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, May 9, 2012 No. 40

HOUSE JOURNAL No. 18 (cont.)

Wednesday, April 25, 2012

Rep. Daniels moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 19

Wednesday, May 9, 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.
O God, fountain of wisdom, whose will is good and gracious and whose law is truth. We ask You to bless this assembled Chamber, that it may enact such laws as please You. You have blessed this great State of New Hampshire with beauty and countless opportunities to work for the good life. Help us to enhance that natural beauty with a people grateful for what we do here. Help us honor those who gave us life both physical and spiritual, especially this week, our mothers, who know well the burdens of nurture, the joys of goodness come to maturity and outcomes contrary to original intent. Their task is not much different than ours. Nudge us to reflect on the point of our beginnings so that we might have confidence in the process of living through the full cycle of tried and healthy practices of government. Bless those in uniform who defend us. Give them protection. Bless with good health those of this Chamber who are ill, or their families and friends. Bless our work today with goodness, a healthy sun and a secure peace. We ask this in Your Holy name. Amen.

Representative Dennis Fields, member from Sanbornton, led the Pledge of Allegiance.

The National Anthem was sung by Maxwell Sjostrom, a 6th grade student at Gorham Middle School.

LEAVES OF ABSENCE

Reps. Case, Emerson, Hofemann, Jeudy, Long, Malone and Watrous, the day, illness.
Reps. Antosz, Birdsell, Lars Christiansen, DeJong, Donovan, Eaton, Giuda, Gary Hopper, Lauer-Rago, Leonard, Bruce MacMahon, Millham, Norelli, Oligny, Packard, Pelletier, Jon Richardson, Andrew Schmidt, Serlin, Sprague, Tasker and Andrew White, the day, important business.
Reps. Andolina and Jennifer Coffey, the day, illness in the family.
Reps. Groen and Dennis Reed, the day, death in the family.

INTRODUCTION OF GUESTS

Reed Panasiti, guest of Rep. Belvin. Dennis Molloy, guest of Rep. Watters. Alison Fanisan, guest of Rep. Levasseur. Allyson Ball, daughter of Rep. Ball. Dick Gordon, guest of Rep. Shuler. Kris and Linda Sjostrom and Lucille Couture, parents and grandmother of the singer, guests of the House. Joanne Rotast and Linda DiSilvestro, guests of Rep. Baroody. Fourth graders from Danville Elementary School, guests of the Rockingham County, District 7 delegation.

Emily Steadman, a home school student from Amherst, Page for the day.

AMENDMENT TO HOUSE RULES

Reps. Jasper and Gary Richardson moved that the House adopt an amendment to House Rule 65, as proposed by the Rules Committee, adding the following deadlines for legislative action:
Following the entry for Wednesday, June 7, 2012 at the end of the Rule, add the following:

Monday, September 17, 2012	First day for incumbent members running for reelection to file LSRs for 2013 session.
Wednesday, September 26, 2012	Last day for incumbent members running for reelection to file LSRs for 2013 session prior to the general election.
Friday, November 2, 2012	Last day to file Interim Study reports.
Tuesday, November 13, 2012	First day for all members elected for the 2013 session to file LSRs for the 2013 session.
Friday, December 7, 2012	Last day for all members elected for the 2013 session to file LSRs for the 2013 session.
	Last day for a member to declare sponsorship of an LSR filed by an unelected incumbent member.
Friday, January 11, 2013	Last day to sign off all House LSRs, other than petitions involving the election or qualifications of a member to serve in the House.
Friday, February 1, 2013	Last day to introduce House legislation including, but not limited to, House Bills and petitions
Wednesday, February 13, 2013	Last day to amend House Rules by majority vote.

All deadlines are subject to the close of business at 5:00 p.m. each day, except amending House Rules, which shall be the ending of the last House session day on or prior to February 13, 2013.
Adopted.

SENATE MESSAGES
REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1567, establishing a committee to study the federal Youth Corrections Act. (Amendment printed SJ 3-28-12)

Rep. Jasper moved that the House concur.
Adopted.

HB 234-FN-A, relative to food service licensure and establishing a committee to study the regulation of food service establishments. (Amendment printed SJ 4-15-12)
Rep. Hunt moved that the House concur and spoke in favor.
Adopted.

HB 408, clarifying the exemption for attorneys from licensing requirements for mortgage brokers or bankers. (Amendment Printed SJ 4-11-12)
Rep. Hunt moved that the House concur and spoke in favor.
Adopted.

HB 1330, establishing a committee to study blood testing of drivers after motor vehicle fatalities. (Amendment printed SJ 4-11-12)
Rep. Swinford moved that the House nonconcur and spoke in favor.
Adopted.

HB 1664, establishing a committee to study transferring election law enforcement to the secretary of state. (Amendment printed SJ 4-11-12)
Rep. Bates moved that the House concur, spoke in favor and yielded to questions.
On a division vote, 203 members having voted in the affirmative and 77 in the negative, the motion was adopted.

HB 1673-FN, relative to complaints of election law violations. (Amendment printed SJ 4-25-12)
Rep. Bates moved that the House concur and spoke in favor.
On a division vote, 308 members having voted in the affirmative and 12 in the negative, the motion was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Gladys Johnsen moved that the House reconsider its action whereby, on a voice vote, it adopted the motion to nonconcur with a Senate amendment on ***HB 1330,*** establishing a committee to study blood testing of drivers after motor vehicle fatalities.
Reps. Gladys Johnsen and Duarte spoke in favor.
On a division vote, 95 members having voted in the affirmative and 231 in the negative, the motion failed.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS (CONT'D)

HB 325-FN, relative to the transfer of animals from licensed animal vendors. (Amendment printed SJ 4-18-12)
Rep. Haefner moved that the House concur and spoke in favor.
Adopted.

HB 1281, establishing a committee to study alternative medical insurance coverage for elected state officials. (Amendment printed SJ 4-11-12)
Rep. Carol McGuire moved that the House concur and spoke in favor.
Without objection, Rep. Carol McGuire withdrew the motion.

HB 1392, relative to oyster aquaculture licenses. (Amendment printed SJ 4-18-12)

Rep. Newton moved that the House concur and spoke in favor.
Adopted.

HB 1357, relative to the membership of mosquito control districts. (Amendment printed SJ 4-11-12)
Rep. Lynne Ober moved that the House concur and spoke in favor.
Adopted.

HB 1563, relative to Greenland's water rights. (Amendment printed SJ 4-11-12)
Rep. Lynne Ober moved that the House concur and spoke in favor.
Adopted.

HB 1165, naming a bridge in the town of Meredith the POW/MIA Vigil and Freedom Ride bridge. (Amendment printed SJ 4-18-12)
Rep. Chandler moved that the House concur and spoke in favor.
Adopted.

HB 1716, relative to the state 10-year transportation improvement program. (Amendment printed SJ 4-18-12)
Rep. Chandler moved that the House concur and spoke in favor.
Rep. Tamburello requested a roll call; sufficiently seconded.

YEAS 308 NAYS 28

YEAS 308

BELKNAP

Accornero, Harry	Bolster, Peter	Comtois, Guy	Fields, Dennis
Flanders, Donald	Greemore, Robert	Kingsbury, Robert	Pilliod, James
Russell, David	St. Cyr, Jeffrey	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	Cartwright, Anne	Chase, Cynthia
Dwinell, Richard	Hawkes, Samuel	Hunt, John	Johnsen, Gladys
Johnson, Jane	Lerandeau, Alfred	Lindsey, Steven	Meader, David
Moore, Robert Jr	Parkhurst, Henry	Sad, Tara	Smith, Edwin
Sterling, Franklin Jr	Tatro, Bruce	Weber, Lucy	Weed, Charles

COOS

Coulombe, Gary	Daugherty, Duffy	Hatch, William	Merrick, Evalyn
Rappaport, Laurence	Remick, William	Richardson, Herbert	Theberge, Robert
Tholl, John Jr	Thomas, Yvonne	Tremblay, Marc	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester

Brosseau, Charles	Bulis, Lyle	Cooney, Mary	Gionet, Edmond
Gould, Franklin	Harding, Laurie	Ladd, Rick Jr	Mirski, Paul
Nordgren, Sharon	Pastor, Beatriz	Pierce, David	Reilly, Harold Sr
Simard, Paul	Smith, Suzanne	Sorg, Gregory	Sova, Charles
Townsend, Charles			

HILLSBOROUGH

Avard, Kevin	Ball, J. Michael	Baroody, Benjamin	Barry, J. Gail
Barry, Richard	Belanger, James	Belvin, William	Bergevin, Jerry
Boehm, Ralph	Brown, Kevin	Brownrigg, Randall Jr	Burt, John
Buxton, Michael	Campbell, David	Cebrowski, John	Champagne, Norma
Christensen, D.L. Chris	Coffey, James	Condra, William	Cote, David
Coughlin, Sean	Cusson-Cail, Kathleen	Daler, Jennifer	Daniels, Gary
Day, Russell	Doherty, Shaun	Drisko, Richard	Erickson, Duane
Flanagan, Jack	Fredette, Robert	Gagne, Larry	Gandia, Laura
Garrity, Patrick	Gidge, Kenneth	Gimas, John	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Graham, John	Haefner, Robert
Hansen, Peter	Hardwick, Harry	Hawkins, Kenneth	Hikel, John
Hinch, Richard	Hogan, Edith	Holden, Frank	Hutchinson, Winfred
Infantine, William	Jasper, Shawn	Kurk, Neal	Lambert, George
LeBrun, Donald	Leishman, Peter	Levasseur, Nickolas	Maltz, Jonathan
McCarthy, Michael	McClarren, Donald	McGuinness, Sean	Messier, Irene
Moran, Edward	Murphy, Keith	Ober, Lynne	Ober, Russell III
Ohm, Bill	Palmer, Barry	Palmer, Stephen	Pellegrino, Tony
Pepino, Leo	Peterson, Lenette	Pilotte, Maurice	Porter, Marjorie
Pratt, Calvin	Proulx, Mark	Ramsey, Peter	Reed, Michael
Rhodes, Brian	Robbins, David	Rokas, Ted	Rosenwald, Cindy
Rowe, Robert	Scontsas, Lisa	Seidel, Carl	Shaw, Barbara
Silva, Peter	Simmons, Tammy	Soucy, Connie	Souza, Kathleen
Stepanek, Stephen	Stroud, Kathleen	Sullivan, Peter	Terrio, Ross
Thomas, Joseph	Twombly, Timothy	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Whitehead, Randall	Willette, Robert	

MERRIMACK

Blankenbeker, Lynne	Bouchard, Candace	Deloge, Helen	DeStefano, Stephen
Foose, Robert	Frazer, June	Gile, Mary	Hamm, Christine
Hess, David	Hill, Gregory	Hoell, J.R.	Keane, Thomas
Kidder, David	Kotowski, Frank	Kreis, Kenneth Sr	Lindsley, Mark
Lockwood, Priscilla	MacKay, James	McDonnell, John	McGuire, Carol
McGuire, Dan	Owen, Derek	Palfrey, David	Patten, Dick
Potter, Frances	Rice, Chip	Richardson, Gary	Sanborn, Laurie
Shurtleff, Stephen	Smith, Molly	Smith, Todd	Wallner, Mary Jane
Williams, Robert	Winter, Steven		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Bates, David
Belanger, Ronald	Bettencourt, David	Cali-Pitts, Jacqueline	Charron, Gene
Chirichiello, Brian	Comerford, Timothy	Copeland, Timothy	DeSimone, Debra
Devine, James	DiPentima, Rich	Dowling, Patricia	Duarte, Joe
Elliott, Robert	Ferrante, Beverly	Fesh, Robert	Griffin, Mary
Hagan, Joseph	Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia	Major, Norman

Manuse, Andrew	McMahon, Charles	Moody, Marcia	Murphy, Brian
Nevins, Chris	O'Connor, John	Pantelakos, Laura	Peckham, Michele
Perkins, Amy	Perkins, Lawrence	Quandt, Marshall	Read, Robin Jr
Reagan, John	Rice, Frederick	Ritter, Glenn	Sanders, Elisabeth
Sapareto, Frank	Sapienza, Marie	Schlachman, Donna	Schroadter, Adam
Sedensky, John	Sheffert, Kenneth	Smith, William	Sullivan, James
Sullivan, Kevin	Sytek, John	Tucker, Pamela	Waddell, James
Ward, Joanne	Welch, David	Weyler, Kenneth	

STRAFFORD

Berube, Roger	Brown, Julie	Browne, Brendon	Domingo, Baldwin
Ginsburg, Philip	Grassie, Anne	Hooper, Dorothea	Horrigan, Timothy
Jones, Laura	Keans, Sandra	Munck, Philip	Newton, Clifford
O'Connor, William	Parsons, Robbie	Perry, Robert	Pitre, Joseph
Roberts, Jenna	Schmidt, Peter	Spainhower, Dale	Spang, Judith
Vita, Carol	Vita, Lucien	Wall, Janet	Watters, David
Weeden, Michael			

SULLIVAN

Bowers, Spec	Cloutier, John	Cunningham, Steven	Gagnon, Raymond
Howard, Thomas	LaCasse, Paul Sr	Laware, Thomas	Lefebvre, Benjamin
Lovett, Charlene	Osgood, Joe	Rodeschin, Beverly	Smith, Steven

NAYS 28

BELKNAP

Simpson, Tyler

CARROLL

None

CHESHIRE

Moore, Charles

COOS

None

GRAFTON

None

HILLSBOROUGH

Beattie, Thomas	Greazzo, Phil	Krasucki, Joseph	Notter, Jeanine
Parison, James	Renzullo, Andrew	Swank, Matthew	

MERRIMACK

Cohn, Seth	Seaworth, G. Brian

ROCKINGHAM

Baldasaro, Alfred	Brown, Paul	Headd, James	Introne, Robert
Janvrin, Kevin	Lundgren, David	Mauro, Donna	McKinney, Betsy

Okerman, Richard	Reichard, Kevin	Shuler, Wyman III	Tamburello, Daniel
Tremblay, Stella	Webb, James		

STRAFFORD

Cataldo, Sam	DeLemus, Susan	Larsen Schultz, Kirsten

SULLIVAN

None
and the motion was adopted.

HB 1144, establishing a commission to study the taxation of alternative fuel and electric-powered motor vehicles for the purpose of funding improvements to the state's highways and bridges. (Amendment printed SJ 4-18-12)
Rep. Stepanek moved that the House concur and spoke in favor.
Adopted.

HB 1211, establishing a committee to study the promotion of lease of state-owned land for use for beginning farmers. (Amendment printed SJ 4-11-12)
Rep. Haefner moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Haefner, Babson, Gandia and Sad.

HB 1230-FN, requiring a listing of state real property. (Amendment printed SJ 4-25-12)
Rep. Chandler moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Graham, Edwin Smith, McConkey and Bouchard.

HB 533-FN-L, establishing a cap on the amount of school building aid grants distributed in each fiscal year. (Amendment printed SJ 4-18-12)
Rep. Lynne Ober moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Lynne Ober, Foose, William Smith and Umberger.

HB 1221, relative to the credit for the business enterprise tax against the business profits tax. (Amendment printed SJ 4-25-12)
Rep. Stepanek moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Stepanek, Ohm, Azarian and Hamm.

CONSENT CALENDAR

Rep. Bettencourt moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
SB 336, relative to medical payments coverage, removed by Rep. Lundgren.
SB 270, relative to civil commitment of persons found incompetent to stand trial, removed by Rep. Hoell.
SB 260, relative to protection and preservation of significant archeological deposits, removed by Rep. Dan McGuire.
Consent Calendar adopted.

SB 349, relative to the administration of juvenile justice services. **OUGHT TO PASS.**
Rep. Anne C. Grassie for Children and Family Law: The committee agrees with the Senate

and the House Health and Human Services and Elderly Affairs Committee that juvenile justice and child welfare can best serve youth and families by sharing and collaborating under a common director. By merging both divisions of children, youth and families (DCYF) and department of juvenile justice services (DJJS), communities can view DCYF as a valuable intervention for all children regardless of petition type and limited resources can be utilized more effectively. Creating one division from two that currently share one budget, one director and one practice model makes the most sense. Vote 11-0.

SB 380, relative to the study committee on juvenile delinquency and children in need of services. **OUGHT TO PASS.**
Rep. David S. Robbins for Children and Family Law: This statutory committee has suffered from quorum issues since it was established by 2009 legislation. Only three meetings were held in 2010 and zero in 2011. Increasing membership to five representatives and two senators, with a quorum of four, will relieve this problem, allowing the committee to complete its important charge. The final report's date needed to be extended to make the committee an official body. Vote 11-0.

SB 204, adopting amendments to Article 9 of the Uniform Commercial Code relative to secured transactions. **OUGHT TO PASS.**
Rep. Chris F. Nevins for Commerce and Consumer Affairs: This bill rewrites language that updates Article 9 of the Uniform Commercial Code (UCC). The intention is that each article of the UCCs is the same in all 50 states; hence, why they are called "uniform." This language will bring New Hampshire laws up to date for Article 9 of the UCC. In the one section where states may choose between two options, we have chosen the one that was the least burdensome for New Hampshire citizens. The secretary of state's office concurs with these changes and there was no opposition testimony presented to the committee. Vote 14-0.

SB 220, relative to external review under the managed care law. **OUGHT TO PASS.**
Rep. Donald H. Flanders for Commerce and Consumer Affairs: For numerous years, New Hampshire has had an external review process in place administered by the Insurance Department for the benefit of New Hampshire consumers. Nevertheless, in July 2011 the federal government determined it would strip the ability of New Hampshire to conduct external reviews over minor differences between the state and federal law. SB 220 addresses those discrepancies and preserves New Hampshire's right to conduct external review. Vote 13-1.

SB 221, relative to life, accident, and health insurance. **OUGHT TO PASS.**
Rep. Donald H. Flanders for Commerce and Consumer Affairs: This bill is at the request of the insurance department. To begin with, it repeals two provisions that are unnecessary. The first refers to alternative dispute resolution that does not exist in the state because New Hampshire has specific requirements for external review and grievance procedures. The second deals with maternity coverage riders which were made redundant and unnecessary by the Pregnancy Discrimination Act of 1978. Further, the bill corrects an inconsistency existing in prompt pay penalty statutes. The penalty was increased in 2009 but one penalty provision of the existing law was missed. This corrects that oversight so that all segments of the industry violating prompt pay statutes are treated equally. Vote 14-0.

SB 235, relative to registration of business organizations with the secretary of state. **OUGHT TO PASS.**
Rep. James F. Headd for Commerce and Consumer Affairs: This bill was brought forward at the request of the secretary of state. The bill amends RSA 293 in that it eliminates the requirement that certain foreign business organizations file certificates of existence with the secretary of state. We now have on-line capability to check on any of these entities

considering doing business in any state. Every other state is doing this. Vote 14-0.

SB 245, relative to health care sharing organizations. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Donald H. Flanders for Commerce and Consumer Affairs: This bill authorizes the establishment of health care organizations which shall be 501(c) (3) organizations under the Internal Revenue Code. The provisions of Title XXXVII relating to health insurance shall not apply to health care sharing organizations established under this chapter. A health care sharing organization which, through its publication to participants, solicits funds for the payment of medical expenses of other participants, shall not be considered to be engaging in the business of insurance for purposes of any provision of Title XXXVII and shall not be subject to the jurisdiction of the insurance commissioner if the requirements of this section are met. Vote 13-0.

Amendment (1941h)
Amend RSA 126-V:1, II as inserted by section 1 of the bill by replacing it with the following:
II. In this section, a "health care sharing organization" means a faith-based nonprofit organization which, or a predecessor of which, has been in existence continuously and has facilitated the sharing of medical expenses of participants without interruption since December 31, 1999, that is tax-exempt pursuant to section 501(c)(3) of the Internal Revenue Code, which limits its participants to individuals who share a common set of ethical or religious beliefs, and whose participants share medical expenses in accordance with those beliefs.

SB 253, relative to debt-related mortgage disability and mortgage accidental death insurance. **OUGHT TO PASS.**
Rep. Donald H. Flanders for Commerce and Consumer Affairs: This bill provides clearer statutory authority for the sale of mortgage disability and mortgage accidental death insurance on a group basis. For approximately 30 years, these products have been sold in New Hampshire by up to 28 banks, depending upon the year. The insurance department identified the need for this statutory change during its review of a recent product filing. This bill ensures that the department has the authority to allow the banking industry to continue the sale of these products. Vote 14-0.

SB 368, relative to nondepository trust companies. **OUGHT TO PASS.**
Rep. Matt J. Quandt for Commerce and Consumer Affairs: The bill, at the request of the banking department, simply changes the term nondepository financial institutions to nondepository trust companies. Vote 14-0.

SB 371, allowing a lien for labor and materials for professional design services. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Donna L. Schlachman for Commerce and Consumer Affairs: The bill adds design professionals to the tradesmen who are currently able to file and perfect a mechanic's lien for nonpayment of work related to what is referred to in statute as "vessel and buildings" projects. The committee heard testimony that land surveyors, architects, civil engineers, and others who are on the planning and design end of projects, both small and large, are not included in the right of liens as are those individuals directly doing the repair, construction or purchase of materials for a projects. This bill simply enables those who provide professional design services to enjoy the same right to recover fees as do others via liens. The amendment simply deletes archaic language that appeared in 3 places and did not change the meaning or intent of the statute. Vote 14-0.

Amendment (1645h)

Amend RSA 447:1 and 447:2 as inserted by section 1 of the bill by replacing them with the following:

447:1 Vessels. If a person shall[~~, by himself or others,~~] perform labor***, provide professional design services as defined in RSA 447:2,*** or furnish materials toward building, repairing, fitting or furnishing a vessel within this state, payment for which is due, he ***or she*** shall have a lien therefor on the vessel for the space of 4 days after it is completed.

447:2 Buildings, etc.

I. If any person shall[~~, by himself or others,~~] perform labor***, provide professional design services,*** or furnish materials to the amount of $15 or more for erecting or repairing a house or other building or appurtenances, or for building any dam, canal, sluiceway, well or bridge, or for consumption or use in the prosecution of such work, other than for a municipality, by virtue of a contract with the owner thereof, he ***or she*** shall have a lien on any material so furnished and on said structure, and on any right of the owner to the lot of land on which it stands.

II. In this section, "professional design services" means any services provided by a licensed architect, licensed landscape architect, licensed engineer, permitted septic designer, certified wetland scientist, certified soil scientist, or licensed land surveyor that is directly related to the improvement of real property.

Amend RSA 447:5 as inserted by section 2 of the bill by replacing it with the following:

447:5 Subcontractors. If a person shall [~~by himself or others~~] perform labor***, provide professional design services as defined in RSA 447:2,*** or furnish materials to the amount of $15 or more for any of the purposes specified in RSA 447:2, 447:3 and 447:4 and in RSA 453, by virtue of a contract with an agent, contractor or subcontractor of the owner, [~~he~~] ***the person*** shall have the same lien as provided in said sections, provided, that he ***or she*** gives notice in writing to the owner or to the person having charge of the property that he ***or she*** shall claim such lien before performing the labor or furnishing the material for which it is claimed.

Amend RSA 447:7 as inserted by section 2 of the bill by replacing it with the following:

447:7 Railroads. If a person shall[~~, by himself or others,~~] perform labor***, provide professional design services,*** or furnish materials to the amount of $15 or more, in the grading, masonry, bridging or track-laying of a railroad, under a contract with an agent, contractor or subcontractor of the proprietors thereof, [~~he~~] ***the person*** shall have a lien upon the railroad and the land upon which it is constructed; provided, that he ***or she*** gave notice in writing to such proprietors, or to the person having charge of the railroad, that he ***or she*** should claim such lien before performing the labor***, providing the services,*** or furnishing the materials for which it is claimed.

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

5 Reference Change; Liens for Lumber, Etc. Amend RSA 447:4 to read as follows:

447:4 Lumber, etc. If a person shall, [~~by himself or others, or~~] by teams or machinery, perform labor or furnish supplies to the amount of $15 or more toward rafting, driving, cutting, hauling, sawing or drawing wood, bark, lumber or logs, or toward cooking or hauling supplies in aid of such labor, by virtue of a contract with the owner of the wood, bark, lumber or logs, he ***or she*** shall have a lien thereon for such labor or supplies.

SB 276-FN, establishing the vandalizing or defacing of state or municipal property as criminal mischief. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Larry G. Gagne for Criminal Justice and Public Safety: This bill adds state and municipal property to RSA-634:2 paragraph VI. It is a class A misdemeanor and also has the actor make restitution for any damage he or she has deliberately caused in excess of $100 but less than $1500. It is still a class B felony if the actor caused pecuniary loss in excess of $1500. Amendment 1879h removes the phrase "any part of the Old Man of the Mountain" because the formation no longer exists. Vote 14-0.

Amendment (1879h)

Amend the bill by replacing section 1 with the following:

1 Destruction of Property; Criminal Mischief. Amend RSA 634:2, VI to read as follows:

VI. Any person who is found guilty of criminal mischief under paragraph III of this section because he or she has vandalized, defaced, or destroyed any part of ***state or municipal property,*** [~~the "Old Man of the Mountain"~~] or any natural geological formation, site, or rock surface located on public property that has been designated by the state or any of its political subdivisions or the federal government as a natural area or landmark shall be guilty of a class A misdemeanor and shall also make restitution [~~to the state~~] for any damage he or she has caused.

SB 400, including owls within the definition of raptor for the purpose of falconry. **INEXPEDIENT TO LEGISLATE.**

Rep. Norman A. Tregenza for Fish and Game and Marine Resources: The committee supported ITL on SB 400 for two reasons. First, the bill's prime sponsor cited the concerns of avid falconry participating constituents regarding their use of owls for educational purposes. Chapter 800 in the fish and game rules currently allows for possession of owls for educational purposes. Second, without further information and without support from the public, the committee deemed the bill to be unnecessary. Vote 12-0.

SB 346, extending the committee to study the laws relating to electronic prescriptions. **OUGHT TO PASS.**

Rep. John M. Reagan for Health, Human Services and Elderly Affairs: The committee to study electronic prescription laws needs to finish its review of recently enacted legislation in other states in order to finish its work and make any recommendations for New Hampshire. For that reason the deadline is extended to September 1, 2012. Vote 10-0.

SB 233-L, relative to special elections of the charter commission. **OUGHT TO PASS.**

Rep. Philip L. Munck for Municipal and County Government: At present, when a vote to establish a charter commission passes, the special election to elect charter commissioners must take place within a ten day window beginning eight weeks after the establishment vote. This virtually insures that a special (and expensive) special election will be required. This bill establishes the window as 110 days beginning three weeks after the establishment vote making it more likely the election of charter commissioners could be combined with another regular election. Vote 17-0.

SB 238, establishing a committee to assess the form of government in towns that have elected the official ballot referendum form of meeting. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin W. Sterling for Municipal and County Government: This bill will establish a study committee to examine how the Official Ballot form of government created under RSA 40:13 has been implemented and administered by the cities, towns and school districts that have adopted it. This body has been called upon on an annual basis to consider suggested alterations to the statute, suggesting that there may be underlying dissatisfaction with parts of the law. The study committee will review the whole statute to see what changes may be made to allow greater flexibility in those communities that have adopted this form of municipal government. Vote 17-0.

Amendment (1774h)

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

1 Committee Established. There is established a committee to assess the form of government in towns that have elected the official ballot referendum form of meeting pursuant to RSA 40:13.

2 Membership and Compensation.

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

(a) Two members of the senate, appointed by the president of the senate.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall examine the implementation and administration of the official ballot referendum form of meeting pursuant to RSA 40:13 and make recommendations relative to improving the process and enhancing flexible governance.

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

5 Report. The committee 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 November 1, 2012.

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

AMENDED ANALYSIS

This bill establishes a committee to assess the form of government in towns that have elected the official ballot referendum form of meeting pursuant to RSA 40:13.

SB 254, relative to funding and expenditures from certain municipal special revenue funds. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Burt for Municipal and County Government: This bill would allow any monies left over from a special revenue fund, if such recreation revolving fund is rescinded by vote of the legislative body, to become part of the general fund accumulated surplus. Before SB 254, the monies could not be removed even though the special revenue funds were closed. Vote 17-0.

Amendment (1775h)

Amend the bill by replacing section 3 with the following:

3 Recreation and Parks; Special Fund. Amend RSA 35-B:2, II to read as follows:

II. By fees and charges for recreation park services and facilities. All revenue from such fees and charges may be deposited into a special fund established for such purposes pursuant to RSA 31:95-c, or into a recreation revolving fund established by vote of the legislative body. If such a recreation revolving fund is created, the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the political subdivision's general surplus. The treasurer of the political subdivision shall have custody of all moneys in such fund, and shall pay out the same only upon order of the recreation or park commission, or other board or body designated by the local legislative body at the time the fund is created. Such funds may be expended only for the purposes of this chapter, and no expenditure shall be made in such a way as to require the expenditure of, or create a liability upon, other town funds which have not been appropriated to that purpose. ***If such recreation revolving fund is rescinded by vote of the legislative body, any remaining amounts in the fund shall become part of the general fund accumulated surplus.***

SB 261, relative to requirements for warrant articles. **INEXPEDIENT TO LEGISLATE.**

Rep. James P. Belanger for Municipal and County Government: This bill had several areas

of contention and begged for major amendments. The deciding factor, however, was the portion that dealt with language that addressed reversing the intent of a petition warrant article in an official ballot town. The provision that "No petition warrant article shall be amended in such a manner as to reverse the intent of the article warned" was the roadblock. There were too many examples of changes that might lead to an interpretation that the intent might be reversed. An article to renovate town hall by appropriating $100,000 being changed to "not" renovate town hall is clear that it reverses intent. But changing the amount from $100,000 to $1.00 or $10,000 might also be said to reverse intent if it renders the intent impossible to accomplish. Too many examples were brought up that could be argued either way that the majority of the committee, who couldn't reach agreement as to intent reversal, felt this ambiguity would be compounded and open to challenge in an actual town meeting. Vote 15-2.

SB 340, relative to locations for junkyards. **OUGHT TO PASS.**
Rep. Franklin W. Sterling for Municipal and County Government: The purpose of this bill is to allow those municipalities that have not adopted zoning ordnances to have the local governing body propose and adopt ordnances for the regulation and licensing of junk yards. Vote 16-0.

SB 241, relative to expiration and extension of terrain alteration permits and permits for grading or reclamation projects. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Judith T. Spang for Resources, Recreation and Development: This bill stipulates that all DES terrain alteration permits shall be valid for a period of five years and then establishes criteria for DES to grant permit extensions of up to an additional five years. These provisions of SB 241 are identical to existing DES terrain alteration rules (Chapter Env-Wq 1500). The bill also proposes to align DES permit extension criteria with those of municipalities for cases where projects are "substantially complete," thus making local and state permitting procedures more consistent. DES strongly supports this approach. As amended, permits for excavation and mining will not expire, if updates are submitted to DES. This bill also contains a non-germane amendment that extends the final reporting date of the SB 60 Commission to Study Water Infrastructure Sustainability Funding by five months to allow the completion of this important work. Vote 12-0.

Amendment (1953h)

Amend the title of the bill by replacing it with the following:
AN ACT relative to expiration and extension of terrain alteration permits and extending the report date for the commission to study water infrastructure sustainability funding.
Amend RSA 485-A:17, II-e as inserted by section 1 of the bill by replacing it with the following:

II-e. A permit issued under this section that is associated with the ongoing excavation or mining of materials from the earth shall not expire for the life of the project identified in the permit application, provided that the permit holder submits a written update of the project's status every 5 years from the date of the permit issuance using a form obtained from the department as specified in department rules.
Amend the bill by replacing all after section 1 with the following:

2 Commission to Study Water Infrastructure Sustainability Funding; Report. Amend 2009, 245:5, as amended by 2011, 144:1, to read as follows:

245:5 Report. The commission shall make an interim report on or before November 1, 2009, and another on November 1, 2010, with a final report of 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 [~~one year from the effective date of this act, or earlier~~] ***on or before November 1, 2012***.

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:

I. Provides that a terrain alteration permit shall be valid for 5 years and authorizes an extension of the permit if the applicant meets specified criteria.

II. Provides an exception for a terrain alteration permit associated with the ongoing excavation or mining of materials from the earth, which shall not expire during the life of the project if the permit holder submits a written status update to the department of environmental services every 5 years.

III. Extends the final report date for the commission to study water infrastructure sustainability funding.

SB 250, relative to operation of ATVs and trail bikes on state lands. **OUGHT TO PASS.**
Rep. Judith T. Spang for Resources, Recreation and Development: This bill makes a correction in the criteria for location of new ATV trails. The existing statute requires that trails not be located in the "well head protection area" of a public well. This is an area excessively large to protect water quality. This bill changes the language to "sanitary protective area of a public well," which applies to a 400 foot radius from a well, which is the most vulnerable to contamination. The bill also provides more flexibility in locating trails on better soils and existing roadways, closer to heron and eagle roosting areas when approved by fish and game, and building trail connectors in Coos County. Vote 13-0.

SB 265, relative to the definition of stormwater. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Charlene M. Lovett for Resources, Recreation and Development: This bill clarifies the definition of stormwater as currently defined in statute. It defines stormwater as surface runoff and drainage that is generated from precipitation and snowmelt, including any debris, chemicals, sediment, or other substances carried along with the water. The amendment simplified the language of the definition. Vote 13-0.

Amendment (1899h)

Amend RSA 149-I:6-a, II as inserted by section 1 of the bill by replacing it with the following:

II. "Stormwater" means [~~stormwater runoff from precipitation, snow melt runoff, and street wash waters related to street cleaning or maintenance, infiltration, and drainage~~] ***surface runoff and drainage that is generated from precipitation and snowmelt, including any debris, chemicals, sediment, or other substances carried along with the water***.

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

AMENDED ANALYSIS

This bill amends the definition of "stormwater" in the statute governing stormwater utilities.

SB 344, allowing the department of resources and economic development to cut vegetation in shoreland areas where public safety is of concern. **OUGHT TO PASS.**
Rep. Charlene M Lovett for Resources, Recreation and Development: The basis for this bill was to respond to law enforcement and public safety issues. It continues the NH department of resources & economic development (DRED's) authority to cut overgrowth of vegetation on lands under its control, but provides transparency through a notification process to DES. This process enables DES to respond to any concerns that may arise if cutting is to occur on land that otherwise is protected under the shoreline protection act. Simultaneously, it enables DRED to respond to law enforcement concerns generated by vegetation overgrowth.

Vote 12-0.

SB 358-FN, expanding eligibility for free admission to the state park system to certain members and their families and retired members of the armed forces. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Charlene M. Lovett for Resources, Recreation and Development: This bill provides free admission to day-use areas of the state park system for any active member of the armed forces, including the active reserve members of the NH National Guard. Active members must present military identification upon entry into the park and meet the minimum requirements for satisfactory membership in the armed forces. The amendment focused the intent of the bill on active members of the military. Vote 10-0.

Amendment (1929h)
Amend the title of the bill by replacing it with the following:
AN ACT relative to eligibility for free admission to the state park system for members of the armed forces.
Amend the bill by replacing all after the enacting clause with the following:
1 Free Admission to State Park System for Members of the Armed Forces. RSA 216-A:3-g, V is repealed and reenacted to read as follows:
V.(a) Upon presentation of military identification, any active member of the armed forces who meets the minimum requirements for satisfactory membership, as defined in federal regulations, shall not be charged a fee for admission to day-use areas of the state park system. In this section, "armed forces" means armed forces as defined in RSA 21:50, II and includes active and reserve members of the New Hampshire national guard.
(b) Any fees for the use of enterprise activities as described in paragraph II of this section shall be charged.
2 Effective Date. This act shall take effect upon its passage.
AMENDED ANALYSIS
This bill changes eligibility requirements for free admission to the state park system for members of the armed forces.

SB 388, relative to the use of land along Silver Lake that is below the public trust boundary. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Peter S. Bolster for Resources, Recreation and Development: This bill establishes that the historic deed definitions of property delineation for lots abutting Silver Lake in Belknap County shall be honored as the right to use and transfer by the owners. This clears the title for legal purposes. The amendment changed the reporting date by DES of the high water mark from November 1st to December 1st. Vote 13-0.

Amendment (1914h)
Amend the bill by replacing section 3 with the following:
3 Report. The department of environmental services shall reassess the current high water mark for Silver Lake as set by the department, taking into consideration existing structures that are below such high water mark and evidence given to the senate energy and natural resources committee. The department of environmental services shall report its determination to the senate energy and natural resources committee and the house resources, recreation and development committee by December 1, 2012.

REGULAR CALENDAR

SB 222, relative to property and casualty insurance, insurance investigations, and insurance certificates. **OUGHT TO PASS.**
Rep. Chris F. Nevins for Commerce and Consumer Affairs: This bill makes technical corrections in the laws relating to property insurance. Additionally, the bill makes minor

corrections to a bill passed by the House last year that further clarifies the law regarding certificates of insurance. Clarifications were also made regarding the insurance commissioner's ability to share information during investigations and examinations to include state, federal and international regulatory agencies, provided that the recipient agrees to maintain the confidentially and privileged status of the document, material and other information. Although there were concerns by some members of the committee about the Bank for International Settlements, the majority of the committee felt comfortable with these changes and believes that New Hampshire citizens will be better served if there were to be a problem with an international insurance company. The Insurance department would be able to resolve issues or problems faster and more efficiently by contacting the international agencies directly, rather than the current method which is through the National Association of Insurance Commissioners. The committee further believes these changes will improve our competitive position in world insurance markets. Vote 12-2.
Committee report adopted and ordered to third reading.

SB 274, removing the phrase "mentally defective" from the aggravated felonious sexual assault statute. **OUGHT TO PASS.**
Rep. Stephen J. Shurtleff for Criminal Justice and Public Safety: This bill removes the phrase "mentally defective" from the aggravated felonious sexual assault statute. It replaces this demeaning term with a definition that the Supreme Court used to define an individual who doesn't possess the capacity to make an informed decision. This is not a bill to bring political correctness to our NH Criminal Statutes. Rather, it adds a working definition to criminal law instead of using an archaic 19th Century term. This bill has the support of the Attorney General, the NH County Attorneys, NH Association of Chiefs of Police, etc. Vote 11-4.
Committee report adopted and ordered to third reading.

SB 224, relative to lead fishing sinkers and jigs. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**
Rep. Jenna J. Roberts for the Majority of Fish and Game and Marine Resources: After five hours of testimony, most members of Fish and Game felt that much information was conflicting and too much information was presented to allow adequate vetting by the committee. This committee is fully committed to studying this issue over the summer and producing a comprehensive report that takes all interests into consideration: impact on business, impact on fishermen, impact on loons and other water fowl and impact on our lakes, ponds and streams. Further, the committee is resolved to work closely with the Loon Preservation Society and fish and game department to ensure that proper education and enforcement of existing laws are given more consideration so that more loons do not die as a result of tackle that is already banned. Vote 13-2.
Rep. Norman A. Tregenza for the Minority of Fish and Game and Marine Resources: The minority opposes Interim Study and favors OTP. SB 224 is an excellent bill that is business respectful. Some want to look at banning lead entirely and abruptly. The minority believes that a separate bill should be introduced for that purpose, or a study committee should be established for that purpose. The minority believes that ending the use of lead sinkers one ounce or less and jigs 2 ½" or less after three years is reasonable, and that ending the sale of these after six years gives time for tackle shops and fishermen to adjust, and simultaneously protect the loons and other wildlife who die from ingesting lead tackle.
Majority committee report adopted.

SB 297, relative to the apprentice hunting license. **OUGHT TO PASS.**
Rep. Richard Okerman for Fish and Game and Marine Resources: This is a housekeeping bill to include RSA 208:5 which references the fees for a resident or non-resident archery license. This RSA should have been included in HB 206, Chapter 46, as amended, which

passed both houses in 2011. Vote 11-0.
Committee report adopted and ordered to third reading.

SB 255, relative to liens for land use change tax assessments. **OUGHT TO PASS.**
Rep. Franklin W. Sterling for Municipal and County Government: The purpose of this bill is to restore a six month window for a taxpayer to pay a land use change tax on land taken out of current use. In 2010 legislation was passed that change the amount of time a tax collector had to send a tax bill to a land owner whose current use status had changed from 12 months to 18 months (RSA 79-A:7, II(c). Before the change in 2010 there existed a six month time frame for the tax payer to pay the tax from the date of the tax levy, after the change the time to levy and pay the tax was 18 months. Under the proposed legislation the time to pay the tax levy would be 24 months thus restoring the six month time period. Vote 14-3.
Committee report adopted and ordered to third reading.

SB 382-FN-L, allowing for proration of property assessments for damaged buildings.
OUGHT TO PASS WITH AMENDMENT.
Rep. Betsey L. Patten for Municipal and County Government: This legislation provides a uniform and fair process to address the taxation of buildings significantly damaged by unintended fire or natural disaster. Assessing officials may currently abate a tax for good cause in RSA 76:16 but the process is not uniform statewide, leading to unreasonable situations in which taxpayers may be paying taxes for structures that no longer exist or are unusable. Abatements require an up-front payment of tax due and the timeline for approvals, denials and appeals may be onerous for a taxpayer who has lost a home or business livelihood. The amendment to SB 382 allows for a proration of a tax assessment to the extent that a damaged building is rendered unusable for its intended use. The amendment expands the proration process eligibility to all buildings and not just residential property; it defines what is an unintended fire to address arson fires not attributable to or benefiting the property owner; and it uncouples the pro-ration process from the tax administration process so that properties may be eligible for pro-ration at the time the loss is sustained. The fiscal impact of this legislation on any community is capped at ½ of 1% of the total taxes committed in a tax year. Taxpayers will still be able to request an abatement if their damaged property does not qualify for this automatic pro-ration and they still have the right of appeal to the Board of Tax and Land Appeals and the superior court. The committee chose, as the Senate did, to not apply the proration process to new construction completed during a tax year. The loss of a building due to fire or Mother Nature is a unique circumstance deserving special recognition and the majority of the committee agreed. Vote 11-5.

Amendment (1948h)
Amend RSA 76:21, I-III as inserted by section 2 of the bill by replacing them with the following:

I. Whenever a taxable building is damaged due to unintended fire or natural disaster to the extent that it renders the building not able to be used for its intended use, the assessing officials shall prorate the assessment for the building for the current tax year. For purposes of this paragraph, an unintended fire means a fire which does not arise out of any act committed by or at the direction of the property owner with the intent to cause a loss.

II. The proration of the building assessment shall be based on the number of days that the building was available for its intended use divided by the number of days in the tax year, multiplied by the building assessment.

III. A person aggrieved of a property tax for a building damaged as provided in paragraph I shall file an application with the assessing officials in writing within 60 days of the event described in paragraph I.

AMENDED ANALYSIS

This bill establishes the procedure for the proration of assessments for property taxes for taxable buildings damaged due to unintended fire or natural disaster to the extent that the building can no longer be used for its intended use.
Amendment adopted.

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

YEAS 326 NAYS 16

YEAS 326

BELKNAP

Accornero, Harry	Bolster, Peter	Comtois, Guy	Fields, Dennis
Flanders, Donald	Greemore, Robert	Kingsbury, Robert	Luther, Robert
Pilliod, James	Russell, David	Simpson, Tyler	St. Cyr, Jeffrey
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	Cartwright, Anne	Chase, Cynthia
Dwinell, Richard	Hawkes, Samuel	Hunt, John	Johnsen, Gladys
Johnson, Jane	Lindsey, Steven	Moore, Charles	Moore, Robert Jr
Parkhurst, Henry	Smith, Edwin	Weber, Lucy	Weed, Charles

COOS

Coulombe, Gary	Daugherty, Duffy	Hatch, William	Merrick, Evalyn
Rappaport, Laurence	Remick, William	Richardson, Herbert	Tholl, John Jr
Thomas, Yvonne	Tremblay, Marc		

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester
Brosseau, Charles	Bulis, Lyle	Gionet, Edmond	Gould, Franklin
Harding, Laurie	Ingbretson, Paul	Ladd, Rick Jr	Mirski, Paul
Pastor, Beatriz	Pierce, David	Reilly, Harold Sr	Simard, Paul
Smith, Suzanne	Sorg, Gregory	Sova, Charles	Townsend, Charles

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Ball, J. Michael	Baroody, Benjamin
Barry, J. Gail	Barry, Richard	Beattie, Thomas	Belanger, James
Belvin, William	Bergevin, Jerry	Boehm, Ralph	Brown, Kevin
Brownrigg, Randall Jr	Burt, John	Buxton, Michael	Campbell, David
Cebrowski, John	Champagne, Norma	Christensen, D.L. Chris	Coffey, James
Condra, William	Cote, David	Coughlin, Sean	Cusson-Cail, Kathleen
Daler, Jennifer	Daniels, Gary	Day, Russell	Doherty, Shaun

Drisko, Richard
Erickson, Duane
Flanagan, Jack
Fredette, Robert
Gagne, Larry
Gandia, Laura
Garrity, Patrick
Gidge, Kenneth
Gimas, John
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Graham, John
Greazzo, Phil
Haefner, Robert
Hansen, Peter
Hardwick, Harry
Hawkins, Kenneth
Hikel, John
Hinch, Richard
Hogan, Edith
Holden, Frank
Hutchinson, Winfred
Infantine, William
Jasper, Shawn
Krasucki, Joseph
Kurk, Neal
Lambert, George
LeBrun, Donald
Leishman, Peter
Levasseur, Nickolas
Maltz, Jonathan
McCarthy, Michael
McClarren, Donald
McGuinness, Sean
Mecheski, Holly
Messier, Irene
Moran, Edward
Murphy, Keith
Notter, Jeanine
Ober, Lynne
Ober, Russell III
Ohm, Bill
Palmer, Barry
Palmer, Stephen
Parison, James
Pellegrino, Tony
Pepino, Leo
Peterson, Lenette
Porter, Marjorie
Pratt, Calvin
Proulx, Mark
Ramsey, Peter
Reed, Michael
Renzullo, Andrew
Rhodes, Brian
Robbins, David
Rokas, Ted
Rosenwald, Cindy
Rowe, Robert
Scontsas, Lisa
Seidel, Carl
Shaw, Barbara
Silva, Peter
Simmons, Tammy
Soucy, Connie
Souza, Kathleen
Stepanek, Stephen
Stroud, Kathleen
Sullivan, Daniel
Sullivan, Peter
Swank, Matthew
Terrio, Ross
Thomas, Joseph
Twombly, Timothy
Ulery, Jordan
Vaillancourt, Steve
Villeneuve, Moe
Warden, Mark
Whitehead, Randall
Willette, Robert

MERRIMACK

Blankenbeker, Lynne
Bouchard, Candace
Cohn, Seth
Deloge, Helen
Foose, Robert
Frazer, June
Gile, Mary
Hamm, Christine
Hess, David
Hill, Gregory
Hoell, J.R.
Keane, Thomas
Kidder, David
Kotowski, Frank
Kreis, Kenneth Sr
Lindsley, Mark
Lockwood, Priscilla
McDonnell, John
McGuire, Carol
McGuire, Dan
Owen, Derek
Palfrey, David
Patten, Dick
Potter, Frances
Rice, Chip
Richardson, Gary
Sanborn, Laurie
Seaworth, G. Brian
Shurtleff, Stephen
Smith, Molly
Smith, Todd
Winter, Steven

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Bates, David
Belanger, Ronald
Bettencourt, David
Brown, Paul
Cali-Pitts, Jacqueline
Charron, Gene
Chirichiello, Brian
Comerford, Timothy
Copeland, Timothy
DeSimone, Debra
Devine, James
DiPentima, Rich
Dowling, Patricia
Duarte, Joe
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Garrity, James
Griffin, Mary
Hagan, Joseph
Headd, James
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Janvrin, Kevin
Kappler, Lawrence
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Manuse, Andrew
Mauro, Donna
McKinney, Betsy
McMahon, Charles
Moody, Marcia
Murphy, Brian
Nevins, Chris
O'Connor, John
Okerman, Richard
Pantelakos, Laura
Peckham, Michele
Perkins, Amy
Perkins, Lawrence
Quandt, Marshall
Read, Robin Jr
Reagan, John
Reichard, Kevin
Rice, Frederick
Ritter, Glenn
Sanders, Elisabeth
Sapareto, Frank
Sapienza, Marie
Schlachman, Donna
Schroadter, Adam
Sedensky, John
Sheffert, Kenneth
Shuler, Wyman III
Smith, William
Sullivan, James
Sullivan, Kevin
Sytek, John
Tremblay, Stella
Tucker, Pamela
Waddell, James
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth

STRAFFORD

Berube, Roger	Brown, Julie	Browne, Brendon	Cataldo, Sam
DeLemus, Susan	Domingo, Baldwin	Ginsburg, Philip	Grassie, Anne
Hooper, Dorothea	Horrigan, Timothy	Jones, Laura	Larsen Schultz, Kirsten
Munck, Philip	Newton, Clifford	O'Connor, William	Parsons, Robbie
Pitre, Joseph	Roberts, Jenna	Schmidt, Peter	Spainhower, Dale
Spang, Judith	Vita, Carol	Vita, Lucien	Wall, Janet
Weeden, Michael			

SULLIVAN

Bowers, Spec	Cloutier, John	Cunningham, Steven	Gagnon, Raymond
Howard, Thomas	LaCasse, Paul Sr	Laware, Thomas	Lefebvre, Benjamin
Lovett, Charlene	Osgood, Joe	Rodeschin, Beverly	Smith, Steven

NAYS 16

BELKNAP

None

CARROLL

None

CHESHIRE

Lerandeau, Alfred	Meader, David	Sad, Tara	Sterling, Franklin Jr
Tatro, Bruce			

COOS

Theberge, Robert

GRAFTON

Cooney, Mary	Nordgren, Sharon

HILLSBOROUGH

Pilotte, Maurice

MERRIMACK

DeStefano, Stephen	MacKay, James	Wallner, Mary Jane	Williams, Robert

ROCKINGHAM

None

STRAFFORD

Keans, Sandra	Perry, Robert	Watters, David

SULLIVAN

None

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

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 270, relative to civil commitment of persons found incompetent to stand trial. **OUGHT TO PASS.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: This bill amends the notification procedures for persons charged with a violent crime and found incompetent to stand trial. The bill also expands the list of offenses which will require notification. Vote 12-1.

Rep. Shurtleff spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 298 NAYS 46

YEAS 298

BELKNAP

Accornero, Harry	Bolster, Peter	Fields, Dennis	Flanders, Donald
Greemore, Robert	Kingsbury, Robert	Luther, Robert	Pilliod, James
Russell, David	St. Cyr, Jeffrey	Swinford, Elaine	Tilton, Franklin
Tobin, William			

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	Cartwright, Anne	Chase, Cynthia
Dwinell, Richard	Hawkes, Samuel	Hunt, John	Johnsen, Gladys
Johnson, Jane	Lerandeau, Alfred	Lindsey, Steven	Meader, David
Moore, Charles	Moore, Robert Jr	Parkhurst, Henry	Sad, Tara
Smith, Edwin	Sterling, Franklin Jr	Tatro, Bruce	Weber, Lucy
Weed, Charles			

COOS

Coulombe, Gary	Hatch, William	Merrick, Evalyn	Rappaport, Laurence
Remick, William	Richardson, Herbert	Theberge, Robert	Tholl, John Jr
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester
Bulis, Lyle	Cooney, Mary	Gionet, Edmond	Gould, Franklin
Harding, Laurie	Ladd, Rick Jr	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Reilly, Harold Sr	Simard, Paul	Smith, Suzanne
Sorg, Gregory	Sova, Charles	Taylor, Kathleen	Townsend, Charles

HILLSBOROUGH

Balboni, Michael	Ball, J. Michael	Baroody, Benjamin	Barry, J. Gail
Barry, Richard	Beattie, Thomas	Belvin, William	Bergevin, Jerry
Boehm, Ralph	Brown, Kevin	Brownrigg, Randall Jr	Buxton, Michael
Campbell, David	Cebrowski, John	Champagne, Norma	Christensen, D.L. Chris
Coffey, James	Condra, William	Cote, David	Coughlin, Sean

Cusson-Cail, Kathleen	Daler, Jennifer	Daniels, Gary	Day, Russell
Doherty, Shaun	Drisko, Richard	Erickson, Duane	Flanagan, Jack
Fredette, Robert	Gagne, Larry	Gandia, Laura	Garrity, Patrick
Gidge, Kenneth	Gimas, John	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Graham, John	Greazzo, Phil	Haefner, Robert
Hawkins, Kenneth	Hikel, John	Hinch, Richard	Hogan, Edith
Holden, Frank	Hutchinson, Winfred	Infantine, William	Jasper, Shawn
Krasucki, Joseph	Kurk, Neal	LeBrun, Donald	Leishman, Peter
Levasseur, Nickolas	McCarthy, Michael	McClarren, Donald	McGuinness, Sean
Mecheski, Holly	Messier, Irene	Moran, Edward	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell III	Ohm, Bill
Palmer, Barry	Pellegrino, Tony	Pepino, Leo	Pilotte, Maurice
Porter, Marjorie	Pratt, Calvin	Proulx, Mark	Ramsey, Peter
Reed, Michael	Renzullo, Andrew	Rhodes, Brian	Robbins, David
Rokas, Ted	Rosenwald, Cindy	Rowe, Robert	Scontsas, Lisa
Seidel, Carl	Shaw, Barbara	Silva, Peter	Simmons, Tammy
Soucy, Connie	Souza, Kathleen	Stepanek, Stephen	Stroud, Kathleen
Sullivan, Daniel	Sullivan, Peter	Terrio, Ross	Thomas, Joseph
Twombly, Timothy	Ulery, Jordan	Whitehead, Randall	Willette, Robert

MERRIMACK

Blankenbeker, Lynne	Bouchard, Candace	Deloge, Helen	DeStefano, Stephen
Foose, Robert	Frazer, June	Gile, Mary	Hamm, Christine
Hess, David	Hill, Gregory	Keane, Thomas	Kidder, David
Kotowski, Frank	Lindsley, Mark	Lockwood, Priscilla	MacKay, James
McDonnell, John	McGuire, Carol	Owen, Derek	Palfrey, David
Patten, Dick	Potter, Frances	Rice, Chip	Richardson, Gary
Sanborn, Laurie	Shurtleff, Stephen	Wallner, Mary Jane	Williams, Robert
Winter, Steven			

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Bates, David	Belanger, Ronald	Bettencourt, David	Cali-Pitts, Jacqueline
Charron, Gene	Chirichiello, Brian	Comerford, Timothy	Copeland, Timothy
DeSimone, Debra	Devine, James	DiPentima, Rich	Dowling, Patricia
Duarte, Joe	Elliott, Robert	Ferrante, Beverly	Fesh, Robert
Garcia, Marilinda	Garrity, James	Griffin, Mary	Hagan, Joseph
Headd, James	Hoelzel, Kathleen	Introne, Robert	Janvrin, Kevin
Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia
Major, Norman	McKinney, Betsy	McMahon, Charles	Moody, Marcia
Murphy, Brian	Nevins, Chris	O'Connor, John	Pantelakos, Laura
Peckham, Michele	Perkins, Amy	Perkins, Lawrence	Quandt, Marshall
Read, Robin Jr	Reagan, John	Rice, Frederick	Ritter, Glenn
Sanders, Elisabeth	Sapareto, Frank	Sapienza, Marie	Schlachman, Donna
Schroadter, Adam	Sedensky, John	Sheffert, Kenneth	Shuler, Wyman III
Sullivan, James	Sullivan, Kevin	Tucker, Pamela	Waddell, James
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth

STRAFFORD

Berube, Roger	Brown, Julie	Browne, Brendon	Cataldo, Sam
Domingo, Baldwin	Ginsburg, Philip	Grassie, Anne	Hooper, Dorothea
Horrigan, Timothy	Jones, Laura	Munck, Philip	Newton, Clifford
O'Connor, William	Parsons, Robbie	Perry, Robert	Pitre, Joseph
Roberts, Jenna	Schmidt, Peter	Spainhower, Dale	Wall, Janet

Watters, David	Weeden, Michael		

SULLIVAN

Bowers, Spec	Cloutier, John	Gagnon, Raymond	Howard, Thomas
LaCasse, Paul Sr	Laware, Thomas	Lefebvre, Benjamin	Lovett, Charlene
Osgood, Joe	Rodeschin, Beverly	Smith, Steven	

NAYS 46

BELKNAP

Comtois, Guy	Simpson, Tyler	Worsman, Colette

CARROLL

None

CHESHIRE

None

COOS

Daugherty, Duffy	Tremblay, Marc

GRAFTON

Brosseau, Charles	Ingbretson, Paul	Mirski, Paul

HILLSBOROUGH

Avard, Kevin	Belanger, James	Burt, John	Hansen, Peter
Hardwick, Harry	Lambert, George	Maltz, Jonathan	Palmer, Stephen
Parison, James	Peterson, Lenette	Swank, Matthew	Vaillancourt, Steve
Villeneuve, Moe	Warden, Mark		

MERRIMACK

Cohn, Seth	Hoell, J.R.	Kreis, Kenneth Sr	McGuire, Dan
Seaworth, G. Brian	Smith, Molly	Smith, Todd	

ROCKINGHAM

Brown, Paul	Itse, Daniel	Lundgren, David	Manuse, Andrew
Mauro, Donna	Okerman, Richard	Reichard, Kevin	Smith, William
Sytek, John	Tremblay, Stella		

STRAFFORD

DeLemus, Susan	Keans, Sandra	Larsen Schultz, Kirsten	Spang, Judith
Vita, Carol	Vita, Lucien		

SULLIVAN

Cunningham, Steven

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

SB 336, relative to medical payments coverage. **INEXPEDIENT TO LEGISLATE.**

Rep. Donna L. Schlachman for Commerce and Consumer Affairs: Every New Hampshire citizen who carries automobile insurance is required, by statute, to purchase a minimum of $1000 "medical payments coverage." Some individuals elect to carry much more. This coverage is used, after an accident in which injuries occur, to pay for medically-related expenses that are not covered by health insurance. Examples are deductibles, co-insurance, reconstructive dental work and eyeglasses. While the committee may sympathize with medical providers who are not being paid, the legislature has consistently, in past years, rejected attempts to direct consumers regarding how their "med pay" insurance is used. The committee believes that "med pay" is a benefit to individuals that provides them needed flexibility after an accident. They should be left to make their own decisions as to what medical costs to pay. Vote 13-1.
Rep. Lundgren spoke against.
Rep. Hunt spoke in favor.
On a division vote, 314 members having voted in the affirmative and 25 in the negative, the committee report was adopted.

SB 260, relative to protection and preservation of significant archeological deposits.
OUGHT TO PASS.
Rep. James E. Coffey for Municipal and County Government: This amendment to RSA 674 enables local legislative bodies to adopt regulations that will allow their planning boards to take action, when appropriate, to protect and preserve significant archeological sites. The planning board must adopt its own regulations for the protection of each deposit or site that meets the need of its community. This bill does not diminish individual property rights but seeks to preserve or extract the archeological information with the cooperation of all parties. Vote 16-1.
Reps. Dan McGuire and Cartwright spoke against.
Rep. Belvin spoke in favor and yielded to questions.
Rep. James Coffey spoke in favor.
Rep. Dan McGuire requested a roll call; sufficiently seconded.

YEAS 173 NAYS 173

YEAS 173

BELKNAP

Accornero, Harry	Bolster, Peter	Flanders, Donald	Luther, Robert
Pilliod, James	Russell, David	St. Cyr, Jeffrey	Tobin, William

CARROLL

Babson, David Jr	Chandler, Gene	Knox, J. David	Patten, Betsey
Schmidt, Stephen	Umberger, Karen		

CHESHIRE

Butynski, William	Chase, Cynthia	Dwinell, Richard	Hawkes, Samuel
Johnsen, Gladys	Johnson, Jane	Lerandeau, Alfred	Lindsey, Steven
Meader, David	Moore, Robert Jr	Parkhurst, Henry	Sad, Tara
Smith, Edwin	Sterling, Franklin Jr	Tatro, Bruce	Weber, Lucy
Weed, Charles			

COOS

Coulombe, Gary	Hatch, William	Merrick, Evalyn	Remick, William
Theberge, Robert	Tholl, John Jr	Thomas, Yvonne	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester
Cooney, Mary	Gould, Franklin	Harding, Laurie	Nordgren, Sharon
Pastor, Beatriz	Pierce, David	Reilly, Harold Sr	Smith, Suzanne
Townsend, Charles			

HILLSBOROUGH

Balboni, Michael	Baroody, Benjamin	Barry, J. Gail	Belanger, James
Belvin, William	Campbell, David	Champagne, Norma	Christensen, D.L. Chris
Coffey, James	Cote, David	Cusson-Cail, Kathleen	Daler, Jennifer
Day, Russell	Drisko, Richard	Fredette, Robert	Garrity, Patrick
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Graham, John	Haefner, Robert	Hawkins, Kenneth	Hogan, Edith
Holden, Frank	Hutchinson, Winfred	Jasper, Shawn	Leishman, Peter
Levasseur, Nickolas	Messier, Irene	O'Brien, William	Ober, Lynne
Ober, Russell III	Pellegrino, Tony	Pepino, Leo	Pilotte, Maurice
Porter, Marjorie	Proulx, Mark	Rhodes, Brian	Robbins, David
Rokas, Ted	Rosenwald, Cindy	Rowe, Robert	Scontsas, Lisa
Seidel, Carl	Shaw, Barbara	Stepanek, Stephen	Stroud, Kathleen
Sullivan, Daniel	Sullivan, Peter	Terrio, Ross	Whitehead, Randall

MERRIMACK

Bouchard, Candace	Deloge, Helen	DeStefano, Stephen	Foose, Robert
Frazer, June	Gile, Mary	Hamm, Christine	Hess, David
Kidder, David	Kotowski, Frank	Lockwood, Priscilla	MacKay, James
Owen, Derek	Palfrey, David	Patten, Dick	Potter, Frances
Rice, Chip	Richardson, Gary	Shurtleff, Stephen	Wallner, Mary Jane
Williams, Robert	Winter, Steven		

ROCKINGHAM

Allen, Mary	Cali-Pitts, Jacqueline	Chirichiello, Brian	Copeland, Timothy
DeSimone, Debra	DiPentima, Rich	Elliott, Robert	Fesh, Robert
Garcia, Marilinda	Griffin, Mary	Headd, James	Katsakiores, Phyllis
Lovejoy, Patricia	McKinney, Betsy	Moody, Marcia	Murphy, Brian
Nevins, Chris	Pantelakos, Laura	Quandt, Marshall	Read, Robin Jr
Rice, Frederick	Schlachman, Donna	Sedensky, John	Waddell, James
Ward, Joanne			

STRAFFORD

Berube, Roger	Brown, Julie	Browne, Brendon	Cataldo, Sam
Domingo, Baldwin	Ginsburg, Philip	Grassie, Anne	Hooper, Dorothea
Horrigan, Timothy	Kaen, Naida	Keans, Sandra	Munck, Philip
Perry, Robert	Roberts, Jenna	Schmidt, Peter	Spainhower, Dale
Spang, Judith	Watters, David		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Lefebvre, Benjamin	Lovett, Charlene
Rodeschin, Beverly			

NAYS 173

BELKNAP

Comtois, Guy	Fields, Dennis	Greemore, Robert	Kingsbury, Robert
Simpson, Tyler	Swinford, Elaine	Tilton, Franklin	Worsman, Colette

CARROLL

Fleck, Joseph	McCarthy, Frank	McConkey, Mark	Merrow, Harry
Pettengill, Laurie	Scala, Dino	Tregenza, Norman	

CHESHIRE

Byrnes, John	Cartwright, Anne	Hunt, John	Moore, Charles

COOS

Daugherty, Duffy	Rappaport, Laurence	Richardson, Herbert	Tremblay, Marc

GRAFTON

Brosseau, Charles	Bulis, Lyle	Gionet, Edmond	Ingbretson, Paul
Ladd, Rick Jr	Simard, Paul	Sorg, Gregory	Sova, Charles
Taylor, Kathleen			

HILLSBOROUGH

Avard, Kevin	Ball, J. Michael	Barry, Richard	Beattie, Thomas
Bergevin, Jerry	Boehm, Ralph	Brown, Kevin	Brownrigg, Randall Jr
Burt, John	Buxton, Michael	Cebrowski, John	Condra, William
Coughlin, Sean	Daniels, Gary	Doherty, Shaun	Erickson, Duane
Flanagan, Jack	Gagne, Larry	Gandia, Laura	Gimas, John
Greazzo, Phil	Hansen, Peter	Hardwick, Harry	Hikel, John
Hinch, Richard	Infantine, William	Krasucki, Joseph	Kurk, Neal
Lambert, George	LeBrun, Donald	Maltz, Jonathan	McCarthy, Michael
McClarren, Donald	McGuinness, Sean	Mecheski, Holly	Moran, Edward
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Palmer, Barry
Palmer, Stephen	Parison, James	Peterson, Lenette	Pratt, Calvin
Reed, Michael	Renzullo, Andrew	Silva, Peter	Simmons, Tammy
Soucy, Connie	Souza, Kathleen	Swank, Matthew	Thomas, Joseph
Twombly, Timothy	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark	Willette, Robert		

MERRIMACK

Blankenbeker, Lynne	Cohn, Seth	Hill, Gregory	Hoell, J.R.
Keane, Thomas	Kreis, Kenneth Sr	Lindsley, Mark	McDonnell, John
McGuire, Carol	McGuire, Dan	Sanborn, Laurie	Seaworth, G. Brian
Smith, Molly	Smith, Todd	Soltani, Tony	

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Baldasaro, Alfred	Bates, David
Belanger, Ronald	Bettencourt, David	Brown, Paul	Charron, Gene
Comerford, Timothy	Davenport, Joshua	Devine, James	Dowling, Patricia
Duarte, Joe	Ferrante, Beverly	Garrity, James	Hagan, Joseph
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Janvrin, Kevin
Kappler, Lawrence	Kolodziej, Walter	Lundgren, David	Major, Norman
Manuse, Andrew	Mauro, Donna	McMahon, Charles	O'Connor, John

Okerman, Richard	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Quandt, Matt	Reagan, John	Reichard, Kevin	Ritter, Glenn
Sanders, Elisabeth	Sapareto, Frank	Schroadter, Adam	Sheffert, Kenneth
Shuler, Wyman III	Smith, William	Sullivan, James	Sullivan, Kevin
Sytek, John	Tremblay, Stella	Tucker, Pamela	Webb, James
Welch, David	Weyler, Kenneth		

STRAFFORD

DeLemus, Susan	Jones, Laura	Larsen Schultz, Kirsten	Newton, Clifford
O'Connor, William	Parsons, Robbie	Pitre, Joseph	Vita, Carol
Vita, Lucien	Wall, Janet	Weeden, Michael	

SULLIVAN

Bowers, Spec	Cunningham, Steven	Howard, Thomas	LaCasse, Paul Sr
Laware, Thomas	Osgood, Joe	Smith, Steven	

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

CLERK'S NOTE

The original vote was 172-173. Pursuant to House Rule 5, the Speaker voted "Yea" which created a tie vote. The motion therefore failed.

LAID ON THE TABLE

Rep. Bettencourt moved that ***SB 260,*** relative to protection and preservation of significant archeological deposits, be laid on the table.
Adopted.
Rep. Mirski declared a conflict of interest and did not participate.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1652-FN-A, requiring the transfer of insurance premium tax revenue to the department of health and human services and the revenue stabilization reserve account. (Amendment printed SJ 5-2-12)
Rep. Stepanek moved that the House nonconcur and spoke in favor.
Reps. Soltani and Vaillancourt spoke against.
Rep. Keith Murphy spoke in favor.
Rep. Leishman requested a roll call; not sufficiently seconded.
On a division vote, 247 members having voted in the affirmative and 93 in the negative, the motion was adopted.

HB 1670, apportioning executive council districts. (Amendment printed SJ 4-11-12)
Rep. Mirski moved that the House nonconcur and request a Committee of Conference.
Adopted.
The Speaker appointed Reps. Mirski, Bates, Chandler and Rowe.

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 Tuesday, May 15, 2012 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

SB 349, relative to the administration of juvenile justice services.
SB 380, relative to the study committee on juvenile delinquency and children in need of services.
SB 204, adopting amendments to Article 9 of the Uniform Commercial Code relative to secured transactions.
SB 220, relative to external review under the managed care law.
SB 221, relative to life, accident, and health insurance.
SB 235, relative to registration of business organizations with the secretary of state.
SB 245, relative to health care sharing organizations.
SB 253, relative to debt-related mortgage disability and mortgage accidental death insurance.
SB 368, relative to nondepository trust companies.
SB 371, allowing a lien for labor and materials for professional design services.
SB 276-FN, establishing the vandalizing or defacing of state or municipal property as criminal mischief.
SB 346, extending the committee to study the laws relating to electronic prescriptions.
SB 233-L, relative to special elections of the charter commission.
SB 238, establishing a committee to assess the form of government in towns that have elected the official ballot referendum form of meeting.
SB 254, relative to funding and expenditures from certain municipal special revenue funds.
SB 340, relative to locations for junkyards.
SB 241, relative to expiration and extension of terrain alteration permits and permits for grading or reclamation projects.
SB 250, relative to operation of ATVs and trail bikes on state lands.
SB 265, relative to the definition of stormwater.
SB 344, allowing the department of resources and economic development to cut vegetation in shoreland areas where public safety is of concern.
SB 358-FN, expanding eligibility for free admission to the state park system to certain members and their families and retired members of the armed forces.
SB 388, relative to the use of land along Silver Lake that is below the public trust boundary.
SB 222, relative to property and casualty insurance, insurance investigations, and insurance certificates.
SB 274, removing the phrase "mentally defective" from the aggravated felonious sexual assault statute.
SB 297, relative to the apprentice hunting license.
SB 255, relative to liens for land use change tax assessments.
SB 382-FN-L, allowing for proration of property assessments for damaged buildings.
SB 270, relative to civil commitment of persons found incompetent to stand trial.

UNANIMOUS CONSENT

Rep. DeSimone addressed the House.

RECESS MOTION

Rep. Tucker 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 12:30 p.m.

RECESS

(Rep. Bettencourt in the Chair)
ENROLLED BILL AMENDMENTS

HB 1204, relative to matching funds of highway projects, and relative to the administration of the meals and rooms tax.

Amendment (1962-EBA)
Amend section 1 of the bill by replacing line 3 with the following:
IX. "Toll credits" means credits generated by previous state-funded construction,
Adopted.

HB 1409, relative to definitions under the Uniform Securities Act.

Amendment (2047-EBA)
Amend RSA 421-B:2, IV-aa as inserted by section 2 of the bill by replacing lines 5-6 with the following:
party shares in the profits generated or is merely paid a commission or fee for his or her services; or 2 or more investors join together in a common goal of making a profit.
Amend RSA 421-B:2, IX-c(b)(3) as inserted by section 3 of the bill by replacing line 2 with the following:
with the promoter or the common enterprise. Such efforts are those day-to-day management efforts which
Adopted.

RECESS

(Rep. Hatch in the Chair)
ENROLLED BILL AMENDMENT

SB 281, relative to exposure to infectious disease by emergency response and public safety workers and notification of public health authorities. (Amendment printed SJ 5-2-12)
Adopted.

RECESS