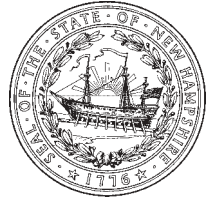


STATE OF NEW HAMPSHIRE

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SENATE JOURNAL 13 (*Cont.*)



April 17, 2003

Out of Recess.

SENATE STANDING COMMITTEE UPDATE

SENATE FINANCE

Richard P. Green, Chairman
Robert K. Boyce, Vice Chairman
Clifton C. Below
Lou D'Allesandro
Thomas R. Eaton
Theodore L. Gatsas
Bob Odell
Robert E. Clegg, Jr.

April 22, 2003
2003-1345-EBA
05/09

Enrolled Bill Amendment to SB 170

The Committee on Enrolled Bills to which was referred SB 170

AN ACT relative to Public Service of New Hampshire.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 170

This enrolled bill amendment makes technical corrections and inserts a section heading.

Enrolled Bill Amendment to SB 170

Amend RSA 369-B:3, IV(b)(1)(A) as inserted by section 2 of the bill by replacing line 12 with the following:

commission;

Amend section 5 of the bill by replacing line 8 with the following:

commission Order No. 23,550, as amended by this act, satisfies all of the conditions and

Amend section 6 of the bill by replacing line 1 with the following:

6 Report by Legislative Oversight Committee on Electric Utility Restructuring. The legislative oversight committee on electric utility restructuring established by

Senator Eaton moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

SB 170, relative to Public Service of New Hampshire.

Senator Clegg moved adoption.

Adopted.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 671-FN-A, establishing a contributory defined benefit judicial retirement plan.

HB 738-FN-A-L, permitting aid to public water systems to be used for forming or improving regional water systems and making an appropriation therefor.

HB 751-FN-L, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants.

HB 810-FN-A, relative to processing excavating and dredging and terrain alteration permits, changing the fees for permits, establishing 2 new positions, and making an appropriation therefor.

INTRODUCTION OF HOUSE BILLS

Senator Clegg offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill(s) numbered **671 - 810** shall be by this resolution read a first and second time by the therein listed title(s), and referred to the therein designated committee(s).

Adopted.

First and Second Reading and Referral

HB 671-FN-A, establishing a contributory defined benefit judicial retirement plan. (Insurance)

HB 738-FN-A-L, permitting aid to public water systems to be used for forming or improving regional water systems and making an appropriation therefor. (Environment)

HB 751-FN-L, implementing an alternative school building aid grant formula, establishing size and cost standards for the construction of new school facilities, and permitting high school vocational technical education programs which lease space to be eligible for school building aid grants. (Education)

HB 810-FN-A, relative to processing excavating and dredging and terrain alteration permits, changing the fees for permits, establishing 2 new positions, and making an appropriation therefor. (Energy & Economic Development)

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 64, establishing a commission to study the creation of an integrated criminal justice information system and any issues related to the privacy, security, and dissemination of such criminal justice information.

HB 86, relative to the membership of the permissible fireworks review committee.

HB 101, relative to qualifications for state offices.

HB 263, establishing an oversight committee to review the allocation of funds disbursed for the developmental disabilities waitlist.

HB 305, relative to time allowed for voting.

HB 321, relative to ordinary and accidental death benefits in the city of Manchester employees contributory retirement system.

HB 498, relative to 20-day vehicle registrations.

HB 502, establishing a committee to study options for reducing the impact of exhaust emissions from diesel engines in New Hampshire.

HB 678, relative to penalties for operation of OHRVs after suspension of driving privileges for certain motor vehicle offenses.

HB 833, relative to Shaker Road and Bay Hill Road in the town of Northfield.

Senator D'Allesandro moved adoption.

Adopted.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 109-FN, relative to telemarketing practices.

HB 164-FN-A, increasing the gross premiums tax on insurance provided by certain unlicensed companies.

HB 167, relative to complaints against judges.

HB 280-FN, relative to the poison information center.

HB 304-A, relative to state acquisition of certain acreage in the Connecticut Lakes headwaters tract and making an appropriation therefor.

HB 519-FN-A, relative to the conservation number plate trust fund.

HB 565-FN-A, establishing a commission to implement the Hampton Beach Master Plan.

HB 577-FN-A-L, relative to implementing the Help America Vote Act of 2002 and relative to rulemaking by the secretary of state.

HB 578-FN-A, establishing a program for self-certification by small quantity hazardous waste generators and making an appropriation therefor.

HB 590-FN, relative to highway fund budget reporting requirements.

HB 608-FN-L, reducing the education property tax rate and relative to the calculation of adequate education grants.

HB 619-FN-A, expanding opportunities for dropout prevention and dropout recovery.

HB 621-FN-A-L, establishing an early childhood literacy program.

HB 663-FN-A-L, relative to county and state funding of long-term care medicaid programs.

HB 677-FN, increasing the number of reserved student slots in medical programs, and establishing a loan forgiveness program for physicians who practice in underserved areas, and making an appropriation therefor.

HB 702-FN, relative to payment of medical benefits costs for disabled group II members of the retirement system.

HB 705, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits.

HB 717-FN-L, relative to targeted aid to education.

HB 719-FN-A, relative to the duties, function, and operation of the Pease development authority.

HB 724-FN-L, extending the effective date of the Skyhaven airport transfer plan.

HB 728-FN-A, establishing a dedicated fund for organic certification inspections.

HB 735-FN, relative to prescription drugs and medicaid best practices.

HB 737-FN-A, relative to the state conservation committee and making an appropriation therefor.

INTRODUCTION OF HOUSE BILLS

Senator Clegg offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill(s) numbered **109 - 737** shall be by this resolution read a first and second time by the therein listed title(s), and referred to the therein designated committee(s).

Adopted.

First and Second Reading and Referral

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 109-FN, relative to telemarketing practices. (Interstate Cooperation)

HB 164-FN-A, increasing the gross premiums tax on insurance provided by certain unlicensed companies. (Insurance)

HB 167, relative to complaints against judges. (Judiciary)

HB 280-FN, relative to the poison information center. (Public Institutions, Health and Human Services)

HB 304-A, relative to state acquisition of certain acreage in the Connecticut Lakes headwaters tract and making an appropriation therefor. (Finance)

HB 519-FN-A, relative to the conservation number plate trust fund. (Ways and Means)

HB 565-FN-A, establishing a commission to implement the Hampton Beach Master Plan. (Energy and Economic Development)

HB 577-FN-A-L, relative to implementing the Help America Vote Act of 2002 and relative to rulemaking by the secretary of state. (Internal Affairs)

HB 578-FN-A, establishing a program for self-certification by small quantity hazardous waste generators and making an appropriation therefor. (Environment)

HB 590-FN, relative to highway fund budget reporting requirements. (Ways and Means)

HB 608-FN-L, reducing the education property tax rate and relative to the calculation of adequate education grants. (Education)

HB 619-FN-A, expanding opportunities for dropout prevention and dropout recovery. (Education)

HB 621-FN-A-L, establishing an early childhood literacy program. (Education)

HB 663-FN-A-L, relative to county and state funding of long-term care medicaid programs. (Public Institutions, Health and Human Services)

HB 677-FN, increasing the number of reserved student slots in medical programs, and establishing a loan forgiveness program for physicians who practice in underserved areas, and making an appropriation therefor. (Public Institutions, Health and Human Services)

HB 702-FN, relative to payment of medical benefits costs for disabled group II members of the retirement system. (Insurance)

HB 705, establishing a committee to study the application of the communications services tax to the provision of Internet services and relative to the rate of the communications services tax and the property tax exemption for wooden poles and conduits. (Energy and Economic Development)

HB 717-FN-L, relative to targeted aid to education. (Education)

HB 719-FN-A, relative to the duties, function, and operation of the Pease development authority. (Executive Departments and Administration)

HB 724-FN-L, extending the effective date of the Skyhaven airport transfer plan. (Transportation)

HB 728-FN-A, establishing a dedicated fund for organic certification inspections. (Environment)

HB 735-FN, relative to prescription drugs and medicaid best practices. (Public Institutions, Health and Human Services)

HB 737-FN-A, relative to the state conservation committee and making an appropriation therefor. (Environment)

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005.

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.

INTRODUCTION OF HOUSE BILLS

Senator Clegg offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill(s) numbered **1-2** shall be by this resolution read a first and second time by the therein listed title(s), and referred to the therein designated committee(s).

Adopted.

First and Second Reading and Referral

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005. (Finance)

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures. (Finance)

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 22, amending the duties of the public higher education study committee.

SB 24, relative to license revocations for DWI offenders under the age of 21.

SB 26, removing the penalty against teachers who fail to keep registers.

SB 51-FN, relative to membership on the New England Board of Higher Education.

SB 68, authorizing electronic certification of educational credentials.

SB 170, relative to Public Service of New Hampshire.

SCR 3, urging maintenance of funding for the Low Income Home Energy Assistance Program.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled Bills sent down from the Senate:

HB 151, authorizing the county convention to contract and fund performance audits of county departments, authorizing employees of the Hillsborough and Rockingham county delegations, and relative to adoption of revisions and the budget process in city charters.

HB 732-FN, relative to fines for forestry law violations, and deceptive forestry business practices.

April 17, 2003

2003-1330-EBA

03/01

Enrolled Bill Amendment to HB 104-FN

The Committee on Enrolled Bills to which was referred HB 104-FN

AN ACT implementing procedures for a hospital or safe haven to assume temporary care and control of an abandoned child and creating an exception to the crime of endangering the welfare of a child.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 104-FN

This enrolled bill amendment makes a typographical correction.

Enrolled Bill Amendment to HB 104-FN

Amend RSA 132-A:1 as inserted by section 1 of the bill by replacing line 1 with the following:

132-A:1 Definitions. In this chapter:

Senator Eaton moved adoption.

Adopted.

LATE SESSION

Senator Clegg moved that the Senate adjourn from the late session.

Adopted.

Adjournment.

SENATE JOURNAL 14

April 24, 2003

The Senate met at 10:00 a.m.

A quorum was present.

The Reverend David P. Jones, Chaplain to the Senate, offered the prayer.

Lord of all wisdom, whose knowledge surpasses that of even Alan Greenspan, endow with Your perception and Your priorities these good men and women as they make choices on our behalf concerning the resources we need in order to effectively protect and promote the dignity of every human being in this state and beyond. Amen.

Senator Gatsas led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

HB 132, relative to state scholarships for orphans of veterans. Education Committee. Ought to Pass, Vote 5-0. Senator Green for the committee.

Adopted.

Ordered to third reading.

HB 616-FN-L, relative to the Hampton real estate trust fund. Energy and Economic Development Committee. Ought to Pass, Vote 4-0. Senator Prescott for the committee.

Adopted.

Ordered to third reading.

HB 598-FN-A, relative to the agriculture nutrient management program and making an appropriation therefor. Environment Committee. Ought to pass with amendment, Vote 3-0. Senator Barnes for the committee.

Environment

April 17, 2003

2003-1326s

08/10

Amendment to HB 598-FN-A

Amend the bill by replacing section 1 with the following:

1 Appropriations.

I. The sum of \$40,000 is appropriated to the department of agriculture, markets, and food for each year of the biennium ending June 30, 2005, for the purpose of funding the agricultural nutrient management program established under RSA 431:36. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II The commissioner shall apply for a grant of \$30,000 through the department of environmental services from the Environmental Protection Agency pursuant to section 319 of the Clean Water Act for nonpoint source pollution programs.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Referred to the Finance Committee (Rule #26).

HB 676-FN, relative to lake level investigations. Environment Committee. Ought to Pass, Vote 4-0. Senator Johnson for the committee.

MOTION TO TABLE

Senator Johnson moved to have **HB 676-FN** laid on the table.

Adopted.

LAI D ON THE TABLE

HB 676-FN, relative to lake level investigations.

HB 59, relative to court reporting. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Roberge for the committee.

Adopted.

Ordered to third reading.

HB 77, establishing a committee to study the process of de novo appeals from the district courts. Judiciary Committee. Ought to pass with amendment, Vote 4-0. Senator Clegg for the committee.

Senate Judiciary

April 15, 2003

2003-1288s

09/01

Amendment to HB 77

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

I. The members of the committee shall be 5 members of the house of representatives, appointed by the speaker of the house.

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named 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.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

HB 184, relative to distribution upon intestacy. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Peterson for the committee.

Adopted.

Ordered to third reading.

HB 185, relative to pretermitted heirs. Judiciary Committee. Ought to pass with amendment, Vote 5-0. Senator Peterson for the committee.

Senate Judiciary
April 17, 2003
2003-1327s
01/09

Amendment to HB 185

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

1 Wills; Child Not Named. RSA 551:10 is repealed and reenacted to read as follows:

551:10 Child Not Named. If any person shall die testate leaving a child born or adopted, and such child is not provided for or referred to therein, such pretermitted child or such child's issue if such child has predeceased the testator shall, unless it appears to the probate court that the omission was intentional and not occasioned by accident or mistake, take that portion of the testator's estate to which such child or such child's issue would have been entitled if the testator had died intestate; provided, however, that if such last will or any codicil thereto provides for another child of the testator or the issue of another child of the testator who has predeceased the testator, the pretermitted child shall take that portion of the testator's estate equal to the greater of (a) the largest sum of all bequests and devises to any one child of the testator named in such last will and any codicil thereto, or (b) the sum of all bequests and devises to all of the issue of another child of the testator who predeceased the testator. The issue of a pretermitted child who predeceased the testator shall take that portion of the testator's estate equal to the lesser of (a) the largest sum of all bequests and devises to any one child of the testator named in such last will and any codicil thereto, or (b) the sum of all bequests and devises to all of the issue of another child of the testator who predeceased the testator. The portion of the testator's estate, if any, that the issue of a pretermitted child who predeceased the testator take shall be disbursed equally if the issue are all of the same degree of kinship to the testator, but if of unequal degree those of more remote degree take by representation.

2 Wills; Share of Unnamed Child. RSA 551:11 is repealed and reenacted to read as follows:

551:11 Share of Unnamed Child. If the property bequeathed or devised by the testator shall be insufficient to satisfy the share of such pretermitted child or the share of the issue of such child if such child predeceased the testator after allowing for advancements to such child or such child's issue if such child predeceased the testator, the same shall be made up from the testate estate in such equitable manner as the probate court shall deem appropriate.

3 Effective Date. This act shall take effect January 1, 2004.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

HB 212, defining "terrorize" for the purpose of criminal threatening. Judiciary Committee. Ought to pass with amendment, Vote 4-1. Senator Sapareto for the committee.

Senate Judiciary
April 17, 2003
2003-1329s
04/10

Amendment to HB 212

Amend RSA 631:4, III(b) as inserted by section 1 of the bill by replacing it with the following:

(b) As used in this section, "terrorize" means to cause alarm, fright, or dread; the state of mind induced by the apprehension of hurt from some hostile or threatening event or manifestation.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

HB 278, relative to certain acts of sexual assault. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Peterson for the committee.

MOTION TO TABLE

Senator Peterson moved to have **HB 278** laid on the table.

Adopted.

LAIID ON THE TABLE

HB 278, relative to certain acts of sexual assault.

HB 418, relative to annulment of arrest records for defendants whose cases result in acquittal, dismissal, or failure to prosecute. Judiciary Committee. Ought to pass with amendment, Vote 5-0. Senator Clegg for the committee.

Senate Judiciary

April 17, 2003

2003-1328s

09/01

Amendment to HB 418

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

AN ACT relative to annulment of criminal records.

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

3 Annulment of Criminal Records; Misdemeanor Sentences Including Conditional or Unconditional Discharges. Amend RSA 651:5, III(b) and (c) to read as follows:

(b) For a class B misdemeanor except as provided in subparagraph (f), 3 years ***unless the sentence includes a conditional or unconditional discharge, in which case the period shall be one year.***

(c) For a class A misdemeanor except as provided in subparagraph (f), 3 years ***unless the sentence includes a conditional or unconditional discharge, in which case the period shall be one year.***

2003-1328s

AMENDED ANALYSIS

This bill permits a defendant whose case resulted in acquittal, dismissal or failure to prosecute to make a post-trial motion for annulment of the arrest record. The bill removes the requirement that a \$100 fee be charged to a defendant who petitions for annulment of an arrest record.

The bill also permits annulments after one year of criminal records for certain misdemeanor sentences including conditional or unconditional discharge.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

HB 57, relative to the use of inhalers by pupils and campers with asthma. Public Institutions, Health and Human Services Committee. Ought to Pass, Vote 2-0. Senator O'Hearn for the committee.

Adopted.

Ordered to third reading.

HB 92, relative to the use of epinephrine auto-injectors by pupils and campers with severe allergies. Public Institutions, Health and Human Services Committee. Ought to Pass, Vote 2-0. Senator O'Hearn for the committee.

Adopted.

Ordered to third reading.

HB 379, relative to penalties for OHRV violations by underage operators. Transportation Committee. Ought to pass with amendment, Vote 4-0. Senator Flanders for the committee.

Senate Transportation

April 10, 2003

2003-1256s

10/03

Amendment to HB 379

Amend RSA 215-A:19, IV(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Notwithstanding RSA 169-B and RSA 169-D, any minor who violates a provision of this chapter shall not be considered a delinquent or a child in need of services. Any minor who violates a provision of this chapter shall be guilty of a violation and may be punished by a fine for each offense, may have his or her OHRV safety training certification suspended for up to 6 months, and may be required to complete community service or to complete additional OHRV safety training.

Senator Flanders moved to recommit.

Adopted.

HB 379 is recommitted to committee.

HB 434-L, relative to junkyards and motor vehicle recycling yards. Transportation Committee. Ought to pass with amendment, Vote 4-0. Senator Kenney for the committee.

Senate Transportation

April 17, 2003

2003-1320s

08/03

Amendment to HB 434-LOCAL

Amend RSA 236:128, III as inserted by section 2 of the bill by replacing it with the following:

III. The local governing body or other enforcement official of the town, city, or unincorporated place, after providing notice, may impose a civil penalty of up to \$50 for each day upon any person whose land is deemed a nuisance pursuant to RSA 236:119 until such time as the nuisance is removed or abated to the satisfaction of the governing body, or until the owner of the land acquires a license and is in compliance with the provisions of this subdivision. The building inspector or other local official with the authority to enforce the provisions of this section may commence an action to collect the civil penalty in the district court. Imposition of a civil penalty under this paragraph shall not relieve the owner of any requirement to comply with the provisions of this subdivision, nor shall it preclude the imposition of further actions or remedies under this chapter. The proceeds from the assessment of civil penalties under this section shall be for the use of the town, city, or unincorporated place. This paragraph shall not apply to automotive recycling yards and junkyards properly licensed or pending license renewal under this subdivision.

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

HB 435, relative to certificates of registration upon transfer of a vehicle. Transportation Committee. Ought to Pass, Vote 4-0. Senator Morse for the committee.

Adopted.

Ordered to third reading.

HB 477, establishing certain speed limits. Transportation Committee. Ought to Pass, Vote 4-0. Senator Flanders for the committee.

MOTION TO TABLE

Senator D'Allesandro moved to have **HB 477** laid on the table.

Adopted.

LAID ON THE TABLE

HB 477, establishing certain speed limits.

HB 802-FN-A, encouraging the department of transportation to retrofit a highway rest stop to be a solar powered facility. Transportation Committee. Ought to Pass, Vote 4-0. Senator Morse for the committee.

Adopted.

Referred to the Finance Committee (Rule #26).

HB 81-FN-A, setting the rate for the medicaid enhancement tax for the biennium ending June 30, 2005. Ways and Means Committee. Ought to Pass, Vote 3-0. Senator D'Allesandro for the committee.

Adopted.

Referred to the Finance Committee (Rule #26).

HB 172, extending the committee to study the exemption from property taxes for not-for-profit hospitals, and including a study of the community benefit law. Ways and Means Committee. Ought to Pass, Vote 5-0. Senator D'Allesandro for the committee.

Adopted.

Ordered to third reading.

HB 60, changing the name of the advisory committee on shore fisheries and relative to the definition of shellfish and a rulemaking exemption for certain rules relating to marine species. Wildlife and Recreation Committee. Ought to Pass, Vote 4-0. Senator Gallus for the committee.

Adopted.

Ordered to third reading.

HB 112-FN, establishing a point system for the annual moose permit lottery. Wildlife and Recreation Committee. Ought to Pass, Vote 3-0. Senator Roberge for the committee.

Senator Roberge offered a floor amendment.

Sen. Roberge, Dist. 9

April 22, 2003

2003-1346s

10/04

Floor Amendment to HB 112-FN

Amend RSA 208:1-a, II-a as inserted by section 2 of the bill by replacing it with the following:

II-a. Any permit lottery established under paragraph II shall include a bonus point system as a weighing factor to benefit applicants not drawn in the annual moose permit lottery. Beginning with the 2004 lottery, the moose permit lottery shall allow a person to accumulate one point for each consecutive year that person legally purchases an application for a permit but is not selected to receive a permit. Each point entitles that applicant to one chance in the lottery. A person's accumulated points shall be non-transferable and shall be forfeited if, in any year, that person is selected to receive a permit or that person fails to purchase a new chance.

Floor amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Referred to the Finance Committee (Rule #26).

HB 244, establishing a committee to study landowner liability for owners providing public access to snowmobile trails. Wildlife and Recreation Committee. Ought to pass with amendment, Vote 4-0. Senator Roberge for the committee.

Wildlife and Recreation

April 15, 2003

2003-1293s

10/09

Amendment to HB 244

Amend subparagraph I(b) of section 2 of the bill by replacing it with the following:

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

Amend the bill by replacing section 4 with the following:

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

Amendment adopted.

Question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

HB 481, establishing a committee to study the pricing of milk products. Wildlife and Recreation Committee. Ought to pass with amendment, Vote 3-0. Senator Cohen for the committee.

Wildlife and Recreation

April 16, 2003

2003-1291s

05/09

Amendment to HB 481

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

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

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

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

Amend the bill by replacing section 4 with the following:

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

Amendment adopted.

Question is on the adoption of the bill as amended.

MOTION TO TABLE

Senator Clegg moved to have **HB 481** laid on the table.

Adopted.

LAIID ON THE TABLE

HB 481, establishing a committee to study the pricing of milk products.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 104, relative to state administration of medicaid benefits and services for individuals who are deaf or hard of hearing.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 104, relative to state administration of medicaid benefits and services for individuals who are deaf or hard of hearing.

Senator Martel moved to concur.

Adopted.

RESOLUTION

Senator Clegg moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that all bills and resolutions ordered to third reading be by this resolution read a third time and all titles be same as adopted, and that they be passed at the present time.

Adopted.

LATE SESSION**Third Reading and Final Passage**

HB 57, relative to the use of inhalers by pupils and campers with asthma.

HB 59, relative to court reporting.

HB 60, changing the name of the advisory committee on shore fisheries and relative to the definition of shellfish and a rulemaking exemption for certain rules relating to marine species.

HB 77, establishing a committee to study the process of de novo appeals from the district courts.

HB 92, relative to the use of epinephrine auto-injectors by pupils and campers with severe allergies.

HB 132, relative to state scholarships for orphans of veterans.

HB 172, extending the committee to study the exemption from property taxes for not-for-profit hospitals, and including a study of the community benefit law.

HB 184, relative to distribution upon intestacy.

HB 185, relative to pretermitted heirs.

HB 212, defining "terrorize" for the purpose of criminal threatening.

HB 244, establishing a committee to study landowner liability for owners providing public access to snowmobile trails.

HB 418, relative to annulment of arrest records for defendants whose cases result in acquittal, dismissal, or failure to prosecute.

HB 434-L, relative to junkyards and motor vehicle recycling yards.

HB 435, relative to certificates of registration upon transfer of a vehicle.

HB 616-FN-L, relative to the Hampton real estate trust fund.

ANNOUNCEMENTS**RESOLUTION**

Senator Clegg moved that the Senate recess to the Call of the Chair for the sole purpose of introducing legislation, processing Enrolled Bill Reports and Amendments, and receiving House Messages, and that when we adjourn, we adjourn to the Call of the Chair.

Adopted.

In recess to the Call of the Chair.