

State of New Hampshire HOUSE RECORD

Second Year of the 162nd General Court
Calendar and Journal of the 2012 Session

Vol. 34

Concord, N. H.

Wednesday, April 11, 2012

No. 35

HOUSE JOURNAL No. 16 (cont.)

Thursday, March 29, 2012

Rep. Tucker moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 17

Wednesday, April 11, 2012

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 renewed life and the restoration of sturdy roots that show forth the glory of the Architect of Nature. We ask that You strengthen our hearts to read Your designs correctly in the world and in what we do for others. Keep us, we pray, focused on our call to good leadership. It remains true that with courage, imagination, boldness and civility we New Hampshire men and women strengthen the foundations of liberty and maintain a solvent economic future. Help us to practice the old truths of wise, care-filled civil government for the long haul. We care and pray for the future of our families, those who carry pain and require healing, for Representative Dick Patten of this Chamber undergoing surgery today and those who are away from home serving in uniform. Bless our state and country with renewed life and let Spring and its growth be a vital symbol of our hopes. Aye! And, today, let us end it in the hardy words of the independent people of the tartan.

*If there is righteousness in the heart,
there will be beauty in the character.*

*If there is beauty in the character,
there will be harmony in the home.*

*If there is harmony in the home,
there will be order in the nation.*

*If there is order in the nation,
there will be peace in the world.
So let it be.*

We pray this in Your Holy name. Amen.

Representative Franklin Sterling, member from Jaffrey, led the Pledge of Allegiance.

The National Anthem was sung by Josey Murayda-Pelillo, a 11 year old student at Broken Ground School in Concord.

LEAVES OF ABSENCE

Reps. Carr, Case, Champagne, Donovan, Hofemann, Jeudy and Dick Patten, the day, illness.
Reps. Ahlgren, Byrnes, Chase, Comerford, Comtois, Dowling, Emerson, Gimás, Janvrin, Kreis, Lauer-Rago, Lefebvre, Oigny, Panek, Parison, Pastor, Pelletier, Michael Reed, Frederick Rice, Rokas, Scontsas, Sedensky, Serlin, Sprague, Tasker, Carol Vita, Lucien Vita and Weeden, the day, important business.
Rep. Spang, the day, illness in the family.

INTRODUCTION OF GUESTS

Robin Lundgren, wife of Rep. Lundgren. Amanda Cebrowski and Kristy, Patrick, Emma, Grace and Caroline Niro, wife, niece and family of Rep. Cebrowski. Mariellen McKay and Suzanne Vail, guests of Rep. Rosenwald. Allyna Ward and Franklyn Hyde, daughter and son-in-law of Rep. Ward. Richard Simoneau and his Conant High School civics class, guests of Rep. Sterling. 2012 Teen Pact class, guests of Reps. Bates and Itse. George Sykes, guest of the Grafton District 11 delegation. Dan Sargent, guest of Rep. Blankenbeker. Lynda Hunt and Parker Dixon, wife and grandson of Rep. Hunt. Heather Morton, New Hampshire State Liaison from the National Conference of State Legislatures, guest of the House.

Garrison Crofut, a student at Keene High School, Page for the day.

TARTAN DAY PROGRAM

Rep. John Hunt introduced students and faculty of the New Hampshire School for Scottish Arts, as well as members of the NH Pipes and Drums, who performed for the House in honor of New Hampshire Tartan Day: Ian Donahue, Derek Davidson, Campbell Webster, Gordon Webster, Brett Spaulding, Don Cline, Don Taylor, Ella Manero, Greg Morgan, Marielle Webster, Katie and Sam Allman, Fiona Barker and Britni Spaulding. Piper Campbell Webster played Piobaireachd in tribute and memory of the Honorable Sean Cox and the Honorable James Powers. Rep. Rowe offered a Scottish Blessing.

MOTION TO VACATE

Rep. Hunt moved that the House vacate the reference of **SB 212**, relative to pooled risk management programs, to the Committee on Commerce and Consumer Affairs.
Adopted.

The Speaker referred **SB 212** to the Committee on Ways and Means.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 624, relative to the rulemaking authority of state agencies to establish fees and costs and establishing a committee to study the rulemaking authority of state agencies to establish

fees. (Amendment printed SJ 3/28/12)

Rep. Carol McGuire moved that the House concur and spoke in favor.

Adopted.

HB 193, relative to the Mount Washington commission. (Amendment printed SJ 3/28/12)

Rep. Carol McGuire moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Hawkins, Hansen, Ingbretson and Yvonne Thomas.

CONSENT CALENDAR

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

SB 348-FN, relative to the pulse oximetry test for newborns, removed by Rep. Hoell.

SB 363, establishing a commission to study the regulation and licensing of youth camps, including youth skills camps, removed by Rep. Hoell.

Consent Calendar adopted.

SB 277, establishing a sexual offender management board. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Warden for Criminal Justice and Public Safety: The committee concluded that while this bill is well intentioned and there are certainly ways in which laws and procedures pertaining to sexual offenses and offenders may be improved, the board proposed in this bill would be unwieldy, would impose costs upon the state (though there was no fiscal note attached) and would duplicate functions (studying issues, doing research, recommending changes to statutes) that are already performed by public agencies, non-profit organizations and legislators. Vote 15-0.

SB 223, to make technical revisions relative to the health information organization corporation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John M. Reagan for Health, Human Services and Elderly Affairs: The technical revisions were necessary to comply with IRS rules regarding non-profit corporations' disposal of assets should the corporation be dissolved. The amendment changes the membership of the board to satisfy the board's need for quorums to conduct business. Vote 10-0.

Amendment (1022h)

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

AN ACT to make technical revisions relative to the health information organization corporation and relative to the membership of the health information organization board.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Health Information Organization Board; Membership. Amend RSA 332-I:8, I to read as follows:

I. The powers of the corporation shall be vested in ~~[16]~~ **7** members and up to ~~[3]~~ **10** at-large members. ~~[Except for the members appointed under subparagraphs I(b) (d),]~~ Members shall serve 3-year terms. No member shall serve more than 2 full consecutive terms. Members shall be appointed as follows:

(a) ~~[A consumer not affiliated with the health care industry, appointed by the governor.]~~

~~(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.~~

~~(c) Three members of the senate, appointed by the president of the senate.~~

~~(d) The commissioner of the department of health and human services, or designee.~~

~~(e) A member of the department of health and human services, office of Medicaid business and policy, appointed by the commissioner.~~

~~(f)~~ A member representing a large hospital, appointed by the New Hampshire Hospital Association.

~~(g)~~ **(b)** A member representing a critical access hospital, appointed by the New Hampshire Hospital Association.

~~(h)~~ **(c)** An independent practice physician not affiliated with any hospital, appointed by the New Hampshire Medical Society.

~~(i)~~ **(d)** A representative of community health centers, appointed by Bi-State Primary Care Association.

~~(j)~~ **(e)** A representative of community mental health centers, appointed by the New Hampshire Community Behavioral Health Association.

~~(k)~~ **(f)** A retail pharmacist, appointed by the pharmacy board.

~~(l)~~ **(g)** A representative of home health care agencies, appointed by the Home Care Association of New Hampshire.

~~(m)~~ **(h)** The board may appoint up to ~~[3]~~ **10** at-large members with qualifications, experience, and expertise as identified and determined by the board.

AMENDED ANALYSIS

This bill makes technical revisions to the law regarding the health information organization corporation to comply with tax exempt organizational requirements set forth by section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

This bill also changes the membership of the health information organization board.

SB 281, relative to exposure to infectious disease by emergency response and public safety workers and notification of public health authorities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rich T. DiPentima for Health, Human Services and Elderly Affairs: This bill will add those individuals protected under RSA 508:12 (good Samaritans) to be notified if they sustain an unprotected exposure to an infectious disease while assisting an injured individual. The current law provides such a notice for emergency response/public safety workers and persons using wreckers. This bill simply gives good Samaritans this same level of protection. Vote 17-0.

Amendment (1455h)

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Medical Referral Consultant; Good Samaritan Cases. Amend RSA 141-G:2, I to read as follows:

I. Each employer of emergency response/public safety workers shall identify a medical referral consultant who has agreed to accept referrals and to evaluate and follow up such workers' unprotected exposures. The medical referral consultant shall be a licensed physician, a registered nurse, advanced practice registered nurse or licensed physician assistant. If none of these is available the employer shall request written approval from the department for an alternate. ***For purposes of this chapter, in such case involving an individual protected under RSA 508:12 the department shall act as the medical referral consultant.***

AMENDED ANALYSIS

This bill requires emergency response and public safety workers to notify public health officials of exposure to infectious disease.

SB 319, changing the membership of and extending the 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. James R. MacKay for Health, Human Services and Elderly Affairs: This has been an active committee with competent and experienced members. It has taken its responsibilities seriously to study the variety of impacts of service connected post-traumatic stress disorders and traumatic brain injury suffered in the line of duty by members of the armed forces. The committee has recently initiated a research protocol and requires more time to complete this important study. This extension would allow the committee to finish the research study and continue its important work. Vote 14-0.

Amendment (1196h)

Amend the bill by replacing section 3 with the following:

3 Report. RSA 115-D:5 is repealed and reenacted to read as follows:

115-D:5 Report. The commission shall make an interim report on or before May 1, 2012 and a final report on or before November 1, 2013 of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairman of the house health, human services and elderly affairs committee, the chairman of the senate health and human services committee, the chairman of the house state-federal relations and veterans affairs committee, the senate clerk, the house clerk, the governor, the members of the New Hampshire congressional delegation, and the state library.

SB 321-FN, establishing a committee to study the continuation of payments to long-term care facilities. **OUGHT TO PASS.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This committee will address a significant issue of non-reimbursement or late reimbursement of nursing homes by the Medicaid program. This has an obvious negative impact on several county nursing facilities. This six member legislative committee will work with the department of health and human services to facilitate timely payments to nursing home providers. This legislation is supported by the commissioner of the department of health and human services. The committee has very specific duties and will report within days of its first meeting. Vote 17-0.

SB 83-FN, enabling municipalities to create other post-employment benefits (OPEB) trusts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin W. Sterling for Municipal and County Government: The purpose of SB 83-FN is to allow municipalities/school districts to create irrevocable trusts into which cities, towns and school districts could deposit funds for the future expense of post employment benefits (OPEB) of municipal/school district employees. Typically these benefits are but not limited to the continued payment of health insurance premiums (the House committee's amendment, 2012-1513h, adds school districts). The bill, as originally introduced, had a fiscal impact note but when the bill was amended by the Senate the fiscal impact was eliminated. Vote 14-0.

Amendment (1513h)

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

AN ACT enabling municipalities and school districts to create other post-employment benefits (OPEB) trusts.

Amend RSA 31:19-c, I as inserted by section 1 of the bill by replacing it with the following:

I. The legislative body of a municipality that creates or has created an actuarial liability to pay other post-employment benefits (OPEB) to employees or officers after their termination of service may establish an irrevocable trust to pay those benefits. In this section, the term "other post-employment benefits" means employee benefits other than

pensions that are received after employment ends, and may include such medical, disability, or other health benefits, as are covered by Statement No. 45 of the Governmental Accounting Standards Board (GASB). The term “trust” means a trust qualified under GASB Statement No. 43.

Amend RSA 31:19-c, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Trusts created by a municipality pursuant to this section shall be administered by the board of trustees established by the municipality pursuant to RSA 31:22. The accounts of the trustees shall be subject to the auditing and reporting requirements of RSA 31:33. Other provisions of RSA 31:19 through 31:38-a governing trusts shall also apply unless they are contrary to this section.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Trust Funds Created for the Purpose of Maintaining Health Insurance Funds;

Reference Added. Amend RSA 198:20-c, III to read as follows:

III. A trust fund created under the provisions of this section that is established for the purpose of maintaining health insurance funds for the benefit of employees and retired employees of any school district, ***including an OPEB trust established pursuant to paragraph VII***, shall be exempt from the provisions of paragraph II, and when so established, the school district may name its own trustees who may expend any funds in the trust for the payment of health claims or health insurance premiums for the benefit of any employees or retired employees of the school district. An annual accounting and report of the activities of the trust shall be presented to the school board of the district and published in the annual report.

3 New Paragraph; School Money; Trust Funds Created for Specific Purposes; OPEB Trusts. Amend RSA 198:20-c by inserting after paragraph VI the following new paragraph:

VII.(a) A school district that creates or has created an actuarial liability to pay other post-employment benefits (OPEB) to employees or officers after their termination of service may establish an irrevocable trust to pay those benefits. In this paragraph, the term “other post-employment benefits” means employee benefits other than pensions that are received after employment ends, and may include such medical, disability, or other health benefits, as are covered by Statement No. 45 of the Governmental Accounting Standards Board (GASB). The term “trust” means a trust qualified under GASB Statement No. 43.

(b) Deposits to any fund under such a trust and any earnings on those deposits shall be irrevocable and shall be held in trust for the exclusive benefit of retirees and their beneficiaries in accordance with the terms of the plans or programs providing other post-employment benefits, except that funds governed by the trust may be withdrawn for other purposes only when an employer’s liability owed to former officers or employees for other post-employment benefits has been satisfied or otherwise eliminated pursuant to subparagraph (d)(2). The assets of any trust created pursuant to this paragraph or in which a school district participates pursuant to this paragraph shall be exempt from taxation and execution, attachment, garnishment, or any other process. No public officer, employee, or agency shall divert, use, or authorize the use of such funds for any purpose other than as provided in law for other post-employment benefits covered by the trust and administrative expenses.

(c) The trustees of any trust created pursuant to this paragraph shall have the full power to invest, reinvest, and manage the assets of the trust. The trustees shall invest the assets of the trust with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims. The trustees shall also diversify such investments so as to minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so. The trustees may engage a trust administrator, investment consultants, or other qualified professionals to assist with management and investment of the funds of the trust and may pay for these services out of the funds of the trust.

(d) The school district may withdraw money from the funds of a trust created pursuant to this paragraph only:

(1) As needed to pay other post-employment benefits owed to former officers and employees; or

(2) When all other post-employment benefits liability owed to former officers or employees of the employing entity has been satisfied or otherwise defeased.

AMENDED ANALYSIS

This bill enables municipalities and school districts to create other post-employment benefits (OPEB) trusts.

Referred to the Special Committee on Public Employee Pensions Reform.

SB 360, naming a pond in the town of Sandown. **OUGHT TO PASS.**

Rep. Ross W. Terrio for Public Works and Highways: The intent of this bill is to name a small pond in the Town of Sandown, NH, "Sal's Pond." The owner of the pond, Mr. Salvatore Genuardo, has had a positive impact on the children and parents of Sandown, NH by hosting an annual fishing derby. This bill is supported by the Sandown Board of Selectmen and the Sandown Conservation Commissioner. Vote 12-2.

SB 230-FN, relative to the calculation of average final compensation for certain retirement system members. **OUGHT TO PASS.**

Rep. William B. Smith for Special Committee on Public Employee Pensions Reform: This bill provides a technical correction to the calculation of average final compensation for retirement system members. It changes the calculation of excess compensation level over the member's career from an average dollar amount to a percentage in determining annual earnable compensation for pension purposes. The committee felt this was a fairer approach. Vote 10-0.

Referred to the Committee on Finance.

SB 285-FN, authorizing suspension or revocation of a driver's license for serious boating offenses and relative to loss of motorboat privileges for aggravated driving while intoxicated. **OUGHT TO PASS.**

Rep. Robert W. Williams for Transportation: Any motor vehicle operator who loses the privilege of driving also loses the privilege of operating a motor boat and every motor boat operator that loses the privilege to operate a motor boat loses the privilege of driving a car for the same amount of time. This bill corrects an oversight related to time lost by motor boat operators by an amendment to RSA 263.56. The oversight was not having the same time loss of driving privileges by motor vehicle drivers and motor boat operators. The goal is to have RSA-A:20 read that any person who is convicted of a violation of RSA 263.56, operators of a motor boat or drivers of a motor vehicle, shall have the same time loss period of driving privileges for both motor vehicles and motor boats. Vote 12-0.

SB 296, relative to including next-of-kin contact information on a driver's license. **OUGHT TO PASS.**

Rep. John R. Cloutier for Transportation: This enabling legislation would simply allow an individual to include next-of-kin contact information on his or her driver's license or non driver's picture identification card. All the testimony received at the hearing in regard to this bill was favorable and indicated the providing of such information by licensees and identification card holders would allow emergency workers to notify their next-of-kin more quickly in case of a serious accident or death. Again, providing such information would not be mandatory. Vote 12-0.

REGULAR CALENDAR

SB 290, naming a bridge in Woodstock, New Hampshire the Hilliard Family Bridge.

UGHT TO PASS.

Rep. Edmond D. Gionet for Public Works and Highways: Having considered the testimony, the committee unanimously agreed with the bill sponsors and the Woodstock Selectmen naming Bridge No. 197/085 after the Hilliard Family. The Hilliard Family name has been well woven into the fabric of the state and local government. Most recently, J. Stanton Hilliard served 21 years as a Woodstock Selectman, at the same time making major contributions towards the tourist and local economies. Vote 13-0.

Rep. Bradley spoke in favor.

Committee report adopted unanimously and ordered to third reading.

REMARKS

Rep. Bradley: Thank you, Mister Speaker. Mister Speaker, I decided this morning to disperse any butterflies I might have for my first trip to the well by picturing some of the gentlemen in my audience in skirts and funny hats. My gosh, some of them are and I thank my neighbor from Manchester for feeding me that line; that was good. Mister Speaker, I rise for the first time here to urge support for SB 290. The Hilliard family has been a fixture in Woodstock, Lincoln, Thornton and the Upper Pemigewasset Valley for 50 years. I don't know exactly how long. They are business people there. They own Natureland, a fantasy farm where now the Whale's Tale is located and of course, my favorite of everything that they did was Hilliard's Candy Land there on Main Street in North Woodstock. Stan Hilliard, whom I knew the best of all the family, was a selectman in Woodstock for 21 years. He was a business leader and a tireless promoter and I would dare say a visionary for business and commerce in the Upper Pemigewasset Valley. He was not a native. He was a native of one of those southern counties; I think it's called Rockingham. I'm not quite sure where it is but it's somewhere south of where he decided to call home. I served on the Board of Directors of the Plymouth Fair with Stan and my enduring memory of Stan Hilliard is sitting on a golf cart as he rode around the fairgrounds making sure that everything was in order. His son, John, is the last surviving male member of the family. John has lost, in recent years, his grandfather, his father, his only brother and his only son. His son was killed in a very tragic accident over in Madison just a couple of years ago. So he realized that one day, before too much longer, there would be no more Hilliard's in the Town of Woodstock so he searched around for something to do for enduring remembrance of the family. The bridge that he chose is on Route 175 about two miles from where I live and I cross it virtually every day. I crossed it this morning. That bridge replaced the prettiest covered bridge there ever was in the State of New Hampshire, which burned in 1971. I'm sure I might get an argument about which bridge is the prettiest, but that one was. The view from that bridge over the Pemigewasset River and looking north up to Franconia Notch is one that causes many people to stop there and take pictures. There are a lot of people. There is a park there on one end of it and there are people taking pictures very frequently. The Pemigewasset River which was once very polluted so that you wouldn't want to stick your toe in it is now a summer playground for thousands of people every year. People fish, they swim, they kayak and they canoe. Stan would have loved it to see the way the river has become and from the bridge that's named in his honor, many people will be able to do just that. This is not the most important thing that we will do today here in this House, but it's certainly an honorable and worthy use of our time and effort. I ask you to please support the bill. I thank you very much for listening to me.

SB 367, naming a bridge in the town of Londonderry in honor of Lance Corporal Peter J. Sora, Jr., U.S.M.C. and Private First Class Eric D. Currier, U.S.M.C. **UGHT TO PASS.**
Rep. John A. Graham for Public Works and Highways: This bill names a bridge on the new Manchester Airport road the "Sora-Currier Memorial Bridge," in honor of Lance Corporal Peter J. Sora, Jr., USMC and Private First Class Eric D. Currier, both young men from Londonderry. Lance Corporal Sora died in a training accident shortly before being deployed

to Iraq while PFC Currier was killed in Afghanistan. Vote 13-0.
Rep. Baldasaro spoke in favor.
Committee report adopted unanimously and ordered to third reading.

REMARKS

Rep. Baldasaro: Thank you, Mister Speaker. Mister Speaker, I am honored here today to speak on behalf of two of my brothers who served in the Marines who gave all so that we can enjoy the many freedoms that we have today. Lance Corporal Peter J. Sora, Jr., a young Marine of 19, died in a Humvee rollover training accident. He was activated to go to Iraq. He was assigned to 3rd Battalion, 5th Marine Regiment, 1st Marine Division, which is a CAAT Platoon at Camp Pendleton, California. He died on May 4, 2004. Marine Pfc. Eric Currier, 21. He was assigned to 3rd Battalion, 6th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force in Camp Lejeune, North Carolina. He died on February 17 while supporting combat operations in Helmand province. This bridge that will be named after these two warriors is a new bridge in Londonderry which goes over the airport access road in the Londonderry area. It is a fitting bridge; it's a new bridge, for two young Marines. I want to echo Senator Rausch's comments and offer our deepest condolences to the Sora family and the Currier family for the loss of their sons who made the ultimate sacrifice for their country. We are forever grateful to them. Lance Corporal Sora, known by family and friends as PJ, joined the Marines in 2003 and, once again, was preparing for his deployment where he died in a training accident in 2004 while his unit was activated in support of Iraqi Freedom. Private First Class Currier, who was recently married prior to his deployment, had joined the Marines in 2009 and was killed in 2010 in Helmand Province, Afghanistan, during a military operation. Their deaths are a loss to all of us, especially those in our town of Londonderry where both men resided. It is our hope that the naming of this bridge will honor these two courageous men and inspire admiration for all those who fight for our country. I ask you all to please support this bridge bill. Thank you.

INTRODUCTION OF GUESTS

The Speaker introduced Gail and Peter Sora, parents of Lance Corporal Peter J. Sora, Jr. Helen and Kevin Bodreau, Russell, Judy and Russell Currier, Sr., mother and stepfather, father and grandparents of Private First Class Eric Currier, guests of the House.

REGULAR CALENDAR (CONT'D)

SB 391, naming a portion of New Hampshire route 107/43 in the town of Deerfield the Honorable Joseph E. Stone Highway. **OUGHT TO PASS.**

Rep. Gene G. Chandler for Public Works and Highways: This bill would name a portion of Rte 107/43 in the Town of Deerfield the Honorable Joseph Stone Highway. Rep. Stone was a well respected and beloved member of his community and the Deerfield Selectmen heartily agree to naming this section of highway after Rep. Stone. In addition to being an active member of the legislature, Rep. Stone also served as a member of the school board and a Deerfield Selectman. Naming this portion of the highway is a fitting tribute to a distinguished gentleman. Vote 13-0.

Committee report adopted and ordered to third reading.

SB 394-L, relative to the reclassification of Province Road in Strafford from the intersection of Route 202A to Ricky Nelson Road from class II to class V. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: As introduced, this bill will reclassify Province Road in Strafford as a Class V highway following reconstruction of the road by the department of transportation. The first part of the committee amendment simply states that if the transfer is not completed within six years the act is void. The second part of the

committee amendment was non-germane and had a public hearing. This portion of the amendment modifies the state's capital budget in regards to the office of the Adjutant General. The Adjutant General was recently provided an additional \$2 million in military construction funds. These funds will be used for expansion, renovation and construction at the armory in Milford. Since these funds must be obligated prior to the end of the federal FY 12 (September 30, 2012), it is imperative that this amendment be passed. The committee strongly recommends passage of the bill as amended. Vote 14-0.

Amendment (1529h)

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

AN ACT relative to the reclassification of Province Road in Strafford from the intersection of Route 202A to Ricky Nelson Road from class II to class V and relative to an appropriation in the capital budget for construction and renovations to the Milford Armory.

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

1 Province Road in Strafford From the Intersection of Route 202A to Ricky Nelson Road; Classification Changed to Class V. Province Road in Strafford from the intersection of Route 202A to Ricky Nelson Road shall be reclassified as a class V highway, 60 days after completion of the reconstruction to be performed by the department of transportation. If the reconstruction is not performed within 6 years of the effective date of this act, this act shall be null and void.

2 Capital Appropriations; Milford Armory. Amend 2011, 253:1, I to read as follows:

I. Adjutant General

A. Statewide Facilities Improvements	\$1,000,000
Less Federal Funds	<u>(750,000)</u>
Net state appropriation subparagraph A	250,000
B. Statewide Readiness Center Restoration and Modernization	2,500,000
Less Federal Funds	<u>(1,250,000)</u>
Net state appropriation subparagraph B	<u>1,250,000</u>
C. Milford Armory – Construction and Renovations	2,000,000
Less Federal Funds	<u>(2,000,000)</u>
Net State appropriation subparagraph C	<u>0</u>
Total state appropriation paragraph I	\$1,500,000

3 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill reclassifies Province Road in Strafford from the intersection of Route 202A to Ricky Nelson Road from class II to class V upon completion of certain reconstruction to be performed by the department of transportation.

This bill also adds an appropriation to the capital budget for construction and renovations to the Milford Armory.

Amendment adopted.

Committee report adopted and ordered to third reading.

SB 202, apportioning congressional districts. **MAJORITY: OUGHT TO PASS.**

MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Robert H. Rowe for the Majority of Special Committee on Redistricting: This bill apportions the two congressional districts as required by Federal law. The goal of the Special Committee on Redistricting was to redistrict the two Congressional Districts with as minimum a deviation as possible. This has been achieved with a population in the First District of 658,233 citizens, and the Second district of 658,237. The differential between the two districts is plus 2 citizens in the First District and minus 2 citizens in the Second district. The majority of the committee believes that the resulting plan fully meets Federal law. Vote

11-5.

Rep. Sandra B. Keans for the Minority of Special Committee on Redistricting: The minority believes HB 1671 (as amended by the House) is far superior to this bill (SB 202) for several reasons: (1) HB 1671 moved only 250 constituents while SB 202 disrupts over 19,000 people. (2) "Communities of Interest" such as Campton and Plymouth are separated. (3) Three towns are moved from CD 1 to CD 2 and three other towns are moved over county lines from CD 2 to CD 1. (4) HB 1671, representing the House position passed on a voice vote with no opposition.

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

Rep. Weber offered floor amendment (1553h).

Floor Amendment (1553h)

Amend the bill by replacing section 1 with the following:

1 U. S. Representative Districts. RSA 662:1 is repealed and reenacted to read as follows:

662:1 U. S. Representative Districts. The state is divided into 2 districts for the choosing of representatives in the congress of the United States. Each district may elect one representative. The districts shall be constituted as follows:

I. The first district is constituted of:

- (a) The counties of
 - (1) Carroll, and
 - (2) Strafford; and
- (b) In the county of Belknap, the towns and city of
 - (1) Alton,
 - (2) Barnstead,
 - (3) Belmont,
 - (4) Center Harbor,
 - (5) Gilford,
 - (6) Gilmanton,
 - (7) Laconia,
 - (8) Meredith, and
 - (9) New Hampton; and
- (c) In the county of Coos, the unincorporated place of
 - (1) Sargent's Purchase; and
- (d) In the county of Grafton, the town of
 - (1) Waterville Valley; and
- (e) In the county of Hillsborough, the towns and city of
 - (1) Bedford,
 - (2) Goffstown,
 - (3) Manchester, and
 - (4) Merrimack; and
- (f) In the county of Merrimack, the town of
 - (1) Hooksett; and
- (f) In the county of Rockingham, the towns and city of
 - (1) Auburn,
 - (2) Brentwood,
 - (3) Candia,
 - (4) Chester,
 - (5) Danville,
 - (6) Deerfield,
 - (7) Derry,
 - (8) East Kingston,
 - (9) Epping,

- (10) Exeter,
- (11) Fremont,
- (12) Greenland,
- (13) Hampstead,
- (14) Hampton,
- (15) Hampton Falls,
- (16) Kensington,
- (17) Kingston,
- (18) Londonderry,
- (19) New Castle,
- (20) Newfields,
- (21) Newington,
- (22) Newmarket,
- (23) Newton,
- (24) North Hampton,
- (25) Northwood,
- (26) Nottingham,
- (27) Plaistow,
- (28) Portsmouth,
- (29) Raymond,
- (30) Rye,
- (31) Sandown,
- (32) Seabrook,
- (33) South Hampton, and
- (34) Stratham.

II. The second district is constituted of:

- (a) The counties of
 - (1) Cheshire, and
 - (2) Sullivan; and
- (b) In the county of Belknap, the towns of
 - (1) Sanbornton, and
 - (2) Tilton; and
- (c) In the county of Coos, the towns, city, and unincorporated places of
 - (1) Atkinson & Gilmanton Academy Grant,
 - (2) Bean's Grant,
 - (3) Bean's Purchase,
 - (4) Berlin,
 - (5) Cambridge,
 - (6) Carroll,
 - (7) Chandler's Purchase,
 - (8) Clarksville,
 - (9) Colebrook,
 - (10) Columbia,
 - (11) Crawford's Purchase,
 - (12) Cutt's Grant,
 - (13) Dalton,
 - (14) Dix's Grant,
 - (15) Dixville,
 - (16) Dummer,
 - (17) Errol,
 - (18) Erving's Location,
 - (19) Gorham,
 - (20) Green's Grant,

- (21) Hadley's Purchase,
 - (22) Jefferson,
 - (23) Kilkenny,
 - (24) Lancaster,
 - (25) Low & Burbank's Grant,
 - (26) Martin's Location,
 - (27) Milan,
 - (28) Millsfield,
 - (29) Northumberland,
 - (30) Odell,
 - (31) Pinkham's Grant,
 - (32) Pittsburg,
 - (33) Randolph,
 - (34) Second College Grant,
 - (35) Shelburne,
 - (36) Stark,
 - (37) Stewartstown,
 - (38) Stratford,
 - (39) Success,
 - (40) Thompson & Meserve's Purchase,
 - (41) Wentworth's Location, and
 - (42) Whitefield; and
- (d) In the county of Grafton, the towns, city, and unincorporated place of
- (1) Alexandria,
 - (2) Ashland,
 - (3) Bath,
 - (4) Benton,
 - (5) Bethlehem,
 - (6) Bridgewater,
 - (7) Bristol,
 - (8) Campton,
 - (9) Canaan,
 - (10) Dorchester,
 - (11) Easton,
 - (12) Ellsworth,
 - (13) Enfield,
 - (14) Franconia,
 - (15) Grafton,
 - (16) Groton,
 - (17) Hanover,
 - (18) Haverhill,
 - (19) Hebron,
 - (20) Holderness,
 - (21) Landaff,
 - (22) Lebanon,
 - (23) Lincoln,
 - (24) Lisbon,
 - (25) Littleton,
 - (26) Livermore,
 - (27) Lyman,
 - (28) Lyme,
 - (29) Monroe,
 - (30) Orange,

- (31) Orford,
- (32) Piermont,
- (33) Plymouth,
- (34) Rumney,
- (35) Sugar Hill,
- (36) Thornton,
- (37) Warren,
- (38) Wentworth, and
- (39) Woodstock; and
- (e) In the county of Hillsborough, the towns and city of
 - (1) Amherst,
 - (2) Antrim,
 - (3) Bennington,
 - (4) Brookline,
 - (5) Deering,
 - (6) Francestown,
 - (7) Greenfield,
 - (8) Greenville,
 - (9) Hancock,
 - (10) Hillsborough,
 - (11) Hollis,
 - (12) Hudson,
 - (13) Litchfield,
 - (14) Lyndeborough,
 - (15) Mason,
 - (16) Milford,
 - (17) Mont Vernon,
 - (18) Nashua,
 - (19) New Boston,
 - (20) New Ipswich,
 - (21) Pelham,
 - (22) Peterborough,
 - (23) Sharon,
 - (24) Temple,
 - (25) Weare,
 - (26) Wilton, and
 - (27) Windsor; and
- (f) In the county of Merrimack, the towns and cities of
 - (1) Allenstown,
 - (2) Andover,
 - (3) Boscawen,
 - (4) Bow,
 - (5) Bradford,
 - (6) Canterbury,
 - (7) Chichester,
 - (8) Concord,
 - (9) Danbury,
 - (10) Dunbarton,
 - (11) Epsom,
 - (12) Franklin,
 - (13) Henniker,
 - (14) Hill,
 - (15) Hopkinton,

- (16) Loudon,
- (17) Newbury,
- (18) New London,
- (19) Northfield,
- (20) Pembroke,
- (21) Pittsfield,
- (22) Salisbury,
- (23) Sutton,
- (24) Warner,
- (25) Webster, and
- (26) Wilmot; and
- (g) In the county of Rockingham, the towns of
 - (1) Atkinson,
 - (2) Salem, and
 - (3) Windham.

Reps. Weber and Vaillancourt spoke in favor.

Rep. Mirski spoke against.

Rep. Bettencourt requested a roll call; sufficiently seconded.

YEAS 102 NAYS 229

YEAS 102

BELKNAP

None

CARROLL

None

CHESHIRE

Butynski, William	Hawkes, Samuel	Johnsen, Gladys	Lerandeau, Alfred
Meador, David	Moore, Charles	Parkhurst, Henry	Roberts, Kris
Sad, Tara	Tatro, Bruce	Weber, Lucy	Weed, Charles

COOS

Coulombe, Gary	Hatch, William	Merrick, Evalyn	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester
Cooney, Mary	Gould, Franklin	Harding, Laurie	Nordgren, Sharon
Pierce, David	Shackett, Jeffrey	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Baroody, Benjamin	Barry, J. Gail	Belanger, James	Campbell, David
Cote, David	Daler, Jennifer	Gidge, Kenneth	Goley, Jeffrey
Leishman, Peter	Long, Patrick	Messier, Irene	Ober, Russell III
Peterson, Lenette	Pilotte, Maurice	Porter, Marjorie	Rhodes, Brian
Robbins, David	Rosenwald, Cindy	Shaw, Barbara	Sullivan, Daniel
Sullivan, Peter	Terrio, Ross	Vaillancourt, Steve	Willette, Robert

MERRIMACK

Bouchard, Candace	Deloge, Helen	DeStefano, Stephen	Frazer, June
Gile, Mary	Hamm, Christine	MacKay, James	Owen, Derek
Potter, Frances	Rice, Chip	Richardson, Gary	Shurtleff, Stephen
Wallner, Mary Jane	Watrous, Rick	Williams, Robert	

ROCKINGHAM

Cali-Pitts, Jacqueline	DiPentima, Rich	Hoelzel, Kathleen	Lovejoy, Patricia
MacMahon, Bruce	Moody, Marcia	Ne vins, Chris	Norelli, Terie
Pantelakos, Laura	Read, Robin Jr	Schlachman, Donna	Sytek, John

STRAFFORD

Andolina, Donald	Berube, Roger	Brown, Julie	Browne, Brendon
Ginsburg, Philip	Grassie, Anne	Hooper, Dorothea	Horrigan, Timothy
Jones, Kyle	Kaen, Naida	Keans, Sandra	Perry, Robert
Roberts, Jenna	Schmidt, Peter	Spainhower, Dale	Wall, Janet
Watters, David			

SULLIVAN

Cloutier, John	Gagnon, Raymond	Schmidt, Andrew
----------------	-----------------	-----------------

NAYS 229

BELKNAP

Accornero, Harry	Bolster, Peter	Fields, Dennis	Flanders, Donald
Greemore, Robert	Kingsbury, Robert	Luther, Robert	Malone, Robert
Millham, Alida	Pilliod, James	Russell, David	Simpson, Tyler
St. Cyr, Jeffrey	Swinford, Elaine	Tilton, Franklin	Tobin, William
Worsman, Colette			

CARROLL

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

CHESHIRE

Cartwright, Anne	Dwinell, Richard	Hunt, John	Johnson, Jane
Moore, Robert Jr	Smith, Edwin	Sterling, Franklin Jr	

COOS

Daugherty, Duffy	Rappaport, Laurence	Remick, William	Richardson, Herbert
Tholl, John Jr	Tremblay, Marc		

GRAFTON

Brosseau, Charles	Bulis, Lyle	Gionet, Edmond	Ingbretson, Paul
Ladd, Rick Jr	Mirski, Paul	Reilly, Harold Sr	Simard, Paul
Sorg, Gregory	Sova, Charles		

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Ball, J. Michael	Barry, Richard
Beattie, Thomas	Belvin, William	Bergevin, Jerry	Boehm, Ralph
Brown, Kevin	Brownrigg, Randall Jr	Burt, John	Buxton, Michael
Christensen, D.L.	Christiansen, Lars	Coffey, James	Condra, William
Chris			
Coughlin, Sean	Cusson-Cail, Kathleen	Daniels, Gary	Day, Russell
DeJong, Cameron	Doherty, Shaun	Erickson, Duane	Flanagan, Jack
Fredette, Robert	Gagne, Larry	Gandia, Laura	Gargas, Carolyn
Gonzalez, Carlos	Graham, John	Greazzo, Phil	Haefner, Robert
Hansen, Peter	Hardwick, Harry	Hawkins, Kenneth	Hikel, John
Hinch, Richard	Hogan, Edith	Holden, Frank	Hopper, Gary
Hutchinson, Winfred	Infantine, William	Jasper, Shawn	Krasucki, Joseph
Kurk, Neal	Lambert, George	LeBrun, Donald	Maltz, Jonathan
McClarren, Donald	McGuinness, Sean	Murphy, Keith	Notter, Jeanine
Ober, Lynne	Ohm, Bill	Palmer, Barry	Palmer, Stephen
Pellegrino, Tony	Pepino, Leo	Pratt, Calvin	Proulx, Mark
Renzullo, Andrew	Rowe, Robert	Seidel, Carl	Silva, Peter
Simmons, Tammy	Soucy, Connie	Souza, Kathleen	Stroud, Kathleen
Swank, Matthew	Thomas, Joseph	Twombly, Timothy	Ulery, Jordan
Villeneuve, Moe	Warden, Mark	Whitehead, Randall	

MERRIMACK

Blankenbeker, Lynne	Coffey, Jennifer	Cohn, Seth	Giuda, J. Brandon
Hess, David	Hill, Gregory	Hoell, J.R.	Kidder, David
Kotowski, Frank	Lindsley, Mark	Lockwood, Priscilla	McDonnell, John
McGuire, Carol	McGuire, Dan	Palfrey, David	Reed, Dennis
Richardson, Jon	Sanborn, Laurie	Seaworth, G. Brian	Smith, Molly
Smith, Todd	Winter, Steven		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Antosz, Jason	Azarian, Gary
Baldasaro, Alfred	Bates, David	Belanger, Ronald	Bettencourt, David
Birdsell, Regina	Brown, Paul	Charron, Gene	Chirichiello, Brian
Copeland, Timothy	Davenport, Joshua	DeSimone, Debra	Devine, James
Duarte, Joe	Elliott, Robert	Ferrante, Beverly	Fesh, Robert
Garcia, Marilinda	Garrity, James	Griffin, Mary	Hagan, Joseph
Headd, James	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Major, Norman
Manuse, Andrew	Mauro, Donna	McKinney, Betsy	McMahon, Charles
Murphy, Brian	O'Connor, John	Okerman, Richard	Packard, Sherman
Peckham, Michele	Perkins, Amy	Perkins, Lawrence	Quandt, Marshall
Quandt, Matt	Reagan, John	Reichard, Kevin	Sanders, Elisabeth
Sapareto, Frank	Sheffert, Kenneth	Shuler, Wyman III	Smith, William
Sullivan, James	Sullivan, Kevin	Tamburello, Daniel	Tremblay, Stella
Tucker, Pamela	Waddell, James	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth		

STRAFFORD

Cataldo, Sam	DeLemus, Susan	Jones, Laura	Larsen Schultz, Kirsten
Leonard, Frederick Jr	Munck, Philip	Newton, Clifford	O'Connor, William
Parsons, Robbie	Pitre, Joseph		

SULLIVAN

Bowers, Spec	Cunningham, Steven	Howard, Thomas	LaCasse, Paul Sr
Laware, Thomas	Lovett, Charlene	Osgood, Joe	Rodeschin, Beverly
Smith, Steven			

and floor amendment (1553h) failed.

Rep. Chandler declared a conflict of interest and did not participate.

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

Rep. Keans spoke against.

Rep. Mirski spoke in favor.

Rep. Bettencourt requested a roll call; sufficiently seconded.

YEAS 239 NAYS 95

YEAS 239

BELKNAP

Accornero, Harry	Bolster, Peter	Fields, Dennis	Flanders, Donald
Greemore, Robert	Kingsbury, Robert	Luther, Robert	Malone, Robert
Millham, Alida	Pilliod, James	Russell, David	Simpson, Tyler
St. Cyr, Jeffrey	Swinford, Elaine	Tilton, Franklin	Tobin, William
Worsman, Colette			

CARROLL

Babson, David Jr	Fleck, Joseph	Knox, J. David	McCarthy, Frank
McConkey, Mark	Morrow, Harry	Patten, Betsey	Pettengill, Laurie
Schmidt, Stephen	Trogenza, Norman	Umberger, Karen	

CHESHIRE

Cartwright, Anne	Dwinell, Richard	Hunt, John	Johnson, Jane
Moore, Robert Jr	Smith, Edwin	Sterling, Franklin Jr	

COOS

Daugherty, Duffy	Rappaport, Laurence	Remick, William	Richardson, Herbert
Tholl, John Jr	Tremblay, Marc		

GRAFTON

Bradley, Lester	Brosseau, Charles	Bulis, Lyle	Gionet, Edmond
Ingbretson, Paul	Ladd, Rick Jr	Mirski, Paul	Reilly, Harold Sr
Simard, Paul	Sorg, Gregory	Sova, Charles	

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Ball, J. Michael	Barry, J. Gail
Barry, Richard	Beattie, Thomas	Belvin, William	Bergevin, Jerry
Boehm, Ralph	Brown, Kevin	Brownrigg, Randall Jr	Burt, John
Buxton, Michael	Cebrowski, John	Christensen, D.L.	Christiansen, Lars
		Chris	
Coffey, James	Condra, William	Coughlin, Sean	Daniels, Gary
Day, Russell	DeJong, Cameron	Doherty, Shaun	Erickson, Duane
Flanagan, Jack	Fredette, Robert	Gagne, Larry	Gandia, Laura
Gargas, Carolyn	Gonzalez, Carlos	Graham, John	Greazzo, Phil
Haefner, Robert	Hansen, Peter	Hardwick, Harry	Hawkins, Kenneth
Hikel, John	Hinch, Richard	Hogan, Edith	Holden, Frank

Hopper, Gary
Kurk, Neal
McClarren, Donald
Ober, Lynne
Palmer, Stephen
Proulx, Mark
Seidel, Carl
Souza, Kathleen
Thomas, Joseph
Warden, Mark

Hutchinson, Winfred
Lambert, George
McGuinness, Sean
Ober, Russell III
Pellegrino, Tony
Renzullo, Andrew
Silva, Peter
Stroud, Kathleen
Twombly, Timothy
Whitehead, Randall

Jasper, Shawn
LeBrun, Donald
Murphy, Keith
Ohm, Bill
Pepino, Leo
Robbins, David
Simmons, Tammy
Swank, Matthew
Ulery, Jordan
Willette, Robert

Krasucki, Joseph
Maltz, Jonathan
Notter, Jeanine
Palmer, Barry
Pratt, Calvin
Rowe, Robert
Soucy, Connie
Terrio, Ross
Villeneuve, Moe

MERRIMACK

Blankenbeker, Lynne
Hess, David
Kidder, David
McDonnell, John
Reed, Dennis
Smith, Molly

Coffey, Jennifer
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Richardson, Jon
Smith, Todd

Cohn, Seth
Hoell, J.R.
Lindsley, Mark
McGuire, Dan
Sanborn, Laurie
Winter, Steven

Giuda, J. Brandon
Keane, Thomas
Lockwood, Priscilla
Palfrey, David
Seaworth, G. Brian

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Birdsell, Regina
Copeland, Timothy
Duarte, Joe
Garcia, Marilinda
Headd, James
Katsakiores, Phyllis
Manuse, Andrew
Murphy, Brian
Peckham, Michele
Quandt, Matt
Sapareto, Frank
Sullivan, James
Tremblay, Stella
Webb, James

Allen, Mary
Bates, David
Brown, Paul
Davenport, Joshua
Elliott, Robert
Garrity, James
Introne, Robert
Kolodziej, Walter
Mauro, Donna
O'Connor, John
Perkins, Amy
Reagan, John
Sheffert, Kenneth
Sullivan, Kevin
Tucker, Pamela
Welch, David

Antosz, Jason
Belanger, Ronald
Charron, Gene
DeSimone, Debra
Ferrante, Beverly
Griffin, Mary
Itse, Daniel
Lundgren, David
McKinney, Betsy
Okerman, Richard
Perkins, Lawrence
Reichard, Kevin
Shuler, Wyman III
Sytek, John
Waddell, James
Weyler, Kenneth

Azarian, Gary
Bettencourt, David
Chirichiello, Brian
Devine, James
Fesh, Robert
Hagan, Joseph
Kappler, Lawrence
Major, Norman
McMahon, Charles
Packard, Sherman
Quandt, Marshall
Sanders, Elisabeth
Smith, William
Tamburello, Daniel
Ward, Joanne

STRAFFORD

Andolina, Donald
Jones, Kyle

Cataldo, Sam
Jones, Laura

DeLemus, Susan
Larsen Schultz,
Kirsten
O'Connor, William

Groen, Warren
Leonard, Frederick Jr

Munck, Philip
Pitre, Joseph

Newton, Clifford

Parsons, Robbie

SULLIVAN

Bowers, Spec
Laware, Thomas
Smith, Steven

Cunningham, Steven
Lovett, Charlene

Howard, Thomas
Osgood, Joe

LaCasse, Paul Sr
Rodeschin, Beverly

None

CARROLL

None

CHESHIRE

Butynski, William
Meader, David
Sad, Tara

Hawkes, Samuel
Moore, Charles
Tatro, Bruce

Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

Lerandeau, Alfred
Roberts, Kris
Weed, Charles

COOS

Coulombe, Gary
Thomas, Yvonne

Hatch, William

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Gould, Franklin
Shackett, Jeffrey
White, Andrew

Almy, Susan
Harding, Laurie
Smith, Suzanne

Benn, Bernard
Nordgren, Sharon
Taylor, Kathleen

Cooney, Mary
Pierce, David
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin
Daler, Jennifer
Infantine, William
Peterson, Lenette
Rosenwald, Cindy
Vaillancourt, Steve

Belanger, James
Gidge, Kenneth
Leishman, Peter
Pilotte, Maurice
Shaw, Barbara

Campbell, David
Goley, Jeffrey
Long, Patrick
Porter, Marjorie
Sullivan, Daniel

Cote, David
Gorman, Mary
Messier, Irene
Rhodes, Brian
Sullivan, Peter

MERRIMACK

Bouchard, Candace
Gile, Mary
Potter, Frances
Wallner, Mary Jane

Deloge, Helen
Hamm, Christine
Rice, Chip
Watrous, Rick

DeStefano, Stephen
MacKay, James
Richardson, Gary
Williams, Robert

Frazer, June
Owen, Derek
Shurtleff, Stephen

ROCKINGHAM

Cali-Pitts, Jacqueline
MacMahon, Bruce
Pantelakos, Laura

DiPentima, Rich
Moody, Marcia
Read, Robin Jr

Hoelzel, Kathleen
Nevins, Chris
Schlachman, Donna

Lovejoy, Patricia
Norelli, Terie

STRAFFORD

Berube, Roger
Grassie, Anne
Keans, Sandra
Spainhower, Dale

Brown, Julie
Hooper, Dorothea
Perry, Robert
Wall, Janet

Browne, Brendon
Horrigan, Timothy
Roberts, Jenna
Watters, David

Ginsburg, Philip
Kaen, Naida
Schmidt, Peter

SULLIVAN

Cloutier, John

Gagnon, Raymond

Schmidt, Andrew

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

Rep. Chandler declared a conflict of interest and did not participate.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 348-FN, relative to the pulse oximetry test for newborns. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill requires all NH hospitals who do deliveries to do pulse oximetry on all newborns. Pulse oximetry is an inexpensive test that measures blood oxygen saturation. An abnormal reading can indicate a congenital heart defect and indicate that the baby doesn't have enough oxygen in the bloodstream. The committee heard testimony from families and cardiologists and determined that it didn't make sense to wait to implement a simple test that could save lives. Vote 17-0.

Rep. Blankenbeker offered floor amendment (1568h).

Floor Amendment (1568h)

Amend the bill by replacing all after section 3 with the following:

4 Exception. Amend RSA 132:10-c to read as follows:

132:10-c Exception. The provisions of RSA 132:10-a, ***10-aa***, and 10-b shall not apply if the parents of such child object thereto.

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

Rep. Blankenbeker spoke in favor.

Floor amendment (1568h) adopted.

Committee report adopted.

Referred to the Committee on Finance.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Bettencourt moved that the House reconsider its action whereby, on a roll call vote of 239-95, it adopted the majority committee report of Ought to Pass on ***SB 202***, apportioning congressional districts.

Rep. Bettencourt spoke against.

Motion failed.

REMOVED FROM THE CONSENT CALENDAR (CONT'D)

SB 363, establishing a commission to study the regulation and licensing of youth camps, including youth skills camps. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: The committee agreed to this commission once the testimony made it clear the overnight camp regulations had not been reviewed in a number of years and that youth sports (skill) camps were not regulated at all. Currently, there are not even criminal background checks required for counselors in these sports camps. The camp industry is an important business for the state and the committee recognized that a commission would provide an opportunity to get the stakeholders together and make appropriate recommendations for regulatory updates for both those camps that are currently regulated and those that may be in need of regulation in the future. Vote 16-0.

MOTION TO LAY ON THE TABLE

Rep. Hoell moved that ***SB 363***, establishing a commission to study the regulation and licensing of youth camps, including youth skills camps, be laid on the table.

On a division vote, 123 members having voted in the affirmative and 210 in the negative, the motion failed.

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

On a division vote, 209 members having voted in the affirmative and 124 in the negative, the committee report was 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 18, 2012 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

SB 223, to make technical revisions relative to the health information organization corporation.

SB 281, relative to exposure to infectious disease by emergency response and public safety workers and notification of public health authorities.

SB 319, changing the membership of and extending the 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 321-FN, establishing a committee to study the continuation of payments to long-term care facilities.

SB 360, naming a pond in the town of Sandown.

SB 285-FN, authorizing suspension or revocation of a driver's license for serious boating offenses and relative to loss of motorboat privileges for aggravated driving while intoxicated.

SB 296, relative to including next-of-kin contact information on a driver's license.

SB 290, naming a bridge in Woodstock, New Hampshire the Hilliard Family Bridge.

SB 367, naming a bridge in the town of Londonderry in honor of Lance Corporal Peter J. Sora, Jr., U.S.M.C. and Private First Class Eric D. Currier, U.S.M.C.

SB 391, naming a portion of New Hampshire route 107/43 in the town of Deerfield the Honorable Joseph E. Stone Highway.

SB 394-L, relative to the reclassification of Province Road in Strafford from the intersection of Route 202A to Ricky Nelson Road from class II to class V.

SB 202, apportioning congressional districts.

SB 363, establishing a commission to study the regulation and licensing of youth camps, including youth skills camps.

MOTION TO PRINT REMARKS

Rep. Bettencourt moved that the remarks made by Rep. Bradley on **SB 290**, naming a bridge in Woodstock, New Hampshire the Hilliard Family Bridge, and Rep. Baldasaro on **SB 367**, naming a bridge in the town of Londonderry in honor of Lance Corporal Peter J. Sora, Jr., U.S.M.C. and Private First Class Eric D. Currier, U.S.M.C, be printed in the Permanent Journal.

Adopted.

CLERK'S NOTE

The remarks on **SB 290**, naming a bridge in Woodstock, New Hampshire the Hilliard Family Bridge and **SB 367**, naming a bridge in the town of Londonderry in honor of Lance Corporal Peter J. Sora, Jr., U.S.M.C. and Private First Class Eric D. Currier, U.S.M.C, are printed immediately following each bill.

UNANIMOUS CONSENT

Rep. Hoell addressed the House.

RECESS MOTION

Rep. Silva moved that the House stand in recess for the purposes of the introduction of bills, the reading-in of petitions, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Adopted.

The House recessed at 11:45 a.m.

RECESS

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Davenport off the Committee on Constitutional Review and Statutory Recodification and on the Committee on Science, Technology and Energy.

Rep. Bruce MacMahon off the Committee on Science, Technology and Energy and on the Committee on Constitutional Review and Statutory Recodification.

SENATE MESSAGES

CONCURRENCE

HB 108, relative to trees and roadside growth.

HB 247, relative to seller financing of mortgages and making changes to the laws regulating mortgage bankers and brokers and debt adjustment services.

HB 1127, relative to barbering apprentices.

HB 1133, relative to membership of the enhanced 911 commission.

HB 1136, relative to special state elections.

HB 1155, relative to the regulation of dentists by the board of dental examiners.

HB 1203, relative to the membership of the capital budget overview committee.

HB 1224, allowing municipalities to send tax, water, and sewer bills electronically.

HB 1231, removing the prohibition on the sale, gift, or display of certain young birds.

HB 1266, requiring the assessing standards board to recommend standards rather than guidelines.

HB 1311, changing a statutory reference to reflect the current homestead exemption amounts.

HB 1336, relative to reciprocity for nonresident trainers of hunting dogs.

HB 1351, relative to disclosure of information by the board of funeral directors and embalmers and governing boards of allied health professionals.

HB 1356, classifying certain land in Litchfield as land to be retained by the state.

HB 1370, making technical changes to the New Hampshire real estate practice act.

HB 1378, relative to transfer by pharmacy technicians of prescription drugs between pharmacies.

HB 1448, requiring public access to any document and Internet content which is incorporated by reference in administrative rules.

HB 1504, reinstating the Maine-New Hampshire Interstate Bridge Authority.

HB 1585, relative to inspections of trucks and buses.

HB 1596, relative to the membership of the advisory council on child care.

HB 1618, relative to types of community living facilities.

HB 1644, relative to the regulation of individual home health care service providers by the department of health and human services.

HB 1719, relative to the filing period for elections.

NONCONCURRENCE

HB 219, restricting the rulemaking authority of the state board of education and establishing a legislative oversight committee to review the rulemaking authority of the state board of education.

HB 236, establishing a committee to study workers' compensation benefits for illegal aliens.

HB 581, regulating guaranteed price plans and prepaid contracts for petroleum.

HB 1185-FN-A, relative to the police standards and training council.

HB 1244, relative to firearms possession while trapping.

HB 1301, relative to challenges to voters.

HB 1333, establishing a committee to study the establishment of a point system for violations of hunting and fishing laws and regulations enforced by the fish and game department.

HB 1384, relative to the statute of limitations for complaints against judges.

HB 1394, relative to appeals of eminent domain decisions.

HB 1431, relative to requirements for a barber to obtain a license and for a licensed barber, cosmetologist, manicurist, or esthetician to obtain a shop license.

HB 1455-FN, relative to special licenses for taking lobster while engaged in recreational scuba diving.

HB 1532-FN, relative to trespass on land which is not posted.

HB 1703-FN, requiring the school board to develop and implement a policy that incorporates the foundations of financial literacy into the school curriculum and instruction.

HJR 22, supporting the use of an aversive agent in certain engine coolants and antifreeze to render them impalatable.

REFERRED FOR INTERIM STUDY

HB 1298, relative to the definition of "public use" under the eminent domain procedure act.

LAIID ON THE TABLE

HB 1677-FN, relative to choice as to whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join or to pay dues or fees to the employee organization.

RECESS

(Rep. Lynne Ober in the Chair)

ENROLLED BILL AMENDMENT

SB 363, establishing a commission to study the regulation and licensing of youth camps, including youth skills camps. (Amendment printed SJ 4-18-12)

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 449, 1134, 1196, 1302, 1349, 1420 and 1717.

Rep. Kidder, Sen. Prescott for the Committee

RECESS

(Rep. Bates in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 624 and Senate Bills numbered 202, 290, 321, 360, 367 and 391.

Rep. Kidder, Sen. Prescott for the Committee

RECESS

(Rep. Shurtleff in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 108, 1127, 1136, 1155, 1203, 1224, 1266, 1311, 1336, 1351, 1356, 1370, 1378, 1504, 1585, 1596, 1618, 1644 and 1719 and Senate Bills numbered 223, 285, 296 and 394.

Rep. Bettencourt, Sen. White for the Committee

SENATE MESSAGES

CONCURRENCE

HB 342, relative to boat operation rules.

HB 344-FN, relative to judicial performance evaluations.

HB 1138, naming a bridge in Pelham in honor of Sergeant Daniel R. Gionet.

HB 1150, relative to examinations for licensure as a professional engineer or land surveyor.

HB 1233, establishing a statute of limitations on wetlands filling and dredging.

HB 1240, relative to license suspensions for refusal to consent to an alcohol test.

HB 1296, relative to net energy metering.

HB 1417, relative to a student's freedom of association.

HB 1442, relative to motorcycle noise emission regulation.

HB 1477, relative to the definition of spent materials.

NONCONCURRENCE

HB 628-FN, relative to searches conducted for purposes of transportation-related security.

HB 1167, relative to the calculation of days in the school year.

HB 1534-FN, repealing the self-funding of the department of labor.

HB 1662-FN, relative to preparation of fiscal notes.

REFERRED FOR INTERIM STUDY

HB 517-FN, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

HB 1440, relative to driver education.

HB 1505-FN, relative to public employee suggestions for cost-saving measures.

LAIID ON THE TABLE

HB 383, prohibiting the collection of certain agency fees from state employees who are not members of the state employees' association.

HB 1460, establishing a defined contribution retirement plan for public employees.

CONCURRENCE WITH AMENDMENTS

SB 223, to make technical revisions relative to the health information organization corporation and relative to the membership of the health information organization board.

SB 394-L, relative to the reclassification of Province Road in Strafford from the intersection of Route 202A to Ricky Nelson Road from class II to class V and relative to an appropriation in the capital budget for construction and renovations to the Milford Armory.

RECESS

(Speaker O'Brien in the Chair)

COMMITTEE FOR REDRESS OF GRIEVANCES REPORTS

The following reports are the result of committee hearings and deliberations on the petitions presented to it. They are printed here for informational purposes.

Petition #23: Grievance of Bill and Mary Cloutier, Epping, New Hampshire.

REPORT

Grievance Founded.

Rep. Harry B. Hardwick for the Committee.

Committee Findings: The Cloutier's complaint of an assessment that doubled their property value and was sent to them after their opportunity to question it had passed was acceded to by the town which then corrected the wrongful appraisal and ended their association with the assessing company responsible, calling on other towns to do the same. Vote 9-0.

Petition #25: Grievance of the Community Action Group to Save CMC Again.

REPORT

Grievance Unfounded.

Rep. Robert F. Willette for the Committee

Committee Findings: Complaint involving the AG's office for failure to follow through with its promise to investigate the high salaries of Catholic Medical and other charitable non-profits appears to be premature. AG's office testified that it is indeed working on the investigation and hope to have something to those involved in, optimistically, about six months. Vote 10-0.

RECESS