

State of
New Hampshire
HOUSE RECORD

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

Vol. 19 Concord N.H. Wednesday, February 19, 1997 No. 23

Contains: Hearings, Notices, Work Sessions, Reports and Amendments for February 19

HOUSE CALENDAR

NOTICE

Members of the House:

The next few weeks will be the busiest for committee work and I commend all of you for your continuing diligence in attending hearings and crafting the best policies for our state.

The Finance Committee has scheduled public hearings on the state operating budget . The schedule for these hearings is set forth in this calendar. I encourage all of you to stop by the Finance Committee hearing room to hear some of these presentations if your schedule permits.

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

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, February 19 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 II

PRESENTER: Doug Hall

DATES: Session II - Thursday, February 20

TIME: Noon to 1:30 p.m.

PLACE: Room 100, State House

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.

Rep. Carol H. Holden

Legislative Continuing Education Coordinator

HOUSE RESOLUTION 19

A RESOLUTION affirming unrestricted revenue estimates for fiscal years 1998 and 1999.

SPONSORS: Rep. Kurk, Hills 5; Rep. Weyler, Rock 18

COMMITTEE: Finance

ANALYSIS

This house resolution affirms certain revenue estimates for fiscal years 1998 and 1999.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Seven

A RESOLUTION affirming unrestricted revenue estimates for fiscal years 1998 and 1999.

Whereas, the House Finance Committee has considered what the unrestricted revenue estimates should be for fiscal years 1998 and 1999 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 1998 and 1999 and also takes note of the following revenue figures presented here for fiscal years 1996 and 1997:

Committee estimates are based on current rates.

(A) (B) (C) (D) (E) (F)

FY 1996 -----FY 1997----- FY 1998 FY 1999

GENERAL FUNDS: Unaudited Official Committee Committee Committee

(Dollars in Millions) Actual Estimate Estimate Variance Estimate Estimate

Business Profits Tax 155.814 150.619 160.000 9.381 165.400 172.400

Business Enterprise Tax 24.300 45.300 42.000 (3.300) 34.600 36.000

Meals & Rooms Tax 112.436 124.000 117.500 (6.500) 121.000 124.500

Liquor Sales 65.061 67.500 68.683 1.183 70.700 73.200

Interest & Dividends Tax 51.658 44.350 48.000 3.650 49.500 51.000

Insurance Tax 50.488 57.820 54.500 (3.320) 53.400 55.700

Tobacco Tax 45.420 47.000 48.300 1.300 48.300 48.300

Other 38.058 45.425 40.000 (5.425) 40.000 40.000

Communications Tax 35.267 35.700 37.000 1.300 39.000 41.000

Estate & Legacy Tax 31.707 36.000 45.000 9.000 37.400 37.400

Real Estate Transfer Tax 30.077 34.000 33.000 (1.000) 34.000 35.000

Court Fines & Fees 18.948 19.500 19.000 (0.500) 19.000 19.000

Utility Tax 17.488 19.000 18.000 (1.000) 18.000 18.000

Securities Revenue 15.621 14.000 16.500 2.500 16.800 17.300

Board & Care Revenue 13.628 13.700 13.700 - 13.700 13.700

Beer Tax 11.335 11.250 11.100 (0.150) 11.100 11.100

Horse Racing 2.989 3.100 2.800 (0.300) 2.800 2.800

Dog Racing 2.137 2.800 2.000 (0.800) 2.000 2.000

TOTAL STATE SOURCES 722.432 771.064 777.083 6.019 776.700 798.400

MEDICAID ENHANCEMENTS:

Board and Care 45.200 47.409 47.409 - 47.400 47.400

Uncompensated Care Pool 45.880 59.500 50.000 (9.500) 51.400 52.900

Total Medicaid Enhancements 91.080 106.909 97.409 (9.500) 98.800 100.300

TOTAL GENERAL FUND 813.512 877.973 874.492 (3.481) 875.500 898.700

HHS-Third Party Reimbursements - 20.000 *****

***** = The committee does not have sufficient information at this time to determine an estimate.

The following three taxes have temporary rates that are due to expire on June 30, 1997.

If the rates are not continued, the decrease in tax receipts would be as follows:

Meals & Rooms Tax (8%/7%) (15.125) (15.562)

Real Estate Transfer Tax (\$5.00/\$3.50) (10.200) (10.500)

Communications Tax (5.5%/3.0%) (17.727) (18.636)

REVISED TOTAL 832.448 854.002

HIGHWAY FUNDS:

(Dollars in Millions) _____

Gasoline Road Toll 106.963 104.450 110.000 5.550 113.300 116.700

Motor Vehicle Fees 60.141 57.724 61.800 4.076 63.650 65.500

Miscellaneous 11.140 6.741 11.000 4.259 11.300 11.600

TOTAL HIGHWAY FUNDS 178.244 168.915 182.800 13.885 188.250 193.800

FISH & GAME FUNDS:

(Dollars in Millions) _____

Fish & Game Licenses 5.994 6.374 6.300 (0.074) 6.300 6.300

Miscellaneous 0.730 0.738 0.600 (0.138) 0.600 0.600

TOTAL FISH & GAME FUNDS 6.724 7.112 6.900 (0.212) 6.900 6.900

WEDNESDAY, FEBRUARY 19

CONSENT CALENDAR

COMMERCE

HB 180, establishing a study committee to examine changes to the law necessary to allow electronic corporations to incorporate in New Hampshire.
INEXPEDIENT TO LEGISLATE

Rep. Gregory G. Carson for Commerce: This legislation addresses two possible issues to study: The creation of a new form of corporate entity, and the changing of current law in order to attract new businesses to New Hampshire. There was no interest from either the business or legal community in creating a new form of corporate entity. As to the second issue, there are other groups statutorily and private sector organized, currently addressing economic development, including electronic commerce based businesses. Vote 18-0.

HB 222-LOCAL, relative to pooled risk management programs. OUGHT TO PASS

Rep. Richard H. Krueger for Commerce: In 1987 legislation was passed establishing the criteria which determined the makeup of the boards of trustees for pool risk management entities. At that time boards were composed of elected or appointed officials. The risk pool management groups have over 300 members and serve the needs of schools, municipalities and county organizations. This enabling legislation would allow the boards of trustees to retain members who no longer wished to serve in elected or appointed positions continued participation, providing the benefits of their expertise, and to draw upon the expertise of members who had never held public office. Vote 17-0.

HB 359, regulating information regarding evictions contained in credit reports issued by consumer reporting agencies. RE-REFER TO COMMITTEE

Rep. Anthony Syracuse for Commerce: Many New Hampshire landlords currently subscribe to a service that provides information about prospective tenants. In particular, this background report notes whether an eviction proceeding has ever been initiated against the prospective tenant. The bill does not seek to adversely affect this valuable landlord service. Rather, the bill requires that such eviction-related information also specify

the basis for commencing the eviction(e.g., non-payment of rent, sale of the property, landlord's family needs) and the outcome of the proceeding(i.e. eviction granted, eviction denied, settled out-of-court). Full disclosure of the circumstances surrounding an eviction proceeding not only protects tenants' rights but enhances the landlord knowledge. Indeed, a representative of the landlord service expressed a desire to provide the information the bill otherwise requires. Testimony indicated, however, that certain district courts have been unwilling or reluctant to supply such information to the landlord service. Accordingly, the committee would like additional time to facilitate the transfer of data between the court system and the landlord service, thereby satisfying both landlords and tenants. Vote 17-1.

HB 657-FN, eliminating the Pease development authority and transferring its duties and authority to a new Pease international tradeport division. INEXPEDIENT TO LEGISLATE

Rep. Gregory G. Carson for Commerce: There are several bills dealing with the PDA before the Commerce committee. The committee has chosen to address less severe options regarding changes in regard to the PDA. Vote 19-0.

HB 670-FN, relative to telemarketing registration and fraud prevention. RE-REFER TO COMMITTEE

Rep. Anthony Syracuse for Commerce: Sponsors of this bill requested re-referral. The Consumer Protection Bureau of the Attorney General's office supports the concept of a Fraud Prevention Act and recommends reworking the bill for next session. The committee wants more time to review the issues involved and put together a bill that will serve citizens well. Vote 19-0.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 221, prohibiting out-of-state sweepstakes conducted by mail. INEXPEDIENT TO LEGISLATE

Rep. Herbert R. Hansen for Criminal Justice and Public Safety: Investigation of this subject disclosed that it would be inappropriate to pass legislation that interfered with an individual's or business' right to utilize the U.S. mail service to promote their products, ideas or beliefs. Recipients of direct mail material may have much of it eliminated by notifying Mail Preference Service, Director Marketing Association, P.O Box 9008, Farmingdale, New York 11735-9008. Vote 15-0.

HB 338, repealing certain requirements relative to the duty to deliver a copy of process to prisoners. OUGHT TO PASS

Rep. Herbert Hansen for Criminal Justice and Public Safety: RSA 534:26 is no longer pertinent in today's environment. It was originally passed over 100 years ago and today other practices of prisoner notification are used. Vote 16-0.

HB 348-FN, allowing the state fire marshal to investigate a building collapse or release of carbon monoxide. OUGHT TO PASS

Rep. Herbert Hansen for Criminal Justice and Public Safety: This bill authorizes the state fire marshal to investigate a building collapse or any incident involving the release of carbon monoxide other than from a motor vehicle. Current law limits such investigations to fires. Vote 15-0.

EDUCATION

HB 289, authorizing annual school district meetings to be held at multiple locations. OUGHT TO PASS WITH AMENDMENT

Rep. Rep. William A. Riley for Education: The bill, as amended, provides for two-way audio-visual closed circuit equipment to be installed in multilocation town and school district meetings for those municipalities which choose to use them. Vote 19-0.

ELECTION LAW

HB 277, relative to the option to process absentee ballots before closing of polls. OUGHT TO PASS WITH AMENDMENT

Rep. Lynn Horton for Election Law: The amendment to this bill becomes the bill. It allows processing of absentee ballots starting at 1:00 p.m. instead of 2:00 p.m. Clerks say this will be helpful to them. Vote 14-1.

ENVIRONMENT AND AGRICULTURE

HB 140, relative to the sale of apples and relative to maple syrup and sap hydrometers and orders issued by the commissioner for noncompliance with the laws regulating maple and honey products. OUGHT TO PASS WITH AMENDMENT

Rep. Perley E Davis for Environment and Agriculture: This Bill reduces the number of days apples must be kept in storage with not more than 5% oxygen before the apples may be represented as having been exposed to a controlled or modified atmosphere. It allows the Commissioner of Agriculture, Market and Food to issue stop sale, use, or removed orders for non compliance with law regulating maple and honey products. Repeals

a provision requiring the department to test and approve maple syrup and sap hydrometers. Vote 13-0.

HB 553-LOCAL, relative to a right to farm. RE-REFER TO COMMITTEE

Rep. Richard T. Trelfa for Environment and Agriculture: The right to farm comes very close to being inherent to any organized society. To make certain that all major issues are addressed, the committee elected to re-refer this bill to committee. Vote 16-0.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 158, creating a committee to study the establishment of a New Hampshire volunteer program. OUGHT TO PASS WITH AMENDMENT

Rep. Sylvia Holley for Executive Departments and Administration: This bill creates a committee to study establishing a program which places volunteers with state agencies to perform duties requested by the agency. Vote 17-0.

HB 264, relative to technical committees advising the director of the office of information technology management on technical issues. OUGHT TO PASS

Rep. Miriam Dunn for Executive Departments and Administration: This bill is the product of the "Task Force on Electronic Information in State Government: created by laws of 1996, chapter 216:3 (HB 1110). The technical committees, already established by statute and represented by personnel from all branches of government, will advise the Office of Information Technology Management on various issues, including emerging internet and "intranet" needs and capabilities. All testimony was in support of the bill. Vote 16-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 319, relative to access to child immunization records. INEXPEDIENT TO LEGISLATE

Rep. Joseph Manning for Health, Human Services and Elderly Affairs: The need for immunization records is unquestioned; however, those records are best obtained, administratively, through the parents or guardians who have the knowledge of their whereabouts and must give their permission. Concern was expressed regarding maintaining the confidentiality of medical records. Another problem arises for children coming from out of state and out of the country. Vote 15-2.

HB 401, repealing the prospective repeal of the healthy kids corporation. OUGHT TO PASS

Rep. Charles W. Ferguson for Health, Human Services and Elderly Affairs: This repeals the sunset provisions of healthy kids corporation. Healthy Kids is a health insurance program offered to uninsured children. The corporation has proven its worth and should be continued permanently. Vote 17-0.

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. INEXPEDIENT TO LEGISLATE

Rep. Charles W. Ferguson for Health, Human Services and Elderly Affairs: The committee found many problems with the bill. The duties of the study committee were very vague. The term "willful misconduct" in the bill dealt with conduct which in some instances might not be illegal, but which the sponsor thought was willful. An example was not wearing a helmet on a motorcycle and suffering an accident. This bill would prohibit care and treatment for such an accident. Vote 17-0.

JUDICIARY AND FAMILY LAW

HB 189, exempting occupants of rooms in transitional housing units operated by charitable organizations from the definition of "tenant" for the purposes of landlord/tenant laws. OUGHT TO PASS WITH AMENDMENT

Rep. Kevin H. Smith for Judiciary and Family Law: The committee opinion was that this bill will benefit those charitable organizations, which provide transitional housing, of being relieved from having to go through the entire eviction process. This is done only after a pre-agreed behavioral contract has been broken or violated. Vote 15-0.

HB 360, prohibiting discrimination in rental housing based on receipt by a tenant of a federal rent subsidy. INEXPEDIENT TO LEGISLATE

Rep. Paul M. Mirski for Judiciary and Family Law: The committee generally agreed that the qualification for a federal rent subsidy ought not to be elevated to the status of a civil right. The committee did feel that testimony on this and other low-income tenant/landlord questions required further consideration and the committee intends to address this subject in other forthcoming legislation. Vote 13-4.

HB 361, clarifying the status of tenants who reside in rooming or boarding houses for more than 90 consecutive days. RE-REFER TO COMMITTEE

Rep. Carol H. Holden for Judiciary and Family Law: The committee heard testimony on several bills dealing with landlord/tenant issues (HB 360, HB 361, HB 362, HB 363, and HB 364). It was the unanimous vote of the committee to use HB 361 to study the range of landlord/tenant issues and come back with recommendations in the 1998 session. Vote 17-0.

HB 363, relative to venue for actions against tenants. INEXPEDIENT TO LEGISLATE

Rep. Deborah L. Woods for Judiciary and Family Law: This is one of several bills dealing with landlord/tenant issues. The committee, is recommending re-referral of another one of these bills HB 361. It is the committee's intention to use HB 361 as a vehicle to review the issues raised in this and other related bills. Vote 17-0.

HB 364, relative to interest or penalty charges for failure to pay rent. INEXPEDIENT TO LEGISLATE

Rep. Wayne T. Moynihan for Judiciary and Family Law: This bill seeks to prohibit the imposition of interest or penalty payments against a tenant for failure to pay rent until 30 days after such rent shall have been due. This bill was one of a number of bills presented to the committee related to statutes and issues between landlord and tenants. The committee intends to address the issue presented in this bill, along with all other landlord tenant related issues, when it establishes a committee to study HB 361 which the committee has re-referred for study Vote 17-0.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 131, relative to notification regarding workers' compensation coverage for subcontractors. INEXPEDIENT TO LEGISLATE

Rep. Joseph D. Kenney for Labor, Industrial and Rehabilitative Services This bill would have required the insurance carrier for a subcontractor's workers' compensation insurance to notify the contractor to which a Certificate of Insurance was issued in the event the subcontractor's insurance is canceled. In speaking with various general contractors around the state it was their sentiment the current law of the insurance carrier notifying the subcontractor in the event of cancellation was appropriate. The main thrust would still have general contractors responsible for monitoring their own subcontractors' insurance policies. The Committee felt it was unnecessary to change the existing law based on the limited amount of testimony and statewide complaints. Vote 19-0.

HB 134, clarifying the distinction between homeworkers and independent contractors for the purposes of unemployment compensation. INEXPEDIENT TO LEGISLATE

Rep. Lawrence V. Guaraldi for Labor, Industrial and Rehabilitative Services: The Committee and original sponsor agreed the wording of the bill did not accomplish what the sponsor intended. Vote 19-0.

HB 284, establishing a study committee on the feasibility of combining the department of labor and the department of employment security. INEXPEDIENT TO LEGISLATE

Rep. Robert Clegg for Labor, Industrial and Rehabilitative Services: The Committee felt in the absence of any known problems, no study was necessary. In addition, the original sponsor requested the bill be Inexpedient to Legislate. Vote 18-1.

HB 339, establishing a freedom of employment association act. INEXPEDIENT TO LEGISLATE

Rep. Wanda G. McNamara for Labor, Industrial and Rehabilitative Services: The Committee unanimously felt the bill is too broad in scope and in part would fall beyond legislative authority. Vote 19-0.

LOCAL AND REGULATED REVENUES

HB 206-FN-L, requiring trailers and recreational vehicles used for storage or habitation to be either registered under the motor vehicle laws or subject to local property tax. INEXPEDIENT TO LEGISLATE

Rep. Laura C. Pantelakos for Local and Regulated Revenues: The committee felt that it would be impossible to police the registration of these trailers as vehicles, and that they don't fall within the definition of property usually subject to property tax. The committee also felt that the problem of old, rundown trailers was a local zoning issue which could be addressed under current law. Vote 13-1.

HB 228, relative to the definition of "club-veterans" under the liquor laws. OUGHT TO PASS WITH AMENDMENT

Rep. Robert N. Kelley for Local and Regulated Revenues: The committee received an amendment from the sponsor which corrected terminology in

the basic bill relative to discharges from the armed forces. The bill, as amended, revises the definition of "club veterans" to simply reflect service in the armed forces with no time limit specified. Existing law is otherwise unchanged. Vote 15-0.

HB 373, establishing a committee to study the feasibility of implementing alternative local taxes for funding of education. INEXPEDIENT TO LEGISLATE

Rep. Robert N. Kelley for Local and Regulated Revenues: The committee had a stimulating hearing on this bill. The funding of local education is a subject that has attracted, and continues to attract, strong attention. HR 62 instructs the house finance committee to study alternatives to funding public primary and secondary education and to report by Nov. 1, 1997. This bill would establish a committee to study the feasibility of implementing alternative local taxes by funding education and to report by Nov. 1, 1997. The committee felt that the purpose of this bill can be addressed more broadly in HR 62 and that this bill was therefore, unnecessary. Vote 16-1.

HB 423-L, relative to the elderly exemption from the property tax. INEXPEDIENT TO LEGISLATE

Rep. Richard Noyes for Local and Regulated Revenues: A completely revised elderly exemption law 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 the new statute should be allowed to work before more changes are proposed. Vote 17-0.

HB 432, increasing the wager limit on games of chance from \$1 to \$5. RE-REFER TO COMMITTEE

Rep. Douglass P. Teschner for Local and Regulated Revenues: The bill, as originally proposed, would raise the bet limit at "Monte Carlo" nights conducted by charities from \$1 to \$5. The committee became concerned at hearing both testimony and subsequent information in executive session that the current law is not followed at some of these events. Questions about enforcement of charitable gambling were reinforced by press reports of an audit of a bingo charity in Rockingham county. The committee voted unanimously to re-refer this bill to consider thoroughly all the issues related to charitable gambling. Vote 17-0.

HB 510, relative to delivery of beverages by wholesale distributors. INEXPEDIENT TO LEGISLATE

Rep. Douglass P. Teschner for Local and Regulated Revenues: The sponsor requested that the bill be withdrawn, and the committee obliged. Vote 17-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 302, renaming Scott Pond in the town of Fitzwilliam, N.H. as West Scott Pond and East Scott Pond. INEXPEDIENT TO LEGISLATE

Rep. Joseph E. Stone for Municipal and County Government: This bill as introduced renames Scott Pond in Fitzwilliam, NH as West Scott Pond and East Scott Pond. It was originally felt this was necessary because it has been designated West Scott Pond by the Department of Safety. The sponsors now realize this legislation is not necessary. They asked that the bill be voted out as inexpedient to legislate. Vote 15-0.

HB 309, increasing the time for a local legislative body to act on a proposed interim zoning regulation. OUGHT TO PASS

Rep. Betsey L. Patten for Municipal and County Government: Under the growth management and interim regulations in RSA 674: 22&23 the posting date of the interim regulations starts the counting time by a local land use board to put the regulations before the local legislative body for a vote. Having no later than 90 days, instead of the current 45 days, to act on the interim regulations gives the land use board adequate time for legal posting, public hearings and possible reprint of the proposed interim regulations. Vote 15-0.

HB 315-LOCAL, expanding certain financial powers of village districts. OUGHT TO PASS

Rep. Robert W. Brundige for Municipal and County Government: This bill grants village districts the same authority granted to selectmen regarding their financial powers in RSA 31:95-b, RSA 31:95-e and RSA 33:7,II which makes the village districts operate more efficiently. Vote 17-0.

PUBLIC WORKS AND HIGHWAYS

HB 126-FN-LOCAL, repealing road toll refunds for retail dealers. RE-REFER TO COMMITTEE

Rep. Katherine D. Rogers for Public Works and Highways: This bill would repeal the road toll refund of 1% presently afforded gasoline dealers. The 1% originally was awarded as recognition of shrinkage in the dispensing of petroleum products. With current vapor recovery technology, the issue of shrinkage is questionable. The committee believes that further study of this issue is warranted. If passed, this bill could increase the state highway fund revenue by as much as \$656,655 in FY 98 and each year thereafter, however, the cost to dealers could be extremely high (loss due to expensive vapor recovery equipment and loss of rebates.) The committee wants to study what is being done across the country and gain some

objective scientific information on this topic. Vote 16-0.

HB 208-LOCAL, relative to the status of county highways which are being maintained by towns. OUGHT TO PASS WITH AMENDMENT

Rep. Merle W Schotanus for Public Works and Highways: The amendment replaces the original language of the bill and fills a gap in the road classification statutes to legally clarify the status of "county" roads laid out by courts or county commissioners prior to the time the state's modern road classification system was established. Vote 18-0.

HB 347-FN-A, relative to landscaping at Weirs Beach in Laconia and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Paul I. LaMott for Public Works and Highways: This bill was found inexpedient because the Department of Transportation Railroad Fund has sufficient funds to accomplish some of the tasks required by this bill. Additionally, the department has assured the committee of its willingness to work with the city of Laconia on the problem of fencing of landscaping the railroad right of way near Endicott Park in Weirs Beach. Vote 19-0.

HB 509-A, relative to repairing and resurfacing the access road to the Gunstock Ski Area. INEXPEDIENT TO LEGISLATE

Rep. Steve Vaillancourt for Public Works and Highways: This bill would appropriate \$280,000 for the repair and resurfacing of the access road to the Gunstock Ski Area. While the committee agrees that the more properly named "Belknap Recreation Area" is an economic benefit to the county and the state, the committee agrees with the Department of Transportation that this is essentially a "private driveway" and that to use state highway trust fund moneys on private roads would be an unwise precedent. The 3/4 mile road is in poor condition and in need of repairs, but state funds should not be used. Vote 19-0.

RESOURCES, RECREATION AND DEVELOPMENT

HB 307, relative to the adoption of local river corridor management plans by planning boards. OUGHT TO PASS WITH AMENDMENT

Rep. Mary Ann N. Blanchard for Resources, Recreation and Development: This bill as amended modifies the adoption process for local River Corridor Management Plans. These plans will now be linked to other local planning efforts. There are no regulatory consequences. Vote 15-0.

SCIENCE , TECHNOLOGY AND ENERGY

HB 254, relative to shared tenant telecommunication services. OUGHT TO PASS WITH AMENDMENT

Rep. Jeb E. Bradley for Science, Technology and Energy: Shared tenant services are telecommunication services often provided by a landlord or other business entities to tenants within a complex or building. Currently the Public Utilities Commission has no authority to regulate such services. Passage of this bill will give limited regulatory authority to the Commission, only concerning rate disclosure by shared tenant service providers and number retention by entering or departing tenants. The Commission is not given authority to set rates. Vote 17-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 4, petitioning the Congress of the U.S. to propose an amendment to the Constitution of the U.S. for submission to the states to establish a mechanism for nullification of federal laws and regulations when the states determine that such laws or regulations exceed the authority of the federal government under the Constitution of the U.S. INEXPEDIENT TO LEGISLATE

Rep. Peter F. Bergin for State-Federal Relations and Veterans Affairs: The federal government enacts laws and regulations which are passed on the states for enactment. If the state finds that these laws or regulations are not applicable or unenforceable it now has a mechanism to change them. It can petition the Congress, the courts or the regulatory agency. Vote 14-0.

HCR 6, petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to provide the states a method of offering amendments to the Constitution of the United States. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Clark for State-Federal Relations and Veterans Affairs: The committee feels a proper mechanism exists for states to initiate congressional actions to amend the Constitution. Vote 14-0.

HCR 7, petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to prohibit the federal government from imposing regulatory mandates, unfunded mandates, and spending conditions, which conditions are unrelated to the actual expenditures of funds allocated by Congress. RE-REFER TO COMMITTEE

Rep. Thomas A. Varrell for State-Federal Relations and Veterans Affairs: This resolution shows a degree of merit since it essentially addresses the constant violations of our 10th amendment by the federal government. Since time is of the essence with regard to this House Concurrent Resolution,

the committee wishes to work further to see if some of the apparent problems with this bill can be resolved. Vote 14-0.

TRANSPORTATION

HB 304-LOCAL, relative to permitting local law enforcement agencies to receive grants-in-aid from the bureau of trails for enforcement of public trail restrictions. INEXPEDIENT TO LEGISLATE

Rep. Ralph L. Akins for Transportation: The trails grant-in-aid program money is a separate account funded by OHRV registration fees. These funds are designated to be used solely for trail grooming, maintenance and construction. The money is needed to maintain a statewide trail system for safe operational condition, and is already in very short supply. The committee felt that adding the proposed new use was not in keeping with the intent of this funds purpose, and would also greatly reduce the money available for which these funds are needed. Vote 13-1.

HB 357-FN, requiring the director of motor vehicles to recommend vehicle light use during any period windshield wipers are in operation during inclement weather. INEXPEDIENT TO LEGISLATE

Rep. Michael P. Kelly for Transportation: The committee found considerable merit to issues surrounding general safety and avoidance of personal injury. However, the committee felt that manufacturers were already introducing this feature in new models, making this bill a moot issue. Finally, this proposed legislation is preempted by Federal law. Daytime running lights are optional by Federal Standard #108. Vote 13-0.

HB 419, requiring daytime running lights on motor vehicles. INEXPEDIENT TO LEGISLATE

Rep. Robert Letourneau for Transportation: It was the unanimous decision of the committee that this law would not be in the best interest of the motoring public because of several compelling reasons. First, the enforcement would be very difficult, not only on the citizens of New Hampshire but on the many people who come from out of state to live here may not be able to comply with this law. Second, the committee felt that the manufacturers were already starting to include this feature in new models so it would be a moot point and a waste of state resources. Finally, this proposed legislation is preempted by federal law. Daytime running lights are made explicitly optional by Federal Standard #108, and as such they cannot be rendered mandatory by state authority. Vote 15-0.

WILDLIFE AND MARINE RESOURCES

HB 390, relative to quarantine of captive wildlife. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. L'Heureux for Wildlife and Marine Resources: This bill grants the state veterinarian the authority to quarantine captive wildlife when he has reason to believe that they may be infected with a contagious or infectious disease. The same authority the state veterinarian now exercises over domestic animals and some specific wild animals in captivity, such as deer and elk. This law is necessary to protect our states wildlife resources as well as our citizens from some rather exotic diseases. The amendment changes the effective date to "upon passage". Vote 14-0.

HB 403, prohibiting the use of trotlines to take fish. OUGHT TO PASS

Rep. Dennis F. Abbott for Wildlife and Marine Resources: This bill was the request of the NH Fish and Game Department in an effort to prohibit the use of trotlines as a means of fishing. A trotline is a long line with many hooks baited along its length generally used in commercial fishing situations. They have no place as an accepted method of recreational freshwater fishing in this state. Vote 14-0.

WEDNESDAY, FEBRUARY 19

REGULAR CALENDAR

COMMERCE

HB 157, prohibiting certain inducement practices in offering small consumer loans. OUGHT TO PASS WITH AMENDMENT

Rep. Eric N. Lindblade for Commerce: The purpose of this legislation is to give added protection to people who are recipients of unsolicited checks from finance companies, which in truth, turn out to obligate the receiver of the check to pay the face value of the check plus interest, usually at very high rates. Vote 18-1.

HB 292-LOCAL, limiting the damages which may be received by an uninsured motorist from an insured motorist's automobile liability coverage. INEXPEDIENT TO LEGISLATE

Rep. Richard H. Krueger for Commerce: The effect of this bill if enacted, would allow an insured motorist, who was at fault in an accident causing bodily injury to an uninsured vehicle, not be responsible for those injuries to that uninsured motorist. No matter where we travel in these United

States, if we cause an accident resulting in bodily injury, every court in the land would find us liable for those injuries because we were at fault. We cannot allow a negligent insured motorist to avert the responsibility for bodily injury to another person just because that injured person was in an uninsured vehicle. Vote 16-3.

HB 398, allowing Delta Dental Plan of New Hampshire to issue plans to individuals. OUGHT TO PASS

Rep. Toni M. Crosby for Commerce: This bill allows Delta Dental Plan of NH to market and issue dental insurance to individuals. Individuals unable to purchase group dental through their employer would now be able to purchase an individual dental plan. Dental and oral diseases may well be the most prevalent and preventable conditions affecting NH citizens. Having dental insurance promotes good dental health.. Vote 18-0.

EDUCATION

HB 229, establishing a reading recovery training program and making an appropriation therefor. OUGHT TO PASS

Rep. Robert H. Guest for Education: Reading recovery is an early intervention program which provides intensive instruction by specially-trained teachers to first-grade pupils who are at risk of reading problems.

The demand at the local level for expanding the program has grown to where two more teacher leaders are needed. This state appropriation pays for these teacher leaders. The school districts pay salaries and benefits of the teachers who train the children. The state department of education coordinates the program. More than 88 school districts opted to join the program in the past year. The program is voluntary on the part of school districts and parents. Vote 16-3.

HB 262, establishing a National Information Infrastructure oversight committee, authorizing the department of education to hire a technology consultant, and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Jane O'Hearn for Education: The legislation establishes a National Information Infrastructure oversight committee for the purpose of developing and implementing a technology plan for New Hampshire secondary schools. The development of this plan is necessary to insure that all New Hampshire secondary schools have access to the Internet. The amendment addresses the consultant, who shall now come from qualified staff in the Department of Education. This legislation is a result of a 1996 interim study. Vote 15-3.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 149-FN, relative to the regulation of the profession of physical therapy. OUGHT TO PASS WITH AMENDMENT

Rep. Jon P. Beaulieu for Executive Departments and Administration: This bill as amended removes the oversight of physical therapy from the board of medicine and establishes the New Hampshire board of physical therapy to regulate physical therapists and specifies the board's rulemaking authority. The board will have rulemaking authority under RSA 541-A which will include investigatory process, hearing and disciplinary process relative to physical therapy. Vote 17-0 .

HB 197-FN, relative to the regulation of wetland scientists. OUGHT TO PASS WITH AMENDMENT

Rep. Kipp A. Cooper for Executive Departments and Administration: This bill establishes qualifications for the certification of wetland scientists and places them under the Board of Natural Science. This certification is to protect the citizens of New Hampshire and the profession from unqualified practitioners of wetland science. This bill will increase the number of qualified scientists available to certify wetlands for local boards and commissions. Both soil scientists and wetland scientists are in support of this legislation as is the State Planning Department, the Department of Environmental Services and the Municipal Association. Vote 17-0.

HB 259-FN, requiring all state forms requesting racial or ethnic status to allow for or include a biracial or multiracial option. INEXPEDIENT TO LEGISLATE

Rep. Kipp A. Cooper for Executive Departments and Administration: While the committee was sympathetic to the intent of the sponsor, it was discovered that most, if not all, forms used by the state requiring this information are mandated by the federal government. Any change to these state forms could result in the loss of federal funds. It was also discovered that the federal government is currently studying the issue of adding more racial and ethnic categories to forms requesting this information. Vote 15-2.

JUDICIARY AND FAMILY LAW

HB 278, relative to the doctrines of adverse possession and prescription. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Deborah L. Woods for the Majority of Judiciary and Family Law: Wrongful taking of land by adverse possession is not a problem in New Hampshire. People are not intentionally encroaching on their neighbor's land in the hopes that they will own it after 20 years. Most parcels of land in New Hampshire are described by metes and bounds. Many of these descriptions are at least decades old and the properties have never been professionally surveyed. It is virtually impossible in some cases to determine title boundaries. If a dispute arose, this law may be the only way to solve the dispute. This common sense common law still serves a purpose in our state and should not be repealed. Vote 11-1.

Rep. David A. Bickford for the Minority of Judiciary and Family Law: Adverse possession is a means of taking possession of another's land by wrongfully occupying it for 20 years or more; often known as squatter's rights. Prescription is acquiring easements or right of ways over another's land after 20 years. These are old case laws (not statute) that were useful during colonial expansion. The laws encouraged colonists to till and lay claim to unproductive soil thereby expanding the empire. Manifest Destiny is behind us. These laws do more damage than good today by allowing neighbors to encroach upon another with the prospect of free ownership after 20 years if the rightful owner does not eject them or show proof of permission. The state and towns can purchase property they need by eminent domain. The state, towns and railroads have found it important to protect themselves by statute from adverse possession and prescription and so too should New Hampshire citizens.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 323, establishing a right to work act which provides for freedom of choice on whether to join a labor union. WITHOUT RECOMMENDATION

Rep. Robert E. Clegg for Labor, Industrial and Rehabilitative Services: When an employer signs a Union Security clause, it sets in place a policy by which the employer requires, as a condition of employment, that money be taken from an employee's paycheck to support a private organization (the union). Supporters of this bill feel this practice is discriminatory. No employer should be able to abrogate the rights of his/her employees by such a policy. Supporting the bill: Reps. Gary L. Daniels, Wanda G. McNamara; Robert E. Clegg; Joseph D. Kenney; Lawrence V. Guaraldi; M. Virginia Burke; Richard E. Dolan; Gerard H. Lavoie; Roy D. Maxfield; and George D. Murch III. Vote 10-10.

Rep. Benjamin Baroody for Labor, Industrial and Rehabilitative Services: The only motion on which the Committee voted was Ought to Pass with Amendment. The motion would have failed 9-10, but the Committee Chairman voted and created a tie. In this country, no one can be forced to join or be a member of a labor union. The union must, by law, represent everyone covered by the contract whether they are a member or not. Through Union Security clauses employees can be required to equally share the cost of collective bargaining. This can occur only when the employer agrees to it. This bill would interfere with the rights of employers as well as the employees. Major employers in New Hampshire have consistently opposed this legislation. This bill is not about individual freedom or discrimination. People who have religious objections to joining or paying fees to a union are already protected by law. The bill would allow individuals to get all the benefits of the contract without paying for them and put into law the practice of protecting free-loaders. Opposing the bill: Reps. Benjamin Baroody; Robert F. Turner; Franklin C. Bishop; Lars T. Christiansen; Edgar H. Mears; Lorraine R. Palmer; Jane P. Kelley; Rebecca C. Hutchinson; Gloria Seldin; and Donald D. Welch. Vote 10-10.

LOCAL AND REGULATED REVENUES

HB 178-L, limiting property taxes to 3 percent of the fair valuation of property in the city or town. INEXPEDIENT TO LEGISLATE

Rep. Laura C. Pantelakos for Local and Regulated Revenues: The committee unanimously voted this bill inexpedient to legislate after much discussion and debate, and after consideration of a proposed amendment. Although the idea of a 3 percent cap on local property taxes might sound like a good idea, after hearing from many towns and cities, all of whom opposed the bill, the committee decided that this decision should be left to the option of our local cities, towns, and local taxpayers, and should not be mandated by state law. Vote 16-0.

PUBLIC WORKS AND HIGHWAYS

HB 471, relative to the method of refund of the road toll paid by private school bus companies. OUGHT TO PASS

Rep. Katherine D. Rogers for Public Works and Highways: This bill would clean-up a process that became muddy last year when New Hampshire entered the International Fuel Tax Agreement (IFTA) and placed the tax on diesel fuel at the pump. It would allow private school bus companies to apply for a refund directly to the NH Department of Safety instead of having to traverse a long and indirect bureaucratic trail that currently exists. Vote 15-2.

RULES

HR 14, exempting the house committee to study the investigation of the late Judge Fairbanks from the December 13, 1996 deadline for filing legislation. INEXPEDIENT TO LEGISLATE

Rep. Robert L. Wheeler for Rules.: This resolution is unwarranted because no member of the Fairbanks Study Committee requested it. Additionally this does not prevent members from requesting suspension of the Rules in order to file legislation at any time in the future. Vote 10-0.

WILDLIFE AND MARINE RESOURCES

HB 120-FN, amending certain license fees and making various technical changes to the fish and game laws. OUGHT TO PASS WITH AMENDMENT

Rep. Dennis F. Abbott for Wildlife and Marine Resources: This bill was the request of the NH Fish and Game Department in an effort to make numerous changes to various licenses and permits. Twenty fees are changed to reflect equity with neighboring states, some are eliminated entirely while others are adjusted to encourage greater sales. This bill is not intended to be a substantial revenue producer but merely a bill to keep licenses and fees current and repeal those which are no longer useful. Vote 15-0.

HB 200-FN, prohibiting the use of leghold traps and "conibear" traps. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Dennis F. Abbott for the Majority of Wildlife and Marine Resources: This bill faced strong opposition from the Fish and Game Department, Farm Bureau, Department of Transportation, NH Wildlife Federation, local officials and a multitude of sportspersons not involved in trapping not to mention the trapping community as well. Testimony offered by supporters of this measure regarding domestic animals, particularly dogs, being captured in traps was compelling, but the severity and frequency of these incidents certainly does not warrant the prohibition of trapping as conducted in this state. Most incidents involving dogs can be attributed to free running animals which are themselves in violation of current laws. Conversely there have been tragic incidents involving injury and death to animals but these occurrences are the exception. There were approximately fourteen reported incidents of animals caught in traps during the preceding six years. Trapping has been and should continue to be a lawful pursuit for it serves a useful purpose as a management tool for controlling wildlife overpopulation and solving nuisance complaints in our growing and complex society. A prohibition regarding the use of traps would also have a significant financial impact on many towns, cities and private citizens. Trapping is also one of the most regulated activities and it is pursued by a diminishing number of sportspersons in this state. And as one individual testified at the all day hearing "most New Hampshire residents oppose laws that restrict their freedoms" and this bill seeks to do that Vote 14-1.

Rep. Shannon L. Bernier for the Minority of Wildlife and Marine Resources: This bill is not anti-trapping. It simply would regulate the two most inhumane trapping devices, the leghold and conibear traps. The cruelest of all, the leghold trap, is still used today by 388 people in New Hampshire. Why? Not because of economic necessity; it no longer exists. Not because of the need for game management; equally as effective and more humane methods now exist. The minority asserts that this is a matter of stopping cruelty.

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. OUGHT TO PASS

Rep. Mark A. Cegelis for Wildlife and Marine Resources: This bill accomplishes three things: a) It increases the penalty from a violation to a misdemeanor for killing a moose during the closed season or for exceeding the bag limit. This places this valuable resource in par with the white-tailed deer, b) It allows the executive director to determine an agents fee for issuing a permit to hunt wild turkeys, and c) It reduces the penalty from a misdemeanor to a violation for a violation of rules pertaining to lands and waters under the executive directors control, i.e. State game refuges, lands under the control of the director, division of forests and lands, (DRED) and federal authority or lessees as outlined in 212:19. Vote 15-0.

COMMITTEE HEARINGS WEDNESDAY, FEBRUARY 19

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 247**, requiring automobile insurance companies to offer uninsured motorist coverage as an insurance option, not a requirement.

9:30 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 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 may be held throughout the day, time permitting, from the time the committee is initially convened.

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 and **HB 236-FN**, to include a person who is being stalked in the definition of "family household member" for purposes of the domestic violence law.

11:00 a.m. Subcommittee work session on ***HB 386***, removing personal liability of employees of licensing entities for failure to comply with state laws regarding licenses to carry pistols and revolvers.

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE, Rooms 210-211, LOB

AGENCY BUDGET PRESENTATIONS ON GOVERNOR'S PROPOSED BUDGET:

EDUCATION

9:00 a.m. **Department of Education**

10:30 a.m. **Department of Regional Community Technical Colleges**

Office of the Commissioner

NHTC - Manchester/Stratham

NH Technical Institute - Concord

NHTC - Berlin/Laconia

NHTC - Nashua/Claremont

Police Standards and Training Council

Christa McAuliffe Planetarium

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

9:30 a.m. ***HB 567-FN-LOCAL***, relative to administration of vital records.

10:00 a.m. ***HB 739-FN***, relative to copies of vital records.

10:30 a.m. ***HB 490***, relative to the confidentiality of medical records.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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.

10:30 a.m. Subcommittee work session on ***HB 250-FN-LOCAL***, establishing a formal hearing process for board of tax and land appeals or court appeals limited to a review of the record for certain property tax abatement applications.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:30 a.m. ***HB 521-LOCAL***, relative to the definition of terms and conditions of employment and to the subjects of bargaining in the public employee labor relations law.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

10:30 a.m. Subcommittee work session on ***HB 429***, establishing a committee to study unemployment compensation as it relates to the contingent work force and to women workers.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. ***HB 399-LOCAL***, changing the name and qualifications for the optional property tax exemption for the totally and permanently disabled.

10:45 a.m. ***HB 590-FN-LOCAL***, allowing property taxpayers to choose whether to participate in the funding of nonprofit organizations through their property taxes.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. ***HB 544***, relative to reconstruction or repair of boathouses which are suitable for use as dwellings.

10:30 a.m. ***HB 547***, relative to granting permits to build certain structures on shoreline property.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. ***HB 726-FN***, relative to the jurisdiction and authority of the public utilities commission, and relative to the underground utility damage prevention system.

10:15 a.m. ***HB 643-FN***, establishing an industry average performance system for air pollution control, and establishing certain pollution control funds.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

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

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 586***, changing the expiration date of OHRV registrations.

9:45 a.m. ***HB 598-FN***, relative to liens on aircraft for nonpayment of aircraft registration fees.

10:30 a.m. **HB 649-FN**, relative to reckless driving.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. **HB 763-FN**, prohibiting nonresidents from hunting on Sunday if the state of residence of the nonresident prohibits hunting on Sunday for New Hampshire residents.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, FEBRUARY 20

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 464-FN**, regarding notice provisions for waxes applied to fresh fruit.

9:30 a.m. Subcommittee work session on **HB 376**, relative to prescription drug copayments required by insurance companies and relative to filling prescription drug prescriptions.

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on **HB 438-FN**, allowing the court to impose certain chemical treatments on repeat child molesters and **HB 353**, establishing a committee to study issues regarding prosecutions and sentencing of, and incarceration treatment for, persons convicted of sex-related crimes.

10:30 a.m. Subcommittee work session on **HB 271**, establishing a committee to examine the effectiveness and efficiency of the multiple DWI offender intervention detention center program **HB 414**, authorizing the commissioner of the department of safety to adopt rules imposing late fees for the impaired driver intervention programs..

11:15 a.m. Subcommittee work session on **HB 209**, relative to information required when applying for a New Hampshire driver's license and **HB 462-FN**, relative to acknowledgment of DWI laws by persons under 21 years of age..

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

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.

10:30 a.m. **HB 372**, relative to age and domicile requirements for candidacy for public office.

11:00 a.m. **HB 443**, relative to push-polling.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. Subcommittee work session on **HB 352**, modifying the definitions of "agriculture" and "farming" for certain purposes.

9:30 a.m. Subcommittee work session on **HB 187-FN-A**, relative to groundwater monitoring for pesticides and making an appropriation therefor.

10:00 a.m. **HB 497**, excluding domestic septage from regulation as sludge or biosolids.

HB 496, requiring all land application of sludge or biosolids to comply with certain best management practices and relative to an exceptional quality exclusion.

HB 638-FN, requiring random on-site inspection and testing of certain sludge and biosolid samples.

1:00 p.m. **HB 771-FN-LOCAL**, exempting remediation waste from the hazardous waste generator fee, increasing grant awards made pursuant to the used oil collection center program and relative to the hazardous waste disposal facility siting board.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on **HB 213**, establishing a committee to study the issues of licensing of psychologists, pastoral counselors, clinical social workers, mental health counselors, and marriage and family therapists.

9:30 a.m. Subcommittee work session on **HB 393**, relative to the mental health practice act, including establishing a clients' bill of rights.

10:00 a.m. **HB 619-FN-A**, establishing a sunset review process for state agencies and making an appropriation therefor.

10:45 a.m. **HB 699-FN**, relative to holiday pay for part-time state employees.

11:00 a.m. **HB 600**, consolidating administrative support for the regulation of health professionals.

1:15 p.m. **HB 447**, eliminating the grandfather clause for licensure of professional engineers.

1:45 p.m. **HB 545**, making the term of the attorney general coterminous with that of the governor.

2:15 p.m. **HB 751-FN-LOCAL**, relative to spousal benefits for certain retired group II members of the retirement system.

3:00 p.m. **HB 733-FN**, relative to the state government information dissemination and access act.

3:45 p.m. **HB 753-FN**, relative to the board of auctioneers and the conduct of auctions.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE, Rooms 210-211, LOB

AGENCY BUDGET PRESENTATIONS ON GOVERNOR'S PROPOSED BUDGET

ADMINISTRATION OF JUSTICE AND PUBLIC PROTECTION

9:00 a.m. **Adjutant General**

9:30 a.m. **Agriculture Markets and Food**

Veterinary Examiners Board

10:00 a.m. **Department of Justice**

10:30 a.m. **Bank Commission**

11:00 a.m. **Office of Emergency Management**

11:15 a.m. **Pari-Mutuel Commission**

11:30 a.m. **Highway Safety**

NOON BREAK

1:30 p.m. **Insurance Department**

2:00 p.m. **Labor Department**

2:30 p.m. **Liquor Commission**

3:00 p.m. **Department of Corrections**

FINANCE - DIVISION I, Room 212, LOB

Executive sessions will be held throughout the day.

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

9:30 a.m. *HB 584-LOCAL*, relative to the duties of school nurses.

10:30 a.m. *HB 454*, relative to food service establishments.

1:30 p.m. *HJR 1*, urging the preservation and continued development of community services to people with developmental disabilities and their families

Room 207, LOB

3:00 p.m. *HB 718*, changing that which constitutes the practice of medicine.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. *HB 620*, allowing a municipality to adopt plans to delay reassessments on businesses which expand in central business districts and on historic buildings listed with the National Register of Historic Places.

10:30 a.m. ***HB 709***, establishing a committee to study the possibility of imposing property taxes on property used by nonprofit academic institutions primarily for housing.

11:30 a.m. ***HB 707-LOCAL***, relative to municipal taxation of utility property.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

1:30 p.m. ***HB 380-LOCAL***, relative to the sale of town-owned property.

2:30 p.m. ***HB 381***, relative to public recreation and park areas in municipalities.

3:00 p.m. ***HB 244***, allowing a municipality to prohibit sexually oriented businesses.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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.

1:15 p.m. ***HB 791-FN-A***, making an appropriation to the department of administrative services for the funding, siting, and design of the new Jaffrey-Peterborough district courthouse.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

2:00 p.m. Subcommittee work session on ***HB 687***, establishing an Alan B. Shepard park commission.

2:30 p.m. Subcommittee work session on ***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 and ***HB 181***, prohibiting the sale or distribution of exotic aquatic weeds.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. Electric Utility subcommittee work session on ***HB 651-FN-LOCAL***, relative to electric rate reduction financing and ***HB 485***, relative to limited electrical energy producers.

1:00 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 and ***HB 610-FN***, relative to the regulation of small telephone companies by the public utilities commission.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 300, LOB

10:30 a.m. Subcommittee work session on ***HB 117***, relative to Persian Gulf War bonus payments.

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 627-FN***, establishing a conservation number plate trust fund, and a special motor vehicle license plate and associated fees, to support New Hampshire's natural and cultural resources.

11:00 a.m. ***HB 637-FN***, relative to license suspension and revocation.

11:30 a.m. ***HB 729-FN-A***, establishing a kindergarten special number plate and fee, with the fees continually appropriated to the department of education.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 21

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 742-FN***, establishing half-price greens fees for active military and retired military personnel at the golf course at the former Pease Air Force Base.

11:00 a.m. ***HB 691***, requiring large employers to offer their employees long-term care insurance.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

12:30 p.m. Subcommittee work session on ***HB 483***, relative to regulation of securities.

1:30 p.m. Subcommittee work session on ***HB 611-FN***, making state securities laws comply with the National Securities Markets Improvement Act.

FINANCE, Rooms 210-211, LOB

AGENCY BUDGET PRESENTATIONS ON GOVERNOR'S PROPOSED BUDGET

GENERAL GOVERNMENT

Executive Office

9:00 a.m. **Office of the Governor**

9:15 a.m. **Energy and Community Services**

9:30 a.m. **State Planning Office**

9:45 a.m. **Commission on Disability**

10:00 a.m. **Administrative Services**

ADMINISTRATION OF JUSTICE AND PUBLIC PROTECTION

10:30 a.m. **Judicial Council**

Marital Mediator Board

HEALTH AND SOCIAL SERVICES

11:00 a.m. **Veterans' Home**

11:30 a.m. **Veterans Council**

NOON BREAK

EDUCATION

1:00 p.m. **Higher Education - University System**

UNH - Durham

Keene State College

Plymouth State College

UNH - Manchester

Extension Work In Counties

NH Public Television

2:00 p.m. **Postsecondary Education Commission**

TRANSPORTATION

2:30 p.m. **Department of Transportation**

FINANCE - DIVISION I, Room 212, LOB

Executive sessions will be held throughout the day.

JUDICIARY AND FAMILY LAW, Room 208, LOB

10:00 a.m. Subcommittee work session on ***HB 606-FN-LOCAL***, relative to procedures regarding children in need of services under RSA 169-D.

MONDAY, FEBRUARY 24

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 730-FN***, relative to penalties for sexual misconduct by mental health counselors.

10:30 a.m. ***HB 605-FN-LOCAL***, relative to procedures regarding delinquent children under RSA 169B.

11:00 a.m. ***HB 735-FN***, adding certain conduct to that which constitutes aggravated felonious sexual assault and felonious sexual assault.

1:30 p.m. ***HB 625-FN***, establishing heightened criminal penalties for threatening or assaulting a teacher.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 469***, relative to the rules of the board of dental examiners.

9:20 a.m. Subcommittee work session on ***HB 600***, consolidating administrative support for the regulation of health professionals.

9:40 a.m. Subcommittee work session on ***HB 378***, regulating the practice of acupuncture.

10:00 a.m. ***HB 762-FN***, relative to the regulation of naturopathic medicine.

11:00 a.m. ***HB 790-FN***, relative to the board of medicine.

1:15 p.m. ***HB 756-FN***, relative to the registration of alternative providers of mental health services.

2:15 p.m. ***HB 785-FN***, relative to alcohol and other drug abuse professionals.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE, Rooms 210-211, LOB

AGENCY BUDGET PRESENTATIONS ON GOVERNOR'S PROPOSED BUDGET

RESOURCE PROTECTION AND DEVELOPMENT

9:00 a.m. **Resources and Economic Development**

9:45 a.m. **Pease Development Authority**

10:15 a.m. **Port Authority**

10:45 a.m. **Business Finance Authority**

1:15 a.m. **Fish and Game**

FINANCE - DIVISION I, Room 212, LOB

Executive sessions will be held throughout the day.

FINANCE, Rooms 210-211, LOB

1:30 p.m. **HB 714**, repealing certain duties of the secretary of state relative to the state treasurer's insurance bond and accounts of bonds issued by the state treasurer.

1:45 p.m. **HB 705**, relative to the confidentiality of the records of the department of revenue administration.

Executive sessions may be held throughout the day.

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

9:30 a.m. Regular meeting.

TUESDAY, FEBRUARY 25

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **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.

9:15 a.m. Subcommittee work session on **HB 334**, establishing guidelines for assessing the eligibility of certain providers for third party reimbursement.

9:30 a.m. Subcommittee work session on **HB 451**, providing that health care providers shall determine the appropriate course of patient treatment.

10:00 a.m. **HB 713**, establishing a penalty for failure to file certain financial statements and quarterly reports, relative to the names of foreign limited partnerships, and replacing an annual notice requirement for limited liability partnerships with an annual fee.

11:00 a.m. **HB 772-FN-A**, establishing the position of industrial, commercial, and tourism agent for Coos county and making an appropriation therefor.

1:15 p.m. **HB 650**, relative to limited liability companies.

2:00 p.m. Continued public hearing on **HB 190**, relative to interstate banking and branching.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 455-FN-LOCAL**, relative to a preliminary breath test for alcohol concentration.

10:30 a.m. **HB 573-FN**, repealing administrative suspension of driver's licenses for driving while intoxicated.

11:00 a.m. **HB 724-FN**, allowing the office of reimbursements in the department of health and human services to set rates for the multiple DWI offender intervention detention center program.

11:30 a.m. ***HB 770-FN***, relative to blood testing in the instance of motor vehicle fatalities and other instances.

1:30 p.m. ***HB 514-FN***, relative to penalties for driving while intoxicated or under the influence of drugs for persons under 21 years of age.

2:00 p.m. ***HB 532-FN***, relative to the transportation of alcoholic beverages by a minor.

2:30 p.m. ***HB 777-FN***, prohibiting a fish and game officer who makes an arrest for a fish and game violation from also being the prosecuting officer.

2:45 p.m. ***HB 680-FN***, relative to criminal liability for harm caused by dangerous domestic animals or captive wildlife.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

10:30 a.m. ***HB 731-FN-A-LOCAL***, relative to the taxation of sand, gravel, loam, and other similar substances.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 600***, consolidating administrative support for the regulation of health professionals.

9:30 a.m. Subcommittee work session on ***HB 378***, regulating the practice of acupuncture.

10:30 a.m. ***HB 725-FN***, relative to the certification of dietitians.

1:15 p.m. ***HB 775-FN-A***, relative to the regulation of ophthalmic dispensing and making an appropriation therefor.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

10:00 a.m. ***HB 765-FN***, establishing an osteoporosis prevention, education, and treatment program.

11:00 a.m. ***HB 722-FN***, opting the state out of a provision of federal law relating to benefits for persons convicted of drug-related offenses.

1:00 p.m. ***HB 759-FN-A-LOCAL***, funding the developmental disabilities waitlist from the health care transition fund and making an appropriation therefor.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 515-FN***, establishing the New Hampshire commission on the status of fatherhood.

11:00 a.m. ***HB 523***, relative to the appointment of guardians ad litem.

1:30 p.m. ***HB 570-FN***, establishing a procedure for appointment of independent counsel in New Hampshire.

3:00 p.m. ***HB 616-FN***, relative to jury selection reforms.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:00 a.m. ***HB 615-FN***, allowing group accounts for certain employers under the unemployment compensation laws.

11:00 a.m. **HB 633**, requiring employers to offer a point-of-service option.

1:30 p.m. **HB 478**, requiring certain notices to be posted at certain job sites for purposes of workers' compensation.

2:30 p.m. **HB 794-FN-LOCAL**, requiring employers who require certain employees to be armed to provide body armor to the employees.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. **HB 778-A**, relative to erosion prevention on a certain portion of the Connecticut River and making an appropriation therefor.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

Capital Budget Hearings

11:00 a.m. Adjutant General.

1:15 p.m. Corrections

2:30 p.m. Port Authority

3:00 p.m. Supreme Court

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:00 a.m. Subcommittee work session on **HB 677-FN**, increasing the wetlands excavating and dredging permit fee for major and minor projects, **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 and **HB 350**, exempting permits by rule and permits by notification from certain excavating and dredging permit requirements.

TRANSPORTATION, Room 203, LOB

9:30 a.m. **HB 712**, relative to the purchase, preservation, and reactivation of abandoned railroad rights-of-way and limiting railroad liability for passenger rail service.

10:15 a.m. **HCR 11**, relative to the preservation and revitalization of New Hampshire's rail-based corridors of commerce.

10:45 a.m. **HB 662**, revising the laws relative to the use of dealer plates.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. **HB 706**, establishing a commission on animal damage control to review the fish and game laws relating to damage by game birds and game.

1:00 p.m. **HB 747-FN-A**, establishing a fund for the acquisition or care of land or easements for wildlife habitats, continually appropriating the fund, and requiring an additional fee for each hunting or fishing license to be credited to the fund.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WEDNESDAY, FEBRUARY 26

COMMERCE, Room 302, LOB

11:00 a.m. Subcommittee work session on **HB 650**, relative to limited liability companies.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

11:00 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.

ELECTION LAW, Room 308, LOB

9:30 a.m. ***HB 782***, exempting the lists of recipients of official absentee ballots from certain public inspection access requirements.

10:00 a.m. ***HB 328-LOCAL***, requiring certain proof of identification to register to vote on election day and relative to hour limitations on voting.

10:30 a.m. ***HB 484***, relative to registration of certain voters who vote by absentee ballot.

11:00 a.m. ***HB 546***, relative to the form of the presidential primary election ballots.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 725-FN***, relative to the certification of dietitians.

9:30 a.m. Subcommittee work session on ***HB 762-FN***, relative to the regulation of naturopathic medicine.

Executive session on pending legislation immediately following the House session.

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

9:00 a.m. ***HB 792-FN-LOCAL***, prohibiting trusts, annuities, and other legal devises from being used to shelter wealth for the purposes of medicaid eligibility.

10:00 a.m. ***HB 723-FN-A***, establishing a New Hampshire health access corporation, continually appropriating a special fund, and allowing the healthy kids corporation to cover adults.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JUDICIARY AND FAMILY LAW, Room 208, LOB

10:00 a.m. Subcommittee work session on ***HB 133***, establishing a family resource council to address the efficient delivery of services to children and families.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:30 a.m. Subcommittee work session on ***HB 769-FN***, relative to unemployment compensation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Capital Budget Hearings

9:30 a.m. Liquor Commission

10:15 a.m. Department of Transportation

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

9:30 a.m. ***HB 780-FN***, establishing a cattle trailer license plate for agricultural use.

10:00 a.m. ***HB 758-FN***, raising the speed limit on all New Hampshire interstate highways from 65 to 75 miles per hour and from 55 to 65 in other locations.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

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

THURSDAY, FEBRUARY 27

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 767-FN**, relative to violation of court orders regarding child custody.

10:30 a.m. **HB 559-FN**, relative to crimes against persons under 13 years of age.

11:00 a.m. **HB 764-FN-LOCAL**, relative to a person subject to a domestic violence petition applying to purchase a handgun.

11:30 a.m. **HB 558-FN**, relative to life imprisonment for persons who have committed 3 or more serious violent felonies.

1:30 p.m. **HB 565-FN**, relative to penalties for joy-riding and car theft across state lines.

2:00 p.m. **HB 583-FN-LOCAL**, relative to felonious disarming of a law enforcement officer.

2:30 p.m. **HB 752-FN**, relative to the commission of robbery or burglary while armed with a deadly weapon, culpability for capital murder, and the potential death sentence for first degree murder.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ELECTION LAW, Room 308, LOB

9:30 a.m. **HB 786-FN**, relative to election filing fees and primary petitions.

10:00 a.m. **HB 659**, modifying restrictions on televised political advertising.

10:30 a.m. **HB 634-LOCAL**, relative to removal from office of certain municipal officials by voters.

11:00 a.m. **HB 800**, redistricting the executive council districts.

1:30 p.m. **HB 766-FN**, forbidding the acceptance of anything of value by state officials, appointed officials, and legislative employees.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

2:30 p.m. Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. **HB 688-FN-A**, establishing a committee to study all investigations of the late John C. Fairbanks, authorizing staff for the committee, and making an appropriation therefor.

10:30 a.m. **HB 736-FN**, increasing jurors' fees.

1:30 p.m. **HB 609-FN-LOCAL**, enacting the Uniform Interstate Family Support Act

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Capital Budget hearings

9:30 a.m. Department of Resources and Economic Development

10:30 a.m. University System

1:15 p.m. Department of Safety

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

9:00 a.m. **HB 797**, requiring emergency vehicles to stop for school buses, and requiring the use of both audible and visual emergency signals, in certain circumstances.

10:30 a.m. **HB 760-FN**, relative to OHRVs and OHRV registration fees.

11:30 a.m. **HB 740-FN-LOCAL**, requiring the state to pay a witness fee and mileage payment for a local law enforcement officer called as a witness for a division of motor vehicles administrative hearing, to be funded by an increase in the motor vehicle uniform fine schedule.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 28

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. **HB 727-FN**, relative to rate-setting for certain services, placements, and programs for children by the department of health and human services.

10:45 a.m. **HB 734-FN**, requiring district courts to hold evening sessions.

1:15 p.m. **HB 290**, relative to electronic signatures.

2:15 p.m. **HB 369**, relative to the admission to practice and bar association membership for attorneys.

3:15 p.m. **HB 554**, relative to damages in suits brought by administrators of an estate.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MONDAY, MARCH 3

COMMERCE, Rooms 302-304, LOB

11:00 a.m. Subcommittee work session on **HB 370**, updating and making technical corrections in certain banking laws.

11:15 a.m. Subcommittee work session on **HB 327**, relative to pledges for loans, finance charge disclosure statements, and debt adjusters.

11:30 a.m. Subcommittee work session on **HB 453**, relative to the bank commissioner's regulation of sales finance companies and retail sellers. Commerce.

1:15 p.m. **HB 599-FN**, relative to youth access to tobacco products.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on **HB 775-FN-A**, relative to the regulation of ophthalmic dispensing and making an appropriation therefor.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB

9:00 a.m. Regular business.

9:30 a.m. Audits.

TUESDAY, MARCH 4

COMMERCE, Room 302, LOB

9:30 a.m. *HB 721*, prohibiting certain tobacco or alcohol advertising within drug-free school zones.

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 may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. *HB 467-FN*, relative to felonious activities relating to wireless telephone cloning.

11:00 a.m. *HB 672-FN*, relative to lowering the allowable alcohol concentration for persons under 21 operating OHRVs.

11:30 a.m. *HB 517-FN*, relative to aggravated felonious sexual assault.

1:30 p.m. *HB 795-FN*, enhancing the penalties for DWI and driving after revocation and suspension and eliminating certain driver intervention programs.

2:00 p.m. *HB 692*, relative to the use of certain court, case, and police records of delinquent children in sentencing for conviction of certain crimes as adults.

2:30 p.m. *HB 694*, allowing law enforcement officers to make a video recording of certain communications without notification.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

11:00 a.m. Executive session on pending legislation.

NEW HAMPSHIRE COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN FOLKLIFE (SJR 20, Chapter 204, Laws of 1996), Room 207, LOB

6:00 p.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Capital Budget Hearings

9:00 a.m. Environmental Services

10:00 a.m. Administrative Services

11:15 a.m. Fish and Game

1:15 p.m. Youth Development Center

2:30 p.m. Health and Human Services

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

10:00 a.m. Rescheduled public hearing on ***HB 671-A***, establishing a committee to study the organization, structure, and administration of the department of fish and game, and making an appropriation therefor.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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.

ELECTION LAW, Room 308, LOB

9:30 a.m. ***HB 430***, relative to registration of political committees.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:00 a.m. Executive session on pending legislation, if needed

THURSDAY, MARCH 6

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 798***, relative to the bonding requirement for health clubs.

11:00 a.m. ***HB 799***, regulating the sale of insurance by financial institutions.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 749-FN***, requiring group I retirement system members to be incapacitated for any gainful employment before receiving accidental disability retirement benefits.

11:15 p.m. ***HB 745-FN***, relative to the compensation of the members of the workers' compensation appeals board.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

PEASE DEVELOPMENT AUTHORITY BOARD OF DIRECTORS (RSA 12-G:4), Authority Offices Conference Room, 360 Corporate Drive, Pease International Tradeport

8:30 a.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Capital Budget Hearings

9:30 a.m. Veterans Home

10:30 a.m. Technical Community College System

(Postsecondary Education)

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, MARCH 7

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

1:00 p.m. Executive session on pending legislation, if needed.

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

9:00 a.m. Rescheduled regular meeting.

MONDAY, MARCH 10

PERINATAL CHEMICAL DEPENDENCY (RSA 132:19), Room 101, LOB

9:00 a.m. Regular meeting.

THURSDAY, MARCH 13

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

3:00 P.M. Regular meeting

THURSDAY, MARCH 20

NUCLEAR DECOMMISSIONING FINANCE COMMITTEE (RSA 162-F:15), Seabrook Town Hall, 99 Lafayette Road, Seabrook

7:00 p.m. Regular meeting.

FRIDAY, MARCH 21

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

9:00 a.m. Regular meeting.

FRIDAY, MARCH 28

BOARD OF CLAIMS (RSA 541-B:3), Room 202, LOB

9:30 a.m. Rescheduled regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

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

Rep. Stephen G. Avery, Chairman

Cheshire County Delegation

COUNTY DELEGATION NOTICE

The Executive Committee of the Hillsborough County Delegation will meet Friday, February 28 at 9:00 a.m. at the Hillsborough County Nursing Home in Goffstown.

Rep. Frances L. Riley, Chairman

Hillsborough County Executive Committee

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet Friday, February 21 at 9:00 a.m. in Room 206, LOB and on Monday, February 24 at 9:00 a.m. in Room 206, LOB if business not completed on the 21st.

Rep. Robert A. Lockwood, Chairman

Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

The Sullivan County Executive Committee will meet at 9:00 a.m. Monday, February 24 in the County Commissioners' Conference Room, Newport to discuss the 1998 budget review schedule and other business as required.

Rep. Gordon Flint, Chairman

Sullivan County Executive Committee

COUNTY DELEGATION NOTICE

The Sullivan County Delegation will meet on Monday, February 24 at 10:00 a.m. in the County Commissioners' Conference Room, Newport to discuss previously postponed agenda items.

Rep. Merle W. Schotanus, Chairman

Sullivan County Delegation

UPDATE ON THE LATE DELIVERY OF HOUSE CALENDARS:

The problem persists but we are still working with the US Postal representative in Bedford to determine the problem and improve delivery time. Last Friday, at the Postal representative's suggestion, we stamped all of the envelopes *FIRST CLASS* and bundled together all of the same zip codes with a marker for *DIRECT DELIVERY*. Unfortunately, there were several House members who nonetheless received the Calendar on Tuesday or later. The problem now is far greater than it has ever been and there is no geographic pattern that will help pinpoint the problem. For the time being, please continue to help us track the problem by saving your envelope when it does arrive.; write on it the date of receipt; continue to bring the envelope to the Clerk's Office. We will continue to work at solving the problem. 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 186, 225, 340; 378, 557, 559, 560, 562, 564, 567; 569, 570; 573, 578; 587, 588, 589; 595; 596, 598, 602; 603; 604, 605; 607; 610; 615; 617; 618; 619; 625; 626, 627; 637, 638; 643; 644, 645; 649; 661; 663, 686; 702, 716; 719; 720, 723, 726, 729, 733, 734, 739, 740, 741, 742, 743, 747, 748, 749, 750, 751, 760, 761, 763. 764, 765, 766, 767, 768, 769, 771, 773, 774, 780, 781, 783, 784, 785, 786, 788, 791, 792, 795 and 796.

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

Francis C. Vincent, 14 Central Street, Somersworth, New Hampshire 03878-2402

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 and will be limited to legislative policy or social activities and political meetings or events. 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 5th Annual Legislative Ski Day, sponsored by Ski Day, is scheduled for Monday, February 24 at Pat's Peak in Henniker. The day's activities will begin at 9:00 a.m. for skiers, snow boarders and "pedestrians." All legislators, staff and families are invited. To RSVP call Bruce Berke at 228-2370.

Rep. Robert L. Wheeler, Majority Leader

The first meeting of the Legislative Tourism Caucus will be held on Wednesday, February 19 from 3:00 to 5:00 p.m. (or immediately following the session) at the Holiday Inn Capital Room, Concord. The Tourism Caucus will discuss Governor Shaheen's budget request for travel and tourism promotion. Complimentary refreshments will be offered courtesy of the New Hampshire Lodging and Restaurant Association.

Reps Paula E. Bradley and Stephen G. Avery

How's the health of your bones? The National Osteoporosis Foundation and the Health, Human Services and Elderly Affairs Committee invites legislators to learn about the staggering incidence of osteoporosis in our society. Come to the Hall of Flags on February 19 from 11:00 to 2:00 p.m. to talk about legislation to establish an osteoporosis prevention program, see exhibits and enjoy great healthy foods.

Rep. Barbara C. French

Legislators who are interested in HR 17, relative to certain historical theaters in New Hampshire, please meet February 19 immediately following Session in Section 1.

Rep. Peter F. Leonard

In anticipation of the House debate on HB 200, proponents will be showing a four minute videotape illustrative of trapping practices in Room 100, State House from 12:00 to 1:00 p.m. on Wednesday, February 19.

Rep. Steve Vaillancourt

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

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.

All legislators and staff are invited to a reception by the NH/VT Direct Marketing Association on Wednesday, March 12 at the Holiday Inn from 3:00 to 7:00 p.m. (or immediately following the House Session). Hors d'oeuvres and refreshments will be served.

Rep. Lawrence A. Emerton, Sr.

The 5th Annual Breakfast sponsored by the NH School Food Service Association will be held March 13th from 8:00 to 10:00 a.m. in the State House Cafeteria. All legislators are invited to attend.

Rep. Ken W. Malcolm

The Department of Transportation will hold the following meetings:

Feb 19 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 18 Seabrook Elementary School Gymnasium, 257 Walton Road, Seabrook, 7:00 p.m. Public hearing , Seabrook, US Route 1.

Mar 25 Kennett High School Gymnasium, 176 Main Street, Conway, 7:00 p.m. Public hearing, Conway, NH Route 16 and West Side 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 19

AMENDMENTS

(Listed in numerical order)

1997-0198h

Amendment to HB 120-FN

Proposed by the Committee on Wildlife and Marine Resources

Amend the bill by replacing section 3 with the following:

3 Reference to Helper's Requirements Removed. Amend RSA 211:20 to read as follows:

211:20 Helper's License. Any person licensed under the provisions of RSA 211:18 may get a helper's license which entitles him to have the help of a person in the taking of lobsters or crabs [~~if the helper meets the requirements set forth by RSA 211:23~~]. The helper's license may be transferred to any one helper employed by the licensee, but may not be transferred to a person who previously had a lobster license which [~~was suspended~~] **is under suspension**. A helper may assist, set, or haul pots or traps or any other device used in the taking of lobsters and crabs only in the presence of and aboard the boat of a person licensed under the provisions of RSA 211:18, and who holds a valid helper's license. The fee for a helper's license is \$10.

Amend the bill by replacing section 6 with the following:

6 References Added; Nonresident Commercial Salt Water License Fee Changed; Helper's License Requirement Removed. Amend RSA 211:49-a, I and II to read as follows:

I. Any person who does not qualify as a resident under RSA 207:1, who takes, possesses, lands, or transports by any method, from or on the waters of this state, regardless of where the catch was taken, any marine species by any method for the purpose of selling the same, shall first procure a valid license from the executive director to do so. A nonresident shall not take [~~lobsters~~] **clam worms, lobster, or crabs, excluding green crabs** from the waters **and from the area** under the jurisdiction of this state. A nonresident shall not take sea urchins **or scallops** unless the state in which such person is a resident provides a reciprocal licensing privilege for residents of this state.

II. The fee for an annual license shall be [~~equivalent to the price of a nonresident license fee in the state from which the operator of the vessel claims residence, but such fee shall be not less than \$200~~] **\$300**. The license shall be for the operator of the boat, vessel, flotation device, or gear, and helpers [~~up to 3 in number~~]; provided, however, that helpers shall not be allowed for the taking of sea urchins **or scallops** by diving. [~~An additional annual helper's license shall be possessed for each helper in excess of 3 at a fee of \$10 per license. Said helper's license or licenses may be transferred to any helper employed by the operator.~~]

Amend the bill by replacing all after section 22 with the following:

23 Minors Hunting; Reference to Nonresident Minors Added. Amend RSA 207:2-a to read as follows:

207:2-a Minors Hunting

I. No person shall knowingly permit any minor, **including a nonresident minor**, less than 16 years of age to hunt using a firearm, bow and arrow, or crossbow and bolt, except when accompanied by a person at least 18 years of age who is properly licensed for said activity. In accordance with RSA 626:8, II(b), such person shall be held criminally liable and fully accountable for any damage incurred or for any violations which may be committed by the minor under the age of 16 while hunting using a firearm, bow and arrow, or crossbow and bolt.

II. No minor, **including a nonresident minor**, under the age of 16 shall hunt using a firearm, bow and arrow, or crossbow and bolt, except when accompanied by a person at least 18 years of age who is properly licensed for said activity.

24 Nonresident Hunting License; Nonresident Minors Added. Amend RSA 214:9, VI to read as follows:

VI. If the applicant is a nonresident, **including a nonresident minor**, and wishes to hunt, \$69.50, and the agent shall thereupon issue a nonresident hunting license which shall entitle the licensee to hunt, shoot, kill and take, except by the use of traps, and to transport wild birds and wild animals under the restrictions of this title.

25 Repeal. The following are repealed:

- I. RSA 211:18-b, relative to green crabs.
- II. RSA 211:39-a, relative to wholesale dealer's license of lobsters and crabs.
- III. RSA 214:9, II-a, relative to resident warmwater fishing licenses.
- IV. RSA 214:9, VII, relative to nonresident minor's hunting license.
- V. RSA 214:9, VIII(d), relative to nonresident minor's fishing license.
- VI. RSA 214:9, VIII-a, relative to nonresident warmwater fishing licenses.
- VII. RSA 214:9, XIII(b), relative to group fishing license restrictions.
- VIII. RSA 214:9, XIV, relative to coyote hunting at night licenses.
- IX. RSA 214:30, relative to rights of special licensees.
- X. RSA 214:31, relative to applications for special licenses.

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

AMENDED ANALYSIS

This bill:

- I. Changes references to green crabs, clam worms, lobster and crab licenses, and helper's licenses.
- II. Adds new provisions clarifying scientific permits and taxidermy permits.
- III. Amends license fees for various retail and wholesale dealers, family fishing licenses, summer camp or educational facility fishing licenses, fur buyers, scientific permits, various commercial and recreational marine licenses, and the super sporting license.
- IV. Adds a minimum age to purchase a license for nonresident fishing.
- V. Changes the fee for a nonresident, commercial salt water license.
- VI. Makes a variety of housekeeping and technical changes to the fish and game laws.
- VII. Repeals the coyote night hunting license, clam worm license, green crab license, wholesale dealer license for lobster and crab, nonresident and resident warmwater fishing license, nonresident minor's hunting license, group fishing license, and special licenses.

This bill is a request of the fish and game department.

1997-0143h

Amendment to HB 140

Proposed by the Committee on Environment and Agriculture

Amend RSA 434:26 as inserted by section 1 of the bill by replacing it with the following:

434:26 Controlled Atmosphere. No person shall sell or exchange or offer or expose for sale or exchange or transport for sale any apples represented as having been exposed to "controlled atmosphere", "modified atmosphere", alone or with other words, or shall so use any such term or form of words or symbols of similar import on any container or lot of apples advertised, sold, offered for sale or transported for sale within this state unless such apples have been kept in a room or storage building with not more than 5 percent oxygen for a minimum of ~~90~~ **60** days. A record on a form approved by the commissioner shall be kept at a convenient location adjacent to ~~said~~ **the** room or storage building from the day of sealing to the day of opening of ~~said~~ **the** room or storage building, and shall be subject to review by the commissioner or ~~his~~ **the commissioner's** authorized agents at any time for a period of at least one year.

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect upon its passage.

1997-0162h

Amendment to HB 149-FN

Proposed by the Committee on Executive Departments and Administration

Amend RSA 328-A:9, I as inserted by section 4 of the bill by replacing it with the following:

I. The board shall undertake disciplinary proceedings upon its own initiative or upon written complaint of any person who alleges that a person licensed by the board has committed any of the following:

(a) Knowingly provided false information during any application for professional licensure or institutional practice privileges, whether by making any affirmative statement which was false at the time it was made or by failing to disclose any fact material to the application.

(b) Engaged in dishonest or unprofessional conduct or has been grossly or repeatedly negligent in practicing physical therapy or in performing activities ancillary to the practice of physical therapy or any particular aspect or specialty of physical therapy or harmed a patient as a result of performing those activities.

(c) Displayed a pattern of behavior which is incompatible with the basic knowledge and competence expected of persons licensed to practice physical therapy or any particular aspect or specialty of physical therapy.

(d) Employed or allowed an unlicensed person to practice physical therapy in the licensee's place of practice.

(e) Included in advertising any statement tending to deceive or mislead the public.

(f) Has been convicted of any criminal act under the laws of the United States or any state.

Amend RSA 328-A:9-a, IV(a) as inserted by section 5 of the bill to by replacing it with the following:

IV.(a) The board may administer oaths or affirmations, preserve testimony, and issue subpoenas for witnesses and for documents and things only in a formal investigation or an adjudicatory hearing, except that subpoenas for medical records, as provided in paragraph VI, may be issued at any time.

Amend RSA 328-A:9-a, V-IX as inserted by section 5 of the bill by replacing them with the following:

V. Prior to the issuance of any subpoena by the board, the department of justice shall review it and have the oversight and responsibility to ensure that such subpoena is properly served. The board shall reimburse the department of justice for any extraordinary costs incurred in connection with the review of subpoenas.

VI. The board may at any time subpoena medical records from its licensees and from hospitals and other health care providers licensed or certified in this state. Such subpoenas shall be served by certified mail or by personal delivery to the address shown on the respondent's current license or certificate, and shall require no witness or other fee. At least 15 calendar days' notice shall be allowed for complying with a subpoena duces tecum issued under this paragraph.

VII. All licensees shall notify the board of their current business and residence addresses. A licensee shall receive adequate notice of any hearing or other action taken under this chapter if notice is mailed in a timely fashion to the most recent home or business address furnished to the board by the licensee.

VIII. The board may at any time require a licensee or license applicant to provide a detailed, good faith written response to allegations of possible professional misconduct being investigated by the board. The board may also require the licensee or applicant, or the facility or institution in which the licensee or applicant practices physical therapy, to provide the board with complete copies of records concerning any patient whose treatment may be material to allegations of possible professional misconduct being investigated by the board. Licensees and applicants shall respond to either type of request within 15 calendar days from the date of the request, or within such greater time period as the board may specify.

IX. Any person may file a written complaint with the board which charges that a licensee or license applicant has engaged in professional misconduct or should not be licensed. Such complaints shall be treated as petitions for the commencement of disciplinary proceedings, shall be

investigated by the board, and shall be exempt from the time limitations of RSA 541-A:29. Some or all of the allegations in a complaint may be consolidated with another complaint or with issues which the board wishes to investigate or hear on its own motion. If an investigation of a complaint results in an offer of settlement by the licensee, the board may settle the allegations against the licensee without the consent of a complainant provided that material facts are not in dispute and the complainant is given an opportunity to comment on the terms of the proposed settlement.

Amend RSA 328-A:9-c as inserted by section 5 of the bill by replacing it with the following:

328-A:9-c Temporary Suspension; Imminent Threat. In cases involving imminent danger to life or health, the board may order suspension of a license pending hearing for a period of no more than 120 days. In such cases, the basis for the board's finding of imminent danger to life or health shall be in writing and combined with a hearing notice which complies with RSA 328-A:9-b. A licensee may be allowed additional time to prepare for a hearing, but any additional time for preparation shall result in an extension of license suspension equal to the additional time extended.

Amend RSA 328-A:14, IV as inserted by section 6 of the bill by replacing it with the following:

IV. Establishing standards and procedures for the approval of education programs and establishing continuing education requirements.

Amend RSA 328-A:14, IX as inserted by section 6 of the bill by replacing it with the following:

IX. How an applicant shall be examined.

Amend RSA 328-A:14, XII as inserted by section 6 of the bill by replacing it with the following:

XII. Publishing a schedule of administrative fines under RSA 328-A:9, II(f).

1997-0169h

Amendment to HB 157

Proposed by the Committee on Commerce

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

AN ACT requiring persons marketing small consumer loans by offering inducement checks to print a disclosure on the inducement checks.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Inducement Checks Disclosure. Amend RSA 399-A:3 by inserting after paragraph VIII the following new paragraph:

IX. No licensee shall induce any potential borrower to enter into a closed-end loan agreement without including the following information clearly printed on the endorsement side of the check:

(a) A statement which reads, "By endorsing this check, you become legally liable for repaying all moneys, including interest, as specified in the following loan agreement/disclosure statement;"

(b) The amount financed;

(c) The annual percentage rate;

(d) The number of installments; and

(e) The amount of each installment payment.

AMENDED ANALYSIS

This bill requires persons marketing small consumer loans by offering inducement checks to print on each check a disclosure regarding the loan which will result from endorsing the check.

1997-0173h

Amendment to HB 158

Proposed by the Committee on Executive Departments and Administration

Amend subparagraph I(b) of section 2 of the bill by replacing it with the following:

- (b) The committee shall solicit input from the following:
- (1) The commissioner of safety, or designee.
 - (2) The commissioner of environmental services, or designee.
 - (3) The commissioner of resources and economic development, or designee.
 - (4) The commissioner of the department of employment security, or designee.
 - (5) The commissioner of the department of health and human services, or designee.
 - (6) A member of the governor's staff, appointed by the governor.

Amend the bill by replacing section 6 with the following:

6 Effective Date. This act shall take effect 30 days after its passage.

1997-0276h

Floor Amendment to HB 178-LOCAL

Proposed by Rep. Mary Brown

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

AN ACT establishing a committee to examine the implementation of a statewide property tax cap.

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

- 1 Committee Established. There is established a committee to study the implementation of a statewide property tax cap.
- 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
 - (a) Three members of the house of representatives appointed by the speaker of the house.
 - (b) Three members of the senate appointed by the senate president.
 - 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 study all aspects of the implementation of a statewide property tax cap, including but not limited to the following issues:
 - I. Adverse effects of rising property tax rates on the state's economy.
 - II. Local control.
 - III. Enabling or binding legislation.
 - IV. Over-ride clauses.
 - V. Reductions in budgets when local entity exceeds cap.

VI. How to determine "fair value."

VII. The potential ramifications and impact of such a cap on both local and state government revenues.

VIII. How other states have implemented such caps and the consequences.

4 Chairperson; Quorum. The members of the committee shall elect a chairperson from among the members. The first-named house member shall call the first meeting. The first meeting shall be held within 45 days after the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 1997.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to examine the implementation of a statewide property tax cap.

1997-0043h

Amendment to HB 189

Proposed by the Committee on Judiciary and Family Law

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

AN ACT excluding rooms and rental units leased or subleased from charitable organizations under a transitional housing program from the definition of "tenancy" for the purposes of landlord/ tenant laws.

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

1 New Subparagraph; Transitional Housing Rooms and Rental Units. Amend RSA 540:1-a, IV by inserting after subparagraph (d) the following new subparagraph:

(e) Rooms and rental units leased or subleased from charitable organizations pursuant to a transitional housing program where the occupant as part of the program has agreed to terms impacting a change in lifestyle such as, but not limited to, abstinence from drugs or alcohol, attendance at counseling, school, parenting classes or similar programs, gainful employment, or therapy.

2 Definition; Tenant. Amend RSA 540-A:1, II to read as follows:

II. "Tenant" means a person to whom a landlord rents or leases residential premises, including manufactured housing or a space in a manufactured housing park, *but shall not include occupants of places set forth in RSA 540:1-a, IV.*

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

AMENDED ANALYSIS

This bill excludes rooms and rental units leased or subleased from charitable organizations under a transitional housing program from the definition of "tenancy" for the purposes of the landlord/tenant laws.

1997-0186h

Amendment to HB 197-FN

Proposed by the Committee on Executive Departments and Administration

Amend RSA 310-A:75 as inserted by section 1 of the bill by replacing it with the following:

310-A:75 Purpose. The general court finds it in the best interests of the citizens of the state of New Hampshire to establish the board of natural

scientists *to certify* and *regulate* the ~~[profession]~~ *professions* of soil scientists *and wetland scientists*. This certification is to guard the citizens of New Hampshire and the ~~[profession]~~ *professions* from unqualified practitioners of soil science and *wetland science* and to foster intelligent application of the knowledge of soil properties *and wetland characteristics* in planning and implementing land use decisions *consistent with New Hampshire department of environmental services rules or standards adopted by the board*.

Amend the bill by replacing section 3 with the following:

3 Reference; Definition Modified. Amend RSA 310-A:76, II to read as follows:

II. "Certified soil scientist" means a person who, by reason of special knowledge of pedological principles acquired by professional education and practical experience, as specified by RSA 310-A:84, *I and II*, is qualified to ~~[practice soil science;]~~ *identify, classify, and prepare soil maps according to the standards of the National Cooperative Soil Survey, or standards adopted by the New Hampshire department of environmental services, or standards adopted by the board*, and who has been duly certified by the board.

Amend RSA 310-A:76, II-a as inserted by section 4 of the bill by replacing it with the following:

II-a. "Certified wetland scientist" means a person who, by reason of their special knowledge of hydric soils, hydrophytic vegetation, and wetland hydrology acquired by course work and experience, as specified by RSA 310A :84, II-a and II-b, is qualified to delineate wetland boundaries *and prepare wetland maps* in accordance with standards for identification of wetlands adopted by the ~~[commissioner]~~ *New Hampshire department of environmental services or the United States Army Corps of Engineers or its successor*, and who has been duly certified by the board.

Amend RSA 310-A:79, IV as inserted by section 8 of the bill by replacing it with the following:

IV. The determination of a hydric soil boundary or test pit evaluation to the extent permitted pursuant to RSA 485-A:35 for the purposes of septic system design or subdivision application pursuant to RSA 485-A or rules adopted under RSA 485-A. *For this work, a municipality shall not require qualifications different from those established pursuant to RSA 485-A:35.*

Amend the bill by replacing all after section 11 with the following:

12 Board Quorum Modified. Amend RSA 310-A:81, V to read as follows:

V. The board shall hold at least 3 regular meetings each year and special meetings at such times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-chairperson, and secretary. ~~[Three members shall constitute a quorum.]~~ *A quorum of the board shall consist of at least 4 members.*

13 Board's Responsibilities Regarding Roster Modified. Amend RSA 310-A:81, VII to read as follows:

VII. The secretary of the board shall ~~[publish]~~ *provide, upon request*, a roster listing the names and places of business of all soil scientists *and wetland scientists* certified under this subdivision by the board ~~[during February of each even-numbered year]~~. Copies of this roster shall be ~~[mailed to each person so certified;]~~ placed on file with the secretary of state~~;~~ and furnished to the public upon request at a fee to be established by the board. The board may include in such roster any other information it deems appropriate.

14 Rulemaking Authority for Qualifications Modified. Amend RSA 310-A:82, II to read as follows:

II. The qualifications of applicants ~~[in addition to those requirements]~~ under RSA 310-A:84, ~~[including]~~ *and* satisfactory evidence of good professional character.

15 Eligibility for Certification as Soil Scientist Modified. Amend the introductory paragraph of RSA 310-A:84, I to read as follows:

I. To be eligible for certification as a soil scientist, a person shall be of high ethical professional standards, have successfully passed an examination designed to determine the person's proficiency and qualifications, *including references to soil characteristics in the New England region*, to be engaged in the practice of soil science, and shall have one of the following qualifications:

16 Soil Scientist Qualifications for Certification Modified. Amend RSA 310-A:84, I(c) to read as follows:

(c) Be a graduate of an accredited college curriculum leading to a baccalaureate or associate degree, *or have earned the equivalent number of credits*, and have a specific record of an additional 6 or more years in the practice of soil science.

17 New Paragraphs; Qualification for Certification Added. Amend RSA 310-A:84 by inserting after paragraph II the following new paragraphs:

II-a. To be eligible for certification as a wetland scientist, a person shall meet the ethical standards as established in this chapter, have successfully passed an examination designed to determine proficiency and qualifications, *including references to wetland characteristics in the New England region*, to be engaged in the practice of wetland science, shall have *satisfactorily completed* a minimum of one year full-time experience in the practice of wetland science, and shall have a minimum of 24 combined *credit or non-credit* semester hours from any of the following environmental sciences: botany, soil science, hydrology, wetland science, biology, forestry, wildlife, ecology, water resources, plant science, agronomy, geology, or earth science.

II-b. Experience in the practice of wetland science shall be actual field experience gained in an acceptable apprenticeship program.

18 Apprenticeship Eligibility Modified. Amend RSA 310-A:85 to read as follows:

310-A:85 Apprentice.

I. To be eligible for recognition as an apprentice soil scientist, a person shall have the following qualifications:

[I.] *(a)* Be of responsible character;

[II.] *(b)* Have completed the formal education under RSA 310-A:84, I; and

[III.] *(c)* Be in training to become a certified soil scientist and be engaged in the practice of soil science under the direct supervision of a certified soil scientist who is performing soil science work.

II. To be eligible for recognition as an apprentice wetland scientist, a person shall have the following qualifications:

(a) Be of responsible character;

(b) Have completed the formal education under RSA 310-A:84, IIa; and

(c) Be in training to become a certified wetland scientist and be engaged in the practice of wetland science under the direct supervision of a certified wetland scientist who is performing wetland science work.

19 Paragraph Order Modified; Specifications for Applications to be Approved Added. RSA 310-A:86, II-III are repealed and reenacted to read as follows:

II. Any person who has successfully passed the examination or has otherwise qualified as a certified soil scientist, apprentice soil scientist, certified wetland scientist, or apprentice wetland scientist, shall, upon payment of a fee, be issued a certificate attesting that the applicant is a certified soil scientist, apprentice soil scientist, certified wetland scientist, or apprentice wetland scientist.

III. Applications that meet the requirements of RSA 310-A:84 shall be approved.

20 Certificates Modified. Amend RSA 310-A:87 to read as follows:

310-A:87 Certificates. Certificates shall show the full name of the certified soil scientist ~~or~~, apprentice soil scientist, *certified wetland scientist, or apprentice wetland scientist*, have a serial number, and be signed by the chairperson and the secretary of the board under seal of the board. Each certified soil scientist *or certified wetland scientist* shall obtain a seal of the design authorized by the board bearing the name of the certified ~~soil scientist~~ *individual*, the legend "Certified Soil Scientist" *or "Certified Wetland Scientist, as appropriate*, and a place for the certified ~~soil scientist's~~ *individual's* signature. Plans and reports prepared by a certified ~~soil scientist~~ *individual* shall be stamped with the seal and signed by the certified ~~soil scientist~~ *individual* during the life of the certificate.

21 Provision for Renewal of Certificate Modified. Amend RSA 310-A:89 to read as follows:

310-A:89 Certificate Renewal. Certificates may be renewed by written application prior to the expiration date and by payment of the prescribed renewal fee. The secretary shall notify each certified ~~soil scientist~~ or apprentice ~~soil scientist~~ *individual* one month prior to expiration of such certificate.

22 Board's Rulemaking Authority Modified. Amend RSA 310-A:92, I(d)-(e) to read as follows:

(d) Biennial renewal for **individuals** certified ~~[soil scientist]~~ *under this subdivision*.

(e) Application for certification as an apprentice soil scientist *or apprentice wetland scientist*.

23 Misconduct Sufficient to **Support** Disciplinary Proceedings Modified. Amend RSA 310A:93, II(c)-(d) to read as follows:

(c) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of soil science **or wetland science**.

(d) Unfitness or incompetency by reason of [~~negligent habits or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the professional expertise of the certified soil scientist~~] **negligence or willful misconduct by a certified soil scientist or certified wetland scientist in the performance of professional duties**.

24 Scope of Penalty Application Expanded. Amend RSA 310-A:95 to read as follows:

310-A:95 Violations; Penalties. Any person who practices or offers to practice soil science **or wetland science** in this state for others without a certificate in accordance with this subdivision, or any person presenting or attempting to use the certificate or seal of another, or any person who gives any false or forged evidence of any kind to the board or to any board member in obtaining or attempting to obtain a certificate, or any person who falsely impersonates any other certified soil scientist **or certified wetland scientist**, or any person who attempts to use an expired or nonexistent or revoked certificate or authorization, or any person who violates any of the provisions of this subdivision, shall be guilty of a class B misdemeanor if a natural person, or guilty of a felony if [~~a business organization~~] **any other person**.

25 Terminology Modified. Amend RSA 310-A:96 to read as follows:

310-A:96 Restraint of Violations. The superior court shall have jurisdiction in equity to restrain violations of RSA 310-A:95 on proceedings brought by the attorney general, the board, or any society of [~~licensed~~] **certified** soil scientists **or certified wetland scientists** duly incorporated under the laws of this state.

26 Active Wetland Scientists. Any person who, on the effective date of this section, is actively engaged in the practice of wetland science, as described in RSA 310-A:76, may apply, for one year after the board's adoption of rules relative to wetland scientists, to the board for certification without examination. The board shall approve such application, provided the applicant meets the requirements under RSA 310-A:84, II-a. Workshops in any of the referenced environmental sciences will be counted towards the combined semester hours. Twelve and one-half hours of study in a workshop, credit, or non-credit course relates to one semester hour. The board may waive 6 combined credit or non-credit semester hours for each one year of experience. A total of 18 combined credit or non-credit semester hours may be exchanged for a total of 3 years' experience.

27 Transition Period of the Board. The first 2 soil scientists to complete their current terms shall be replaced by the wetland scientist members of the board. The 2 additional public members shall be appointed no later than 60 days after the effective date of this act.

28 Repeal. The following are repealed:

- I. RSA 310-A:93, II(f), relative to mental or physical incompetency to practice soil science constituting misconduct.
- II. RSA 310-A:91, relative to waiver of examination requirements for certain soil scientists.

29 Effective Date. This act shall take effect July 1, 1997.

to be engaged in the practice of soil science, and shall have one of the following qualifications:

1997-0178h

Amendment to HB 208-LOCAL

Proposed by the Committee on Public Works and Highways

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

AN ACT relative to the status of roads laid out by the courts of common pleas or the county commissioners.

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

1 New Section; Roads Laid Out by Court of Common Pleas or County Commissioners. Amend RSA 229 by inserting after section 5 the following new section:

229:6 Roads Laid Out by Courts of Common Pleas or County Commissioners. All roads laid out by the courts of common pleas or the county commissioners, which have not been maintained by them for at least 20 years, are town-owned rights-of-way and are legally subject to the actions

of the town's legislative body.

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

AMENDED ANALYSIS

This bill establishes that all roads laid out by the courts of common pleas or the county commissioners which have not been maintained by them for at least 20 years, are town-owned rights-of-way and are legally subject to the actions of the towns legislative body.

1997-0125h

Amendment to HB 228

Proposed by the Committee on Local and Regulated Revenues

Amend RSA 175:1, XXII as inserted by section 1 of the bill by replacing it with the following:

XXII. "Club-veterans" means a facility operated under the authority of a group of individuals , incorporated under the laws of this state, and which may be affiliated with any national organization, whose members comprise persons who served [~~for not less than 90 days~~] in the armed forces of the United States during any war in which the United States was engaged, and received an honorable discharge from such service. The premises occupied by the club, whether owned or leased, shall not have been operated for pecuniary gain. The club shall be for the use of members and their guests and the property and fixtures of the club shall belong to the members. The members shall have the right to vote in club affairs and run for office.

1997-0261h

Amendment to HB 254

Proposed by the Committee on Science, Technology and Energy

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

1 New Subdivision; Shared Tenant Services; Commission Jurisdiction. Amend RSA 374 by inserting after section 22-g the following new subdivision:

Shared Tenant Services

374:22-h Definitions. In this subdivision:

I. "Number retention" means the ability of a telephone service customer to retain that customer's direct inward dialing telephone number at the same location, or a different location served by the central office that provides private branch exchange service to the shared tenant services provider, when switching service providers.

II. "Private branch exchange" means a telephone switch that can switch voice and data communications among the users of such switch, to the local telephone utility's central office or directly to inter-exchange carriers.

III. "Shared tenant services" means voice and data communications services under which tenants at a single building, business park, office park, or mall are provided with such services through a private branch exchange.

374:22-i Shared Tenant Services Authorized; Limited Regulation.

I. The public utilities commission shall authorize the provision of shared tenant services by providers meeting the minimum requirements established by the commission to operate shared tenant services networks.

II. Providers of shared tenant services shall be subject to the following limited regulation by the commission:

(a) Providers of shared tenant services shall disclose to tenants and prospective tenants all pricing information relative to their services in the manner prescribed by the commission.

(b) Providers of shared tenant services shall disclose to tenants and prospective tenants that they can at their option obtain basic exchange and other

service from an authorized local telephone utility rather than from the shared tenant services provider.

(c) Without penalty and in accordance with the rules of the commission, telephone number retention and access to telecommunications services shall be permitted by providers of shared tenant service and authorized local telephone utilities into and out of shared tenant services properties.

(d) The commission shall have jurisdiction to hear matters pertaining to the unauthorized provision of shared tenant services, violations of commission rules relating to shared tenant services, and customer complaints against shared tenant service providers.

374:22-j Rulemaking. The public utilities commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. Minimum requirements for shared tenant services, including disclosure of available options and terms and prices of shared tenant services.

II. Customer access to services of authorized local telephone utilities.

III. Telephone number retention and recovery of costs, if any, associated with number retention.

IV. The charges a local telephone utility establishes for a shared tenant services provider to purchase services for use by the provider's tenants.

V. Procedures for complaints to the commission regarding shared tenant services.

374:22-k Penalty. Any person who violates the provisions of this subdivision shall be subject to a civil penalty not to exceed \$1,000 per day of such violation.

2 New Section; Exemption from Public Utility Regulation. Amend RSA 362 by inserting after section 362:3-a the following new section:

362:3-b Shared Tenant Services. Authorized providers of shared tenant services as defined in RSA 374:22-h shall not be deemed to be telecommunications carriers within the meaning of the Communications Act of 1934 or public utilities within the meaning of this title.

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

1997-0153h

Amendment to HB 262-FN-A-LOCAL

Proposed by the Committee on Education

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

AN ACT establishing a National Information Infrastructure oversight committee.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall oversee the department of education which shall develop and implement a secondary school National Information Infrastructure technology plan using qualified staff from the department of education. The committee shall also determine the means of funding such plan.

Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.

AMENDED ANALYSIS

This bill establishes a National Information Infrastructure oversight committee to oversee the department of education in developing and implementing a secondary National Information Infrastructure school technology plan.

1997-0160h

Amendment to HB 277

Proposed by the Committee on Election Law

Amend the bill by replacing section 1 with the following:

1 Processing Absentee Ballots. Amend RSA 659:49 to read as follows:

659:49 Processing Absentee Ballots.

- I. Processing of previously received absentee ballots shall begin at ~~[2:00 p.m.]~~ **1:00 p.m.** The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time during the processing of such ballots. Absentee ballots which are received after ~~[2:00 p.m.]~~ **1:00 p.m.** and prior to 5:00 p.m. shall be processed as soon after receipt as possible.
- II. Notwithstanding the provisions of paragraph I, upon the written challenges of 10 or more voters who are present at the polls no later than ~~[2:00 p.m.]~~ **1:00 p.m.**, the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election.

AMENDED ANALYSIS

The bill changes the time to begin processing previously received absentee ballots and the time at which voters must be present to submit written challenges which postpone the processing of absentee ballots.

1997-0170h

Amendment to HB 289-LOCAL

Proposed by the Committee on Education

Amend the bill by replacing section 2 with the following:

2 "Place" Changed to "Places." Amend RSA 197:4 to read as follows:

197:4 ~~[Place]~~ **Meeting Places.** School district meetings may be held at such suitable ~~[place]~~ **places, which have 2-way visual and audio closed circuit capacity,** as in the opinion of the officers calling the meeting will best accommodate the voters.

AMENDED ANALYSIS

Section 2 of this bill authorizes school districts to hold their annual district meetings at multiple locations which have 2-way audio and visual closed circuit capacity.

The remainder of this bill amends certain RSA provisions making them gender neutral in accordance with RSA 17-A:6 relative to gender neutral drafting.

1997-0206h

Amendment to HB 307

Proposed by the Committee on Resources, Recreation and Development

Amend the bill by replacing section 1 with the following:

1 Adoption of Local River Corridor Management Plans. Amend RSA 483:8-a, III(c) to read as follows:

(c) To develop or assist in the development and adoption of local river corridor management plans under RSA 483:10. ~~[Such adoption shall be subject to the approval of the municipal legislative body of the affected municipalities.]~~ **The local planning board, or, in the absence of a planning board, the local governing body, may adopt such plans pursuant to RSA 675:6 as an adjunct to the local master plan adopted under 674:4. No such plan shall have any regulatory effect unless implemented through properly adopted ordinances.**

AMENDED ANALYSIS

This bill allows a local planning board or governing body to adopt local river corridor management plans as part of the local master plan if certain requirements are met.

1997-0316h

Floor Amendment to HB 323

Proposed by Rep. Clegg

Amend RSA 273-D:6 as inserted by section 1 of the bill by replacing it with the following:

273-D:6 Agreements in Violation, and Actions to Induce Such Agreements, Declared Illegal. Any agreement, understanding or practice, written or oral, implied or expressed, between any labor organization and employer which violates the rights of employees as guaranteed by the provisions of this chapter is hereby declared to be unlawful, null and void, and of no legal effect. Any strike, picketing, boycott, or other action, by a labor organization for the sole purpose of inducing or attempting to induce an employer to enter into any agreement prohibited under this chapter is hereby declared to be for an illegal purpose and is a violation of the provisions of this chapter.

Amend RSA 273-D:11 as inserted by section 1 of the bill by replacing it with the following:

273-D:11 Duty to Investigate. It shall be the duty of the attorney general to investigate any complaints of violation of this chapter, and to prosecute all persons violating any of its provisions, and to use all means at the attorney general's command to insure effective enforcement of the provisions of this chapter.

1997-0254h

Amendment to HB 390

Proposed by the Committee on Wildlife and Marine Resources

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect upon its passage.