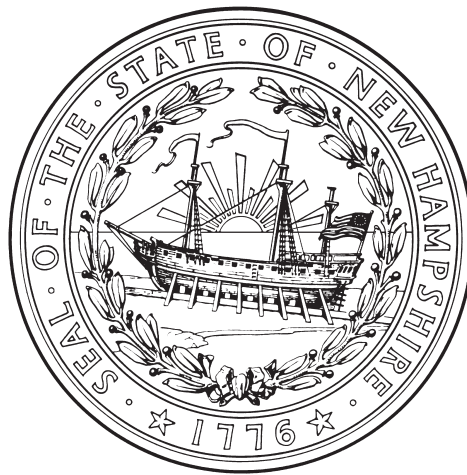


December 6, 2006

STATE OF NEW HAMPSHIRE

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Legislative

SENATE JOURNAL

ORGANIZATION DAY
DECEMBER 6, 2006 SESSION

SENATE JOURNAL

December 6, 2006

ORGANIZATION DAY

The Honorable Tammy L. Wright, Acting Clerk of the Senate, called the Senate to order at 1:00 p.m.

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

Great God of outrageous and mind bending variety, accompany those who have been called to the ministry of governance in this place. Assist them as they weave with care and respect the varied strands of their principles and convictions into a tapestry of beauty and warmth for those who own these chairs. Amen

Senator Hassan led the Pledge of Allegiance.

The Honorable Tammy L. Wright, Acting Clerk of the Senate, called the Roll of the Senate for attendance.

There were 24 members present.

OATH OF OFFICE FOR SENATORS

The Honorable John H. Lynch, Governor of the state of New Hampshire, accompanied by the Honorable Governors' Council, having come into the Senate Chamber, will now subscribe the oaths of office and witness the signing of the oath by each individual Senator, and verify that these are duly qualified as Senators agreeably to the provisions of the constitution:

John H. Lynch, Governor of the state of New Hampshire.

On behalf of the Executive Council, I would like to swear in the Honorable Senate:

District No. 1	John T. Gallus
District No. 2	Deborah R. Reynolds
District No. 3	Joseph D. Kenney
District No. 4	Kathleen G. Sgambati
District No. 5	Peter H. Burling
District No. 6	Jacalyn L. Cilley
District No. 7	Harold W. Janeway
District No. 8	Bob Odell
District No. 9	Sheila Roberge
District No. 10	Molly M. Kelly
District No. 11	Peter E. Bragdon
District No. 12	David M. Gottesman
District No. 13	Joseph A. Foster
District No. 14	Robert E. Clegg, Jr.
District No. 15	Sylvia B. Larsen
District No. 16	Theodore L. Gatsas
District No. 17	John S. Barnes, Jr.
District No. 18	Betsi DeVries
District No. 19	Robert J. Letourneau
District No. 20	Lou D'Allesandro
District No. 21	Iris W. Estabrook
District No. 22	Michael W. Downing
District No. 23	Margaret Wood Hassan
District No. 24	Martha Fuller Clark

NOMINATIONS FOR TEMPORARY PRESIDING OFFICER

Senator Fuller Clark nominated the Honorable Malcolm McLane for Temporary Presiding Officer.

Senator Foster seconded the nomination.

No further nominations.

Adopted.

The Honorable Malcolm McLane is elected Temporary Presiding Officer.

The Honorable Tammy L. Wright, Acting Clerk of the Senate, requested that Senators Burling and Estabrook escort the Honorable Malcolm McLane, Temporary Presiding Officer, to the rostrum.

RESOLUTION

Senator Foster offered the following Resolution:

RESOLVED, that the Rules of the 2005-2006 session be adopted as the Rules of the 2007-2008 session, with the changes which have been provided here today, and be it further RESOLVED, that these Rules may be amended by majority vote for the next four legislative days.

Amend senate rule 29 by replacing it with the following:

~~29. The standing committees of the Senate shall be as follows: The Committee on Banks and Insurance, the Committee on Capital Budget, the Committee on Education, the Committee on Energy and Economic Development, the Committee on Environment and Wildlife, the Committee on Executive Departments and Administration, the Committee on Finance, the Committee on Health and Human Services, the Committee on Internal Affairs, the Committee on Judiciary, the Committee on Public and Municipal Affairs, the Committee on Rules and Enrolled Bills, the Committee on Transportation and Interstate Cooperation, and the Committee on Ways and Means.~~

29. The standing committees of the Senate shall be as follows: the Committee on Capital Budget, the Committee on Commerce, Labor and Consumer Protection, the Committee on Education, the Committee on Election Law and Internal Affairs, the Committee on Energy, Environment and Economic Development, the Committee on Executive Departments and Administration, the Committee on Finance, the Committee on Health and Human Services, the Committee on Judiciary, the Committee on Public and Municipal Affairs, the Committee on Rules and Enrolled Bills, the Committee on Transportation and Interstate Cooperation, the Committee on Ways and Means and the Committee on Wildlife, Fish and Game.

Amend senate rule 48, by deleting sections (a) through (k) and replacing with (a) through (b):

~~48. Deadlines:~~

~~a) The filing period for legislation to be acted on in the second year session, beginning January 2006, will commence on Tuesday, September 6, 2005.~~

~~b) The Office of Legislative Services shall not draft a Senate bill or resolution, unless a request by a member for drafting with complete information has been received not later than 3:00 p.m. on Friday, September 23, 2005. The last day to sign-off legislation for the above filing period shall be Friday, December 2, 2005 at 3:00 P.M.~~

~~c) The filing period for legislation recommended by a Study Committee or Commission created by a Senate Bill to be acted on in the second year session, beginning January 2006, will commence on Wednesday, November 2, 2005.~~

~~d) The Office of Legislative Services shall not draft a Senate bill recommended by a Study Committee or Commission created by a Senate Bill, unless a request by the Chairman for drafting with complete information has been received not later than 3:00 p.m. on Tuesday, December 6, 2005. The last day to signoff legislation for the above filing period shall be Tuesday, January 17, 2006 at 3:00 P.M.~~

~~e) Thursday, March 9, 2006 deadline for Policy Committees to report on all Senate money bills.~~

~~f) Wednesday, March 22, 2006 deadline for Policy committees to report on Senate non money bills. (Cross-over)~~

~~g) Thursday, April 20, 2006 deadline for Policy Committees to report on all House money bills.~~

- ~~h) Thursday, May 4, 2006 deadline for Policy Committees to report on all House non money bills.~~
- ~~i) Friday, May 19, 2006 last day to form Committees of Conference~~
- ~~j) Thursday, May 18, 2006 last day to sign Committee of Conference Reports~~
- ~~k) Wednesday, May 24, 2006 last day to act on Committee of Conference Reports.~~

48. Deadlines:

a) The Office of Legislative Services shall not draft a Senate Bill or resolution, unless a request by a member for drafting with complete information has been received not later than 5:00 p.m. on Wednesday, December 13, 2006.

b) The last day to sign-off legislation for the above filing period shall be Wednesday, January 17, 2007 at 5:00 p.m.

Adopted.

NOMINATIONS FOR PRESIDENT OF THE SENATE

The Honorable Malcolm McLane, Temporary Presiding Officer, asked for nominations for the President of the New Hampshire Senate.

Senator Estabrook nominated Senator Sylvia B. Larsen for the President of the New Hampshire Senate.

Senator Burling seconded the nomination.

No further nominations.

Adopted.

Senator Sylvia B. Larsen is elected the President of the New Hampshire Senate.

The Honorable Malcolm McLane, Temporary Presiding Officer, requested that Senators Gottesman and Janeway escort Senator Sylvia B. Larsen, President of the New Hampshire Senate, to the rostrum.

NOMINATIONS FOR CLERK OF THE SENATE

Senator Gottesman nominated the Honorable Tammy L. Wright for Clerk of the Senate.

Senator Gallus seconded the nomination.

No further nominations.

Adopted.

The Honorable Tammy L. Wright is elected Clerk of the New Hampshire Senate.

NOMINATIONS FOR ASSISTANT CLERK OF THE SENATE

Senator Burling nominated Robert M. Buchholz for Assistant Clerk of the Senate.

Senator DeVries seconded the nomination.

No further nominations.

Adopted.

The Honorable Robert M. Buchholz is elected Assistant Clerk of the Senate.

NOMINATIONS FOR SENATE SERGEANT-AT-ARMS

Senator D'Allesandro nominated Carleton K. Marshall for Sergeant-At-Arms.

Senator Kelly seconded the nomination.

No further nominations.

Adopted.

Carleton K. Marshall is elected Sergeant-At-Arms of the New Hampshire Senate.

NOMINATIONS FOR SENATE DOORKEEPER

Senator Hassan nominated Henry W. Wilson for Doorkeeper.

Senator Barnes seconded the nomination.

No further nominations.

Adopted.

Henry W. Wilson is elected Doorkeeper of the New Hampshire Senate.

The President administered the oaths of office to the Clerk of the Senate, Assistant Clerk of the Senate, the Sergeant-At-Arms, and the Doorkeeper.

RESOLUTION

Senator Foster offered the following Resolution:

RESOLVED, that the Secretary of State be requested to furnish the Senate with the official return of votes from the various Senatorial Districts.

Adopted.

The Honorable William M. Gardner, Secretary of State, appeared and presented the return of votes for the state Senators from the various Senatorial Districts, as returned to the Secretary of State's Office from the General Election held on November 7, 2006.

FIRST DISTRICT

John T. Gallus, r	9,470
Norman Jackman, d	6,743
Plurality for Gallus	2,727

SECOND DISTRICT

Deborah R. Reynolds, d	10,408
Carl R. Johnson, r	8,554
Plurality for Reynolds	1,854

THIRD DISTRICT

Joseph D. Kenney, r	9,815
George M. Cleveland, d	9,367
Plurality for Kenney	448

FOURTH DISTRICT

Kathleen G. Sgambati, d	9,131
James Fitzgerald, r	8,398
Plurality for Sgambati	733

FIFTH DISTRICT

Peter Hoe Burling, d	12,337
Rosalie T. Babiarz, r	5,151
Plurality for Burling	7,186

SIXTH DISTRICT

Jacalyn L. Cilley, d	8,985
James M. McLin, r	6,347
Plurality for Cilley	2,638

SEVENTH DISTRICT

Harold Janeway, d	10,612
Robert B. Flanders, r	7,611
Plurality for Janeway	3,001

EIGHTH DISTRICT

Bob Odell, r	10,348
Carroll D. French, d	<u>7,465</u>
Plurality for Odell	2,883

NINTH DISTRICT

Sheila Roberge, r	9,872
Peter Flood, d	<u>8,772</u>
Plurality for Roberge	1,100

TENTH DISTRICT

Molly Kelly, d	10,710
Thomas Eaton, r	<u>6,230</u>
Plurality for Kelly	4,480

ELEVENTH DISTRICT

Peter Bragdon, r	9,968
Howard Morse, d	<u>8,484</u>
Plurality for Bragdon	1,484

TWELFTH DISTRICT

David Gottesman, d	9,731
Nancy W. Wall, r	<u>7,089</u>
Plurality for Gottesman	2,642

THIRTEENTH DISTRICT

Joseph A. Foster, d	5,968
Dennis Hogan, r	<u>4,218</u>
Plurality for Foster	1,750

FOURTEENTH DISTRICT

Robert Clegg, Jr., r	7,621
Barbara E. Lowrey, d	<u>6,137</u>
Plurality for Clegg, Jr.	1,484

FIFTEENTH DISTRICT

Sylvia B. Larsen, d	12,954
Kristie MacNeil, r	<u>5,197</u>
Plurality for Larsen	7,757

SIXTEENTH DISTRICT

Theodore Gatsas, r	9,122
Bob Backus, d	<u>8,808</u>
Plurality for Gatsas	314

SEVENTEENTH DISTRICT

John S. Barnes, Jr., r	9,299
Corey E. Corbin, d	<u>6,572</u>
Plurality for Barnes, Jr.	2,727

EIGHTEENTH DISTRICT

Betsi DeVries, d	7,373
Andre A. Martel, r	<u>5,809</u>
Plurality for DeVries	1,564

NINETEENTH DISTRICT

Bob Letourneau, r&d	12,554
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TWENTIETH DISTRICT

Lou D'Allesandro, d	7,466
Robert Wheeler, r	<u>4,481</u>
Plurality for D'Allesandro	2,985

TWENTY-FIRST DISTRICT

Iris W. Estabrook, d&r	14,740
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TWENTY-SECOND DISTRICT

Michael W. Downing, r	7,829
Elizabeth Roth, d	<u>7,005</u>
Plurality for Downing	824

TWENTY-THIRD DISTRICT

Maggie Wood Hassan, d	10,566
Natalie Healy, r	<u>7,008</u>
Plurality for Hassan	3,558

TWENTY-FOURTH DISTRICT

Martha Fuller Clark, d	12,189
Daniel M. Hughes, r	<u>8,437</u>
Plurality for Clark	3,752

RESOLUTION

Senator Foster offered the following Resolution:

RESOLVED, that the return of votes from the several Senatorial Districts be referred to a select committee of three with instructions to examine and count the same and report to the Senate where any vacancies or contest exists and if so, in what Senatorial District.

Adopted.

The Chair appointed Senators Foster, Hassan and Gatsas to examine the vote totals.

Recess.**Out of recess.****COMMITTEE REPORT**

Senator Foster reported that the select committee, to which was referred the various return of votes for state Senators from the several districts, having attended to their duties and having examined the returns made to the Secretary of State, reports that it finds the state of the vote returned from the several districts to be correct.

Senator Foster moved to adopt the report.

Adopted.**RESOLUTION**

Senator Foster offered the following Resolution:

RESOLVED, that the biennium salary of the members of the Senate be paid in one undivided sum as early as practical after adoption of this resolution, and be it further RESOLVED, that the mileage of members of the Senate be paid every two weeks during the session.

Adopted.

INTRODUCTION OF GUESTS**HOUSE MESSAGE**

The House of Representatives has organized and elected its Speaker:

Speaker of the House: Representative Terie T. Norelli

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 with the Honorable Senate in Joint Convention for the purpose of electing a State Treasurer and a Secretary of State.

RESOLUTION

Senator Foster offered the following Resolution:

RESOLVED, that the Senate meet in Joint Convention for the purpose of electing the Secretary of State and the State Treasurer.

Adopted.

In recess for Joint Convention.

Out of recess.

RESOLUTION

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

Adopted.

LATE SESSION**ANNOUNCEMENTS****RESOLUTION**

Senator Foster moved that the Senate, having organized, and completed its business for the day, now adjourn to 10:00 a.m., on Wednesday, January 3, 2007 for Convening Day.

Adopted.

Adjournment.

SENATE STANDING COMMITTEES 2007-2008

CAPITAL BUDGET**Room 100, SH**

Maggie Wood Hassan, Chairman

Lou D'Allesandro, Vice Chairman

Joseph A. Foster

Molly M. Kelly

Theodore L. Gatsas

Robert E. Clegg, Jr.

COMMERCE, LABOR AND CONSUMER PROTECTION**Room 102, LOB**

David M. Gottesman, Chairman

Betsi DeVries, Vice Chairman

Deborah R. Reynolds

Jacalyn L. Cilley

John S. Barnes, Jr.

Sheila Roberge

EDUCATION**Room 103, SH**

Iris W. Estabrook, Chairman
Joseph A. Foster, Vice Chairman
Martha Fuller Clark
Molly M. Kelly
Peter E. Bragdon
Robert J. Letourneau

ELECTION LAW AND INTERNAL AFFAIRS**Room 103, SH**

Peter Hoe Burling, Chairman
Jacalyn L. Cilley, Vice Chairman
Betsi DeVries
John T. Gallus
Robert J. Letourneau

ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT**Room 102, LOB**

Martha Fuller Clark, Chairman
Maggie Wood Hassan, Vice Chairman
Jacalyn L. Cilley
Kathleen G. Sgambati
John S. Barnes, Jr.
Bob Odell

EXECUTIVE DEPARTMENTS AND ADMINISTRATION**Room 103, SH**

Peter Hoe Burling, Chairman
Martha Fuller Clark, Vice Chairman
Molly M. Kelly
Jacalyn L. Cilley
Joseph D. Kenney
Michael W. Downing

FINANCE**Room 100, SH**

Lou D'Allesandro, Chairman
Harold W. Janeway, Vice Chairman
Sylvia B. Larsen
Maggie Wood Hassan
Kathleen G. Sgambati
Bob Odell
John T. Gallus

HEALTH AND HUMAN SERVICES**Room 103, SH**

Iris W. Estabrook, Chairman
Kathleen G. Sgambati, Vice Chairman
Martha Fuller Clark
Harold W. Janeway
John T. Gallus
Joseph D. Kenney

JUDICIARY**Room 103, SH**

Joseph A. Foster, Chairman
David M. Gottesman, Vice Chairman
Deborah R. Reynolds
Robert E. Clegg, Jr.
Robert J. Letourneau

PUBLIC AND MUNICIPAL AFFAIRS**Room 103, LOB**

Maggie Wood Hassan, Chairman
Peter Hoe Burling, Vice Chairman
Betsi DeVries
Kathleen G. Sgambati
Sheila Roberge
John S. Barnes, Jr.

RULES AND ENROLLED BILLS**Room 103, SH**

David M. Gottesman, Chairman
Deborah R. Reynolds, Vice Chairman
Lou D'Allesandro
Theodore L. Gatsas
Peter E. Bragdon

TRANSPORTATION AND INTERSTATE COOPERATION**Room 101, LOB**

Robert J. Letourneau, Chairman
Peter Hoe Burling, Vice Chairman
Molly M. Kelly
Betsi DeVries
Robert E. Clegg, Jr.

WAYS AND MEANS**Room 100, SH**

Bob Odell, Chairman
Lou D'Allesandro, Vice Chairman
Harold W. Janeway
Deborah R. Reynolds
Michael W. Downing

WILDLIFE, FISH AND GAME**Room 103, LOB**

John T. Gallus, Chairman
Lou D'Allesandro, Vice Chairman
Harold W. Janeway
Iris W. Estabrook
Theodore L. Gatsas

RULES OF THE SENATE

2007 – 2008

Adopted 12-06-06

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| <ol style="list-style-type: none"> 1. Determination of quorum; correction of Journal. 2. Members, decorum of. 3. Members, conduct when speaking. 4. Members not to speak more than twice. 5. President shall recognize whom. 6. Questions of order, appeal. 7. Member, absenting himself. 8. Motions, order of preference. 9. Questions postponed indefinitely not acted upon in same biennium. 10. Questions, when divided. 11. Objections to reading paper, how determined. 12. Roll Call, everyone must vote. 13. Galleries, clearing of. 14. Reconsideration. 15. Petitions, introduction of. 16. Bills; shall be numbered and expressed clearly. 17. Bills, introduction of. 18. Bills, drafting of. 19. Committees of Conference. 20. Resolutions to be treated as bills. 21. Bills shall have three readings; Progress of; time for second and third readings. 22. Bills, printing and distribution. 23. Bills amended only on second reading; filing of amendments. 24. Public hearings to be held and advertised. | <ol style="list-style-type: none"> 25. Amended bills, printed distributed and disposed of. 26. Appropriating money, to whom referred. 27. President to sign bills, etc. 28. Committees, appointment of. 29. Standing Committees. 30. Messages sent to House. 31. Messages, when received. 32. Voting; division of Senate. 33. Visitors to Senate. 34. Hours of meeting. 35. Rules of Senate, how suspended. 36. Rules of Senate, how rescinded. 37. Committee of the whole. 38. President may name member to chair. 39. Senate staff; composition and duties. 40. Senate staff, days of employment. 41. Committees, reports and meetings. 42. Conflict of Interest. 43. Committee of Conference reports. 44. Personal privilege. 45. Appeal, presiding officer ruling. 46. Motions, no substitution under color of amendment. 47. Requisition Approval Required. 48. Deadlines 49. Requests to the Legislative Budget Assistant |
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RULES OF THE SENATE

2007 – 2008

1. The President, having taken the chair, shall determine a quorum to be present. Any erroneous entry in the daily journal shall be corrected no later than the third succeeding legislative day, and the permanent journal corrected within one week after the permanent journal copy is placed in the hands of the Senate.
2. No member shall hold conversation with another while a member is speaking in debate, or use electronic devices, including but not limited to personal computers, and telephonic devices, without leave of the Senate.
3. Every member, wishing to speak, shall notify the President. When the member is recognized to speak he shall rise and address the President, and when he has finished shall then sit down.

4. No member shall speak more than twice on the same question on the same day without leave of the Senate President.

5. More than one member wishing to speak at the same time, the President shall decide who shall speak first.

6. The President shall preserve decorum and order. If any member transgresses the rules of the Senate, the President shall, or any member may, call him to order in which case the member so called to order shall immediately cease and desist, and the Senate, if appealed to, shall decide the case. But if there is no appeal, the decision of the President shall be conclusive.

7. No member shall absent himself without permission from the Senate.

8. When any question is under debate, no motion shall be received but first, to adjourn; second, to lay upon the table; third, for the previous question; fourth, to postpone to a certain day; fifth, to commit; sixth, to amend; and seventh, to postpone indefinitely; which several motions shall have precedence in the order in which they are so arranged. Motions to adjourn, to lay upon the table, for the previous question, and to take from the table shall be decided without debate. Motions to postpone to a certain day shall be debatable both as to time and subject matter. No motion to postpone indefinitely, to postpone to a certain day, or to commit, being decided, shall be in order at the same stage of the bill or resolution, until after adjournment.

9. A question which is postponed indefinitely shall not be acted upon during the biennium except whenever two-thirds of the whole number of elected Senators shall on division taken, vote in favor thereof. Any bill which is indefinitely postponed shall not be reintroduced under cover of an amendment any bill, resolution, order, or committee of conference report. No motion to suspend this rule shall be permitted.

10. Any member may call for a division of the question when the sense will admit it. Unless otherwise specifically provided for, a majority of those present and voting shall be required to pass any vote.

11. When the reading of a paper or document is objected to by a member, the question shall be determined by a vote of the Senate; and without debate.

12. When the nays and yeas have been moved by a member and duly seconded by another member each member present shall declare his assent or dissent to the question, unless for special reason he be excused by the Senate. The names of the persons so making the motion and the second shall be recorded in the Journal. The President shall determine the order of the roll call. No member shall be required to vote in any case where he was not present when the question was put.

13. In case of any disturbance or disorderly conduct in the gallery, the President shall have the power to order the same to be cleared. The Chairman of the Committee of the Whole may restrict attendance to the duly elected Senators.

14. No vote shall be reconsidered, unless the motion for reconsideration is made by a member who voted with the prevailing side. The notice of such motion for reconsideration shall be given to the Senate in open session prior to adjournment on the same day on which the vote was passed, or to the clerk within 2 working business days of the vote. Any such notice of reconsideration shall be effective for three legislative days only and thereafter shall be null and void. Reconsideration of any bills subject to a deadline established by Senate rules must be acted upon on or before the Senate rule deadline, and thereafter shall be null and void.

15. Before any petition shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

16. All petitions, memorials and other papers addressed to the Senate and all bills and resolutions to be introduced in the Senate, shall be endorsed with the name of the Senator presenting them, and with the subject matter of the same. Every bill shall be marked on the first page "Senate Bill" and numbered serially; every joint resolution shall be marked "Senate Joint Resolution" and numbered serially; every concurrent resolution proposing a constitutional amendment shall be marked "Concurrent Resolution Proposing a Constitutional Amendment" and numbered serially; and every other concurrent resolution shall be marked "Senate Concurrent Resolution" and numbered serially, as each bill or resolution is introduced into the Senate.

17. All petitions, memorials and other papers addressed to the Senate and all bills and resolutions to be introduced into the Senate shall be delivered or caused to be delivered to the Office of Legislative Services, which in turn will submit it to the sponsor for his signature, and then to the Clerk by Legislative Services. If requested by the sponsor, a proposed bill, resolution or petition shall not be made public, except by the sponsor, until signed by the sponsor. During any adjournment the President may receive bills and resolutions for printing and for reference to committee, provided that no bill shall have a public hearing until it is formally introduced into the Senate, printed and available for distribution.

18. Drafting of Bills

(a) If a drafting request for a bill or resolution has been filed with the office of Legislative Services requiring a fiscal note as provided in RSA 14:44-47, the substance or a draft of the proposal may be provided to the legislative budget assistant for preparation of the required fiscal note without the specific consent of the sponsor of the proposal, provided that the identity of the sponsor shall not be disclosed.

(b) Notwithstanding the provisions of 17 (a), (b), and (c), a Senate bill, Senate joint resolutions, or Senate concurrent resolution may be accepted by Legislative Services for drafting and introduced into the Senate at any time prior to the deadline established by Senate Rules for the transfer of bills out of the first body if approved by either a majority of the Senate Rules Committee or a two-thirds vote on the floor.

(c) No bill the subject matter of which has been indefinitely postponed or made inexpedient to legislate in the Senate in the first-year session shall be admitted into the second-year session whether as a bill, an amendment, a committee of conference report or in any other manner.

(d) Legislation returned from the non-originating body, with an amendment, shall not be re-referred to Committee but shall have one of the following recommendations: Concur, Nonconcur, Nonconcur and Request a Committee of Conference. Adoption of a motion to Nonconcur kills the legislation.

19. Committees of Conference.

(a) Whenever there be any disagreement between the Senate and the House on the content of any bill or resolution, and whenever both bodies, voting separately, have agreed to establish a committee of conference, the President of the Senate shall appoint three members to the Senate conference committee on the bill and the Speaker of the House shall appoint four members to the House conference committee. Exceptions: (1) the House committee of conference on the operating budget shall consist of five members; (2) the number of the members of the committees of conference on any bill may increase or decrease if the President and the Speaker both agree. The two committees of conference on a bill shall meet jointly but vote separately while in conference. A unanimous vote by both committees of conference shall be necessary for an agreed report to the Senate and the House by the committees of conference.

(b) The first-named person from the body where the bill or resolution in disagreement originated shall have the authority to call the time and place for the first meeting of the committees of conference on said bill.

(c) The first-named person on a committee of conference shall be the chairman of that conference. The chairman of the committee of conference of the body where the bill or resolution in disagreement originated shall chair the joint meeting of the committees of conference.

(d) No action shall be taken in either body on any committee of conference report earlier than some subsequent day, after the report has been delivered to the seats or placed on a member's desk. A committee of conference may neither change the title of any bill submitted to it nor add amendments which are not germane to the subject matter of the bill as originally submitted to it.

(e) Conference Committees on Budget Bills. The report of each committee of conference on either the general appropriation bill, or the capital improvements bill shall be printed in the journal or a supplement thereto of the appropriate body before action on said report is taken on the floor. Non-germane amendments, sections and footnotes to such bills (except footnotes in explanation of the principal text of such bills or designating the use or restriction of any funds or portions thereof) are prohibited and shall not be allowed under any circumstances. Notwithstanding the general provisions of paragraph (h) of this section, the Conference Committee on general appropriations bill may propose new items for inclusion in said bill but no such item may be so included unless and until it shall have been returned to both the Senate and the House and adopted in identical form by a majority vote in each body.

(f) When both committees of conference on a concurrent resolution proposing an amendment to the constitution have agreed, the committee of conference from the body which acceded to a request for committees of conference shall file its report with the clerk of that body who shall print it in full in the journal or supplement of that body. The report shall be made a special order of business at the late session of a subsequent day. After said report has been adopted by the first body, a message shall be transmitted to the second body which shall then act upon the report of its committee of conference.

(g) The sponsor of any bill or joint resolution referred to committees of conference shall, upon his request, be granted a hearing before said committees prior to action thereon.

(h) No member of a committee of conference shall sign any report that contains non-germane amendments or subject matter that has been indefinitely postponed in either body. For the purposes of this rule, a non-germane amendment would be any subject matter not contained in either the House or the Senate version of the bill.

20. All resolutions which may require the signature of the Governor shall be treated in the same manner as bills.

21. Every bill shall have three readings in the Senate previous to its passage. The first and second readings shall be by title only which may be accomplished by a conglomerate resolution, after which the bill shall be referred by the President to the appropriate committee and shall be printed as provided in Rule 22, unless otherwise ordered by the Senate. No bill after it has been read a second time shall have a third reading until after adjournment from the early session. The time assigned for the third reading of bills and resolutions shall be in the late session unless otherwise ordered by the Senate. The orders of the day for the reading of bills shall hold for every succeeding day until disposed of.

22. After every bill shall have been read a second time, and referred by the President to the appropriate committee, the Clerk shall procure a sufficient number of copies, printed on paper of uniform size, for the use of the legislature, and cause the same to be distributed to the members, and when printed the bill shall be immediately delivered to the committee to which it shall have been referred. Bills received from the House shall be printed at the same stage of their procedure unless they have been printed in the House and copies distributed in the Senate, in which case any amendment made by the House shall be duplicated and distributed in the Senate.

23. No amendment shall be made but upon the second reading of a bill; and all amendments to bills and resolutions shall be in writing, with the name of the Senator and the district he represents, or in the case of a committee amendment the name of the committee that recommended it, thereon. No amendment to any bill shall be proposed or allowed at any time or by any source, including a committee of conference, except it be germane. Amendments shall have been reviewed by the Office of Legislative Services for form, construction, statutory and chapter reference.

24. A hearing shall be held upon each bill referred to a committee, and notice of such hearing shall be advertised at least 4 days before hearing in the Senate Calendar. The Senate Calendar shall be available on the Internet for viewing as soon as it has been released for printing.

(a) All bills in the possession of committees shall be reported out with one of the following recommendations: ought to pass, ought to pass with amendment, rerefer to committee, inexpedient to legislate, or refer for interim study. Re-refer to committee shall be a committee report only in the first-year session. All rereferred bills shall be acted on by the third legislative day of the second year session. Refer for interim study shall be a committee report only in the second year session.

(b) Any legislation creating a chapter study committee shall have membership limited to members of the General Court.

25. When a bill is reported favorably with an amendment, the report of the committee shall state the amendment, and then recite the section of the bill in full as amended. The amendment shall be printed in the senate calendar on the date that the report is listed for action. If no action is taken on that day, then the amendment shall be printed on the day to which the bill has been referred. All bills reported shall be retained by the clerk and shall not be finally acted upon until the following legislative day, and a list of such bills with the report of the committee thereon shall be published in the senate calendar for the day on which action shall be taken.

26. Every bill and joint resolution appropriating money, which has been referred to another committee and favorably accepted by the Senate, shall be committed to the Finance Committee for review. If any such bills have been referred jointly to the Finance Committee and another standing committee, the Finance Committee may report separately and a further public hearing may be held at the discretion of the Finance Committee. All bills appropriating money, which are referred directly to the Finance Committee shall have a hearing.

27. All warrants, subpoenas and other processes issued by order of the Senate shall be under the hand and seal of the President attested by the Clerk.

28. All committees of the Senate, including Senate members on committees of conference, shall consist of members of both parties as nearly equal as possible, provided that on all committees, both parties shall be represented. The President shall appoint the members of all committees, after consulting with the minority leader.

29. The standing committees of the Senate shall be as follows: the Committee on Capital Budget, the Committee on Commerce, Labor and Consumer Protection, the Committee on Education, the Committee on Election Law and Internal Affairs, the Committee on Energy, Environment and Economic Development, the Committee on Executive Departments and Administration, the Committee on Finance, the Committee on Health and Human Services, the Committee on Judiciary, the Committee on Public and Municipal Affairs, the Committee on Rules and Enrolled Bills, the Committee on Transportation and Interstate Cooperation, the Committee on Ways and Means and the Committee on Wildlife, Fish and Game.

30. Messages shall be sent to the House of Representatives by the Clerk of the Senate.

31. Messages from the Governor or House of Representatives may be received at all times, except when the Senate is engaged in putting the question, in calling the yeas and nays, or in counting the ballots.

32. All questions shall be put by the President, and each member of the Senate present shall signify his assent or dissent by voting yea or nay, or shall abstain from voting by reason of a conflict pursuant to rule 42. If the President doubts, or a division is called for, the Senate shall divide. Those in the affirmative on the question shall first rise from their seats and stand until they be counted. The President shall rise and state the decision of the Senate.

33. No person except members of the Senate and its officers, the Governor, Council members, the Secretary of State, the Treasurer, the Speaker of the House of Representatives and its officers and clerks, shall be admitted to the floor of the Senate while the Senate is in session, except by the invitation of the President, or some member with the President's consent.

34. The Senate shall adjourn to meet on the subsequent legislative day for the early session at the time mentioned in the adjournment motion. The late session shall immediately follow the early session unless the Senate shall otherwise order.

35. No standing rule of the Senate shall be suspended unless two-thirds of the members present and voting vote in favor thereof. This rule shall not apply to Senate Rule 9.

36. No rule shall be rescinded unless two days notice of the motion has been given and two-thirds of those present and voting vote therefore.

37. The Senate may resolve itself into a Committee of the Whole at any time on motion made for that purpose; and in forming a Committee of the Whole, the President shall leave the chair, and appoint a chairperson to preside in committee.

38. The President when performing the duties of the Chair may, at any time, name any member to perform the duties of the Chair.

39. The staff of the Senate shall be comprised of a clerk, an assistant clerk, a sergeant-at-arms, and a door-keeper who are to be elected by the Senate, and such other personnel as the President shall appoint. The President shall define the duties of all members of the Senate staff which are not fixed by statute or otherwise ordered by the Senate.

40. Each member of the staff of the Senate shall be available on call to carry out the work of the Senate.

41. The committees shall promptly consider and report on all matters referred to them. The President may authorize such committees having a heavy load of investigation, re-drafting, research or amendments to meet as needed on non legislative days during the legislative session. The Clerk of the Senate shall prepare a list by number, title and sponsor of all Senate bills and resolutions in committee which have not been acted upon within one week before the deadline established for the transfer of bills and resolutions from the Senate to the House of Representatives, and he/she shall distribute this list to every member of the Senate as soon as it is prepared.

42. In all instances every member shall act in conformance with the duly adopted Ethical Guidelines and Opinions of the New Hampshire General Court.

43. Action on the floor of a report of the Committee on Finance or a Committee of Conference on either the general appropriations (budget) bill or the capital budget bill, shall not be taken by the Senate, until said report has been available from the Senate Clerk twenty-four hours in advance, in written form. Non-germane amendments and footnotes to such bills (except footnotes in explanation of the principal text of such bills or designating the use or restriction of any funds or portions thereof) are prohibited and shall not be allowed under any circumstances.

44. Personal Privilege: A Senator may, as a matter of personal privilege, defend his/her position on a bill, his/her integrity, his/her record, or his/her conduct, against unfair or unwarranted criticism, or may speak of an issue which relates to his/her rights, privileges or conveniences as a Senator; provided, however, the matters raised under personal privilege shall not be subject to questioning, answer, or debate, by another Senator. Personal Privilege remarks may be included in the Daily Journal if requested by the Senator, and in the Permanent Journal by vote of the Senate. A Senator may speak on other matters of his/her choosing and in such cases may be subject to questioning and/or answer according to the Rules of the Senate.

45. Any appeal from the ruling of the presiding officer shall be decided by majority vote of the members present and voting.

46. No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

47. No officer or employee of the Senate during the session or any adjournment thereof shall purchase or contract for the purchase, pay or promise to pay any sum of money on behalf of the Senate or issue any requisition or manifest without the approval of the Senate President.

48. Deadlines:

a) The Office of Legislative Services shall not draft a Senate Bill or resolution, unless a request by a member for drafting with complete information has been received not later than 5:00 p.m. on Wednesday, December 13, 2006.

b) The last day to sign-off legislation for the above filing period shall be Wednesday, January 17, 2007 at 5:00 p.m.

49. Any Senate member may make a request of the office of the Legislative Budget Assistant budget division, for technical staff assistance in the areas of finance, accounting and budgeting. The budget division may respond to that request when doing so will not interfere with the budget division's principle responsibilities as outlined in RSA 14:31-b, as determined by the Legislative Budget Assistant.