

State of New Hampshire HOUSE RECORD

First Year of the 162nd General Court
Calendar and Journal of the 2011 Session

Vol. 33

Concord, N. H.

Wednesday, April 13, 2011

No. 37

HOUSE JOURNAL No. 14 (cont.)

Thursday, March 31, 2011

Rep. Jasper moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 15

Wednesday, April 13, 2011

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

Prayer was offered by House Chaplain, Reverend Roger Boucher.

Heavenly Father we sense the hope of spring. It is the time of new life and the restoration of sturdy roots that will bring forth the glory of the Architect of Nature. We ask that You strengthen our hearts to read Your designs correctly so that we may plant in the right good earth. Tilling the soil of government is always challenging in the spring. Keep us, we pray, focused on the higher things and our call to good leadership. It remains true even in this mass-age of ours that individual genius and courage, the imagination and boldness of even a handful of New Hampshire men and women, may strengthen the foundations of liberty and maintain a solvent economic exchange. Help us to rediscover the old truths of wise, care-filled civil government for the long haul. We care and pray for our future, for our families, those who carry pain and require healing, those who are away from home serving in uniform. We pray for the freedom we celebrate but also guard jealously from enemies foreign and domestic. Keep us skilled and alert to the higher things; those permanent values that come from the same Providence once trusted by our founders. This is what keeps us above the fray

and the weeds. Help us, once again, with the strength to represent our people with professionalism and personal grace. Bless our land with renewed life, economic stability and peace. Inspire our imaginations with the energy and the talent that determines the right course for the service of the common good. This is the spring that we long for. Aye! And today let us say it in the hardy words of the independent people of the tartan:

May there always be work for your hands to do.

May your purse always hold a coin or two.

May the sun always shine upon your window pane.

May a rainbow be certain to follow each rain.

May the hand of a friend always be near to you and

May God fill your heart with gladness to cheer you.

We ask this in Your Holy name. Amen.

Representative Lawrence Kappler, member from Raymond, led the Pledge of Allegiance.

The National Anthem was sung by the Lebanon High School Superlatives.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Benn, Cunningham, Gary Hopper, Merrick, Peter Schmidt, Taylor, Marc Tremblay and Weeden, the day, illness.

Reps. Ahlgren, Ball, Coughlin, Hoell, Karen Hutchinson, Infantine, Itse, Kaen, Leonard, Bruce MacMahon, Norelli, Panek, Pastor, Pelletier, Peterson, Pierce, Robin Read, Michael Reed, Chip Rice, Jon Richardson, Serlin, Todd Smith, St. Cyr, Daniel Sullivan, Tholl and White, the day, important business.

Reps. Berube and Ingbreton, the day, illness in the family.

INTRODUCTION OF GUESTS

Nurses from various programs around New Hampshire, guests of Reps. Blankenbeker, DiPentima, Millham, Pettengill and Harding. Peter Kucmas, guest of the Hillsborough District 4 delegation. Barbara and Timothy McGuinness, mother and brother of Rep. McGuinness. Rosemary Fesh, wife of Rep. Fesh. Lynda Hunt, wife of Rep. Hunt.

Alexandra Evans and Robert Cowall, students at Bedford High School, Pages for the day.

INTRODUCITON OF SPECIAL GUESTS

State Master Jim Tetreault and members of the New Hampshire Grange.

PROCLAMATION

NEW HAMPSHIRE TARTAN DAY

APRIL 6, 2011

WHEREAS, The Declaration of Arbroath, declaring Scottish independence, was signed at Arbroath Abbey on April 6, 1320 by Bernard de Linton, Chancellor of Scotland; and

WHEREAS, Helping expand freedom for all people, Scotland abolished slavery in 1777 by freeing African-born slave Joseph Knight, who had been sold in Jamaica and brought to Scotland; and

WHEREAS, The United States Declaration of Independence was modeled, in part, after the Declaration of Arbroath; and

WHEREAS, Nearly half of the signers of the Declaration of Independence and nine of the original governors, including New Hampshire's governor, were of Scottish descent; and

WHEREAS, Scots and Scottish-Americans have made outstanding contributions to both the United States and the State of New Hampshire in the fields of science, math, medicine,

education, politics, business and the arts; and

WHEREAS, The United States Senate has passed a resolution designating April 6 of each year as National Tartan Day; and

WHEREAS, The Saint Andrew's Society of New Hampshire along with many other Scottish organizations, including the New Hampshire Gathering of the Scottish Clans, the Scottish Club of the Twin States, the Strathspey & Reel Society of New Hampshire, the New Hampshire School of Scottish Arts and thousands of citizens who claim Scottish heritage in the state, support Scottish Heritage Day;

NOW, THEREFOR, I, JOHN H. LYNCH, GOVERNOR of the State of New Hampshire, do hereby proclaim APRIL 6, 2011 as NEW HAMPSHIRE TARTAN DAY and call upon the citizens of the state to commemorate the great struggles of freedom and historical achievements of Scottish Americans in New Hampshire.

Given at the Executive Chamber in Concord,
this 11th day of April, in the year of Our Lord
two thousand and eleven, and the
independence of the United States of America,
two hundred and thirty-five.

John H. Lynch, Governor

TARTAN DAY PROGRAM

Rep. John Hunt introduced special guests who performed for the House in honor of New Hampshire Tartan Day: Piper Campbell Webster and dancer Marielle Webster under the direction of Pipe Major Gordon Webster and Mrs. Lezlie Webster of the New Hampshire School for Scottish Arts. Piper Campbell Webster played Piobaireachd in tribute to New Hampshire's sons and daughters who have given their lives in defense of our country and Rep. Rowe offered a Scottish Blessing.

COMMUNICATION

To the Honorable William O'Brien

Speaker of the New Hampshire House of Representatives:

It is with heavy heart I write to you. I had such desire and willingness to serve and due to unforeseeable events I need to (with regret) resign my seat as a New Hampshire State Representative.

I want to thank you Mr. Speaker for giving me the opportunity to try and sort out the myriad of issues I have been trying to deal with since the beginning of this year, I appreciated your advice and counsel. I am sorry I was unable to find the solutions that would allow me to continue.

We have an unprecedented opportunity in our state to make significant change to a broken system. I wish I was still able to be an active part of those changes; I will however support whomever the good residents of my district choose to replace me. I wish him/her the best of luck!

My most humble and absolute apologies to the citizens of Peterborough, Sharon, New Ipswich and; especially my former Town of Greenville. I want to thank the voters for giving me an opportunity to represent them. In other pursuits I have had cause to be in almost every town in New Hampshire and our towns truly represent what New Hampshire is all about. We have warmth and sense of community that is truly remarkable. It was my pleasure and honor to serve you. Thank you.

With deepest regret
Robert Huxley

COMMUNICATION

April 5, 2011

Dear Speaker O'Brien:

I regret that I can no longer effectively serve the citizens of my district as a State Representative from Rockingham County, District #14.

I hereby tender my resignation from the New Hampshire House of Representatives, effective this date.

Respectfully,
Gary W. Wheaton

PETITIONS

Petitioner Representative Daniel Itse of Fremont, on behalf of Elena Katz, Arnold Goodman, and their daughter, seeks redress relative to a dispute with the State of New Hampshire, Rockingham County Attorney's Office.

Petitioner Representative Daniel Itse of Fremont, on behalf of Michael Brewster, seeks redress relative to a dispute with the State of New Hampshire, Rockingham County Superior Court.

Petitioner Representative Daniel Itse of Fremont, on behalf of Vincent Milano, seeks redress relative to a dispute with the Epping School District.

The Speaker referred the Petitions to the Committee on Redress of Grievances.

CONSENT CALENDAR

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

SB 66, relative to nonresident fees for motorcycle rider education, removed by Rep. Packard. Consent Calendar adopted.

SB 25, relative to the Connecticut River Valley resource commission. **OUGHT TO PASS.** Rep. Spec Bowers for Executive Departments and Administration: The bill attaches the Connecticut River Valley resource commission to the department of environmental services instead of the office of energy and planning. There is no change in the duties of the commission. Both agencies agree to the transfer. Vote 11-0.

SB 26, establishing a committee to study the classification of motor vehicles. **OUGHT TO PASS.**

Rep. John A. Hikel for Transportation: Because of the many new and different types of vehicles entering the market today the committee felt it would be prudent to look at these vehicles and determine if we need some new classifications and what classification these vehicles should be listed under. Vote 12-0.

SB 29, relative to the definition of "moped" and relative to motorcycle endorsements. **OUGHT TO PASS.**

Rep. Lisa E. Scontsas for Transportation: This bill removes an antiquated section of the moped RSA that was confusing to town clerks. It also allows for a separate license for 3 wheeled motorcycles. This is to accommodate those NH citizens who choose not to ride a two wheeled vehicle and only ride a three wheeled vehicle. Vote 12-1.

SB 31, relative to revocation or denial of a driver's license for drug or alcohol involvement by persons under 21 years of age. **OUGHT TO PASS.**

Rep. John E. Tholl for Transportation: The bill removes the requirement for a hearing whenever a person under 21 has been convicted of an alcohol or drug offense, unless the court orders the suspension or denial of a drivers license. Currently, a hearing is required unless the court specifically orders none to be held. This is in line with the legislature's position in 2007 that a license revocation for an alcohol offense should not be mandatory if the offense did not involve a motor vehicle. Passage of this bill will reduce the paperwork required by both the courts and the department of safety and prevent unnecessary hearings for those whom the court did not intend to have a license suspension. Vote 14-0.

SB 60, relative to the definition of commercial motor vehicle. **OUGHT TO PASS.**

Rep. John R. Cloutier for Transportation: This bill would clarify RSA 259:12-e, IIa by adding language so as to exempt drivers of fire department vehicles from being required to have a Commercial Driver's License (CDL), not only going to a fire or reported fire, but also "returning from fire service purposes or being driven in a parade." This clarification would especially help volunteer fire departments in our smaller communities. A representative of the department of safety testified that the department has no objection to the bill. Vote 11-2.

SB 18, deleting a function of the central tax services unit. **OUGHT TO PASS.**

Rep. Patrick F. Abrami for Ways and Means: This bill removes control of tax receivables for the department of revenue administration from the responsibilities of the central tax services unit. This bill was requested by the department of revenue administration to insure that individuals in the central tax services unit no longer have access to tax receivables information. This change actually went into effect three years ago with this statute change simply catching up with current practice. The committee was unanimously supportive of this change. Vote 20-0.

SB 35-FN-A, relative to exemption from the definition of utility property for purposes of the utility property tax. **OUGHT TO PASS.**

Rep. Frank V. Sapareto for Ways and Means: This bill is a housekeeping bill that clarifies what is and is not to be taxed as utility property. Utility property is currently taxed at \$6.60/\$1,000 of assessed value. The committee recognizes that an emergency power generator for a business or home was never intended to be included in that tax and generally isn't. This ambiguity has existed since the inception of the 1999 utility tax and this clarification is long overdue. Vote 20-0.

SB 43, making a technical correction to the tobacco tax laws. **OUGHT TO PASS.**

Rep. Joe Osgood for Ways and Means: This bill came to the committee as a housekeeping bill and we agreed to this unanimously. This bill changes the word "report" to "returns." Vote 20-0.

REGULAR CALENDAR

SB 85, naming a bay in the town of Meredith Johnson Bay. **OUGHT TO PASS.**

Rep. Lawrence M. Kappler for Resources, Recreation and Development: This bill names Johnson Bay in Meredith in memory of the late Senator Carl Johnson and his wife, Jeannette, who worked tirelessly to promote and protect New Hampshire's precious resources, especially our loons and lakes. There is no cost to the state. All signage expenses will be paid for by private donations. Vote 14-0.

Rep. Greemore spoke in favor and requested a roll call; sufficiently seconded.

YEAS 347 NAYS 1

YEAS 347

BELKNAP

Accornero, Harry
Greemore, Robert
Millham, Alida
Swinford, Elaine

Comtois, Guy
Kingsbury, Robert
Pilliod, James
Tilton, Franklin

Fields, Dennis
Luther, Robert
Russell, David
Tobin, William

Flanders, Donald
Malone, Robert
Simpson, Tyler
Worsman, Colette

CARROLL

Babson, David Jr
McCarthy, Frank
Pettengill, Laurie
Umberger, Karen

Chandler, Gene
McConkey, Mark
Scala, Dino

Fleck, Joseph
Merrow, Harry
Schmidt, Stephen

Knox, J. David
Patten, Betsey
Tregenza, Norman

CHESHIRE

Butynski, William
Chase, Cynthia
Hunt, John
Lindsey, Steven
Parkhurst, Henry
Tatro, Bruce

Byrnes, John
Dwinell, Richard
Johnsen, Gladys
Meader, David
Sad, Tara
Weber, Lucy

Carr, Daniel
Emerson, Susan
Johnson, Jane
Moore, Charles
Smith, Edwin
Weed, Charles

Cartwright, Anne
Hawkes, Samuel
Lerandeau, Alfred
Moore, Robert Jr
Sterling, Franklin Jr

COOS

Coulombe, Gary
Remick, William

Daugherty, Duffy
Richardson, Herbert

Hatch, William
Theberge, Robert

Rappaport, Laurence
Thomas, Yvonne

GRAFTON

Aguiar, James
Bulis, Lyle
Gould, Franklin
Nordgren, Sharon
Sova, Charles

Almy, Susan
Cooney, Mary
Harding, Laurie
Shackett, Jeffrey
Townsend, Charles

Bradley, Lester
Eaton, Stephanie
Ladd, Rick Jr
Simard, Paul

Brosseau, Charles
Gionet, Edmond
Mirski, Paul
Smith, Suzanne

HILLSBOROUGH

Avard, Kevin
Beattie, Thomas
Boehm, Ralph
Burt, John
Champagne, Norma

Balboni, Michael
Belanger, James
Brown, Kevin
Buxton, Michael
Christensen, D.L.
Chris

Baroody, Benjamin
Belvin, William
Brownrigg, Randall Jr
Campbell, David
Coffey, James

Barry, J. Gail
Bergevin, Jerry
Brunelle, Michael
Cebrowski, John
Condra, William

Cote, David

Cusson-Cail,
Kathleen

Daniels, Gary

Day, Russell

DeJong, Cameron
Emerton, Larry
Gagne, Larry
Gidge, Kenneth
Gorman, Mary
Hansen, Peter
Hinch, Richard
Jasper, Shawn
Kurk, Neal
Maltz, Jonathan
Mecheski, Holly
Notter, Jeanine

Doherty, Shaun
Erickson, Duane
Gandia, Laura
Gimas, John
Graham, John
Hardwick, Harry
Hogan, Edith
Jeudy, Jean
Lambert, George
McCarthy, Michael
Messier, Irene
Ober, Lynne

Donovan, Daniel
Flanagan, Jack
Gargas, Carolyn
Goley, Jeffrey
Greazzo, Phil
Hawkins, Kenneth
Holden, Frank
Katsiantonis, Thomas
LeBrun, Donald
McClarren, Donald
Moran, Edward
Ober, Russell III

Drisko, Richard
Fredette, Robert
Garritty, Patrick
Gonzalez, Carlos
Haefner, Robert
Hikel, John
Hutchinson, Winfred
Krasucki, Joseph
Long, Patrick
McGuinness, Sean
Murphy, Keith
Ohm, Bill

Palmer, Barry
Pepino, Leo
Proulx, Mark
Robbins, David
Seidel, Carl
Soucy, Connie
Summers, James
Twombly, Timothy
Warden, Mark

Palmer, Stephen
Pilotte, Maurice
Ramsey, Peter
Rokas, Ted
Shaw, Barbara
Souza, Kathleen
Swank, Matthew
Ulery, Jordan
Whitehead, Randall

Parison, James
Porter, Marjorie
Renzullo, Andrew
Rosenwald, Cindy
Silva, Peter
Stepanek, Stephen
Terrio, Ross
Vaillancourt, Steve
Willette, Robert

Pellegrino, Tony
Pratt, Calvin
Rhodes, Brian
Rowe, Robert
Simmons, Tammy
Stroud, Kathleen
Thomas, Joseph
Villeneuve, Moe

MERRIMACK

Blankenbeker, Lynne
Cox, Sean
Frazer, June
Hess, David
Kotowski, Frank
Lockwood, Priscilla
McGuire, Dan
Potter, Frances
Seaworth, G. Brian
Wallner, Mary Jane

Bouchard, Candace
Deloge, Helen
Gile, Mary
Hill, Gregory
Kreis, Kenneth Sr
MacKay, James
Owen, Derek
Reed, Dennis
Shurtleff, Stephen
Watrous, Rick

Coffey, Jennifer
DeStefano, Stephen
Giuda, J. Brandon
Keane, Thomas
Lauer-Rago, Kathleen
McDonnell, John
Palfrey, David
Richardson, Gary
Smith, Molly
Williams, Robert

Cohn, Seth
Foose, Robert
Hamm, Christine
Kidder, David
Lindsley, Mark
McGuire, Carol
Patten, Dick
Sanborn, Laurie
Soltani, Tony
Winter, Steven

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Brown, Paul
Chirichiello, Brian
DeSimone, Debra
Duarte, Joe
Garcia, Marilinda
Hagan, Joseph
Kappler, Lawrence
Lundgren, David
McKinney, Betsy
Nevins, Chris
Packard, Sherman
Perkins, Lawrence
Reagan, John
Sanders, Elisabeth
Schroadter, Adam
Smith, William
Tamburello, Daniel
Waddell, James
Welch, David

Allen, Mary
Bates, David
Cali-Pitts, Jacqueline
Comerford, Timothy
Devine, James
Elliott, Robert
Garritty, James
Headd, James
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
O'Connor, John
Pantelakos, Laura
Powers, James
Reichard, Kevin
Sapareto, Frank
Sedensky, John
Sullivan, James
Tasker, Kyle
Ward, Joanne
Weyler, Kenneth

Antosz, Jason
Bettencourt, David
Case, Frank
Copeland, Timothy
DiPentima, Rich
Ferrante, Beverly
Gould, Kenneth
Hoelzel, Kathleen
Kolodziej, Walter
Manuse, Andrew
Moody, Marcia
Okerman, Richard
Peckham, Michele
Quandt, Marshall
Rice, Frederick
Sapienza, Marie
Sheffert, Kenneth
Sullivan, Kevin
Tremblay, Stella
Waterhouse, Kevin

Azarian, Gary
Birdsell, Regina
Charron, Gene
Davenport, Joshua
Dowling, Patricia
Fesh, Robert
Griffin, Mary
Introne, Robert
Lovejoy, Patricia
Mauro, Donna
Murphy, Brian
Oigny, Jeffrey
Perkins, Amy
Quandt, Matt
Ritter, Glenn
Schlachman, Donna
Shuler, Wyman III
Sytek, John
Tucker, Pamela
Webb, James

STRAFFORD

Andolina, Donald
DeLemus, Susan
Hofemann, Roland
Jones, Laura
Newton, Clifford
Roberts, Jenna
Vita, Carol

Brown, Julie
Ginsburg, Philip
Hooper, Dorothea
Keans, Sandra
O'Connor, William
Spainhower, Dale
Vita, Lucien

Browne, Brendon
Grassie, Anne
Horriggan, Timothy
Larsen, Kirsten
Parsons, Robbie
Spang, Judith
Wall, Janet

Cataldo, Sam
Groen, Warren
Jones, Kyle
Munck, Philip
Pitre, Joseph
Sprague, Dale
Watters, David

SULLIVAN

Bowers, Spec
LaCasse, Paul Sr
Osgood, Joe

Cloutier, John
Laware, Thomas
Rodeschin, Beverly

Gagnon, Raymond
Lefebvre, Benjamin
Schmidt, Andrew

Howard, Thomas
Lovett, Charlene
Smith, Steven

NAYS 1

BELKNAP

None

CARROLL

None

CHESHIRE

None

COOS

None

GRAFTON

None

HILLSBOROUGH

Barry, Richard

MERRIMACK

None

ROCKINGHAM

None

STRAFFORD

None

SULLIVAN

None
and the committee report was adopted.
Ordered to third reading.

INTRODUCTION OF GUESTS

Carl Johnson, Jr. and wife, Linda. Linda Johnson Weeks and husband, Harry, son and daughter of Senator Carl Johnson, guests of the House.

REGULAR CALENDAR (CONT'D)

SB 102, establishing a commission to study the effects of service-connected post-traumatic stress disorder and traumatic brain injury suffered in the line of duty by members of the armed forces and veterans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert L. Theberge for State-Federal Relations and Veterans Affairs: A prior commission, established in 2008, gathered significant information on PTSD and TBI. However, it had insufficient time to present a final report. The committee feels that the commission needs to be reestablished. The members also hope that, as a result, more funding will be available to the VA in support of PTSD and TBI programs and how best to help community based programs. Vote 12-0.

Amendment (1368h)

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

1 New Chapter; Commission on the Effects of Service-Connected Post-Traumatic Stress Disorder and Traumatic Brain Injury. Amend RSA by inserting after chapter 115-C the following new chapter:

CHAPTER 115-D

**COMMISSION ON THE EFFECTS OF SERVICE-CONNECTED
POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY**

115-D:1 Commission Established. There is established a commission to study the effects of service-connected post-traumatic stress disorder and traumatic brain injury suffered in the line of duty by members of the armed forces and veterans.

115-D:2 Membership and Compensation.

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

- (a) One member of the senate, who is a member of the health and human services committee, appointed by the president of the senate.
- (b) Two members of the house of representatives, one of whom is a member of the health, human services and elderly affairs committee and one of whom is a member of the state-federal relations and veterans affairs committee, appointed by the speaker of the house of representatives.
- (c) One representative of the Veterans Administration Hospital who has expertise with post-traumatic stress disorder and traumatic brain injury, appointed by the governor.
- (d) One member representing the mental health profession, appointed by the governor.
- (e) One member who specializes in neurology, appointed by the governor.
- (f) One member representing the law enforcement profession, appointed by the governor.
- (g) The commissioner of the department of health and human services, or designee.
- (h) The director of the state veterans council, or designee.
- (i) One representative of the New Hampshire Psychological Association, appointed by the executive director of the association.
- (j) One representative of the Brain Injury Association of New Hampshire, appointed by such association.
- (k) One representative of the governor's commission on disabilities, appointed by the governor.
- (l) One representative of the Disabilities Rights Center, appointed by the executive director of the center.
- (m) Two representatives of veterans organizations who serve on the state veterans' advisory committee, appointed by the chairman of the state veterans' advisory committee.
- (n) One representative of the New Hampshire veterans' home, appointed by the chairman of the board of managers of the veterans' home.
- (o) One representative of the army national guard, appointed by the adjutant general.
- (p) One representative of the army reserve, appointed by the adjutant general.

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

III. In appointing members to the commission, the appointing authorities shall give priority to persons who served on the commission established by 2008, 257 (HB 1335 of the 2008 legislative session).

115-D:3 Duties. The commission shall study the effects of service-connected post-traumatic stress disorder and traumatic brain injury suffered in the line of duty by members of the armed forces and veterans.

115-D:4 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum.

115-D:5 Report. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2011.

2 Repeal. RSA 115-D, relative to a commission to study the effects of service-connected post-traumatic stress disorder and traumatic brain injury, is repealed.

3 Effective Date.

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

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

Amendment adopted.

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

YEAS 347 NAYS 1

YEAS 347

BELKNAP

Accornero, Harry	Comtois, Guy	Fields, Dennis	Flanders, Donald
Greemore, Robert	Kingsbury, Robert	Luther, Robert	Malone, Robert
Millham, Alida	Pilliod, James	Russell, David	Simpson, Tyler
Swinford, Elaine	Tilton, Franklin	Tobin, William	Worsman, Colette

CARROLL

Babson, David Jr	Chandler, Gene	Fleck, Joseph	Knox, J. David
McCarthy, Frank	McConkey, Mark	Merrow, Harry	Patten, Betsey
Pettengill, Laurie	Scala, Dino	Schmidt, Stephen	Tregenza, Norman
Umberger, Karen			

CHESHIRE

Butynski, William	Byrnes, John	Carr, Daniel	Cartwright, Anne
Chase, Cynthia	Dwinell, Richard	Emerson, Susan	Hawkes, Samuel
Hunt, John	Johnsen, Gladys	Johnson, Jane	Lerandeau, Alfred
Lindsey, Steven	Meador, David	Moore, Charles	Moore, Robert Jr
Parkhurst, Henry	Roberts, Kris	Sad, Tara	Smith, Edwin
Sterling, Franklin Jr	Tatro, Bruce	Weber, Lucy	Weed, Charles

COOS

Coulombe, Gary
Remick, William

Daugherty, Duffy
Richardson, Herbert

Hatch, William
Theberge, Robert

Rappaport, Laurence
Thomas, Yvonne

GRAFTON

Aguiar, James
Bulis, Lyle
Gould, Franklin
Nordgren, Sharon
Sova, Charles

Almy, Susan
Cooney, Mary
Harding, Laurie
Shackett, Jeffrey
Townsend, Charles

Bradley, Lester
Eaton, Stephanie
Ladd, Rick Jr
Simard, Paul

Brosseau, Charles
Gionet, Edmond
Mirski, Paul
Smith, Suzanne

HILLSBOROUGH

Avard, Kevin
Barry, Richard
Bergevin, Jerry
Brunelle, Michael
Cebrowski, John

Balboni, Michael
Beattie, Thomas
Boehm, Ralph
Burt, John
Champagne, Norma

Baroody, Benjamin
Belanger, James
Brown, Kevin
Buxton, Michael
Christensen, D.L.
Chris

Barry, J. Gail
Belvin, William
Brownrigg, Randall Jr
Campbell, David
Coffey, James

Condra, William

Cote, David

Cusson-Cail,
Kathleen

Daniels, Gary

Day, Russell
Drisko, Richard
Fredette, Robert
Garrity, Patrick
Gonzalez, Carlos
Haefner, Robert
Hikel, John
Hutchinson, Winfred
Krasucki, Joseph
Long, Patrick
McGuinness, Sean
Murphy, Keith
Ohm, Bill
Pellegrino, Tony
Pratt, Calvin
Rhodes, Brian
Rowe, Robert
Simmons, Tammy
Stroud, Kathleen
Thomas, Joseph
Villeneuve, Moe

DeJong, Cameron
Emerton, Larry
Gagne, Larry
Gidge, Kenneth
Gorman, Mary
Hansen, Peter
Hinch, Richard
Jasper, Shawn
Kurk, Neal
Maltz, Jonathan
Mecheski, Holly
Notter, Jeanine
Palmer, Barry
Pepino, Leo
Proulx, Mark
Robbins, David
Seidel, Carl
Soucy, Connie
Summers, James
Twombly, Timothy
Whitehead, Randall

Doherty, Shaun
Erickson, Duane
Gandia, Laura
Gimas, John
Graham, John
Hardwick, Harry
Hogan, Edith
Judy, Jean
Lambert, George
McCarthy, Michael
Messier, Irene
Ober, Lynne
Palmer, Stephen
Pilotte, Maurice
Ramsey, Peter
Rokas, Ted
Shaw, Barbara
Souza, Kathleen
Swank, Matthew
Ulery, Jordan
Willette, Robert

Donovan, Daniel
Flanagan, Jack
Gargas, Carolyn
Goley, Jeffrey
Greazzo, Phil
Hawkins, Kenneth
Holden, Frank
Katsiantonis, Thomas
LeBrun, Donald
McClarren, Donald
Moran, Edward
Ober, Russell III
Parison, James
Porter, Marjorie
Renzullo, Andrew
Rosenwald, Cindy
Silva, Peter
Stepanek, Stephen
Terrio, Ross
Vaillancourt, Steve

MERRIMACK

Blankenbeker, Lynne
Cox, Sean
Frazer, June
Hess, David
Kotowski, Frank
Lockwood, Priscilla
McGuire, Dan
Potter, Frances
Seaworth, G. Brian
Wallner, Mary Jane

Bouchard, Candace
Deloge, Helen
Gile, Mary
Hill, Gregory
Kreis, Kenneth Sr
MacKay, James
Owen, Derek
Reed, Dennis
Shurtleff, Stephen
Watrous, Rick

Coffey, Jennifer
DeStefano, Stephen
Giuda, J. Brandon
Keane, Thomas
Lauer-Rago, Kathleen
McDonnell, John
Palfrey, David
Richardson, Gary
Smith, Molly
Williams, Robert

Cohn, Seth
Foosse, Robert
Hamm, Christine
Kidder, David
Lindsley, Mark
McGuire, Carol
Patten, Dick
Sanborn, Laurie
Soltani, Tony
Winter, Steven

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Brown, Paul
Chirichiello, Brian
DeSimone, Debra
Duarte, Joe
Garcia, Marilinda
Hagan, Joseph
Kappler, Lawrence
Lundgren, David
McKinney, Betsy
Nevins, Chris
Packard, Sherman
Perkins, Lawrence
Reagan, John
Sanders, Elisabeth
Schroadter, Adam
Sullivan, James
Tasker, Kyle
Ward, Joanne
Weyler, Kenneth

Allen, Mary
Bates, David
Cali-Pitts, Jacqueline
Comerford, Timothy
Devine, James
Elliott, Robert
Garrity, James
Headd, James
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
O'Connor, John
Pantelakos, Laura
Powers, James
Reichard, Kevin
Sapareto, Frank
Sedensky, John
Sullivan, Kevin
Tremblay, Stella
Waterhouse, Kevin

Antosz, Jason
Bettencourt, David
Case, Frank
Copeland, Timothy
DiPentima, Rich
Ferrante, Beverly
Gould, Kenneth
Hoelzel, Kathleen
Kolodziej, Walter
Manuse, Andrew
Moody, Marcia
Okerman, Richard
Peckham, Michele
Quandt, Marshall
Rice, Frederick
Sapienza, Marie
Shuler, Wyman III
Sytek, John
Tucker, Pamela
Webb, James

Azarian, Gary
Birdsell, Regina
Charron, Gene
Davenport, Joshua
Dowling, Patricia
Fesh, Robert
Griffin, Mary
Introne, Robert
Lovejoy, Patricia
Mauro, Donna
Murphy, Brian
Oligny, Jeffrey
Perkins, Amy
Quandt, Matt
Ritter, Glenn
Schlachman, Donna
Smith, William
Tamburello, Daniel
Waddell, James
Welch, David

STRAFFORD

Andolina, Donald
DeLemus, Susan
Hofemann, Roland
Jones, Laura
Newton, Clifford
Roberts, Jenna
Vita, Carol

Brown, Julie
Ginsburg, Philip
Hooper, Dorothea
Keans, Sandra
O'Connor, William
Spainhower, Dale
Vita, Lucien

Browne, Brendon
Grassie, Anne
Horrigian, Timothy
Larsen, Kirsten
Parsons, Robbie
Spang, Judith
Wall, Janet

Cataldo, Sam
Groen, Warren
Jones, Kyle
Munck, Philip
Pitre, Joseph
Sprague, Dale
Watters, David

SULLIVAN

Bowers, Spec
LaCasse, Paul Sr
Osgood, Joe

Cloutier, John
Laware, Thomas
Rodeschin, Beverly

Gagnon, Raymond
Lefebvre, Benjamin
Schmidt, Andrew

Howard, Thomas
Lovett, Charlene
Smith, Steven

NAYS 1

BELKNAP

None

CARROLL

None

CHESHIRE

None

COOS

None

GRAFTON

None

HILLSBOROUGH

Warden, Mark

MERRIMACK

None

ROCKINGHAM

None

STRAFFORD

None

SULLIVAN

None

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

SB 140-FN, relative to the disposition of military justice fines. **OUGHT TO PASS.**
Rep. Lynne F. Blankenkemper for State-Federal Relations and Veterans Affairs: Historically the National Guard funded its scholarship fund by renting out armory spaces for trade shows. The fire marshal has since prohibited such rental because of fire code deficiencies. The cost to return to code would be \$750,000. This bill would allow funding of this scholarship fund with the money originated by the Guard as fines paid to the military court. The value of this would be negligible at roughly \$10,000/year. Vote 11-0.
Committee report adopted and ordered to third reading.

BILL REMOVED FROM THE CONSENT CALENDAR

SB 66, relative to nonresident fees for motorcycle rider education. **OUGHT TO PASS.**
Rep. Robert W. Williams for Transportation: Three years ago, out of state residents were allowed to take the NH motorcycle education program. The program is funded by a separate \$1.00 fee on motorcycle registration and a \$5.00 extra fee on motorcycle license renewal. This bill allows the director of motor vehicles to request a separate fee structure for out of state residents. The same as applies to a hunting license. Vote 12-1.
Rep. Packard offered floor amendment (1399h).

Floor Amendment (1399h)

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

AN ACT relative to nonresident tuition for motorcycle rider education.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Motorcycle Rider Education Program; Rulemaking. Amend RSA 263:34-c by inserting after paragraph XI the following new paragraph:

XII. Tuition charged to nonresidents.

AMENDED ANALYSIS

This bill requires the director of the division of motor vehicles to adopt rules relative to nonresident tuition for motorcycle rider education.

This bill was requested by the department of safety.

Rep. Packard spoke in favor and yielded to questions.

On a division vote, 258 members having voted in the affirmative and 90 in the negative, floor amendment (1399h) was adopted.

Committee report adopted and ordered to third reading.

RESOLUTION

Rep. Bettencourt offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 27, 2011 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

SB 25, relative to the Connecticut River Valley resource commission.

SB 26, establishing a committee to study the classification of motor vehicles.

SB 29, relative to the definition of “moped” and relative to motorcycle endorsements.

SB 31, relative to revocation or denial of a driver's license for drug or alcohol involvement by persons under 21 years of age.

SB 60, relative to the definition of commercial motor vehicle.

SB 18, deleting a function of the central tax services unit.

SB 35-FN-A, relative to exemption from the definition of utility property for purposes of the utility property tax.

SB 43, making a technical correction to the tobacco tax laws.

SB 85, naming a bay in the town of Meredith Johnson Bay.

SB 102, establishing a commission to study the effects of service-connected post-traumatic stress disorder and traumatic brain injury suffered in the line of duty by members of the armed forces and veterans.

SB 140-FN, relative to the disposition of military justice fines.

SB 66, relative to nonresident fees for motorcycle rider education.

UNANIMOUS CONSENT

Reps. Rowe, Campbell and Mirski addressed the House.

MOTION TO PRINT REMARKS

Rep. Jasper moved that the remarks made by Rep. Campbell be printed in the Permanent Journal.

Adopted.

REMARKS

Rep. Campbell: Thank you, Mister Speaker. I hope I didn't wear out my welcome already. I'm here for historical, not political reasons. 150 years ago yesterday, the Civil War began. 146 years ago tomorrow, Abraham Lincoln was assassinated, and I want to share with you, very quickly if I could, a story of two portraits that hang in our Hall, that of John Parker Hale and Abraham Lincoln. Abraham Lincoln was, of course, our 16th President and he is the great emancipator and well known to all. John Parker Hale was born in Rochester and raised in Dover. He owned a textile mill there. He became a US Senator in the 1840's and was the first avowed abolitionist in the US Senate. There were anti-slavery Senators before him, like Daniel Webster, but he was the first avowed abolitionist and he was known for that. He crusaded throughout his career. He was threatened on the floor of the Senate by southern Senators many times and at gunpoint sometimes. He saw the successful culmination of his goals with the signing of the Emancipation Proclamation by Lincoln in

1863, but there is a lot more to the story. The story just starts there. John Hale had a beautiful young daughter named Lucy Hale. Lucy Hale was the toast of Washington society and a belle. She was sought after by many men and had many suitors. John Hale had hoped that his daughter would be a good match for Robert Lincoln who was the son of the President, but Robert Lincoln spent most of his time during the Civil War being educated in New England at Phillips Exeter and then at Harvard College. In fact, Lincoln came to New Hampshire famously in February of 1860. He came here basically to see his son and while he was here he made a political stop. He spoke at the Phenix Hall and it is a very famous part of Lincoln in New Hampshire. When he spoke there, he praised John Hale for his dedication of fortitude for being an abolitionist. Lucy's favorite suitor was not a President's son. It was, in fact, an actor who lived in Washington by the name of John Wilkes Booth. So, John Wilkes Booth and Lucy Hale were supposedly secretly engaged, secretly meaning it wasn't publicly announced. There is a famous picture that you may have seen during the civil war where Booth is eerily close to Lincoln on the 2nd Inauguration. That's because he got a ticket from Lucy Hale. Booth pursued Lucy Hale for a long time and they exchanged rings. It's uncertain whether she did that for access to Lincoln or not, but what is not uncertain is that John Hale despised John Wilkes Booth. He despised him because he was an actor. He despised him because he was an avowed and fervent confederate. On the morning of April 14th, 146 years ago tomorrow, John Hale who had recently lost his re-election in New Hampshire, went to see the President at the White House and asked to be nominated to be the Ambassador to Spain. The reason for that was to remove Lucy from the influence of John Wilkes Booth. While they met, Lucy Hale studied Spanish in the White House with Robert Lincoln who was home to celebrate the fact that Appomattox surrender had been five days earlier and it was John Hay from New Hampshire. John Hay was a private secretary to the President and John Hay retired in New Hampshire on Lake Sunapee at a big estate that is now a federal park. The last official act of Lincoln was to nominate John Parker Hale to be an ambassador. That night, Lucy had dinner with her mother and John Wilkes Booth at a hotel. At 8:00, Booth excused himself, went to the theater and an hour later he shot President Lincoln. Lincoln of course died the next day to the shock and horror of the country, but he is immortalized as our greatest President. Booth escaped and the famous manhunt that took two weeks found him in Virginia and when they found him in that barn, he did have a ring on and he did have five portraits of women in his pocket and one of them was Lucy Hale. John Hale and Lucy Hale went on to Spain for the ambassadorship for several years. Interestingly enough, the great investigation by Secretary of War Stanton into the conspiracy of Booth, never interviewed Lucy Hale. John Hale died shortly after their return. Lucy Hale went on to marry a gentleman by the name of William Chandler from New Hampshire. The historical society was a Chandler household. That's where he played as a child. They had another son named John Parker Hall Chandler and they had a son, another gentleman by the name of John Chandler. We know him here. Many years ago, when I served from 1979 to 1983, he was a Senator and a former State Rep. who had a seat over there where Rep. Pantelakos is sitting right now, and a Councilor, his name was Happy Jack Chandler and he was a very conservative Mel Thomson Republican. He had his own room up at the Cat and Fiddle that was decorated with flags and he had meetings every week and William Loeb was one of the great people that came there and visited quite often. I actually co-sponsored a bill to put snow making on then Mount Sunapee State Park with John Chandler. I thank you for this indulgence. I think it's interesting. Every time I look at those two portraits, that story goes through my head and I wanted to share it with you. I thank you.

RECESS MOTION

Rep. Bettencourt 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 11:20 a.m.

RECESS

(Rep. Tucker in the Chair)

ENROLLED BILL AMENDMENT

HB 288-FN-L, relative to payment for election services to unincorporated places.

Amendment (1332-EBA)

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

AN ACT relative to payment for election services by unincorporated places.

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 32, 45, 91, 93, 116, 117, 167, 188, 192, 195, 363, 399, 410, 441 and 525 and Senate Bills numbered 15, 112 and 127.

Rep. Kidder, Sen. Prescott for the Committee

SENATE MESSAGES

CONCURRENCE

HB 27, relative to the classification of rivers, de minimis impact work in designated rivers, and protected instream flows, and extending the time for septage and sludge land application restrictions.

HB 46, relative to the membership of the current use advisory board.

HB 63, extending the instream pilot program for one year.

HB 69, relative to the community college system of New Hampshire academic centers.

HB 79, relative to certification of dogs for law enforcement work.

HB 80, relative to ranks in the division of state police.

HB 88, relative to liquor enforcement and liquor licensing.

HB 95, permitting an insurer to operate a health maintenance organization as a line of business.

HB 106, relative to filing for town offices.

HB 111, relative to redispensing unused drugs.

HB 112, relative to the required number of instructional days and instructional hours in a school district's calendar.

HB 142-FN, relative to sales of artificial flowers and miniature flags.

HB 170, conferring degree-granting authority to the Upper Valley Educators Institute.

HB 172, relative to transporting school children to school and school-supported activities.

HB 185-FN, relative to determining bargaining units for purposes of public employee collective bargaining.

HB 206-FN, establishing an apprentice hunting license.

HB 229-FN-A, repealing the tax on gambling winnings.

HB 289, relative to procedures followed by funeral directors.

HB 333-FN, repealing certain provisions relating to the sale of oleomargarine.

HB 336, designating segments of the Mascoma River as a protected river.

HB 364, relative to the membership of the state committee on aging.

HB 404, relative to toilet facilities at recreational campgrounds or camping parks.

HB 491-FN, relative to divestiture of retirement system assets relating to Sudan.

HB 535, relative to the committee to study parole boards and parole board procedures.

HB 570, relative to licensure of guides by the fish and game department.

HB 571-FN, relative to lobster and crab licenses issued by the fish and game department.
HJR 3, prohibiting the implementation of certain rules of the board of mental health practice regarding misconduct investigation.

CONCURRENCE WITH AMENDMENTS

SB 16, relative to the placement of numerical tallies on a ballot.

RE-REFERRED TO COMMITTEE

HB 186-FN, relative to the definition of political communication.
HB 439-FN-L, relative to claiming an invasive species as a habitat.
HB 627-FN, relative to “essential benefits” under federal health care reform.

LAID ON THE TABLE

HB 36-FN-L, reducing the fee for copies of birth certificates.
HB 42, relative to the appropriate officials with whom to file for a primary.
HB 136-FN, repealing the uniform athlete agents act.
HB 369-FN-L, relative to withdrawal from a school administrative unit or an authorized regional enrollment area school.
HB 542-FN, prohibiting a school district from requiring that a parent send his or her child to any school or program to which the parent may be conscientiously opposed.

NONCONCURRENCE

HB 231-FN, relative to payment of medical benefits for state retirees, their spouses, and dependents.
HB 368-FN-L, relative to workforce housing and the definition of community.
HB 457-FN, reducing the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes.

RECESS

(Rep. Sanborn in the Chair)

ENROLLED BILL AMENDMENT

SB 26, establishing a committee to study the classification of motor vehicles. (Amendment printed SJ 4-20-11)
Adopted.

SB 35-FN-A, relative to exemption from the definition of utility property for purposes of the utility property tax. (Amendment printed SJ 4-20-11)
Adopted.

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:
Rep. Emerson off the Committee on Health, Human Services and Elderly Affairs; on the Committee on Redress of Grievances.

RECESS

(Rep. Giuda in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill

numbered 288 and Senate Bills numbered 18, 25, 29, 31, 43, 60, 85, 140 and 174.

Rep. Kidder, Sen. Prescott for the Committee

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Ward on the Committee on Health, Human Services and Elderly Affairs.

SENATE MESSAGES

CONCURRENCE

HB 35-FN, authorizing the acquisition of certain dams in the Connecticut Lakes Headwaters Tract.

HB 58, relative to inter-facility transfers of critical access hospital patients.

HB 86, relative to filling a vacancy among county officers.

HB 92, relative to expiration of licenses issued by the board of foresters.

HB 115, relative to the temporary removal or transfer of prisoners from a county correctional facility.

HB 143, relative to the sale of stove polish.

HB 144, relative to energy efficiency and clean energy districts.

HB 148, relative to federal funding for motorcycle-only roadside checkpoints.

HB 196, relative to the certificates of completion of a basic hunter education program or bow hunter education program.

HB 262-FN, relative to beverage manufacturers.

HB 386, adding Granite State college to the university system of New Hampshire corporate charter and adding a student trustee from Granite State college to the university system board of trustees.

HB 549, relative to driver's license reexaminations.

HB 558, relative to exchanging Haseltine Street in Plaistow for a section of NH 121A from the intersection of Haseltine and Main Streets to the border with Haverhill, Massachusetts.

HB 609-FN, establishing the New Hampshire circuit court to replace the current probate courts, district courts, and judicial branch family division.

HB 621-FN-L, relative to the authority of the department of transportation.

CONCURRENCE WITH AMENDMENTS

SB 66, relative to nonresident tuition for motorcycle rider education.

SB 102, establishing a commission to study the effects of service-connected post-traumatic stress disorder and traumatic brain injury suffered in the line of duty by members of the armed forces and veterans.

LAID ON THE TABLE

HB 397, relative to image display devices in motor vehicles.

HB 426, adding certain entities to the unused prescription drug program.

HB 451-FN, relative to prerecorded political messages.

NONCONCURRENCE

HB 230, exempting the repair of certain structures from compensatory mitigation requirements.

HB 548, relative to boater safety education and relative to the minimum age for operation of motorized vessels.

RECESS