

State of
New Hampshire

HOUSE RECORD

First Year of the 155th Session of the General Court
Calendar and Journal of the 1997 Session

Vol. 19 Concord N.H. Wednesday, February 5, 1997 No. 16

Contains: Hearings, Notices, Work Sessions, Reports and Amendments for February 5

HOUSE CALENDAR NOTICE

The next House session is Wednesday, February 12th at 1:00 p.m. We will meet in joint convention with the Senate to hear the Governor's budget message on Thursday, February 13th at 10:00 a.m.

Notice is hereby given that every Session Day shall be a Consent Calendar Day as set out in House Rule 51.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, February 5 at 11:30 a.m. in Representatives Hall.

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, February 5 at 11:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

NOTICE

LEGISLATIVE FORUMS

HOUSE CONTINUING EDUCATION

TOPIC: The Budget - Session I and Session II

PRESENTER: Doug Hall

DATES: Session I - Thursday, February 6

Session II - Tuesday, February 11

Session II - Thursday, February 13

Session I - Tuesday, February 18

Session II - Thursday, February 20

TIME: Noon to 1:00 p.m.

PLACE: Room 100, State House

As noted above the Forums on the budget will have two sessions. The goal is to have each member attend a Session I and II. A total of three sessions of each forum is being held to assure that each member has the opportunity to benefit from the presentations. For the members' convenience the cafeteria will again sell sandwiches, snacks and sodas outside the room. These will be informative sessions with handouts. Please make every effort to attend. Thank you.

*Please note Session II is only for those who have attended Session I.

Rep. Carol H. Holden

Legislative Continuing Education Coordinator

WEDNESDAY, FEBRUARY 5

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 130, clarifying the authority of county commissioners to arrange for work by prisoners. OUGHT TO PASS WITH AMENDMENT

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: This bill allows county commissioners to authorize the superintendent of the county correctional facility to arrange for uncompensated public service by prisoners at municipal or nonprofit owned grounds or property. Current law allows arrangements to be made for work by prisoners only at municipally owned recreational facilities or conservation projects. Vote 17-0.

HB 152, relative to permissible fireworks. RE-REFER TO COMMITTEE

Rep. Walter J. Mikowski for Criminal Justice and Public Safety: This bill would exempt the Department of Safety from RSA 541-A, Administrative Rules, relative to fireworks. The reason for the bill was to shorten the time for approval of the current listing of permissible fireworks, submitted by the permissible fireworks review committee, RSA 160-B:23,III. The Department of Safety has committed itself to expediting the existing approval process without providing an exemption through law at this time. The committee decided to re-refer to give the department this opportunity. Vote 17-0.

JUDICIARY AND FAMILY LAW

HB 146, relative to gifts by agents under general powers of attorney. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary and Family Law: It was unclear to the committee why this legislation is needed. Currently, many estate attorneys write in provisions for gifting. We fear that the individual situation that was cited as being disallowed may be for reasons other than what came out in testimony. This legislation is not needed. Vote 15-0.

HB 153, exempting emergency medical technicians from jury duty.. INEXPEDIENT TO LEGISLATE

Rep. Carol H. Holden for Judiciary and Family Law: This bill would exempt emergency medical technicians from jury duty. Testimony before the committee indicated that to do this it would be to further drain the pool of people eligible for jury duty. Vote 15-0.

LOCAL AND REGULATED REVENUES

CACR 3, relating to authorizing counties to implement an income tax. Providing that a county may implement an income tax, provided that there is a binding referendum of the voters of the county and approval by the legislature. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Local and Regulated Revenues: While the committee was sympathetic to the cause of lowering property taxes, there was no support for the concept of instituting county income taxes. The sponsor was the only person to testify on this bill. Vote 16-0.

HB 122, relative to the operation of games of chance conducted by charitable organizations. INEXPEDIENT TO LEGISLATE

Rep. Robert N. Kelley for Local and Regulated Revenues: This bill was loosely drawn and the committee felt that an opening was created for the professionalization of games of chance. This flies in the face of our regard for charitable operations of this ilk. No charity appeared in support of this bill - one individual appeared in support. Vote 16-1.

HB 227, relative to the North Hampton property taxes. OUGHT TO PASS

Rep. Stephen G. Avery for Local and Regulated Revenues: This is basically a housekeeping bill that legitimizes the adjustments to the North Hampton property tax rate. There was no opposition to this bill. Vote 16-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 216, relative to municipal budgets. OUGHT TO PASS

Rep. Katherine H Metzger for Municipal and County Government: When ever a governing body or a budget committee fails to make a notation of whether or not to make recommendation on a special warrant article; a problem arises with the Department of Revenue Administration. This bill corrects this problem by providing that defects or deficiencies in these notations shall not affect the legal validity of any appropriations otherwise legally made. Vote 14-0.

PUBLIC WORKS AND HIGHWAYS

HB 251-FN-LOCAL, reclassifying a portion of North Main Street in the town of Farmington from a class II to a class V highway. OUGHT TO PASS WITH AMENDMENT

Rep. Henry P. Sullivan for Public Works and Highways: This bill was a request of the Department of Transportation and the town of Farmington, to reclassify a portion of North Main Street in Farmington from a class II to a class V highway. The DOT has rebuilt this section of road and the highway will become a class V road, maintained by the town. The amendment adds a section of Passaconaway Road in Albany under the same stipulations as the original bill. Vote 18-0.

WILDLIFE AND MARINE RESOURCES

HB 115-FN, relative to payment from state funds for damage to cultivated blueberries caused by game. INEXPEDIENT TO LEGISLATE

Rep. Ronald Nowe for Wildlife and Marine Resources: The Committee felt that the subject matter contained in this bill deserved some comprehensive study which will be incorporated into a pending bill to study the entire subject contained in the game damage statutes. Vote 15-0.

HB 139, relative to fishing in a certain portion of the Pemigewasset river. INEXPEDIENT TO LEGISLATE

Rep. Dennis F. Abbott for Wildlife and Marine Resources: This bill attempts to establish special fishing regulations for a portion of the Pemigewasset River. There are presently sufficient rules which adequately control fishing on all bodies of water. This bill could lead to establishing laws which are better dealt with through the rulemaking process. The Committee did not wish to interfere with the rule making process at this time. Vote 15-0.

HB 159-FN, granting free hunting and fishing licenses to New Hampshire residents that are members of a federally recognized Indian tribe. INEXPEDIENT TO LEGISLATE

Rep. Robert L'Heureux for Wildlife and Marine Resources: Since there was no support for this legislation, the sponsor asked that the bill be voted ITL Vote 15-0.

WEDNESDAY, FEBRUARY 5

REGULAR CALENDAR

FINANCE

HB 112, requiring that all changes in state taxes be passed by a 60 percent majority of each house of the general court. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: This bill as amended could hinder the functioning of the three branches of government. The committee believes that a 50+1 percent majority should remain the margin for the passage of legislation except constitutional amendments. Passage of this bill would empower 41% of this legislature with control. A further requirement that no new taxes on real estate be enacted would put government in an insupportable position if a financial crisis required legislative action. Vote 17-5.

JUDICIARY AND FAMILY LAW

CACR 5, relating to the status of supreme court rules. Providing that the supreme court rules shall no longer have the force and effect of law. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Sandra Balomenos Keans for the Majority of Judiciary and Family Law: It appears that even the supporters of this legislation agree that if passed this would have no impact. As a co-equal branch of government the courts have the right to set their own administrative rules, just as the legislature sets its own rules. Whether that was fully a part of the question that the voters acted on in 1978 does not change the system. No constitutional question is ever written in its entirety. It was passed by the voters 19 years ago. No evidence was presented that showed any problems directly attributed to the wording of the question. Vote 15-3.

Rep. Paul M. Mirski for the Minority of Judiciary and Family Law: Twelve words. Following approval, in November of 1978, by two thirds of New Hampshire voters, of an amendment unifying New Hampshire's court system, twelve words were added to the text presented on the ballot. The sentence added proclaimed that "The rules so promulgated shall have the force and effect of law". "Shall", "force", "effect" and "law" are words which have powerful connotations when used in contracts, in legislation and in language. The addition of the language "the rules so promulgated shall have the force and effect of law", whether proponents thought it was sympathetic to the amendment or not, put words in the mouths of voters which there is no evidence that they intended to express. Advocates of passage of CACR 5 simply seek to correct an act of voter disenfranchisement perpetrated upon the people of New Hampshire by individuals who believed that they, and not the people, had the right to define and hone the context and constitutional law in New Hampshire.

LOCAL AND REGULATED REVENUES

HB 201-L, allowing municipalities to apply the amount of a property tax abatement refund to outstanding taxes owed by the taxpayer. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Douglass P. Teschner for the Majority of Local and Regulated Revenues: This bill, which is supported by the NH Municipal Association, allows local selectmen or assessors to apply funds from property tax abatements to overdue taxes then owed to that municipality by the taxpayer. Under a 1993 rule by the Board of Land and Tax Appeals, rebates awarded on appeal must be repaid to the taxpayer by check or cash. The bill arose out of a case in which taxpayers took such abatements in cash and then failed to make overdue tax payments to their community. This bill will reduce the possibility of this occurring in the future. The bill only applies to outstanding taxes, not to future taxes, and is enabling only. Vote 12-5.

Rep. Jean R. Wallin for the Minority of Local and Regulated Revenues: If an abatement has been granted to a taxpayer, taxes were judged to have been wrongfully collected. The minority feels that the individual taxpayer should have the freedom to decide how that money should be used. If someone has not paid their taxes, it is possible that the abatement amount needs to be used for mortgage payments, medical treatment, or food. Further, the minority feels there is no standard procedure for the local officials to follow when deciding who receives the cash and who has their abatement applied to back taxes.

TRANSPORTATION

HB 186-FN, relative to fees for number plates. OUGHT TO PASS WITH AMENDMENT

Rep. Roland M. Turgeon for Transportation: Due to the increase in the cost of material, manufacturing and mailing of reflectorized plates, the committee found it was necessary to increase the fee from \$1.50 to \$2.50 per plate on the issuance of the original plates to cover the cost on the new reflectorized plates. Vote 18-0.

COMMITTEE HEARINGS

WEDNESDAY, FEBRUARY 5

COMMERCE, Room 302, LOB

10:00 a.m. **HB 340**, relative to the real estate commission and its licensing and bonding requirements.

11:00 a.m. **HB 342**, relative to the payment of recording fees for mortgage discharges.

Executive session on pending legislation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on **HB 118-FN**, relative to penalties for marijuana possession.

EDUCATION, Room 207, LOB

8:00 a.m. Subcommittee work session on **HB 143-LOCAL**, requiring that SAU budgets be approved by vote at school district meetings.

9:30 a.m. **HB 253-FN-LOCAL**, relative to special education services.

10:30 a.m. **HCR 2**, urging all school districts in the state of New Hampshire to implement peer mediation programs.

Executive session on pending legislation.

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 379-FN**, relative to reporting of contributions to candidates for speaker of the house and senate president.

10:00 a.m. **HB 248-LOCAL**, prohibiting all persons except candidates who appear on the ballot from performing electioneering activities within 100 feet of the door of the polling place and relative to campaign signs held by candidates.

10:30 a.m. **HB 308**, relative to opening hours for polling places.

Executive session on pending legislation.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **HB 291**, relative to the use of the terms "native," "local," and "our own" when referring to farm products.

10:30 a.m. **HB 352**, modifying the definitions of "agriculture" and "farming" for certain purposes.

11:00 a.m. **HB 384**, relative to requiring notification by utilities of right-of-way maintenance.

Executive session on pending legislation.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on **HB 197-FN**, relative to the regulation of wetland scientists and **HB 121**, relative to quality review for accountancy and requiring the board of accounting to adopt administrative rules.

10:00 a.m. **HB 346**, relative to the effect of federal law on any reorganization of the executive branch.

10:45 a.m. **CACR 18**, Relating to: references to the governor in the constitution. Providing that: all references to the governor in the constitution shall be gender neutral.

FINANCE, Rooms 210-211, LOB

9:00 a.m. ***HB 571-FN-A***, funding services for developmentally disabled persons with severe disabilities and making an appropriation therefor and relative to full funding of services to developmentally disabled persons.

Executive session on pending legislation to follow.

Executive session on pending legislation at the conclusion of the House session.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

9:30 a.m. ***HB 488-FN***, relative to involuntary admission to the state hospital on an emergency basis.

10:30 a.m. ***HB 434***, relative to milk products of sheep and goats and milk producer permits and allowing the commissioner of the department of health and human services to impose certain administrative fines.

Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 330***, relative to openness in the civil litigation process.

10:30 a.m. ***HB 387-LOCAL***, extending municipal immunity from liability for injuries from accidents caused by snow and ice in municipal parking lots.

Executive session on pending legislation.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:30 a.m. ***HB 298***, permitting legislators to take time off from their regular employment to fulfill public responsibilities.

Executive session on pending legislation.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. ***HB 351-LOCAL***, limiting the total of tax deferrals for the elderly and disabled on a particular property to a percentage of its equity value.

10:30 a.m. ***HB 423-LOCAL***, relative to the elderly exemption from the property tax.

Executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, 3rd Floor Conference Room, State House

10:00 a.m. Subcommittee work session on ***CACR 10***, Relating to municipalities' home rule. Providing that municipalities shall have home rule authority to exercise any powers not specifically prohibited by the state or federal constitutions or any statute adopted by the legislature.

Room 301B, LOB

10:00 a.m. Subcommittee work session on ***HB 311-LOCAL***, giving municipalities the option of authorizing their governing bodies to enter into discretionary easements on certain agricultural buildings.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 413***, expanding the authority of the commissioner of the department of transportation to use a certain appropriation to purchase airports.

10:15 a.m. ***HB 471***, relative to the method of refund of the road toll paid by private school bus companies.

Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. **HB 350**, exempting permits by rule and permits by notification from certain excavating and dredging permit requirements.

Executive session on pending legislation.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. **HB 424**, postponing the implementation of alternative fuel motor vehicle fleet requirements for 2 years.

11:00 a.m. **HB 587-FN**, relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring.

Executive session on pending legislation.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 301, LOB

9:30 a.m. **HCR 4**, petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to establish a mechanism for nullification of federal laws and regulations when the states determine that such laws or regulations exceed the authority of the federal government under the Constitution of the United States.

10:00 a.m. **HCR 5**, petitioning the Congress of the United States to enact legislation that requires Congress to specify the constitutional authority for the enactment of law and that prohibits agency rules or regulations from preempting or otherwise interfering with state or local powers without express statutory authority.

10:30 a.m. **HCR 6**, petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to provide the states a method of offering amendments to the Constitution of the United States.

11:00 a.m. **HCR 7**, petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to prohibit the federal government from imposing regulatory mandates, unfunded mandates, and spending conditions, which conditions are unrelated to the actual expenditures of funds allocated by Congress.

Executive session on pending legislation.

TRANSPORTATION, Room 203, LOB

9:00 a.m. **HB 357-FN**, requiring the director of motor vehicles to recommend vehicle light use during any period windshield wipers are in operation during inclement weather.

9:45 a.m. **HB 335-FN-LOCAL**, relative to motor vehicle license and registration suspensions.

10:30 a.m. **HB 412**, relative to motor carrier safety rules and repealing certain obsolete statutes relating to motor vehicles.

Executive session on pending legislation.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:00 a.m. Subcommittee work session on **HB 132-FN**, allowing New Hampshire residents on active duty in the armed forces or coast guard to be issued hunting and fishing licenses at no charge.

9:30 a.m. **HB 371**, relative to the authority of the department of fish and game to regulate the management, preservation, propagation, and taking of state fish, game, and wildlife resources.

10:30 a.m. **HB 403**, prohibiting the use of trotlines to take fish.

11:00 a.m. **HB 390**, relative to quarantine of captive wildlife.

Executive session on pending legislation.

THURSDAY, FEBRUARY 6

COMMERCE, Room 302, LOB

10:00 a.m. **HB 359**, regulating information regarding evictions contained in credit reports issued by consumer reporting agencies.

10:45 a.m. **HB 464-FN**, regarding notice provisions for waxes applied to fresh fruit.

11:15 a.m. **HB 398**, allowing Delta Dental Plan of New Hampshire to issue plans to individuals.

1:35 P.M. **HB 404**, establishing a committee to study providing universal catastrophic health coverage by establishing a statewide catastrophic risk pool.

2:30 p.m. **HB 409**, requiring nonprofit educational organizations and certain hospitals to file certain forms with the director of charitable trusts.

Executive session on pending legislation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 348-FN**, allowing the state fire marshal to investigate a building collapse or release of carbon monoxide.

10:30 a.m. **HB 392**, changing references to the "BOCA Basic Building Code" to "BOCA National Building Code."

11:00 a.m. **HB 367-FN-LOCAL**, requiring notification to parents when a minor violates the tobacco laws.

11:30 a.m. **HB 416**, relative to sentencing for juvenile delinquents.

1:30 p.m. **HB 338**, repealing certain requirements relative to the duty to deliver a copy of process to prisoners.

1:45 p.m. **HB 462-FN**, relative to acknowledgment of DWI laws by persons under 21 years of age.

2:00 p.m. **HB 438-FN**, allowing the court to impose certain chemical treatments on repeat child molesters.

Executive session on pending legislation.

DAM MANAGEMENT REVIEW (RSA 482:93), Room 305, LOB

2:30 p.m. Regular meeting.

EDUCATION, Room 207, LOB

9:30 a.m. **HB 388**, providing that one member of the state board of education shall be a currently certified and employed New Hampshire public school teacher.

Executive session on pending legislation.

ELECTION LAW, Room 308, LOB

10:30 a.m. **HB 354**, repealing the exemption for social activities from political expenditure and contribution reporting requirements.

11:00 a.m. **HB 355**, relative to prohibited political contributions.

11:30 a.m. **HB 356**, relative to reporting requirements for political candidates and political committees.

Executive session on pending legislation.

Subcommittee work session on **CACR 9**, Relating to requiring that the attorney general be elected by the legislature. Providing that the attorney general be chosen by joint ballot of the senators and representatives and **CACR 15**, relating to requiring that the attorney general be elected. Providing that the attorney general be chosen biennially in the general election. (Immediately following executive session.)

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Environmental Policy subcommittee work session on **HB 196-FN**, providing for the regulation of horticultural growing media and **HB 207-FN**, relative to pesticide registration fees and making an appropriation therefor.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on **HB 269**, relative to the compensation of sweepstakes commissioners who are members of a multi-state lottery commission.

9:30 a.m. **HB 378**, regulating the practice of acupuncture.

1:15 p.m. **HB 425**, relative to the regulation of pharmacists.

1:45 p.m. **HB 393**, relative to the mental health practice act, including establishing a clients' bill of rights.

Executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

9:00 a.m. **HB 491**, establishing a house committee to study the institution of a state property tax.

9:30 a.m. **HB 578-FN-A-LOCAL**, providing for property tax relief and making an appropriation therefor.

10:30 a.m. **HB 574-FN-A-LOCAL**, imposing a flat tax to replace certain state and local taxes.

11:30 p.m. **HB 563-FN-A**, relative to a tax on telecommunications easements.

1:30 p.m. **HB 562-FN**, imposing a tax on gambling winnings over \$5 to fund kindergarten and continually appropriating a special fund.

2:15 p.m. **HB 531-FN**, increasing the amount superior court bailiffs are paid per day.

3:00 p.m. **HB 513-FN**, limiting the operational expenses of the sweepstakes commission to 10 percent of the gross revenue.

Executive session on pending legislation.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

9:30 a.m. **HB 426**, establishing a committee to study the rules and regulations regarding the administration of medications in long-term care facilities.

10:30 a.m. **HB 476**, establishing the New Hampshire council on drug abuse prevention.

Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. **HB 260**, defining "marriage" to mean a legal union between one man and one woman as husband and wife.

11:00 a.m. **HB 363**, relative to venue for actions against tenants.

1:30 p.m. **HB 364**, relative to interest or penalty charges for failure to pay rent.

2:30 p.m. **HB 365**, providing that communications made during family mediation shall be privileged.

Executive session on pending legislation.

LEGISLATIVE ADMINISTRATION, Room 307, LOB

9:30 a.m. **HB 440-FN**, changing the legislative mileage formula.

10:45 a.m. **CACR 19**, Relating to: the election of the speaker of the house, senate president, and other officers. Providing that: the speaker of the house, senate president, and other officers shall be elected from among the respective body's membership.

11:15 a.m. **HB 494-FN**, relative to house bills and constitutional authority.

1:15 p.m. **HB 385**, relative to reporting and registration requirements for lobbyists and employees of lobbyists.

Executive session on pending legislation.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. Organizational meeting and agency briefings.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 299**, relative to property tax assessments of new buildings during the property tax year.

11:00 a.m. **HB 315-LOCAL**, expanding certain financial powers of village districts.

Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. **HB 272**, relative to boat docking facilities.

Executive session on pending legislation.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Electric Utility subcommittee work session on **HB 411-LOCAL**, authorizing municipalities to issue bonds for the purpose of defraying the cost of purchasing or taking public utility property; **HB 587-FN**, relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring and **HB 297**, relative to the cutting of vegetation by utilities on private property.

WILDLIFE AND MARINE RESOURCES, Room 300A, LOB

9:30 a.m. Subcommittee work session on **HB 243**, requiring a conviction of a person wounding or killing a human being while hunting before the person's hunting license can be revoked.

FRIDAY, FEBRUARY 7

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:30 a.m. Subcommittee work session on **HB 256-FN**, establishing uniform adjudicative proceedings for state agencies and establishing a pilot program for adjudicative hearings.

10:30 a.m. Subcommittee work session on **HB 282**, relative to enforcement of compliance by agencies with statutory authority for administrative rulemaking and other grounds for final objection by the joint committee on administrative rules.

11:00 a.m. Subcommittee work session on **HB 265**, repealing certain rulemaking authority of the commissioner of transportation.

FINANCE - DIVISION II, Room 209, LOB

9:30 a.m. Work session and revenue estimates.

MONDAY, FEBRUARY 10

FINANCE, Rooms 210-211, LOB

10:00 a.m. **HB 617-FN-A-LOCAL**, relative to payments for catastrophic aid for special education and making an appropriation therefor.

10:30 a.m. **HB 569-FN-A-LOCAL**, creating a New Hampshire securities transfer excise tax and a continually appropriated fund.

11:00 a.m. **HB 602-FN-A**, repealing the franchise tax on electrical utilities and replacing it with a tax on the distribution of electricity.

- 11:30 a.m. **HB 603-FN-A**, exempting the first \$300,000 in value of the total estate of a decedent from the legacies and successions tax.
- 1:00 p.m. **HB 738-FN-A-LOCAL**, relative to the distribution of revenue from the meals and rooms tax.
- 1:30 p.m. **HB 728-FN-A**, relative to designating a portion of the meals and rooms tax revenue for the promotion and development of tourism.
- 2:00 p.m. **HB 757-FN**, relative to the applicability of the legacies and successions tax.
- 2:30 p.m. **HB 789-FN-A**, exempting siblings from the legacies and successions tax in certain situations.
- 3:15 p.m. **HB 761-FN-A**, establishing a credit against the business profits tax for businesses that provide qualified internship or apprenticeship programs.
- 4:00 p.m. **HB 788-FN**, relative to the computation of penalties and interest in certain tax underpayment situations.

Executive session on pending legislation.

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), NH Hospital, Acute Psychiatric Services Building, Conference Room

9:00 a.m. Subcommittee work session.

NUCLEAR DECOMMISSIONING FINANCE COMMITTEE (RSA 162-F:15), NH Public Utilities Commission, 8 Old Suncook Road, Concord

2:00 p.m. Regular meeting.

RULES, Room 206, LOB

- 2:00 p.m. **HR 14**, exempting the house committee to study the investigation of the late Judge Fairbanks from the December 13, 1996 deadline for filing legislation.
- Regular meeting.
- Executive session.

TUESDAY, FEBRUARY 11

COMMERCE, Room 302, LOB

- 10:00 a.m. **HB 410**, allowing mental health counselors and marriage and family therapists to obtain third party payments for services rendered which would otherwise qualify for such payments.
- 11:30 a.m. **HB 376**, relative to prescription drug copayments required by insurance companies and relative to filling prescription drug prescriptions.
- Executive session on pending legislation.
- 1:30 p.m. Subcommittee work session on **HB 147**, relative to disclosure of certain information relating to tobacco products.

EDUCATION, Room 207, LOB

Noon Subcommittee work session on **HB 110**, relative to the use of and school district liability for the use of district computer systems and networks.

ETHICS COMMITTEE (RSA 14-B:2), Room 304, LOB

3:00 p.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 281***, relative to regulation of medical assistants.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. Subcommittee work session on ***HB 131***, relative to notification regarding workers' compensation coverage for subcontractors.

1:00 p.m. Subcommittee work session on ***HB 284***, establishing a study committee on the feasibility of combining the department of labor and the department of employment security.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. ***HB 305-A***, relative to the rehabilitation of the Walker building and making an appropriation therefor.

Executive session on pending legislation.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

10:30 a.m. Continued public hearing on ***HB 243***, requiring a conviction of a person wounding or killing a human being while hunting before the person's hunting license can be revoked.

Executive session on pending legislation.

WEDNESDAY, FEBRUARY 12

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on ***HB 204-FN-LOCAL***, relative to transportation of arrestees, detained defendants, and prisoners and court control of arrestees, detained defendants, and prisoners.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Briefing - NH Timberland Owners Association.

Executive session on pending legislation.

FRIDAY, FEBRUARY 14

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 18

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

9:30 a.m. ***HB 472***, establishing the council for children and adolescents with chronic health conditions.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Rooms 301-303, LOB

8:30 a.m. Committee briefing by Sen. Judd Gregg.

STATE VETERANS' CEMETERY OVERSIGHT COMMITTEE (HB 11, Chapter 10, Laws of 1995), Room 101, LOB

1:00 p.m. Regular meeting.

WEDNESDAY, FEBRUARY 19

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Rooms 301-303, LOB

9:00 a.m. Committee briefing by Sen. Bob Smith.

FRIDAY, FEBRUARY 21

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 A.M. Subcommittee work session on ***HB 211***, defining the terms "psychological injury" and related terms under the child protection act.

MONDAY, FEBRUARY 24

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB

9:30 a.m. Regular meeting.

FRIDAY, FEBRUARY 28

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 306, LOB

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Cheshire County Delegation will meet Thursday, February 27 at 7:00 p.m. at the Cheshire County Courthouse Jury Room to vote on Cheshire County Complex bond issue and the 1997 County Budget.

Rep. Stephen G. Avery, Chairman

Cheshire County Delegation

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet Monday, February 10 in Room 206, LOB at 10:00 a.m.

Rep. Robert A. Lockwood, Chairman

Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee will meet Friday, February 7 at 9:30 a.m. at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood to vote on budget to be presented to the full Delegation and on Friday, February 14 to finalize any unfinished business prior to the full Delegation meeting.

Rep. Sherman A. Packard, Chairman

Rockingham County Executive Committee

COUNTY DELEGATION NOTICE

Rockingham County Delegation will meet Saturday, February 15 at 10:00 a.m. at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood to adopt the Budget for 1997.

Rep. Ken Malcolm, Chairman

Rockingham County Delegation

Several members are not receiving their House Calendars in a timely manner. The House Clerk's Office continues to track these delivery problems, but we need your help. The post office is unable to trace the problem if we don't have the mailing envelope. If your weekly Calendar is not delivered on Saturday, please **save the envelope** when it does arrive, and write on it the date you received it. Please bring the envelope to the Clerk's Office the next time you come to the State House. We apologize for these mail delivery problems and are trying to correct them. Thank you for your cooperation.

Karen O. Wadsworth, Clerk of the House

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 225, 559, 560, 564, 587, 588, 589 and 607

Leo J. Callahan, Assistant Clerk

When the House Clerk is aware of House Members who are hospitalized or homebound by serious illness, it will publish a list of names and addresses so that their colleagues who so desire may send cards and greetings.

Beverly A. Gage, 75 South Policy Street Lot 31, Salem, New Hampshire 03079-2919

Karen O. Wadsworth, Clerk of the House

*****MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices. Publication should not be construed as support for either the events listed or the view espoused by the individual or organization sponsoring the event.

Members of the NH Senate and House are encouraged to utilize the complimentary ski privileges afforded them. Upon presentation of proper credentials at the ticket window, NH Senators and Representatives may receive a lift ticket for their personal use and one for a guest. The elected official must be present to personally present the credentials, unless prior arrangement is made with Commissioner Thomson. (Lift tickets are to be picked up at Guest Services at Sunapee; and at Guest Services or the Ticket Window at Cannon.)

Donna Sytek, Speaker

The OWLs Executive Board meeting will be held Monday, February 10 at 11:00 a.m. in the 3rd Floor Conference Room, State House.

Rep. M. Virginia Burke

Republican legislators interested in the promotion of moderate social legislation are invited to a brief informal meeting in Room 205, LOB at noon on Tuesday, February 11. Freshmen members are urged to attend.

Rep. Joseph P. Manning

Merrimack County Democrats will meet on Tuesday, February 11 from 7:00 to 9:00 p.m. in Room 102, LOB

Rep. Miriam D. Dunn

The American Counseling Association of NH cordially invites all legislators and staff to their annual Legislative Reception on Wednesday, February 12 at the Holiday Inn Lounge from 4:00 to 7:00 p.m.

Rep. Thomas F. O'Rourke

All legislators and staff are cordially invited to attend a reception hosted by the University System's College for Lifelong Learning on Wednesday, February 12. The reception will take place at the Holiday Inn at 4:00 p.m.

Rep. William S. Belvin

Vocational Student Organizations (VSO) Day will be held on February 12. Student representatives of NH's eight VSOs will be in the Hall of Flags and cafeteria to talk with legislators. Free coffee and refreshments will be served in the cafeteria beginning at 7:30 a.m.

Rep. William S. Belvin

The Belknap County Republican Committee will hold its annual Lincoln Day Dinner on Saturday, February 15 in Laconia. Tickets are \$15. See or call Rep. Rosen (524-8651) for tickets and further information.

Reps. Ralph J. Rosen and John H. Thomas

The Department of Treasury, Abandoned Property Division, cordially invite you to search our abandoned property owner list during our two-day informational fair being held in the lower level of the Legislative Office Building on Tuesday, February 18 and Wednesday, February 19. Stop by our booth between 8:00 a.m. and 3:30 p.m. We are holding more than \$15,000,000, to return to residents of NH. Some of this money could belong to you, a relative, a constituent, a friend or a co-worker.

Rep. Norman L. Major

The Concord City Delegation will meet on Wednesday, February 19 at 8:00 a.m. in the State House Cafeteria.

Rep. Miriam D. Dunn

Improve your mind, and recycle! Bring a book - Buy a book is located outside the cafeteria. It is sponsored by the OWLs. All moneys go to the scholarship fund.

Rep. Betsy McKinney

Copies of the NH Department Of Health and Human Services Briefing Book are available for Representatives that were unable to attend the briefing on January 13th. You can pick up a copy in the Ante Room.

Rep. Lawrence A. Emerton

All legislators interested in learning about the new Maine sales tax passed last spring and its effect in the New Hampshire business community are invited to attend an informational session hosted by Rep. Howard Dickinson and Councilor Ray Burton, Thursday, February 20 in Room 205, LOB, 3:00 to 5:00 p.m. For further information please contact Rep. Howard Dickinson.

Rep. Howard C. Dickinson, Jr.

The Department of Transportation will hold the following meetings:

Feb 14 Municipal Complex, City Council Chambers, 1 Junkins Avenue, Portsmouth, 7:00 p.m. Public hearing, Portsmouth, US Route 1 alterations.

Feb 25 Bedford Town Hall, 70 Bedford Center Road, Bedford, 7:30 p.m. Public informational meeting, Bedford, US Route 3, Back River Road.

Mar 26 Community Room, Municipal Library, 26 Railroad Street, Charlestown, 7:00 p.m. Public hearing, Charlestown, NH Route 12A.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

WEDNESDAY, FEBRUARY 5

AMENDMENTS

(Listed in numerical order)

1997-0048h

Amendment to HB 130

Proposed by the Committee on Criminal Justice and Public Safety

Amend the bill by replacing section 1 with the following:

1 Uncompensated Public Service by Prisoners. Amend RSA 651:36-a to read as follows:

651:36-a [Work] Uncompensated Public Service by Prisoners. The county commissioners of any county may authorize the superintendent of the county correctional facility to make arrangements with officials of a city [or], town, or nonprofit agency to [work] have prisoners from the county correctional facilities perform uncompensated public service at [municipally] municipal or nonprofit owned [recreational facilities or conservation projects] grounds or property. Prisoners [so worked] sent from the county correctional facility shall be in the custody of the superintendent of county correctional facilities or designee.

AMENDED ANALYSIS

This bill allows county commissioners to authorize the superintendent of the county correctional facility to arrange for uncompensated public service by prisoners at municipal or nonprofit owned grounds or property. Current law allows arrangements to be made for work by prisoners only

at municipally owned recreational facilities or conservation projects.

1997-0028h

Amendment to HB 186-FN

Proposed by the Committee on Transportation

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

AN ACT relative to fees for number plates and reducing the amount of the inventory fund in the department of safety.

Amend the bill by replacing section 1 with the following:

1 Fee Increased. Amend RSA 228:25, I to read as follows:

I. There is hereby established an inventory fund in the department of safety in the amount of [\$2,000,000] \$1,000,000 which sum is hereby authorized as a revolving fund comprised of funds in the highway fund that are not otherwise appropriated. The prison shall purchase such raw materials as may be required and agreed to by the commissioner of safety in order for the commissioner of safety to issue fully reflectorized motor vehicle number plates. This purchase shall be a charge against the inventory fund and the prison shall be responsible for the control and accountability of the raw materials so charged. Said number plates shall be manufactured at the state prison. The prison shall be furnished out of said inventory account the raw materials necessary to manufacture said plates and upon receipt of the finished plates by the department of safety shall be reimbursed for their direct and indirect costs. The commissioner of safety shall, annually, request the commissioner of administrative services to review and approve said cost rates. Notwithstanding any other provision of law, the commissioner of safety shall charge in addition to the regular motor vehicle registration fee the sum of [\$1.50] \$2.50 per plate at the time of issuing said reflectorized motor vehicle number plates or replacement reflectorized number plates. Said additional charge shall not give the registrant any title or other property interest in said plates. The commissioner of safety or [his] deputy may request from time to time delivery of [said] the number plates from the prison and shall reimburse [said] the inventory fund by a transfer from revenue. At least 6 months prior to subsequent general issue, a transfer from revenue shall be made for all remaining finished plates in inventory.

AMENDED ANALYSIS

This bill increases the annual registration fee for number plates from \$1.50 to \$2.50.

The bill also reduces the amount of the inventory fund in the department of safety from \$2,000,000 to \$1,000,000.

1997-0092h

Amendment to HB 251

Proposed by the Committee on Public Works and Highways

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

AN ACT reclassifying a portion of North Main Street in the town of Farmington and a portion of Passaconaway Road in the town of Albany.

Amend the bill by inserting after section 1 the following and renumbering the original 2 to read as 3:

2 Classification Changed. Passaconaway Road, in the town of Albany, beginning at the Albany-Conway town line westerly for a distance of 1.24 miles to the existing class V highway shall be classified as a class V highway 60 days after completion of repaving and drainage work to be performed by the department of transportation.

AMENDED ANALYSIS

This bill reclassifies a portion of North Main Street in the town of Farmington from a class II to a class V highway. The bill also reclassifies a portion of Passaconaway Road in the town of Albany.