

HOUSE RECORD

Second Year of the 161st General Court Calendar and Journal of the 2010 Session

Vol. 32

Concord, N.H.

Wednesday, March 10, 2010

No. 23

HOUSE JOURNAL No. 8 (cont.)

Wednesday, March 3, 2010

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 9

Wednesday, March 10, 2010

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

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

There is a story of a man having an enjoyable boat ride down a river. It's dusk. The man looks up to see another boat coming along the river toward him and his first thought is how nice it is that someone else is out enjoying the river and the beauty of a summer's evening. Then he realizes that the boat is fast approaching, it's speeding. In fact, it's coming straight at him. Faster and faster the boat closes. Anger begins to rise within him. "Watch out, you fool," he yells. "Look out; you're going to kill somebody. Turn, turn away." The boat bears down upon his fragile craft and now he is standing in the boat, shaking his fist and screaming. The two boats collide and then suddenly the man notices that the other boat is entirely empty. He writes that this story sums up the trouble of our lives. The problem is not out there so much as it is sometimes within us. I'm screaming at people, complaining, blaming, accusing as if I am simply minding my business sitting quietly at the center of the universe, wondering why all these problems, why all these crazies keep hurling themselves at me. I refuse to see that I am the one racing at break-neck speed. Let us pray.

Good and gracious God, we do travel at break-neck speed. Give us the wisdom to know how to navigate the waters, not only of our lives, but of this work that we do together and to do so with grace and with courage and profound respect, not only for each other, but for all those we are called to serve. This we pray in Your Holy name. Amen.

Representative Richard Stuart, member from Laconia, led the Pledge of Allegiance.

The National Anthem was sung by Kaitlyn Conner-Alexis, a fourth grade student at Nashua's Bicentennial Elementary School.

LEAVES OF ABSENCE

Reps. Arsenault, Clarke, Gidge, Gleason, Hofemann, John Kelley, Lisle, Rice and Carol Williams, the day, illness.

Reps. Jennifer Brown, Dokmo, Drisko, Nancy Elliott, Foster, Hagan, Doreen Howard, Jeudy, Moody, Mark Preston, Rausch, Rokas, Stella Scamman, W. Douglas Scamman, Tahir, Twombly and Veazey, the day, important business.

INTRODUCTION OF GUESTS

Ricard Alexis and Michelle Connor, parents of the singer, guests of the House. Randy Whitehead, guest of Rep. Pamela Price. Mona Cadena and Katherine Cooper, guests of Rep. Cushing.

Logan Glista, a student from Oyster River High School in Durham, and Matthew Geason, a student from Hanover High School, Pages for the day.

MOTION TO VACATE

Rep. Harding moved that the House vacate the reference of **SB 307**, relative to voting by members of voluntary corporations and associations, to the Committee on Executive Departments and Administration.
Adopted.

The Speaker referred **SB 307** to the Committee on Commerce and Consumer Affairs.

SPECIAL ORDERS

HB 1445-FN-A-L, eliminating the meals and rooms tax on campsites. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John D. Kelley for the Majority of Ways and Means: The rooms and meals tax is on meals and the rental of cars, hotel rooms, cabins, etc., including the rental of land and facilities in a campground. Basic tent sites with no facilities pay little tax. The more facilities the higher the tax. Campers from neighboring states which charge sales and varying local taxes are surprised that New Hampshire did not have a tax. They do not have a problem paying it. Campground owners testified that weather and the economy are what is primarily affecting current revenue from campgrounds as well as the tax. We cannot give up any revenue at this point. Vote 10-9.

Rep. David J. Bettencourt for the Minority of Ways and Means: From its conception, this new tax has generated considerable upheaval. The tax was unjustly adopted last session, without a public hearing, during the wee hours of the morning at the deadline of the budget committee of conference process. It represented the largest tax hike in the country as the tax went from zero percent to nine percent. At its core this tax causes significantly more problems that it purports to solve. During these economic difficulties, campsites barely have enough money to get through the season. At best a tax increase of this magnitude puts them

at a competitive disadvantage; at worst it could put many campgrounds out of business. Additionally, this tax affects working people who cannot afford to go on expensive vacations so instead bring their families camping. Nothing can hide the fact that New Hampshire citizens of modest means will unfortunately be digging deeper into their already empty wallets because of this tax. In the end, the minority believes that it is wrong to subject campers to the rooms and meals tax when they supply both their own rooms and meals, which essentially means we are taxing our citizens to sleep on the ground at our campsites.

MOTION TO SPECIAL ORDER

Rep. Almy moved that ***HB 1445-FN-A-L***, eliminating the meals and rooms tax on campsites, be made a Special Order to the beginning of the day on Thursday, March 11, 2010.

Rep. Almy spoke in favor.

Adopted.

APPEAL OF THE RULING OF THE CHAIR

Rep. Vaillancourt appealed the ruling of the Chair on the voice vote decision on the motion to Special Order ***HB 1445-FN-A-L***.

The question being shall the ruling of the Chair be upheld.

Rep. Eaton requested a roll call; sufficiently seconded.

YEAS 211 NAYS 118

YEAS 211

BELKNAP

Johnson, William
Pilliod, James

Merry, Liz
Reever, Judith

Miller, Kate
Russell, David

Millham, Alida
Stuart, Richard

CARROLL

Ahlgren, Christopher
Knox, J. David

Bridgham, Robert
Stevens, Stanley

Buco, Thomas
Wiley, Susan

Butler, Edward

CHESHIRE

Allen, Peter
Butynski, William
Lerandau, Alfred
Parkhurst, Henry
Sad, Tara

Burridge, Delmar
Carlson, Nancy
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

Butcher, Suzanne
Carr, Daniel
Meador, David
Roberts, Kris
Weed, Charles

Butterworth, Timothy
Eaton, Daniel
Mitchell, Bonnie
Robertson, Timothy

COOS

Ingersoll, Paul Sr
Theberge, Robert

Mears, Lucy
Thomas, Yvonne

Merrick, Evalyn

Remick, William

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pastor, Beatriz
Townsend, Charles

Almy, Susan
Friedrich, Carol
Matheson, Robert
Pierce, David
White, Andrew

Benn, Bernard
Gould, Franklin
Mulholland, Catherine
Preston, Philip

Cooney, Mary
Harding, Laurie
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin	Beck, Catriona	Belvin, William	Bergin, Peter
Boisvert, Ronald	Caron, June	Chandley, Shannon	Chininis, Alexis
Clemons, Jane	Cote, David	Craig, James	Day, Russell
Emerton, Larry	Farley, Michael	Flurey, Joan	Gargas, Carolyn
Garrity, Patrick	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Graham, John	Hackel, Paul	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hebert, Roger	Hodges, Kevin
Hopper, Gary	Infantine, William	Jasper, Shawn	Katsiantonis, Thomas
Knowles, John	Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal
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	Peterson, Andrew	Pilotte, Maurice	Price, Pamela
Rhodes, Brian	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Soucy, Timothy	Thompson, Robert	Walsh, Robert Jr	Winters, Joel

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Davis, Frank
DeJoie, John	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Hess, David	Kelly, Sally
Kidder, David	Lockwood, Priscilla	Osborne, Jessie	Owen, Derek
Palfrey, David	Porter, Margaret	Potter, Frances	Richardson, Gary
Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen	Stetson, William
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh	Wheeler, Deborah	Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Belanger, Ronald	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Casey, Kimberley	Cushing, Robert	Day, Judith
DiPentima, Rich	Flanders, John Sr	Garrity, James	Gould, Kenneth
Griffin, Mary	Henson, John	Kepner, Susan	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Nord, Susi	Packard, Sherman
Pettersen, Don	Priestley, Anne	Read, Robin Jr	Russell, Trinkia
Schlachman, Donna	Splaine, James	Weare, Everett	Webber, Carolyn
Welch, David			

STRAFFORD

Berube, Roger	Brennan, William	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Horrigan, Timothy
Hubbard, Pamela	Hutz, Sarah	Kaen, Naida	Lauterborn, Elaine
Lewis, Robert	Perry, Robert	Price, Susan	Rogers, Rose Marie
Rollo, Deanna	Rous, Emma	Ryder, Mark	Schmidt, Peter
Vachon, Dennis	Wall, Janet	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

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

CARROLL

Chandler, Gene	Fleck, Joseph	McConkey, Mark	Roberts, John
Scala, Dino	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	Williams, Burton	

HILLSBOROUGH

Batula, Peter	Beaulieu, Jane	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Doherty, Shaun
Gagne, Larry	Gandia, Laura	Haefner, Robert	Hawkins, Ken
Hikel, John	Hinch, Richard	Hinkle, Peyton	Hogan, Edith
Holden, Frank	Holden, Rip	L'Heureux, Robert	McCarthy, Michael
Mead, Robert	Moran, Edward	O'Brien, William	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Pellegrino, Tony	Pepino, Leo
Pratt, Calvin	Renzullo, Andrew	Rowe, Robert	Ryder, Donald
Seidel, Carl	Silva, Peter	Soucy, Connie	Spaulding, Jayne
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Coffey, Jennifer	Kotowski, Frank
McGuire, Carol	Reed, Dennis	Smith, Todd	

ROCKINGHAM

Allen, Mary	Bailey, Clinton	Baldasaro, Alfred	Bates, David
Bettencourt, David	Bishop, Franklin	Case, Frank	Charron, Gene
Comerford, Timothy	Crisler, Margaret	DeSimone, Debra	Devine, James
Dumaine, Dudley	Elliott, Robert	Emiro, Frank	Ferrante, Beverly
Fesh, Robert	Headd, James	Hoelzel, Kathleen	Ingram, Russell
Introne, Robert	Kappler, L. Mike	Kolodziej, Walter	Major, Norman
McMahon, Charles	Nevins, Chris	Perkins, Amy	Perkins, Lawrence
Reagan, John	Sanders, Elisabeth	Sapareto, Frank	Sedensky, John
Smith, William	Stiles, Nancy	Sullivan, James	Tucker, Pamela
Weyler, Kenneth			

STRAFFORD

Groen, Warren

Keans, Sandra

Vita, Carol

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

and the ruling of the Chair was upheld.

SPECIAL ORDERS (CONT'D)

HB 1244, relative to insurance fraud. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John B. Hunt for the Majority of Commerce and Consumer Affairs: This bill has two sections. The first prohibits insurers from not only requiring, as is current law, but rather barring the warning language regarding insurance fraud in communications with an insured or potential claimant. This is standard language that most states require. The second section of the bill requires insurers to include language in all communications with an insured or a potential claimant advising them of their right to file a complaint with the New Hampshire insurance department. Although the committee does not have a problem with requiring insurers to add the NH insurance department complaint department phone number, the committee is strongly opposed to repealing and penalizing insurance companies from requiring customers to be aware that, "Any person who, with a purpose to injure, defraud, or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is subject to prosecution and punishment for insurance fraud as provided in RSA 638:20." Insurance fraud begins when someone files a false statement; this bill would be a step backward in stopping insurance fraud. Vote 11-5. Rep. Paul McEachern for the Minority of Commerce and Consumer Affairs: The minority believes that removing the fraud warning from correspondence from insurance companies to their insureds removes the stigma of that which goes with making a loss claim under an insurance policy. The minority feels that the fraud warning is intimidating to honest policy holders who have suffered a loss.

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

Rep. McEachern spoke against and yielded to questions.

Reps. Headd and Hunt spoke in favor.

Rep. Nixon spoke against.

On a division vote, 267 members having voted in the affirmative and 82 in the negative, the majority committee report was adopted.

HB 1444-FN, allowing the purchase of drugs from Canada. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Edward A. Butler for the Majority of Commerce and Consumer Affairs: The committee requested the recommittal of this bill in order to review its previous 17-2 vote of ITL. While the committee very much wishes to support a bill that would lower the costs of prescription drugs for everyone, we believe that this bill is not the answer to the problem. Presently, it violates federal law to import medicines from Canada, though the FDA has said it will not prosecute individuals who import small (3 months or less) amounts for personal use. Of concern however is the lack of accountability for safety standards and lack of legal recourse should a NH resident find a dispensing error or discover the product has been misbranded or adulterated. This is particularly troublesome since many drugs coming into Canada, primarily via the internet, are from other countries, such as China and India, where quality controls are unknown. In violation of federal law some cities and a few states created programs to purchase drugs from Canada. In all cases we know of, those programs are no longer operating. The costs savings turned out not to be as significant as projected. Interestingly, the committee heard testimony that recent changes in access to more affordable drugs for seniors, especially generics, has diminished some of the need for drugs

from outside our borders. There is no doubt that efforts to control and diminish the cost of prescription drugs need to continue. There is one bipartisan bill proposed in Washington, the Dorgan-Snowe Pharmaceutical Market Access and Drug Safety Act, which proposes to import FDA-approved medications from countries which already manufacture many drugs under FDA scrutiny, namely Canada, Europe, Australia, New Zealand and Japan. This bill would do nothing to change what is already allowed or illegal so the committee cannot support it. Vote 12-4.

Rep. Joel F. Winters for the Minority of Commerce and Consumer Affairs: Existing state laws do not prohibit either individuals or pharmacies from purchasing drugs from Canada. No testimony was offered that any person or pharmacy anywhere has ever been charged under state law (since it doesn't exist) for purchasing drugs from Canada. Each pharmacy that chose to violate federal law and risk federal charges under HB 1444 would now be subject to a new state regulation included in this bill. Importing drugs from Canada makes such a great sound bite, that even though this bill accomplishes nothing, the minority recommends passing it so we can brag about it during this election year.

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

Rep. Butler spoke in favor and yielded to questions.

Rep. Renzullo requested a roll call; sufficiently seconded.

YEAS 215 NAYS 135

YEAS 215

BELKNAP

Bolster, Peter	Flanders, Donald	Merry, Liz	Miller, Kate
Millham, Alida	Reever, Judith	Stuart, Richard	Wendelboe, Fran

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Knox, J. David
Umberger, Karen	Wiley, Susan		

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Eaton, Daniel	Hunt, John
Laurent, John	Lerandean, Alfred	Lindsey, Steven	Meador, David
Mitchell, Bonnie	Richardson, Barbara	Roberts, Kris	Sad, Tara
Weber, Lucy	Weed, Charles		

COOS

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

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bulis, Lyle
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	White, Andrew

HILLSBOROUGH

Baroody, Benjamin
 Bergin, Peter
 Chininis, Alexis
 Day, Russell
 Garrity, Patrick
 Hackel, Paul
 Harvey, Philip
 Hodges, Kevin
 Knowles, Mary Ann
 Levasseur, Nickolas
 Messier, Irene
 Pilotte, Maurice
 Ryder, Donald
 Shaw, Kimberly
 Walsh, Robert Jr

Beaulieu, Jane
 Boisvert, Ronald
 Clemons, Jane
 Emerton, Larry
 Ginsburg, Ruth
 Haley, Robert
 Harvey, Suzanne
 Holden, Rip
 Kopka, Angeline
 Levesque, Melanie
 Movsesian, Lori
 Price, Pamela
 Schulze, Joan
 Soucy, Timothy

Beck, Catriona
 Caron, June
 Cote, David
 Farley, Michael
 Goley, Jeffrey
 Hammond, Jill
 Hawkins, Ken
 Infantine, William
 LaPlante, Roland
 Mack, Ron
 Nixon, David
 Rhodes, Brian
 Shattuck, Gilman
 Sullivan, Daniel

Belvin, William
 Chandley, Shannon
 Craig, James
 Flurey, Joan
 Gorman, Mary
 Hardy, Valerie
 Hebert, Roger
 Knowles, John
 Leishman, Peter
 Marshall, Seth
 O'Brien, Michael Sr
 Rosenwald, Cindy
 Shaw, Barbara
 Thompson, Robert

MERRIMACK

Bartlett, Michael
 Foose, Robert
 Kelly, Sally
 Osborne, Jessie
 Potter, Frances
 Stetson, William
 Walz, Mary Beth
 Williams, Robert

Bouchard, Candace
 French, Barbara
 Kidder, David
 Owen, Derek
 Richardson, Gary
 Tilton, Joy
 Watrous, Rick
 Yeaton, Charles

Davis, Frank
 Gile, Mary
 Lockwood, Priscilla
 Palfrey, David
 Schuett, Dianne
 Tupper, Frank
 Webb, Leigh

DeStefano, Stephen
 Hamm, Christine
 McMahon, Patricia
 Porter, Margaret
 Shurtleff, Stephen
 Wallner, Mary Jane
 Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
 Brown, C. Pennington
 Crisler, Margaret
 Dowling, Patricia
 Garcia, Marilinda
 Headd, James
 McEachern, Paul
 Pantelakos, Laura
 Russell, Trinka
 Webber, Carolyn

Allen, Mary
 Cali-Pitts, Jacqueline
 Cushing, Robert
 Elliott, Robert
 Garrity, James
 Kepner, Susan
 McMahon, Charles
 Perkins, Lawrence
 Sanders, Elisabeth

Belanger, Ronald
 Case, Frank
 Day, Judith
 Emiro, Frank
 Gould, Kenneth
 Mann, Maureen
 Nevins, Chris
 Petterson, Don
 Schlachman, Donna

Borden, David
 Casey, Kimberley
 DiPentima, Rich
 Flanders, John Sr
 Griffin, Mary
 McCarthy, Barbara
 Nord, Susi
 Priestley, Anne
 Stiles, Nancy

STRAFFORD

Berube, Roger
 Grassie, Anne
 Kaen, Naida
 Price, Susan
 Ryder, Mark
 Vachon, Dennis

Brennan, William
 Horrigan, Timothy
 Keans, Sandra
 Rogers, Rose Marie
 Schmidt, Peter
 Wall, Janet

Brown, Larry
 Hubbard, Pamela
 Lauterborn, Elaine
 Rollo, Deanna
 Smith, Marjorie
 Ward, Kenneth

Cyr, James
 Hutz, Sarah
 Perry, Robert
 Rous, Emma
 Spang, Judith
 Watters, David

SULLIVAN

Cloutier, John
 Houde-Quimby,
 Charlotte

Donovan, Thomas Jr
 McClammer, Jim
 Gagnon, Raymond
 Rodeschin, Beverly

Gottling, Suzanne
 Sweeney, Cynthia

BELKNAP

Boyce, Laurie	Fields, Dennis	Johnson, William	Nedeau, Stephen
Pilliod, James	Russell, David	Swinford, Elaine	

CARROLL

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

CHESHIRE

Carr, Daniel	Emerson, Susan	Johnson, Jane	Parkhurst, Henry
Robertson, Timothy	Sterling, Franklin Jr		

COOS

Rappaport, Laurence	Stohl, Eric	Theberge, Robert	
---------------------	-------------	------------------	--

GRAFTON

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

HILLSBOROUGH

Batula, Peter	Boehm, Ralph	Cebrowski, John	Christensen, Chris
Christiansen, Lars	Daniels, Gary	Doherty, Shaun	Gagne, Larry
Gandia, Laura	Graham, John	Haefner, Robert	Hikel, John
Hinch, Richard	Hinkle, Peyton	Hogan, Edith	Holden, Frank
Hopper, Gary	Jasper, Shawn	Katsiantonis, Thomas	Kurk, Neal
L'Heureux, Robert	Long, Patrick	Matarazzo, Anthony Sr	McCarthy, Michael
Mead, Robert	Moran, Edward	O'Brien, William	O'Neil, James
Ober, Lynne	Ober, Russell III	Palmer, Stephen	Pellegrino, Tony
Pepino, Leo	Peterson, Andrew	Pratt, Calvin	Renzullo, Andrew
Rowe, Robert	Seidel, Carl	Silva, Peter	Soucy, Connie
Spaulding, Jayne	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Willette, Robert	Winters, Joel		

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Brown, Carole	Coffey, Jennifer
DeJoie, John	Hess, David	Kotowski, Frank	McGuire, Carol
Reed, Dennis	Rodd, Beth	Smith, Todd	

ROCKINGHAM

Bailey, Clinton	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Bridle, Russell	Charron, Gene	Comerford, Timothy
DeSimone, Debra	Devine, James	DiFruscia, Anthony	Dumaine, Dudley
Ferrante, Beverly	Fesh, Robert	Henson, John	Hoelzel, Kathleen
Ingram, Russell	Introne, Robert	Itse, Daniel	Kappler, L. Mike
Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman	McKinney, Betsy
Packard, Sherman	Perkins, Amy	Quandt, Matt	Read, Robin Jr
Reagan, John	Sapareto, Frank	Sedensky, John	Smith, William
Splaine, James	Sullivan, James	Weare, Everett	Welch, David
Wells, Roger	Weyler, Kenneth		

STRAFFORD

Browne, Brendon
Vita, Carol

Groen, Warren

Lewis, Robert

Sprague, Dale

SULLIVAN

Cunningham, Steven
Skinder, Carla

Harris, Sandra

Howard, Thomas

Osgood, Joe

and the majority committee report was adopted.

Rep. Tucker declared a conflict of interest on **HB 1444-FN** and did not participate.

HB 1502, relative to costs associated with cashing payroll checks. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David J. Palfrey for the Majority of Commerce and Consumer Affairs: This bill requires an employer to instruct 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. The majority of the committee felt that this would penalize the employer because the employer would have no prior knowledge of when a charge would be or was charged against their payroll account. It would also cause problems if the employer was outsourcing its payroll as it would be required to maintain an unknown amount as a surplus in its payroll account to cover such charges if and when made against its account. The employee may avoid the charge by establishing an account relationship with the bank in which the employer maintains its payroll account. The employee also has the option of cashing or depositing a payroll check with another financial institution in which the employee has an account relationship. Vote 10-5.

Rep. Joel F. Winters for the Minority of Commerce and Consumer Affairs: This legislation is a response to Bank of America's practice of charging a \$6 fee for non-customers cashing their payroll checks drawn on Bank of America, a practice that puts employers in violation of RSA 275:43, I(e), which requires that an employee be able to cash their payroll check for the full amount of the wages due. HB 602, which passed 18-1 out of committee last year and passed the House on the consent calendar before dying in the Senate, addressed this problem by putting a requirement on a bank to charge any fee to the employer instead of the employee. Employers would be required to instruct the bank to charge the fee to their account and not to the employee under this legislation, a subtle but important difference in where the responsibility is placed. The House should continue to support the fundamental right of a worker to receive the all of the wages that they have earned.

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

Reps. Rip Holden and McEachern spoke against.

Reps. Kappler and Winters spoke against and yielded to questions.

Reps. Palfrey and Butler spoke in favor.

On a division vote, 181 members having voted in the affirmative and 175 in the negative, the majority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Vaillancourt moved that the House reconsider its action whereby it adopted the majority committee report of Inexpedient to Legislate on **HB 1502**, relative to costs associated with cashing payroll checks.

On a division vote, 163 members having voted in the affirmative and 193 in the negative, the motion failed.

SPECIAL ORDERS (CONT'D)

HB 1146, eliminating requirements for additional breath tests for blood alcohol content. **OUGHT TO PASS.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: The committee had some questions on this piece of legislation, including the constitutionality of the bill. The committee would like to ask the House to send questions concerning certain provisions of the bill to the supreme court for an advisory opinion and then address the issues later this session. The chairman of the committee will offer a motion to table this bill, in order to address a House Resolution, drafted at the request of the committee pursuant to House Rule 35 (c), requesting an Opinion of the Justices. Vote 18-0

LAID ON THE TABLE

Rep. Shurtleff moved that **HB 1146**, eliminating requirements for additional breath tests for blood alcohol content, be laid on the table.

Adopted.

RESOLUTION

At the request of the Criminal Justice and Public Safety Committee and pursuant to Rule 35c, Reps. Shurtleff and Welch offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Resolution numbered 24 shall be by this resolution read a first and second time by the therein listed title.

Adopted.

INTRODUCTION OF HOUSE RESOLUTION

First and second reading

HR 24, requesting an opinion of the justices concerning the constitutionality of HB 1146.

CONSIDERATION OF HR 24

Rep. Shurtleff moved Ought to Pass and spoke in favor.

Adopted and ordered to third reading.

SPECIAL ORDERS (CONT'D)

HB 1628, establishing guidelines for neighborhood notification upon release of a sexual offender. **OUGHT TO PASS.**

Rep. Larry G. Gagne for Criminal Justice and Public Safety: This bill requires the commissioner of the department of safety to develop and furnish, to the cities and towns of the state, guidelines which may be used by local law enforcement agencies for providing neighborhood notification of the release of a sexual offender to residents living in the neighborhood in which the offender will reside. This would put all municipalities on the same protocol. Vote 16-3.

On a division vote, 318 members having voted in the affirmative and 21 in the negative, the committee report was adopted.

Ordered to third reading.

(Rep. Shurtleff in the Chair)

HB 1400, requiring all colleges and universities to report crimes to the local law enforcement agency. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick M. Ladd for the Majority of Education: Post secondary education institutions and local law enforcement agencies need to work cooperatively in addressing crimes occurring on campus property. This bill, with amending language, states that absent a memorandum of understanding, any post-secondary public or non-public institution that has un-sworn law enforcement personnel shall immediately communicate certain campus crimes with local law enforcement. A memorandum of understanding between the institution and local law

enforcement shall identify a process for immediately reporting offenses as listed in the National Incident Based Reporting System, Group A. Such agreements shall be in place by January 1, 2011 and colleges and universities are encouraged to annually inform students of this statute. All colleges and universities are urged to work cooperatively with local law enforcement authority in the interests of safety and well being. The bill as amended is also supported by the New Hampshire Association of Chiefs of Police. Vote 19-1.

Rep. Paul Ingbretson for the Minority of Education: Colleges and local law enforcement now have the discretion to determine together in “memorandums of understanding” which crimes outside of NIBRS group A offenses must be reported immediately and which not. This is to protect naïve students from themselves in certain less serious areas of crime in which others are not injured or aggrieved and all agree with the need to do so. However, this bill brought forward by law enforcement in two towns tilts the scales away from mutual understanding and gives the law enforcement community the power to force its will on the college by giving them the stick that as long as there is no “memorandum of understanding” – which they, the police, could indefinitely postpone on their own – colleges would be forced to potentially ruin young lives by making them report any and all, even minor issues, to the local police immediately. This is well intended but seriously flawed legislation.

Majority Amendment (0727h)

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

1 New Section; Postsecondary Education Commission; Reporting Crimes. Amend RSA 188-D by inserting after section 9-b the following new section:

188-D:9-c Reporting Crimes.

I. Absent a memorandum of understanding, every nonpublic postsecondary educational institution that employs or contracts unsworn law enforcement personnel shall immediately report any crime occurring on campus property to the local law enforcement agency.

II. Any memorandum of understanding executed under this section shall reflect the agreement between the nonpublic postsecondary educational institution and the local law enforcement agency as to what constitutes an “immediate report” and the extent to which offenses listed in group A of the National Incident Based Reporting System (NIBRS), as defined by the Federal Bureau of Investigation, shall be covered by the immediate reporting requirement. The nonpublic postsecondary educational institution and the local law enforcement agency shall have the discretion to determine which crimes outside of NIBRS group A offenses shall be covered by the immediate reporting requirement.

III. Every nonpublic postsecondary institution in the state shall annually inform students of the provisions of this section by including information about this section in the student handbook, student code of conduct, or other similar online or printed material provided to students.

2 New Section; Community College System of New Hampshire; Reporting Crimes. Amend RSA 188-F by inserting after section 21 the following new section:

188-F:21-a Reporting Crimes.

I. Absent a memorandum of understanding, every institution within the community college system that employs or contracts unsworn law enforcement personnel shall immediately report any crime occurring on campus property to the local law enforcement agency.

II. Any memorandum of understanding executed under this section shall reflect the agreement between the community college system institution and the local law enforcement agency as to what constitutes an “immediate report” and the extent to which offenses listed in group A of the National Incident Based Reporting System (NIBRS), as defined by the Federal Bureau of Investigation, shall be covered by the immediate reporting requirement. The community college system institution and the local law enforcement agency shall have

the discretion to determine which crimes outside of NIBRS group A offenses shall be covered by the immediate reporting requirement.

III. Every community college system institution in the state shall annually inform students of the provisions of this section by including information about this section in the student handbook, student code of conduct, or other similar online or printed material provided to students.

3 New Section; University System of New Hampshire; Reporting Crimes. Amend RSA 187-A by inserting after section 16 the following new section:

187-A:16-a Reporting Crimes.

I. Absent a memorandum of understanding, every institution within the university system that employs or contracts unsworn law enforcement personnel shall immediately report any crime occurring on campus property to the local law enforcement agency.

II. Any memorandum of understanding executed under this section shall reflect the agreement between the university system institution and the local law enforcement agency as to what constitutes an "immediate report" and the extent to which offenses listed in group A of the National Incident Based Reporting System (NIBRS), as defined by the Federal Bureau of Investigation, shall be covered by the immediate reporting requirement. The university system institution and the local law enforcement agency shall have the discretion to determine which crimes outside of NIBRS group A offenses shall be covered by the immediate reporting requirement.

III. Every university system institution in the state shall annually inform students of the provisions of this section by including information about this section in the student handbook, student code of conduct, or other similar online or printed material provided to students.

4 Applicability. Every memorandum of understanding required by this act shall be executed no later than January 1, 2011.

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

AMENDED ANALYSIS

This bill provides that all colleges and universities in the state shall immediately report crimes occurring on campus property to local law enforcement officials, or they shall enter into a memorandum of understanding with the local law enforcement agency as to the procedure for reporting crimes on campus property.

Majority committee amendment adopted.

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

Rep. Ingretson spoke against.

Rep. Ladd spoke in favor and yielded to questions.

On a division vote, 248 members having voted in the affirmative and 92 in the negative, the majority committee report was adopted.

Ordered to third reading.

HB 1411, requiring notice of the decision against rehiring be provided to educational support personnel. **WITHOUT RECOMMENDATION.**

STATEMENT IN FAVOR OF OUGHT TO PASS: As amended, this bill demonstrates a collaborative effort to simply provide notification by the last day of a school year to education support personnel and non-certified school district employees who have completed their probationary period of employment of the intent that their employment will or will not continue into the next school year. Most importantly, if the employee knows that a job is not going to be available in the next school year, he or she can then begin the process of seeking a job without losing up to two months of inactivity. In the current job market it is important not to lose valuable time while waiting for notification in late summer. The bill allows the employer to state any conditions such as budget or changes in enrollment that might

necessitate a change to that anticipated employment. Nothing in this bill would construe, amend, replace or otherwise modify a school district's policy on dismissal, collective bargaining agreements or any employee benefits package. Not all support personnel are part of a collective bargaining unit and therefore have no access to union negotiations.

Rep. Nancy F. Stiles

STATEMENT IN FAVOR OF INEXPEDIENT TO LEGISLATE: A bipartisan coalition of the education committee members supported that this bill as amended was inexpedient to legislate for four reasons. One, the legislation would potentially restrict or eliminate budgetary flexibility to fund unanticipated expenses and staffing reallocation, post-budget passage, for our financially strapped school districts. Two, support personnel employment notification requirements have been negotiated through collective bargaining agreements. Three, this bill should have been assigned to the house labor committee to be thoroughly vetted for its impact on existing employer-employee labor relations law. Four, the bill contains no fiscal note for its financial impacts upon our school districts. The New Hampshire school boards association and New Hampshire School Administrators Association also oppose this legislation.

Rep. Brien L. Ward

Rep. Stiles moved Ought to Pass and offered floor amendment (0812h).

Floor Amendment (0812h)

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

AN ACT requiring notice to educational support personnel and non-certified school district employees.

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

1 New Section; Notice for Educational Support Personnel and Non-Certified School District Employees. Amend RSA 189 by inserting after section 14-g the following new section:

189:14-h Notice to Education Support Personnel and Non-Certified School District Employees Required. No later than the last day of school each year, the superintendent shall notify, in writing, all education support personnel and non-certified school district employees who have completed their probationary employment period of the intent to continue or not to continue that employment into the next school year. The notification may contain special circumstances as may be defined by the employer. Nothing in this section shall be construed to amend, replace, or otherwise modify a school district's policy on dismissal, collective bargaining agreements, or any employee benefits package.

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

AMENDED ANALYSIS

This bill requires the superintendent to notify, in writing, all qualified education support personnel and non-certified school district employees who have completed their probationary employment period of the intent to continue or not to continue that employment into the next school year.

On a division vote, 246 members having voted in the affirmative and 86 in the negative, floor amendment (0812h) was adopted.

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

Rep. Pamela Price spoke against and yielded to questions.

(Speaker Norelli in the Chair)

Rep. Stiles spoke in favor and yielded to questions.

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 198 NAYS 153

YEAS 198

BELKNAP

Bolster, Peter
Reever, Judith

Johnson, William
Russell, David

Merry, Liz
St. Cyr, Jeffrey

Miller, Kate
Stuart, Richard

CARROLL

Bridgham, Robert

Butler, Edward

Knox, J. David

Wiley, Susan

CHESHIRE

Allen, Peter
Carr, Daniel
Lindsey, Steven
Roberts, Kris
Weed, Charles

Burridge, Delmar
Eaton, Daniel
Meader, David
Robertson, Timothy

Butcher, Suzanne
Emerson, Susan
Parkhurst, Henry
Sad, Tara

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

COOS

Hatch, William
Remick, William

Mears, Lucy
Thomas, Yvonne

Merrick, Evalyn

Rappaport, Laurence

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Smith, Suzanne

Almy, Susan
Friedrich, Carol
Matheson, Robert
Taylor, Kathleen

Benn, Bernard
Gould, Franklin
Mulholland, Catherine
Townsend, Charles

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
White, Andrew

HILLSBOROUGH

Baroody, Benjamin
Caron, June
Clemons, Jane
Flurey, Joan
Goley, Jeffrey
Hammond, Jill
Hodges, Kevin
Kopka, Angeline
Long, Patrick
Nixon, David
Pilotte, Maurice
Ryder, Donald
Soucy, Timothy
Winters, Joel

Beck, Catriona
Chandley, Shannon
Cote, David
Gargas, Carolyn
Gorman, Mary
Hardy, Valerie
Holden, Rip
LaPlante, Roland
Mack, Ron
O'Brien, Michael Sr
Poznanski, Brian
Schulze, Joan
Sullivan, Daniel

Boisvert, Ronald
Chininis, Alexis
Day, Russell
Garrity, Patrick
Hackel, Paul
Harvey, Philip
Knowles, John
Levasseur, Nickolas
Marshall, Seth
Ober, Lynne
Ramsey, Peter
Shattuck, Gilman
Thompson, Robert

Campbell, David
Christiansen, Lars
Farley, Michael
Ginsburg, Ruth
Haley, Robert
Hebert, Roger
Knowles, Mary Ann
Levesque, Melanie
Movsesian, Lori
Ober, Russell III
Rhodes, Brian
Shaw, Barbara
Walsh, Robert Jr

MERRIMACK

Bartlett, Michael
Davis, Frank
Gile, Mary
Owen, Derek
Rodd, Beth
Tilton, Joy
Watrous, Rick

Bouchard, Candace
DeJoie, John
Hamm, Christine
Porter, Margaret
Schuett, Dianne
Tupper, Frank
Webb, Leigh

Brown, Carole
DeStefano, Stephen
Kelly, Sally
Potter, Frances
Shurtleff, Stephen
Wallner, Mary Jane
Williams, Robert

Coffey, Jennifer
French, Barbara
Osborne, Jessie
Richardson, Gary
Stetson, William
Walz, Mary Beth
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Brown, C. Pennington
Day, Judith
Introne, Robert
McEachern, Paul
Pettersen, Don
Schlachman, Donna
Weare, Everett

Bettencourt, David
Cali-Pitts, Jacqueline
DiFruscia, Anthony
Kepner, Susan
Nevins, Chris
Quandt, Matt
Splaine, James
Webber, Carolyn

Borden, David
Casey, Kimberley
DiPentima, Rich
Mann, Maureen
Nord, Susi
Read, Robin Jr
Stiles, Nancy

Bridle, Russell
Cushing, Robert
Henson, John
McCarthy, Barbara
Pantelakos, Laura
Russell, Trink
Sullivan, James

STRAFFORD

Berube, Roger
Burke, Rachel
Hubbard, Pamela
Lauterborn, Elaine
Rollo, Deanna
Smith, Marjorie
Wall, Janet

Brown, Julie
Cyr, James
Hutz, Sarah
Lewis, Robert
Rous, Emma
Spang, Judith
Ward, Kenneth

Brown, Larry
Grassie, Anne
Kaen, Naida
Perry, Robert
Ryder, Mark
Sprague, Dale
Watters, David

Browne, Brendon
Horrigan, Timothy
Keans, Sandra
Rogers, Rose Marie
Schmidt, Peter
Vachon, Dennis

SULLIVAN

Cloutier, John
Harris, Sandra

Sweeney, Cynthia

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

NAYS 153

BELKNAP

Boyce, Laurie
Nedeau, Stephen

Fields, Dennis
Pilliod, James

Flanders, Donald
Swinford, Elaine

Millham, Alida
Wendelboe, Fran

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Buco, Thomas
Patten, Betsey
Umberger, Karen

Chandler, Gene
Roberts, John

Fleck, Joseph
Scala, Dino

CHESHIRE

Butterworth, Timothy
Mitchell, Bonnie

Hunt, John
Sterling, Franklin Jr

Johnson, Jane

Laurent, John

COOS

Richardson, Herbert

Stohl, Eric

Theberge, Robert

GRAFTON

Bulis, Lyle
Maybeck, Margie
Williams, Burton

Gionet, Edmond
Nordgren, Sharon

Ingbretson, Paul
Preston, Philip

Ladd, Rick Jr
Ward, Brien

HILLSBOROUGH

Batula, Peter
Bergin, Peter
Craig, James
Gagne, Larry
Harvey, Suzanne
Hinkle, Peyton
Jasper, Shawn
Leishman, Peter

Messier, Irene
Palmer, Stephen
Pratt, Calvin
Rowe, Robert
Soucy, Connie
Villeneuve, Moe

Beauchamp, Roger
Boehm, Ralph
Daniels, Gary
Gandia, Laura
Hawkins, Ken
Hogan, Edith
Katsiantonis, Thomas
Matarazzo, Anthony
Sr

Moran, Edward
Pellegrino, Tony
Price, Pamela
Seidel, Carl
Spaulding, Jayne
Willette, Robert

Beaulieu, Jane
Cebrowski, John
Doherty, Shaun
Graham, John
Hikel, John
Holden, Frank
Kurk, Neal
McCarthy, Michael

O'Brien, William
Pepino, Leo
Renzullo, Andrew
Shaw, Kimberly
Ulery, Jordan

Belvin, William
Christensen, Chris
Emerton, Larry
Haefner, Robert
Hinch, Richard
Infantine, William
L'Heureux, Robert
Mead, Robert

O'Neil, James
Peterson, Andrew
Rosenwald, Cindy
Silva, Peter
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Kidder, David
McMahon, Patricia

Blankenbeker, Lynne
Kotowski, Frank
Palfrey, David

Foose, Robert
Lockwood, Priscilla
Reed, Dennis

Hess, David
McGuire, Carol
Smith, Todd

ROCKINGHAM

Allen, Mary
Case, Frank
DeSimone, Debra
Emiro, Frank
Garcia, Marilinda
Headd, James
Kappler, L. Mike
McKinney, Betsy
Perkins, Lawrence
Sapareto, Frank
Welch, David

Bailey, Clinton
Charron, Gene
Devine, James
Ferrante, Beverly
Garrity, James
Hoelzel, Kathleen
Katsakiores, Phyllis
McMahon, Charles
Priestley, Anne
Sedensky, John
Wells, Roger

Baldasaro, Alfred
Comerford, Timothy
Dumaine, Dudley
Fesh, Robert
Gould, Kenneth
Ingram, Russell
Kolodziej, Walter
Packard, Sherman
Reagan, John
Smith, William
Weyler, Kenneth

Bates, David
Crisler, Margaret
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Itse, Daniel
Major, Norman
Perkins, Amy
Sanders, Elisabeth
Tucker, Pamela

STRAFFORD

Bickford, David

Groen, Warren

Price, Susan

Vita, Carol

SULLIVAN

Cunningham, Steven
and the motion was adopted.
Ordered to third reading.

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

BILLS REMOVED FROM THE CONSENT CALENDAR

CACR 29, relating to parental rights. Providing that the state shall not abridge the responsibility of parents for the health, education, and welfare of their children.

INEXPEDIENT TO LEGISLATE.

Rep. Edward P. Moran for Children and Family Law: The committee, after considering several amendments as well as the original bill, concluded that as well intentioned as the language was, it didn't change the fact that few rights are absolute and any judicial interpretation would still require a provision for "state" intervention in the event that a child's welfare was in serious jeopardy as a result of parental abuse or neglect. The propensity of the "state" to intervene has increased dramatically since the days of Oliver

Twist. We may have arrived at a point of excessive intervention into family matters. If so, it is the consequence of the cultural phenomenon of a society in search of an elusive balance and will probably be only solved by a society willing to be intellectually honest about what is both fair and productive in the context of a constitution that has served it so well. Vote 16-0. Rep. Itse spoke against.
Rep. Gile spoke in favor.
Rep. Itse requested a roll call; sufficiently seconded.

YEAS 249 NAYS 96

YEAS 249

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Johnson, William
Merry, Liz	Miller, Kate	Millham, Alida	Pilliod, James
Reever, Judith	Russell, David	St. Cyr, Jeffrey	

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Buco, Thomas	Butler, Edward
Knox, J. David	Patten, Betsey	Stevens, Stanley	Umberger, Karen
Wiley, Susan			

CHESHIRE

Burrige, Delmar	Butcher, Suzanne	Butterworth, Timothy	Butynski, William
Carr, Daniel	Eaton, Daniel	Lerandean, Alfred	Lindsey, Steven
Meador, David	Mitchell, Bonnie	Parkhurst, Henry	Richardson, Barbara
Robertson, Timothy	Sad, Tara	Weber, Lucy	Weed, Charles

COOS

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

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bulis, Lyle
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
White, Andrew	Williams, Burton		

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Belvin, William	Bergin, Peter	Boisvert, Ronald	Campbell, David
Caron, June	Chandley, Shannon	Chininis, Alexis	Christensen, Chris
Clemons, Jane	Cote, David	Day, Russell	Doherty, Shaun
Emerton, Larry	Farley, Michael	Flurey, Joan	Gargas, Carolyn
Garrity, Patrick	Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary
Hackel, Paul	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hebert, Roger	Hodges, Kevin
Holden, Rip	Jasper, Shawn	Katsiantonis, Thomas	Knowles, John
Knowles, Mary Ann	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	Moran, Edward	Movsesian, Lori	O'Brien, Michael Sr
O'Neil, James	Peterson, Andrew	Pilotte, Maurice	Poznanski, Brian
Price, Pamela	Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy
Rowe, Robert	Ryder, Donald	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Shaw, Kimberly	Soucy, Timothy	Spaulding, Jayne
Sullivan, Daniel	Thompson, Robert	Vaillancourt, Steve	Walsh, Robert Jr
Winters, Joel			

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Davis, Frank
DeJoie, John	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Kelly, Sally	Kidder, David
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Porter, Margaret
Potter, Frances	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	Yeaton, Charles	

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Bailey, Clinton	Borden, David
Bridle, Russell	Brown, C. Pennington	Cali-Pitts, Jacqueline	Case, Frank
Casey, Kimberley	Charron, Gene	Crisler, Margaret	Cushing, Robert
Day, Judith	DeSimone, Debra	DiFruscia, Anthony	DiPentima, Rich
Elliott, Robert	Emiro, Frank	Fesh, Robert	Garcia, Marilinda
Gould, Kenneth	Griffin, Mary	Henson, John	Ingram, Russell
Kepner, Susan	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
Nevins, Chris	Nord, Susi	Pantelakos, Laura	Petterson, Don
Read, Robin Jr	Russell, Trinkia	Sanders, Elisabeth	Schlachman, Donna
Splaine, James	Stiles, Nancy	Weare, Everett	Webber, Carolyn
Wells, Roger			

STRAFFORD

Berube, Roger	Bickford, David	Brown, Julie	Brown, Larry
Browne, Brendon	Burke, Rachel	Cyr, James	Grassie, Anne
Horrigan, Timothy	Hubbard, Pamela	Hutz, Sarah	Kaen, Naida
Keans, Sandra	Lauterborn, Elaine	Perry, Robert	Price, Susan
Rogers, Rose Marie	Rollo, Deanna	Rous, Emma	Ryder, Mark
Schmidt, Peter	Smith, Marjorie	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	Howard, Thomas	McClammer, Jim
Rodeschin, Beverly	Skinder, Carla	Sweeney, Cynthia	

NAYS 96

BELKNAP

Flanders, Donald	Neddeau, Stephen	Swinford, Elaine	Wendelboe, Fran
------------------	------------------	------------------	-----------------

CARROLL

Chandler, Gene Scala, Dino	Fleck, Joseph	McConkey, Mark	Roberts, John
-------------------------------	---------------	----------------	---------------

CHESHIRE

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

COOS

Rappaport, Laurence	Remick, William
---------------------	-----------------

GRAFTON

Gionet, Edmond	Ingbretson, Paul	Maybeck, Margie	Ward, Brien
----------------	------------------	-----------------	-------------

HILLSBOROUGH

Batula, Peter	Boehm, Ralph	Cebrowski, John	Christiansen, Lars
Daniels, Gary	Gagne, Larry	Gandia, Laura	Graham, John
Haefner, Robert	Hawkins, Ken	Hikel, John	Hinkle, Peyton
Hogan, Edith	Holden, Frank	Infantine, William	McCarthy, Michael
Mead, Robert	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Pratt, Calvin
Renzullo, Andrew	Seidel, Carl	Silva, Peter	Soucy, Connie
Ulery, Jordan	Villeneuve, Moe	Willette, Robert	

MERRIMACK

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

ROCKINGHAM

Baldasaro, Alfred	Bates, David	Bettencourt, David	Bishop, Franklin
Comerford, Timothy	Devine, James	Dumaine, Dudley	Ferrante, Beverly
Flanders, John Sr	Garrity, James	Headd, James	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, L. Mike	Katsakiores, Phyllis
Kolodziej, Walter	Major, Norman	McKinney, Betsy	McMahon, Charles
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Quandt, Matt
Reagan, John	Sapareto, Frank	Sedensky, John	Smith, William
Sullivan, James	Tucker, Pamela	Welch, David	Weyler, Kenneth

STRAFFORD

Groen, Warren	Vita, Carol
---------------	-------------

SULLIVAN

Cunningham, Steven Osgood, Joe
and the committee report was adopted.
Rep. Priestley did not vote and notified the Clerk that she wished to be recorded in favor.

HB 1647-FN, relative to residency restrictions for certain sexual offenders and relative to requiring persons convicted of first or second degree homicide against a child to register for

life. **INEXPEDIENT TO LEGISLATE.**

Rep. Shannon E. Chandley for Criminal Justice and Public Safety: This proposal was unanimously defeated by the committee for several reasons. First, the bill as written would exclude Tier III offenders from inclusion in the registry unless the victim was under 18. Currently, offenders who knowingly cause a person's death in the commission of, or while attempting to commit, felonious sexual assault regardless of the age of the victim are included. Secondly, HB 1647 would expand the definition of public registry offenses. The committee is concerned that to do so incrementally and piece-meal may decrease the overall effectiveness of a public list. The committee has with other related legislation recommended Interim Study so that a complete and exhaustive evaluation of public registration might be conducted. Finally, HB 1647 prohibits an offender from living anywhere within 25 miles of his or her victim or the victim's relation by blood or through marriage including mother, father, son, daughter, sister, brother, husband, wife, grandfather, grandmother, grandson, granddaughter, great-grandchildren, step-parent, step-children, aunt, uncle, nephew, niece and former spouse. This provision would be wholly unworkable as it would require the offender to know and respond to the whereabouts of his or her victim and all the victim's family. Moreover, the committee has heard repeated credible testimony that residency restrictions do not offer protections and may hamper registry compliance and law-enforcement. Vote 16-0.

Rep. Wendelboe spoke against.

Rep. Chandley spoke in favor and yielded to questions.

Rep. Wendelboe requested a roll call; sufficiently seconded.

YEAS 243 NAYS 105

YEAS 243

BELKNAP

Fields, Dennis	Johnson, William	Merry, Liz	Nedeau, Stephen
Pilliod, James	Reever, Judith	Russell, David	Swinford, Elaine

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Knox, J. David
Stevens, Stanley	Umberger, Karen	Wiley, Susan	

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carr, Daniel	Eaton, Daniel	Hunt, John
Johnson, Jane	Lerandau, Alfred	Lindsey, Steven	Meadar, 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
Stohl, Eric	Theberge, Robert		

GRAFTON

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

Williams, Burton

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Belvin, William	Bergin, Peter	Boisvert, Ronald	Campbell, David
Caron, June	Chandley, Shannon	Chininis, Alexis	Christensen, Chris
Clemons, Jane	Cote, David	Day, Russell	Emerton, Larry
Farley, Michael	Flurey, Joan	Gargas, Carolyn	Garritty, Patrick
Ginsburg, Ruth	Goley, Jeffrey	Gorman, Mary	Graham, John
Hackel, Paul	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hebert, Roger	Hodges, Kevin
Holden, Rip	Jasper, Shawn	Katsiantonis, Thomas	Knowles, John
Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal	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	Ober, Lynne	Ober, Russell III
Pilotte, Maurice	Poznanski, Brian	Pratt, Calvin	Price, Pamela
Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy	Ryder, Donald
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Soucy, Timothy	Spaulding, Jayne	Sullivan, Daniel	Thompson, Robert
Ulery, Jordan	Vaillancourt, Steve	Walsh, Robert Jr	Willette, Robert
Winters, Joel			

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Davis, Frank
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Hess, David	Kelly, Sally	Kidder, David
McGuire, Carol	McMahon, Patricia	Osborne, Jessie	Owen, Derek
Porter, Margaret	Potter, Frances	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	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Bishop, Franklin	Borden, David
Brown, C. Pennington	Cali-Pitts, Jacqueline	Case, Frank	Casey, Kimberley
Charron, Gene	Cushing, Robert	Day, Judith	DiFruscia, Anthony
DiPentima, Rich	Emiro, Frank	Fesh, Robert	Flanders, John Sr
Gould, Kenneth	Henson, John	Ingram, Russell	Kepner, Susan
Major, Norman	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
Nord, Susi	Packard, Sherman	Pantelakos, Laura	Petterson, Don
Read, Robin Jr	Russell, Trinkia	Sanders, Elisabeth	Schlachman, Donna
Splaine, James	Sullivan, James	Weare, Everett	Webber, Carolyn
Welch, David	Wells, Roger		

STRAFFORD

Berube, Roger	Bickford, David	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Horriggan, Timothy
Hubbard, Pamela	Hutz, Sarah	Kaen, Naida	Keans, Sandra
Lauterborn, Elaine	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	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	Howard, Thomas	McClammer, Jim
Rodeschin, Beverly	Skinder, Carla	Sweeney, Cynthia	

NAYS 105

BELKNAP

Bolster, Peter	Boyce, Laurie	Flanders, Donald	Miller, Kate
Millham, Alida	St. Cyr, Jeffrey	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	McConkey, Mark
Patten, Betsey	Roberts, John	Scala, Dino	

CHESHIRE

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

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert	Thomas, Yvonne
---------------------	-----------------	---------------------	----------------

GRAFTON

Friedrich, Carol	Ingretson, Paul	Ladd, Rick Jr	Maybeck, Margie
Ward, Brien			

HILLSBOROUGH

Batula, Peter	Boehm, Ralph	Cebrowski, John	Christiansen, Lars
Daniels, Gary	Doherty, Shaun	Gagne, Larry	Gandia, Laura
Haefner, Robert	Hawkins, Ken	Hikel, John	Hinkle, Peyton
Hogan, Edith	Holden, Frank	Infantine, William	L'Heureux, Robert
McCarthy, Michael	Mead, Robert	Moran, Edward	O'Brien, William
O'Neil, James	Palmer, Stephen	Pellegrino, Tony	Pepino, Leo
Peterson, Andrew	Renzullo, Andrew	Rowe, Robert	Seidel, Carl
Silva, Peter	Soucy, Connie	Villeneuve, Moe	

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Coffey, Jennifer	DeJoie, John
Kotowski, Frank	Palfrey, David	Reed, Dennis	Smith, Todd

ROCKINGHAM

Bailey, Clinton	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bridle, Russell	Comerford, Timothy	Crisler, Margaret	DeSimone, Debra
Devine, James	Dumaine, Dudley	Elliott, Robert	Ferrante, Beverly
Garcia, Marilinda	Garrity, James	Griffin, Mary	Headd, James
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, L. Mike
Katsakiores, Phyllis	Kolodziej, Walter	McKinney, Betsy	McMahon, Charles
Nevins, Chris	Perkins, Amy	Perkins, Lawrence	Quandt, Matt
Reagan, John	Sapareto, Frank	Sedensky, John	Smith, William

Stiles, Nancy

Tucker, Pamela

Weyler, Kenneth

STRAFFORD

Brown, Julie

Groen, Warren

Vita, Carol

SULLIVAN

Cunningham, Steven Osgood, Joe

and the committee report was adopted.

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

The House recessed at 1:25 p.m.

RECESS

(Speaker Norelli in the Chair)

The House reconvened at 2:25 p.m.

BILLS REMOVED FROM THE CONSENT CALENDAR (CONT'D)

HB 1653-FN, decriminalizing possession of one quarter of an ounce or less of marijuana.
OUGHT TO PASS WITH AMENDMENT.

Rep. Beth Rodd for Criminal Justice and Public Safety: This bill decriminalizes the possession of a small amount of marijuana (1/4 oz. or less) for persons over the age of 18 years. This bill does not permit or address medical use at all. An offender under 18 yrs of age would be subject to a violation and a \$200 fine. A violation of this statute would also require that parents and/or legal guardian would be notified of the offense and the offender would be required to complete a drug awareness program and community service within one year of the violation with proof of completion of requirements presented to the court. Failure to comply would result in a fine of \$1,000. Passage of this bill would decrease the workload of already overburdened courts, prevent young offenders who use poor judgment from being charged with criminal offenses that might impact their future vocational and educational goals and would be good, sensible, common sense public policy. There is no fiscal impact on local expenditures or county and local revenue. Vote 16-2.

Amendment (0644h)

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

1 New Section; Controlled Drug Act; Personal Possession of Small Amounts of Marijuana. Amend RSA 318-B by inserting after section 2-b the following new section:

318-B:2-c Personal Possession of Small Amounts of Marijuana.

I. Any person possessing 1/4 ounce or less of marijuana, including any adulterants or dilutants, for personal use, shall be guilty of a violation.

II.(a) Any person 18 years of age or older who is in possession of 1/4 ounce or less of marijuana, including any adulterants or dilutants, and who engages in any conduct prohibited under RSA 318-B:2 shall be guilty of a violation and subject to a fine not to exceed \$200 and forfeiture of the marijuana.

(b) Any person under 18 years of age who is in possession of 1/4 ounce or less of marijuana, including any adulterants or dilutants, and who engages in any conduct prohibited under RSA 318-B:2 shall be guilty of a violation and subject to a fine not to exceed \$200 and forfeiture of the marijuana. The offender's parents or legal guardians shall be notified of the offense. The court shall order the offender to complete an approved drug awareness program, at the offenders expense, within one year of the date of the offense. Further, the court shall order the offender to participate in community service which shall be completed within one year of the date of the offense. The offender shall furnish the court with evidence of completion of both an approved drug awareness program and community

service. An offender who fails to complete either a drug awareness program or community service, or both, shall be subject to a fine of \$1,000.

2 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(d) to read as follows:

(d) In the case of marijuana ***in a quantity of 1/4 ounce or less***, including any adulterants or dilutants~~[, or]~~, ***the person shall be guilty of a violation. In the case of 5*** grams or less of hashish, the person shall be guilty of a class A misdemeanor.

3 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) Controls any premises or vehicle where he knows a controlled drug or its analog is illegally kept or deposited, ***provided that this subparagraph shall not apply if the controlled drug is 1/4 ounce or less of marijuana as provided in RSA 318-B:2-c;***

4 Effective Date. This act shall take effect January 1, 2011.

AMENDED ANALYSIS

This bill provides that any person who possesses 1/4 of an ounce of marijuana or less shall be guilty of a violation and shall be subject to a fine of up to \$200.

On a division vote, 200 members having voted in the affirmative and 78 in the negative, the committee amendment was adopted.

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

Reps. Jasper and Butynski spoke against.

Rep. Winters spoke in favor and yielded to questions.

Rep. McGuire requested a roll call; sufficiently seconded.

YEAS 214 NAYS 137

YEAS 214

BELKNAP

Bolster, Peter
Pilliod, James
Swinford, Elaine

Johnson, William
Reever, Judith

Miller, Kate
Russell, David

Millham, Alida
St. Cyr, Jeffrey

CARROLL

Butler, Edward

Scala, Dino

Umberger, Karen

Wiley, Susan

CHESHIRE

Allen, Peter
Carr, Daniel
Meador, David
Robertson, Timothy
Weed, Charles

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

Butterworth, Timothy
Lerandean, Alfred
Richardson, Barbara
Sterling, Franklin Jr

Carlson, Nancy
Lindsey, Steven
Roberts, Kris
Weber, Lucy

COOS

Mears, Lucy

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Harding, Laurie
Mulholland, Catherine
Preston, Philip

Almy, Susan
Friedrich, Carol
Ingbretson, Paul
Nordgren, Sharon
Smith, Suzanne

Benn, Bernard
Gionet, Edmond
Laliberte, Suzanne
Pastor, Beatriz
Townsend, Charles

Cooney, Mary
Gould, Franklin
Matheson, Robert
Pierce, David
White, Andrew

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Bergin, Peter
Campbell, David	Chandley, Shannon	Christensen, Chris	Clemons, Jane
Cote, David	Craig, James	Farley, Michael	Flurey, Joan
Gagne, Larry	Garrity, Patrick	Ginsburg, Ruth	Gorman, Mary
Hackel, Paul	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Suzanne	Hikel, John	Hodges, Kevin	Hogan, Edith
Holden, Frank	Holden, Rip	Hopper, Gary	Infantine, William
Katsiantonis, Thomas	Knowles, John	Knowles, Mary Ann	Kopka, Angeline
Kurk, Neal	LaPlante, Roland	Leishman, Peter	Levasseur, Nickolas
Levesque, Melanie	Long, Patrick	Mack, Ron	Marshall, Seth
Movsesian, Lori	Nixon, David	O'Brien, Michael Sr	O'Brien, William
O'Neil, James	Ober, Lynne	Ober, Russell III	Pilotte, Maurice
Poznanski, Brian	Pratt, Calvin	Renzullo, Andrew	Rhodes, Brian
Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly	Soucy, Timothy
Spaulding, Jayne	Sullivan, Daniel	Thompson, Robert	Vaillancourt, Steve
Walsh, Robert Jr	Willette, Robert	Winters, Joel	

MERRIMACK

Blankenbeker, Lynne	Bouchard, Candace	Brown, Carole	Coffey, Jennifer
Davis, Frank	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	Kidder, David	Lockwood, Priscilla
McGuire, Carol	Owen, Derek	Porter, Margaret	Potter, Frances
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Stetson, William	Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Wheeler, Deborah	Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Baldasaro, Alfred	Borden, David	Brown, C. Pennington
Cali-Pitts, Jacqueline	Case, Frank	Casey, Kimberley	Charron, Gene
Comerford, Timothy	Crisler, Margaret	Cushing, Robert	Day, Judith
DiFruscia, Anthony	DiPentima, Rich	Dowling, Patricia	Emiro, Frank
Ferrante, Beverly	Gould, Kenneth	Henson, John	Itse, Daniel
Katsakiores, Phyllis	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
McKinney, Betsy	Nord, Susi	Pantelakos, Laura	Petterson, Don
Read, Robin Jr	Reagan, John	Russell, Trinka	Sapareto, Frank
Schlachman, Donna	Sedensky, John	Smith, William	Splaine, James
Webber, Carolyn	Welch, David	Wells, Roger	

STRAFFORD

Berube, Roger	Bickford, David	Brennan, William	Brown, Larry
Browne, Brendon	Burke, Rachel	Domingo, Baldwin	Grassie, Anne
Horrigan, Timothy	Hubbard, Pamela	Hutz, Sarah	Kaen, Naida
Keans, Sandra	Lauterborn, Elaine	Lewis, Robert	Perry, Robert
Rogers, Rose Marie	Rous, Emma	Ryder, Mark	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Ward, Kenneth	

SULLIVAN

Cloutier, John	Cunningham, Steven	Donovan, Thomas Jr	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	Howard, Thomas	McClammer, Jim
Skinder, Carla			

NAYS 137

BELKNAP

Boyce, Laurie
Nedeau, Stephen

Fields, Dennis
Wendelboe, Fran

Flanders, Donald

Merry, Liz

CARROLL

Ahlgren, Christopher
Fleck, Joseph
Stevens, Stanley

Bridgham, Robert
Knox, J. David

Buco, Thomas
McConkey, Mark

Chandler, Gene
Patten, Betsey

CHESHIRE

Burridge, Delmar
Johnson, Jane

Butynski, William
Laurent, John

Emerson, Susan
Parkhurst, Henry

Hunt, John

COOS

Hatch, William
Remick, William

Ingersoll, Paul Sr
Richardson, Herbert

Merrick, Evalyn
Stohl, Eric

Rappaport, Laurence
Thomas, Yvonne

GRAFTON

Bulis, Lyle
Ward, Brien

Ladd, Rick Jr
Williams, Burton

Maybeck, Margie

Taylor, Kathleen

HILLSBOROUGH

Batula, Peter
Boisvert, Ronald
Christiansen, Lars
Emerton, Larry
Graham, John
Hinch, Richard
Matarazzo, Anthony
Sr
Moran, Edward
Peterson, Andrew
Ryder, Donald
Ulery, Jordan

Beauchamp, Roger
Caron, June
Daniels, Gary
Gandia, Laura
Haefner, Robert
Hinkle, Peyton
McCarthy, Michael

Palmer, Stephen
Price, Pamela
Schulze, Joan
Villeneuve, Moe

Belvin, William
Cebrowski, John
Day, Russell
Gargasz, Carolyn
Harvey, Philip
Jasper, Shawn
Mead, Robert

Pellegrino, Tony
Rosenwald, Cindy
Seidel, Carl

Boehm, Ralph
Chininis, Alexis
Doherty, Shaun
Goley, Jeffrey
Hawkins, Ken
L'Heureux, Robert
Messier, Irene

Pepino, Leo
Rowe, Robert
Silva, Peter

MERRIMACK

Anderson, Eric
Hess, David
Reed, Dennis

Bartlett, Michael
McMahon, Patricia
Smith, Todd

DeJoie, John
Osborne, Jessie
Tupper, Frank

DeStefano, Stephen
Palfrey, David
Webb, Leigh

ROCKINGHAM

Allen, Mary
Bishop, Franklin
Dumaine, Dudley
Garrity, James
Introne, Robert
Major, Norman
Perkins, Amy
Sanders, Elisabeth

Bates, David
Bridle, Russell
Elliott, Robert
Griffin, Mary
Kappler, L. Mike
McMahon, Charles
Perkins, Lawrence
Stiles, Nancy

Belanger, Ronald
DeSimone, Debra
Fesh, Robert
Headd, James
Kepner, Susan
Nevins, Chris
Priestley, Anne
Sullivan, James

Bettencourt, David
Devine, James
Flanders, John Sr
Hoelzel, Kathleen
Kolodziej, Walter
Packard, Sherman
Quandt, Matt
Tucker, Pamela

Weare, Everett

Weyler, Kenneth

STRAFFORD

Brown, Julie
Sprague, Dale
Watters, David

Cyr, James
Vachon, Dennis

Groen, Warren
Vita, Carol

Rollo, Deanna
Wall, Janet

SULLIVAN

Gagnon, Raymond
and the committee report was adopted.
Ordered to third reading.

Osgood, Joe

Rodeschin, Beverly

Sweeney, Cynthia

HB 1412, requiring due process for educational support personnel. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith E. Day for Education: This bill required all school districts, administrative units, public academies, and chartered public schools to provide all employees with due process protection. The committee felt this was a complex labor issue that should not be addressed at this time because of its effect on employment in both schools and the state. Vote 20-0.

Rep. Weed spoke against.

Rep. Rous spoke in favor.

On a division vote, 289 members having voted in the affirmative and 44 in the negative, the committee report was adopted.

HB 1422, establishing a committee to study the establishment of a department of natural resources. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joan S. Flurey for Executive Departments and Administration: This bill forms a legislative committee of five members (3 house and 2 senate) to determine the feasibility of creating a department of natural resources within the executive branch. The aim of this reorganization would include improved stewardship of state resources and parks including forests and trails; increased efficiency and lower costs of state government, improved job growth and economic development in the state; and enhanced preservation of the state's natural resources for residents and tourists. The intent is for one department to exclusively focus on safeguarding New Hampshire's natural resources. At least forty-four other states utilize this approach to structure the protection of their natural resources and provide a legacy for future generations. The federal government also organizes its responsibilities to protect the nation's natural resources through one department: the department of interior which includes the national park service, national forests, bureau of land management, bureau of reclamation, and office of natural resource restoration and wildlife. Vote 17-0.

Amendment (0676h)

Amend section 2 of the bill by replacing paragraph I with the following:

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the executive departments and administration committee and one of whom shall be a member of the resources, recreation, and development committee.

(b) Two members of the senate, appointed by the president of the senate, one of whom shall be a member of the executive departments and administration committee and one of whom shall be a member of the energy, environment, and economic development committee.

Amend the bill by replacing section 4 with the following:

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

The question now being adoption of the committee report of Ought to pass with Amendment. Rep. Patricia McMahon yielded to questions. Committee report adopted and ordered to third reading.

HB 1569-FN, relative to the salaries of certain unclassified positions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sandra B. Keans for Finance: There has been a continuing shortage of pharmacists at the NH hospital and state-wide, resulting in the need to hire consulting pharmacists at \$78/hour. This bill, after thorough review by the joint committee on employee classification, adjusts the grades to be more in line with the prevailing salaries. We expect with the new adjustment to fill all vacancies and save \$300,000 in contracted services. Vote 22-0.

Amendment (0817h)

Amend the bill by replacing section 4 with the following:

4 Chief Pharmacists and Pharmacists; New Hampshire Hospital. Amend RSA 94:1-a, I(b) by inserting:

- | | | | |
|-----|----|---|------------------|
| I. | KK | Department of health and human services | pharmacist |
| | | Department of health and human services | pharmacist |
| | | Department of health and human services | pharmacist |
| | | Department of health and human services | pharmacist |
| | | Department of health and human services | pharmacist |
| | | Department of health and human services | pharmacist |
| II. | NN | Department of health and human services | chief pharmacist |

AMENDED ANALYSIS

This bill establishes the salary for the positions of director of community corrections, director of security and training, and the professional standards director in the department of corrections. This bill also upgrades the positions of chief pharmacist and certain pharmacists of the New Hampshire hospital, department of health and human services.

This bill is a request of the joint committee on employee classification established under RSA 14:14-c.

Rep. Hawkins spoke against.

Rep. Marjorie Smith spoke in favor.

Amendment adopted.

Committee report adopted and ordered to third reading.

HB 1304, extending the task force on homeless teenagers and the commission to study alternate fuel vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susi Nord for Legislative Administration: This is the annual bill to extend the reporting dates of those study committees that need a bit longer to complete their duties. The committee agrees that giving these committees extra time to finish their good work is appropriate and in the best interests of the people of New Hampshire. These committees include: the Task Force on Homeless Teenagers (report date extended 1 year to 9/1/2010), the Commission to Study Alternate Fuel Vehicles (report date extended 4 months to 3/1/2010), the Committee to Study the Certificate of Need Process (report date extended 9 months to 11/1/2010) and the Task Force to Study Access to Dental Care (report date extended 1 year to 11/1/2010). Vote 16-0.

Amendment (0653h)

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

AN ACT extending the task force on homeless teenagers, the commission to study alternate fuel vehicles, the task force to study access to dental care, and the committee to study the certificate of need process.

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

1 Task Force on Homeless Teenagers; Report Date Extended. Amend 2008, 273:5 to read as follows:

273:5 Report. The task force shall report its findings and make recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library ***in an interim report submitted*** on or before September 1, 2009 ***and in a final report submitted on or before September 1, 2010.***

2 Commission to Study Alternate Fuel Vehicles; Report Date Extended. Amend 2010, 189:5 to read as follows:

189:5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before ~~[November 1, 2009]~~ ***March 1, 2010.***

3 Task Force to Study Access to Dental Care Extended. Amend 2009, 129:7 to read as follows:

129:7 Report. The task force shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, ~~[2009]~~ ***2010.***

4 Committee to Study the Certificate of Need Process; Report Date Extended. Amend 2009, 77:5 to read as follows:

77:5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before ~~[February]~~ ***November*** 1, 2010.

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

AMENDED ANALYSIS

This bill extends the task force on homeless teenagers, the commission to study alternate fuel vehicles, the task force to study access to dental care, and the committee to study the certificate of need process.

Amendment adopted.

Rep. Lucy Weber offered floor amendment (0860h).

Floor Amendment (0860h)

Amend the bill by replacing section 2 with the following:

2 Commission to Study Alternate Fuel Vehicles; Report Date Extended. Amend 2010, 189:5 to read as follows:

189:5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before ~~[November 1, 2009]~~ ***November 1, 2010.***

Rep. Lucy Weber spoke in favor.

Floor amendment (0860h) adopted.

Committee report adopted and ordered to third reading.

HB 1194, prohibiting smoking on beaches at state parks. **REFER FOR INTERIM STUDY.**

Rep. Marcia G. Moody for Resources, Recreation and Development: This bill preserves the natural resources and enjoyment of beaches at our state park beaches. Second hand smoke has been found to be particularly harmful to those with chronic breathing difficulties. But the general public also has a right to enjoy the outdoors at beaches where large crowds congregate. In addition, discarded filters present a huge trash problem, and are injurious to birds, aquatic life and water quality. The state of Maine enacted a ban on smoking at their beaches last year. Interim study will give New Hampshire an opportunity to assess the effectiveness of this approach. Vote 16-1.

Reps. Kappler and Judith Day spoke against and yielded to questions.

Rep. Kepner spoke against.

Rep. Spang spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 230 NAYS 111

YEAS 230

BELKNAP

Bolster, Peter
Nedeau, Stephen
Swinford, Elaine

Fields, Dennis
Reever, Judith

Johnson, William
Russell, David

Miller, Kate
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
Chandler, Gene

Bridgham, Robert
McConkey, Mark

Buco, Thomas
Patten, Betsey

Butler, Edward
Stevens, Stanley

CHESHIRE

Allen, Peter
Hunt, John
Meador, David
Roberts, Kris

Butcher, Suzanne
Johnson, Jane
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Weber, Lucy

Carr, Daniel
Lindsey, Steven
Richardson, Barbara
Weed, Charles

COOS

Hatch, William
Remick, William

Ingersoll, Paul Sr
Richardson, Herbert

Merrick, Evalyn
Stohl, Eric

Rappaport, Laurence
Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Harding, Laurie
Matheson, Robert
Pierce, David
Ward, Brien

Almy, Susan
Friedrich, Carol
Ingbretson, Paul
Mulholland, Catherine
Smith, Suzanne
Williams, Burton

Benn, Bernard
Gionet, Edmond
Ladd, Rick Jr
Nordgren, Sharon
Taylor, Kathleen

Cooney, Mary
Gould, Franklin
Laliberte, Suzanne
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin
Boisvert, Ronald
Chininis, Alexis
Doherty, Shaun
Gandia, Laura
Graham, John
Harvey, Suzanne

Beaulieu, Jane
Campbell, David
Christensen, Chris
Emerton, Larry
Garritty, Patrick
Haefner, Robert
Hodges, Kevin

Belvin, William
Caron, June
Clemons, Jane
Farley, Michael
Ginsburg, Ruth
Haley, Robert
Holden, Rip

Boehm, Ralph
Chandlely, Shannon
Cote, David
Flurey, Joan
Goley, Jeffrey
Hammond, Jill
Hopper, Gary

Infantine, William
Kopka, Angeline
Levesque, Melanie
O'Brien, Michael Sr
Pilotte, Maurice
Rosenwald, Cindy
Soucy, Timothy
Willette, Robert

Jasper, Shawn
L'Heureux, Robert
Long, Patrick
O'Neil, James
Price, Pamela
Schulze, Joan
Spaulding, Jayne
Winters, Joel

Knowles, John
LaPlante, Roland
Marshall, Seth
Palmer, Stephen
Renzullo, Andrew
Shaw, Barbara
Thompson, Robert

Knowles, Mary Ann
Levasseur, Nickolas
Movsesian, Lori
Pellegrino, Tony
Rhodes, Brian
Shaw, Kimberly
Ulery, Jordan

MERRIMACK

Anderson, Eric
DeJoie, John
Gile, Mary
McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Wallner, Mary Jane
Williams, Robert

Bouchard, Candace
DeStefano, Stephen
Hamm, Christine
Osborne, Jessie
Richardson, Gary
Stetson, William
Walz, Mary Beth
Yeaton, Charles

Brown, Carole
Foose, Robert
Kelly, Sally
Palfrey, David
Rodd, Beth
Tilton, Joy
Webb, Leigh

Davis, Frank
French, Barbara
Kidder, David
Porter, Margaret
Schuett, Dianne
Tupper, Frank
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Borden, David
Charron, Gene
DiPentima, Rich
Fesh, Robert
Griffin, Mary
Major, Norman
McMahon, Charles
Pantelakos, Laura
Quandt, Matt
Schlachman, Donna
Weare, Everett

Baldasaro, Alfred
Brown, C. Pennington
Crisler, Margaret
Dowling, Patricia
Flanders, John Sr
Headd, James
Mann, Maureen
Nevins, Chris
Perkins, Amy
Read, Robin Jr
Smith, William
Webber, Carolyn

Belanger, Ronald
Case, Frank
Cushing, Robert
Elliott, Robert
Garrity, James
Hoelzel, Kathleen
McEachern, Paul
Nord, Susi
Perkins, Lawrence
Sanders, Elisabeth
Splaine, James
Welch, David

Bishop, Franklin
Casey, Kimberley
DiFruscia, Anthony
Ferrante, Beverly
Gould, Kenneth
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Priestley, Anne
Sapareto, Frank
Stiles, Nancy
Weyler, Kenneth

STRAFFORD

Berube, Roger
Brown, Larry
Grassie, Anne
Lewis, Robert
Ryder, Mark
Wall, Janet

Bickford, David
Browne, Brendon
Horrigan, Timothy
Perry, Robert
Schmidt, Peter
Watters, David

Brennan, William
Burke, Rachel
Hubbard, Pamela
Rollo, Deanna
Smith, Marjorie

Brown, Julie
Domingo, Baldwin
Kaen, Naida
Rous, Emma
Spang, Judith

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
Howard, Thomas

Gottling, Suzanne
McClammer, Jim

Osgood, Joe

NAYS 111

BELKNAP

Boyce, Laurie
Pilliod, James

Flanders, Donald
Wendelboe, Fran

Merry, Liz

Millham, Alida

CARROLL

Fleck, Joseph	Knox, J. David	Scala, Dino	Umberger, Karen
Wiley, Susan			

CHESHIRE

Burridge, Delmar	Butynski, William	Eaton, Daniel	Emerson, Susan
Laurent, John	Robertson, Timothy	Sterling, Franklin Jr	

COOS

Mears, Lucy	Thomas, Yvonne
-------------	----------------

GRAFTON

Bulis, Lyle	Maybeck, Margie	Preston, Philip
-------------	-----------------	-----------------

HILLSBOROUGH

Batula, Peter	Beauchamp, Roger	Beck, Catriona	Bergin, Peter
Christiansen, Lars	Daniels, Gary	Day, Russell	Gagne, Larry
Hackel, Paul	Hardy, Valerie	Harvey, Philip	Hawkins, Ken
Hikel, John	Hinch, Richard	Hogan, Edith	Holden, Frank
Katsiantonis, Thomas	Kurk, Neal	Mack, Ron	Matarazzo, Anthony Sr
McCarthy, Michael	Mead, Robert	Messier, Irene	Moran, Edward
Nixon, David	O'Brien, William	Ober, Lynne	Ober, Russell III
Pepino, Leo	Peterson, Andrew	Poznanski, Brian	Pratt, Calvin
Rowe, Robert	Ryder, Donald	Seidel, Carl	Shattuck, Gilman
Silva, Peter	Sullivan, Daniel	Vaillancourt, Steve	Villeneuve, Moe
Walsh, Robert Jr			

MERRIMACK

Bartlett, Michael	Blankenbeker, Lynne	Coffey, Jennifer	Hess, David
Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol	Reed, Dennis
Smith, Todd	Watrous, Rick		

ROCKINGHAM

Allen, Mary	Bates, David	Bettencourt, David	Bridle, Russell
Comerford, Timothy	Day, Judith	DeSimone, Debra	Devine, James
Dumaine, Dudley	Emiro, Frank	Henson, John	Introne, Robert
Itse, Daniel	Kappler, L. Mike	Katsakiores, Phyllis	Kepner, Susan
McCarthy, Barbara	Petterson, Don	Reagan, John	Russell, Trinka
Sedensky, John	Sullivan, James	Tucker, Pamela	Wells, Roger

STRAFFORD

Cyr, James	Groen, Warren	Hutz, Sarah	Keans, Sandra
Lauterborn, Elaine	Rogers, Rose Marie	Sprague, Dale	Vachon, Dennis
Vita, Carol			

SULLIVAN

Cunningham, Steven	Rodeschin, Beverly	Skinder, Carla	Sweeney, Cynthia
--------------------	--------------------	----------------	------------------

and the committee report was adopted.

HB 1610-FN, establishing a New Hampshire commission on Native American affairs and recognizing the Abenaki and other American Indian residents as a minority population in the state of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: Based on the 2000 census approximately ten thousand New Hampshire residents identify their households as Native American. HB 1610 would follow the lead of our fellow New England states along with the majority of our sister states by forming a commission on Native American affairs. The major goals of the commission are to highlight the historical and cultural contributions of Native Americans to the history of New Hampshire, improving the welfare and quality of life for our Native American citizens, along with how we as a people, all people can work together for the betterment of the common good. HB 1610 doesn't single out any one tribe or group of Native Americans for special note; it requires the commission to be all inclusive, non-partisan, and non-tribe specific. Its mission covers all Native Americans past and present regardless of origin or tribe. An additional goal of the commission on Native American affairs would be to use federal laws to protect New Hampshire's Native American small businessmen and women when it comes to the creation and sale of Native American products. Vote 17-0.

Amendment (0692h)

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

AN ACT establishing a New Hampshire commission on Native American affairs and recognizing Native American residents of the state as a minority population in New Hampshire.

Amend RSA 21-K:24, II as inserted by section 1 of the bill by replacing it with the following:

II. The commission shall consist of 7 members, appointed by the governor, who are residents of New Hampshire. The governor may appoint up to 5 of the initial members from a list of up to 15 candidates compiled by the New Hampshire Intertribal Native American Council on behalf of Native American groups within the state. Thereafter, the governor shall appoint members based on recommendations submitted by the commission. The Native American commission shall be nonpartisan. Each member of the commission shall serve a 3-year term, and no member shall serve more than 2 consecutive terms. Initial appointments by the governor shall be for staggered terms of one, 2, or 3 years.

Amend the bill by replacing section 2 with the following:

2 Recognition of the Native American People.

I. The state of New Hampshire recognizes all Native American people who reside in New Hampshire as a minority population.

II. Recognition of the Native American people provided in paragraph I shall be for the sole purposes specified in section 1 of this act and shall not be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents.

AMENDED ANALYSIS

This bill establishes a New Hampshire commission on Native American affairs. The bill also recognizes Native American residents as a minority population in the state of New Hampshire.

Amendment adopted.

(Rep. Bouchard in the Chair)

Rep. Kurk offered floor amendment (0929h).

Floor Amendment (0929h)

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

AN ACT establishing a New Hampshire commission on Native American affairs.

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

AMENDED ANALYSIS

This bill establishes a New Hampshire commission on Native American affairs.
Rep. Kurk spoke in favor and yielded to questions.
Rep. Patrick Garrity spoke against and requested a roll call; sufficiently seconded.

YEAS 154 NAYS 185

YEAS 154

BELKNAP

Bolster, Peter	Boyce, Laurie	Flanders, Donald	Johnson, William
Millham, Alida	Nedeau, Stephen	Pilliod, James	Russell, David
St. Cyr, Jeffrey	Wendelboe, Fran		

CARROLL

Ahlgren, Christopher	Buco, Thomas	Chandler, Gene	Fleck, Joseph
Knox, J. David	McConkey, Mark	Patten, Betsey	Scala, Dino
Stevens, Stanley	Umberger, Karen		

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Parkhurst, Henry	Richardson, Barbara	Robertson, Timothy	Sterling, Franklin Jr

COOS

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

GRAFTON

Aguiar, James	Bulis, Lyle	Ford, Susan	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	Daniels, Gary	Day, Russell
Doherty, Shaun	Emerton, Larry	Gagne, Larry	Gandia, Laura
Gargas, Carolyn	Ginsburg, Ruth	Graham, John	Haefner, Robert
Harvey, Philip	Hawkins, Ken	Hikel, John	Hinkle, Peyton
Hogan, Edith	Holden, Rip	Infantine, William	Jasper, Shawn
Kurk, Neal	L'Heureux, Robert	Mead, Robert	Messier, Irene
Moran, Edward	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Peterson, Andrew
Pilote, Maurice	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rowe, Robert	Ryder, Donald	Seidel, Carl	Silva, Peter
Spaulding, Jayne	Ulery, Jordan	Vaillancourt, Steve	Willette, Robert
Winters, Joel			

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Coffey, Jennifer	DeStefano, Stephen
Hess, David	Kidder, David	Lockwood, Priscilla	McGuire, Carol
Palfrey, David	Reed, Dennis	Yeaton, Charles	

ROCKINGHAM

Bates, David	Bishop, Franklin	Bridle, Russell	Case, Frank
Comerford, Timothy	Crisler, Margaret	Day, Judith	DeSimone, Debra
Devine, James	DiFruscia, Anthony	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Garrity, James	Gould, Kenneth	Griffin, Mary
Headd, James	Hoelzel, Kathleen	Itse, Daniel	Kappler, L. Mike
Katsakiores, Phyllis	Kepner, Susan	Kolodziej, Walter	Major, Norman
McKinney, Betsy	McMahon, Charles	Nevins, Chris	Packard, Sherman
Petterson, Don	Priestley, Anne	Quandt, Matt	Reagan, John
Sedensky, John	Smith, William	Stiles, Nancy	Sullivan, James
Tucker, Pamela	Wells, Roger	Weyler, Kenneth	

STRAFFORD

Bickford, David	Brown, Julie	Brown, Larry	Groen, Warren
Keans, Sandra	Lauterborn, Elaine	Rous, Emma	Sprague, Dale
Vita, Carol			

SULLIVAN

Cunningham, Steven	Howard, Thomas	McClammer, Jim	Osgood, Joe
Rodeschin, Beverly			

NAYS 185

BELKNAP

Fields, Dennis	Merry, Liz	Miller, Kate	Reever, Judith
Swinford, Elaine			

CARROLL

Bridgham, Robert	Butler, Edward	Wiley, Susan	
------------------	----------------	--------------	--

CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carr, Daniel	Eaton, Daniel	Lerandean, Alfred
Lindsey, Steven	Meador, David	Mitchell, Bonnie	Roberts, Kris
Sad, Tara	Weber, Lucy	Weed, Charles	

COOS

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

GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	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

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chandley, Shannon
Chininis, Alexis	Christiansen, Lars	Clemons, Jane	Cote, David

Farley, Michael
Hackel, Paul
Harvey, Suzanne
Knowles, John
Levasseur, Nickolas
Marshall, Seth

O'Brien, Michael Sr
Rhodes, Brian
Shaw, Barbara
Villeneuve, Moe

Flurey, Joan
Haley, Robert
Hodges, Kevin
Knowles, Mary Ann
Levesque, Melanie
Matarazzo, Anthony Sr
O'Neil, James
Rosenwald, Cindy
Shaw, Kimberly
Walsh, Robert Jr

Garrity, Patrick
Hammond, Jill
Holden, Frank
Kopka, Angeline
Long, Patrick
Movsesian, Lori

Poznanski, Brian
Schulze, Joan
Sullivan, Daniel

Gorman, Mary
Hardy, Valerie
Katsiantonis, Thomas
LaPlante, Roland
Mack, Ron
Nixon, David

Ramsey, Peter
Shattuck, Gilman
Thompson, Robert

MERRIMACK

Bartlett, Michael
Foose, Robert
Kelly, Sally
Owen, Derek
Rodd, Beth
Stetson, William
Walz, Mary Beth
Williams, Robert

Brown, Carole
French, Barbara
Kotowski, Frank
Porter, Margaret
Schuett, Dianne
Tilton, Joy
Watrous, Rick

Davis, Frank
Gile, Mary
McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Tupper, Frank
Webb, Leigh

DeJoie, John
Hamm, Christine
Osborne, Jessie
Richardson, Gary
Smith, Todd
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Bettencourt, David
Charron, Gene
Elliott, Robert
Mann, Maureen
Pantelakos, Laura
Russell, Trinkia
Splaine, James

Allen, Mary
Borden, David
Cushing, Robert
Emiro, Frank
McCarthy, Barbara
Perkins, Amy
Sanders, Elisabeth
Weare, Everett

Baldasaro, Alfred
Brown, C. Pennington
DiPentima, Rich
Henson, John
McEachern, Paul
Perkins, Lawrence
Sapareto, Frank
Webber, Carolyn

Belanger, Ronald
Casey, Kimberley
Dowling, Patricia
Introne, Robert
Nord, Susi
Read, Robin Jr
Schlachman, Donna
Welch, David

STRAFFORD

Berube, Roger
Cyr, James
Hubbard, Pamela
Rogers, Rose Marie
Smith, Marjorie
Watters, David

Brennan, William
Domingo, Baldwin
Hutz, Sarah
Rollo, Deanna
Spang, Judith

Browne, Brendon
Grassie, Anne
Kaen, Naida
Ryder, Mark
Vachon, Dennis

Burke, Rachel
Horriggan, Timothy
Perry, Robert
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
Skinder, Carla

Gottling, Suzanne
Sweeney, Cynthia

and floor amendment (0929h) failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Ladd spoke against.

MOTION TO LAY ON THE TABLE

Rep. Sapareto moved that **HB 1610-FN**, establishing a New Hampshire commission on Native American affairs and recognizing Native American residents of the state as a minority population in New Hampshire, be laid on the table.

Rep. Patrick Garritty requested a roll call; sufficiently seconded.

YEAS 157 NAYS 176

YEAS 157

BELKNAP

Bolster, Peter
Nedeau, Stephen
Wendelboe, Fran

Boyce, Laurie
Pilliod, James

Flanders, Donald
St. Cyr, Jeffrey

Millham, Alida
Swinford, Elaine

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Patten, Betsey

Fleck, Joseph
Scala, Dino

Knox, J. David
Stevens, Stanley

CHESHIRE

Emerson, Susan
Robertson, Timothy

Hunt, John
Sterling, Franklin Jr

Laurent, John

Parkhurst, Henry

COOS

Mears, Lucy
Stohl, Eric

Rappaport, Laurence

Remick, William

Richardson, Herbert

GRAFTON

Bulis, Lyle
Harding, Laurie
Mulholland, Catherine
Williams, Burton

Ford, Susan
Ingbretson, Paul
Taylor, Kathleen

Friedrich, Carol
Ladd, Rick Jr
Townsend, Charles

Gionet, Edmond
Maybeck, Margie
Ward, Brien

HILLSBOROUGH

Batula, Peter
Cebrowski, John
Doherty, Shaun
Gargas, Carolyn
Harvey, Philip
Hogan, Edith
Kurk, Neal
Moran, Edward
Palmer, Stephen
Pilotte, Maurice
Ryder, Donald
Ulery, Jordan
Winters, Joel

Belvin, William
Christensen, Chris
Emerton, Larry
Ginsburg, Ruth
Hawkins, Ken
Holden, Rip
L'Heureux, Robert
O'Brien, William
Pellegrino, Tony
Price, Pamela
Seidel, Carl
Vaillancourt, Steve

Bergin, Peter
Daniels, Gary
Gagne, Larry
Graham, John
Hikel, John
Infantine, William
Mead, Robert
Ober, Lynne
Pepino, Leo
Renzullo, Andrew
Silva, Peter
Villeneuve, Moe

Boehm, Ralph
Day, Russell
Gandia, Laura
Haefner, Robert
Hinkle, Peyton
Jasper, Shawn
Messier, Irene
Ober, Russell III
Peterson, Andrew
Rowe, Robert
Spaulding, Jayne
Willette, Robert

MERRIMACK

Anderson, Eric
Kidder, David
Palfrey, David
Yeaton, Charles

Blankenbeker, Lynne
Kotowski, Frank
Reed, Dennis

Coffey, Jennifer
Lockwood, Priscilla
Richardson, Gary

Hess, David
McGuire, Carol
Smith, Todd

ROCKINGHAM

Allen, Mary	Bates, David	Bishop, Franklin	Case, Frank
Comerford, Timothy	Crisler, Margaret	Day, Judith	DeSimone, Debra
DiFruscia, Anthony	Elliott, Robert	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Garrity, James	Gould, Kenneth	Griffin, Mary
Headd, James	Hoelzel, Kathleen	Itse, Daniel	Kappler, L. Mike
Katsakiores, Phyllis	Kepner, Susan	Kolodziej, Walter	Major, Norman
McKinney, Betsy	McMahon, Charles	Nevins, Chris	Packard, Sherman
Perkins, Amy	Perkins, Lawrence	Priestley, Anne	Quandt, Matt
Reagan, John	Sapareto, Frank	Sedensky, John	Smith, William
Stiles, Nancy	Sullivan, James	Tucker, Pamela	Wells, Roger

STRAFFORD

Bickford, David	Brown, Julie	Brown, Larry	Grassie, Anne
Groen, Warren	Lauterborn, Elaine	Sprague, Dale	Vita, Carol

SULLIVAN

Cunningham, Steven	Houde-Quimby, Charlotte	Howard, Thomas	McClammer, Jim
Osgood, Joe			

NAYS 176

BELKNAP

Fields, Dennis	Johnson, William	Merry, Liz	Miller, Kate
Reever, Judith	Russell, David		

CARROLL

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

CHESHIRE

Allen, Peter	Burrige, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carr, Daniel	Eaton, Daniel	Johnson, Jane
Lerandeau, Alfred	Lindsey, Steven	Meador, David	Mitchell, Bonnie
Richardson, Barbara	Roberts, Kris	Sad, Tara	Weber, Lucy

COOS

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

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Gould, Franklin	Laliberte, Suzanne	Matheson, Robert	Nordgren, Sharon
Pastor, Beatriz	Pierce, David	Preston, Philip	Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beck, Catriona	Boisvert, Ronald
Campbell, David	Caron, June	Chandley, Shannon	Chininis, Alexis
Christiansen, Lars	Clemons, Jane	Cote, David	Farley, Michael
Flurey, Joan	Garrity, Patrick	Goley, Jeffrey	Gorman, Mary

Hackel, Paul
Harvey, Suzanne
Knowles, John
Levasseur, Nickolas
Marshall, Seth

O'Neil, James
Rhodes, Brian
Shaw, Barbara
Walsh, Robert Jr

Haley, Robert
Hodges, Kevin
Knowles, Mary Ann
Levesque, Melanie
Matarazzo, Anthony
Sr

Poznanski, Brian
Rosenwald, Cindy
Shaw, Kimberly

Hammond, Jill
Holden, Frank
Kopka, Angeline
Long, Patrick
Movsesian, Lori

Pratt, Calvin
Schulze, Joan
Sullivan, Daniel

Hardy, Valerie
Katsiantonis, Thomas
LaPlante, Roland
Mack, Ron
Nixon, David

Ramsey, Peter
Shattuck, Gilman
Thompson, Robert

MERRIMACK

Bartlett, Michael
DeStefano, Stephen
Hamm, Christine
Owen, Derek
Schuett, Dianne
Tupper, Frank
Webb, Leigh

Brown, Carole
Foose, Robert
Kelly, Sally
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

Davis, Frank
French, Barbara
McMahon, Patricia
Potter, Frances
Stetson, William
Walz, Mary Beth

DeJoie, John
Gile, Mary
Osborne, Jessie
Rodd, Beth
Tilton, Joy
Watrous, Rick

ROCKINGHAM

Abbott, Dennis
Borden, David
Charron, Gene
Dowling, Patricia
Mann, Maureen
Pantelakos, Laura
Sanders, Elisabeth
Webber, Carolyn

Baldasaro, Alfred
Bridle, Russell
Cushing, Robert
Emiro, Frank
McCarthy, Barbara
Petterson, Don
Schlachman, Donna
Welch, David

Belanger, Ronald
Brown, C. Pennington
Devine, James
Henson, John
McEachern, Paul
Read, Robin Jr
Splaine, James
Weyler, Kenneth

Bettencourt, David
Casey, Kimberley
DiPentima, Rich
Introne, Robert
Nord, Susi
Russell, Trinkia
Weare, Everett

STRAFFORD

Berube, Roger
Horrigan, Timothy
Keans, Sandra
Rous, Emma
Spang, Judith

Burke, Rachel
Hubbard, Pamela
Perry, Robert
Ryder, Mark
Vachon, Dennis

Cyr, James
Hutz, Sarah
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Domingo, Baldwin
Kaen, Naida
Rollo, Deanna
Smith, Marjorie
Watters, David

SULLIVAN

Cloutier, John
Harris, Sandra
and the motion failed.

Donovan, Thomas Jr
Skinder, Carla

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne

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

Rep. Kris Roberts spoke in favor.

Rep. McGuire spoke against.

Rep. Charron requested a quorum call.

The Speaker declared a quorum present.

Rep. Charron spoke in favor.

Rep. Patrick Garritty requested a roll call; sufficiently seconded.

YEAS 201 NAYS 132

YEAS 201

BELKNAP

Fields, Dennis
Pilliod, James

Johnson, William
Reever, Judith

Merry, Liz
Russell, David

Miller, Kate

CARROLL

Bridgham, Robert
McConkey, Mark

Buco, Thomas
Wiley, Susan

Butler, Edward

Knox, J. David

CHESHIRE

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

Burridge, Delmar
Carr, Daniel
Lindsey, Steven
Roberts, Kris
Weed, Charles

Butcher, Suzanne
Eaton, Daniel
Meador, David
Robertson, Timothy

Butterworth, Timothy
Johnson, Jane
Parkhurst, Henry
Sad, Tara

COOS

Hatch, William

Ingersoll, Paul Sr

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Benn, Bernard
Harding, Laurie
Pastor, Beatriz
Townsend, Charles

Cooney, Mary
Laliberte, Suzanne
Pierce, David

Friedrich, Carol
Matheson, Robert
Preston, Philip

HILLSBOROUGH

Baroody, Benjamin
Campbell, David
Chininis, Alexis
Flurey, Joan
Gorman, Mary
Hardy, Valerie
Holden, Frank
Kopka, Angeline
Levesque, Melanie
Matarazzo, Anthony
Sr
O'Brien, Michael Sr
Pratt, Calvin
Shattuck, Gilman
Thompson, Robert

Beaulieu, Jane
Caron, June
Christiansen, Lars
Garrity, Patrick
Hackel, Paul
Harvey, Philip
Katsiantonis, Thomas
L'Heureux, Robert
Long, Patrick
Messier, Irene
O'Neil, James
Rhodes, Brian
Shaw, Barbara
Walsh, Robert Jr

Beck, Catriona
Cebrowski, John
Clemons, Jane
Ginsburg, Ruth
Haley, Robert
Harvey, Suzanne
Knowles, John
LaPlante, Roland
Mack, Ron
Movsesian, Lori

Pepino, Leo
Ryder, Donald
Shaw, Kimberly

Boisvert, Ronald
Chandley, Shannon
Cote, David
Goley, Jeffrey
Hammond, Jill
Hodges, Kevin
Knowles, Mary Ann
Levasseur, Nickolas
Marshall, Seth
Nixon, David

Poznanski, Brian
Schulze, Joan
Sullivan, Daniel

MERRIMACK

Bartlett, Michael
DeStefano, Stephen
Kelly, Sally
Owen, Derek
Rodd, Beth
Stetson, William
Walz, Mary Beth

Brown, Carole
French, Barbara
Kotowski, Frank
Porter, Margaret
Schuett, Dianne
Tilton, Joy
Watrous, Rick

Davis, Frank
Gile, Mary
McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Tupper, Frank
Wheeler, Deborah

DeJoie, John
Hamm, Christine
Osborne, Jessie
Richardson, Gary
Smith, Todd
Wallner, Mary Jane
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Baldasaro, Alfred	Belanger, Ronald
Bettencourt, David	Borden, David	Bridle, Russell	Brown, C. Pennington
Case, Frank	Casey, Kimberley	Charron, Gene	Cushing, Robert
Day, Judith	Devine, James	DiPentima, Rich	Dowling, Patricia
Emiro, Frank	Ferrante, Beverly	Flanders, John Sr	Henson, John
Introne, Robert	Kepner, Susan	Mann, Maureen	McCarthy, Barbara
McEachern, Paul	Nord, Susi	Pantelakos, Laura	Perkins, Amy
Perkins, Lawrence	Petterson, Don	Priestley, Anne	Read, Robin Jr
Russell, Trinka	Sanders, Elisabeth	Schlachman, Donna	Splaine, James
Sullivan, James	Weare, Everett	Webber, Carolyn	Welch, David
Wells, Roger	Weyler, Kenneth		

STRAFFORD

Berube, Roger	Browne, Brendon	Burke, Rachel	Cyr, James
Domingo, Baldwin	Grassie, Anne	Horrigan, Timothy	Hubbard, Pamela
Hutz, Sarah	Kaen, Naida	Keans, Sandra	Rogers, Rose Marie
Rollo, Deanna	Ryder, Mark	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Vachon, Dennis	Wall, Janet	Watters, David

SULLIVAN

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

NAYS 132

BELKNAP

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

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Patten, Betsey
Scala, Dino	Stevens, Stanley	Umberger, Karen	

CHESHIRE

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

COOS

Mears, Lucy	Rappaport, Laurence	Remick, William	Richardson, Herbert
Stohl, Eric	Thomas, Yvonne		

GRAFTON

Almy, Susan	Bulis, Lyle	Ford, Susan	Gionet, Edmond
Ingbretson, Paul	Ladd, Rick Jr	Maybeck, Margie	Mulholland, Catherine
Taylor, Kathleen	Ward, Brien		

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
---------------	-----------------	---------------	--------------

Christensen, Chris
Emerton, Larry
Graham, John
Hinkle, Peyton
Jasper, Shawn
O'Brien, William
Pellegrino, Tony
Renzullo, Andrew
Silva, Peter
Villeneuve, Moe

Daniels, Gary
Gagne, Larry
Haefner, Robert
Hogan, Edith
Kurk, Neal
Ober, Lynne
Peterson, Andrew
Rosenwald, Cindy
Spaulding, Jayne
Willette, Robert

Day, Russell
Gandia, Laura
Hawkins, Ken
Holden, Rip
Mead, Robert
Ober, Russell III
Pilotte, Maurice
Rowe, Robert
Ulery, Jordan
Winters, Joel

Doherty, Shaun
Gargas, Carolyn
Hikel, John
Infantine, William
Moran, Edward
Palmer, Stephen
Price, Pamela
Seidel, Carl
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Hess, David
Palfrey, David

Blankenbeker, Lynne
Kidder, David
Reed, Dennis

Coffey, Jennifer
Lockwood, Priscilla
Webb, Leigh

Foose, Robert
McGuire, Carol

ROCKINGHAM

Bates, David
DeSimone, Debra
Garrity, James
Hoelzel, Kathleen
Kolodziej, Walter
Nevins, Chris
Sapareto, Frank
Tucker, Pamela

Bishop, Franklin
DiFruscia, Anthony
Gould, Kenneth
Itse, Daniel
Major, Norman
Packard, Sherman
Sedensky, John

Comerford, Timothy
Elliott, Robert
Griffin, Mary
Kappler, L. Mike
McKinney, Betsy
Quandt, Matt
Smith, William

Crisler, Margaret
Fesh, Robert
Headd, James
Katsakiores, Phyllis
McMahon, Charles
Reagan, John
Stiles, Nancy

STRAFFORD

Bickford, David
Lauterborn, Elaine
Vita, Carol

Brown, Julie
Perry, Robert

Brown, Larry
Rous, Emma

Groen, Warren
Sprague, Dale

SULLIVAN

Cunningham, Steven
Rodeschin, Beverly

Howard, Thomas

McClammer, Jim

Osgood, Joe

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

MOTION TO PRINT DEBATE

Rep. Kurk moved that the debate on **HB 1610-FN**, establishing a New Hampshire commission on Native American affairs and recognizing Native American residents of the state as a minority population in New Hampshire, be printed in the Permanent Journal. Adopted.

DEBATE ON HB 1610-FN

Speaker Norelli: The Committee on State-Federal Relations and Veterans Affairs to which was referred HB 1610-FN, establishing a New Hampshire commission on Native American affairs and recognizing the Abenaki and other American Indian residents as a minority population in the state of New Hampshire. Having considered the same, report the same with the following amendment and the recommendation that the bill Ought to Pass with Amendment. Rep. Kris E. Roberts for the Committee. The committee amendment is number (0692h) printed in House Record No. 19 on pages 1058-1059. The question is on the committee amendment. Are you ready for the question? All those in favor, say Aye. All

those opposed, Nay. The Ayes have it and the committee amendment is adopted. The question before the House is on the committee report on HB 1610. The Chair recognizes the member from Weare, Rep. Kurk for a motion.

Rep. Kurk: Thank you, Madam Speaker. I move floor amendment (0929h).

Speaker Norelli: Rep. Kurk moves floor amendment (0929h). It will be found in your seat pockets and he is recognized to speak to his motion.

Rep. Kurk: Thank you, again. The floor amendment before you deletes section two of the bill as amended. Section two of the bill deals with recognition and it's on page 1059 of the calendar. It says the State of New Hampshire recognizes all Native American people who reside in New Hampshire as a minority population. Part II of section two says recognition provided in this paragraph shall be for the sole purpose specified in section one of the bill and shall not be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents. It's not clear to me why this is necessary, but it is very clear to me that this is a dangerous first step, camel's nose under the tent in terms of gambling. Under federal law, if a group of Indians is recognized as a tribe by the federal government, then they have the right, absolute constitutional right to gamble or provide gambling venues, without taxation in the state on a par with all others that are authorized by the state. So, for example, now in New Hampshire where we all offer table games and other kinds of charitable activity, we would be required, if a tribe were recognized, to offer them or to allow them to do this. We could negotiate, as Connecticut did with their Indian tribes to tax them, but if we did we would have to give them something for it other than what they are allowed to do. Now, what does that have to do with the bill? Under federal law, it's a very lengthy process to be recognized as a tribe and there are seven things that you have to do. The first one of them is that a source outside the tribe identify them as Indians or Aboriginal people. My concern is that section two of this bill does exactly that. There are six other things that the Indians would have to do to get formal recognition and it does take a long time, but I don't want to help a tribe to become recognized as a tribe when that would mean they would be eligible for gambling rights in this state distinct from everything else. Let me be clear, whether you're pro-gambling or anti-gambling, you don't want this to happen. If you're pro-gambling and you're in favor of Sen. D'Allesandro's bill, for example, which has six specific sites, if a tribe were to be recognized, that tribe might have other sites on Indian land within the state of New Hampshire. That would result in a decrease of all the profits and or perhaps an increase in a number of slot machines or other kinds of gambling that is allowed. In other words, the state would lose control over the gambling in this state. If you're opposed to gambling, you certainly don't want this because obviously if we don't have gambling in this state but a tribe is recognized, they will be able to do everything that is being done currently untaxed in terms of table games and Texas hold-em poker and all of those things. The argument against the amendment is, well, the bill really doesn't recognize them. I don't know that. This is a very arcane area of the law that I certainly am not an expert in, but when I see this kind of recognition in a bill, I become suspicious. There is no particular reason that I can think of, other than the gambling issue, to recognize any Indians as minority people. We could recognize a whole variety of groups in this state as minority people to no particular benefit. I have to be suspicious about what is the intent here. To the best of my knowledge there are four groups currently that are in the process or would like to claim status as Indian tribes. This information is not recent, but it is the most recent that I could get. It comes from a December 17, 1997 letter from legislative research quoting a Mr. Gary Hume who at that time was in the Historical Resources Division of the Department of Cultural Affairs. The four groups are as follows: The Sovereign Abenaki Nation of Missisquoi, which have been petitioning since the 1970's for official recognition. Second is the Pennacook Cowasuck band which has its administrative center in Franklin, Mass but owns land in New Hampshire in Grafton County. They claim to have a membership of several hundred people. They have filed for the federal recognition but are apparently several years away from making it

through the lengthy process. Third is the First Nations of New Hampshire, which is apparently only recently organized in 1997 and is a small group. They are not seeking federal recognition but are interested in being recognized as legitimate Indians of Abenaki decent in New Hampshire. The fourth group is the Abenaki Nation in New Hampshire composed of families that trace their decent from various Abenaki groups. There are four groups that potentially would come forward under this section two and claim that the first of the seven requirements for recognition has been met. To avoid this, I ask that you vote "Yes" when it comes to this amendment which simply removes section two and would allow the rest of the bill to go forward. Thank you, Madam Speaker.

(Rep. Bouchard in the Chair)

Rep. Bouchard: Will the member yield to questions?

Rep. Kurk: Especially for you, new Madam Speaker.

Rep. Bouchard: Rep. Baroody, you may inquire.

Rep. Baroody: Thank you, Madam Speaker and thank you for taking my question. I understand your concern, but about 10 or 12 years ago I checked into this for some Indian people and the federal law requires that things like casinos can only be built on federally given land to the Indians such as a reservation. They are the only places where these casinos can be built.

Rep. Kurk: I appreciate your question. My understanding is different. My understanding is that if the tribe is recognized and owns land, that land would constitute a site on which a casino could be built.

Rep. Bouchard: Will the member yield to a further question? Rep. Campbell.

Rep. Campbell: Thank you, Madam Speaker. Representative, thank you for taking my question. I have a follow up to that question and one other, if I might. The first is that, the Indian tribes have to have land that is granted by treaty and therefore not under the laws of the state of New Hampshire. That's how it's worked in all the other states, that's how it's worked in Connecticut and other states. Why do you feel that just the fact that we are recognizing Indians for their heritage is a problem?

Rep. Kurk: I hear what you've said, Representative Campbell and I do appreciate that. I may be wrong on this, but it's my understanding that the land on which a casino is built does not have to be part of a reservation. It has to be land that the Indians own and can trace back in some way to their ancestral heritage, although I don't know whether the land in Grafton County to which this letter refers meets that standard. Once a tribe is recognized, it may be able to obtain that kind of land. I suppose the real question is, if there is some other reason for recognizing these folks as a minority population that really needs to be clear. There seems to be no particular reason for recognizing them as minority populations because it is independent of the Commission that is set up in section one designed to promote their interests.

Rep. Bouchard: Further question?

Rep. Campbell: The second part of my question is my understanding of the situation is that in order to have casinos and have that kind of autonomy you have to be recognized as a tribe and I understand these applications are to be sub-tribes actually and a sub-tribe doesn't have the ability to have a casino.

Rep. Kurk: You perhaps know something that I don't know and you may very well be right, but I am very concerned that if some of these organizations attempted to get tribal status and could get it, we would find ourselves in a position where gambling was being approved in New Hampshire as a result of federal action rather than New Hampshire action.

Rep. Bouchard: Will the member yield to further questions? Yes he will. Rep. Marshall. Rep. Marjorie Smith.

Rep. Marjorie Smith: Thank you, Madam Speaker. Thank you for taking my question for the reprise of something we haven't done in two years. My question for the gentleman from Weare is, in your study of this issue, did you in reviewing the federal law, did you see that one of the requirements would be that the state would have to enter into an agreement with

the tribe in order for the tribe to be able to pursue its desire to open up a, I think you're supposed to call it a gaming operation. I just always think of that as things like duck, deer, whatever. Is it not true that federal law would require the state to agree before you could proceed to the next step?

Rep. Kurk: Thank you for your question, Rep. Smith. The federal Indian gaming law requires that the state enter into negotiations and negotiate in good faith to try to work out things such as an assessment, the equivalent of a fee for state regulation of whatever may occur. The state may negotiate if it wishes for the ability to tax gambling, but the Indian tribe is under no obligation and there is case law in the U. S. Supreme Court that indicates that if the state does not offer something else of value, for example giving the Indians, as Connecticut did, some sort of exclusive right to set up slot machines at their casinos that Connecticut would give to no one else, then the state cannot force the Indian group to enter into that agreement. If indeed no agreement is reached, the law provides for the Secretary of the Interior to establish the relationship. While negotiations have to occur, it's sort of like labor negotiations, mediation follows but there is no obligation for the parties to come to an agreement and there is a provision for some sort of third party, the Secretary of the Interior, to resolve the differences, if there are any.

Rep. Marjorie Smith: Thank you very much. Madam Speaker, could I just ask a follow up? Because of knowing how carefully you research, I'm sure you're interpretation is correct. That had not been my interpretation, but could it be that you are correct based on the people who are observing this debate?

Rep. Kurk: I'm not sure I understood that, but my information comes from the gaming law and I would be glad to show you the citation which indicates the process afterwards.

Rep. Marjorie Smith: Thank you very much.

Rep. Bouchard: Would the member from Weare take another question? The member declines.

Rep. Gary Richardson: Parliamentary inquiry. I'm sorry to do this to you, but I have to. I'm concerned about the issues that have been raised by the Representative from Weare so I'm wondering whether it would be possible to divide the original bill into two parts and pass section one and send section two to interim study. I realize that we would have to technically defeat the Kurk amendment to do that, but it might accomplish the goals that both sides are interested in accomplishing.

Rep. Bouchard: Thank you, Representative. I've been told that it is not possible to divide the bill as you have asked. The answer is that you can't pass a bill and also send it to interim study. That's the answer being given me. The question before the House is on the Kurk amendment (0929) and the Chair recognizes the member from Manchester, Rep. Patrick Garrity.

Rep. Patrick Garrity: Thank you, Madam Speaker. Before I address the floor amendment, I want to make sure everybody is reading the committee amendment which names no specific tribe. The purpose of the committee amendment was to delete that and is on page 1058. The New Hampshire Commission of Native American Affairs as recognizing Native American residents of the state as a minority population in New Hampshire. Nowhere in that committee amendment does it mention any specific tribe. I think that is important. In reference to the floor amendment, I rise today opposed to the floor amendment before you. At the public hearing, Miss Rechy, the New Hampshire State Partnership Grant Coordinator for the Office of Minority Health at the Department of Health and Human Services spoke in favor of HB 1610. The Office of Minority Health was established to facilitate access to health information, education and risk reductions activities for racial, ethnic and linguistic minority communities in New Hampshire. The mission of the Office of Minority Health is to create opportunities for citizens to achieve quality health and independence and has worked with the assistance of federal grants to reduce health disparities in New Hampshire's Native American population by use of culturally appropriate interventions. The establishment of this commission could improve the Health and Human

Services ability to identify, reduce risk factors and disease preventatives, wellness and increase the sharing of valuable information to healthcare providers while creating opportunities to leverage state and federal resources that are available to racial, ethnic and linguistic minorities. For this reason, Madam Speaker, I ask that this body press the red button to oppose the floor amendment. Madam Speaker, I would ask for a roll call, please.

Rep. Bouchard: Rep. Garrity has asked for a roll call. Will members please take their seats? The question before the House is Was that sufficiently seconded? Yes, it is. The question before the House is the Kurk floor amendment (0929). This will be a roll call vote. The Chair recognizes the member from Hooksett for a parliamentary inquiry.

Rep. Hess: Thank you very much, Madam Speaker. Madam Speaker if the questions that the Honorable member from Weare have not been answered by any member of the committee or have not been responded to meaningfully by anybody questioning him and Madam Speaker if we don't know and no one has told us how many people believe they qualify for the designation of Native American as capitalized in this bill and Madam Speaker if you are of the impression as I am that we do not currently have statutory language that states that the State of New Hampshire recognizes all Black Americans as a minority population or all Hispanic Americans living in New Hampshire as a minority population or indeed all German Americans living in New Hampshire as a minority population which I believe all three of those categories surely are, then Madam Speaker, would you join with me and vote green on the Kurk amendment so that we will treat everybody equally and fairly be they minority of any kind. Thank you.

Rep. Bouchard: If you are in favor, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. The question before the House is the Kurk floor amendment (0929) and the Chair recognizes the member from Manchester, Rep. Garrity for a parliamentary inquiry.

Rep. Patrick Garrity: Thank you, Madam Speaker. Madam Speaker, if I know that HB 1610, as amended by the committee, has nothing at all to do with gaming and if I further know that for the last week and a half ample opportunity has been given to the concerns of the folks that were concerned with this with numerous information and references to look for that and still have not come to this body with the proper evidence, would I now press the red button against the floor amendment by the Representative from Weare?

Rep. Bouchard: If you're in favor, you'll be pressing the green button. If you're opposed, you'll be pressing the red button. The question before the House is the Kurk floor amendment (0929). Voting stations are open for 30 seconds. The House will be attentive to the state of the vote. The House voting 154 in favor and 185 against, the Kurk floor amendment fails. The question before the House is the committee report of Ought to Pass with Amendment. The Chair recognizes the member from Haverhill, Rep. Ladd.

Rep. Ladd: Thank you very much, Madam Speaker. Members of the House, my computer has been lit up with all kinds of emails. I have had many emails from various groups in the Haverhill area, the upper Connecticut Valley and the Meadows and these are three bands and I will read their names off. The Cowasuck of Coos, the Mohegan of Cowasuck and the St. Francis/Sokoki of Sokoki. They do not support this bill. They offer several concerns and I'll mention them to you right now. One, they are looking at the intertribal council which we talk about here in terms of recommending the names or potential names of people to the commission established by the governor or appointed by the governor. Initially, in the first year there are fifteen individuals that are on a list which the governor selects. The next year, subsequently or when vacancies occur the governor has to react to recommendations that come from this particular intertribal group. As you know, we don't have tribes in the state of New Hampshire, we don't have reservations in the state of New Hampshire. Their question is why don't we have more checks and balances in the appointment process? Why don't we use the governor with the consent of council as we do with appointments of other commissions? Why aren't we using geographic area? This group right here, the three bands which I've spoken to, are not aligned with the Pennacook Abenaki. They are not aligned with

them. In fact, I had a message given to me by them and they referred me to what was in the Union Leader back in November 2001. Headline, "Tribe willing to work with the State to build casino." The local group this article is written about is the Pennacook Abenaki, people who once occupied a large chunk of New England and Quebec. This group is not recognized by the federal government, yet we are using recommendations which come from these groups through the intertribal council to appoint people on to this governor's commission. I think we got to look at the intent of the original bill. The intent of the original bill spoke to things such as, it was a broad intent, needs in state policy, programs and actions. I would say there is more intent to it and I'm getting that through the Abenaki people themselves. This group that I am speaking to is not a fly-by-night group, the Abenaki up there in the area of the Meadows have been there for many, many years, prior to my family which arrived there in the 1770's. They've received nine proclamations from three different governors. They've received grants from the New Hampshire council of the arts. They conduct Native American festivals in Haverhill and elsewhere. They've written curriculum which is used within the schools up in Haverhill. They have received funding from National Geographic and they've worked with Dartmouth College, which you know as the Indian college in the area and they've received materials from them for implementation throughout the area that they live. This group has lived in that area. They see Newbury, Vermont and Haverhill as their home. There is no boundary between them as that's how we see it up in that area ourselves. Many of our families are on both sides of the river and I urge you to consider where we are going with this bill and to recognize that the bill does not have the support of the Abenaki bands in Northern New Hampshire.

Rep. Bouchard: The Honorable Rep. from Derry, Rep. Sapareto is recognized for a motion.

Rep. Sapareto: Thank you, Madam Speaker. I move to table this bill and I request a division vote.

Rep. Bouchard: Rep. Sapareto moves to lay HB 1610 as amended, on the table. The motion is non-debatable. This is a division vote. Rep. (Patrick) Garrity has asked for a roll call vote. Is that seconded? Yes, it is. This will be a roll call vote. The question is on the Sapareto motion to table. It's a roll call vote. The Chair recognizes Rep. Cushing for a parliamentary inquiry.

Rep. Cushing: Thank you, Madam Speaker. If I recognize that HB 1610 is not about gambling, but about respect for Native American culture, heritage and contributions to the state, and, if I recognize that the State-Federal Relations Committee voted 17-0 to pass this bill, would I now vote against the pending motion to table so that we can go on and act favorably on this bill and press the red button.

Rep. Bouchard: The question before the House is the Sapareto motion to table. If you are in favor, you'll be pressing green. If you are opposed to that motion, you'll be pressing red. Voting stations are now open. The House will attend to the vote. The tabling motion, 157 voting yes, 176 voting no, the tabling motion fails. The question before the House is on HB 1610 and the committee report of Ought to Pass as Amended. The Chair recognizes the Rep. from Chester, Rep. Charron. The Chair is in error, its Rep. Roberts that wishes to speak.

Rep. Kris Roberts: Thank you, Madam Speaker. With a little luck, I'll be able to clear up a number of questions that people have concerning HB 1610. Years ago, I was assigned to Air Alert and was being inspected by my Battalion Commander. He asked me about my Marines. I proudly and loudly replied that I have 51 Green Mean Lean Fighting Machines. Big mistake; serious mistake. He gave me that look and let me know I was wrong, very wrong. He told me that I had 51 Marines and each one was an individual and their culture, their religion, their heritage and their names were important to each and every one of them. As most colonels are, he was correct, I had LCpl Wallace, an athletic Black American from Philly, Cpl. Concepcion, a slender broken-English speaking Hispanic American from El Paso, PFC Campbell, a short buck-toothed White American from West Virginia and Sgt Koenig, a blond hair, blue-eyed Norwegian American from Minnesota. It was a lesson that I never forgot. Today I stand here in support of HB 1610 because over 10,000 New Hampshire

citizens and residents who recognize themselves as Indians or Native Americans. Native American men and women, Indian children who are asking this body not to repeat the same mistake that I did. Asking us not to be blind to their culture, their language, or their customs. They are not asking us for any special treatment, they are not asking for a free hand-out, they are just asking us as a state to recognize their culture and acknowledge their contributions to the United States of America. An important goal of HB 1610 is to help provide the tools to assist the Native Americans of our state to protect and strengthen their heritage. Some people have stated that this is an attempt by one tribe to gain state tribal recognition to assist in that tribe's attempt to gain federal recognition. Across America there are hundreds of state recognized tribes. State recognition appears to have little impact on federal tribal recognition. There are seven Bureau of Indian Affairs requirements that must be met for federal recognition. Two of the almost impossible requirements are first the tribe must prove their continuous existence since 1900 and that the tribe has maintained political influence or authority as an autonomous entity over the members since historical times, usually supported by treaties between two sovereign nations, (a relationship originally set forth in the Constitution), for example the United States and the Arapahoe or resulting from the 1934 Indian Recognition Act. Even when tribes believe they have met all seven criteria, it could take 5 to 10 years for an answer, most can expect to wait decades before a final decision is made. HB 1610 is the recognition of all Native Americans living in our state. One of our greatest freedoms as Americans is our freedom to choose where we want to live. Since 1924, every single Native American has been an American. I respect their right to determine where they desire to live. Some people believe that HB 1610 is an attempt by Native Americans to get a free hand-out from the federal and state government, an attempt to get on the welfare rolls. Very few people understand that as a result of treaties between sovereign nations such as the Treaty of Fort Laramie, in which the United States government agreed to honor Indian Nation boundaries and make annual payments, or that the federal government holds in trust over 50 million acres of land for federally recognized Indian tribes and their members. The royalties from coal, oil, uranium, water and other sales is not welfare. In many ways HB 1610 attempts to do for our Native American Citizens what we as a state do for our veterans. When we take a proactive approach to help our veterans identify eligibility, file claims and coordinate benefits, we don't call that welfare, so why should we imply that HB 1610 is a welfare bill. Some believe that HB 1610 is an attempt to bring casino gambling to the state of New Hampshire. Under federal law only sovereign entities can conduct gambling or gaming and no Indian tribe is considered a sovereign entity unless it has been granted official recognition. In 2001, less than 200 or less than 40% of the 550 plus federally recognized tribes had gaming facilities. Additionally, the Deputy Assistant Secretary-Indian Affairs Economic Development and Policy is responsible for gaming activities as per the Indian Gaming Regulatory Act and other federal laws. The last high profile person who tried to get around the law I believe is still in jail. A number of federal recognized tribes have refused to allow gambling in order to protect their culture. Some people have serious concerns over just what is a Native American. What percentage of Indian blood makes an Indian? Who determines who could become a member of a tribe? Without question there are untold wannabes, no different than fake war heroes. There are many people who think being an Indian is cool. Anyone can call themselves an Indian on the census form, but that is not good enough for the BIA. They have standards, usually DNA testing and or professional approved genealogical research. Many tribes have certain percentage standards, some have none. That is a very dangerous road to travel. Who are we to determine what is a race, a nationality or a culture? Sometimes they are one, sometimes they're the same, but most often not. The National Center for Health Statistics currently assigns the race of the mother to multiracial children. On my mother's side of the family, the Robertson's, the Cavanaugh's, the Maddox's, to name a few, make me, while darker than most, far more Scottish than many of the men that will wear kilts on Tartan Day. I don't believe it is the responsibility of this body to come up with a percentage to determine what is

black, what is white, what is Native American, likewise with nationality. HB 1610 is very simple, there is nothing in it to fear. It won't make anyone less Irish, German, Chinese, Nigerian, French. Culture is important. Taking pride in one's culture, taking pride in one's heritage doesn't make anyone less American. I try to follow the wisdom of Chief Joseph by carrying his Good Words Letter around with me. I try to follow the courage and leadership standards of Crazy Horse, if the cause is just today, today is a good day to die. I know of the horrors of Sand Creek and the King Philip War. I know of the countless lives saved by the Wind Talkers. I know about Mount Saraboki. However, I know very little of the Native Americans that have lived or currently live in our state. The sponsors of HB 1610, along with the Native Americans of New Hampshire, are hoping that we as a body will not allow our brothers and sisters to become extinct, that we value their culture, their heritage and their contributions to the state. They are not asking us to rewrite history. They are not asking us to re-judge the actions of our forefathers based on today's standards. They are asking us to allow them to be part of our history, but more important, they are asking us to allow them to be part of our future.

Rep. Bouchard: The question before the House is the majority committee report on HB 1610. The Chair recognizes the honorable member from Epsom, Rep. McGuire.

Rep. McGuire: Thank you, Madam Chair and members of the House. As we've said on many an occasion this year, discrimination is wrong. This bill has gotten a great deal of attention. I know I have received several hundred emails on it and I was extremely disturbed to find that the plea that they made was not recognize my heritage, it was let our voices be heard. Because they were already communicating with all of the state legislators, their voices were already heard. The fact that they felt they had to plea for it, says that they are asking not to be heard in the same way that every citizen of the state is on important issues, but with extra emphasis, with extra priority. They are asking for discrimination in their favor and we should not allow that. We should not do that. Thank you and please vote against this bill.

Rep. Bouchard: The question before the House is the majority committee report on HB 1610. The Chair recognizes the honorable member from Chester, Rep. Charron.

Rep. Charron: Can I ask for a quorum, Madam Chair?

Rep. Bouchard: The Chair declares there is a quorum.

Rep. Charron. Thank you, Madam Speaker. Honorable members of the House, what I am going to do is take a different tack here. You've heard everyone else speak and I'm going to take a different path. Our state is rich in history and we as a people are the beneficiaries of that wealth and greatness. First of all, we are all Americans. That is number one. Secondly, each and every one of us carries the heritage and culture of our ancestors. If they did not possess the strength, the stamina and the desire to survive, many of us would not be here today. If we took all of us in this great hall today and turned our heritage, culture and traditions into various colors of thread, the final product would.....

Rep. Bouchard: Would the member please suspend? There are members indicating they are having a difficult time hearing you, Representative.

Rep. Charron: Okay, you want me to start over? I want to go back to this beautiful piece that I wrote. If we took all of us in this great hall today, and I mean this, and turned our heritage, culture and traditions into various colors of thread, the final product would create a beautiful tapestry. The bill before us is about New Hampshire's first people. It is a bill to create a commission, nothing more, nothing less. This commission has the ability to preserve our history, our culture, our ways. If you notice, I said our history, our culture, our ways. I am French/Indian decent. It provides an opportunity to educate and protect tradition. We need not go far to see how close we are to the indigenous people. Chocorua, Massabesic, Nubanusit, Pawtuckaway, Umbagog, Winnisquam, Pemigewassett, Ossipee, only to name a few of the lakes and the mountains that we have. Have you ever noticed how many of our now secondary roads seem to follow our rivers? Those were the footpaths of our ancestors. The system we are using today in this great hall was a system used by the people when they

had a gathering of tribes. They used a talking stick. This well replaces the talking stick. Now, only that person who had the talking stick could speak, no one else. I know that they didn't have egg timers and there were probably times that they wished that they had. I ask you to support HB 1610 for what it is and not what has been alleged. Thank you, Madam Speaker.

Rep. Bouchard: The question before the House is the committee report on HB 1610. A roll call has been requested by Rep. (Patrick) Garrity. Is there a second? The roll call has been seconded. All members take their seats. This is a roll call vote. The question before the House is the committee report on HB 1610. If you are in favor of the committee report, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. Voting stations.....PI's. I'm sorry. The Chair apologizes and recognizes the member from Hooksett, Rep. Hess.

Rep. Hess: Madam Speaker, fellow members, if you admire and respect the legends and the traditions of Chocorua, of the Pemigewassett, of Umbagog, of Winnepesaukee, as much as, if not more so, than the exploits and legends of the Cochise and the Cherokees or Chief Joseph Nez Pierce, without the need for establishing a commission, without the need for specific recognition in our laws as a minority and share them, join them and welcome them in the wealth of nations which is New Hampshire, would you join me in pressing the red button and voting no?

Rep. Bouchard: The question before the House is the committee report on HB 1610. If you are in favor, you'll be pressing the green button and if you are against, you'll be pressing the red button. The Chair recognizes Rep. Cushing for a parliamentary inquiry.

Rep. Cushing: Thank you, Madam Chair. If I listened to the facts of what this bill is about as presented by the member from Keene and listened to the real poetry and beauty of what this represents from the member from Chester and I know this is not about gambling, I know that this is about acknowledging Native Americans, their culture, their heritage and their contributions to the State of New Hampshire, would I now act in a historic moment and press the green button to pass this legislation?

Rep. Bouchard: The question before the House is the committee report on HB 1610. If you are in favor of the report, you'll be pressing the green button. If you are against, you'll press the red button. The voting stations are now open. The House will attend to the state of the vote. 201 in favor, 132 against. HB 1610 passes. The member from Weare, Rep. Kurk is recognized for a motion.

Rep. Kurk: Thank you, Madam Speaker. Madam Speaker, I move that the debate on HB 1610 be placed in the Permanent Journal so that we can be assured that we have a record of our intent. Thank you, Madam Speaker.

Rep. Bouchard: The motion is to place debate in the Permanent Journal. If you are in favor of that motion, you will shout yes. If you are against, you'll shout no. All those in favor. Any against. The yes's have it. The debate will be placed in the Permanent Journal.

BILLS REMOVED FROM THE CONSENT CALENDAR (CONT'D)

HB 1465-FN-A, establishing firefighter number plates. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael B. O'Brien for Transportation: After cost adjustments, monies from these plates would fund the NH fire academy. Although this has merit, the committee hears several plate requests annually. There is a study committee to look at these requests and report back with a recommendation of a fair system for these plates. Therefore the committee recommendation of ITL was due more to timing and waiting for the results of the study committee. Vote 15-0.

Reps. Theberge and Ingersoll spoke against.

(Speaker Norelli in the Chair)

Rep. Michael O'Brien spoke in favor.

Rep. Rhodes spoke in favor and yielded to questions.

On a division vote, 261 members having voted in the affirmative and 52 in the negative, the

committee report was adopted.

REGULAR CALENDAR

HB 1623, requiring certain patient identification for a pharmacist to dispense a schedule II or III controlled drug. **OUGHT TO PASS.**

Rep. Suzanne S. Butcher for Health, Human Services and Elderly Affairs: Prescription drug abuse is a major public safety and health issue in New Hampshire. This bill requires that pharmacies ask for a photo ID before dispensing a schedule II or III drug. It provides that if the customer does not have a photo ID, the pharmacist may dispense the controlled drug if in his/her judgment the order is valid. The assistant attorney general testified that a photo ID requirement would have significant deterrent value. This is a sensible safeguard to help ensure that the prescription is not fraudulent. Vote 10-7.
Committee report adopted and ordered to third reading.

HB 1692, establishing a commission on primary care workforce issues. **OUGHT TO PASS.**
Rep. Robert G. Bridgham for Health, Human Services and Elderly Affairs: This bill will establish a statutory commission on primary care workforce issues, to sunset in five years, and assign responsibility for collecting data on the current and anticipated supply and demand for that workforce to the state office of rural health. The state's primary care workforce is being remodeled as physicians are replaced by other clinicians, expectations of the workforce are changing as newer practice models such as integrated care and the medical home are introduced, the number of potential new entrants to the workforce is inadequate to replace those who leave or retire so recruitment becomes increasingly difficult, and data available to guide policy in the area is sparse and inadequately reflective of the changing composition of the workforce. In this dynamic context, an expert group is needed to identify and interpret critical data and to formulate and encourage needed action - a commission representative of institutions most concerned with primary care in the state. Vote 12-6.
On a division vote, 207 members having voted in the affirmative and 99 in the negative, the committee report was adopted.
Ordered to third reading.

HB 1179, relative to municipal access to the enhanced 911 data base. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. William L. O'Brien for the Majority of Judiciary: This bill seeks to enable local enhanced (reverse dial or emergency public notice) 911 systems by requiring the state to provide municipalities with information for use in those systems. The majority of the committee agreed that a statewide approach to this need, such as is found in HB 213, which passed the House on February 17, 2010, offers a better solution than do individual efforts by municipalities. Vote 15-3.

Rep. Gary B. Richardson for the Minority of Judiciary: This bill would exempt information shared with municipalities for the purpose of emergency notification such as reverse 911 numbers from the right to know law. If a municipality chooses to maintain information for emergency notification, the information should be exempt from the right to know law. The minority is not convinced that HB 213, which has not become law as of the filing of this report, is adequate to protect the confidentiality of this information.
Majority committee report adopted.

HB 1256, restricting medical injury claims subject to pretrial screening panel review to claims exceeding \$250,000. **INEXPEDIENT TO LEGISLATE**

Rep. William L. O'Brien for Judiciary: This bill would restrict the medical malpractice pretrial screening panels to reviewing cases where the plaintiff is claiming in excess of \$250,000.00 in damages. In addition to providing medical malpractice claimants the incentive to initially understate their claims to avoid the screening panels, the majority of

the committee believes that the bill would defeat a primary purpose of screening panels, which is to achieve an early end to less substantial medical malpractice claims where liability is not likely to be established. Both of these results of enacting HB 1256 would partially defeat the panels' intended beneficial effect of stabilizing or even lowering medical malpractice insurance premiums. This Legislature has already determined that this effect on the cost of medical malpractice insurance might be realized by an early judicial review of medical malpractice claims. We should not abandon this goal now when this procedure has had so little opportunity to operate. Vote 10-5.
Committee report adopted.

HB 1443, relative to Medicaid, statutory and other liens or subrogation claims for public assistance or medical expenses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David L. Nixon for the Majority of Judiciary: The majority of the committee believes that the purposes of this bill are better pursued by other pending legislation, which does not involve the state's lien for Medicaid assistance provided. Vote 11-4.

Rep. William L. O'Brien for the Minority of Judiciary: When a government or private lien or a subrogation claim is asserted against an injured person's lawsuit recovery against a third party, it is appropriate that the expenses and costs of obtaining that recovery be shared among all those sharing in the recovery. It is not appropriate that the costs be paid entirely out of the amount the injured person receives. HB 1443 would allow the court to adjust the payments to lien holders and claim subrogee to the extent necessary to obtain that fair result.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, 199 members having voted in the affirmative and 108 in the negative, the majority committee report was adopted.

HB 1500, relative to excuse from jury service. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David L. Nixon for the Majority of Judiciary: Although the sponsor of this bill and the constituent for whose benefit it was filed are to be commended for calling attention to an apparent administrative glitch that might have caused an injustice in a single instance, the majority believes that the problem can better be resolved by the judicial branch through closer adherence to the statute which already exempts from the obligation of jury duty those who would, through such service, be subject to "undue hardship", or "extreme inconvenience". Jury service has been called the best, if not last, chance for ordinary citizens to play an important role in government and thus should be encouraged. Information provided by the judicial branch showed that up to 50% of jurors are excused under existing law. The majority recommends that all requests to be excused from jury service due to hardship be decided by the judge presiding. Vote 12-3.

Rep. Nancy J. Elliott for the Minority of Judiciary: The minority believes that children need to be protected. It came to our attention that one mother, and in the minority's view possibly others, was not accommodated with release from jury duty due to the fact that she had minor children at home and did not have the ability to hire caregivers. Making the law sensitive to the needs of young families makes good common sense. We do not want to put potential jurors in a position that in order to meet court demands their children are left unattended. Majority committee report adopted.

HB 1556, restricting courts from ordering counseling not covered by the parties' health insurance. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert B. Thompson for the Majority of Judiciary: While the intent of this bill was to eliminate undue burdens upon children and the financial hardship that a divorce can cause, the bill would also prohibit a court from ordering counseling, when needed, for those who are uninsured. This legislation ties the hands of the court and removes the ability of the court to use discretion when ordering counseling. Vote 10-8.

Rep. Lawrence B. Perkins for the Minority of Judiciary: Counseling will only work if both parties are receptive. It is our belief that judges/marital masters should promote counseling not mandate it. All avenues of insurance coverage should be exhausted before either party makes direct payment for services.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Comerford requested a roll call; sufficiently seconded.

YEAS 233 NAYS 83

YEAS 233

BELKNAP

Fields, Dennis
Millham, Alida

Johnson, William
Pilliod, James

Merry, Liz
Reever, Judith

Miller, Kate

CARROLL

Ahlgren, Christopher
Chandler, Gene
Wiley, Susan

Bridgham, Robert
Knox, J. David

Buco, Thomas
McConkey, Mark

Butler, Edward
Patten, Betsey

CHESHIRE

Burridge, Delmar
Carr, Daniel
Lindsey, Steven
Roberts, Kris
Weed, Charles

Butcher, Suzanne
Eaton, Daniel
Meador, David
Robertson, Timothy

Butterworth, Timothy
Johnson, Jane
Parkhurst, Henry
Sad, Tara

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

COOS

Hatch, William
Remick, William

Ingersoll, Paul Sr
Stohl, Eric

Mears, Lucy
Thomas, Yvonne

Merrick, Evalyn

GRAFTON

Aguiar, James
Ford, Susan
Ingbretson, Paul
Mulholland, Catherine
Preston, Philip

Almy, Susan
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
Smith, Suzanne

Benn, Bernard
Gould, Franklin
Laliberte, Suzanne
Pastor, Beatriz
Taylor, Kathleen

Cooney, Mary
Harding, Laurie
Matheson, Robert
Pierce, David
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin
Boisvert, Ronald
Chininis, Alexis
Cote, David
Gandia, Laura
Goley, Jeffrey
Haefner, Robert

Beaulieu, Jane
Campbell, David
Christensen, Chris
Day, Russell
Gargas, Carolyn
Gorman, Mary
Hammond, Jill

Beck, Catriona
Caron, June
Christiansen, Lars
Emerton, Larry
Garrity, Patrick
Graham, John
Hardy, Valerie

Bergin, Peter
Chandlee, Shannon
Clemons, Jane
Flurey, Joan
Ginsburg, Ruth
Hackel, Paul
Harvey, Philip

Harvey, Suzanne
Knowles, Mary Ann
Levasseur, Nickolas
Matarazzo, Anthony
Sr
Peterson, Andrew
Price, Pamela
Schulze, Joan
Thompson, Robert

Hodges, Kevin
Kopka, Angeline
Levesque, Melanie
Movsesian, Lori

Pilotte, Maurice
Renzullo, Andrew
Shattuck, Gilman
Walsh, Robert Jr

Holden, Rip
L'Heureux, Robert
Mack, Ron
Nixon, David

Poznanski, Brian
Rhodes, Brian
Shaw, Kimberly
Winters, Joel

Knowles, John
LaPlante, Roland
Marshall, Seth
O'Neil, James

Pratt, Calvin
Rosenwald, Cindy
Sullivan, Daniel

MERRIMACK

Anderson, Eric
Davis, Frank
French, Barbara
Kelly, Sally
McMahon, Patricia
Porter, Margaret
Schuett, Dianne
Tupper, Frank
Webb, Leigh

Bartlett, Michael
DeJoie, John
Gile, Mary
Kidder, David
Osborne, Jessie
Potter, Frances
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

Bouchard, Candace
DeStefano, Stephen
Hamm, Christine
Lockwood, Priscilla
Owen, Derek
Richardson, Gary
Stetson, William
Walz, Mary Beth
Yeaton, Charles

Brown, Carole
Foose, Robert
Hess, David
McGuire, Carol
Palfrey, David
Rodd, Beth
Tilton, Joy
Watrous, Rick

ROCKINGHAM

Abbott, Dennis
Brown, C. Pennington
Day, Judith
Dowling, Patricia
Gould, Kenneth
Katsakiores, Phyllis
McEachern, Paul
Pantelakos, Laura
Read, Robin Jr
Splaine, James
Weyler, Kenneth

Belanger, Ronald
Casey, Kimberley
Devine, James
Ferrante, Beverly
Griffin, Mary
Kepner, Susan
McKinney, Betsy
Pettersen, Don
Russell, Trink
Sullivan, James

Bettencourt, David
Charron, Gene
DiFruscia, Anthony
Fesh, Robert
Henson, John
Mann, Maureen
Nord, Susi
Priestley, Anne
Sanders, Elisabeth
Webber, Carolyn

Borden, David
Cushing, Robert
DiPentima, Rich
Flanders, John Sr
Introne, Robert
McCarthy, Barbara
Packard, Sherman
Quandt, Matt
Schlachman, Donna
Welch, David

STRAFFORD

Berube, Roger
Cyr, James
Hubbard, Pamela
Lauterborn, Elaine
Rous, Emma
Spang, Judith
Wall, Janet

Brown, Larry
Domingo, Baldwin
Hutz, Sarah
Perry, Robert
Ryder, Mark
Sprague, Dale
Watters, David

Browne, Brendon
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Vachon, Dennis

Burke, Rachel
Horrigian, Timothy
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Vita, Carol

SULLIVAN

Cloutier, John
Gottling, Suzanne

Cunningham, Steven
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte
Skinder, Carla

Gagnon, Raymond
McClammer, Jim

Sweeney, Cynthia

NAYS 83

BELKNAP

Boyce, Laurie
Swinford, Elaine

Flanders, Donald
Wendelboe, Fran

Russell, David

St. Cyr, Jeffrey

CARROLL

Fleck, Joseph

Scala, Dino

Stevens, Stanley

Umberger, Karen

CHESHIRE

Emerson, Susan

Hunt, John

Sterling, Franklin Jr

COOS

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bulis, Lyle
Williams, Burton

Gionet, Edmond

Maybeck, Margie

Ward, Brien

HILLSBOROUGH

Batula, Peter
Daniels, Gary
Hikel, John
Jasper, Shawn
Moran, Edward
Rowe, Robert
Spaulding, Jayne
Willette, Robert

Belvin, William
Doherty, Shaun
Hogan, Edith
Kurk, Neal
O'Brien, William
Ryder, Donald
Ulery, Jordan

Boehm, Ralph
Gagne, Larry
Holden, Frank
Mead, Robert
Palmer, Stephen
Seidel, Carl
Vaillancourt, Steve

Cebrowski, John
Hawkins, Ken
Infantine, William
Messier, Irene
Pellegrino, Tony
Silva, Peter
Villeneuve, Moe

MERRIMACK

Blankenbeker, Lynne
Smith, Todd

Coffey, Jennifer

Kotowski, Frank

Reed, Dennis

ROCKINGHAM

Allen, Mary
Case, Frank
Emiro, Frank
Itse, Daniel
McMahon, Charles
Reagan, John
Tucker, Pamela

Baldasaro, Alfred
Comerford, Timothy
Garrity, James
Kappler, L. Mike
Nevins, Chris
Sedensky, John
Weare, Everett

Bates, David
Crisler, Margaret
Headd, James
Kolodziej, Walter
Perkins, Amy
Smith, William

Bridle, Russell
Elliott, Robert
Hoelzel, Kathleen
Major, Norman
Perkins, Lawrence
Stiles, Nancy

STRAFFORD

Brown, Julie

Groen, Warren

SULLIVAN

Howard, Thomas
and the majority committee report was adopted.

HB 1138, relative to the authority to expand municipal transportation improvement funds.
OUGHT TO PASS.

Rep. Mary Beth Walz for Local and Regulated Revenues: Since 1997 state law has permitted towns and cities to tack on an additional fee of up to \$5.00 to motor vehicle registration fees.

The money may be used for a municipal transportation improvement fund. The statute states that these funds are to be governed by the statutes governing capitol reserve funds. The statute authorizing the funds also states that the legislative body of the municipality shall appropriate the funds. This latter directive conflicts with the statute governing capitol reserve funds which states that the funds may be withdrawn by a vote of the governing body. Hence the statute contains two conflicting provisions: one requiring the legislative body to appropriate the funds and one requiring the governing body to appropriate the funds. This bill would eliminate the language requiring the legislative body appropriate the funds thereby eliminating the conflict. Vote 17-1.
Committee report adopted and ordered to third reading.

HB 1272, relative to expanding the community revitalization tax relief program to provide incentives for rehabilitating historic structures. **INEXPEDIENT TO LEGISLATE.**
Rep. Doreen Howard for Local and Regulated Revenues: This bill allows towns and cities to add historic structures in the municipality, whose preservation and reuse would conserve the embodied energy in existing building stock, to the community revitalization tax relief program in RSA 79-E. Certain concerns were discussed about the appropriateness of HB 1272's intent of "green-tax" incentives on historical buildings, not only in the downtown district but also, as stated in the bill, in any other part of the municipality. One concern dealt with confusion caused by the insertion of historical buildings into a statute that was specifically aimed at refurbishing under-maintained and derelict buildings in downtown areas. The majority of the committee felt that the enabling contents of HB 1272 might better be amended to statutes that dealt with historical renovations and preservation rather than as an amendment to RSA 79-E. Vote 14-3.
Committee report adopted.

HB 1345, relative to information for property tax assessments of commercial and industrial properties. **REFER FOR INTERIM STUDY.**
Rep. Kathleen N. Taylor for Local and Regulated Revenues: This bill would establish a statewide form for collecting assessment information on commercial properties. The majority of the committee feels the bill needs more work particularly on the form to be used. Interim study would give the committee and the industry time to work together and come up with a better solution. Vote 12-3.
Committee report adopted.

HB 1380-FN, relative to assessing fees by zoning boards of adjustment. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Melissa L. B. Lyons for the Majority of Local and Regulated Revenues: The majority of the committee believes that this legislation is necessary to ensure that applicants before the zoning board of adjustment pay the costs associated with their appeals or applications. Increasingly sophisticated zoning in relation to water, land and environmental regulations has required zoning boards of adjustment to collect fees for expert opinions and independent peer review in a small minority of appeals and applications. These costs have always been charged to applicants by planning boards and zoning boards of adjustment. In the past, there was concern that the fees charged by planning boards and zoning boards of adjustment lacked statutory backing. As a result, legislation was passed in the prior session that statutorily allowed planning boards to impose reasonable fees on applicants. By passing this legislation for planning boards, the legislation explicitly allowed planning boards to collect the fees and appears on its face to explicitly exclude zoning boards of adjustment from collecting the fees. There is now an uncertainty among the ability of zoning boards of adjustment to charge these fees and there has been resistance on behalf of applicants to pay the fees. The refusal to pay incurs further costs to the towns and taxpayers in litigation to

collect the fees. Furthermore, the request for fees by zoning boards of adjustment is rare and the refusal to pay by applicants is even rarer, but refusal to pay is increasing as a result of the change in the planning board statute. The majority of the committee is concerned that applicants will increasingly refuse to pay the fees, thereby causing the town to pay for costs that were previously paid for by applicants. The amendment allows the zoning board of adjustment to spend the collected fees for the services without the approval of the local legislative body, which simply mirrors what is done for the planning board in RSA 676:4. Vote 13-4.

Rep. Andrew R. Peterson for the Minority of Local and Regulated Revenues: This bill, which vests zoning boards of adjustment with broad authority to impose costs on applicants for administrative fees, technical reports and review analyst's opinions opens the possibility of requiring citizens to undergo the additional costs associated with a full approval to simply find out whether or not their property can be used for an intended purpose. Simply put, zoning boards have plenty of authority to deny unsuitable applicants now, and do not need this additional power currently reserved solely for planning boards.

Majority Amendment (0148h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Reference Added. Amend the introductory paragraph of RSA 673:16, II to read as follows:

II. Any fee which a local land use board, acting pursuant to this title, collects from an applicant to cover an expense lawfully imposed upon that applicant, including but not limited to the expense of notice, the expense of consultant services or investigative studies under RSA 676:4, I(g) **or RSA 676:5, IV**, or the implementation of conditions lawfully imposed as part of a conditional approval, may be paid out toward that expense without approval of the local legislative body. Such fees:

Majority committee amendment adopted.

SPECIAL ORDERED

Rep. Gandia moved that the remainder of debate and action on **HB 1380-FN**, relative to assessing fees by zoning boards of adjustment, be made a Special Order as the first order of business on Thursday, March 11, 2010.

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 Thursday, March 11, 2010 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HR 24, requesting an opinion of the justices concerning the constitutionality of HB 1146.

HB 1628, establishing guidelines for neighborhood notification upon release of a sexual offender.

HB 1400, requiring all colleges and universities to report crimes to the local law enforcement agency.

HB 1411, requiring notice to educational support personnel and non-certified school district employees.

HB 1653-FN, decriminalizing possession of one quarter of an ounce or less of marijuana.

HB 1422, establishing a committee to study the establishment of a department of natural resources.

HB 1569-FN, relative to the salaries of certain unclassified positions.

HB 1304, extending the task force on homeless teenagers, the commission to study alternate fuel vehicles, the task force to study access to dental care, and the committee to study the certificate of need process.

HB 1610-FN, establishing a New Hampshire commission on Native American affairs and recognizing Native American residents of the state as a minority population in New Hampshire.

HB 1623, requiring certain patient identification for a pharmacist to dispense a schedule II or III controlled drug.

HB 1692, establishing a commission on primary care workforce issues.

HB 1138, relative to the authority to expand municipal transportation improvement funds.

SPECIAL ORDERED

Without objection, the Speaker ordered the remaining bills on today's calendar to be made Special Orders for Thursday, March 11, 2010 in their Regular Calendar order.

UNANIMOUS CONSENT

Rep. Splaine addressed the House.

MOTION TO PRINT REMARKS

Rep. Perry moved that the remarks made by Rep. Splaine be printed in the Permanent Journal.

Adopted.

REMARKS BY REPRESENTATIVE SPLAINE

Rep. Splaine: Thank you, Madam Speaker. I'm not very good at this, but several members have asked me if I could say a few words about a wonderful woman whom we lost yesterday. I have known her pretty well progressively more and more every year for the past decade or so and she was indeed a New Hampshire treasure, in fact, an American treasure. Of course, I am talking about a woman who reached what so many of us would like to achieve, that marvelous age of 100 on this earth. She passed yesterday after completing her work, very peacefully. Her work, she knew, was not done. She was planning to attend a meeting this Friday of the Citizen Funded Election Task Force that was created by this legislature and that was studying her cause of the past decade. She was planning on attending a meeting in Portsmouth weekend after next to continue her cause. She was going throughout the state on a schedule for the next several months to talk about campaign finance reform. I remember her so often, I think all of us do, sitting in the gallery and waving her hat with her feather when she was here lobbying for an issue. We debated on the House floor since the year 2000 five times her cause, which was voluntary public funding of campaigns that would get corporations and big money out of the political process. She had that passion in the past decade to fight for a cause that would in fact protect and preserve democracy, as she very well spoke at each of the meetings of the coalition that she attended and the task force that we've had a meeting in the past six months. She last attended one in January right before the big birthday party we had for her in the Governor's chamber on January 28 and she looked great that day. Her voice was as strong as always. I know that each of us can relate with that because I know that most of us have received telephone calls in the past several

years from Granny D. When she would call, sometimes it was difficult to understand what she was saying, particularly during the past two or three years. She would confide in those of us, urging her to call members about the cause. She would confide that it was hurting her throat to speak, but she insisted on doing it because she knew about the power of one, which she often spoke about. Imagine this; she was 88 years old before she really got involved in politics. She voted, but she did the first nine-tenths of her life doing what so many people must do, bring up a family, learn, make a living and then she decided to get involved in politics. One of her first things in politics was to walk across the country from one part of this nation to the other on the issue of campaign finance reform. There were movies made of Granny D. "Run, Granny D, Run" is available on HBO. It's available on Amazon.com. It's available for free on Comcast. If you haven't seen it, take a look at it because it is a great history of politics in New Hampshire of the past decade. Lastly, I just want to say about this incredible woman is one of the things I most remember about her was at the end of a meeting about two years ago, she walked from the LOB where we had been meeting and she walked at a fast pace at the age of 98 and I was out of wind trying to keep up with her, she was going out the front door of the State House and as soon as we got there, me about 10 feet behind her, there was a group of fourth graders about to come in for their State House tour. You know, we see them around now and again. The tour guide immediately recognized Granny D and said, "This is Granny D." It was incredible to see the way that her face lit up and to see those kids circle around her. They had their cameras and they took pictures of getting that very famous and tremendously warm and tight Granny D hug and I remember that specifically because here was the State House with the dome in the background and I walked away a little bit to watch this entire picture and she was more than half the age of the State House, but she was there with those children who sounded so excited meeting this wonderful woman. In that way she was touching the future. She touched the 22nd century even though she was born in 1910. She was bringing so much to those kids for the future. I can imagine that as we continue to debate as we will in years to come, campaign finance reform, and as they do in the State House capitol and even on the Supreme Court, I can imagine her waving her hat with her feather from the galleries. Thank you very much and thank you for Granny D.

RECESS MOTION

Rep. Eaton 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 5:35 p.m.

RECESS

(Speaker Norelli in the Chair)

COMMITTEE ASSIGNMENT

The Speaker has made the following committee assignment:
Rep. Suzanne Harvey on the Committee on Executive Departments and Administration.

RECESS