

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. Friday, February 7, 1997 No. 18A

Contains: Hearings, Notices, Work Sessions, Reports and Amendments for February 12

CORRECTED COPY

HOUSE CALENDAR

NOTICE

The House Rules Committee will meet on February 10th at 2:00 p.m. in Room 206, LOB. In addition to its regular business, the Committee will consider requests for late sign-off and introduction of bills. If you have an LSR which may be included in this category, please be sure to contact Gail Alexander at 271-3661 and plan to attend the Rules Committee meeting.

As previously announced, the position of Director of Member Services was created, and the job of the House Information Director redefined to provide more and better service to House members. Many Representatives have received help from these staff members in responding to constituent inquiries or in preparing a press release or other public announcement. This is a reminder that any House member is welcome to contact Information Officer Susan Wood or Director of Member Services Carol Dunning with questions or requests for information or assistance. Each may be reached in the Speaker's Office or by calling 271-3661.

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 12 at 11:30 a.m. in Representatives Hall.

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, February 12 at 11:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

NOTICE

LEGISLATIVE FORUMS

JOINT HOUSE AND SENATE CONTINUING EDUCATION

TOPIC: The Budget - Session I and Session II

PRESENTER: Doug Hall

DATES: Session II - Tuesday, February 11

Session II - Thursday, February 13

Session I - Tuesday, February 18

Session II - Thursday, February 20

TIME: Noon to 1:30 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 12

CONSENT CALENDAR

COMMERCE

HB 280, relative to uniform contracts for roofing contractors. INEXPEDIENT TO LEGISLATE

Rep. Eric. N. Lindblade for Commerce: Uniform Commercial Code law already provides for contracts whenever two parties engage in a mutually beneficial action, to ensure that all specified conditions are adhered to. Vote 17-0.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 125, relative to methadone therapy. INEXPEDIENT TO LEGISLATE

Rep. Doris R. MacIntyre for Criminal Justice and Public Safety: The committee supports the existing methadone legislation which allows methadone treatment for heroin addicted pregnant women. We wish to monitor the outcome of our current legislation before we adopt such

sweeping new legislation. Vote 12-0.

HB 233, making failure to provide child support a class B felony. INEXPEDIENT TO LEGISLATE

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: Making failure to provide child support a class B felony was heard at length by our committee and the recommended penalty and many related issues were discussed. But the question still remained. Should non payment of child support change from a misdemeanor to a class B felony? The answer to this is an absolute NO. Would making non support a felony guarantee payment? NO. Would longer incarceration improve payment? NO; especially if the obligor is in jail. Would making non support a felony make restitution easier? Possibly, but RSA 546:5 already allows this. Lastly, would making non support a felony require jury trials for anyone who contested the issued? ABSOLUTELY. And this begs the question, can our court system handle this? We submit the answer to this is NO and we further believe that there would be a large increase in jury trials adding a tremendous burden to our already crowded court system. The committee felt strongly on this issue as shown by its ITL. Vote 17-0.

HB 325, eliminating the correctional industries advisory board. OUGHT TO PASS

Rep. Andrew Christie, Jr. For Criminal Justice and Public Safety: RSA 622:28b, effective August 8, 1993, established a correctional industries advisory board According to statute "the board shall meet at least annually to assist the commissioner of corrections in decisions relative to industry products, including marketing, selection, sales, manufacturing, purchasing, customer relations, product quality, pricing and other business matters." The board was never created, but the oversight duties are being handled efficiently by the Advisory Board for Vocational-Technical Education for the New Hampshire Department of Corrections. Therefore the committee established in RSA 622:28b is not required. Vote 17-0.

EDUCATION

HB 154, defining "legal resident" for purposes of school attendance. OUGHT TO PASS WITH AMENDMENT

Rep. Clair A. Snyder for Education: This bill delineates as far as possible what qualifies as a resident for school attendance. It should prevent the questions previously faced by school districts as to who was eligible to attend school in their district. The amendment further clarifies existing residency ambiguities. Vote 12-1.

HB 219, repealing provisions relative to literacy instruction and the committee to study literacy and remedial instruction. OUGHT TO PASS

Rep. Charles B. Yeaton for Education: This bill repeals a section of law which calls for a committee to study literacy and remedial instruction. This law, RSA 189:54, has not received an appropriation and has no current or future purpose as these instructional functions are being carried out by other committees. Vote 16-0.

HR 9, urging local school districts to require interaction between educationally disabled pupils and nondisabled pupils for academic credit. INEXPEDIENT TO LEGISLATE

Rep. Phil A. Weber for Education: This resolution is a noble effort to build harmony for disabled students. However, it is the committee's belief that interaction between pupils regardless of abilities should evolve naturally within local school districts without state mandates. Vote 16-0.

ELECTION LAW

HB 179, permitting elected city officials to serve as election officials. INEXPEDIENT TO LEGISLATE

Rep. Jane A. Clemons for Election Law: This committee heard no testimony that convinced us that this bill was needed. No city with or without voting machines sees a need for this bill at this time. Therefore, the committee was unanimous in this decision. Vote 15-0.

HB 205, relative to a generic ballot in unorganized places. OUGHT TO PASS WITH AMENDMENT

Rep. Lynn C. Horton for Election Law: This bill as amended applies only to unorganized places and spells out voting procedure for these places. Vote 17-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 321, correcting a reference to the American Podiatry Association. OUGHT TO PASS

Rep. Alphonse A. Haettenschwiller for Health, Human Services and Elderly Affairs: This bill is a minor housekeeping measure to make the reference in RSA 315:2, I conform with the current name of the national association from American Podiatry Association to the American Podiatric Medical Association. Vote 16-0.

JUDICIARY AND FAMILY LAW

CACR 11, relating to legislative authority to limit noneconomic damage awards. Providing that the general court shall have the authority to limit the amount of noneconomic damage awards granted in the state of New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Marjorie K. Smith for Judiciary and Family Law: No testimony in support of this legislation was presented by anyone other than the sponsor. The text was unclear and there was no demonstrable need for such an amendment. Vote 14-0.

HB 312, establishing a procedure for making and accepting offers of judgment in civil cases. INEXPEDIENT TO LEGISLATE

Rep. Cynthia A. McGovern for Judiciary and Family Law: The committee determined that this bill was unnecessary as roughly 90% of cases are currently settled out of court. Furthermore, there was some concern that this legislation would unfairly impose additional costs on parties seeking justice - something current practice does not do. Vote 15-0.

HB 320, requiring attorneys in divorce cases to provide clients with a statement of client's rights and responsibilities and a retainer agreement containing certain information, and subjects attorneys to certain other procedures in divorce cases. INEXPEDIENT TO LEGISLATE

Rep. Rep. Deborah L. Woods for Judiciary and Family Law: This bill was sponsored at the request of a single constituent who failed to follow-up with the sponsor in any way. The sponsor had thoughts of withdrawing the bill, but it was too late. Notwithstanding this, the bill has multiple problems and inconsistencies. Vote 15-0

HB 331, adopting the uniform foreign depositions law and relative to admission of copies as evidence. OUGHT TO PASS WITH AMENDMENT

Rep. Rep. Deborah L. Woods for Judiciary and Family Law: The first section of this bill is a housekeeping measure and the committee concurs with its passage. The second section of the bill, however, re: 520-A, apparently appeared "out of nowhere", not being requested by the sponsor. Therefore, the amendment deletes the second section of the bill. Vote 14-1.

HB 387-L, extending municipal immunity from liability for injuries from accidents caused by snow and ice in municipal parking lots. INEXPEDIENT TO LEGISLATE

Rep. Cynthia A. McGovern for Judiciary and Family Law: The sponsor requested that this bill be withdrawn. Vote 13-0.

LOCAL AND REGULATED REVENUES

HB 341, relative to filing lucky 7 applications with the sweepstakes commission. OUGHT TO PASS

Rep. Linda T. Foster for Local and Regulated Revenues: These "housekeeping" changes were suggested by the Sweepstakes Commission and are the result of a recent audit. The language regarding the Lucky 7 applications now mirrors the language regarding Bingo. There is no policy change. Vote 13-0.

HB 349, repealing certain pari-mutuel laws relative to racing funds, disbursements of the funds and records of receipts. OUGHT TO PASS

Rep. Jean R. Wallin for Local and Regulated Revenues: This is a housekeeping bill that removes references to certain outdated statutes. Vote 13-0.

HB 427-LOCAL, allowing a municipality to adopt a local meals and rooms tax. INEXPEDIENT TO LEGISLATE

Rep. Robert N. Kelley for Local and Regulated Revenues: This bill was voted as inexpedient to legislate. The sponsor appeared and requested the bill to be withdrawn. The committee complied with the request. Vote 12-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 210, requiring that an applicant to a planning or zoning board wishing to subdivide property supply the names of holders of conservation or preservation restrictions on the subdivision property, who will then be notified by the board. OUGHT TO PASS WITH AMENDMENT

Rep. Robert A. Lockwood for Municipal and County Government: This bill requires that an applicant to a planning or zoning board wishing to subdivide property supply the names of holders of conservation preservation or agricultural preservation restrictions of the subdivision property who will then be notified by the board. The amendment adds the category "Agriculture" to the original bill. The committee was unanimous in its agreement that passage of the bill is the right thing to do. Costs of this process shall be borne by the applicant. Vote 16-0.

HB 215, relative to taxation of discretionary easements. OUGHT TO PASS

Rep. Kathrine H Metzger for Municipal and County Government: This bill just clarifies RSA 79-C that grandfathers discretionary easements granted prior to August 2, 1996. Everyone that spoke was in favor. There was no opposition. Vote 14-0.

PUBLIC WORKS AND HIGHWAYS

HB 185-FN-A-L, requiring the state to maintain the veterans' portion of the Park Cemetery in Tilton and making a continuing appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Paul I. LaMott for Public Works and Highways: Although this bill is well intentioned, it is found inexpedient because the funds (\$500.00) requested are currently available to the New Hampshire Veteran's Home for cemetery maintenance in Tilton. The committee has been assured that cemetery maintenance and responsibility therefore will be assumed by the Adjutant General when the new state veteran's cemetery becomes operative in September 1997. The committee is receptive to looking at this idea in the future if the aforementioned plans do not work out. Vote 15-2.

RESOURCES, RECREATION AND DEVELOPMENT

HB 194-FN, requiring any person erecting, installing, maintaining or exercising control over a mooring on Ossipee Lake to obtain a mooring permit from the division of safety services, department of safety. OUGHT TO PASS

Rep. Michael D. Whalley for Resources, Recreation and Development: This bill requires any person erecting, installing, maintaining or exercising control over a mooring on Ossipee Lake to obtain a mooring permit from the Division of Safety Services, Department of Safety. Presently, state law requires that moorings on lakes Winnepesaukee, Winnisquam, Squam, Newfound, and Sunapee be permitted. The Resources, Recreation and Development Committee agrees with the sponsor and believes that the development of congregate mooring fields on Lake Ossipee have created a situation which warrants Lake Ossipee have created a situation which warrants Lake Ossipee to be added to the list of lakes where mooring permits are required. Vote 15-0.

HB 285, relative to the official name of the "Old Man of the Mountain." OUGHT TO PASS WITH AMENDMENT

Rep. William E. Williams, Jr. for Resources, Recreation and Development: The committee recognized the importance of establishing the correct reference for one of our state's most treasured sites. Over the years, the name, "Old Man of the Mountain", has been altered to "Mountains" and/or "Man of the Mountains", etc. Since this historic site has its own recently dedicated museum at Cannon Mountain and appears on many state designations, its location and its correct name should be in statue. Vote 16-0.

HR 11, urging the state conservation tree-planting program to utilize members of youth groups to plant trees. INEXPEDIENT TO LEGISLATE

Rep. Mary Ann N. Blanchard for Resources, Recreation and Development: There is merit to the sponsor's concerns about the need for tree planting to prevent erosion and mud slides. However, New Hampshire Forestry Practices, the efforts of the Urban Forestry experts and the cooperating extension forestry agents all insure vigorous efforts to replant trees in New Hampshire with cooperation from youth groups. Vote 16-0.

SCIENCE , TECHNOLOGY AND ENERGY

HB 424, postponing the implementation of alternative fuel motor vehicle fleet requirements for 2 years. OUGHT TO PASS

Reps. Naida Kaen and Terie T. Norelli for Science, Technology and Energy: This bill delays a federally-mandated program. The federal government is behind schedule in writing the rules for its implementation. The necessary infrastructure does not yet exist and the environmental effectiveness and cost-effectiveness is questionable. Vote 14-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 3, urging the United States Congress to propose and support legislation overturning a U.S. Appeals Court decision limiting credit union membership. INEXPEDIENT TO LEGISLATE

Rep. Thomas A. Varrell for State-Federal Relations and Veterans Affairs: This HCR as presented was only supported by the sponsor. There were no other speakers either supporting or opposing this HCR. At this time any resolution regarding overturning the United States Appeals Court decision is premature since this decision has not yet been reviewed at all levels of the judicial process. There remain two options open to the federally chartered credit unions: these options are either to conform to their original charter which establishes the criteria for their field of membership; or by applying for a state credit union charter establishing an expanded, reduced or similar criteria for their field of memberships. Vote 17-0.

TRANSPORTATION

HB 123, relative to reduced speed limits in school zones during school openings and closings. OUGHT TO PASS

Rep. Gordon E. Bartlett for Transportation: By adding the word "each" to RSA 265:60, II, it further clarifies the time period for school zone speed limits. Vote 17-0.

HB 226, relative to the composition of the aviation users advisory board. OUGHT TO PASS WITH AMENDMENT

Rep. Robert H. Milligan for Transportation: After a discussion with the Director of Aeronautics of New Hampshire and the agreement by all parties involved, the term Assistant shall be dropped, all else shall remain the same. Vote 17-0.

HB 267, prohibiting petroleum-powered motors on Little Dan Hole Pond in the town of Ossipee. OUGHT TO PASS

Rep. Ralph L. Akins for Transportation: Since 1904, Little Dan Hole Pond has been the drinking water supply for Center Ossipee, and use of petroleum motors were prohibited. As of August 1996, Center Ossipee has a new source of drinking water. Little Dan Hole is a shallow pond covering 70 acres. The bottom of the pond has a high concentration of organic matter. The concern is that without the drinking water restriction against petroleum motors, the use of these motors would stir up the bottom of the pond changing the quality of the water and eco-system of the pond. This bill would replace the restrictions against petroleum powered motors that lapsed in August of 1996. Vote 17-0.

HB 296, relative to airways toll moneys and aircraft operating fee revenues. OUGHT TO PASS WITH AMENDMENT

Rep. George N. Katsakiores for Transportation: This bill, as amended, provides that one quarter of aircraft operating fee revenues shall, upon application, be paid to cities or towns aeronautical funds and used for aeronautical purposes. The remaining funds shall be deposited into the general fund. Vote 17-0

WEDNESDAY, FEBRUARY 12

REGULAR CALENDAR

EDUCATION

HB 110, relative to the use of and school district liability for the use of district computer systems and networks. OUGHT TO PASS WITH AMENDMENT

Rep. Bernard J. Leubkert for Education: The majority of the committee saw the need for the school districts to have policies assigning legal responsibility for misuse of computer equipment. The amendment broadens the scope to allow policies to cover new technologies unforeseen today. Vote 12-3.

HB 230, establishing a committee to study the school building aid system. OUGHT TO PASS WITH AMENDMENT

Rep. Jane O'Hearn for Education: This legislation calls for a committee to study the issues relating to the school building aid system. The amendment brings House and Senate committee membership into balance and calls for analysis of various future funding sources. Vote 16-0.

ELECTION LAW

CACR 6, relating to term limits for state representatives and senators. Providing that the terms of office for members of the New Hampshire house and senate shall be limited to 12 consecutive years. INEXPEDIENT TO LEGISLATE

Rep. Natalie Flanagan for Election Law: This CACR was discussed and it was decided that the ballot box was still the best judge of term limits. Vote 13-2.

CACR 7, relating to term limits for United States Representatives and Senators. Providing that the terms of office for the members of the United States Congress from New Hampshire shall be limited to 12 consecutive years, so long as such restriction does not violate the United States Constitution. INEXPEDIENT TO LEGISLATE

Rep. Natalie Flanagan for Election Law: This CACR has been ruled unconstitutional by the Supreme Court. It is up to members of the Congress and U.S. Senate to vote to change this. Vote 13-2.

JUDICIARY AND FAMILY LAW

HB 362, creating a cause of action for civil damages for noncompliance with minimum housing standards. INEXPEDIENT TO LEGISLATE

Rep. Kevin H. Smith for Judiciary and Family Law: The committee feels that adequate provisions already exist in current law giving tenants the ability to obtain relief. Additionally, we feel the monetary penalty may open the landlord up to frivolous litigation. Vote 10-8.

LOCAL AND REGULATED REVENUES

HB 279, relative to elderly exemptions from the property tax. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Local and Regulated Revenues: The few dollars that local communities may receive if this bill were adopted would be more than offset by the increased administrative burden and costs that would be required. It would also complicate the process for setting local property tax rates because the April 1st town-wide valuation, on which the rate is based, could and often would change right up to the date the DRA set the tax rate if this were law. Vote 14-0

HB 489-L, requiring an annual cost of living adjustment for elderly exemptions to the property tax. INEXPEDIENT TO LEGISLATE

Rep. Linda T. Foster for Local and Regulated Revenues: A completely revised elderly exemption will be voted on at local meetings in 1997 and will go into effect on Jan. 1, 1998. It allows municipalities to tailor the exemption to the needs of their individual communities. The committee believes that the new statute should be allowed to work before more changes are proposed. Vote 13-0.

LEGISLATIVE ADMINISTRATION

HB 148, prohibiting a member of the state board of education from simultaneously serving as a state representative or senator. INEXPEDIENT TO LEGISLATE

Rep. Kenneth W. Malcolm for Legislative Administration: This bill singles out membership on one specific major policy board while other board memberships are not involved. Therefore, this bill is voted inexpedient. Vote 10-5.

MUNICIPAL AND COUNTY GOVERNMENT

SB 108, authorizing school boards of multi-town school districts which have adopted the official ballot referendum form of meeting to establish polling places in addition to the districts' central polling place for the 1997 annual meetings. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Robert W. Brundige for Municipal and County Government: The majority of the committee feels that this bill enables the SB2 multi-district school district to allow the voters the opportunity in 1997 and 1998 to vote in their home districts to enable more voters to participate which was the original intent of SB2. Vote 12-4.

Rep. Paul A. McGuirk for the Minority of Municipal and County Government: The minority of the Municipal and County Government Committee believes that a multi-town school district should follow the same law as a town and seek voter approval before creating additional polling places (RSA 658:10) SB 108 is an attempt to circumvent voter participation in the decision making process and allows an elected board to expend scarce funds from existing educational programs for purposes which were not voted and approved by the voters.

RESOURCES, RECREATION AND DEVELOPMENT

HB 214, relative to forest product purchasers and loggers. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: RE-REFER TO COMMITTEE

Rep. Peter O. Crowell for the Majority of Resources, Recreation and Development: New Hampshire's Forest Resources Plan is an attempt by the industry to regulate itself by promoting good forestry practices such as supporting New Hampshire's Certified Professional Logger program; promoting free enterprise, market solutions to achieve sustainable forest management; encouraging wood-using industries to assert greater positive influence over the forest practices used to harvest wood they purchase. This bill undermines efforts by industry to police itself by insisting forest product purchasers cannot be selective in making their raw material purchases from whom they choose. Vote 11-5.

Rep. Rep. William E. Williams, Jr. for the Minority of Resources, Recreation and Development: This bill attempts to correct a possible discriminatory practice to be instituted by a major paper manufacturer. They have indicated their intention not to procure wood products from any uncertified logger. The logger certification program is an excellent one and is voluntary, not mandatory. By instituting this practice, the paper company has created a serious breach between itself and the independent logger. The minority believes this problem can be rectified by the committee through discussion with all parties and can resolve any existing negative feelings if this bill is re-referred.

COMMITTEE HEARINGS 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

- 9:00 a.m. **HB 657-FN**, eliminating the Pease development authority and transferring its duties and authority to a new Pease international tradeport division.
- 9:30 a.m. Subcommittee work session on **HB 241**, relative to genetic testing.
- 9:45 a.m. Subcommittee work session on **HB 263-FN**, relative to viatical settlements which are settlements between an insurance provider and a policy holder or certificate holder with a life-threatening illness.
- 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.

1:15 p.m. **HB 442**, requiring insurers to cover certain costs associated with reconstructive surgery after a mastectomy.

1:30 p.m. Subcommittee work session on **HB 147**, relative to disclosure of certain information relating to tobacco products.

2:00 p.m. **HB 511-FN-LOCAL**, requiring health insurers to provide coverage for certain supplies and services necessary in the treatment of diabetes.

2:45 p.m. **HB 451**, providing that health care providers shall determine the appropriate course of patient treatment.

3:30 p.m. Subcommittee work session on **HB 301**, relative to real estate broker's and agent's representation of buyers and **HB 340**, relative to the real estate commission and its licensing and bonding requirements.

Executive session on pending legislation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 696-FN-LOCAL**, authorizing the court to suspend the motor vehicle driver's license of a person convicted of criminal mischief when such conviction was the result of an act facilitated by the use of an automobile.

10:30 a.m. **HB 614-FN**, making any person who, while operating a motor vehicle, fails to yield in certain circumstances guilty of a class B misdemeanor if such failure results in an accident or an injury.

11:00 a.m. **HB 684-FN**, relative to drivers who purposely neglect to stop when under pursuit by a law enforcement officer.

11:30 a.m. **HB 669-FN**, enhancing penalties for violations of laws regulating underground storage facilities.

1:30 p.m. **HB 673-FN**, establishing a penalty for committing certain offenses while aboard an aircraft which lands in this state and relative to the jurisdiction of law enforcement officers and the courts over persons committing offenses in an aircraft landing in this state.

Executive session on pending legislation.

EDUCATION, Room 207, LOB

9:30 a.m. **HB 436-FN-LOCAL**, establishing restrictions in building aid for conversions of area schools to cooperative school districts, and relative to increasing or decreasing grades in cooperative school districts.

10:15 a.m. **HB 501**, including blindness in the special education provisions, and allowing attorneys to act as neutrals in special education dispute resolution.

11:30 a.m. **HB 450**, relative to accessing directory information as defined by the Family Educational Rights and Privacy Act.

Executive session on pending legislation.

Noon Subcommittee work session on **HB 253-FN-LOCAL**, relative to special education services.

1:30 p.m. **HB 613-FN-A-LOCAL**, establishing a flat county property tax to fund basic education.

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 374-FN**, establishing 400 separate districts for the election of state representatives and renumbering state representative districts.

10:30 a.m. **HB 333-FN-LOCAL**, establishing a fine for political advertising placed or affixed prior to the date permitted by statute or placed on or affixed to any public property.

11:00 a.m. **HB 377**, relative to primary election petitions.

11:30 a.m. **HB 345-LOCAL**, relative to the hours polls are open in cities and towns.

Executive session on pending legislation.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 498-FN-A***, establishing a New Hampshire farm museum and making an appropriation therefor.

10:30 a.m. ***HB 575***, authorizing the commissioner of the department of environmental services to accept environmental standards developed by the International Standards Organization

11:00 a.m. ***HB 593-FN-LOCAL***, extending the grant program for closure of landfills to municipalities and adding the closure of the refuse-to-energy facility at Pease to the state water pollution control revolving fund priority projects.

1:00 p.m. ***HB 553-LOCAL***, relative to a right to farm.

Executive session on pending legislation.

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.

10:00 a.m. ***HB 465-FN***, requiring the legislature to consider a list of factors in determining whether to regulate a previously unregulated profession.

10:45 a.m. ***HB 519-FN***, relative to regulating heating installers.

1:15 p.m. ***HB 535***, relative to the regulation of architects.

2:00 p.m. ***HB 588-FN***, relative to certification of operators of solid waste plants, water treatment plants, and wastewater treatment plants, and adding late renewal fees.

Executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

10:30 a.m. ***HB 719-FN-A***, increasing the number of state troopers and making an appropriation therefor.

11:00 a.m. ***HB 746-FN***, relative to fees collected by the insurance department.

11:15 a.m. ***HB 658-FN-A***, ensuring that the division of safety services, department of safety receives its ½ share of unrefunded tolls for boat motor fuels as required by law, and establishing a special fund therefor.

1:40 p.m. ***HB 732-FN***, making revisions relative to parental reimbursement for children's services to the department of health and human services.

Revenue Estimates

Executive session on pending legislation.

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

9:00 a.m. ***HB 690***, establishing a long-term care institute.

10:00 a.m. ***HB 557-FN-LOCAL***, establishing a welfare reserve fund and relative to a city or town's liability for general assistance.

10:45 a.m. ***HB 597-FN-A***, creating a tax on gross receipts of health care services.

11:30 a.m. ***HB 686-FN-A***, relative to financing child day care facilities and making an appropriation therefor.

1:00 p.m. **HB 592-FN-A-LOCAL**, establishing a brain and spinal cord injury trust fund and an advisory council on brain and spinal cord injuries and continually appropriating a special fund.

2:00 p.m. **HB 537-FN**, relative to the practice of allied health professionals.

Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. **HB 606-FN-LOCAL**, relative to procedures regarding children in need of services under RSA 169-D.

11:00 a.m. **HB 133**, establishing a family resource council to address the efficient delivery of services to children and families.

1:15 p.m. **HB 530-FN-A**, establishing civil action filing fee surcharges to fund civil legal assistance to lowincome persons and continually appropriating a special fund.

2:00 p.m. **HB 448**, relative to the trust fund for the prevention of child abuse and neglect.

Executive session on pending legislation.

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.

10:00 a.m. Full committee work session on **HB 323**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.

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.

2:00 p.m. Continued public hearing on **HB 339**, establishing a freedom of employment association act.

Executive session on pending legislation.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. Executive session on pending legislation.

11:00 a.m. **HB 510**, relative to delivery of beverages by wholesale distributors.

11:30 a.m. **HB 533-FN**, making technical corrections in the liquor laws.

11:45 a.m. **HB 591-FN**, relative to eliminating the authority of the sweepstakes commission to hold sweepstakes races at horse and dog tracks.

Noon **HB 539-LOCAL**, relative to the tax lien process for quarterly tax bills in the city of Concord.

1:30 p.m. **HB 337-LOCAL**, allowing a municipality to reduce the property tax on improvements.

2:00 p.m. **HB 551-LOCAL**, allowing municipalities to grant retired persons over 65 years of age a property tax credit and a property tax cap.

2:30 p.m. **HB 556-LOCAL**, authorizing municipalities to refund a portion of fees for municipal registration permits.

Executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, 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

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

11:00 a.m. **HB 486**, relative to a study of Route 3A.

11:30 a.m. **HB 475**, requiring a study on overweight and over-dimension vehicle permits and, in particular, permits for manufactured housing units.

1:30 p.m. **HB 509-A**, relative to repairing and resurfacing the access road to the Gunstock Ski Area.

Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. **HB 687**, establishing an Alan B. Shepard park commission.

10:45 a.m. **HB 618-FN**, relative to increasing certain state park fees.

1:30 p.m. **HB 479**, establishing a committee to study the merits of installation of dual pipe and tank septic systems.

Executive session on pending legislation.

2:30 p.m. Subcommittee work session on **HB 405-LOCAL**, relative to standardizing the requirements for the design and specifications of septic systems.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. **HB 528-LOCAL**, relative to municipal water, gas and electric utilities.

10:30 a.m. **HB 716-FN**, relative to economic development and retention rates and special contracts.

11:15 a.m. **HB 485**, relative to limited electrical energy producers.

Executive session on pending legislation.

1:30 p.m. Telecommunications subcommittee work session on **HB 254**, relative to shared tenant telecommunication services.

2:00 p.m. Telecommunications subcommittee work session on **HB 452**, establishing a legislative oversight committee on telecommunications restructuring and relative to aggregation of telecommunications services customers by municipalities and counties.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 301, LOB

10:00 a.m. **HB 391**, making the office of emergency management the administrator of the grant program for the civil air patrol in New Hampshire.

11:00 a.m. **HJR 3**, requiring the attorney general to bring suit against the United States Government for violating the United States Constitution and the New Hampshire constitution by enacting a military firearms ban.

1:15 p.m. **HR 15**, urging that there be statewide access to Channel 9

2:00 p.m. **HB 678**, relative to the expansion of veterans' home services.

2:30 p.m. **HCR 8**, urging Congressional delegates to propose Congressional term limits.

Executive session on pending legislation.

TRANSPORTATION, Room 203, LOB

9:30 a.m. **HB 445**, extending the reporting date of the paperless title system study committee.

10:00 a.m. **HB 473**, relative to the use of watercraft and boats on the waters of Chocorua Lake in the town of Tamworth.

10:30 a.m. **HB 477**, prohibiting aircraft from landing and taking off on a certain portion of the Pemigewasset River.

11:00 a.m. ***HB 607-FN***, relative to special number plates for certain veterans.

Executive session on pending legislation.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. ***HB 681***, relative to penalties for certain violations of fish and game laws and granting rulemaking authority to the executive director relative to registration agent fees for wild turkey permits.

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.

11:00 a.m. ***HB 585***, relative to prohibiting littering, as enforced by the fish and game department.

1:00 p.m. ***HB 683-FN***, relative to one-day fishing licenses for residents and nonresidents.

Executive session on pending legislation.

WEDNESDAY, FEBRUARY 12

COMMERCE, Room 302, LOB

9:00 a.m. ***HB 670-FN***, relative to telemarketing registration and fraud prevention.

9:15 a.m. Subcommittee work session on ***HB 292-LOCAL***, limiting the damages which may be received by an uninsured motorist from an insured motorist's automobile liability coverage.

9:30 a.m. Subcommittee work session on ***HB 258-FN***, requiring financial institutions to display certain information on fees, charges, and available products in their lobbies.

10:00 a.m. ***HB 370***, updating and making technical corrections in certain banking laws.

10:30 a.m. ***HB 453***, relative to the bank commissioner's regulation of sales finance companies and retail sellers. Commerce.

11:00 a.m. ***HB 327***, relative to pledges for loans, finance charge disclosure statements, and debt adjusters.

Executive session on pending legislation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on ***HB 151-FN-LOCAL***, establishing comprehensive medical, physical, and psychological standards for law enforcement officers.

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 and ***HB 353***, establishing a committee to study issues regarding prosecutions and sentencing of, and incarceration treatment for, persons convicted of sex-related crimes.

11:00 a.m. Subcommittee work session on ***HB 104-FN***, requiring a plea bargaining agreement to be submitted to the court for judgment at least 2 weeks prior to the trial date.

EDUCATION, Representatives Hall

9:30 a.m. Presentation by Vocational Student Organizations.

ELECTION LAW, Room 308, LOB

10:00 a.m. Informational session with Christopher Reid from the Attorney General's Office.

Executive session on pending legislation.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

Executive session on pending legislation.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Retirement informational meeting.

11:00 a.m. **HB 500**, relative to membership on the retirement system board of trustees.

11:30 a.m. **HB 461-FN**, authorizing the New Hampshire hospital and the department of transportation to settle claims when the amount is less than \$500.

Executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

9:00 a.m. **HB 674-FN-L**, relative to dam registration and filing fees.

9:30 a.m. **HB 689-FN**, relative to a certain portion of registration fees of a nonprofit corporation.

10:00 a.m. **HB 717-FN-A**, relative to the taxation of venture capital firms under the business profits tax.

10:30 a.m. **HB 664-FN-L**, increasing the witness fee for law enforcement officers and the mileage allowance for witnesses.

Executive session on pending legislation.

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

9:00 a.m. Subcommittee work session on **HB 319**, relative to access to child immunization records.

9:30 a.m. **HB 437-FN-LOCAL**, relative to certain health officers.

10:00 a.m. **HB 499**, establishing a committee to study the provision by the state of certain economic, medical, and social support services to individuals whose misconduct resulted in the need for service.

10:30 a.m. **HB 470**, implementing recommendations of the Centers for Disease Control and Prevention relative to the laws requiring a prescription to possess hypodermic needles and modifying the drug paraphernalia laws applying to syringes.

11:00 a.m. **HB 697-FN-A-LOCAL**, establishing a homeless prevention fund, to be funded by a temporary homeless prevention state property tax, and making appropriations to the fund for fiscal years 1998 and 1999.

Executive session on pending legislation.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:30 a.m. Full committee work session on **HB 323**, establishing a right to work act which provides for freedom of choice on whether to join a labor union and **HB 339**, establishing a freedom of employment association act.

Executive session on pending legislation.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. **HB 566-FN-A-LOCAL**, preserving a municipality's authority to tax an electric generation plant as real estate when the plant is unregulated and increasing the franchise tax.

10:30 a.m. **HB 636-LOCAL**, relative to municipal authority to grant tax abatements for the purpose of facilitating the transfer of contaminated property acquired by a municipality through tax deed to a buyer participating in the brownfields program.

Executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. **HB 344-LOCAL**, relative to planning board procedures on plats.

10:00 a.m. **HB 366-LOCAL**, relative to noncompliance with zoning ordinances.

Executive session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. **HB 644-FN-A**, changing the rate of taxation for certain fuels subject to the road toll.

Executive session on pending legislation.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. **HB 702-FN-LOCAL**, establishing procedures governing municipal acquisition of public utility property.

10:30 a.m. **HB 482**, relative to the access and development of interstate computer network systems.

Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. **HB 677-FN**, increasing the wetlands excavating and dredging permit fee for major and minor projects.

10:30 a.m. **HB 581-FN**, authorizing the department of environmental services to issue permits in emergency situations, expanding the exemptions for excavating and dredging permits, and establishing a notification process for the replacement and repair of existing legal structures.

Executive session on pending legislation.

TRANSPORTATION, Room 203, LOB

9:00 a.m. **HB 589-FN**, establishing livery plates and associated fees.

9:45 a.m. **HB 631-FN**, authorizing the department of safety to issue special amateur radio operator plates and related fees.

10:30 a.m. **HB 654**, expanding the weight and length law exemptions to include vehicles used by cities and towns for trash removal.

Executive session on pending legislation.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. Executive session on pending legislation.

THURSDAY, FEBRUARY 13

COMMERCE, Room 302, LOB

9:30 a.m. Subcommittee work session on **HB 261**, recodifying the insurance laws pertaining to hospital service corporations, medical service corporations, and nonprofit health service corporations

1:35 p.m. Continued public hearing on **HB 268-FN**, relative to the powers of the Pease development authority.

2:00 p.m. **HB 640**, establishing a committee to examine the feasibility of establishing a state of the art meteorological center at the former Pease Air Force Base.

2:45 p.m. **HB 548-FN**, limiting access to certain business records.

Executive session on pending legislation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

1:30 p.m. **HB 480**, revising the law relative to protection of persons from domestic violence.

2:00 p.m. **HB 682-FN-LOCAL**, requiring law enforcement agencies to notify certain community organizations when a sexual offender moves into the community.

2:30 p.m. **HB 604-FN-LOCAL**, relative to accessing information in delinquency cases.

Executive session on pending legislation.

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on **HB 317**, clarifying certain provisions of law relating to compulsory attendance for home education pupils and relative to dual enrollment provisions.

1:00 p.m. **HCR 10**, urging recognition of the contributions made by the Irish potato famine immigrants and observation of the 150th anniversary of the Great Hunger.

2:00 p.m. **HB 700-FN-LOCAL**, relative to the renovation of regional vocational education centers.

Executive session on pending legislation.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

1:00 p.m. Continued public hearing on **HB 384**, relative to requiring notification by utilities of right-of-way maintenance.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

1:15 p.m. **HB 466-FN**, requiring administrative rules to be available to the public at the state library before they take effect.

1:45 p.m. **HB 469**, relative to the rules of the board of dental examiners.

2:45 p.m. **HB 457-FN**, requiring all state agencies, departments, and commissions in all 3 branches of government to have a presence on "WEBSTER" by January 1, 1998, and designating the state library as the official repository of public information.

Executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

AGENCY BUDGET PRESENTATIONS ON GOVERNOR'S PROPOSED BUDGET:

ADMINISTRATION OF JUSTICE AND PUBLIC PROTECTION

1:30 p.m. Judicial Branch

Executive session on pending legislation.

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

1:30 p.m. **HB 582-FN**, relative to medicaid rate setting.

Executive session on pending legislation.

3:00 p.m. Subcommittee work session on **HB 266**, relative to the Alzheimer's Special Care Disclosure Act.

JUDICIARY AND FAMILY LAW, Room 208, LOB

1:30 p.m. Continued public hearing on **HB 260**, defining "marriage" to mean a legal union between one man and one woman as husband and wife.

Executive session on pending legislation.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. Subcommittee work session on **HB 298**, permitting legislators to take time off from their regular employment to fulfill public responsibilities.

LOCAL AND REGULATED REVENUES, Room 206, LOB

9:00 a.m. Subcommittee work session on **HB 170-LOCAL**, exempting temporary, demountable, plastic-covered greenhouses from property taxation.

1:30 p.m. **HB 648-LOCAL**, relative to a local option fee for local or regional transportation infrastructure improvements.

2:00 p.m. **HCR 9**, urging the governor and general court to take action to bring about property tax relief.

Executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

1:30 p.m. **HB 422-LOCAL**, exempting initial bond issues from the 10 percent limitation on exceeding appropriations recommended by the budget committee.

2:30 p.m. **HB 174-LOCAL**, relative to budgetary official ballot.

Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:00 a.m. Subcommittee work session on **HB 389**, relative to the water protection assistance program within the office of state planning.

1:15 p.m. **HB 560-FN**, relative to penalties for introduction of boats and seaplanes from waters infested with milfoil or zebra mussels into clean lakes or ponds.

Executive session on pending legislation.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

1:30 p.m. **HB 610-FN**, relative to the regulation of small telephone companies by the public utilities commission.

Executive session on pending legislation.

2:00 p.m. Subcommittee work session on **HB 528-LOCAL**, relative to municipal water, gas and electric utilities and **HB 411-LOCAL**, authorizing municipalities to issue bonds for the purpose of defraying the cost of purchasing or taking public utility property..

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

1:00 p.m. **HB 493**, relative to prohibiting the sale of opportunities for the taking of fish and game by certain property owners.

2:00 p.m. **HB 675-FN**, relative to bass fishing tournaments.

Executive session on pending legislation.

FRIDAY, FEBRUARY 14

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

9:00 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

AGENCY BUDGET PRESENTATIONS ON GOVERNOR'S PROPOSED BUDGET

9:00 a.m. Opening Session - Governor Shaheen

HEALTH AND SOCIAL SERVICES

9:30 a.m. **Health and Human Services**

Commissioner's Office

Developmental Disabilities Council

Public Health

Children, Youth and Families

Human Services

Mental Health

Glenclyff Home for the Elderly

New Hampshire Hospital

Alcohol and Drug Abuse Prevention

Elderly and Adult Services

NOON BREAK

1:00 p.m. **Department of Youth Development Services**

GENERAL GOVERNMENT

1:45 p.m. **Revenue Administration**

2:15 p.m. **Treasury**

2:45 p.m. **Secretary of State**

Auctioneers Board

Records and Archives

Securities Regulations

3:15 p.m. **Cultural Affairs**

TUESDAY, FEBRUARY 18

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 342**, relative to the payment of recording fees for mortgage discharges.

10:00 a.m. **HB 611-FN**, making state securities laws comply with the National Securities Markets Improvement Act.

10:30 a.m. **HB 483**, relative to regulation of securities.

11:00 a.m. **HB 526**, clarifying that no other business entity may assume a name which is the same as or deceptively similar to the registered name of a New Hampshire real estate trust.

1:15 p.m. **HB 580-FN**, requiring that loans for purposes of purchasing manufactured housing be considered mortgages.

2:00 p.m. **HB 435-FN-LOCAL**, relative to liens placed on property by towns and cities for money spent on assisted persons.

2:45 p.m. **HB 594-FN-LOCAL**, exempting towns and cities from paying condominium fees when condominium units are taken for nonpayment of taxes.

Executive session on pending legislation.

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 314**, relative to spending caps for state political candidates.

10:30 a.m. **HB 576**, relative to anonymous political campaign literature or communications.

11:00 a.m. **HB 596-FN**, repealing the law prohibiting the bribing or intimidating of voters.

Executive session on pending legislation.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. **HB 540**, establishing a committee to study the possibility of requiring government agencies to provide a training and development policy instead of the current method of policing, penalizing, and fining business owners for infractions of the law.

10:45 a.m. **HB 741-FN-A**, relative to access to state telephone numbers.

11:15 a.m. **HB 572-FN**, relative to town, city, and county treasurers and to the state treasurer.

Executive session on pending legislation.

FINANCE, Rooms 210-211, LOB

AGENCY BUDGET PRESENTATIONS ON GOVERNOR'S PROPOSED BUDGET

RESOURCE PROTECTION AND DEVELOPMENT

9:00 a.m. **Department of Environmental Services**

Office of the Commissioner

Division of Water

Division of Air Resources

Division of Waste Management

Plumbers Board

Oil Fund Disbursement Board

EDUCATION

10:00 a.m. **N.H. Sweepstakes Commission**

ADMINISTRATION OF JUSTICE AND PUBLIC PROTECTION

10:30 a.m. **Public Utilities Commission**

11:00 a.m. **PUC - Consumer Advocate**

11:15 a.m. **Department of Employment Security**

11:30 a.m. **Human Rights Commission**

NOON BREAK

1:30 p.m. **Department of Safety**

Electricians Board

GENERAL GOVERNMENT

2:15 p.m. **Board of Tax and Land Appeals**

2:30 p.m. **NH Retirement System**

BOARDS AND COMMISSIONS

3:00 p.m. **Commission on the Status of Women**

Real Estate Commission

Real Estate Appraiser Board

3:30 p.m. **Board of Accountancy**

Boxing and Wrestling Commission

Joint Board

Public Employee Labor Relations Board

Board of Manufactured Housing

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.

Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. **HR 12**, urging that impeachment proceedings be instituted posthumously against the late John C. Fairbanks.

10:15 a.m. **CACR 16**, relating to the election of judges and judicial pensions. Providing that judges be elected for specified terms and that no judge shall receive a pension from public funds.

11:00 a.m. **HB 397**, establishing a house study committee to examine the adoption of articles 41, 72-a and 73-a of the second part of the New Hampshire constitution.

1:00 p.m. **HB 431**, relative to the appointment of attorneys and guardians ad litem, and eliminating certain de novo hearings under certain laws related to child protection.

2:00 p.m. **HB 456-FN**, relative to child custody when a parent has intentionally killed the other parent.

Executive session on pending legislation.

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

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

HJR 2, urging the members of Congress to support and pass the Family Forestland Preservation Tax Act.

1:15 p.m. **HCR 12**, urging ratification of the Convention for the Elimination of All Forms of Discrimination Against Women.

2:15 p.m. **HR 13**, recognizing Bob Dole's many years of public service and dedication to our country.

Executive session on pending legislation.

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

1:00 p.m. Regular meeting.

TRANSPORTATION, Room s 201-203, LOB

9:00 a.m. **HB 459-FN**, establishing a graduated driver's license and related penalties for persons under 18 years of age.

10:30 a.m. **HB 626**, requiring an inexperienced driver and a person 16-17 years of age to obtain a special learner's permit and examination permit prior to obtaining a driver's license.

11:30 a.m. **HB 695**, establishing a committee to study the educational requirements of student drivers.

Executive session on pending legislation.

WEDNESDAY, FEBRUARY 19

COMMERCE, Room 302, LOB

10:00 a.m. **HB 541**, relative to long-term care insurance.

11:00 a.m. **HB 334**, establishing guidelines for assessing the eligibility of certain providers for third party reimbursement.

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.

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 408**, relative to using name stickers on election ballots.

10:00 a.m. **HB 503-FN-LOCAL**, relative to direct recall elections.

10:30 a.m. **CACR 22**, relating to changing the minimum age requirement for state senator from 30 to 25. Providing that persons at least 25 years of age shall be eligible to be elected to the state senate.

Executive session on pending legislation.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. **HB 639**, relative to the term of office of any person appointed by the governor and council between a general election and the expiration of the term of a governor who was not reelected.

10:30 a.m. **HB 632-LOCAL**, relative to changing the membership of the water well board and relative to board procedures in refusing, suspending, or revoking licenses.

Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. Rescheduled subcommittee work session on ***HB 211***, defining the terms "psychological injury" and related terms under the child protection act.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 534***, establishing a committee to study the New Hampshire highway and bridge infrastructure.

Executive session on pending legislation.

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

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

THURSDAY, FEBRUARY 20

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 492***, relative to the refund of unused insurance premiums for insurance policies sold by motor vehicle dealers.

10:30 a.m. ***HB 508***, relative to mandatory automobile insurance.

1:30 p.m. ***HB 449***, regulating the self-storage industry.

2:00 p.m. ***HB 655-FN***, requiring the department of agriculture, markets, and food to maintain records concerning commercial transactions of the bovine somatotropin growth hormone.

Executive session on pending legislation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

1:30 p.m. Subcommittee work session on ***HB 136***, establishing a committee to study the authority, functions, duties, and responsibilities of the fire standards and training commission.

EDUCATION, Representatives Hall

9:30 a.m. ***HB 577-FN-A-LOCAL***, relative to funding statewide kindergarten and making an appropriation therefor.

Executive session on pending legislation.

ELECTION LAW, Room 308, LOB

9:30 a.m. ***HB 647-FN-A-LOCAL***, relative to a centralized computer checklist of voters and making an appropriation therefor.

10:00 a.m. ***HB 441***, relative to the ballot law commission.

Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 433***, relative to discharge from New Hampshire hospital.

10:00 a.m. ***HB 460-FN***, relative to authorizing treatment for persons involuntarily admitted to New Hampshire hospital.

11:00 a.m. ***HB 375***, relative to the statement which must be signed by applicants for notary public or justice of the peace.

1:00 p.m. ***CACR 17***, relating to the appointment of supreme, superior, and probate court judges. Providing that supreme, superior, and probate court judges be appointed for specified terms.

1:45 p.m. *CACR 20*, relating to the appointment and terms of probate court judges. Providing that all probate court judges be full-time and subject to term limits.

2:30 p.m. *HB 394*, restricting the jurisdiction of the probate courts over estates.

Executive session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. *HB 524-FN-A*, extending the reporting dates and the prospective repeal date for the state veterans cemetery oversight committee, establishing the New Hampshire state veterans cemetery, relative to the administration of the cemetery, and making appropriations therefor.

10:30 a.m. *HB 507-A*, relative to the expansion of veterans' home facilities and making an appropriation therefor.

Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. *HB 628*, relative to leasing Mount Sunapee and Cannon Mountain ski areas based on the prototype lease developed pursuant to prior legislation.

Executive session on pending legislation.

MONDAY, FEBRUARY 24

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

9:30 a.m. Regular meeting.

TUESDAY, FEBRUARY 25

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 A.M. *HB 463-FN*, relative to aerial spraying of herbicides.

Executive session on pending legislation.

FRIDAY, FEBRUARY 28

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

9:00 a.m. Regular meeting.

TUESDAY, MARCH 4

COMMERCE, Room 302, LOB

10:00 a.m. *HB 506*, prohibiting all smoking in any restaurant where serving food is the primary function.

10:30 a.m. *HB 505*, revising provisions relative to smoking in indoor public places.

11:00 a.m. *HB 487*, relative to the distribution of tobacco products.

Executive session on pending legislation.

WEDNESDAY, MARCH 5

COMMERCE, Room 302, LOB

10:00 a.m. Subcommittee work session on **HB 147**, relative to disclosure of certain information relating to tobacco products.

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 14 at 9:30 a.m. at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood 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

There will be a meeting of pro-choice legislators in Room 304, LOB at noon on Tuesday, February 11.

Reps. Sandra Keans and Terie Norelli

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 Aviation Group will meet after the House session on February 12 in Room 209, LOB. All Representatives and Senators with any interest in aviation are invited.

Reps. Robert H. Milligan and Kenneth Weyler

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 Manchester legislative delegation is invited to discuss pending legislation with the Mayor and department heads on Monday, February 17 at 8:00 a.m. in the Aldermanic Chambers. All members are encouraged to attend. Refreshments will be served,

Rep. Lou D'Allesandro, Chairman

Manchester Legislative Delegation

The Officers and Board of Directors of the New Hampshire Lodging and Restaurant Association cordially you to a Legislative Reception Tuesday, February 18 from 4:00 to 8:00 p.m. at the Bedford Village Inn, 1996 Innkeeper of the Year. Deluxe hors d'oeuvres buffet. RSVP Janet Casey 228-9585.

Rep. Stephen G. Avery

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 12

AMENDMENTS

(Listed in numerical order.)

1997-0157h

Amendment to HB 110

Proposed by the Committee on Education

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

1 New Section; School District Liability for Use of Computer Systems and Networks. Amend RSA 194 by inserting after section 3-c the following

new section:

194:3-d School District Computer Networks.

I. Every school district which has computer systems or networks shall adopt a policy which outlines the intended appropriate and acceptable use, as well as the inappropriate and illegal use, of the school district computer systems and networks including, but not limited to, the Internet.

II. All users of a school district's computer systems or networks shall assume legal and financial liability for any intentional violation of the district's policy. For purposes of this section; "user" means any person authorized to access the school district's computer systems or networks including, but not limited to, the Internet.

2 Effective Date. This act shall take effect January 1, 1998.

AMENDED ANALYSIS

This bill provides that every school district shall adopt a policy relative to the use of school district computer systems and networks and that the district shall not assume any financial or legal liability for the use of such computer systems or networks by an authorized user. Such systems or networks shall include, but not be limited to, the Internet.

1997-0097h

Amendment to HB 154-LOCAL

Proposed by the Committee on Education

Amend the bill by replacing section 6 with the following:

6 School Attendance; "Legal Residence" and "Legal Resident" Defined. RSA 193:12 is repealed and reenacted to read as follows:

193:12 Legal Residence Required.

I. Notwithstanding any other provision of law, no person shall attend school, or send a pupil to the school, in any district of which the pupil is not a legal resident, without the consent of the district or of the school board except as otherwise provided in this section.

II. For purposes of this section, the legal residence of a pupil shall be as follows:

(a) In the case of a minor, legal residence is where his or her parents reside, except that:

(1) If the parents live apart, legal residence is where either parent resides, but if a parent with sole custody lives outside the state of New Hampshire, the pupil does not have a legal residence in New Hampshire;

(2) If the minor is in the custody of a legal guardian appointed by a New Hampshire court or a court of competent jurisdiction in another state, territory, or country, legal residence is where the guardian resides.

(b) In the case of a student who has reached the age of majority, legal residence is where the student resides.

III. For the purposes of this title, "legal resident" of a school district means a natural person who is domiciled in the school district and who, if temporarily absent, demonstrates an intent to maintain a principal dwelling place in the school district indefinitely and to return there, coupled with an act or acts consistent with that intent. A married person may have a domicile independent of the domicile of his or her spouse. If a person removes to another town with the intention of remaining there indefinitely, that person shall be considered to have lost residence in the town in which the person originally resided even though the person intends to return at some future time. A person may have only one legal residence at a given time.

IV. For the purposes of this section, the legal residence of a child of homeless parents is where the child temporarily resides unless the parents and another school district agree that the child's attendance in school in that school district will be in the best interests of the child in that continuity of education will be provided and transportation will not be unduly burdensome to the school district. "A child of homeless parents" means a child whose parents:

(a) Lack a fixed, regular and adequate residence; or

(b) Have a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations such as public assistance hotels, emergency shelters, battered women's shelters, and transitional housing facilities, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

V. Nothing in this section shall limit or abridge the right of any child placed and cared for in any home for children to attend the public schools of the school district in which the home for children is located, as provided in RSA 193:28.

VI. The superintendent shall decide attendance issues under this section. Any person aggrieved by a decision of the superintendent may appeal such decision to the commissioner of the department of education, whose determination shall be final.

1997-0079h

Amendment to HB 205-LOCAL

Proposed by the Committee on Election Law

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

AN ACT relative to special ballots for unorganized places.

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

1 Ballot Preparation Requirements For Unorganized Places Modified. Amend RSA 656:39 to read as follows:

656:39 Preparation of Special Ballots. The secretary of state shall prepare special state election ballots for inhabitants of [~~unincorporated~~] ***unorganized*** places as provided in RSA 668.

2 Ballot Preparation Requirements for Unorganized Places Modified. Amend RSA 668:5 to read as follows:

668:5 Preparation of Special Ballots. For any state election, the secretary of state shall prepare special ballots for the inhabitants of [~~each~~] ***all*** unorganized places. ***For purposes of this section, "special ballots" shall mean the ballots to be used by all unorganized places in the same state representative district as opposed to separate ballots for each unorganized place. These special ballots shall have no location printed on them, but shall have a space where the name of an unorganized place shall be entered by the town clerk of the designated town.*** [On the special ballots, the secretary shall have printed the words necessary to make the ballots distinct from the other ballots in the town in which they are designated to vote.] The secretary of state shall print only the names of candidates for offices for which the inhabitants of [~~the~~] ***each*** unorganized place are entitled to vote, as provided in RSA 668:4. ***It shall be the duty of the town clerk to make ready in advance a sufficient number of ballots for each person on the official checklist of the unorganized places. If it is necessary because of election day registrations, extra ballots shall be prepared and the number attested to at the end of the voting.*** In all other respects, such special ballots shall be printed and forwarded to the town clerk in the same manner as the other ballots for the designated town.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires the secretary of state to prepare special ballots for unorganized places which include all unorganized places in the same state representative district on one ballot for any state election. Current law requires a special ballot for each unorganized place for state elections.

1997-0176h

Amendment to HB 210

Proposed by the Committee on Municipal and County Government

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

AN ACT requiring that an applicant to a planning or zoning board wishing to subdivide property supply the names of holders of conservation, preservation, or agricultural preservation restrictions on the subdivision property, who will then be notified by the board.

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

1 Conservation, Preservation, or Agricultural Preservation Restrictions; Names of Holders Required for Subdivision Application to Planning or Zoning Board. Amend RSA 676:4, I(b) to read as follows:

(b) The planning board shall specify by regulation what constitutes a completed application sufficient to invoke jurisdiction to obtain approval. A completed application means that sufficient information is included or submitted to allow the board to proceed with consideration and to make an informed decision. A completed application sufficient to invoke jurisdiction of the board shall be submitted to and accepted by the board only at a public meeting of the board, with notice as provided in subparagraph (d). The applicant shall file the application with the board or its agent at least 15 days prior to the meeting at which the application will be accepted. The application shall include the names and addresses of the applicant, **all holders of conservation, preservation, or agricultural preservation restrictions as defined in RSA 477:45**, and all abutters as indicated in the town records for incorporated towns or county records for unincorporated towns or unorganized places not more than 5 days before the day of filing. Abutters shall also be identified on any plat submitted to the board. The application shall also include the name and business address of every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the board.

2 Application for Subdivision; Notice by Planning or Zoning Board to Holders of Conservation, Preservation, or Agricultural Preservation Restrictions. Amend RSA 676:4, I(d) and (e) to read as follows:

(d) Notice to the applicant, **holders of conservation, preservation, or agricultural preservation restrictions**, abutters, and the public shall be given as follows: The planning board shall notify the abutters, the applicant, **holders of conservation, preservation, or agricultural preservation restrictions**, and every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the board by certified mail of the date upon which the application will be formally submitted to the board. Notice shall be mailed at least 10 days prior to submission. Notice to the general public shall also be given at the same time by posting or publication as required by the subdivision regulations. The notice shall include a general description of the proposal which is the subject of the application and shall identify the applicant and the location of the proposal. For any public hearing on the application, the same notice as required for notice of submission of the application shall be given. If notice of public hearing has been included in the notice of submission or any prior notice, additional notice of that hearing is not required nor shall additional notice be required of an adjourned session of a hearing with proper notice if the date, time, and place of the adjourned session was made known at the prior hearing. All costs of notice, whether mailed, posted, or published, shall be paid in advance by the applicant. Failure to pay such costs shall constitute valid grounds for the planning board to terminate further consideration and to disapprove the plat without a public hearing.

(e) Except as provided in this section, no application may be denied or approved without a public hearing on the application. At the hearing, any applicant, ~~any~~ abutter, **holder of conservation, preservation, or agricultural preservation restriction**, or any person with a direct interest in the matter may testify in person or in writing. Other persons may testify as permitted by the subdivision regulations or the board at each hearing. Public hearings shall not be required, unless specified by the subdivision regulations, when the board is considering or acting upon:

(1) Minor lot line adjustments or boundary agreements which do not create buildable lots, except that notice to abutters **and holders of conservation, preservation, or agricultural preservation restrictions** shall be given prior to approval of the application in accordance with subparagraph (d) and any abutter **or holder of conservation, preservation, or agricultural preservation restrictions** may be heard on the application upon request; or

(2) Disapprovals of applications based upon failure of the applicant to supply information required by the regulations, including ~~abutters~~ identification **of abutters or holders of conservation, preservation, or agricultural preservation restrictions**; or failure to meet reasonable deadlines established by the board; or failure to pay costs of notice or other fees required by the board.

3 Design Review Phase; Notice to Holders of Conservation, Preservation, or Agricultural Preservation Restrictions. Amend RSA 676:4, II(b) to read as follows:

(b) Design review phase. The board or its designee may engage in nonbinding discussions with the applicant beyond conceptual and general discussions which involve more specific design and engineering details; provided, however, that the design review phase may proceed only after identification of and notice to abutters, **holders of conservation, preservation, or agricultural preservation restrictions**, and the general public as required by subparagraph I(d). Statements made by planning board members shall not be the basis for disqualifying said members or invalidating any action taken.

4 Expedited Review; Notice to Holders of Conservation, Preservation, or Agricultural Preservation Restrictions. Amend RSA 676:4, III to read as follows:

III. A planning board may, by adopting regulations, provide for an expedited review and approval for proposals involving minor subdivisions which create not more than 3 lots for building development purposes or for proposals which do not involve creation of lots for building development purposes. Such expedited review may allow submission and approval at one or more board meetings, but no application may be approved without the full notice to the abutters, **holders of conservation, preservation, or agricultural preservation restrictions**, and public required under subparagraph I(d). A hearing, with notice as provided in subparagraph I(d), shall be held if requested by the applicant ~~or~~, abutters, **or holders of conservation, preservation, or agricultural preservation restrictions** any time prior to approval or disapproval or if the planning board determines

to hold a hearing.

5 Revocation of Application; Notice to Holders of Conservation, Preservation, or Agricultural Preservation Restrictions. Amend RSA 676:4-a, II to read as follows:

II. Prior to recording any revocation under this section, the planning board shall give notice, as provided by RSA 676:4, I(d), to the public, the applicant or the applicant's successor in interest, and all abutters ***and holders of conservation, preservation, or agricultural preservation restrictions***. The notice shall include the board's reasons for the revocation. A hearing with notice as provided in RSA 676:4, I(d) shall be held at the request of any party receiving such notice, submitted within 30 days of receiving such notice, or if the planning board determines to hold a hearing.

6 Appeal to the Zoning Board of Appeals; Notice to Holders of Conservation, Preservation, or Agricultural Preservation Restrictions. Amend RSA 676:7, I(a) to read as follows:

(a) The appellant and every abutter ***and holder of conservation, preservation, or agricultural preservation restrictions*** shall be notified of the hearing by certified mail stating the time and place of the hearing, and such notice shall be given not less than 5 days before the date fixed for the hearing of the appeal. The board shall hear all abutters ***and holders of conservation, preservation, or agricultural preservation restrictions*** desiring to submit testimony and all nonabutters who can demonstrate that they are affected directly by the proposal under consideration. The board may hear such other persons as it deems appropriate.

7 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires that an applicant to a planning or zoning board wishing to subdivide property supply the names of holders of conservation, preservation, or agricultural preservation restrictions on the subdivision property. The board is then required to notify those holders of conservation, preservation, or agricultural preservation restrictions of the application for subdivision and other proceedings.

1997-0055h

Amendment to HB 226

Proposed by the Committee on Transportation

Amend the bill by replacing section 1 with the following:

1 Designee Authorized. RSA 21-L:8, I(g) is repealed and reenacted to read as follows:

(g) The commissioner, or designee, who shall serve as an ex officio voting member of the board.

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

2 Assistant Commissioner Changed to Commissioner or Designee. Amend RSA 21-L:8, II to read as follows:

II. Except for the ~~[assistant]~~ commissioner, ***or designee***, board members shall serve for a term of 4 years. Board members shall not serve more than 2 consecutive terms. The board shall annually elect from among its members a chairman.

AMENDED ANALYSIS

This bill requires the commissioner of transportation to serve on the aviation users advisory board and authorizes the commissioner to appoint a designee.

1997-0067h

Amendment to HB 230

Proposed by the Committee on Education

Amend the bill by replacing sections 2 and 3 with the following:

2 Membership and Compensation.

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

- (a) Three members of the senate, appointed by the president of the senate.
- (b) Two members of the house education committee, appointed by the speaker of the house.
- (c) Two members of the house finance committee, appointed by the speaker of the house.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall examine issues relating to the school building aid system and study various revenue sources, including a portion of the real estate transfer tax, for such purpose.

AMENDED ANALYSIS

This bill establishes a legislative committee to study issues relating to revising the school building aid system and study various revenue sources, including a portion of real estate transfer tax, for such purpose.

1997-0091h

Amendment to HB 285

Proposed by the Committee on Resources, Recreation and Development

Amend RSA 216-A:6-a as inserted by section 1 of the bill by replacing it with the following:

216-A:6-a Old Man of the Mountain; Official Designation. Pursuant to RSA 4:43, the general court hereby designates and names the granite formation on the eastern slope of Cannon Mountain in Franconia as the "Old Man of the Mountain."

AMENDED ANALYSIS

This bill designates the official name of the granite formation on the eastern slope of Cannon Mountain in Franconia as the "Old Man of the Mountain."

1997-0074h

Amendment to HB 296

Proposed by the Committee on Transportation

Amend RSA 422:42, II as inserted by section 2 of the bill by replacing it with the following:

II. Disbursements of revenue from the aircraft operating fee shall be made by the department after collection of such fees provided that one-quarter of aircraft operating fee revenues originating at a publicly or privately owned airport shall be available for public use and shall, upon application, be paid over to the aeronautical fund established for that airport and shall be used for aeronautical purposes.

1997-0137h

Amendment to HB 331

Proposed by the Committee on Judiciary and Family Law

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

AN ACT adopting the uniform foreign depositions law.

Amend the bill by deleting section 2 and renumbering the original section 3 as 2.

AMENDED ANALYSIS

This bill adopts the uniform foreign depositions law.

1997-0192h

Amendment to SB 108

Proposed by the Majority Committee on Municipal and County Government

Amend the bill by replacing section 1 with the following:

1 Additional Polling Places for Multi-Town School Districts for 1997 and 1998 Annual Meetings. To facilitate voting for the second session of 1997 and 1998 annual or special meetings only, the governing body of a multi-town school district which has adopted the official ballot referendum form of meeting may authorize the establishment of additional polling places within the district to best accommodate the voters. The school district moderator shall supervise the election process and appoint an assistant moderator for each additional polling place and the school district clerk shall appoint an assistant clerk for each additional polling place. Each assistant moderator and assistant clerk shall have their domicile in the town covered by the additional polling place where they will serve. The powers and duties of the assistant moderator and the assistant clerk shall be the same as those of the moderator and the clerk at the central polling place except as otherwise provided in the election laws. The inspectors of elections appointed as provided in RSA 658:2 shall be sworn in by the assistant moderator before entering upon their duties. All additional costs resulting from the establishment of additional polling places shall be borne by the school district.