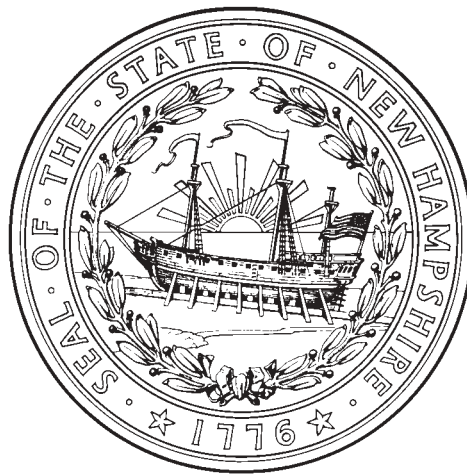


January 5, 2005
No. 1

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



Legislative

SENATE JOURNAL

CONVENING DAY – JANUARY 5, 2005 SESSION

SENATE JOURNAL 1

January 5, 2005

CONVENING DAY

The Senate met at 10:00 a.m.

A quorum was present.

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

Play Your music in this place, O God, and give these dedicated and caring actors, the capacity to choose ways of performing their roles, with a combination of beauty and humor, that all of their pianos may end up at the top of the stairs as they dance gracefully together. Amen

Senator Gallus led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

The House of Representatives has organized and elected its officers:

Clerk of the House: Karen O. Wadsworth

Sergeant-At-Arms: Deborah A. Nielsen

HOUSE MESSAGE

The House of Representatives is ready to meet in Joint Convention for the purpose of canvassing the votes for Governor and Executive Council.

In recess for Joint Convention.

Out of recess.

INTRODUCTION OF SENATE BILLS

Senator Flanders offered the following Resolution:

RESOLVED that, in accordance with the list in the possession of the Senate Clerk, Senate legislation numbered from SB 12 to SJR 1, shall be by this resolution read a first and second time by the therein listed titles and referred to the designated committees.

Adopted.

First and Second Reading and Referral

05-0409

SB 12, relative to a certain contract to create a high school for the town of Bedford. (Roberge, Dist 9; Hawkins, Hills 18; Graham, Hills 18: Education)

05-0410

SB 13, relative to placement and removal of political advertising. (Roberge, Dist 9; Graham, Hills 18: Transportation and Interstate Cooperation)

05-0411

SB 14, relative to special school district meetings to vote on tuition contracts. (Roberge, Dist 9; Hawkins, Hills 18: Internal Affairs)

05-0413

SB 15-LOCAL, relative to the approval process for tuition contracts with schools. (Roberge, Dist 9; Graham, Hills 18; Hawkins, Hills 18: Education)

05-0419

SB 16, establishing a pharmacy oversight committee. (Johnson, Dist 2: Health and Human Services)

05-0559

SB 17, relative to the definition of educational institution for the purpose of higher education loans. (D'Allesandro, Dist 20; Larsen, Dist 15; Rush, Merr 7; Craig, Hills 9: Education)

05-0560

SB 18, relative to sales of tickets for pure lotteries by those not employed by the lottery commission. (D'Allesandro, Dist 20; Griffin, Rock 4; Craig, Hills 9: Ways and Means)

05-0561

SB 19, relative to qualifications to sell lottery tickets. (D'Allesandro, Dist 20; Griffin, Rock 4; Craig, Hills 9: Judiciary)

05-0753

SB 21, relative to voluntary mediated agreements in adoptions. (D'Allesandro, Dist 20; Craig, Hills 9: Judiciary)

05-0919

SB 22, authorizing the Holden School of Nursing to confer degrees. (Foster, Dist 13; Jean, Hills 25; Lasky, Hills 26: Education)

05-0947

SB 23, relative to membership on the public water access advisory board. (Johnson, Dist 2; R. L'Heureux, Hills 19: Environment and Wildlife)

05-0987

SB 24, relative to disposition upon death of patient accounts in nursing homes. (Foster, Dist 13: Judiciary)

05-1030

SB 26, requiring identification to obtain a ballot. (Martel, Dist 18: Internal Affairs)

05-0593

SJR 1, declaring the month of April 2005 to be Boston Red Sox Month (Barnes, Dist 17; Boyce, Dist 4; Bragdon, Dist 11; Burling, Dist 5; Fuller Clark, Dist 24; Clegg, Dist 14; D'Allesandro, Dist 20; Eaton, Dist 10; Estabrook, Dist 21; Flanders, Dist 7; Foster, Dist 13; Gallus, Dist 1; Gatsas, Dist 16; Gottesman, Dist 12; Green, Dist 6; Hassan, Dist 23; Johnson, Dist 2; Kenney, Dist 3; Larsen, Dist 15; Letourneau, Dist 19; Martel, Dist 18; Morse, Dist 22; Odell, Dist 8; Roberge, Dist 9: Public and Municipal Affairs)

AMENDMENT TO SENATE RULES

Senator Gatsas offered the following amendment:

Rule #18. Drafting of Bills

(g) Legislation returned from the non-originating body, with an amendment, shall not be re-referred to committee. The legislation shall have one of the following recommendations: Concur, Nonconcur, Nonconcur and Request a Committee of Conference. ***Adoption of any recommendation under this paragraph shall require a majority vote of the Senate membership voting in open session.*** Adoption of a motion to Nonconcur kills the legislation.

The question is on the adoption of the amendment.

A roll call was requested by Senator Gatsas.

Seconded by Senator Barnes.

The following Senators voted Yes: Gallus, Green, Roberge, Gatsas, Barnes, Martel.

The following Senators voted No: Johnson, Kenney, Boyce, Burling, Flanders, Odell, Eaton, Bragdon, Gottesman, Foster, Clegg, Larsen, Letourneau, D'Allesandro, Estabrook, Morse, Wood Hassan, Fuller Clark.

Yeas: 6 - Nays: 18

Motion failed.

PRESIDENT'S STAFF

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Jay W. Flanders, Deputy Chief of Staff and Policy Director
Donna L. Morin, Executive Assistant
Nancy L. Nolin, Receptionist

LEGAL COUNSEL

Richard J. Lehmann

COMMUNICATIONS DIRECTOR

Mark C. Vattes

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Marlene D. Taylor, Executive Secretary
Sonja L. Caldwell, Assistant. to Deputy Democratic Leader

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Tammy L. Wright, Assistant Senate Clerk
Brenda L. Mento, Journal Clerk
Ann Marie Daniels, Calendar Clerk
Edward R. Hebert, Status Information Technician
Henry W. Wilson, Senate Sergeant-At-Arms
John J. Byrnes, Sr., Senate Doorkeeper
Malcolm A. Richards, Senate Assistant Doorkeeper
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Theresa D. Neves, Administrative Research Assistant

SENATE INTERNS

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Kevin P. Klauer

Elliot A. Schultz

Heather C. Smith

RESOLUTION

Senator Clegg moved that the Senate now adjourn from the early session and that the business of the late session be in order at the present time.

Adopted.

ANNOUNCEMENTS

LATE SESSION

Third Reading and Final Passage

Senator Clegg moved that the Senate adjourn to 11:00 a.m. tomorrow, January 6, 2005.

Adopted.

Adjournment.