HOUSE RECORD

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

Vol. 32	Concord, N.H.	Wednesday, March 17, 2010	No. 26

HOUSE JOURNAL No. 10 (cont.)

Thursday, March 11, 2010

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 11

Wednesday, March 17, 2010

The House assembled at 2:00 p.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.
God of the spirit of kindness, in the glory of the earth and the sea and the stars, in the kaleidoscope of color and shade and shapeliness. In the patterns of humor and tenderness and touch, we celebrate Your generosity. Forgive us when we forget the gift in our every breath, the care that sustains our every moment and the grace that can transform our every day. Set us free, we pray, from the prison of grudging hearts, mean desires and resentful spirits. Give us the courage to act with justice and generosity and draw us into the love that does not calculate or keep scores. In Your Holy name we pray. Amen.

Representative Michael O'Brien, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Representative James Garrity of Atkinson.

LEAVES OF ABSENCE

Reps. Brennan, Carlson, Gidge, Hofemann, Lisle, Rice and Robert Williams, the day, illness.

Reps. Burridge, Campbell, Clemons, Dokmo, Dowling, Donald Flanders, Foster, Garcia, Goley, Hebert, Karen Hutchinson, Infantine, Kolodziej, Lewis, Major, McConkey, Priestley, Ramsey, Rausch, Dennis Reed, Joseph Russell, Sanders, Stella Scamman, W. Douglas Scamman, Soucy, Stohl, Tahir, Twombly, Veazey, Weed, Wheeler and White, the day, important business.
Reps. Thomas Katsiantonis, Osborne, Scala and Wells, the day, illness in the family.
Rep. Hubbard, the day, death in the family.

INTRODUCTION OF GUESTS

Hon. Peg Case, former member from Nottingham, wife of Rep. Case. Michael Flathers, guest of Rep. Ingram. Benjamin Farmer, guest of Rep. Casey. Steven Picano, guest of Rep. Joe Osgood. Niall and Sarah Breagy, guests of Rep. Kaen.

COMMITTEE ASSIGNMENTS

The Speaker assigned all Interim Study Bills to the Committee that recommended Interim Study.

MOTION TO VACATE

Rep. Almy moved that the House vacate the reference of ***SB 367,*** relative to games of chance, to the Committee on Ways and Means.
Adopted.

The Speaker referred ***SB 367*** to the Committee on Local and Regulated Revenues.

MOTION TO VACATE

Rep. Bouchard moved that the House vacate the reference of ***SB 378,*** relative to the New Hampshire public works mutual aid program, to the Committee on Public Works and Highways.
Adopted.

The Speaker referred ***SB 378*** to the Committee on Municipal and County Government.

MOTION TO VACATE

Rep. Cote moved that the House vacate the reference of ***SB 471,*** relative to felonious sexual assault and sexual assault, to the Committee on Judiciary.
Adopted.

The Speaker referred ***SB 471*** to the Committee on Criminal Justice and Public Safety.

MOTION TO VACATE

Rep. Marjorie Smith moved that the House vacate the reference of ***SB 481,*** relative to appropriations for certain turnpike system projects, to the Committee on Finance.
Adopted.

The Speaker referred ***SB 481*** to the Committee on Public Works and Highways.

SPECIAL ORDERS

HB 1661-FN-A, making distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.

Rep. Dennis P. Vachon for the Majority of Ways and Means: This bill would repeal the extension of the interest and dividends tax to certain distributions from limited liability companies, partnerships and associations that was contained in the budget for this biennium. It would allow the tax to continue to apply to those distributions if the business entity has transferable shares. Transferable shares are those whose owners can sell to whomever they choose. The bill's proponents argue that corporations have transferable shares and limited liability companies and partnerships do not, so that the state can constitutionally tax receipts from corporations, as we always have, but not limited liability companies and partnerships. But in New Hampshire, the vast majority of corporations, like limited liability companies, partnerships and associations are relatively small, closely-held entities which have restrictions on the transferability of shares. As a result, the committee is more inclined to conclude that the extension of the interest and dividends tax to these entities does, in fact, close a loophole which unfairly benefitted them. Most limited liability companies, partnerships and associations in New Hampshire are small businesses with active owner management and participation. The owners of those entities would be taking reasonable compensation deductions from the business profits tax for the personal services they provide, thereby leaving very little, if any, business income for distributions to themselves in the form of dividends. For these reasons, the committee voted HB 1661-FN-A into interim study so that its proponents could have an opportunity to provide further information to support their unfairness argument. The committee is also interested in determining if these issues are addressed under other legislation working its way through the legislative process relative to clarification of the reasonable compensation deduction under the business profits tax, which has an impact on amounts of business profits that are taxable as dividends when distributed to individuals with ownership interests. Vote 11-7.
Rep. David J. Bettencourt for the Minority of Ways and Means: The minority of the committee believes this legislation should be passed and not subjected to the half measure of interim study. This legislation would rightly repeal the LLC tax and return small businesses to their status before the previous budget cycle. We believe that its adoption last session, without a public hearing or prior notice, during the wee hours of the morning at the deadline of the budget committee of conference process was a mistake. This tax, which added a five percent tax increase on LLC has greatly hurt small businesses at a time when they can least afford it. This increase comes on top of an already existing 8.5 percent business profits tax because in order to tax income as dividends the law specifies that it must also be characterized as profits. The minority believes that simply stating that small businesses are the backbone of New Hampshire's economy must be more than just words, it must be believed and practiced. By repealing this tax, we will retain and stimulate businesses in New Hampshire and allow our small businesses to move us out of our current economic difficulty.

The question being adoption of the majority committee report of Refer for Interim Study.
Reps. Hess and Sapareto spoke against.
Reps. Walsh and Vachon spoke in favor.
Rep. Almy spoke in favor and yielded to questions.
Rep. Hess requested a roll call; sufficiently seconded.

YEAS 190 NAYS 150

YEAS 190

BELKNAP

Arsenault, Beth	Johnson, William	Merry, Liz	Miller, Kate
Reever, Judith	Stuart, Richard		

CARROLL

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

CHESHIRE

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

COOS

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

GRAFTON

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

HILLSBOROUGH

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

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Kelly, Sally	McMahon, Patricia
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	Yeaton, Charles	

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline
Casey, Kimberley	Cushing, Robert	Day, Judith	DiPentima, Rich
Gleason, John	Gould, Kenneth	Kepner, Susan	Lyons, Melissa
Mann, Maureen	McCarthy, Barbara	McEachern, Paul	Moody, Marcia
Nord, Susi	Pantelakos, Laura	Petterson, Don	Read, Robin Jr

Russell, Trinka	Schlachman, Donna	Splaine, James	Webber, Carolyn

STRAFFORD

Berube, Roger	Brown, Larry	Browne, Brendon	Burke, Rachel
Cyr, James	Domingo, Baldwin	Grassie, Anne	Horrigan, Timothy
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	McClammer, Jim	Skinder, Carla
Sweeney, Cynthia			

NAYS 150

BELKNAP

Bolster, Peter	Fields, Dennis	Millham, Alida	Nedeau, Stephen
Pilliod, James	Russell, David	St. Cyr, Jeffrey	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Knox, J. David
Patten, Betsey	Roberts, John	Stevens, Stanley	Umberger, Karen

CHESHIRE

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

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert

GRAFTON

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

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christiansen, Lars	Daniels, Gary	Day, Russell
Doherty, Shaun	Drisko, Richard	Elliott, Nancy	Emerton, Larry
Gagne, Larry	Gandia, Laura	Gargasz, Carolyn	Graham, John
Haefner, Robert	Hawkins, Ken	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hogan, Edith	Holden, Frank	Holden, Rip
Hopper, Gary	Jasper, Shawn	Kurk, Neal	L'Heureux, Robert
McCarthy, Michael	Mead, Robert	Messier, Irene	Moran, Edward
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Pellegrino, Tony	Pepino, Leo	Peterson, Andrew	Pratt, Calvin
Price, Pamela	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	DeJoie, John
Hess, David	Kidder, David	Kotowski, Frank	Lockwood, Priscilla
McGuire, Carol	Palfrey, David	Smith, Todd	

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Bridle, Russell	Case, Frank
Charron, Gene	Comerford, Timothy	Crisler, Margaret	DeSimone, Debra
Devine, James	DiFruscia, Anthony	Dumaine, Dudley	Elliott, Robert
Emiro, Frank	Ferrante, Beverly	Fesh, Robert	Flanders, John Sr
Garrity, James	Griffin, Mary	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Howard, Doreen	Ingram, Russell	Introne, Robert
Itse, Daniel	Kappler, L. Mike	McKinney, Betsy	McMahon, Charles
Nevins, Chris	Packard, Sherman	Perkins, Amy	Perkins, Lawrence
Quandt, Matt	Reagan, John	Sapareto, Frank	Sedensky, John
Smith, William	Stiles, Nancy	Sullivan, James	Tucker, Pamela
Weare, Everett	Welch, David	Weyler, Kenneth	

STRAFFORD

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

SULLIVAN

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

and the majority committee report was adopted.

HB 1147, excluding value attributed to unexercised approvals in determining the market value of land for property tax purposes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Christine C. Hamm for the Majority of Local and Regulated Revenues: This bill would eliminate the possibility of adding value that might attach to a piece of property as a result of its owner having secured development approvals. In addition to its lone sponsor, the bill was supported by two representatives of the Home Builders Association who argued that despite such approvals, many properties in today's economy are difficult to sell; thus their values should not increase due to approvals that may not enhance their marketability. Several assessors who testified assured the committee that they considered many factors in valuing a property, including the economy. The committee also learned that it is possible for property owners to have approvals rescinded, either temporarily or permanently, and were reminded that all property owners have recourse through the local abatement process. The majority of the committee believed that during more prosperous economic times, the marketplace shows that these approvals often do add value and that removing them from an assessor's "bag" of factors had the possibility of skewing a fair distribution of taxes throughout a community. Vote 14-3.

Rep. Lynne Ferrari Blankenbeker for the Minority of Local and Regulated Revenues: Unexercised approvals, as is well known by many in our current economy, do not necessarily add value to property until the project is seen as economically viable by investors who fund those specific improvements. The current state of the law disincentivizes investments critical to economic recovery and job creation.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Blankenbeker spoke against.
Rep. Hamm spoke in favor.
On a division vote, 283 members having voted in the affirmative and 47 in the negative, the majority committee report was adopted.
Rep. Matheson declared a conflict of interest on ***HB 1147*** and did not participate.

HB 1126, relative to the Hooksett police commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Ronald R. Boisvert for the Majority of Municipal and County Government: Because the Hooksett Police Commission was established by chapter law in 1975, it does not fall under RSA 105-C passed in 1981 establishing a process by which any municipality may create a police commission with three members. The majority of the committee felt that the approval to allow the town of Hooksett to increase the size of its police commission to five members could enhance political interference in police operations. All New Hampshire communities with police commissions except Manchester, which is only advisory, consist of three person boards. Leaving the chapter law as it stands maintains the purpose of the police commission which is to provide oversight of the police department, and keeps the Hooksett Police Commission consistent with the rest of the New Hampshire municipalities which have police commissions. Allowing all municipalities to opt for a five member board is a policy change which should be considered for all municipalities, not just Hooksett. Vote 11-6.
Rep. Betsey L. Patten for the Minority of Municipal and County Government: Laws of 1975, Chapter 412 established a police commission for the town of Hooksett. The three member commission was appointed by the board of selectmen from 1975 to 1997. However, in 1998, the townspeople adopted a new town charter consisting of a 9-member town council. Since the legislature created the Hooksett police commission only the legislature can authorize a change. This bill would allow the residents of Hooksett to vote on how their town government is operated by allowing them to vote yea or nay on the matter of expanding the police commission.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Patten spoke against.
Rep. Walsh spoke in favor.
Rep. Gagnon spoke in favor and yielded to questions.
On a division vote, 175 members having voted in the affirmative and 153 in the negative, the majority committee report was adopted.

HB 1461, relative to the municipal regulation of the sale of martial arts weapons. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Amy Stasia Perkins for Municipal and County Government: The unanimous support of this enabling legislation is the result of numerous work sessions by committee members. Impetus for this legislation was a concern by the business, governmental and law enforcement community of Hampton Beach over the sale of martial arts and other dangerous weapons by summertime businesses. Of particular concern is their inability to control the display of such items and the sale to minors. Concern was expressed that Hampton Beach is a tourist community catering to families and with the non-regulation of the sale of these weapons a perception of danger and unrestricted accessibility would be created for anyone to sell or buy these weapons. This bill permits the community to control how these items will be displayed. Vote 17-0.

Amendment (0948h)
Amend RSA 31:39, I(p) as inserted by section 1 of the bill by replacing it with the following:

(p) Regulating the point of sale display and accessibility of martial arts weapons as defined in RSA 159:24 and other deadly weapons as defined in RSA 625:11, V, excluding firearms.

AMENDED ANALYSIS

This bill enables municipalities to regulate the point of sale display and accessibility of martial arts weapons and other weaponry excluding firearms.
Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Patten offered floor amendment (0947h).

Floor Amendment (0947h)

Amend RSA 31:39, I(p) as inserted by section 1 of the bill by replacing it with the following:

(p) Regulating, but not prohibiting, the point of sale display and accessibility of martial arts weapons as defined in RSA 159:24 and other deadly weapons as defined in RSA 625:11, V, excluding firearms.

AMENDED ANALYSIS

This bill enables municipalities to regulate, but not prohibit, the point of sale display and accessibility of martial arts weapons and other weaponry excluding firearms.
Reps. Patten and Gagnon spoke in favor.
Floor amendment (0947h) adopted.
Committee report adopted and ordered to third reading.

HB 1485, granting zoning and planning powers to Hampton Beach village district. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Amy Stasia Perkins for the Majority of Municipal and County Government: This bill would grant zoning and planning authority to the Hampton Beach Village District. The committee recognized the frustration from the citizens in the Hampton Beach Village District who were attempting to improve the beach area. All factions in the town need to work together toward the common goal of revitalizing Hampton Beach as a family resort. The committee felt that passage of this bill would set a precedent where a subset of a town would be empowered with planning and zoning authority that would not necessarily reflect the interests of the whole community. In addition, granting such authority could result in obligating the entire town financially for decisions made by a minority of residents. This bill, if enacted, would not provide a seamless transition of authority and does not consider the far reaching and unintended consequences that could result. Vote 14-4.
Rep. Suzanne S. Laliberte for the Minority of Municipal and County Government: The minority feels that since there appears to be such divergent opinions between Hampton and Hampton Beach that the residents of Hampton Beach should have the right to determine if they want separate planning and zoning. Other seaside communities have decided on separate planning and zoning for beach areas and we feel that Hampton Beach should have the same opportunity.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Kepner spoke against.
Rep. Cooney spoke in favor and yielded to questions.
On a division vote, 297 members having voted in the affirmative and 27 in the negative, the majority committee report was adopted.

HB 1343, establishing a joint committee on the constitutionality of acts, orders, laws, statutes, regulations, and rules of the government of the United States of America in order to protect state sovereignty. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sarah A. Hutz for the Majority of State-Federal Relations and Veterans Affairs: This bill would form a new statutory joint committee to review acts of the United States government as they pertain to New Hampshire's state sovereignty. The formation of this new committee is unnecessary. It is the duty of every legislator to review complaints of federal usurpation of our state's sovereignty on behalf of our constituents. Any legislator may introduce legislation to address individual issues of intrusion on our state's rights at any time. Vote 10-7.
Rep. Alfred P. Baldasaro for the Minority of State-Federal Relations and Veterans Affairs: The analysis explains the bill's intent, which states "This bill establishes a joint committee of the legislature to consider the constitutionality of acts, orders, laws, statues, regulations and rules by the government of the United States including the legislative, executive, and judicial branches, and to consider the actions necessary to protect the sovereignty of the state of New Hampshire."

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Itse spoke against.
Rep. Patrick Garrity spoke in favor.
Rep. Itse requested a roll call; sufficiently seconded.

YEAS 208 NAYS 123

YEAS 208

BELKNAP

Arsenault, Beth	Bolster, Peter	Johnson, William	Merry, Liz
Miller, Kate	Millham, Alida	Pilliod, James	Reever, Judith
Stuart, Richard			

CARROLL

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

CHESHIRE

Allen, Peter	Butcher, Suzanne	Butterworth, Timothy	Butynski, William
Carr, Daniel	Eaton, Daniel	Hunt, John	Lerandeau, Alfred
Lindsey, Steven	Meader, David	Mitchell, Bonnie	Parkhurst, Henry
Richardson, Barbara	Robertson, Timothy	Sad, Tara	Weber, Lucy

COOS

Hatch, William	Merrick, Evalyn	Theberge, Robert

GRAFTON

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

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Bergin, Peter	Boisvert, Ronald	Caron, June	Chandley, Shannon

Chase, Claudia	Chininis, Alexis	Cote, David	Craig, James
Drisko, Richard	Emerton, Larry	Farley, Michael	Flurey, Joan
Gargasz, Carolyn	Garrity, Patrick	Ginsburg, Ruth	Gorman, Mary
Graham, John	Hackel, Paul	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hodges, Kevin	Holden, Rip
Jasper, Shawn	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	Kurk, Neal
LaPlante, Roland	Leishman, Peter	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	Poznanski, Brian	Price, Pamela
Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy	Ryder, Donald
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Shaw, Kimberly
Spaulding, Jayne	Sullivan, Daniel	Thompson, Robert	Vaillancourt, Steve
Walsh, Robert Jr	Williams, Carol		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Hess, David	Kelly, Sally
Kidder, David	Lockwood, Priscilla	McMahon, Patricia	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	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Borden, David	Bridle, Russell	Brown, C. Pennington
Case, Frank	Casey, Kimberley	Crisler, Margaret	Cushing, Robert
Day, Judith	DiFruscia, Anthony	DiPentima, Rich	Gleason, John
Gould, Kenneth	Howard, Doreen	Ingram, Russell	Kepner, Susan
Lyons, Melissa	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Petterson, Don
Read, Robin Jr	Russell, Trinka	Schlachman, Donna	Splaine, James
Webber, Carolyn			

STRAFFORD

Berube, Roger	Bickford, David	Brown, Julie	Browne, Brendon
Burke, Rachel	Cyr, James	Domingo, Baldwin	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
Vachon, Dennis	Wall, Janet	Ward, Kenneth	Watters, David

SULLIVAN

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

BELKNAP

Boyce, Laurie	Fields, Dennis	Nedeau, Stephen	Russell, David
St. Cyr, Jeffrey	Swinford, Elaine	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Patten, Betsey
Roberts, John	Stevens, Stanley	Umberger, Karen	

CHESHIRE

Emerson, Susan	Johnson, Jane	Laurent, John	Roberts, Kris
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert	

GRAFTON

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

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Day, Russell
Doherty, Shaun	Elliott, Nancy	Gagne, Larry	Gandia, Laura
Haefner, Robert	Hawkins, Ken	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hogan, Edith	Holden, Frank	Hopper, Gary
L'Heureux, Robert	Levasseur, Nickolas	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	Seidel, Carl	Silva, Peter
Soucy, Connie	Ulery, Jordan	Villeneuve, Moe	Willette, Robert
Winters, Joel			

MERRIMACK

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

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Charron, Gene	Comerford, Timothy	DeSimone, Debra
Devine, James	Dumaine, Dudley	Elliott, Robert	Emiro, Frank
Ferrante, Beverly	Fesh, Robert	Flanders, John Sr	Garrity, James
Griffin, Mary	Hagan, Joseph	Headd, James	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, L. Mike	McKinney, Betsy
Nevins, Chris	Packard, Sherman	Perkins, Amy	Perkins, Lawrence
Quandt, Matt	Reagan, John	Sapareto, Frank	Sedensky, John
Smith, William	Stiles, Nancy	Sullivan, James	Tucker, Pamela
Weare, Everett	Welch, David	Weyler, Kenneth	

STRAFFORD

Groen, Warren	Horrigan, Timothy	Vita, Carol

SULLIVAN

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

and the majority committee report was adopted.

HB 1620-FN-A, establishing state park number plates. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen H. Nedeau for the Majority of Transportation: The committee does not support a state park number plate for many reasons, the first being that the committee has a history of not supporting this type of specialty plate. There are four designs for this plate. It would require a stockpile of too many plates for the Department of Transportation and further there were questions on being able to get free access to parks or whatever. We are not sure how this would work. The Department of Safety is against this bill and has been on all plate bills. This discussion will be taken before a committee to deal with this issue, and other plate bills. Vote 10-4.

Rep. C. Pennington Brown for the Minority of Transportation: This bill addresses the severe funding shortage for state parks while promoting tourism in general through appealing graphics on a special license plate. NH is the only state that does not support its state parks through its general fund, and yet the state parks contribute an estimated $300 million to the state's economy. The license plates would function as day passes for entrance to state parks, increasing their appeal. This bill is bi-partisan and supported by the Department of Resources and Development – division of parks, the Society for the Protection of NH Forests, Ski NH and prominent members of the commission on NH parks. This special license plate supports a function of the state and does not involve NH in fund raising for outside agencies.

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

Reps. C. Pennington Brown and Andy Peterson spoke against.

Rep. Michael O'Brien spoke in favor and yielded to questions.

Rep. Almy spoke in favor.

On a division vote, 167 members having voted in the affirmative and 168 in the negative, the majority committee report failed.

Rep. Andy Peterson moved Ought to Pass with Amendment and offered floor amendment (0833h).

Floor Amendment (0833h)

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 Initial State Park Number Plates. The director shall issue number plates bearing 4-digit registration numbers to the first 10,000 applicants for state park number plates. Four-digit plate numbers shall be issued serially in the order that applications are received, beginning with "0001" and ending with "9999."

Rep. Andy Peterson spoke in favor.

On a division vote, 244 members having voted in the affirmative and 91 in the negative, floor amendment (0833h) was adopted.

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

Rep. Andy Peterson requested a roll call; sufficiently seconded.

YEAS 222 NAYS 113

YEAS 222

BELKNAP

Arsenault, Beth	Bolster, Peter	Boyce, Laurie	Fields, Dennis
Johnson, William	Merry, Liz	Miller, Kate	Millham, Alida
Pilliod, James	Russell, David	St. Cyr, Jeffrey	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Buco, Thomas	Fleck, Joseph
Knox, J. David	Wiley, Susan		

CHESHIRE

Allen, Peter	Butterworth, Timothy	Butynski, William	Carr, Daniel
Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Lindsey, Steven	Meader, David	Parkhurst, Henry	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sterling, Franklin Jr	Weber, Lucy

COOS

Merrick, Evalyn	Remick, William	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Ford, Susan	Friedrich, Carol	Gionet, Edmond
Gould, Franklin	Ingbretson, Paul	Ladd, Rick Jr	Matheson, Robert
Maybeck, Margie	Mulholland, Catherine	Pastor, Beatriz	Pierce, David
Smith, Suzanne	Taylor, Kathleen	Townsend, Charles	Ward, Brien
Williams, Burton			

HILLSBOROUGH

Batula, Peter	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Belvin, William	Bergin, Peter	Boehm, Ralph	Boisvert, Ronald
Cebrowski, John	Chandley, Shannon	Christensen, Chris	Christiansen, Lars
Craig, James	Daniels, Gary	Day, Russell	Doherty, Shaun
Drisko, Richard	Elliott, Nancy	Emerton, Larry	Farley, Michael
Gagne, Larry	Gargasz, Carolyn	Ginsburg, Ruth	Gorman, Mary
Graham, John	Haefner, Robert	Hammond, Jill	Harvey, Philip
Harvey, Suzanne	Hikel, John	Hinkle, Peyton	Hodges, Kevin
Hogan, Edith	Holden, Frank	Hopper, Gary	Jasper, Shawn
Komi, Richard	Kopka, Angeline	Kurk, Neal	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	McCarthy, Michael	Mead, Robert
Messier, Irene	Moran, Edward	Nixon, David	O'Brien, William
O'Neil, James	Ober, Lynne	Ober, Russell III	Pellegrino, Tony
Pepino, Leo	Peterson, Andrew	Pilotte, Maurice	Pratt, Calvin
Rowe, Robert	Schulze, Joan	Seidel, Carl	Shaw, Barbara
Shaw, Kimberly	Silva, Peter	Soucy, Connie	Spaulding, Jayne
Ulery, Jordan	Villeneuve, Moe	Walsh, Robert Jr	Williams, Carol
Winters, Joel			

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Brown, Carole	Coffey, Jennifer
French, Barbara	Gile, Mary	Hamm, Christine	Kidder, David
Kotowski, Frank	Lockwood, Priscilla	Owen, Derek	Palfrey, David
Porter, Margaret	Richardson, Gary	Rodd, Beth	Smith, Todd

Stetson, William	Tilton, Joy	Watrous, Rick	Webb, Leigh
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Borden, David	Bridle, Russell	Brown, C. Pennington
Case, Frank	Casey, Kimberley	Charron, Gene	Comerford, Timothy
Crisler, Margaret	Day, Judith	Devine, James	DiFruscia, Anthony
DiPentima, Rich	Dumaine, Dudley	Elliott, Robert	Emiro, Frank
Ferrante, Beverly	Garrity, James	Gleason, John	Gould, Kenneth
Griffin, Mary	Hagan, Joseph	Howard, Doreen	Ingram, Russell
Introne, Robert	Itse, Daniel	Kepner, Susan	Mann, Maureen
McEachern, Paul	McMahon, Charles	Moody, Marcia	Nevins, Chris
Nord, Susi	Perkins, Amy	Perkins, Lawrence	Petterson, Don
Quandt, Matt	Read, Robin Jr	Reagan, John	Russell, Trinka
Sapareto, Frank	Sedensky, John	Smith, William	Splaine, James
Tucker, Pamela	Welch, David	Weyler, Kenneth	

STRAFFORD

Berube, Roger	Brown, Julie	Grassie, Anne	Groen, Warren
Horrigan, Timothy	Hutz, Sarah	Keans, Sandra	Lauterborn, Elaine
Perry, Robert	Rogers, Rose Marie	Rous, Emma	Ryder, Mark
Schmidt, Peter	Sprague, Dale	Vachon, Dennis	Wall, Janet

SULLIVAN

Cunningham, Steven	Donovan, Thomas Jr	Harris, Sandra	Houde-Quimby, Charlotte
Howard, Thomas	McClammer, Jim	Osgood, Joe	Skinder, Carla

NAYS 113

BELKNAP

Nedeau, Stephen	Reever, Judith	Stuart, Richard

CARROLL

Butler, Edward	Chandler, Gene	Patten, Betsey	Roberts, John
Stevens, Stanley	Umberger, Karen		

CHESHIRE

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

COOS

Hatch, William	Mears, Lucy	Rappaport, Laurence

GRAFTON

Almy, Susan	Benn, Bernard	Bulis, Lyle	Cooney, Mary
Harding, Laurie	Laliberte, Suzanne	Nordgren, Sharon	Preston, Philip

HILLSBOROUGH

Baroody, Benjamin	Caron, June	Chase, Claudia	Chininis, Alexis
Cote, David	Flurey, Joan	Gandia, Laura	Garrity, Patrick
Hackel, Paul	Hardy, Valerie	Hawkins, Ken	Hinch, Richard
Holden, Rip	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	L'Heureux, Robert	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Long, Patrick	Movsesian, Lori
O'Brien, Michael Sr	Palmer, Stephen	Poznanski, Brian	Price, Pamela
Renzullo, Andrew	Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy
Ryder, Donald	Shattuck, Gilman	Sullivan, Daniel	Thompson, Robert
Vaillancourt, Steve	Willette, Robert		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Clarke, Claire	Davis, Frank
DeStefano, Stephen	Foose, Robert	Kelly, Sally	McGuire, Carol
McMahon, Patricia	Potter, Frances	Schuett, Dianne	Shurtleff, Stephen
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	

ROCKINGHAM

Allen, Mary	Cushing, Robert	DeSimone, Debra	Fesh, Robert
Flanders, John Sr	Headd, James	Hoelzel, Kathleen	Kappler, L. Mike
Lyons, Melissa	McCarthy, Barbara	McKinney, Betsy	Packard, Sherman
Pantelakos, Laura	Schlachman, Donna	Stiles, Nancy	Sullivan, James
Weare, Everett	Webber, Carolyn		

STRAFFORD

Bickford, David	Browne, Brendon	Burke, Rachel	Cyr, James
Domingo, Baldwin	Kaen, Naida	Price, Susan	Rollo, Deanna
Smith, Marjorie	Spang, Judith	Vita, Carol	Ward, Kenneth
Watters, David			

SULLIVAN

Gagnon, Raymond	Gottling, Suzanne	Rodeschin, Beverly	Sweeney, Cynthia

and the motion was adopted.
Ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Andy Peterson moved that the House reconsider its action whereby it adopted the motion of Ought to Pass with Amendment on ***HB 1620-FN-A,*** establishing state park number plates.
Rep. Andy Peterson spoke against.
Motion failed.

(Rep. Lucy Weber in the Chair)

SPECIAL ORDERS (CONT'D)

HB 1216, relative to the amount of the self-support reserve in child support cases.
MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.
Rep. Susan M. Ford for the Majority of Children and Family Law: Currently the New Hampshire self-support reserve nears 100% of the federal poverty guidelines for a single person living alone. While the majority of the committee feels this amount is too low, it was determined that this issue is best dealt with when the child support guidelines are addressed in interim study during the summer and fall of 2010. Vote 9-7.
Rep. David A. Bickford for the Minority of Children and Family Law: This bill was one of six

recommendations of the University of New Hampshire Cooperative Extension 2009 New Hampshire child support guidelines reviews and recommendations report. The state paid $120,000 to obtain these recommendations. The bill would increase the self-support reserve from 100% of the federal poverty guideline to 115% or $903 to $1038 before the guidelines formula is applied. The minority felt that the current reserve amount is without foundation and the 115% included in the recommendations was based on extensive study.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Bickford and Matarazzo spoke against.
Rep. Ford spoke in favor.
On a division vote, 143 members having voted in the affirmative and 165 in the negative, the majority committee report failed.

Rep. Gile moved Ought to Pass.
On a division vote, 257 members having voted in the affirmative and 51 in the negative, the motion was adopted.
Ordered to third reading.

HB 1234, relative to disclosure of property rights and responsibilities in the sale of shorefront property. **REFER FOR INTERIM STUDY.**
Rep. John B. Hunt for Commerce and Consumer Affairs: The analysis states that this bill requires the seller of shorefront property to disclose to the purchaser the rights and responsibilities of shorefront ownership. Unfortunately the bill went much farther, because it also requires "any lease for the rental of real property" also have written and signed disclosures of the shoreline protection act. The committee is committed to find a workable method to inform purchasers of lake front property of their new responsibilities under the shoreline protection act but we just ran out of time to work on this bill. Interim Study is the best way to work out the problems. Vote 13-3.
Rep. Webb spoke against.
Rep. Hunt spoke in favor.
Committee report adopted.

HB 1252, relative to the duration of medical payments coverage under motor vehicle liability policies. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Susi Nord for the Majority of Commerce and Consumer Affairs: This bill is a technical change to the medical payments portion of a person's car insurance. Currently, most plans allow reimbursements for medical expenses related to a claim for up to 3 years after a qualifying incident. This bill would require all plans to adopt this time frame as a minimum standard. The insurance department assured the committee that this will not affect premiums, but will help those who need to use their medical payments insurance to cover expenses for a long-term condition as a result of an accident. An example of where this could be helpful is for payment of co-pays for on-going physical therapy for an injury from a car accident. Vote 9-7.
Rep. James F. Headd for the Minority of Commerce and Consumer Affairs: The minority believes there is no need for this bill. The bill mandates coverage that most automobile insurance policies currently provide, and there was not testimony at the hearing that this bill addressed any real problem or that anyone would benefit from its passage. The bill would force those insurers which provide a different medical payments benefit period to submit a filing with the insurance department and, after that, to change their policy forms. This bill would create a law in an area where the private market is doing its job and a law is not needed.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Headd spoke against.

(Speaker Norelli in the Chair)

Rep. Nord spoke in favor.
On a division vote, 170 members having voted in the affirmative and 152 in the negative, the majority committee report was adopted.
Ordered to third reading.

HB 1580, relative to home schooling. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Kimberley S. Casey for the Majority of Education: This bill was written to allow parents to home school their children outside the jurisdiction of state law, including but not limited to, school attendance, and notification of home school intent. There are three options to meet the compulsory attendance requirement. They are: public school attendance, private school attendance, or home education pursuant to RSA 193-A. This bill would establish a fourth category, that being homeschoolers who operate outside the purview of RSA 193-A. The majority felt creating a new class of home school children with no regulatory frameworks of RSA 193-A goes too far. Vote 12-7.
Rep. Paul Ingbretson for the Minority of Education: Passage of HB 1580 would insure and reinforce the right of parents to determine, without limitation, the direction of the education of their children. Parents may choose to educate at home, enroll them in a private school, have them tutored privately or enroll them in public school. Failing to educate their children would expose parents to state laws having to do with abuse and neglect. Put another way, this bill affirms that, while education is compulsory, parents retain the right to choose the way in which that would be achieved.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Winters and Owen spoke against.
Rep. Casey spoke in favor and yielded to questions.
Rep. McGuire requested a roll call; sufficiently seconded.

YEAS 175 NAYS 144

YEAS 175

BELKNAP

Arsenault, Beth	Merry, Liz	Miller, Kate	Millham, Alida
Reever, Judith	Stuart, Richard		

CARROLL

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

CHESHIRE

Butcher, Suzanne	Butterworth, Timothy	Butynski, William	Carr, Daniel
Eaton, Daniel	Emerson, Susan	Lerandeau, Alfred	Meader, David
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Weber, Lucy		

COOS

Hatch, William	Mears, Lucy	Theberge, Robert	Thomas, Yvonne

GRAFTON

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

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Caron, June	Chandley, Shannon	Chase, Claudia	Chininis, Alexis
Cote, David	Craig, James	Farley, Michael	Flurey, Joan
Gargasz, Carolyn	Gorman, Mary	Hackel, Paul	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hodges, Kevin
Jasper, Shawn	Kelley, John	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Mack, Ron	Marshall, Seth
Matarazzo, Anthony Sr	Movsesian, Lori	Nixon, David	O'Neil, James
Peterson, Andrew	Pilotte, Maurice	Poznanski, Brian	Rhodes, Brian
Rokas, Theodoros	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Shaw, Kimberly	Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr

MERRIMACK

Bouchard, Candace	Brown, Carole	Clarke, Claire	Davis, Frank
DeJoie, John	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	Kidder, David	McMahon, Patricia
Porter, Margaret	Potter, Frances	Richardson, Gary	Rodd, Beth
Schuett, Dianne	Shurtleff, Stephen	Stetson, William	Tilton, Joy
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Yeaton, Charles			

ROCKINGHAM

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

STRAFFORD

Berube, Roger	Bickford, David	Brown, Julie	Browne, Brendon
Burke, Rachel	Grassie, Anne	Hutz, Sarah	Kaen, Naida
Keans, Sandra	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

Donovan, Thomas Jr	Gottling, Suzanne	Harris, Sandra	Houde-Quimby, Charlotte
McClammer, Jim	Sweeney, Cynthia		

NAYS 144

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Nedeau, Stephen
Pilliod, James	Russell, David	St. Cyr, Jeffrey	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Patten, Betsey
Roberts, John	Stevens, Stanley	Umberger, Karen	

CHESHIRE

Hunt, John	Johnson, Jane	Laurent, John	Lindsey, Steven
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert

GRAFTON

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

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Drisko, Richard	Elliott, Nancy
Emerton, Larry	Gagne, Larry	Ginsburg, Ruth	Graham, John
Haefner, Robert	Hawkins, Ken	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hogan, Edith	Holden, Frank	Holden, Rip
Hopper, Gary	Jeudy, Jean	Kurk, Neal	L'Heureux, Robert
Long, Patrick	McCarthy, Michael	Mead, Robert	Messier, Irene
Moran, Edward	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Pratt, Calvin
Price, Pamela	Renzullo, Andrew	Rowe, Robert	Ryder, Donald
Seidel, Carl	Silva, Peter	Soucy, Connie	Spaulding, Jayne
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert
Winters, Joel			

MERRIMACK

Anderson, Eric	Bartlett, Michael	Coffey, Jennifer	Hess, David
Lockwood, Priscilla	McGuire, Carol	Owen, Derek	Palfrey, David
Smith, Todd	Tupper, Frank		

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Charron, Gene	Comerford, Timothy	Crisler, Margaret
DeSimone, Debra	Devine, James	DiFruscia, Anthony	Dumaine, Dudley
Elliott, Robert	Emiro, Frank	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Garrity, James	Griffin, Mary	Hagan, Joseph
Headd, James	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel

Kappler, L. Mike	McKinney, Betsy	McMahon, Charles	Nevins, Chris
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Quandt, Matt
Reagan, John	Sedensky, John	Smith, William	Sullivan, James
Tucker, Pamela	Weare, Everett	Welch, David	Weyler, Kenneth

STRAFFORD

Cyr, James	Groen, Warren	Horrigan, Timothy	Lauterborn, Elaine
Vita, Carol			

SULLIVAN

Cunningham, Steven	Gagnon, Raymond	Howard, Thomas	Osgood, Joe
Rodeschin, Beverly	Skinder, Carla		

and the majority committee report was adopted.

REGULAR CALENDAR

HB 1354, relative to dog racing. **INEXPEDIENT TO LEGISLATE.**
Rep. Christine C. Hamm for Local and Regulated Revenues: This bill would remove references to dog racing in the statutes, thus removing the possibility of dog racing in the state of New Hampshire. The majority of the committee believed this bill was unnecessary since dog racing has been effectively eliminated by legislation that was approved by the full House earlier this year. Since the tracks have voluntarily ceased dog racing, there is no expectation that dog racing will resume in New Hampshire. Vote 14-3.
Committee report adopted.

HB 1242, relative to broadband infrastructure. **REFER FOR INTERIM STUDY.**
Rep. Naida L. Kaen for Science, Technology and Energy: This seemingly simple bill would extend bonding authority to municipalities for the purchase or construction of broadband infrastructure in areas served by an existing broadband carrier. The underlying issues, aside from some residents' frustration with lack of access, are far from simple regarding this bill's effects on the entire state's communications structure. Moreover, broader efforts are in process that will produce new information and a comprehensive statewide approach to dealing with the mismatch between citizens' expectations for remote connectivity, the enabling of economic development, and what has actually been offered, given the economics dictated by population density. Because of the sparcity of paying customers in outlying areas, current broadband providers are unwilling to invest in infrastructure out to "the last mile." The state's first broadband director was hired in November 2009 with the expectation that collaborative solutions can be found to address the needs of populations in unserved and underserved areas. A statewide broadband mapping project is underway with results expected in March 2010. FairPoint Communications is in the process of building out by the end of this year service to 85% of the state and, ultimately, to 95% of the state. With the federal government continuing to consider the very same issues, New Hampshire has an opportunity for additional funding for our proposed "backbone" through the "Round 2" applications; those applications are being prepared and are due shortly. The committee plans to use interim study to bring the stakeholders together to find a collaborative solution that best satisfies the needs of as many of the state's citizens and businesses as practicable so as to spur economic development. Vote 14-1.
Committee report adopted.

HCR 21, urging all members of Congress who vote in favor of a government run health insurance option to enroll in that option and forgo their right to participate in the Federal Employees Health Benefits Program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kris E. Roberts for the Majority of State-Federal Relations and Veterans Affairs: There have been major changes in the health care debate at the federal level since HR 21 was introduced. Due to these changes, the committee found itself trying to react to something that isn't there. The committee has no idea if there will be a public option and if so how encompassing. The committee has no idea who would be required to have which type of insurance. The committee understood that there was a high possibility that there would be no major overhaul of the health care system at all. Despite the concerns addressed by many of our citizens, the committee felt that in good faith it couldn't act in a positive fashion. The committee felt that it was more important to wait until a more concrete health care reform bill was formulated by congress so it could reach a more informed opinion. Vote 11-6.
Rep. Alfred P. Baldasaro for the Minority of State-Federal Relations and Veterans Affairs: HCR 21 is a simple resolution that says if a member of congress votes in favor of the establishment of a public, federal government run health insurance option, they should agree to participate in such option and forgo their right to participate in the federal employee health benefits program.

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

YEAS 185 NAYS 122

YEAS 185

BELKNAP

Arsenault, Beth	Merry, Liz	Reever, Judith	Russell, David
Stuart, Richard			

CARROLL

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

CHESHIRE

Butcher, Suzanne	Butterworth, Timothy	Butynski, William	Carr, Daniel
Eaton, Daniel	Emerson, Susan	Hunt, John	Lerandeau, Alfred
Lindsey, Steven	Meader, David	Parkhurst, Henry	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sad, Tara	Weber, Lucy

COOS

Hatch, William	Mears, Lucy	Rappaport, Laurence	Theberge, Robert
Thomas, Yvonne			

GRAFTON

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

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Bergin, Peter	Caron, June	Chandley, Shannon	Chase, Claudia

Chininis, Alexis	Cote, David	Craig, James	Flurey, Joan
Ginsburg, Ruth	Gorman, Mary	Hackel, Paul	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hodges, Kevin
Holden, Rip	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	Kurk, Neal
LaPlante, Roland	Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie
Long, Patrick	Mack, Ron	Marshall, Seth	Movsesian, Lori
Nixon, David	Pilotte, Maurice	Poznanski, Brian	Rhodes, Brian
Rokas, Theodoros	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Shaw, Kimberly	Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr
Winters, Joel			

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	Lockwood, Priscilla	McMahon, Patricia
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	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Case, Frank
Casey, Kimberley	Cushing, Robert	Day, Judith	Devine, James
DiFruscia, Anthony	DiPentima, Rich	Ferrante, Beverly	Fesh, Robert
Gleason, John	Gould, Kenneth	Kepner, Susan	Lyons, Melissa
Mann, Maureen	McCarthy, Barbara	McEachern, Paul	McKinney, Betsy
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Petterson, Don
Read, Robin Jr	Russell, Trinka	Schlachman, Donna	Splaine, James
Weare, Everett	Webber, Carolyn		

STRAFFORD

Berube, Roger	Brown, Julie	Browne, Brendon	Burke, Rachel
Cyr, James	Grassie, Anne	Horrigan, Timothy	Hutz, Sarah
Kaen, Naida	Keans, Sandra	Lauterborn, Elaine	Perry, Robert
Price, Susan	Rollo, Deanna	Rous, Emma	Ryder, Mark
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Vachon, Dennis
Wall, Janet	Ward, Kenneth	Watters, David	

SULLIVAN

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

NAYS 122

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Millham, Alida
Nedeau, Stephen	Pilliod, James	St. Cyr, Jeffrey	Swinford, Elaine
Wendelboe, Fran			

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Patten, Betsey
Roberts, John	Stevens, Stanley	Umberger, Karen	

CHESHIRE

Johnson, Jane

COOS

Remick, William	Richardson, Herbert		

GRAFTON

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

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Day, Russell
Doherty, Shaun	Drisko, Richard	Elliott, Nancy	Emerton, Larry
Gagne, Larry	Gargasz, Carolyn	Graham, John	Haefner, Robert
Hawkins, Ken	Hikel, John	Hinkle, Peyton	Hogan, Edith
Holden, Frank	Hopper, Gary	Jasper, Shawn	L'Heureux, Robert
Matarazzo, Anthony Sr	McCarthy, Michael	Mead, Robert	Messier, Irene
Moran, Edward	O'Brien, William	O'Neil, James	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Pellegrino, Tony	Pepino, Leo
Peterson, Andrew	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rowe, Robert	Seidel, Carl	Soucy, Connie	Spaulding, Jayne
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert

MERRIMACK

Anderson, Eric	Coffey, Jennifer	DeJoie, John	Hess, David
Kidder, David	McGuire, Carol	Palfrey, David	Smith, Todd

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Charron, Gene	Comerford, Timothy	Crisler, Margaret
DeSimone, Debra	Dumaine, Dudley	Elliott, Robert	Emiro, Frank
Flanders, John Sr	Garrity, James	Griffin, Mary	Hagan, Joseph
Headd, James	Hoelzel, Kathleen	Howard, Doreen	Introne, Robert
Itse, Daniel	Kappler, L. Mike	McMahon, Charles	Nevins, Chris
Packard, Sherman	Quandt, Matt	Reagan, John	Sedensky, John
Smith, William	Stiles, Nancy	Tucker, Pamela	Welch, David
Weyler, Kenneth			

STRAFFORD

Bickford, David	Groen, Warren	Sprague, Dale	Vita, Carol

SULLIVAN

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

and the majority committee report was adopted.

HCR 28, rescinding all requests by the New Hampshire legislature for a federal constitutional convention and urging other states to withdraw similar requests.
MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.
Rep. Robert R. Cushing for the Majority of State-Federal Relations and Veterans Affairs: The committee heard extensive testimony concerning the possible dangers to our individual rights, our political system and our economy that might be the result of the convening of a convention to revise the U.S. constitution. The bi-partisan majority of the state federal relations committee recognizes that the founders did not allow for a constitutional convention to be limited to one issue, and do not believe it wise to convene a convention open to amend the constitution on issues such as gun ownership, taxes, privacy, and abortion. This amended resolution would rescind the previous resolution calling for a federal constitutional convention that was passed by the legislature over three decades ago and keep secure the constitution that has served our nation well for over two centuries. Vote 11-4.
Rep. Frank R. Emiro for the Minority of State-Federal Relations and Veterans Affairs: The federal government has a history of usurping power from the states. The Departments of Education, Housing and Health and Human Services are examples. Many state legislators wonder what action they can take to rein-in these actions, calling for constitutional convention which would then have the power to reduce the federal government's power. This threat is useful, especially if other states begin to call the convention. Rescinding our request would be a step backward, and an encouragement of more usurpation by the federal government.

Majority Amendment (0501h)
Amend the title of the resolution by replacing it with the following:
A RESOLUTION rescinding all requests by the New Hampshire legislature for a federal constitutional convention.
Amend the resolution by replacing all after the resolving clause with the following:
That any and all requests by the New Hampshire legislature for a federal constitutional convention are hereby rescinded and deemed null and void; and
That copies of this resolution be forwarded by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, each member of the New Hampshire Congressional delegation, and the Administrator of the United States General Services Administration.
AMENDED ANALYSIS
This concurrent resolution rescinds all requests by the New Hampshire legislature for a federal constitutional convention.
Majority committee amendment adopted.
Majority committee report adopted and ordered to third reading.

HCR 29, requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties.
OUGHT TO PASS WITH AMENDMENT.
Rep. Kris E. Roberts for State-Federal Relations and Veterans Affairs: Following the Declaration of Independence, the thirteen colonies formed the Articles of Confederation which was basically a confederation of thirteen sovereign states. Due to the revolution and disagreements between the states to include differing tariff laws and trade restrictions, it took several years before all the states ratified the Articles. The Articles of Confederation provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities, whatsoever. The Articles ensured that Congress could not force the states to adhere to the terms of the Treaty of Paris of 1783, ending the American

Revolution, and could not intervene when some states started their own negotiations with foreign countries. The framers of the constitution addressed this problem by getting the thirteen sovereign states to give up their sovereign right to enter into treaties, in return Article 2 section 2 of the constitution required that all treaties had to be approved by the United States Senate by a 2/3 vote. This was very important because the constitution also stated that the two United States senators were to be appointed by each state, which meant that in some respects that the senators were the state's ambassadors to the federal government when it came to treaties. When it comes to controversial treaties, it may take years for the senate to ratify, if at all, as senators take the necessary time to ensure that the treaty benefits outweigh any potential harm to their states. This due diligence is very important because all treaties become the law of the land. However, to get around the constitutional requirements as stated in Art 2 Section 2, Congress has repeatedly given the President "Fast track authority" stripping away the protections afford to each state. Fast track authority limits our senators to an up or down vote within 45 day and no more than 20 hours of debate while providing the House of Representatives a decision, neither stated, nor implied in the constitution. While the committee understands that the constitutionality of prior treaties approved and enacted under fast track authority can only be determined in the court system, HCR 29 clearly states that it is not in the best interest of the State of New Hampshire or its citizens for congress to reauthorize and or enhance fast track authority. Vote 17-0.

Amendment (0770h)

Amend the resolution by replacing all after the title with the following:

Whereas, Article 2, Section 2 of the United States Constitution makes no provision for the creation of new treaties or agreements among nations without the concurrence of 2/3 of the United States Senate; and

Whereas, fast track authority, also known as trade promotion authority, allows the President of the United States to negotiate trade agreements or treaties; and

Whereas, fast track authority grants the United States House of Representatives authority to approve or disapprove treaties, authority otherwise limited by the United States Constitution to a 2/3 vote of the United States Senate; and

Whereas, fast track authority requires the leaders of both the House of Representatives and Senate to introduce the proposed treaty on the first day their body is in session; and

Whereas, fast track authority prevents the United States Senate and House of Representatives from amending the proposed treaty; and

Whereas, pursuant to the United States Constitution, all treaties approved by the Senate become the law of the land; and

Whereas, fast track authority limits Congress's authority to write implementing legislation; and

Whereas, the Congressional committee must take action on the bill within 45 days or the proposed treaty is automatically discharged to the floor for an up or down vote; and

Whereas, each body is limited to a maximum of 20 hours of floor debate, thereby denying legislators and the public appropriate time to consider the serious long-term ramifications of these trade agreements; and

Whereas the Senate cannot filibuster the proposed treaty, limiting their constitutional authority; and

Whereas, Senators elected to serve the public interest of their state and country have no role in the treaty process except to approve or disapprove the proposed agreement; now therefore be it

Resolved by the House of Representatives, the Senate concurring:

That the general court of New Hampshire hereby urges:

I. The President and the Congress of the United States to ensure that all new treaties or agreements among nations receive a 2/3 vote of the United States Senate as required by Article 2, Section 2 of the United States Constitution; and

II. The New Hampshire Congressional delegation use all of its efforts, energies, and diligence to prevent the reauthorization or expansion of fast track authority; and

That the clerk of the house of representatives deliver signed copies of this resolution to the President of the United States of America, the Speaker of the United States House of Representatives, the President of the United States Senate, each member of the United States Congress, the presiding officers of each state's legislature and the members of the New Hampshire Congressional delegation so that they may be apprised of the sense of the citizens of New Hampshire in this matter.

AMENDED ANALYSIS

This resolution urges the President and Congress to comply with the United States Constitution in requiring a 2/3 vote of the Senate to approve treaties and urges Congress to revoke fast track authority for approval of international trade agreements.

On a division vote, 213 members having voted in the affirmative and 95 in the negative, the amendment was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Vita offered floor amendment (0970h).

Floor Amendment (0970h)

Amend paragraph I of the first paragraph after the resolving clause to read as follows:

I. The President and the Congress of the United States to ensure that all new treaties or agreements among nations or supranational bodies meet the test of Constitutional authority and receive a 2/3 vote of the United States Senate as required by Article 2, Section 2 of the United States Constitution; and

Reps. Vita and Cushing spoke in favor.
Rep. Vita requested a roll call; sufficiently seconded.

YEAS 252 NAYS 55

YEAS 252

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Merry, Liz
Millham, Alida	Pilliod, James	Reever, Judith	Russell, David
St. Cyr, Jeffrey	Stuart, Richard	Swinford, Elaine	Wendelboe, Fran

CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Fleck, Joseph
Knox, J. David	Patten, Betsey	Roberts, John	Stevens, Stanley
Umberger, Karen	Wiley, Susan		

CHESHIRE

Butterworth, Timothy	Butynski, William	Carr, Daniel	Emerson, Susan
Johnson, Jane	Lerandeau, Alfred	Lindsey, Steven	Meader, David
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Sad, Tara
Weber, Lucy			

COOS

Hatch, William	Rappaport, Laurence	Richardson, Herbert	Theberge, Robert

Thomas, Yvonne

GRAFTON

Aguiar, James	Benn, Bernard	Bulis, Lyle	Cooney, Mary
Friedrich, Carol	Gionet, Edmond	Gould, Franklin	Harding, Laurie
Ingbretson, Paul	Ladd, Rick Jr	Laliberte, Suzanne	Matheson, Robert
Maybeck, Margie	Mulholland, Catherine	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles	Ward, Brien		

HILLSBOROUGH

Baroody, Benjamin	Batula, Peter	Beauchamp, Roger	Boehm, Ralph
Caron, June	Cebrowski, John	Chandley, Shannon	Chininis, Alexis
Christensen, Chris	Christiansen, Lars	Cote, David	Daniels, Gary
Day, Russell	Doherty, Shaun	Elliott, Nancy	Emerton, Larry
Flurey, Joan	Gagne, Larry	Gargasz, Carolyn	Ginsburg, Ruth
Gorman, Mary	Graham, John	Haefner, Robert	Hammond, Jill
Harvey, Suzanne	Hawkins, Ken	Hikel, John	Hinkle, Peyton
Hodges, Kevin	Hogan, Edith	Holden, Frank	Holden, Rip
Hopper, Gary	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	Kurk, Neal
L'Heureux, Robert	Levasseur, Nickolas	Levesque, Melanie	Long, Patrick
Mack, Ron	Matarazzo, Anthony Sr	McCarthy, Michael	Mead, Robert
Messier, Irene	Moran, Edward	Movsesian, Lori	O'Brien, William
O'Neil, James	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Pellegrino, Tony	Pepino, Leo	Peterson, Andrew	Pilotte, Maurice
Poznanski, Brian	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rhodes, Brian	Rokas, Theodoros	Rosenwald, Cindy	Rowe, Robert
Ryder, Donald	Schulze, Joan	Seidel, Carl	Shattuck, Gilman
Shaw, Kimberly	Soucy, Connie	Spaulding, Jayne	Sullivan, Daniel
Thompson, Robert	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Walsh, Robert Jr	Willette, Robert	Winters, Joel	

MERRIMACK

Anderson, Eric	Brown, Carole	Coffey, Jennifer	Davis, Frank
DeJoie, John	French, Barbara	Gile, Mary	Hamm, Christine
Hess, David	Kelly, Sally	Kidder, David	Lockwood, Priscilla
McGuire, Carol	McMahon, Patricia	Palfrey, David	Porter, Margaret
Potter, Frances	Rodd, Beth	Shurtleff, Stephen	Smith, Todd
Stetson, William	Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh	Yeaton, Charles	

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bishop, Franklin	Borden, David	Brown, C. Pennington	Case, Frank
Charron, Gene	Comerford, Timothy	Crisler, Margaret	Cushing, Robert
DeSimone, Debra	Devine, James	DiPentima, Rich	Dumaine, Dudley
Elliott, Robert	Emiro, Frank	Ferrante, Beverly	Fesh, Robert
Gleason, John	Gould, Kenneth	Griffin, Mary	Hagan, Joseph
Hoelzel, Kathleen	Howard, Doreen	Introne, Robert	Itse, Daniel
Kappler, L. Mike	Kepner, Susan	Lyons, Melissa	McCarthy, Barbara
McEachern, Paul	McKinney, Betsy	McMahon, Charles	Moody, Marcia
Nevins, Chris	Nord, Susi	Packard, Sherman	Pantelakos, Laura
Quandt, Matt	Read, Robin Jr	Reagan, John	Russell, Trinka

Schlachman, Donna	Sedensky, John	Smith, William	Splaine, James
Stiles, Nancy	Sullivan, James	Tucker, Pamela	Weare, Everett
Welch, David	Weyler, Kenneth		

STRAFFORD

Berube, Roger	Bickford, David	Brown, Julie	Browne, Brendon
Burke, Rachel	Grassie, Anne	Groen, Warren	Horrigan, Timothy
Hutz, Sarah	Kaen, Naida	Lauterborn, Elaine	Perry, Robert
Rollo, Deanna	Ryder, Mark	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Vita, Carol	Wall, Janet
Ward, Kenneth			

SULLIVAN

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

NAYS 55

BELKNAP

Nedeau, Stephen

CARROLL

Bridgham, Robert	Chandler, Gene

CHESHIRE

Butcher, Suzanne	Eaton, Daniel	Hunt, John	Parkhurst, Henry

COOS

Mears, Lucy	Remick, William

GRAFTON

Almy, Susan	Ford, Susan	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Preston, Philip		

HILLSBOROUGH

Beaulieu, Jane	Beck, Catriona	Belvin, William	Bergin, Peter
Chase, Claudia	Craig, James	Drisko, Richard	Hackel, Paul
Hardy, Valerie	Harvey, Philip	Jasper, Shawn	LaPlante, Roland
Leishman, Peter	Marshall, Seth		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Clarke, Claire	Foose, Robert
Richardson, Gary	Schuett, Dianne	Tupper, Frank	

ROCKINGHAM

Abbott, Dennis	Casey, Kimberley	Day, Judith	DiFruscia, Anthony
Flanders, John Sr	Garrity, James	Headd, James	Mann, Maureen
Petterson, Don	Webber, Carolyn		

STRAFFORD

Cyr, James	Keans, Sandra	Price, Susan	Rous, Emma
Vachon, Dennis	Watters, David		

SULLIVAN

Gagnon, Raymond	Osgood, Joe	Sweeney, Cynthia

and floor amendment (0970h) was adopted.

MOTION TO LAY ON THE TABLE

Rep. McEachern moved that ***HCR 29,*** requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties, be laid on the table.
On a division vote, 146 members having voted in the affirmative and 159 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.
On a division vote, 180 members having voted in the affirmative and 125 in the negative, the committee report was adopted.
Ordered to third reading.

HB 1561-FN, relative to off highway recreational vehicle registrations. **OUGHT TO PASS.**
Rep. Karen C. Umberger for Transportation: This bill provides that registration for off highway recreation vehicles (OHRV) may be issued for a 14 month period to include the months of May and June. The registration fee for these months would be on a prorated basis. OHRV registration is from July 1 to June 30. Currently, if a person purchases an OHRV in May or June in order to register their OHRV they must pay the full yearly registration. This bill allows a person on their initial registration only to register their OHRV's for up to 14 months. Vote 14-0.
Committee report adopted and ordered to third reading.

HB 1291-FN, relative to the fuel oil importation fee. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**
Rep. Susan G. Price for the Majority of Ways and Means: The fuel oil discharge cleanup fund administered by the NHDES oil remediation and compliance bureau (bureau) was established in 1993 to address converge gaps in personal and commercial property and casualty insurance policies for releases of fuel oil, also known as home heating oil. A performance audit was conducted in 2009 and identified areas in which the bureau was not operating efficiently or in full compliance with RSA 146-E. The audit identified the following areas of concern: 1) an absence of quality control over work scopes and project documentation resulting in a lack of readily available project documentation and inaccurate work scopes, 2) a lack of project cost documentation that reduces the ability to track the total cost of a project, 3) an absence of a requirement to make contractors submit documentation of actual time worked on a project, 4) weaknesses in allocating program management and administrative costs, tracking outstanding fund liabilities, and to assure revenues collected were accurately recorded, 5) funds were used to pay property restoration costs that are not authorized for payment by statute, 6) the bureau was not in compliance with certain statutes, administrative rules, and policies, 7) the bureau was not complying with rules requiring proof of lack of private insurance coverage and that the responsible party had upgraded their tank system to fire code prior to releasing payment to contractors conducting the clean ups, and 8) the deductible paid by responsible parties was low in comparison to other New England states with similar programs. The cumulative effects of these issues, as

well as a decrease in the amount of home heating oil purchased within the state, have contributed to the fund declining below levels sufficient to comply with RSA 146-E. While the bureau has responded to some of the issues identified in the audit, the majority felt that enacting a permanent increase in the environmental fee without first receiving a report of progress on all of the issues identified in the audit, was premature. The bill was amended to allow a temporary two year increase in the fee to alleviate the immediate need for funding and the submission of a progress report to the house ways and means committee no later than December 1, 2011, to allow the committee an opportunity to evaluate the bureau's corrective actions and to evaluate the need to increase or decrease the fee in the future. Vote 15-2.

Rep. Dennis P. Vachon for the Minority of Ways and Means: The minority believes that the committee amendment represents a violation of separation of powers as embodied in Part l, Article 37 of the New Hampshire Constitution. The committee amendment would sunset a fee increase in two years and require the oil fund disbursement board to report back to the house committee on ways and means on its administration of the program at that time. Without this amendment, HB 1291 would make permanent a fee increase which the Department of Environmental Services had already justified as necessary to meet the ongoing demands on the program but which the legislature had sunset pending the outcome of a performance audit which revealed no significant problems other than those related to a lack of funding of the program. The minority respectfully submits that in adopting the amendment, the committee is improperly seeking to coerce an executive department to propose a prevention program to address the future release or discharge of fuel oil from faulty or failing home fuel oil tanks rather than to see to the proper application of funds appropriated by the legislature. Although the executive branch of state government is responsible for the implementation of all laws under Part 2, Article 41, it is the responsibility of the general court under Part 2, Article 5 to establish such laws. To sunset the fee increase a second time threatens future protection of ground water that is contaminated when fuel oil is discharged into the environment from a leaking home oil tank. And, it sets a dangerous legislative precedent to sunset fee increases or programs in order to force the executive branch to propose measures which the legislature does not have political will to propose itself.

Majority Amendment (0656h)

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

2 Fuel Oil Import Fees. Amend RSA 146-E:3, II to read as follows:

II. A fee of [~~$0.0125~~] ***$.01*** per gallon of fuel oil shall be assessed at the time of importation into this state.

3 Report Required. The oil fund disbursement board shall make a report on or before December 1, 2011 to the house ways and means committee reporting on the administration of the fuel oil discharge clean-up fund, and detailing its adherence to fund guidance documents, departmental rules, and chapter 146-E.

4 Effective Date.

I. Section 2 of this act shall take effect July 1, 2012.

II. The remainder of this act shall take effect July 1, 2010.

AMENDED ANALYSIS

This bill:

I. Increases the import fees for the fuel oil discharge cleanup fund.

II. Requires a report from the oil fund disbursement board on the administration of the fuel oil discharge cleanup fund.

III. Repeals the increase in the import fees for the fuel oil discharge cleanup fund effective July 1, 2012.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1420, relative to the calculation of child support. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Bickford for Children and Family Law: This bill provides that upon the termination of support for one child, the amount of child support obligation for remaining children shall be stated in the order. A parent will still be able to petition, if he/she disagrees with the projection. Vote 15-0.

Amendment (0361h)

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Child Support. RSA 461-A:14, IV is repealed and reenacted to read as follows:

IV. The amount of a child support obligation shall remain as stated in the order until the dependent child for whom support is ordered completes his or her high school education or reaches the age of 18 years, whichever is later, or marries, or becomes a member of the armed services, at which time the child support obligation, including all educational support obligations, terminates without further legal action. If the order involves a disabled child, the court shall specify the duration of the order, which may be beyond the time when the child reaches the age of 18.

IV-a. If the order establishes a support obligation for more than one child, and the court can determine when support will terminate for one of the children as provided in paragraph IV, the amount of the obligation for the remaining children shall also be stated in the order and shall take effect on the date specified without further legal action.

Amendment adopted.

Committee report adopted and ordered to third reading.

HB 1248, prohibiting the state from doing business with any banking institution that requires fingerprints or bodily fluids from any person in order to complete a banking transaction. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen T. DeStefano for the Majority of Commerce and Consumer Affairs: If enacted, the state treasurer believes that, as stated in testimony, the state would have to look to all banks and all their affiliates, both nationally and internationally, to determine which, if any, of these institutions require fingerprinting or the leaving of other bodily fluids. To the extent that any such banks or their affiliates have such requirements, the state would then have to cease all current business and exclude them from any future business. Other questions which have arisen are whether the state could invest in any national or international banks that engage, or if their affiliates engage, in fingerprinting? If not, would the state need to divest of such investments? Would the state somehow be required to exclude investment firms affiliated with banks that fingerprint from buying or even holding state debt? Vote 11-6.

Rep. Joel F. Winters for the Minority of Commerce and Consumer Affairs: Under the minority amendment, the state would not conduct any commercial business transaction with a bank which requires fingerprints to complete a banking transaction in the state of New Hampshire. Recently Bank of America ceased this practice in our state, so this legislation would serve as a strong disincentive for them bringing this privacy invading practice back to New Hampshire.

SPECIAL ORDERED

Rep. Kurk moved that ***HB 1248,*** prohibiting the state from doing business with any banking institution that requires fingerprints or bodily fluids from any person in order to complete a banking transaction, be made a Special Order for Thursday, March 18 in its Regular Calendar order.

Reps. Kurk and Winters spoke in favor.
On a division vote, 243 members having voted in the affirmative and 49 in the negative, the motion was adopted.

REGULAR CALENDAR (CONTD)

HB 1253, removing the exemption to the consumer protection act for insurance trade and commerce. **INEXPEDIENT TO LEGISLATE.**
Rep. Stephen T. DeStefano for Commerce and Consumer Affairs: The intent of this bill is to remove the insurance department from the consumer protection exemption under RSA 358-A:3. The exemption for the insurance department was created by the Legislature in 1970 with the enactment of the Consumer Protection Act, RSA 358-A because RSA 417 Unfair Trade Practices, enacted in 1947, then provided, and still provides, the insurance department with the regulatory oversight tools and authority to protect all insurance consumers. Currently, the department is able to investigate and resolve consumer issues and take remedial action to prevent violations from reoccurring. Because more than adequate oversight exists, it is the committee's opinion that passage of this bill would create unnecessary parallel and duplicative regulation. Vote 10-3.
Committee report adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. William Smith moved that the House reconsider its action whereby it adopted the committee report of Ought to Pass with Amendment on ***HCR 29,*** requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties.
Rep. William Smith spoke against.
On a division vote, 92 members having voted in the affirmative and 199 in the negative, the motion failed.

REGULAR CALENDAR (CONTD)

HB 1366, making certain technical corrections in the insurance laws. **OUGHT TO PASS.**
Rep. Paul McEachern for Commerce and Consumer Affairs: It is the intent of this bill to provide technical clarity and correction to existing insurance statutes. The bill gives the commissioner the authority to determine the work assignments of the workers' compensation analyst; it clarifies that the fees at RSA 400-A:29 XIV apply to variable life and annuity; it provides that the interest rate to be used with refunds shall be determined by the state treasurer; it allows the issuance of insurance coverage binders for a 30-day period without compliant signatures; it enables acceptance of non-resident adjuster home state continuing education; it lets the commissioner make recommendations to the court under the rehabilitation and liquidation statute for assessments that may become necessary; it deletes from statute countersignature requirements that were inadvertently missed when those laws were previously repealed; it reinforces the department's position on cancellation notices issued for automobile and homeowners insurance; and it corrects an incorrect cite reference in the N.H. HealthFirst statute. Vote 17-0.
Committee report adopted and ordered to third reading.

HB 1429, establishing a committee to study the inclusion of universal design requirements in the state building code. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Donna L. Schlachman for Commerce and Consumer Affairs: The purpose of this study committee is to determine how New Hampshire can use universal design guidelines to increase disability-friendly housing stock in the future. Universal design is an outgrowth of the barrier-free design that has enabled those with disabilities to maintain or regain their independence and to access their communities and places of work. The committee heard

testimony that one of the challenges of our increasingly older population is being able to "age in place." Building homes by factoring in "universal design" features can prevent people from having to prematurely leave their homes due to the high costs of renovating homes to accommodate physical needs. The bill was amended to include consideration of one and 2-family dwellings since this is the predominant housing stock in our state. The purpose of the study committee is not to mandate a new building "code" but rather to determine how universal design can be used as a tool in bringing the needs of the aging to the industry that has the most impact on their ability to "age in place." Vote 9-8.

Amendment (0494h)

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the inclusion of universal design requirements in the state building code. Specifically, the committee shall determine the feasibility of requiring all new and substantially rehabilitated residential buildings to include design aspects such as: installation of supports within or behind the inner and outer walls, wider doorways, uniform size of steps on stairways, lighting on stairways, and other universal design elements. For one- and 2-family dwellings, the committee shall examine the economic impact of including universal design elements.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, 160 members having voted in the affirmative and 130 in the negative, the committee report was adopted.

Ordered to third reading.

HB 1545-FN, relative to group size for premiums charged by health insurance carriers when issuing small employer health coverage. **INEXPEDIENT TO LEGISLATE.**

Rep. Jill Shaffer Hammond for Commerce and Consumer Affairs: This bill would have disallowed health insurance carriers from using group size when determining premiums when issuing small group health coverage. Three rating factors are currently used when writing coverage in the small group market (1 to 50 employees): age, industry, and group size. The elevated loss ratio (higher medical costs) for groups of one (as opposed to groups of 2-50) is reflected in the somewhat higher premiums that self-employed sole proprietors may pay. However, the small group is still a market where these sole proprietors have guaranteed issue (the insurance carriers must offer a product) at a price competitive to the individual market, where they may not get insurance at any price (no guaranteed issue). If the group size rating factor were eliminated, resulting higher community rates might have a destabilizing effect on the viability of the small group market overall. Vote 11-4.

Committee report adopted.

HB 1635-FN, prohibiting the open carrying of a firearm in a public building. **INEXPEDIENT TO LEGISLATE.**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill would have made a class B felony for openly carrying a firearm, or any other deadly weapon as defined in RSA 625:11V. The aforementioned statute defines deadly weapon as "any firearm, knife or other substance or thing which, in the manner it is used, intended to be used, or threatened to be used, is known to be capable of producing death or serious bodily injury." The U.S. Constitution and the N.H. Constitution permit the carrying of firearms. The only restriction is found in statutory law that no person can carry such a weapon concealed without first obtaining a license to do so. This proposed law is a clear violation of constitutional law. Further, it would be applied against a person carrying a jackknife in a case that is worn in the open. Vote 13-2.

Rep. Coffey requested a roll call; sufficiently seconded.

YEAS 256 NAYS 33

YEAS 256

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Merry, Liz
Nedeau, Stephen	Pilliod, James	Reever, Judith	Russell, David
St. Cyr, Jeffrey	Stuart, Richard	Swinford, Elaine	Wendelboe, Fran

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Buco, Thomas	Butler, Edward
Chandler, Gene	Fleck, Joseph	Knox, J. David	Patten, Betsey
Roberts, John	Stevens, Stanley	Umberger, Karen	

CHESHIRE

Butterworth, Timothy	Butynski, William	Carr, Daniel	Eaton, Daniel
Emerson, Susan	Hunt, John	Johnson, Jane	Lerandeau, Alfred
Lindsey, Steven	Meader, David	Richardson, Barbara	Roberts, Kris
Weber, Lucy			

COOS

Hatch, William	Rappaport, Laurence	Remick, William	Richardson, Herbert
Theberge, Robert	Thomas, Yvonne		

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bulis, Lyle
Ford, Susan	Friedrich, Carol	Gionet, Edmond	Harding, Laurie
Ingbretson, Paul	Ladd, Rick Jr	Laliberte, Suzanne	Maybeck, Margie
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Pierce, David
Smith, Suzanne	Taylor, Kathleen	Townsend, Charles	Ward, Brien

HILLSBOROUGH

Baroody, Benjamin	Batula, Peter	Beauchamp, Roger	Beaulieu, Jane
Belvin, William	Bergin, Peter	Boehm, Ralph	Caron, June
Cebrowski, John	Chandley, Shannon	Chininis, Alexis	Christensen, Chris
Christiansen, Lars	Cote, David	Craig, James	Daniels, Gary
Day, Russell	Doherty, Shaun	Drisko, Richard	Elliott, Nancy
Emerton, Larry	Gagne, Larry	Gargasz, Carolyn	Ginsburg, Ruth
Gorman, Mary	Graham, John	Haefner, Robert	Hammond, Jill
Harvey, Suzanne	Hawkins, Ken	Hikel, John	Hinkle, Peyton
Hodges, Kevin	Hogan, Edith	Holden, Frank	Holden, Rip
Hopper, Gary	Jasper, Shawn	Jeudy, Jean	Kelley, John
Knowles, John	Knowles, Mary Ann	Komi, Richard	Kopka, Angeline
Kurk, Neal	L'Heureux, Robert	LaPlante, Roland	Leishman, Peter
Long, Patrick	Mack, Ron	Mead, Robert	Messier, Irene
Movsesian, Lori	O'Brien, William	O'Neil, James	Ober, Lynne
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Peterson, Andrew
Pratt, Calvin	Price, Pamela	Renzullo, Andrew	Rhodes, Brian
Rokas, Theodoros	Rosenwald, Cindy	Rowe, Robert	Ryder, Donald
Schulze, Joan	Seidel, Carl	Shattuck, Gilman	Shaw, Kimberly
Soucy, Connie	Spaulding, Jayne	Sullivan, Daniel	Ulery, Jordan

Vaillancourt, Steve	Walsh, Robert Jr	Willette, Robert	Winters, Joel

MERRIMACK

Anderson, Eric	Clarke, Claire	Coffey, Jennifer	Davis, Frank
Foose, Robert	French, Barbara	Gile, Mary	Hamm, Christine
Hess, David	Kelly, Sally	Kidder, David	Lockwood, Priscilla
McGuire, Carol	Palfrey, David	Porter, Margaret	Potter, Frances
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Smith, Todd	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Baldasaro, Alfred	Bates, David
Bettencourt, David	Borden, David	Brown, C. Pennington	Case, Frank
Charron, Gene	Comerford, Timothy	Crisler, Margaret	Cushing, Robert
Day, Judith	DeSimone, Debra	Devine, James	DiFruscia, Anthony
DiPentima, Rich	Elliott, Robert	Emiro, Frank	Ferrante, Beverly
Fesh, Robert	Flanders, John Sr	Garrity, James	Gleason, John
Gould, Kenneth	Griffin, Mary	Headd, James	Hoelzel, Kathleen
Howard, Doreen	Introne, Robert	Itse, Daniel	Kappler, L. Mike
Lyons, Melissa	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
McKinney, Betsy	Nevins, Chris	Nord, Susi	Packard, Sherman
Pantelakos, Laura	Quandt, Matt	Read, Robin Jr	Reagan, John
Russell, Trinka	Schlachman, Donna	Sedensky, John	Smith, William
Splaine, James	Stiles, Nancy	Sullivan, James	Weare, Everett
Welch, David	Weyler, Kenneth		

STRAFFORD

Bickford, David	Brown, Julie	Browne, Brendon	Burke, Rachel
Grassie, Anne	Groen, Warren	Hutz, Sarah	Kaen, Naida
Lauterborn, Elaine	Perry, Robert	Price, Susan	Rollo, Deanna
Rous, Emma	Schmidt, Peter	Smith, Marjorie	Sprague, Dale
Vachon, Dennis	Vita, Carol	Wall, Janet	Watters, David

SULLIVAN

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

NAYS 33

BELKNAP

None

CARROLL

Wiley, Susan

CHESHIRE

Butcher, Suzanne	Parkhurst, Henry	Robertson, Timothy	Sad, Tara

COOS

None

GRAFTON

Cooney, Mary	Gould, Franklin	Preston, Philip

HILLSBOROUGH

Beck, Catriona	Chase, Claudia	Hackel, Paul	Hardy, Valerie
Harvey, Philip	Levasseur, Nickolas	Levesque, Melanie	Marshall, Seth
Moran, Edward	Villeneuve, Moe		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole

ROCKINGHAM

Casey, Kimberley	Kepner, Susan	Moody, Marcia	Tucker, Pamela
Webber, Carolyn			

STRAFFORD

Cyr, James	Horrigan, Timothy	Keans, Sandra	Ryder, Mark
Spang, Judith	Ward, Kenneth		

SULLIVAN

Cunningham, Steven

and the committee report was adopted.

Reps. Beck, Bouchard, Casey, Cooney, Cunningham, Horrigan, Levasseur, Levesque, Moran, Sad, Tucker, Villeneuve and Carolyn Webber voted Nay and intended to vote Yea.

HB 1360, permitting persons 17 years of age to register to vote. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Shawn N. Jasper for the Majority of Election Law: Last year we asked the state supreme court whether 17 year olds could vote. The answer was no. This bill would expand a 17 year olds' right to register to vote prior to turning 18. While the goal of involving young people in the political process is a good one, this bill has the potential to create confusion and ill will. Currently, 17 year olds can register to vote if they will be turning 18 by the date of the next election and this right extends to the right to absentee registration. If we allow 17 year olds to register, but not to vote at the next election, we wonder what we are really doing. There is little doubt that there will be those 17 year olds who will show up at an election, prior to their 18th birthday, believing that when they registered they became eligible to vote. If this were to happen, particularly during a busy presidential election, it could cause unnecessary problems for election workers and delays for voters; moreover being turned away would no doubt be embarrassing to a 17 year old and may well discourage them from voting in the near future. We believe that a better alternative is to educate 17 year olds about the early registration opportunities that now exist for them. Vote 13-4.

Rep. James R. Splaine for the Minority of Election Law: The concept and content of this bill has value. Young people can join the military at age 17, and be sent to the front lines of war at 18. In our democracy, we should welcome our young citizens to register to vote at 17 and be ready to go to the polls at age 18 so they can take part in choosing those leaders who will decide their futures.

Majority committee report adopted.

HB 1362, extending the right-to-know oversight commission. **INEXPEDIENT TO LEGISLATE.**
Rep. Paul L. Hackel for Judiciary: The bill would extend the right to know oversight commission indefinitely with reduced membership. The commission was established in RSA 91-A:11, effective in 2005 to study and oversee the right to know law in light of the supreme court's decision in *Hawkins v New Hampshire Department of Health and Human Services* and increased use of electronic communications in the transaction of government business. The commission is to expire November 2010. It successfully fulfilled its duties and consequently it should expire as planned. Vote 13-4.
Committee report adopted.

HB 1423, requiring a performance audit of the judicial branch family division. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Janet G. Wall for Judiciary: This bill would require the legislative budget assistant to conduct a performance audit of the judicial branch family division. The legislative budget assistant is a very professional office which does financial and performance audits, but does not do personnel audits as this bill requires. Audits are both costly and time-consuming. This bill has no fiscal note. Performing an audit of all court programs in the family division could not be conducted by November 1, 2010 because neither time nor money is available. The proponents of the bill expressed disappointment with court decisions; however, an audit would not address decisions or ruling of the court. Vote 10-8.
Rep. Lawrence B. Perkins for the Minority of Judiciary: The family division of our judicial branch has only been in operation for just over a decade. Further, almost all decisions of our family court are being effectively decided by referees, not judges. There has been considerable controversy over a number of decisions by the family court. We find it only rational that a performance audit would be completed to review the impact on both our judicial branch and society.

The question being adoption of the majority committee report of Inexpedient to Legislate.
On a division vote, 183 members having voted in the affirmative and 105 in the negative, the majority committee report was adopted.

RESOLUTION

Rep. Wallner offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, March 18, 2010 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

HB 1461, relative to the municipal regulation of the sale of martial arts weapons.
HB 1620-FN-A, establishing state park number plates.
HB 1216, relative to the amount of the self-support reserve in child support cases.
HB 1252, relative to the duration of medical payments coverage under motor vehicle liability policies.
HCR 28, rescinding all requests by the New Hampshire legislature for a federal constitutional convention.
HCR 29, requiring the Congress of the United States of America to reaffirm its adherence to

the Constitution of the United States regarding international agreements and treaties.
HB 1561-FN, relative to off highway recreational vehicle registrations.
HB 1291-FN, relative to the fuel oil importation fee.
HB 1420, relative to the calculation of child support.
HB 1366, making certain technical corrections in the insurance laws.
HB 1429, establishing a committee to study the inclusion of universal design requirements in the state building code.

SPECIAL ORDERED

Without objection the Speaker ordered the remaining bills on today's calendar be made Special Orders for Thursday, March 18, 2010.

RECESS MOTION

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

The House recessed at 6:35 p.m.

RECESS

(Rep. Shurtleff in the Chair)
ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bill numbered 1131.

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

RECESS

(Rep. Gary Richardson in the Chair)
RESOLUTION

Rep. Davis offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 314, 315, 353, 358, 383, 397, 406, 419, 439, 442, 447, 449, 458, 490, 492, 495 and 504, Senate Concurrent Resolution numbered 2 and Senate Joint Resolution numbered 3 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.
Adopted.

INTRODUCTION OF SENATE BILLS, SCR AND SJR
First, second reading and referral

SB 314, relative to the investment of public funds and relative to the payment of costs for certain bank services. (Commerce and Consumer Affairs)
SB 315, relative to the selection of members of the conservation commission. (Municipal and County Government)
SB 353-FN, relative to the procedure for administration of insolvent estates. (Judiciary)
SB 358-FN, relative to whistleblower protection and waste prevention in state government. (Labor, Industrial and Rehabilitative Services)
SB 383-FN, relative to net operating loss carryovers under the business profits tax and relative to economic revitalization zone tax credits. (Ways and Means)
SB 397-FN, relative to public utilities commission assessments for the expenses of the consumer advocate. (Science, Technology and Energy)

SB 406, relative to merger of lots or parcels. (Municipal and County Government)
SB 419, relative to conversion of convertible lands under the condominium act. (Commerce and Consumer Affairs)
SB 439, making technical corrections and changes to court sites and names. (Judiciary)
SB 442, relative to the grant program to administer exotic aquatic plant prevention. (Resources, Recreation and Development)
SB 447, relative to the residence requirement for assistant town moderators and assistant town clerks. (Municipal and County Government)
SB 449-FN, relative to the designation of staff members as staff advocates in public utilities commission adjudicatory proceedings. (Executive Departments and Administration)
SB 458-FN, relative to enforcement of child support obligations. (Children and Family Law)
SB 490-FN, allowing historical racing. (Local and Regulated Revenues)
SB 492-FN-L, extending the local property tax exemption for wooden poles and conduits. (Local and Regulated Revenues)
SB 495-FN, establishing a task force on state procurement policies and procedures. (Executive Departments and Administration)
SB 504-FN, relative to the effective date for the implementation of the retirement system employer assessments for excess benefits. (Executive Departments and Administration)
SCR 2, encouraging New Hampshire schools to adopt environmentally sound practices. (Education)
SJR 3, in support of the New England secondary school consortium. (Education)

RECESS