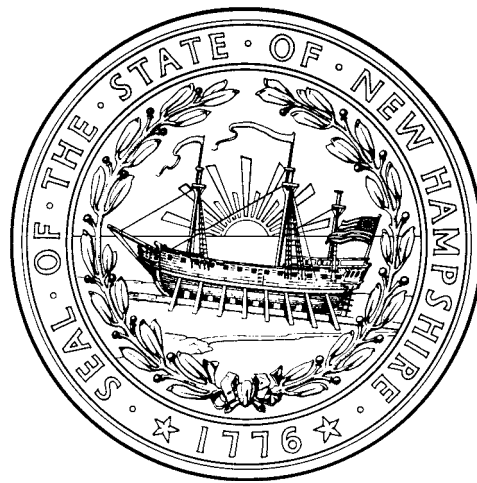


October 13, 2010
No. 22

STATE OF NEW HAMPSHIRE

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**Second Year of the 161st Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – JUNE 2, 2010 SESSION
COMMENCEMENT – OCTOBER 13, 2010 SESSION**

SENATE JOURNAL 22

October 13, 2010

The Senate reconvened at 1 p.m., a quorum being present.

The Reverend Canon Charles LaFond, chaplain to the Senate, offered the following meditative thoughts and prayer:

As the leaves change and fall in New Hampshire walks the world's red carpet in her autumnal glory, I'm aware that this is a harbinger of winter. And, as our trees brace for the winter, and their tops drop their foliage while their roots dive deep, deep, deep into the ground to get the nutrients they will need when spring comes. And, I would encourage you to do the same. You've got about six weeks ahead of you between now and the beginning of the next season. I encourage you to use these six weeks to quiet your branches and to deepen your roots, plunging yourselves into the silence and rest and restoration which your faith tradition offers you, so that come December, your roots need to be deep so that your limbs will be able to produce great policy and collegiality and kindness. Let us pray.

God of all generativity, so deepen our spiritual roots, so quiet our over-stimulated minds, and so soothe our physical bodies that what we generate produces wisdom and not maneuvering, awareness and not fixation, effectiveness and not acclaim, for Your mercy's sake. Amen

Sen. Hassan led the Pledge of Allegiance.

INTRODUCTION OF GUESTS AND PRESENTATIONS

PRESIDENT LARSEN: We would first like to take a moment to recognize those in our presence, Carl Johnson, Jr. and his wife, Linda, and welcome you back to this chamber. We have a Resolution, as you see, a candle burning in Carl and Jeanette's honor. And, we've prepared a Senate Resolution, which I'd like to take this time to read to you.

State of New Hampshire State Senate A Resolution Honoring Carl R. Johnson

WHEREAS, *Carl R. Johnson was a dedicated public servant, who served two terms in the House of Representatives from 1990 to 1994 and five terms in the Senate from 1994 to 2006; and*

WHEREAS, *Carl R. Johnson played important roles in the Senate both as Republican Leader and as President Pro-Tempore; and*

WHEREAS, *Carl R. Johnson was chairman of the Senate Environment and Wildlife Committee and served on the Senate Education, Capital Budget and Interstate Cooperation committees as well as being involved in environmental issues in his own community; and*

WHEREAS, *Carl R. Johnson sponsored a ban on lead sinkers that helped save the loon population in New Hampshire and was dedicated to protecting and preserving the lakes and wildlife of the state;*

WHEREAS, *Carl R. Johnson played professional baseball as a young man and had signed to play for the then Boston Braves and was the roommate of Hall-of-Famer Warren Spahn; and*

WHEREAS, *Carl R. Johnson answered the call of duty during World War II and served in the South Pacific with the U.S. Coast Guard for three years; and*

WHEREAS, *Carl R. Johnson returned home after the war and married his beloved Jeannette, who became well known at the Statehouse for her frequent attendance at Senate sessions keeping an eye on "her Carl," and where she was affectionately known as "the 25th senator;" and*

WHEREAS, *Carl R. Johnson passed on September 18, 2010, and was followed days later by his beloved wife Jeannette. Both will be profoundly missed by friends and family, daughter Linda, son Carl Jr., grandchildren and great-grandchildren;*

Now, therefore, pursuant to a motion of Senate President Sylvia B. Larsen:

Be it resolved, by the New Hampshire Senate, that this legislative body hereby recognizes the service of Carl R. Johnson of Meredith and his commitment to the state of New Hampshire and its citizens, and we pay tribute to his memory.

PRESIDENT LARSEN: We wanted to take this time to honor his memory. And, thank you for being in the chamber with us. I'd like to present this Resolution to you, if you want to come forward.

(The Chair recognized Sen. Barnes for a Rule 44.)

SENATOR BARNES (Rule 44): Thank you, Madam President. I'd just like to say a couple of words about my good buddy, Carl. There are two Senators that I have served with in this chamber over the years that are spitting images of each other, except they're in different parties. One of them was a fellow by the name of George Disnard, and the other one was Carl Johnson. They don't make 'em like those two guys any more; they were perfect gentlemen. If a lady came into the room, they'd stand up; talking to a woman, they'd take their hat off. Very polite people. Their mothers and fathers would have been very proud of them, I'm sure.

Carl was a super guy. I want to tell you about the first time I met him. Carl defeated, in the primary, my roommate my first year up here; a fellow by the name of McDonald was the Senator from the area; he was a former State Trooper. And, he was my roommate, and we were pretty good friends. So, what happens after the election? Carl was the first one to come into the Majority Leader's office, which I had just attained that position, and I was looking around to see where everything was, and there's this white-haired guy standing in my hallway, in the door, I said, "Can I help you?" He says, "Yes, I'm Carl Johnson." I said, "Oh, Carl, how are ya?" And, I had in my office a picture of the greatest left-handed pitcher in the history of baseball, Warren Spahn. And, he looks at that, and he said, "Well, I just wanted to come in and see how we were going to get along." I said, "Hey, you know that guy on the wall?" He says, "Yeah, I roomed with him in 1940 in Bradford, Pennsylvania." I says, "You're kidding!" I says, "Where you from?" He says, "Oh, a small town in Massachusetts." I said, "Whereabouts?" "Oh," he says, "North of Boston." I says, "Where?" "Winchester." Well, Christ, we went to the same town; Carl and I were from the same town.

And, another great thing about Carl: he brought in a couple of weeks later a box score from a 1942—1942, none of you guys were around then; not too many of you, anyway; maybe a couple of you were—but, there it was, Carl's brother was a left-handed pitcher for the Boston Braves, and his manager was Hall-of-Famer Casey Stengel.

So, Carl and I hit it off real quick when he came through the door; I forgot all about McDonald, and all of the sudden I became a big Carl Johnson fan. And, about three weeks later, I get a phone call from my wife. I said, "Oh my God, what's happened?" She says, "You know anybody from Hartshorne, Oklahoma?" I says, "Yes, Warren Spahn; that's where he's from." She said, "Well, there's an envelope here." Well, geez, I got home quick as I could, open it up, and there's an autographed picture of Warren Spahn: "To my favorite fan, Warren Spahn." And, that—Carl made the phone call.

So, your dad and I had a couple of things in common. Maybe I'm not as much of a gentleman as Carl was; I probably shouldn't even say the word "maybe". But, we loved baseball, and we went to a couple of games together down there—you were with us. And, we sat out in the bleachers, watched the Red Sox—and, that was not my favorite team in those days—knock off the Atlanta Braves. But, we had some good times and, Jeanette, your mother, she used to come in after some of the sessions, come into my office, she'd shut the door and say, "Why did you vote that way?" And, I'd say, "Gee, Jeanette, what did I do?" Well, I forgot what it was, but she got quite upset the way I voted; she let me know about it. They're good people. And, we're sorry that both of them had passed. And, you guys went through quite a situation with both parents going within a week of each other. So, long live Carl's memory, and that's it.

PRESIDENT LARSEN: And, Senator Barnes, I understand that was a Rule 44. Correct?

SENATOR BARNES: Well, actually, Warren Spahn was 21, but if you have to go 44, that was Hank Aaron. So, that's okay.

PRESIDENT LARSEN: So, Rule 44. Thank you.

RESOLUTION was presented by Sen. Barnes to the Coe-Brown Northwood Academy Girls Softball Team in recognition of winning the 2010 Class I State Championship.

RESOLUTION was presented by Sen. Reynolds to Angie Miller, a teacher at Holderness Central School, in recognition of being named New Hampshire's 2011 Teacher of the Year.

Sen. Reynolds introduced Joshua Peart and Travis Levreault, students from Woodsville High School, serving as Senate Pages.

Sen. Reynolds introduced Kim Spaulding of the New Hampshire JAG Program, a guest in the gallery.

Sen. Bradley introduced the Gilmore Family from Conway, guests in the gallery.

Without objection the Chair moved that the Clerk of the Senate shall read the title of the Veto Message only.

VETO

Governor's Veto Message Regarding SB 440

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 20, 2010, I vetoed SB 440.

Since becoming Governor, I have worked hard to establish effective, comprehensive and clear ethics standards for state government. As part of my efforts to assure integrity in state government, I signed into law in 2006 bipartisan legislation strengthening state ethics laws, including the establishment of the first-ever Executive Branch Ethics Committee. The Committee consists of seven members, who are charged with investigating allegations of violations of state ethics laws by executive branch officials and issuing interpretive rulings and advisory opinions on the application of ethics standards.

The Executive Branch Ethics Committee plays an important role in enforcing and interpreting our state's ethics laws. It is critical that members of the Committee be thoughtful, fair and impartial – both in actions and in the public's perception. Under existing law, during their service, Committee members may not hold or campaign for elective office, permit their names to be used in support of or in opposition to any candidate or proposition, participate in any way in an election campaign, or make a contribution to any candidate for office, among other prohibited activities. I strongly support the requirement that Committee members refrain from partisan political activities while serving in order safeguard against conflicts of interest and to ensure that the public has full confidence that ethics standards are enforced in the executive branch irrespective of partisan politics.

SB 440 would allow members of the Executive Branch Ethics Committee during their term of service to participate actively in elections for federal offices – President and Vice President, U.S. Senator and U.S. Representative, including allowing their names to be used in support of or in opposition to a candidate for federal office, campaigning for candidates for federal office, and by contributing to a candidate for a federal office.

I believe that SB 440 would weaken the Executive Branch Ethics Committee and would compromise the ability of its members to discharge their obligations impartially in the eyes of the public. It could create the perception that partisan politics plays a role in the decisions of the Committee.

Under SB 440, one or more Committee members could openly endorse and campaign for a candidate for federal office, or contribute to their campaign, and then be placed in the position of deciding whether or not to investigate allegations against an executive branch official who had endorsed the same, or a competing, candidate for the same federal office. In addition, an executive branch employee – who openly supports a candidate for federal office – might seek an advisory opinion from the Committee on the application of an ethics standard. If one or more members of the Committee are publicly supporting the same or an opposing candidate, the motivations behind the Committee's opinion could be called into question even though partisan politics played no actual role in the Committee's work.

I believe that State government has a duty to ensure that even the appearance of politics is removed from the administration of executive branch ethics standards. I will not support any changes to our ethics laws that could jeopardize the public's trust in how these laws are implemented and applied, and that is why I have vetoed this bill.

Respectfully submitted,

Governor

Date: July 20, 2010

The question is, notwithstanding the Governor's Veto, shall SB 440 become law.

A roll call is required.

The following Senators voted Yes: No one.

The following Senators voted No: Gallus, Reynolds, Bradley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Boutin, Barnes, DeVries, Letourneau, D'Allesandro, Merrill, Downing, Hassan, Fuller Clark.

Yeas: 0 - Nays: 24

Governor's Veto on SB 440 is sustained.

SUSPENSION OF RULES

Senator Bragdon moved that the rules of the Senate be suspended to allow consideration at the present time of a bill to amend certain statutory provisions created or changed by SB 500 of the 2010 Session and, if passed, to order the bill to Third Reading and Final Passage.

The question is on the motion to suspend all rules.

Recess. Out of recess.

Senator Fuller Clark presiding.

Recess. Out of recess.

President Larsen presiding.

Sen. Sgambati called the question. Without objection President Larsen closed debate.

The question is on the motion to suspend all rules.

A roll call was requested by Sen. Bradley, seconded by Sen. Boutin.

The following Senators voted Yes: Gallus, Bradley, Odell, Roberge, Bragdon, Carson, Boutin, Barnes, Letourneau, Downing.

The following Senators voted No: Reynolds, Sgambati, Houde, Cilley, Janeway, Kelly, Gilmour, Lasky, Larsen, DeVries, D'Allesandro, Merrill, Hassan, Fuller Clark.

Yeas: 10 - Nays: 14

Motion failed lacking necessary 2/3 vote.

Recess. Out of recess.

HOUSE MESSAGES

The Clerk read the following House Messages:

HOUSE MESSAGE

The House of Representatives has voted to sustain the Governor's veto on the following entitled Bills:

HB 53, relative to the definition of "public body" under the right-to-know law.

HB 379, exempting certain meetings concerning collective bargaining from the right-to-know law.

HB 1490, establishing a citizens task force to study state revenues and expenditures and relative to the regulation of financial institutions.

HOUSE MESSAGE

The House of Representatives has voted to override the Governor's veto on the following entitled Bill:

HB 1161, repealing the requirement to obtain a license to sell in order to sell pistols or revolvers at retail.

GOVERNOR'S VETO MESSAGE ON HB 1161

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 26, 2010, I vetoed HB 1161.

HB 1161 would repeal the ability of New Hampshire cities and towns to license persons who are engaged in the business of retail sales of firearms.

Since 1991, under RSA 159:8, cities and towns have had the authority to decide whether or not to require individuals who sell pistols, revolvers and firearms at retail to obtain a local license. This license serves several purposes, including identification of retail gun sellers who might not be subject to federal firearms licensing requirements. Current law imposes on retail firearms sellers a requirement to know the identity of the person purchasing a gun, or to obtain clear evidence of their identity, including whether the purchaser has been convicted of a felony.

While other state and federal laws prevent any person in New Hampshire from selling a firearm to a convicted felon, it does not seem necessary to take away the authority of municipalities – authority the state has granted for nearly twenty years – to license local retail sellers of firearms. The New Hampshire Association of Chiefs of Police have raised with me public safety concerns with taking away the local licensing authority, and have strongly urged that this bill not become law. For these reasons, and my view that changes to New Hampshire's gun laws are not needed, I am vetoing this bill.

Respectfully submitted,

Governor

Dated: July 26, 2010

Sen. Cilley is excused.

The question is, notwithstanding the Governor's Veto, shall HB 1161 become law.

A roll call is required.

The following Senators voted Yes: Gallus, Reynolds, Bradley, Janeway, Odell, Roberge, Bragdon, Gilmour, Lasky, Carson, Boutin, Barnes, DeVries, Letourneau, Downing

The following Senators voted No: Sgambati, Houde, Kelly, Larsen, D'Allesandro, Merrill, Hassan, Fuller Clark.

Yeas: 15 - Nays: 8

Governor's Veto on HB 1161 is sustained.

Sen. Reynolds moved the adoption of the Amendment to Senate Rule 48.

PROPOSED AMENDMENT TO SENATE RULE 48

Amendment to Senate Rule 48

Amend Senate Rule 48 by replacing with the following:

48. Deadlines:

(a) Wednesday, October 13, 2010 – First day to file legislation for 2011 Senate Session.

The question is on the adoption of the proposed amendment to Senate Rule 48.

Motion adopted by necessary 2/3 vote.

MOTION TO ADJOURN FROM EARLY SESSION

Sen. Hassan moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time; and that when we adjourn, we adjourn to the Call of the Chair.

Motion adopted.

Adjournment from the Early Session.

**LATE SESSION
ANNOUNCEMENTS AND RULE 44's**

(The Chair recognized Sen. Barnes for a Rule 44.)

SENATOR BARNES (Rule 44): Thank you, Madam President. Would Senator Janeway stand up, please? Would Senator Roberge stand up, please? Would Senator Downing please stand up? Would Senator "Rocky" over there, would you please stand up? I'm missing one; who am I missing? Senator Letourneau, would you please stand up?

I'd just like to say thank you to these five terrific Senators that I've been able to sit with here for a couple of years, and some of them a little bit more than that. It's been a great pleasure. I think we've had a darn good Senate. And, the State's going to miss you, and I'm going to miss picking on some of you; some of you I can't pick on, but some of you I can. We're going to have a new sheriff down here; he might come up here with his car with his bubble on it – it would be very impressive, I'll tell you. You can use my parking spot if I get reelected.

But, I think those of us sitting here that are still in our seats, it wouldn't hurt us one damn bit to say thank you to our colleagues and wish them well in whatever the heck they're going to be doing, and say thanks for everything that you've done. You all have the right to your opinions, we all know that, and that's the way it goes. And, the citizens of this state elect you; we don't elect you. So, you get elected by the people. So, I want to say thank you for being my colleagues, some of you for a long period of time and some of you for a short period. But, anyhow, I want to say thank you, and I'd like to get a round of applause for these folks.

I still have a little bit more to go. I just want to say to the folks that were seated – the five that stood up, they're gone. Some of you are here, or, going to be here. And, me, I might not be here. And, if I'm not here, I want to say it's been a great pleasure. I'm down ten points in the latest UNH poll, and I've only got three weeks to pick it up – actually, two weeks and six days – I don't know if I can catch this guy; he's going like heck. Damn Yankee fan; that might help me. But, if I'm not back, I want to say it's been great serving with this body, and it's nice to have a Senator who has a son playing major league baseball; that's very exciting to see, and I wish him well. And, I wish all of you well. And, here again, I might not be back, and I'm sure all of you will be back, but you never know.

So, it's been great, and I've enjoyed the last two years most of the time – no, all the time; I'm just teasing. And, good luck to everybody, and we'll see a group of you back here – I'll come up if I don't get elected; I'll come up to say good luck to you in January, or December, I guess it is. So, happy cupcakes.

PRESIDENT LARSEN: And, Senator Barnes's statement and "thank you" to all of you who are leaving is heartfelt from all of us. I hope you'll accept it in that spirit.

(The Chair recognized Sen. Reynolds for a Rule 44.)

SENATOR REYNOLDS (Rule 44): Madam President, it's with great sadness that I report to the body the loss, yesterday, of a dear friend and former House colleague, Representative Carole Estes of Plymouth.

Carole was a lifelong advocate for the rights of others, including equal rights for all. She had served us in the New Hampshire House in the prior session; she did it very ably. And, unfortunately, succumbed to cancer yesterday at her home. And, I'm asking the body to keep Carole Estes' family, including extended family in the Plymouth area, as well as her daughter, Allison Browne, son Daryl Browne, and grandkids, in your thoughts and prayers.

She was an amazing person: she was eloquent, she was funny, she was warm. I think her email address was "make-it-plain", and she tried to always make things plain, but she was very eloquent, and I'm going to miss her. So, I'd like to have my remarks entered into the Permanent Journal. Thank you, Madam President.

(The Chair recognized Sen. Bradley for a Rule 44.)

SENATOR BRADLEY (Rule 44): Thank you very much Madam President. I'd like to pay tribute to someone that a lot of us on our side of the aisle, and I suspect many of you on the other side of the aisle knew quite well, Victoria Zachos. She was a landlord in Concord—I suspect, Madam President, you know her well. Very feisty, very engaged, and I certainly want to recognize her and recognize her family; she passed away recently.

And, also, if I might expand upon the Rule 44, Madam President, being a "newbie" here, I just want to congratulate you and pay tribute to the fact that we have some pretty contentious debates here, but you have taught me a lot on courtesy and graciousness. You have always been fair, and I just want to salute you for that and thank you for it.

(The Chair recognized Sen. Fuller Clark for a Rule 44.)

SENATOR FULLER CLARK (Rule 44): Thank you very much, Madam President. This week, Democrats across the state and across the country had to say goodbye to a most remarkable woman. Anita Freedman died at her home last Saturday, October 9th, at age 82. And, some of you, I'm sure, have known Anita very well; some of you may only know of her sort of peripherally. I'd like to just share a little bit about her life and about what she's meant to many of us.

Anita was born in Newmarket, New Hampshire. She was orphaned at age three when both of her parents died. She was taken in by her aunt and uncle, and they raised her until she was age 16, when they died. So, she had tremendous losses early in her life.

She only received a high school education, and yet she went on to have a most remarkable career. She began her political career working for Norm D'Amours in the '70s, running his Portsmouth office. She went on to serve as Democratic National Committeewoman from 1985 to 2008. She also served as Secretary of the New Hampshire Democratic Party from 1985 to 1997, and attended, as a delegate, every single Democratic convention from 1985 to 2008. She served as Chair of the Portsmouth Democratic Committee for years. And, for anyone who was interested in entering into Democratic politics, the only way you could begin was by getting to know Anita.

Her lifetime was really filled with all kinds of service. In addition to that political 'resume' if you wish, she served as Commissioner of the Portsmouth Housing Authority from 1985 to 2010. She was a member of the Prescott Parks Arts Festival board of directors for years. She received two outstanding appointments in Washington during the Clinton administration. And, her home was always open to her generosity. Most of us remember Anita for incredible spreads of food that she laid out, and which she always insisted whatever was left over that you take home with you. She gave us knickknacks, she knitted scarves for us; she was really the Mother Superior for so many Democrats in the Seacoast and across the state.

What I would also like to read to you is a few of the tributes that have been in the press this week. From the head of the party, Ray Buckley, he quoted, "Last evening, New Hampshire's Democrats lost a great and wonderful leader. For more than 40 years, Anita Freedman had been a pillar of support for Democratic politics and charitable causes in the Granite State. She was a constant source of inspiration and encouragement, and her legendary determination is a model for us all."

In addition to that, Democrats across the country are mourning her loss. And, in particular, she became very, very close friends with Hillary and Bill Clinton. And, one of the great moments of her life is when she was invited to the White House to spend the night in the Lincoln Bedroom shortly after she had experienced the tragedy of losing her only daughter. And, this is what the Clintons had to say about Anita Freedman:

"We are deeply saddened by the passing of our dear friend, Anita Freedman. Her loyalty, support, and service in the New Hampshire Democratic party not only helped us both at critical junctures in our own lives, but advanced the future of the nation."

They said that they will miss Anita Freedman's boundless energy, wise counsel, and generous spirit, as will all of us. But, I knew Anita well. I feel like I would never have had a career in politics without Anita's advice, support, and sometimes admonitions.

And, in closing, I would like to have us all keep in our minds what would happen every time you might call Anita on the phone and not reach her. This is the message from her answering machine: "Hi. Sorry I missed your call. I was out helping elect Democrats."

(The Chair recognized Sen. D'Allesandro for a Rule 44.)

SENATOR D'ALLESANDRO (Rule 44): Thank you, Madam President. First, I'd like to express my gratitude to Senator Bradley for bringing up Victoria Zachos. And, I want to be brief, but I want to say this: when people commit themselves to helping other people, many times they just don't get recognized for it. But, Vicky Zachos took care of people. She let people live in her apartments, and took care of those who were wandering in the strays who needed help. She ran the choir in the Greek Orthodox Church for 51 years; 51 years she was the choir director, there every Sunday.

She was a woman of endless energy, and with a capacity to help people, and a great capacity to really, I think, express great love for people. People like Victoria come along, I think, once in a lifetime. A wonderful, wonderful woman, a great character; a Republican through and through. I mean, she was as solid as they made 'em. But, her caring and her generosity made her a very special human being. Thank you, Madam President.

(The Chair recognized Sen. Merrill for a Rule 44.)

SENATOR MERRILL (Rule 44): Thank you, Madam President. When I first ran for the Senate two years ago and was getting to know Epping, one of my towns, I was told that I really had to talk to the Vallones. And, the Vallones was a family that turned out to include Mark Vallone, who's the very active Chair of the local Democratic party, his sister, Susan, who served in the House, and his son, Matthew, who served in the House, and, in particular, it meant getting to meet and fortunately getting to know Andy and Marguerite Vallone. They were really the "Mr. and Mrs. Democrat" in Epping. And, Andy died two weeks ago at the age of 90, still very active.

I recall two years ago at the polls, visiting Epping at the end of the day, and it was quite chilly as I recall, and Andy was out there 'til the very end, holding signs. He was a real community leader as well as an active Democrat all his life. And, he was perhaps best known for being the proprietor, with Marguerite, of Fecteau's Country Store, which was a required stop for many political candidates, including presidential candidates.

We'll miss Andy in District 21, but his legacy of community and political activism lives on in his family. Thank you.

PRESIDENT LARSEN: I would just briefly like to note the passing of two real leaders in the Concord community, the passing of Dean Williamson. Dean was a lover of UNH and all things UNH. He was a tennis player up through his nineties, and just a remarkable—helped to reopen the Capitol Center for the Arts; just a remarkable, remarkable human being whose passing will be – we will miss him.

Also, I'd like to recognize the passing of Joe Ransmeier. Joe, who had a whole career as an educator before he went back and got a law degree and opened up a law firm right here across the street. He, too, was a remarkable friend and advocate of all the best causes, and he will be missed.

(The Chair recognized Sen. Barnes for a Rule 44.)

SENATOR BARNES (Rule 44): Thank you, Madam President. I'm not sure, but I don't think we have recognized one of our own for something that's pretty neat. I think his name is D'Allesandro; I think he used to wear a leather helmet at UNH when he played football.

But, our friend, Lou, and our colleague, Lou, has gone into the University of New Hampshire Hall of Fame, and I think that deserves some recognition, even though he wore a helmet that was made of leather, and some people will mention that on some of your votes, Senator. I do think we should be very happy for our colleague; that's quite an honor to have gone into the UNH Hall of Fame, and we're proud as heck of you.

Without objection President Larsen moved that all Rule 44's shall be entered into the permanent *Journal of the Senate*.

MOTION TO ADJOURN TO CALL OF THE CHAIR

Sen. Hassan moved that the Senate adjourn to the Call of the Chair.

Motion adopted.

The Senate is adjourned to the Call of the Chair.

OUTSTANDING BILLS

At the time of adjournment on October 13, 2010, the following Senate Bills remained on the table in the Senate:

CACR 34, relating to funding of public education. Providing that the general court shall define an adequate education and distribute state funds for public education in a manner that alleviates local disparities.

SB 94, relative to the creation of express trusts for payment of claims for materials and services rendered in building projects.

SB 345-FN, relative to automatic renewal of contracts.

SB 386-FN, extending the pilot program for chartered public schools approved by the state board of education.

SB 389-FN-A, relative to the interest and dividends tax on certain distributions to investors in investment organizations.

SB 446, relative to the governance of the Concord school district.

SB 467-FN-A, establishing job creation incentives under the business profits tax and the business enterprise tax.

SB 468, relative to tort reform.

SB 473-FN, making distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares, and requiring a reduction in general fund appropriations for the biennium ending June 30, 2011.

SB 474-FN-A-L, changing the rate of the meals and rooms tax, repealing the meals and rooms tax on campsites, and requiring a reduction in general fund appropriations for the biennium ending June 30, 2011.

SB 476-FN, clarifying the business profits tax deduction for reasonable compensation.

SB 479, relative to administrative review by the commissioner of safety of decisions by the bureau of hearings.

SB 482, relative to bullying and cyberbullying in schools.

SB 487-L, relative to charter limitations on the growth of budgets and taxes and to the validity of certain city and town charter provisions.

SB 488, relative to the adoption of local spending caps.

At the time of adjournment on October 13, 2010, the following House Bills remained on the table in the Senate:

HB 50, (New Title) relative to proceedings of medical injury claims screening panels.

HB 314-L, (New Title) relative to the assessment of certain costs associated with proposed large groundwater withdrawals from wells.

HB 1201, (New Title) including loaded muzzleloaders in the prohibition of hunting from a vehicle.

HB 1324, relative to staffing exceptions for geographically isolated small schools.

HB 1355-FN, relative to certain Medicaid appropriations.

HB 1367-FN, (New Title) relative to political advertising and campaign expenditures and contributions by business organizations and labor unions.

HB 1469, relative to the required number of instructional days and instructional hours in a school district's calendar.

HB 1484, relative to residency restrictions for sex offenders.

HB 1491, relative to the child support calculation in cases of shared parenting.

HB 1543, relative to the annual rate of interest on judgments.

HB 1579-FN, relative to electioneering by public employees.

HB 1628, establishing guidelines for neighborhood notification upon release of a sexual offender.

HCR 22, (New Title) urging Congress to develop and pass a comprehensive immigration reform program.

HCR 29, requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties.

At the time of adjournment on October 13, 2010, the following Senate Bills were not signed off in Committee of Conference:

SB 450, (New Title) relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax.

SB 497-FN-A, changing the business profits tax deduction for reasonable compensation for partnerships, limited liability companies, and sole proprietorships and modifying the interest and dividends tax statute to follow the definitions of interest and dividends used in the United States Internal Revenue Code.

At the time of adjournment on October 13, 2010, the following House Bills were not signed off in Committee of Conference:

HB 478-FN, relative to remotely readable devices and relative to the illegal use of a payment card scanning device or reencoder.

HB 1128, relative to the distribution of meals and rooms tax revenues to cities and towns.