Cote, David	Craig, James	Dokmo, Cynthia	Drisko, Richard
Emerton, Larry	Farley, Michael	Flurey, Joan	Foster, Linda
Gargasz, Carolyn	Garrity, Patrick	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Graham, John	Hackel, Paul	Haley, Robert
Hammond, Jill	Hardy, Valerie	Harvey, Philip	Harvey, Suzanne
Hebert, Roger	Hodges, Kevin	Irwin, Anne-Marie	Jeudy, Jean
Katsiantonis, Thomas	Kelley, John	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Long, Patrick	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Messier, Irene	Movsesian, Lori
O'Brien, Michael Sr	O'Neil, James	Peterson, Andrew	Pilotte, Maurice
Poznanski, Brian	Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Shaw, Kimberly	Soucy, Timothy	Sullivan, Daniel	Thompson, Robert
Vaillancourt, Steve	Walsh, Robert Jr	Winters, Joel	

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Kelly, Sally
Lockwood, Priscilla	McMahon, Patricia	Osborne, Jessie	Porter, Margaret
Potter, Frances	Reardon, Tara	Rice, Chip	Richardson, Gary
Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen	Stetson, William
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Casey, Kimberley	Crisler, Margaret	Cushing, Robert
Day, Judith	DiPentima, Rich	Emiro, Frank	Gould, Kenneth
Henson, John	Howard, Doreen	Kepner, Susan	Lyons, Melissa
Mann, Maureen	McCarthy, Barbara	McEachern, Paul	McKinney, Betsy
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Petterson, Don
Preston, Mark	Rausch, James	Read, Robin Jr	Russell, Joseph
Sapareto, Frank	Scamman, Stella	Scamman, W.	Schlachman, Donna

		Douglas Jr	
Splaine, James	Stiles, Nancy	Sullivan, James	Weare, Everett
Webber, Carolyn	Wells, Roger		

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Julie
Brown, Larry	Browne, Brendon	Burke, Rachel	Cyr, James
Domingo, Baldwin	Grassie, Anne	Hofemann, Roland	Horrigan, Timothy
Hubbard, Pamela	Hutz, Sarah	Kaen, Naida	Keans, Sandra
Lauterborn, Elaine	Lewis, Robert	Perry, Robert	Price, Susan
Rogers, Rose Marie	Rollo, Deanna	Rollo, Michael	Rous, Emma
Ryder, Mark	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Vachon, Dennis	Wall, Janet	Ward, Kenneth
Watters, David			

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla
Sweeney, Cynthia			

NAYS 129

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Russell, David	St. Cyr, Jeffrey	Swinford, Elaine	Wendelboe, Fran

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark
Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen			

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Richardson, Herbert	Stohl, Eric

GRAFTON

Bulis, Lyle	Gionet, Edmond	Ingbretson, Paul	Ladd, Rick Jr
Maybeck, Margie	Ward, Brien		

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Day, Russell
Doherty, Shaun	Elliott, Nancy	Gagne, Larry	Gandia, Laura
Haefner, Robert	Hikel, John	Hinch, Richard	Hinkle, Peyton
Hogan, Edith	Holden, Frank	Holden, Rip	Hopper, Gary
Infantine, William	Jasper, Shawn	Kurk, Neal	Mead, Robert
O'Brien, William	Ober, Lynne	Palmer, Stephen	Pellegrino, Tony

Pepino, Leo	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rowe, Robert	Seidel, Carl	Silva, Peter	Soucy, Connie
Spaulding, Jayne	Tahir, Saghir	Ulery, Jordan	Villeneuve, Moe
Willette, Robert			

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Hess, David
Kidder, David	Kotowski, Frank	McGuire, Carol	Palfrey, David
Reed, Dennis	Smith, Todd		

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Charron, Gene	Comerford, Timothy
DeSimone, Debra	Devine, James	DiFruscia, Anthony	Dumaine, Dudley
Elliott, Robert	Ferrante, Beverly	Fesh, Robert	Flanders, John Sr
Griffin, Mary	Hagan, Joseph	Headd, James	Hoelzel, Kathleen
Hutchinson, Karen	Ingram, Russell	Itse, Daniel	Kappler, L. Mike
Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman	McMahon, Charles
Nevins, Chris	Packard, Sherman	Perkins, Amy	Perkins, Lawrence
Quandt, Matt	Reagan, John	Sanders, Elisabeth	Sedensky, John
Smith, William	Tucker, Pamela	Van Patten, Don	Welch, David

STRAFFORD

Bickford, David	Groen, Warren	Vita, Carol

SULLIVAN

Howard, Thomas	Maiola, Anthony	Osgood, Joe	Rodeschin, Beverly

and the majority committee report was adopted.

HB 140-FN, making charter schools eligible for grants for leased space. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brien L. Ward for Education: This bill will allow chartered public schools to receive 30 percent of the reimbursement for annual lease payment incurred for the cost of leasing space. Vote 13-7.

Amendment (0165h)

Amend the introductory paragraph in RSA 198:15-hh, I as inserted by section 1 of the bill by replacing it with the following:

I. The amount of the annual grant for a lease to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1, shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred, for the cost of leasing permanent space in a building or buildings not owned by the school district or school administrative unit which is used for the operation of a high school vocational technical education program, to the extent approved by the state board of education, provided that the amount of the annual grant in the case of a cooperative school district, joint maintenance agreement, or a receiving district operating an area school, shall be 40 percent plus 5 percent for each pre-existing district in excess of 2 and each sending district, in excess of one, and provided further that no cooperative school district, joint maintenance agreement, or receiving district operating an area school, shall receive an annual grant in excess of 55 percent. For the purposes of this section, the amount of the annual grant for a lease to a vocational technical education center shall be calculated

in the same manner as a cooperative school district. ***The amount of the annual grant for a chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of the annual lease payment incurred for the cost of leasing space.*** Such lease agreements shall be eligible for grants under this section, provided all of the following conditions apply:
Amendment adopted.
Committee report adopted.
Referred to the Committee on Finance.

HB 521-FN, relative to funding for students eligible for the free and reduced-price meal program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Judith T. Reever for the Majority of Education: This bill removes $127 million, almost 14%, from the overall cost of an adequate education and $32 million from the transition budget. The effective date of July 1, 2009 would severely affect next year's school budgets. The bill eliminates money targeted to schools with the greatest educational needs, based on school concentrations of low income students. Current law allots adequacy money according to numbers of students, but it is not sent to students. Rather it is directed to schools for programs known to improve achievement. Numerous studies confirm that the achievement of all students in a school correlates with the poverty level of its students (US Department of Education, National Education Longitudinal Study, National Center for Education Statistics). The majority believes we should not undo the work of the costing commission, the 2008 vote of the Legislature, and the NH Supreme Court's acknowledgement that we have met our constitutional responsibility to cost adequacy. Vote 10-6.
Rep. Nancy F. Stiles for the Minority of Education: The policy behind this bill was to bring consistency to differentiated aid so that the money appropriated for students eligible for free and reduced price meals would replicate the same eligibility requirement as ELL and SPED, the other two categories of differentiated aid. Since 1999 education funding formulas have sent additional aid to eligible free and reduced price meal students. This practice has been based on multiple studies including the Management Analysis and Planning report contracted and designed specifically for the NH legislature in 2000. The research speaks to providing additional aid for eligible students. New in 2008 (current law) established cliffs of aid based on concentration of free and reduced price meal eligibility for a total $180m for the 2006-07 base year calculation. $53.5m accounts for students who meet the eligibility requirement (36,400 students) while the remaining $126.5m is directed to schools for all students (94,144 students not meeting the eligibility) just because they are sitting in the same classroom. This is misdirected targeted aid, which could otherwise be much more appropriately spent.
Rep. Brien Ward moved Recommit and spoke in favor.
Rep. Rous spoke against.
Rep. Eaton requested a roll call; sufficiently seconded.

YEAS 152 NAYS 220

YEAS 152

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Pilliod, James	Russell, David	St. Cyr, Jeffrey
Swinford, Elaine	Wendelboe, Fran		

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark

Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen			

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Stohl, Eric		

GRAFTON

Bulis, Lyle	Gionet, Edmond	Ingbretson, Paul	Ladd, Rick Jr
Ward, Brien	Williams, Burton		

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Gandia, Laura
Gargasz, Carolyn	Graham, John	Haefner, Robert	Hikel, John
Hinch, Richard	Hinkle, Peyton	Hogan, Edith	Holden, Frank
Holden, Rip	Hopper, Gary	Jasper, Shawn	Kurk, Neal
L'Heureux, Robert	McCarthy, Michael	Mead, Robert	Moran, Edward
O'Brien, William	O'Neil, James	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Peterson, Andrew	Price, Pamela
Renzullo, Andrew	Rowe, Robert	Seidel, Carl	Silva, Peter
Soucy, Connie	Spaulding, Jayne	Tahir, Saghir	Ulery, Jordan
Willette, Robert			

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Hess, David
Kidder, David	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
Reed, Dennis	Smith, Todd		

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Charron, Gene	Comerford, Timothy
Crisler, Margaret	Day, Judith	DeSimone, Debra	Devine, James
DiFruscia, Anthony	Dumaine, Dudley	Elliott, Robert	Emiro, Frank
Ferrante, Beverly	Fesh, Robert	Flanders, John Sr	Griffin, Mary
Headd, James	Hoelzel, Kathleen	Hutchinson, Karen	Ingram, Russell
Itse, Daniel	Kappler, L. Mike	Katsakiores, Phyllis	Kolodziej, Walter
Major, Norman	McKinney, Betsy	McMahon, Charles	Nevins, Chris
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Petterson, Don
Quandt, Matt	Rausch, James	Reagan, John	Sanders, Elisabeth
Sapareto, Frank	Scamman, Stella	Scamman, W. Douglas Jr	Sedensky, John
Smith, William	Stiles, Nancy	Sullivan, James	Tucker, Pamela
Van Patten, Don	Weare, Everett	Welch, David	

STRAFFORD

Bickford, David	Brown, Julie	Groen, Warren	Keans, Sandra

Vita, Carol

SULLIVAN

Gottling, Suzanne	Howard, Thomas	Maiola, Anthony	Osgood, Joe
Rodeschin, Beverly			

NAYS 220

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Reever, Judith

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Eaton, Daniel
Lerandeau, Alfred	Lindsey, Steven	Meader, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Matheson, Robert	Maybeck, Margie	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Pierce, David	Preston, Philip
Smith, Suzanne	Taylor, Kathleen	Townsend, Charles	

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Clemons, Jane	Cote, David
Craig, James	Farley, Michael	Flurey, Joan	Foster, Linda
Garrity, Patrick	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Hackel, Paul	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hebert, Roger	Hodges, Kevin
Infantine, William	Irwin, Anne-Marie	Jeudy, Jean	Katsiantonis, Thomas
Kelley, John	Knowles, John	Knowles, Mary Ann	Komi, Richard
Kopka, Angeline	LaPlante, Roland	Leishman, Peter	Levasseur, Nickolas
Levesque, Melanie	Long, Patrick	Mack, Ron	Marshall, Seth
Matarazzo, Anthony Sr	Messier, Irene	Movsesian, Lori	O'Brien, Michael Sr
Pepino, Leo	Pilotte, Maurice	Poznanski, Brian	Pratt, Calvin
Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Soucy, Timothy	Sullivan, Daniel	Thompson, Robert	Vaillancourt, Steve

Villeneuve, Moe	Walsh, Robert Jr	Winters, Joel	

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Kelly, Sally
McMahon, Patricia	Osborne, Jessie	Palfrey, David	Porter, Margaret
Potter, Frances	Reardon, Tara	Rice, Chip	Richardson, Gary
Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen	Stetson, William
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Casey, Kimberley	Cushing, Robert	DiPentima, Rich
Gould, Kenneth	Hagan, Joseph	Henson, John	Howard, Doreen
Kepner, Susan	Lyons, Melissa	Mann, Maureen	McCarthy, Barbara
McEachern, Paul	Moody, Marcia	Nord, Susi	Pantelakos, Laura
Preston, Mark	Read, Robin Jr	Russell, Joseph	Russell, Trinka
Schlachman, Donna	Splaine, James	Webber, Carolyn	

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Larry
Browne, Brendon	Burke, Rachel	Cyr, James	Domingo, Baldwin
Grassie, Anne	Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela
Hutz, Sarah	Kaen, Naida	Lauterborn, Elaine	Lewis, Robert
Perry, Robert	Price, Susan	Rogers, Rose Marie	Rollo, Deanna
Rollo, Michael	Rous, Emma	Ryder, Mark	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Sprague, Dale	Vachon, Dennis
Wall, Janet	Ward, Kenneth	Watters, David	

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Harris, Sandra
Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla	Sweeney, Cynthia

and the motion failed.

The question now being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Hess spoke against.
Reps. Reever and Rous spoke in favor.
Rep. Eaton requested a roll call; sufficiently seconded.

YEAS 237 NAYS 138

YEAS 237

BELKNAP

Arsenault, Beth	Bolster, Peter	Flanders, Donald	Merry, Liz
Miller, Kate	Reever, Judith		

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Eaton, Daniel
Johnson, Jane	Lerandeau, Alfred	Lindsey, Steven	Meader, David
Mitchell, Bonnie	Parkhurst, Henry	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sad, Tara	Weber, Lucy	Weed, Charles

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bulis, Lyle
Cooney, Mary	Ford, Susan	Friedrich, Carol	Gould, Franklin
Harding, Laurie	Ingbretson, Paul	Ladd, Rick Jr	Laliberte, Suzanne
Matheson, Robert	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Preston, Philip	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles	Ward, Brien		

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Clemons, Jane	Cote, David
Craig, James	Farley, Michael	Flurey, Joan	Foster, Linda
Gargasz, Carolyn	Garrity, Patrick	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Hackel, Paul	Haley, Robert	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hebert, Roger
Hodges, Kevin	Holden, Frank	Holden, Rip	Infantine, William
Irwin, Anne-Marie	Jeudy, Jean	Katsiantonis, Thomas	Kelley, John
Knowles, John	Knowles, Mary Ann	Komi, Richard	Kopka, Angeline
LaPlante, Roland	Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie
Long, Patrick	Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr
Messier, Irene	Movsesian, Lori	Nixon, David	O'Brien, Michael Sr
O'Neil, James	Pepino, Leo	Peterson, Andrew	Pilotte, Maurice
Poznanski, Brian	Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Shaw, Kimberly	Soucy, Connie	Soucy, Timothy	Sullivan, Daniel
Thompson, Robert	Vaillancourt, Steve	Walsh, Robert Jr	Winters, Joel

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Kelly, Sally
McMahon, Patricia	Osborne, Jessie	Palfrey, David	Porter, Margaret
Potter, Frances	Reardon, Tara	Rice, Chip	Richardson, Gary
Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen	Stetson, William
Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Casey, Kimberley	Cushing, Robert	Day, Judith
DiPentima, Rich	Ferrante, Beverly	Gleason, John	Gould, Kenneth
Henson, John	Howard, Doreen	Kepner, Susan	Lyons, Melissa
Mann, Maureen	McCarthy, Barbara	McEachern, Paul	Moody, Marcia
Nord, Susi	Pantelakos, Laura	Petterson, Don	Preston, Mark
Read, Robin Jr	Russell, Joseph	Russell, Trinka	Sanders, Elisabeth
Sapareto, Frank	Schlachman, Donna	Splaine, James	Webber, Carolyn

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Larry
Browne, Brendon	Burke, Rachel	Cyr, James	Domingo, Baldwin
Grassie, Anne	Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela
Hutz, Sarah	Kaen, Naida	Keans, Sandra	Lauterborn, Elaine
Lewis, Robert	Perry, Robert	Price, Susan	Rogers, Rose Marie
Rollo, Deanna	Rollo, Michael	Rous, Emma	Ryder, Mark
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Sprague, Dale
Vachon, Dennis	Wall, Janet	Ward, Kenneth	Watters, David

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Harris, Sandra
Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla	Sweeney, Cynthia

NAYS 138

BELKNAP

Boyce, Laurie	Fields, Dennis	Millham, Alida	Pilliod, James
Russell, David	St. Cyr, Jeffrey	Swinford, Elaine	Wendelboe, Fran

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark
Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen			

CHESHIRE

Emerson, Susan	Hunt, John	Laurent, John	Sterling, Franklin Jr

COOS

Rappaport, Laurence	Stohl, Eric

GRAFTON

Gionet, Edmond	Maybeck, Margie	Williams, Burton

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Gandia, Laura

Graham, John	Haefner, Robert	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hogan, Edith	Hopper, Gary	Jasper, Shawn
Kurk, Neal	L'Heureux, Robert	McCarthy, Michael	Mead, Robert
Moran, Edward	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pratt, Calvin	Price, Pamela
Renzullo, Andrew	Rowe, Robert	Seidel, Carl	Silva, Peter
Spaulding, Jayne	Tahir, Saghir	Ulery, Jordan	Villeneuve, Moe
Willette, Robert			

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Hess, David
Kidder, David	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
Reed, Dennis	Smith, Todd		

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Charron, Gene	Comerford, Timothy
Crisler, Margaret	DeSimone, Debra	Devine, James	DiFruscia, Anthony
Dumaine, Dudley	Elliott, Robert	Emiro, Frank	Fesh, Robert
Flanders, John Sr	Griffin, Mary	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Hutchinson, Karen	Ingram, Russell	Itse, Daniel
Kappler, L. Mike	Katsakiores, George	Katsakiores, Phyllis	Kolodziej, Walter
Major, Norman	McKinney, Betsy	McMahon, Charles	Nevins, Chris
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Quandt, Matt
Rausch, James	Reagan, John	Scamman, Stella	Scamman, W. Douglas Jr
Sedensky, John	Smith, William	Stiles, Nancy	Sullivan, James
Tucker, Pamela	Van Patten, Don	Weare, Everett	Welch, David

STRAFFORD

Bickford, David	Brown, Julie	Groen, Warren	Vita, Carol

SULLIVAN

Gottling, Suzanne	Howard, Thomas	Maiola, Anthony	Osgood, Joe
Rodeschin, Beverly			

and the majority committee report was adopted.

HB 689-FN-A-L, directing aid to isolated small schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Scott A. Merrick for the Majority of Education: The joint commission on fiscal capacity disparity aid, transition aid, and small schools recognized that schools that are isolated and therefore small by necessity face diseconomies of scale that require extra resources. This bill defines a small, isolated school and gives an additional 13 percent of a basic adequacy grant, or $450 per student. Eight schools fit the size and distance parameters: a K-6 school under 80 students or a K-8 under 140 students and greater than 10 miles from the nearest K-6 or K-8 school or a high school under 240 students and greater than 20 miles from the nearest high school. There is no fiscal impact as the minimal costs are subtracted from the amount budgeted for fiscal capacity grants: fifteen dollars from the $2,000 grants and nine dollars from the $1,250 grants. Both small, isolated schools and schools qualifying for fiscal capacity aid constitute our neediest schools. Vote 18-2.

Rep. Pamela G. Price for the Minority of Education: This bill proposes to allocate an additional $450 to each student in an isolated small school. An isolated small school is defined by population, geographics and demographics. Eight schools in northern New

Hampshire qualify as isolated small schools. The fiscal impact of $350-$400,000 will be paid for by reducing the per pupil dollars given to the needy communities under "Fiscal Disparity Aid." The minority does not object to the concept but to the funding mechanism. Dollars are taken from the most needy and given to this small population.

Majority Amendment (0250h)

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

1 New Section; Isolated Small Schools. Amend RSA 198 by inserting after section 40-d the following new section:

198:40-e Isolated Small Schools.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, and in addition to fiscal capacity disparity aid provided under RSA 198:40-c, a school district which operates an isolated small school shall receive an additional $450 per pupil in kindergarten through grade 12 of such school based on the isolated small school's average daily membership in attendance (ADMA). The department shall disburse payments to the school district operating an isolated small school pursuant to the payment schedule set forth in RSA 198:42, I.

II. Beginning July 1, 2011 and every biennium thereafter, the department of education shall adjust the per-pupil amount of aid for isolated small schools under paragraph I based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the biennium for which the calculation is to be performed.

III.(a) In this section, "isolated small school" means a school which is demographically limited and geographically isolated from other schools with children of comparable ages. An "isolated small school:"

(1) In the case of an elementary school comprised of grade 1 through grade 6, shall have an ADMA of 80 or fewer pupils and shall be located at least 10 miles from the nearest elementary school; or

(2) In the case of an elementary school comprised of grade 1 through grade 8, shall have an ADMA of 140 or fewer pupils and shall be located at least 10 miles from the nearest elementary school; or

(3) In the case of a middle or junior high school comprised of grades 6 through 8, shall have an ADMA of 90 or fewer pupils and shall be located at least 10 miles from the nearest middle or junior high school; or

(4) In the case of a high school comprised of grades 9 through 12, shall have an ADMA of 240 or fewer pupils and shall be located at least 20 miles from the nearest high school.

(b) A school may petition the commissioner of the department of education for a waiver of the distance requirement under subparagraphs III(a)(1)-(4) if the school does not comply with the distance requirement but is separated from the nearest comparable school by significant geographical barriers.

(c) In this section, "average daily membership in attendance" and "ADMA" shall have the same meaning as provided in RSA 198:38, I.

2 Fiscal Capacity Disparity Aid. Amend RSA 198:40-c, I to read as follows:

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-b, each biennium the department shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts and to chartered public schools approved under RSA 194-B:3-a as follows:

(a) The department shall calculate the equalized valuation per pupil for each municipality in the state and shall sort the results into quartiles based on equalized valuation per pupil and shall divide all quartiles in half. If there are an uneven number of

municipalities in a quartile or half quartile, the department shall make the lower quartile or half quartile the one with fewer municipalities.

(b) A municipality with an equalized valuation per pupil in the lower half of the lowest quartile and which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of [~~$2,000~~] ***$1,957*** multiplied by the municipality's average daily membership in residence ***for fiscal years 2010 and 2011, and starting in fiscal year 2012, shall receive fiscal capacity disparity aid in the amount of $1,985 multiplied by the municipality's average daily membership in residence***.

(c) A municipality with an equalized valuation per pupil in the upper half of the lowest quartile which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of [~~$1,250~~] ***$1,223*** multiplied by the municipality's average daily membership in residence [~~shall be distributed pursuant to RSA 198:42~~] ***for fiscal years 2010 and 2011, and starting in fiscal year 2012, shall receive fiscal capacity disparity aid in the amount of $1,241 multiplied by the municipality's average daily membership in residence.***.

(d) A chartered public school approved under RSA 194-B:3-a shall receive [~~$2,000~~] ***$1,957*** per pupil multiplied by the number of pupils enrolled ***for fiscal years 2010 and 2011, and starting in fiscal year 2012, shall receive fiscal capacity disparity aid in the amount of $1,985 multiplied by the number of pupils enrolled***. The calculation of chartered public school enrollment and aid distribution shall be pursuant to RSA 194-B:11, I(c).

3 Determination of Grants and Excess Tax. Amend RSA 198:41, I(c) to read as follows:

(c) Add the fiscal capacity disparity aid pursuant to RSA 198:40-c ***and the isolated small schools aid pursuant to RSA 198:40-e***.

4 Effective Date. This act shall take effect July 1, 2009 at 12:01 a.m.

Majority committee amendment adopted.
Majority committee report adopted.
Referred to the Committee on Finance.
Rep. Brien Ward declared a conflict of interest on ***HB 689-FN*** and did not participate.

HB 175, establishing a committee to study political advertising on public property. **INEXPEDIENT TO LEGISLATE.**

Rep. Shawn N. Jasper for Election Law: It is illegal to place political signs on public property and the committee believes that it should continue to be. As the voters of the state are not of one mind politically, their property should not be used to promote candidates with whom they disagree. We believe that the laws of our state should be better enforced and illegally placed signs should be removed in a timely manner. The committee found no compelling reason to create a study committee. Vote 18-1.
Committee report adopted.

HB 265, relative to proving qualifications to vote. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David M. Pierce for the Majority of Election Law: For over 30 years, the New Hampshire legislature has approved the use of affidavits for a voter registrant to prove his or her qualifications to vote, except for proof of age. This has enfranchised undoubtedly thousands of new voters over those 30 years without any record of fraud. This bill brings parity to the law by permitting a voter registrant to sign an affidavit to prove he or she is at least 18 years old. The attorney general's office has testified that the threat of criminal penalties for signing a false affidavit is a sufficient deterrent to fraud and, in fact, was most likely the basis for prior legislatures to approve the use of these affidavits. The committee majority believes that if proof by affidavit is acceptable for other voter qualifications, then it is acceptable for proof of age as well. Vote 11-7.

Rep. Shawn N. Jasper for the Minority of Election Law: Passage of this bill may in fact make a bad situation worse. During committee debate on this bill the majority pointed out that many, if not all, of the minority's concerns existed with or without this bill. Unfortunately that may be true, the minority questions why we wouldn't then work together to correct such concerns. If all it took for us to end crime was to pass a law, then we would have no jails. The presumption in having affidavits for registering to vote is that people are honest. There will be no verification at all of whom a person registering to vote is, with the passage of HB 265. The sad truth is that there may not be any now; all a person now has to do is present a forged document to register. The minority believes that the citizens of this state should be protected from voter fraud and this bill may in fact make voter fraud easier.
Rep. Jasper spoke against.
Rep. Pierce spoke in favor.
On a division vote, 200 members having voted in the affirmative and 161 in the negative, the majority committee report was adopted.
Ordered to third reading.

HB 223-FN-L, establishing a moratorium on the implementation of the retirement system employer assessments for excess benefits. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Patricia M. McMahon for Executive Departments and Administration: The intent of this bill is to change the effective dates of HB 1645, Chapter 300, Laws of 2008 in Sections 33 and 34 of RSA 100 A:14-a that requires an increase in employer contributions to the retirement system to fund employees' excess benefits upon retirement, known as "spiking" (i.e. unused sick time, vacation time, bonus, special detail). Additional time is necessary to adjust the new formula and to allow municipalities' time to adjust to this "spiking" practice. The amendment extends the effective date of this charge to July 1, 2010. The amendment also provides that for the 2009 property tax rate computation the commissioner of revenue administration upon written request of the governing body shall remove any appropriation that was in the adopted budget. Vote 18-0.

Amendment (0289h)

Amend the title of the bill by replacing it with the following:
AN ACT changing the effective date for the implementation of the retirement system employer assessments for excess benefits.
Amend the bill by replacing all after the enacting clause with the following:

1 Employer Assessments for Excess Benefits; Change to Effective Date. Amend 2008, 300:35 to read as follows:

300:35 Effective Date.

I. Sections 9-12, and 14 of this act shall take effect July 1, 2009.

II. [~~Sections 1, 33, and 34~~] Section ***1*** of this act shall take effect 60 days after its passage.

III. Sections 2-4, 15, and RSA 100-A:14-a as inserted by section 17 of this act, and RSA 100-A:15, I, III, IV, V, VIII, and X as inserted by section 18 of this act shall take effect July 1, 2008.

IV. Section 16 of this act shall take effect July 1, 2008 at 12:01 a.m.

V. RSA 100-A:14-b as inserted by section 17 of this act and RSA 100-A:15, II, II-a, VI, VII, and IX as inserted by section 18 of this act shall take effect January 1, 2009.

VI. Sections 19 and 20 of this act shall take effect June 30, 2008.

VII. ***Sections 33 and 34 of this act shall take effect July 1, 2010.***

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

2 Commissioner of Revenue Administration; Tax Rates. For the 2009 property tax rate computation pursuant to RSA 21-J:35, upon written request of the governing body, the commissioner of the department of revenue administration shall remove any appropriation that was in the adopted budget to fund the provisions of RSA 100-A:16, III-a.

3 Effective Date. This act shall take effect August 29, 2008.

AMENDED ANALYSIS

This bill delays the effective date for the assessment of the retirement system employer assessments for excess benefits under RSA 100-A:16, III-a, and allows the commissioner of revenue administration to remove appropriations for excess benefit costs from the 2009 property tax rate computation of a town or city.

Amendment adopted.

Committee report adopted and ordered to third reading.

HB 407-FN, establishing a lobster and crab landing license, and increasing the fee for the nonresident commercial salt water license. **OUGHT TO PASS.**

Rep. Rose Marie Rogers for Fish and Game and Marine Resources: This bill establishes a non-resident landing license for lobster and crabs in New Hampshire. The fee will be comparable to fees presently charged in Maine and Massachusetts. Also raised to comparable levels is the commercial saltwater license. This bill was supported by both the New Hampshire commercial fisherman's association and the advisory committee on marine fisheries. Vote 14-0.

Committee report adopted.

Referred to the committee on Ways and Means.

(Rep. Foster in the Chair)

HB 466-FN-A, establishing a safari fee on owners of big game hunting preserves. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert J. L'Heureux for the Majority of Fish and Game and Marine Resources: The majority of the committee felt this bill would impose an additional tax on a single entity. This bill only had the support of the two sponsors. There were no community representatives in favor of this legislation. The bill was also opposed by the fish and game department as well as the New Hampshire Wildlife Federation. This entity draws little on community resources and is an asset because of the jobs it creates as well as the maintenance and feed supplies that are purchased locally. Vote 13-1.

Rep. Daniel P. Carr for the Minority of Fish and Game and Marine Resources: This bill provides funding for the fish and game department for services rendered to private safari reserves. Currently a small license fee allows hunters to hunt on such a reserve without a New Hampshire hunting license. One such park, the 25,000 acre Corbin Park in Croydon, is entirely fenced in. Local residents and game animals cannot cross the land. Such a park removes a large block of land from fish and game resources in the state. The minority believes that an appropriate fee for these privileges and services is justified.

Rep. Carr spoke against and yielded to questions.

Rep. Cushing spoke against.

Rep. Henson spoke in favor and yielded to questions.

On a division vote, 320 members having voted in the affirmative and 38 in the negative, the majority committee report was adopted.

HB 103, relative to paying discharged and laid off employees in full at the time of discharge. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James W. Craig for the Majority of Labor, Industrial and Rehabilitative Services: This bill makes clear when employees are to be paid when they quit or are terminated. In current law, when an employee is discharged, he or she must be paid within 72 hours. If an employee quits, is laid off or is suspended as a result of a labor dispute, he or she must be paid no later than the next regular payday. This bill requires laid off employees to be paid at the time of layoff, discharged employees to be paid within 72 hours of discharge, and employees who quit or who are suspended as a result of a labor dispute to be paid not later

then the next regular payday. Vote 12-7.
Rep. William J. Infantine for the Minority of Labor, Industrial and Rehabilitative Services: The minority believes that immediate payment upon laying off an employee is an unreasonable and onerous requirement placed upon the state's business owners. Many times payroll is not handled in house and time is needed to obtain a check from a payroll company. This situation can be exacerbated by layoffs that may occur on the weekend. It was argued that employers know in advance when they plan to have a layoff. This may be true for larger employers but can be a very last minute quick decision for small businesses that have to react to various circumstances.

Majority Amendment (0290h)

Amend the title of the bill by replacing it with the following:
AN ACT relative to paying discharged and laid off employees.
Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraphs; Payment of Wages; Definitions. Amend RSA 275:42 by inserting after paragraph IX the following new paragraphs:

X. "Layoff" means reduction in workforce by an employer.

XI. "Discharged employee" means any employee who voluntarily terminates employment and any employee terminated by the employer for reasons other than a layoff or as a result of a labor dispute.

XII. "Payment in hand" means payment delivered to the employee or made available to the employee directly or to a third party at the direction of the employee.

2 Employees Separated From Payroll Before Paydays. Amend RSA 275:44, I through III to read as follows:

I. Whenever an employer discharges an employee, the employer shall pay the employee's wages in full ***and in hand*** within 72 hours.

II. Whenever an [~~employee quits or resigns, the~~] employer ***lays off an employee, the employer*** shall pay the employee's wages [~~no later than the next regular payday, as provided under RSA 275:43, either through the regular pay channels or by mail if requested by the employee, except that if the employee gives at least one pay period's notice of intention to quit the employer shall pay all wages earned by the employee within 72 hours~~] ***in full and in hand at the time of the layoff***.

III. When work of an employee is suspended as a result of a labor dispute, or when an employee [~~for any reason whatsoever is laid off~~] ***voluntarily terminates his or her employment***, the employer shall pay in full to such employee not later than the next regular payday, as designated under RSA 275:43, either through the regular pay channels or by mail if requested by the employee, wages earned at the time of suspension [~~or layoff~~].

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

AMENDED ANALYSIS

This bill clarifies the time requirements for employers to pay discharged and laid off employees.
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Reps. Infantine and Dumaine spoke against.
Rep. Craig spoke in favor and yielded to questions.

Rep. William O'Brien moved Recommit and spoke in favor.
Rep. Goley spoke against.
Rep. Eaton requested a roll call; sufficiently seconded.

YEAS 163 NAYS 198

YEAS 163

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Russell, David	St. Cyr, Jeffrey	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark
Roberts, John	Scala, Dino	Stevens, Stanley	Umberger, Karen
Wiley, Susan			

CHESHIRE

Allen, Peter	Emerson, Susan	Hunt, John	Johnson, Jane
Laurent, John	Sterling, Franklin Jr		

COOS

Rappaport, Laurence	Richardson, Herbert	Stohl, Eric

GRAFTON

Aguiar, James	Bulis, Lyle	Cooney, Mary	Gionet, Edmond
Ingbretson, Paul	Ladd, Rick Jr	Matheson, Robert	Maybeck, Margie
Mulholland, Catherine	Ward, Brien	Williams, Burton	

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Daniels, Gary	Day, Russell
Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard	Elliott, Nancy
Emerton, Larry	Gagne, Larry	Gargasz, Carolyn	Graham, John
Hackel, Paul	Haefner, Robert	Harvey, Philip	Hikel, John
Hinch, Richard	Hinkle, Peyton	Hogan, Edith	Holden, Frank
Hopper, Gary	Infantine, William	Jasper, Shawn	Katsiantonis, Thomas
Kurk, Neal	L'Heureux, Robert	Matarazzo, Anthony Sr	McCarthy, Michael
Mead, Robert	Moran, Edward	O'Brien, William	Palmer, Stephen
Pellegrino, Tony	Peterson, Andrew	Pilotte, Maurice	Pratt, Calvin
Price, Pamela	Renzullo, Andrew	Seidel, Carl	Silva, Peter
Soucy, Connie	Spaulding, Jayne	Tahir, Saghir	Ulery, Jordan
Vaillancourt, Steve	Willette, Robert		

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	DeStefano, Stephen
Hess, David	Kidder, David	Kotowski, Frank	Lockwood, Priscilla
McGuire, Carol	Palfrey, David	Reed, Dennis	Smith, Todd

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Charron, Gene	Comerford, Timothy	Crisler, Margaret
DeSimone, Debra	Devine, James	DiFruscia, Anthony	DiPentima, Rich
Dumaine, Dudley	Elliott, Robert	Emiro, Frank	Ferrante, Beverly
Fesh, Robert	Griffin, Mary	Hagan, Joseph	Headd, James

Henson, John	Hoelzel, Kathleen	Hutchinson, Karen	Ingram, Russell
Itse, Daniel	Kappler, L. Mike	Katsakiores, George	Katsakiores, Phyllis
Kolodziej, Walter	Major, Norman	McKinney, Betsy	McMahon, Charles
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Quandt, Matt
Rausch, James	Reagan, John	Sanders, Elisabeth	Sapareto, Frank
Scamman, Stella	Scamman, W. Douglas Jr	Sedensky, John	Smith, William
Stiles, Nancy	Sullivan, James	Tucker, Pamela	Van Patten, Don
Welch, David			

STRAFFORD

Bickford, David	Brown, Julie	Cyr, James	Groen, Warren
Hutz, Sarah	Lauterborn, Elaine	Lewis, Robert	Sprague, Dale
Vita, Carol			

SULLIVAN

Harris, Sandra	Howard, Thomas	Maiola, Anthony	Osgood, Joe
Rodeschin, Beverly			

NAYS 198

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Pilliod, James
Reever, Judith			

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Patten, Betsey

CHESHIRE

Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy	Butynski, William
Carlson, Nancy	Carr, Daniel	Eaton, Daniel	Lerandeau, Alfred
Lindsey, Steven	Meader, David	Parkhurst, Henry	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sad, Tara	Weber, Lucy
Weed, Charles			

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Theberge, Robert	Thomas, Yvonne

GRAFTON

Almy, Susan	Benn, Bernard	Ford, Susan	Friedrich, Carol
Gould, Franklin	Harding, Laurie	Laliberte, Suzanne	Nordgren, Sharon
Pastor, Beatriz	Pierce, David	Preston, Philip	Smith, Suzanne
Taylor, Kathleen	Townsend, Charles		

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Clemons, Jane	Cote, David
Craig, James	Farley, Michael	Flurey, Joan	Garrity, Patrick
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Haley, Robert

Hammond, Jill	Hardy, Valerie	Harvey, Suzanne	Hodges, Kevin
Holden, Rip	Irwin, Anne-Marie	Jeudy, Jean	Kelley, John
Knowles, John	Knowles, Mary Ann	Komi, Richard	Kopka, Angeline
LaPlante, Roland	Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie
Long, Patrick	Mack, Ron	Marshall, Seth	Messier, Irene
Movsesian, Lori	Nixon, David	O'Brien, Michael Sr	O'Neil, James
Pepino, Leo	Poznanski, Brian	Ramsey, Peter	Rhodes, Brian
Rokas, Theodoros	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Soucy, Timothy	Sullivan, Daniel	Thompson, Robert
Villeneuve, Moe	Walsh, Robert Jr	Winters, Joel	

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Kelly, Sally	McMahon, Patricia
Osborne, Jessie	Porter, Margaret	Potter, Frances	Reardon, Tara
Rice, Chip	Richardson, Gary	Rodd, Beth	Schuett, Dianne
Shurtleff, Stephen	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Wheeler, Deborah	Williams, Robert		

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Casey, Kimberley	Cushing, Robert	Day, Judith	Gleason, John
Gould, Kenneth	Howard, Doreen	Kepner, Susan	Lyons, Melissa
Mann, Maureen	McCarthy, Barbara	McEachern, Paul	Moody, Marcia
Nord, Susi	Pantelakos, Laura	Petterson, Don	Preston, Mark
Read, Robin Jr	Russell, Trinka	Schlachman, Donna	Splaine, James
Weare, Everett	Webber, Carolyn		

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Larry
Browne, Brendon	Burke, Rachel	Domingo, Baldwin	Grassie, Anne
Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Keans, Sandra	Perry, Robert	Price, Susan	Rogers, Rose Marie
Rollo, Deanna	Rollo, Michael	Rous, Emma	Ryder, Mark
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Vachon, Dennis
Wall, Janet	Ward, Kenneth	Watters, David	

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla	Sweeney, Cynthia

and the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Buco spoke in favor and yielded to questions.
Rep. Craig yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Daniels moved that ***HB 103,*** relative to paying discharged and laid off employees, be laid on the table.

On a division vote, 168 members having voted in the affirmative and 189 in the negative, the motion failed.

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

YEAS 194 NAYS 164

YEAS 194

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Pilliod, James
Reever, Judith			

CARROLL

Bridgham, Robert	Buco, Thomas

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carr, Daniel	Eaton, Daniel	Lerandeau, Alfred
Lindsey, Steven	Meader, David	Parkhurst, Henry	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sad, Tara	Weber, Lucy
Weed, Charles			

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Ford, Susan
Friedrich, Carol	Gould, Franklin	Harding, Laurie	Laliberte, Suzanne
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Pierce, David
Preston, Philip	Smith, Suzanne	Taylor, Kathleen	Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chase, Claudia
Chininis, Alexis	Clemons, Jane	Cote, David	Craig, James
Farley, Michael	Flurey, Joan	Garrity, Patrick	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Haley, Robert	Hammond, Jill
Hardy, Valerie	Harvey, Suzanne	Hodges, Kevin	Holden, Rip
Irwin, Anne-Marie	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	LaPlante, Roland
Leishman, Peter	Levesque, Melanie	Long, Patrick	Mack, Ron
Marshall, Seth	Messier, Irene	Movsesian, Lori	Nixon, David
O'Brien, Michael Sr	O'Neil, James	Pilotte, Maurice	Poznanski, Brian
Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Soucy, Timothy
Sullivan, Daniel	Thompson, Robert	Villeneuve, Moe	Walsh, Robert Jr

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Kelly, Sally
McMahon, Patricia	Osborne, Jessie	Porter, Margaret	Potter, Frances
Reardon, Tara	Rice, Chip	Richardson, Gary	Rodd, Beth
Schuett, Dianne	Shurtleff, Stephen	Stetson, William	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh	Wheeler, Deborah	Williams, Robert	

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Henson, John
Howard, Doreen	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Petterson, Don
Preston, Mark	Quandt, Matt	Read, Robin Jr	Russell, Trinka
Schlachman, Donna	Splaine, James	Webber, Carolyn	

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Brown, Larry
Browne, Brendon	Burke, Rachel	Cyr, James	Grassie, Anne
Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Keans, Sandra	Lewis, Robert	Perry, Robert	Price, Susan
Rogers, Rose Marie	Rollo, Deanna	Rollo, Michael	Rous, Emma
Ryder, Mark	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Vachon, Dennis	Wall, Janet	Ward, Kenneth	Watters, David

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla
Sweeney, Cynthia			

NAYS 164

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Russell, David	St. Cyr, Jeffrey	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Ahlgren, Christopher	Butler, Edward	Chandler, Gene	Fleck, Joseph
McConkey, Mark	Patten, Betsey	Roberts, John	Scala, Dino
Stevens, Stanley	Umberger, Karen	Wiley, Susan	

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert	Stohl, Eric

GRAFTON

Bulis, Lyle	Cooney, Mary	Gionet, Edmond	Ingbretson, Paul
Ladd, Rick Jr	Matheson, Robert	Maybeck, Margie	Ward, Brien
Williams, Burton			

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Chandley, Shannon	Christensen, Chris	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Gargasz, Carolyn
Graham, John	Hackel, Paul	Haefner, Robert	Harvey, Philip
Hikel, John	Hinch, Richard	Hinkle, Peyton	Hogan, Edith
Holden, Frank	Hopper, Gary	Infantine, William	Jasper, Shawn
Katsiantonis, Thomas	Kurk, Neal	L'Heureux, Robert	Levasseur, Nickolas
Matarazzo, Anthony Sr	McCarthy, Michael	Mead, Robert	Moran, Edward
O'Brien, William	Palmer, Stephen	Pellegrino, Tony	Pepino, Leo
Peterson, Andrew	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Seidel, Carl	Silva, Peter	Soucy, Connie	Spaulding, Jayne
Tahir, Saghir	Ulery, Jordan	Vaillancourt, Steve	Willette, Robert
Winters, Joel			

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Hess, David
Kidder, David	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
Palfrey, David	Reed, Dennis	Smith, Todd	

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Charron, Gene	Comerford, Timothy
Crisler, Margaret	DeSimone, Debra	Devine, James	DiFruscia, Anthony
Dumaine, Dudley	Elliott, Robert	Emiro, Frank	Ferrante, Beverly
Fesh, Robert	Gleason, John	Gould, Kenneth	Griffin, Mary
Hagan, Joseph	Headd, James	Hoelzel, Kathleen	Hutchinson, Karen
Ingram, Russell	Itse, Daniel	Kappler, L. Mike	Katsakiores, George
Katsakiores, Phyllis	Kolodziej, Walter	Lyons, Melissa	Major, Norman
McKinney, Betsy	McMahon, Charles	Packard, Sherman	Perkins, Amy
Perkins, Lawrence	Rausch, James	Reagan, John	Sanders, Elisabeth
Sapareto, Frank	Scamman, Stella	Scamman, W. Douglas Jr	Sedensky, John
Smith, William	Stiles, Nancy	Sullivan, James	Tucker, Pamela
Van Patten, Don	Weare, Everett	Welch, David	

STRAFFORD

Bickford, David	Brown, Julie	Groen, Warren	Hutz, Sarah
Lauterborn, Elaine	Sprague, Dale	Vita, Carol	

SULLIVAN

Howard, Thomas	Maiola, Anthony	Osgood, Joe	Rodeschin, Beverly

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

Rep. Cali-Pitts declared a conflict of interest on ***HB 103*** and did not participate.

HB 428-FN, relative to discounts on wine purchased from the liquor commission. **INEXPEDIENT TO LEGISLATE.**
Rep. Steve Vaillancourt for Local and Regulated Revenues: Last spring, as part of the Governor's proposal to generate additional revenues, the state placed a cap on the amount of wines retail outlets could purchase at the state liquor commission at 20 percent discount. The discount was lowered to 15 percent for amounts exceeding $500,000, but the provision is set to sunset June 30, 2009. This bill represents an attempt to raise the amount from $350,000 to $500,000 thus decreasing the amount of revenues to the state. The committee learned that only 12 businesses, the very largest wine sellers (chain grocery stores for example) purchase more than $500,000. Each of these businesses would receive an additional $7500 ($150,000 times the five percent differential between 20 and 15 percent). Only one business is currently above $350,000 but less than $500,000 in sales. That business would save $2500 with this bill. Thus, this bill is basically for the benefit of the one business. The majority was compelled to reject the argument that this is an attempt to help "Ma and Pa" stores. The minority believed the bill would encourage expansion by outlets which sell smaller amounts. Some confusion arose because the fiscal note originally noted the state would gain $2.8 million with the bill. That's because an unintended consequence of the bill was to basically get rid of the sunset provision. The committee would note that no matter what happens to this bill, the governor could well request removal of the sunset as part of his budget proposal, and we could change the discounts and eligible numbers as part of House Bill 2 which would take precedence over whatever is done here. For differing reasons, both the liquor commission and New Hampshire Grocers Association opposed this bill. Vote 14-4.
Committee report adopted.

HB 494-FN-A, appropriating funds for construction of public facilities at Hampton Beach. **INEXPEDIENT TO LEGISLATE.**
Rep. David B. Campbell for Public Works and Highways: The committee recognizes the need for capital improvements at Hampton Beach State Park and that the beach has great economic and tourism benefits to the seacoast and the State of New Hampshire. However, the committee can not recommend an 18 million dollar general fund appropriation outside of the capital budget process. The proper place to consider capital improvements for Hampton Beach is in the capital budget and taking into consideration the existing Hampton Beach master plan and state park commission recommendations. Vote 18-0.
Committee report adopted.

HB 551-FN-A, making an appropriation for the painting of the arch bridge across the Connecticut River in Chesterfield. **INEXPEDIENT TO LEGISLATE.**
Rep. Patrick T. Long for Public Works and Highways: Although the bill is with good intent, the committee felt this legislation circumvents the 10 year plan. The committee feels that the process for getting on the 10 year plan should be complied with. Also, this bill has a potential to open up all steel foot bridges to receive funding outside the 10 year transportation plan. Vote 19-0.
Committee report adopted.

HB 603-FN-A, relative to the construction of an Old Man of the Mountain monument on the shore of Profile Lake and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**
Rep. John A. Graham for Public Works and Highways: The prime sponsor of the bill appeared and asked that the bill be found ITL. The committee was happy to accede to the desires of the sponsor. Vote 18-0.

Committee report adopted.

HB 687-FN-A, establishing a radiological emergency evacuation infrastructure program. **INEXPEDIENT TO LEGISLATE.**
Rep. John A. Graham for Public Works and Highways: This bill would require the DOT Commissioner to prioritize work on roads, bridges, seawalls and other infrastructure required for the safe evacuation of the public in the event of a radiological emergency. The cost of preparing, maintaining and operating this list would be assessed, in part, against the only nuclear facility in the state. While well intentioned the committee cannot support this bill for several reasons. First, it addresses public safety and evacuation from the seacoast area, while ignoring those areas that might be affected by an incident on our western border. Second, it would prioritize capital projects, such as a seawall, outside of the existing capital budget process. Finally, it similarly bypasses our ten-year transportation planning framework. Vote 19-0.
Committee report adopted.

(Speaker Norelli in the Chair)
HB 259-FN, relative to motor vehicle inspections. **INEXPEDIENT TO LEGISLATE.**
Rep. John A. Hikel for Transportation: The committee felt that it was not in the best interest of safety for vehicles not to be inspected for two years. An inspection only states that a vehicle pass the safety requirements on the day of inspection and it was felt that 24 months was too long to re-inspect. Vote 15-1.
Rep. Frank Holden requested a roll call; sufficiently seconded.

YEAS 247 NAYS 104

YEAS 247

BELKNAP

Arsenault, Beth	Fields, Dennis	Flanders, Donald	Merry, Liz
Miller, Kate	Millham, Alida	Pilliod, James	Reever, Judith
Russell, David	St. Cyr, Jeffrey	Swinford, Elaine	

CARROLL

Bridgham, Robert	Buco, Thomas	Chandler, Gene	Patten, Betsey
Scala, Dino	Stevens, Stanley	Umberger, Karen	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carr, Daniel	Lerandeau, Alfred	Lindsey, Steven
Meader, David	Parkhurst, Henry	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sad, Tara	Sterling, Franklin Jr	Weber, Lucy
Weed, Charles			

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Rappaport, Laurence	Remick, William	Stohl, Eric
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bulis, Lyle
Cooney, Mary	Ford, Susan	Gould, Franklin	Harding, Laurie

Laliberte, Suzanne	Matheson, Robert	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Pierce, David	Preston, Philip	Smith, Suzanne
Taylor, Kathleen	Townsend, Charles		

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Bergin, Peter
Boisvert, Ronald	Campbell, David	Caron, June	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Christensen, Chris	Cote, David
Craig, James	Dokmo, Cynthia	Drisko, Richard	Farley, Michael
Flurey, Joan	Foster, Linda	Garrity, Patrick	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Graham, John	Hackel, Paul
Haley, Robert	Hammond, Jill	Hardy, Valerie	Harvey, Philip
Harvey, Suzanne	Hikel, John	Hinch, Richard	Hinkle, Peyton
Hodges, Kevin	Holden, Rip	Irwin, Anne-Marie	Jasper, Shawn
Jeudy, Jean	Kelley, John	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	L'Heureux, Robert	LaPlante, Roland
Leishman, Peter	Levesque, Melanie	Mack, Ron	Marshall, Seth
Matarazzo, Anthony Sr	Movsesian, Lori	Nixon, David	O'Brien, Michael Sr
O'Neil, James	Pepino, Leo	Peterson, Andrew	Pilotte, Maurice
Poznanski, Brian	Ramsey, Peter	Rhodes, Brian	Rokas, Theodoros
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Silva, Peter
Soucy, Timothy	Spaulding, Jayne	Sullivan, Daniel	Thompson, Robert
Walsh, Robert Jr			

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Hess, David
Kelly, Sally	Kidder, David	Kotowski, Frank	Lockwood, Priscilla
McMahon, Patricia	Osborne, Jessie	Palfrey, David	Porter, Margaret
Potter, Frances	Reardon, Tara	Reed, Dennis	Rice, Chip
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Smith, Todd	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Wheeler, Deborah	Williams, Robert		

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Charron, Gene	Crisler, Margaret	Day, Judith	DeSimone, Debra
Devine, James	DiFruscia, Anthony	DiPentima, Rich	Elliott, Robert
Gleason, John	Gould, Kenneth	Griffin, Mary	Headd, James
Henson, John	Howard, Doreen	Kappler, L. Mike	Katsakiores, George
Kepner, Susan	Major, Norman	Mann, Maureen	McCarthy, Barbara
McEachern, Paul	Moody, Marcia	Nord, Susi	Packard, Sherman
Pantelakos, Laura	Rausch, James	Read, Robin Jr	Russell, Trinka
Scamman, Stella	Scamman, W. Douglas Jr	Schlachman, Donna	Sedensky, John
Splaine, James	Stiles, Nancy	Sullivan, James	Tucker, Pamela
Weare, Everett	Webber, Carolyn	Welch, David	

STRAFFORD

Berube, Roger	Brennan, William	Brown, Jennifer	Browne, Brendon
Burke, Rachel	Grassie, Anne	Hofemann, Roland	Horrigan, Timothy

Hubbard, Pamela	Hutz, Sarah	Kaen, Naida	Perry, Robert
Price, Susan	Rogers, Rose Marie	Rollo, Deanna	Rollo, Michael
Rous, Emma	Ryder, Mark	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Vachon, Dennis	Wall, Janet
Ward, Kenneth	Watters, David		

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Osgood, Joe	Skinder, Carla	Sweeney, Cynthia

NAYS 104

BELKNAP

Boyce, Laurie	Wendelboe, Fran

CARROLL

Ahlgren, Christopher	Butler, Edward	Fleck, Joseph	McConkey, Mark
Roberts, John			

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John

COOS

Richardson, Herbert

GRAFTON

Friedrich, Carol	Gionet, Edmond	Ingbretson, Paul	Ladd, Rick Jr
Maybeck, Margie	Ward, Brien	Williams, Burton	

HILLSBOROUGH

Batula, Peter	Beck, Catriona	Belvin, William	Boehm, Ralph
Cebrowski, John	Daniels, Gary	Day, Russell	Doherty, Shaun
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Haefner, Robert
Hogan, Edith	Holden, Frank	Hopper, Gary	Infantine, William
Katsiantonis, Thomas	Kurk, Neal	Levasseur, Nickolas	Long, Patrick
McCarthy, Michael	Mead, Robert	Messier, Irene	Moran, Edward
O'Brien, William	Palmer, Stephen	Pellegrino, Tony	Pratt, Calvin
Renzullo, Andrew	Seidel, Carl	Shaw, Barbara	Soucy, Connie
Tahir, Saghir	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Willette, Robert	Winters, Joel		

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	McGuire, Carol

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Cali-Pitts, Jacqueline	Comerford, Timothy
Dumaine, Dudley	Emiro, Frank	Fesh, Robert	Hoelzel, Kathleen
Hutchinson, Karen	Ingram, Russell	Itse, Daniel	Katsakiores, Phyllis
Kolodziej, Walter	Lyons, Melissa	McKinney, Betsy	McMahon, Charles

Perkins, Amy	Perkins, Lawrence	Petterson, Don	Preston, Mark
Quandt, Matt	Reagan, John	Sanders, Elisabeth	Sapareto, Frank
Smith, William	Van Patten, Don		

STRAFFORD

Bickford, David	Brown, Julie	Brown, Larry	Cyr, James
Groen, Warren	Keans, Sandra	Lauterborn, Elaine	Vita, Carol

SULLIVAN

Houde-Quimby, Charlotte	Howard, Thomas	Maiola, Anthony	McClammer, Jim
Rodeschin, Beverly			

and the committee report was adopted.

HB 383, relative to passenger restraints. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert W. Williams for the Majority of Transportation: This bill requires passenger restraint use by all motor vehicle operators and passengers unless specifically exempt by law. The hearing on HB 383 was long and the quality of the testimony was, for the most part, informative, interesting and inspiring. The testimony strongly favored support for this bill. A summary of the testimony of those who supported HB 383 highlighted the value, the plus of having an increase in the use of seat belts. We have had an excellent educational program and publicity campaign which has raised our NH use of seat belts to 64%. We have plateaued at the 60-65% rate for adult users of seat belts. Only 64% use seat belts in New Hampshire: States that have primary seat belt laws have high 80 to upper 90% seat belt use. We have hit a plateau here in NH. Education will not increase our usage. A seat belt law will! We believe the safety of all citizens on the highways of the state is implicit in a free society and that the risk of trauma, tragedy, injury and death should be avoided when reasonable regulations are available. We are the only state which does not have an adult seat belt law; not a distinction to be proud of when we are aware of the benefits an adult seat belt law will provide. Vote 11-6.

Rep. Jennifer R. Coffey for the Minority of Transportation: Here we go again. We have been debating this bill for the last several years. The question is, is it a matter of safety or is it a choice that we should make for ourselves? The question of money – 3.7 million dollars is being raised and we are not sure whether or not this money will ever appear, but we can be sure it is federal blackmail. The issues have come up about safety. It should be noted that we are not averse to protecting everybody's safety. However, it has to be noted that there are seven different exemptions noted in this bill including school buses. Our constituents have elected us to represent them, not become their parents or their conscience.

Majority Amendment (0252h)

Amend RSA 265:107-a, VI(f) as inserted by section 2 of the bill by replacing it with the following:

(f) The driver of a motor vehicle making frequent stops in the course of the driver's business; or

Majority committee amendment adopted.

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

Rep. Winters spoke against.

Reps. Sally Kelly, Robert Elliott, Komi and Tupper spoke in favor.

Rep. Coffey spoke against and yielded to questions.

Rep. Sally Kelly requested a roll call; sufficiently seconded.

YEAS 197 NAYS 155

YEAS 197

BELKNAP

Bolster, Peter	Merry, Liz	Miller, Kate	Millham, Alida
Pilliod, James	Reever, Judith	St. Cyr, Jeffrey	

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carr, Daniel	Johnson, Jane	Lerandeau, Alfred
Meader, David	Richardson, Barbara	Robertson, Timothy	Sad, Tara
Weber, Lucy	Weed, Charles		

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Thomas, Yvonne	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bulis, Lyle
Cooney, Mary	Ford, Susan	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Preston, Philip	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles	Williams, Burton		

HILLSBOROUGH

Baroody, Benjamin	Beck, Catriona	Bergin, Peter	Campbell, David
Caron, June	Chandley, Shannon	Chase, Claudia	Chininis, Alexis
Emerton, Larry	Farley, Michael	Flurey, Joan	Foster, Linda
Garrity, Patrick	Gidge, Kenneth	Hackel, Paul	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hinch, Richard
Irwin, Anne-Marie	Jeudy, Jean	Katsiantonis, Thomas	Kelley, John
Knowles, John	Knowles, Mary Ann	Komi, Richard	Kopka, Angeline
L'Heureux, Robert	LaPlante, Roland	Leishman, Peter	Levesque, Melanie
Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr	Messier, Irene
Nixon, David	O'Brien, Michael Sr	O'Neil, James	Pilotte, Maurice
Poznanski, Brian	Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Soucy, Timothy	Spaulding, Jayne
Thompson, Robert	Walsh, Robert Jr		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Davis, Frank
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	Kidder, David	Kotowski, Frank
McMahon, Patricia	Osborne, Jessie	Palfrey, David	Porter, Margaret
Potter, Frances	Reardon, Tara	Rice, Chip	Richardson, Gary
Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen	Stetson, William

Tilton, Joy	Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Crisler, Margaret	Cushing, Robert	Day, Judith	DeSimone, Debra
Devine, James	DiPentima, Rich	Elliott, Robert	Gleason, John
Gould, Kenneth	Henson, John	Howard, Doreen	Katsakiores, George
Katsakiores, Phyllis	Kepner, Susan	Lyons, Melissa	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi
Pantelakos, Laura	Petterson, Don	Read, Robin Jr	Russell, Joseph
Russell, Trinka	Schlachman, Donna	Sedensky, John	Splaine, James
Webber, Carolyn			

STRAFFORD

Berube, Roger	Brown, Jennifer	Brown, Larry	Burke, Rachel
Cyr, James	Grassie, Anne	Horrigan, Timothy	Hubbard, Pamela
Kaen, Naida	Lauterborn, Elaine	Perry, Robert	Price, Susan
Rogers, Rose Marie	Rollo, Deanna	Rollo, Michael	Rous, Emma
Ryder, Mark	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Vachon, Dennis	Wall, Janet	Ward, Kenneth	Watters, David

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla

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BELKNAP

Arsenault, Beth	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Russell, David	Swinford, Elaine	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark
Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen			

CHESHIRE

Emerson, Susan	Hunt, John	Laurent, John	Lindsey, Steven
Parkhurst, Henry			

COOS

Rappaport, Laurence	Richardson, Herbert	Stohl, Eric	Theberge, Robert

GRAFTON

Friedrich, Carol	Gionet, Edmond	Ingbretson, Paul	Ladd, Rick Jr
Matheson, Robert	Maybeck, Margie	Ward, Brien	

HILLSBOROUGH

Batula, Peter	Beauchamp, Roger	Beaulieu, Jane	Belvin, William
Boehm, Ralph	Boisvert, Ronald	Cebrowski, John	Christensen, Chris
Cote, David	Craig, James	Daniels, Gary	Day, Russell
Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard	Elliott, Nancy
Gagne, Larry	Gargasz, Carolyn	Goley, Jeffrey	Gorman, Mary
Graham, John	Haefner, Robert	Haley, Robert	Hikel, John
Hinkle, Peyton	Hodges, Kevin	Hogan, Edith	Holden, Frank
Holden, Rip	Hopper, Gary	Infantine, William	Jasper, Shawn
Kurk, Neal	Levasseur, Nickolas	Long, Patrick	McCarthy, Michael
Mead, Robert	Moran, Edward	Movsesian, Lori	O'Brien, William
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Peterson, Andrew
Pratt, Calvin	Price, Pamela	Renzullo, Andrew	Seidel, Carl
Shaw, Barbara	Silva, Peter	Soucy, Connie	Sullivan, Daniel
Tahir, Saghir	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Willette, Robert	Winters, Joel		

MERRIMACK

Anderson, Eric	Boutin, David	Clarke, Claire	Coffey, Jennifer
Hess, David	Lockwood, Priscilla	McGuire, Carol	Reed, Dennis
Smith, Todd			

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Cali-Pitts, Jacqueline	Charron, Gene
Comerford, Timothy	DiFruscia, Anthony	Dumaine, Dudley	Emiro, Frank
Fesh, Robert	Griffin, Mary	Headd, James	Hoelzel, Kathleen
Hutchinson, Karen	Ingram, Russell	Itse, Daniel	Kappler, L. Mike
Kolodziej, Walter	Major, Norman	McKinney, Betsy	McMahon, Charles
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Preston, Mark
Quandt, Matt	Reagan, John	Sanders, Elisabeth	Sapareto, Frank
Scamman, Stella	Scamman, W. Douglas Jr	Smith, William	Stiles, Nancy
Sullivan, James	Tucker, Pamela	Van Patten, Don	Weare, Everett
Welch, David			

STRAFFORD

Bickford, David	Brennan, William	Brown, Julie	Browne, Brendon
Groen, Warren	Hofemann, Roland	Hutz, Sarah	Keans, Sandra
Sprague, Dale	Vita, Carol		

SULLIVAN

Howard, Thomas	Maiola, Anthony	Osgood, Joe	Rodeschin, Beverly
Sweeney, Cynthia			

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

HB 640-FN, relative to speed limits and keeping right except to pass. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. C. Pennington Brown for the Majority of Transportation: This bill would raise the speed limit on interstate and divided highways from 65 mph to 70 mph. While many drivers now exceed the 65 mph speed limit, the majority of the committee believes it is inappropriate to raise the limit in New Hampshire. The concerns are safety (there are those who will always exceed the limit), fuel economy and cost to the state in replacing signs. Vote 13-3.

Rep. Karen C. Umberger for the Minority of Transportation: The minority believes that setting the speed limit on interstate and divided highways to 70 mph makes sense.
Rep. Vaillancourt spoke against.
Rep. C. Pennington Brown spoke in favor.
Rep. Itse requested a roll call; sufficiently seconded.

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YEAS 231

BELKNAP

Arsenault, Beth	Bolster, Peter	Fields, Dennis	Flanders, Donald
Merry, Liz	Miller, Kate	Millham, Alida	Pilliod, James
Reever, Judith	Russell, David	St. Cyr, Jeffrey	

CARROLL

Bridgham, Robert	Buco, Thomas	Roberts, John	Wiley, Susan

CHESHIRE

Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy	Butynski, William
Carr, Daniel	Eaton, Daniel	Johnson, Jane	Laurent, John
Lerandeau, Alfred	Lindsey, Steven	Meader, David	Parkhurst, Henry
Richardson, Barbara	Roberts, Kris	Sad, Tara	Weber, Lucy
Weed, Charles			

COOS

Hatch, William	Ingersoll, Paul Sr	Mears, Lucy	Merrick, Evalyn
Merrick, Scott	Remick, William	Stohl, Eric	

GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	Ford, Susan
Gionet, Edmond	Gould, Franklin	Harding, Laurie	Laliberte, Suzanne
Maybeck, Margie	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Preston, Philip	Smith, Suzanne	Taylor, Kathleen	Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin	Batula, Peter	Beauchamp, Roger	Beck, Catriona
Boisvert, Ronald	Caron, June	Cebrowski, John	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Clemons, Jane	Cote, David
Drisko, Richard	Emerton, Larry	Flurey, Joan	Foster, Linda
Gargasz, Carolyn	Garrity, Patrick	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hodges, Kevin	Irwin, Anne-Marie	Jeudy, Jean
Kelley, John	Knowles, John	Knowles, Mary Ann	Komi, Richard
Kopka, Angeline	L'Heureux, Robert	LaPlante, Roland	Leishman, Peter
Levesque, Melanie	Long, Patrick	Mack, Ron	Marshall, Seth
Matarazzo, Anthony Sr	Messier, Irene	Movsesian, Lori	O'Brien, Michael Sr
O'Neil, James	Peterson, Andrew	Pilotte, Maurice	Poznanski, Brian
Price, Pamela	Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Spaulding, Jayne

Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr	Willette, Robert

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Kelly, Sally	Kotowski, Frank
Lockwood, Priscilla	McMahon, Patricia	Osborne, Jessie	Palfrey, David
Porter, Margaret	Potter, Frances	Reardon, Tara	Richardson, Gary
Schuett, Dianne	Shurtleff, Stephen	Smith, Todd	Stetson, William
Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh	Wheeler, Deborah	Williams, Robert	

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Bates, David	Borden, David
Brown, C. Pennington	Cali-Pitts, Jacqueline	Casey, Kimberley	Charron, Gene
Cushing, Robert	Day, Judith	Devine, James	DiFruscia, Anthony
DiPentima, Rich	Elliott, Robert	Emiro, Frank	Gleason, John
Gould, Kenneth	Henson, John	Howard, Doreen	Ingram, Russell
Kappler, L. Mike	Kepner, Susan	Lyons, Melissa	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi
Packard, Sherman	Pantelakos, Laura	Perkins, Amy	Petterson, Don
Read, Robin Jr	Russell, Joseph	Russell, Trinka	Scamman, Stella
Scamman, W. Douglas Jr	Schlachman, Donna	Sedensky, John	Splaine, James
Stiles, Nancy	Sullivan, James	Webber, Carolyn	

STRAFFORD

Berube, Roger	Brown, Jennifer	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Hofemann, Roland
Hubbard, Pamela	Hutz, Sarah	Kaen, Naida	Lauterborn, Elaine
Perry, Robert	Price, Susan	Rogers, Rose Marie	Rollo, Deanna
Rollo, Michael	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Vachon, Dennis	Vita, Carol
Wall, Janet	Ward, Kenneth	Watters, David	

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Osgood, Joe
Rodeschin, Beverly	Skinder, Carla	Sweeney, Cynthia	

NAYS 102

BELKNAP

Boyce, Laurie	Swinford, Elaine	Wendelboe, Fran

CARROLL

Ahlgren, Christopher	Butler, Edward	Chandler, Gene	Fleck, Joseph
McConkey, Mark	Patten, Betsey	Scala, Dino	Umberger, Karen

CHESHIRE

Emerson, Susan	Hunt, John	Robertson, Timothy

COOS

Rappaport, Laurence	Richardson, Herbert	Theberge, Robert

GRAFTON

Aguiar, James	Bulis, Lyle	Friedrich, Carol	Ingbretson, Paul
Ladd, Rick Jr	Matheson, Robert	Pierce, David	Ward, Brien

HILLSBOROUGH

Beaulieu, Jane	Belvin, William	Craig, James	Daniels, Gary
Day, Russell	Doherty, Shaun	Elliott, Nancy	Farley, Michael
Gagne, Larry	Graham, John	Haefner, Robert	Hogan, Edith
Holden, Frank	Holden, Rip	Hopper, Gary	Infantine, William
Jasper, Shawn	Katsiantonis, Thomas	Kurk, Neal	Levasseur, Nickolas
McCarthy, Michael	Mead, Robert	Moran, Edward	O'Brien, William
Palmer, Stephen	Pellegrino, Tony	Pratt, Calvin	Renzullo, Andrew
Seidel, Carl	Silva, Peter	Soucy, Connie	Soucy, Timothy
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Winters, Joel

MERRIMACK

Anderson, Eric	Boutin, David	Coffey, Jennifer	Kidder, David
McGuire, Carol	Reed, Dennis	Rodd, Beth	

ROCKINGHAM

Belanger, Ronald	Bettencourt, David	Bishop, Franklin	Comerford, Timothy
Crisler, Margaret	DeSimone, Debra	Dumaine, Dudley	Fesh, Robert
Griffin, Mary	Headd, James	Hoelzel, Kathleen	Itse, Daniel
Katsakiores, George	Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman
McKinney, Betsy	Perkins, Lawrence	Quandt, Matt	Sanders, Elisabeth
Sapareto, Frank	Smith, William	Tucker, Pamela	Van Patten, Don
Weare, Everett	Welch, David		

STRAFFORD

Bickford, David	Brown, Julie	Groen, Warren	Horrigan, Timothy
Keans, Sandra	Ryder, Mark		

SULLIVAN

Howard, Thomas	Maiola, Anthony

and the majority committee report was adopted.

HB 412-FN-A, relative to the research and development tax credit. **INEXPEDIENT TO LEGISLATE.**

Rep. William A. Hatch for Ways and Means: The committee believes the established structure of the research and development tax credit is working and correct for its intended purpose. It also believes the changes suggested in this bill could not be effective in increasing research and development activity and by a bi-partisan vote recommended this bill inexpedient to legislate. Vote 13-3.

Committee report adopted.

HB 457-FN-A, increasing the standard exemption under the interest and dividends tax.

INEXPEDIENT TO LEGISLATE.
Rep. Robert M. Walsh for Ways and Means: This bill calls for an increase in the standard deduction under the interest and dividends tax with a consequent reduction in revenues generated by some $4,800,000. At this critical time with state revenues declining and budget problems in front of us, this is not the time to institute another serious decline in revenues. As the exemption has not changed in many years, this bill would, in a more prosperous environment, be worthy of further consideration. Vote 12-4.
Committee report adopted.

HB 602-FN-A, relative to costs associated with cashing payroll checks. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Paul McEachern for Commerce and Consumer Affairs: Unfortunately this legislation is necessary because Bank of America charges $6.00 to cash payroll checks written on a Bank of America account. The law presently provides that payroll checks be honored for the full amount of the wages due. This hasn't stopped Bank of America from imposing the six dollar fee. The legislation makes it clear that if such a fee is charged it will be absorbed by the employer and not by the employee. Bank of America is a nationally chartered bank and cannot be directly regulated by this state. Vote 18-1.

Amendment (0261h)
Amend the bill by replacing section 1 with the following:
1 Payment of Wages; Check Cashing Fee. Amend RSA 275:43, I(e) to read as follows:
(e) With checks on a financial institution convenient to the place of employment where suitable arrangements are made for the cashing of such checks by employees for the full amount of the wages due [~~; provided, however, that~~]**.** ***Any fee imposed by a financial institution for cashing a payroll check drawn on that institution shall be charged to the employer's account.*** If an employer elects to pay employees as specified in subparagraphs (b), (c), or (d), the employer shall offer employees the option of being paid as specified in subparagraph (e), and further provided that all wages in the nature of health and welfare fund or pension fund contributions required pursuant to a health and welfare fund trust agreement, pension fund trust agreement, collective bargaining agreement, or other agreement adopted for the benefit of employees and agreed to by the employer shall be paid by every such employer within 30 days of the date of demand for such payment, the payment to be made to the administrator or other designated official of the applicable health and welfare or pension trust fund.
AMENDED ANALYSIS
This bill requires a financial institution that charges a fee for cashing a payroll check drawn on that institution to charge such fee to the employer's account.
Amendment adopted.
Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 184-FN, authorizing the liquor commission to sell tobacco products at state liquor stores located on interstate highways. **INEXPEDIENT TO LEGISLATE.**
Rep. Anthony C. Maiola for Local and Regulated Revenues: The liquor commission opposed this bill because it believes using floor space for the sale of spirits is more lucrative than using that space to sell cigarettes. The committee agrees. In addition, the committee feels that with the state promoting anti-smoking position, that providing easier access to tobacco products along our interstate network is counter productive. The committee unanimously agrees that this bill would send the wrong message. Vote 16-1.
Rep. Walz spoke in favor.
Committee report adopted.

HB 192, relative to a replica monument of the Old Man of the Mountain. **INEXPEDIENT TO LEGISLATE.**
Rep. Patrick T. Long for Public Works and Highways: Although raising private funds can be done without legislation, the committee felt that once all funds are raised, a monument and walkway "shall be constructed" was not conducive to the stability of the ledge and concerns with environmental damage to the area as testified to by the department of environmental services (DES) and the department of resources and economic development (DRED). Vote 12-0.
Rep. Gidge spoke against.
On a division vote, 282 members having voted in the affirmative and 30 in the negative, the committee report was 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, March 4, 2009.
Adopted.

LATE SESSION

Third reading and final passage

HB 79, relative to use of the child support guideline worksheet.
HB 116, relative to the membership of the legislative youth advisory council.
HB 132, relative to access to case records of the department of health and human services.
HB 173, relative to the basis for awarding custody to a stepparent or grandparent.
HB 93, relative to the minimum age for fighting sports competitions.
HB 98, relative to reinstatement of lapsed licenses of speech-language pathologists.
HB 243, authorizing the designation of special assistant attorneys general.
HB 41, allowing the executive director of fish and game to donate certain hunting and fishing permits to the wildlife heritage foundation of New Hampshire.
HB 182, relative to fish and game department authorization to administer programs involving federal aid, and relative to biennial reports of the department.
HB 451, authorizing a transaction fee for license agents electronically issuing fish and game licenses.
HB 545-FN, relative to the wildlife damage control program in the fish and game department.
HB 216-FN, relative to fees for legal services rendered to workers' compensation claimants.
HB 343, relative to payroll deductions.
HB 86, allowing towns to issue citations and accept pleas by mail for local ordinance violations.
HB 112, relative to addresses on motor vehicle registrations.
HB 162, relative to recycled and rebuilt vehicles.
HB 56-FN, renaming a bridge to honor U. S. Navy Seal Daniel Healy.
HB 265, relative to proving qualifications to vote.
HB 223-FN-L, changing the effective date for the implementation of the retirement system employer assessments for excess benefits.
HB 103, relative to paying discharged and laid off employees.
HB 602-FN-A, relative to costs associated with cashing payroll checks.

UNANIMOUS CONSENT

Rep. Kurk addressed the House.

RECESS MOTION

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

The House recessed at 5:30 p.m.

RECESS

(Rep. Bouchard in the Chair)

RESOLUTION

Rep. Lerandeau offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 39 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee. Adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 39-FN-L, relative to municipal deposits and special meetings for considering an appropriate response to the American Recovery and Reinvestment Act of 2009. (Municipal and County Government)

RECESS

(Rep. Wallner in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 30 and Senate Bill numbered 38.

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

SENATE MESSAGES

CONCURRENCE

HB 30-FN-A-L, requiring operating budget reductions for fiscal year 2009.

CONCURRENCE WITH AMENDMENT

SB 38, relative to placing vote tallies on town and school district ballots.

RECESS