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 26, 1997 No. 27

Contains: Hearings, Notices, Work Sessions, Reports and Amendments for February 26

HOUSE CALENDAR

NOTICE

Members of the House:

For planning purposes, please reserve Wednesday, March 5th and Wednesday, March 12th for session days beginning at 10:00 a.m. There will be no House business scheduled for Tuesday, March 11th, traditional town meeting day, or April 8th, town meeting day for communities that have adopted the official ballot.

I am most grateful for the effort and attention of all the members who are working so hard on the bills that are still in committee. This is our busiest time, and most of us will have a chance to catch our breath next month after the March 19th deadline for action on all bills not in a second committee.

Meanwhile, in response to numerous concerns about smoke drifting into Representatives Hall, the door between the House chamber and the smoking room will be reserved for emergency use only. Please enter and leave the smoking room through the folding door near the members' mailboxes. I appreciate your cooperation and consideration.

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

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, February 26 at 11:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

NOTICE

LEGISLATIVE FORUM

HOUSE CONTINUING EDUCATION

TOPIC: Ethics

PRESENTER: Russ Hilliard and Rep. Jeb Bradley

DATE: Thursday, February 27

TIME: Noon - 1:30 p.m.

PLACE: Room 100, State House

For the members' convenience the cafeteria will sell sandwiches, snacks and sodas outside the room. Please make every effort to attend this informative session. Thank you.

Rep. Carol H. Holden, Coordinator

Legislative Continuing Education

WEDNESDAY, FEBRUARY 26

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 104-FN, requiring a plea bargaining agreement to be submitted to the court for judgment at least 2 weeks prior to the trial date. INEXPEDIENT TO LEGISLATE

Rep. Bruce F. Hunter for Criminal Justice and Public Safety. The committee felt this would interfere with the courts authority to establish its own rules governing the operations of the court as a separate but equal branch of government. There was testimony that the superior courts have plea bargain rules in place even though they differ slightly in their time frame. There was no factual testimony that this proposal would clear the court dockets faster or reduce costs to the courts. We felt it also might infringe on the defendants right to enter a plea at any time prior to or during a trial. Lastly, if this bill were to pass, it would add a hearing to the courts caseload placing a further financial burden on the court and all parties involved. Vote 17-0.

HB 151-FN-LOCAL, establishing comprehensive medical, physical and psychological standards for law enforcement officers. OUGHT TO PASS WITH AMENDMENT

Rep. Herbert R. Hanson for Criminal Justice and Public Safety: This bill recommends psychological screening of final applicants for police positions beginning l999. It also recommends the same medical examination and physical fitness requirements for hiring part time police officers as currently exist for full-time officers beginning next year, and recommends that all police officers hired after January l, 2001, have medical examination and physical fitness tests at three year intervals during their careers. The bill grandfathers existing officers and will not result in any present officer losing their job because of this new requirement. The amendment prevents any unfunded mandate on units of government by making requirements that would affect them subject to vote of the local governing body. It also prevents the Police Standards and Training Council from requesting communities to reconsider their vote more frequently than at 5-year intervals. Vote 17-0.

HB 249, clarifying the authority of local police officers to serve cease and desist orders against planning and zoning violations. OUGHT TO PASS

WITH AMENDMENT

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: The original bill added law enforcement officials to those who may serve cease and desist orders and our amendment adds building inspector, code enforcement officer or zoning administrator. We felt if they could issue cease and desist orders, they should also be able to serve them if necessary. Vote 17-0.

HB 313, clarifying the authority of security officers on the New Hampshire hospital campus. OUGHT TO PASS WITH AMENDMENT

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: As it stands now, the security officers only have authority in the buildings used by three state agencies.. Numerous other buildings are vacant and if people go in there for any reason, the security force has no authority to act. By passing this proposal, we would allow the security officers to have authority on the whole l06 acre campus. Our amendment deletes section 2 of the original bill which repealed their training requirements. Vote 16-0.

HB 358, allowing victims of domestic violence to terminate a lease if a protective order has been secured. INEXPEDIENT TO LEGISLATE

Rep. Herbert R. Hansen for Criminal Justice and Public Safety: The committee felt that to promote this bill would create as many new problems as the sponsor indicated the current legislation allows. Additional testimony from landlords and the landlord association indicated that hardship cases are already handled informally between tenants and landlords. Vote 15-0.

HB 392, changing references to the "BOCA Basic Building Code" to "BOCA National Building Code." OUGHT TO PASS

Rep. Herbert R. Hansen for Criminal Justice and Public Safety: This bill also makes changes in references and specifies how and when certain rules will take effect as well as authorizing the commissioner to amend specifications to more exactly fit New Hampshire's requirements. Vote 15-0.

EDUCATION

HB 318, making technical changes to the provisions relating to school administrative units. OUGHT TO PASS

Rep. David E. Larrabee for Education: This bill is a housekeeping measure making technical changes to provisions relating to organizing, re-organizing, or withdrawing from School administrative units. The term of an SAU study committee was aligned to the original legislative intent, the State Board of Education's recommendations only role was clarified as were voting procedures. Vote 16-0.

HCR 10, urging recognition of the contributions made by the Irish potato famine immigrants and observation of the 150th anniversary of the Great Hunger.

INEXPEDIENT TO LEGISLATE

Rep. George W. Wright for Education: The committee determined that this resolution is unnecessary. Remembrance can compensate for a troubled past, but it can also hobble the future. Vote 17-1.

ELECTION LAW

HB 162, eliminating the opportunity of a political party to submit a person's name for candidacy after the filing period for individuals has passed. INEXPEDIENT TO LEGISLATE

Rep. C. Donald Stritch for Election Law: The Committee felt that this bill addressed one part of the bi-annual election process-the filing period in June. It does not address the primary "open window" nor was a mechanism offered that would solve ballot vacancies due to health, re-location, and/or death. Presently, the appropriate political party has the option to fill such vacancies with the said appointed candidate being processed in the same manner as another declared candidate. In the absence of this process another mechanism should be available. Vote 15-0.

HB 183, relative to the state representative districts of towns. OUGHT TO PASS WITH AMENDMENT

Rep. Thomas I. Arnold, Jr. for Election Law: The N.H. Constitution permits the districting of towns. The Legislature has never provided a process for effecting districts. This bill provides the mechanism for a town with multiple representatives to institute any combination of representative districts and at-large election of state representatives. This bill is enabling, not mandatory. Vote 14-0.

HB 252, relative to posting of bylaws in advance of any town election. OUGHT TO PASS WITH AMENDMENT

Rep. Thomas I. Arnold, Jr. for Election Law: This bill requires that towns which adopt bylaws governing distribution of campaign materials and/or elections shall post them permanently in the town clerk's office so candidates will "know the rules" and 72 hours prior to an election at each polling

place so individuals engaged in distribution of campaign materials or other electioneering activities will "know the rules". Vote 15-0.

HB 308, relative to opening hours for polling places. INEXPEDIENT TO LEGISLATE

Rep. Nick Hart for Election Law: The Committee felt polling hours should be more uniform. In almost every city and town which voted on this question, those in favor of 8 a.m. to 7 p.m. won overwhelmingly. The Committee responded to the voters' wishes. Vote 16-0.

HB 333-FN-LOCAL, establishing a fine for political advertising placed or affixed prior to the date permitted by statute or placed on or affixed to any public property. RE-REFER TO COMMITTEE

Rep. Raymond C. Buckley for Election Law: The sponsor requested that we re-refer this bill while our committee studies constitutional questions as they relate to political advertising. Vote 16-0.

HB 345, relative to the hours polls are open in cities and towns. INEXPEDIENT TO LEGISLATE

Rep. Nick Hart for Election Law: The Committee felt the voters wanted to stabilize the voting hours when they voted on the average 3 to 1 for polling hours of 8 a.m. to 7 p.m. Vote 15-1.

HB 407, relative to absentee voting. INEXPEDIENT TO LEGISLATE

Rep. Nick Hart for Election Law: The Committee felt there was some merit in this bill. However, the possibility of irregularities outweighed the benefits for the very few who would be served by the bill. Vote 14-0.

HR 10, requesting that certain media entities refrain from prematurely proclaiming the winners in state and federal elections. OUGHT TO PASS WITH AMENDMENT

Rep. Lynn C. Horton for Election Law: This resolution urges television and radio broadcasters located both in and out of state to refuse to broadcast reports of exit polls and predictions or calls about the outcome of elections while the polls are still open. Vote 18-0.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 256, establishing uniform adjudicative proceedings for state agencies and establishing a pilot program for adjudicative hearings. RE-REFER TO COMMITTEE

Rep. Merton S. Dyer for Executive Departments and Administration: The committee voted to re-refer this bill to the committee. This bill goes back to SB 90 of the 95 session. The department of health and human services indicated to the subcommittee that under reorganization they would be willing to conduct a pilot program as outlined in the bill. The agency will supply a hearings officer to the administratively attached boards to assist them in conducting an adjudicative hearing. The "Board" members sitting for the hearing will make the decision with input from the attorney generals office. The person conducting the hearing will not participate in the deliberations. The office of the attorney general will provide general guideline for hearings to the "board" members and the hearings office at health and human services will conduct informational sessions for "Board" members. The ad-hoc committee consisting of agency hearings officials, members of the ED&A committee and and representatives of health and human services will monitor the progress. We request re-referral to hold the bill in the event we find any legislation might be required after a few months trial. If the pilot program is successful, legislation will be considered that would expand the program, through the department of administrative service to other small boards and commissions. Vote 18-0.

HB 265, repealing certain rulemaking authority of the commissioner of transportation. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration: This bill, with the amendment, will assist the Department of Transportation with complying with a recent audit of the Department of Transportation. The bill, with the amendment, will make rulemaking optional until such time as the federal government ceases to oversee issuing of securities for certain carriers and relative to investigating railroad accidents. Vote 18-0.

HB 269, relative to the compensation of sweepstakes commissioners who are members of a multi-state lottery commission. OUGHT TO PASS

Rep. Robert K. Dodge for Executive Departments and Administration: This bill sets the compensation of sweepstakes commissioners for multi-state lottery commission meetings. This is in addition to their normal salary under RSA 94:l-a, II and is set at $50 per actual day worked plus reasonable expenses for duties performed as a multi-state lottery commissioner. Vote 16-0.

HB 316, allowing cosmetologists to employ shampoo assistants. INEXPEDIENT TO LEGISLATE

Rep. Sylvia A. Holley for Executive Departments and Administration: This bill would register shampoo assistants to do shampooing, rinsing,

pulling rods and other cleansing or sink related duties. There appears to be a need for this type of employee but the duties outlined in the bill do not rise to the level requiring registration. The Board of Barbering and Cosmetology should seek other means to comply with board statute and administrative rules for the employment of ancillary personnel. Vote 18-0.

HB 425, relative to the regulation of pharmacists. OUGHT TO PASS

Rep. Nancy C. Stickney for Executive Departments and Administration: This bill provides for a foreign pharmacy graduate to obtain a license to practice pharmacy within this state. In addition to passing a board exam to test competency, it also requires the graduate to show proficiency in the English language and requires a period of supervised practice. Vote 20-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 434, relative to milk products of sheep and goats and milk producer permits and allowing the commissioner of the department of health and human services to impose certain administrative fines. OUGHT TO PASS WITH AMENDMENT

Rep. Marion L. Copenhaver for Health, Human Services and Elderly Affairs: Health and Human Services requested this bill to clarify the role of the department in insuring the safety of dairy products sold in New Hampshire and shipped to other states.

The amendment changed 25% to 2.5% regarding fat content in goats' milk. The amendment also exempts permanent milking facilities at fairgrounds from having to obtain a new permit each time they are used. Vote 14-0.

HB 437, relative to certain health officers. OUGHT TO PASS

Rep. Alphonse A. Haetenschwiller for Health, Human Services and Elderly Affairs: This bill permits the Department of Health and Human Services to establish the qualifications for a district health officers as provided for in RSA 127. It also establishes a mechanism to appoint deputy town health officers under RSA 128. Vote 15-0.

HB 597, creating a tax on gross receipts of health care services. INEXPEDIENT TO LEGISLATE

Rep. Marion L. Copenhaver for Health, Human Services and Elderly Affairs: This bill attempted to address the issue of the elder-care costs which are the largest part of the Health and Human Services budget. Medicaid is how we fund elder services. It was the unanimous sense of the committee that this tax would only increase health care costs and was not equitable by taxing only one segment of the population. Vote 15-0.

JUDICIARY AND FAMILY LAW

HB 300, establishing a study committee on judicial pensions. OUGHT TO PASS WITH AMENDMENT

Rep. Sandra B. Keans for Judiciary and Family Law: The issue of judicial pensions has been of continuing concern because they are paid as a direct draw against the general fund. The committee believes that the matter is worthy of an in-depth study. As amended, the group would include 2 house members, 2 senate members, 2 public members and 2 members appointed by the chief justice of the supreme court. Vote 14-0.

LEGISLATIVE ADMINISTRATION

CACR 19, relating to the election of the speaker of the house, senate president and other officers. Providing that the speaker of the house, senate president, and other officers shall be elected from among the respective body's membership. INEXPEDIENT TO LEGISLATE

Rep. Carol H. Holden for Legislative Administration: CACR 19 would amend Article 22 of the constitution to provide that Speaker of the House and the Senate president shall be elected from among the respective body's membership. Article 22 was adopted on June 2, 1784. It was amended in 1792 by adding that the House shall be judge of all returns, elections and qualifications of members. For 213 years, the Speaker of the House and the Senate president have been members of their respective bodies. The committee did not feel that it was necessary to put this question to the voters. Vote 16-0.

HB 111-FN, relative to preservation and access to records of legislation in the state archives. RE-REFER TO COMMITTEE

Rep. Gregory G. Carson for Legislative Administration: The committee feels strongly about the preservation of and access to legislation in the state archives. Several questions, however, arose as to the application of the technology used for such preservation. The committee desires to spend additional time on this legislation. Vote 14-0.

HB 310, repealing RSA 14-B, relative to the legislative ethics committee. INEXPEDIENT TO LEGISLATE

Rep. Donnalee Lozeau for Legislative Administration: This bill would abolish the legislative ethics committee. The bill did not address any alternative body or other means of addressing legislative ethics issues. The committee found that every consequence of abolishing the ethics committee would be negative. The fundamental principle of self-policing is one key measure of our faith in the legislative process. While no such process is perfect, the committee feels that the goals of the legislative ethics committee are essential to maintaining the integrity of our process and public faith in our institution. Vote 12-0.

HB 332, repealing the law which prohibits an entity which conducts horse or dog racing from employing a member of the general court. OUGHT TO PASS

Rep. Warren C. Henderson for Legislative Administration: Current state law prohibits an entity which conducts horse or dog racing in New Hampshire from employing a member of the general court. The committee found that this was an unreasonable exclusion applied to one type of business which might have a special interest in legislation but not applied to dozens of other types of business which might have a similar type of special interest in the legislative process. This existing law was seen by some as infringing on the basic right to serve in elected office for those who are employed by companies in the horse or dog racing industry. Passage of the bill would eliminate the prohibition and resolve the inequity. Vote 12-0.

HB 494-FN, relative to house bills and constitutional authority. INEXPEDIENT TO LEGISLATE

Rep. Donnalee Lozeau for Legislative Administration: The committee found merit in the intent of this legislation, however, the expense far outweighed the benefit. Further, the General Court is given broad authority in the passing of legislation. On the rare occasion when questions arise as to constitutionality of legislation, there are well established means for addressing such questions. Vote 14-1.

LOCAL AND REGULATED REVENUES

HB 144-FN, relative to cash incentives paid to servants and agents, excluding commission employees, authorized to sell tickets. OUGHT TO PASS WITH AMENDMENT

Rep. Stephen G. Avery for Local and Regulated Revenues: This bill as amended allows the sweepstakes commission to pay 1% of the prize awarded, up to a maximum of $30,000 for powerball, or a maximum of $15,000 for other prizes as an inducement for sales agents. The rest of the bill is gender neutral language. Vote 13-0.

HB 170-LOCAL, exempting temporary, demountable, plastic-covered greenhouses from property taxation. RE-REFER TO COMMITTEE

Rep. Richard Noyes for Local and Regulated Revenues: The committee believes a need exists for clarification of the tax status of temporary greenhouses, a device being used increasingly in New Hampshire agriculture. The correct handling whereby municipal authorities can know which are taxable, and which are not, requires more study than is possible before the deadline for this bill. Vote 12-0.

HB 173-LOCAL, prohibiting further establishment or expansion of casino or video gambling in New Hampshire for 2 years. INEXPEDIENT TO LEGISLATE

Rep. Douglass P. Teschner and Rep. David W. Hess for Local and Regulated Revenues: The sponsor requested that the bill be withdrawn, and the committee unanimously obliged. While many committee members are opposed to any expansion of gambling, the committee was unanimous in its view that this regulation was "the wrong bill at the wrong time". Vote 12-0.

HB 539-LOCAL, relative to the tax lien process for quarterly tax bills in the city of Concord. OUGHT TO PASS

Rep. Jean R. Wallin for Local and Regulated Revenues: Because the city of Concord has adopted quarterly tax billing and collection procedures, as well as a July l to June 30 fiscal year, it is necessary to move the date when real estate is subject to a tax lien from December 1 to April 1. This applies to the city of Concord only. Vote 12-0.

HB 551-LOCAL, allowing municipalities to grant retired persons over 65 years of age a property tax credit and a property tax cap. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Local and Regulated Revenues: A completely revised elderly exemption law will be voted on at local town meetings in 1997 and will go into effect on January 1, 1998. It will allow cities and towns to tailor the exemption to the needs of their individual communities. The committee believes that the new statute should be allowed to work before more changes are proposed. Vote 13-0.

HB 591-FN, relative to eliminating the authority of the sweepstakes commission to hold sweepstakes races at horse and dog tracks. INEXPEDIENT TO LEGISLATE

Rep. Robert N. Kelley for Local and Regulated Revenues: The sponsor requested the bill to be withdrawn from further processing. The committee honored his requested. Vote 12-0.

HB 663-FN-LOCAL, imposing a $100 per year surtax on occupiers of rental property and condominium units to fund state aid to education and prohibiting future increases in individual residential property taxes to meet educational costs. INEXPEDIENT TO LEGISLATE

Rep. Jean R. Wallin for Local and Regulated Revenues: This bill levies a statewide tax of $100 per year only on tenants in rental property and freezes residential property taxes at the 1996 level to pay for our schools. The Department of Revenue Administration estimates the tax would have to be $299 in order to produce enough money to meet educational needs in New Hampshire. The committee feels this bill is both ill advised and probably unconstitutional. Vote 12-0.

HB 776-FN, prohibiting any person under 18 years of age from sitting in a cocktail lounge. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Local and Regulated Revenues: The committee feels that there is not a problem currently, and the present law covers 18 year olds in cocktail lounges. The Liquor Commission also testified in opposition to the bill. Vote 12-0.

HCR 9, urging the governor and general court to take action to bring about property tax relief. OUGHT TO PASS

Rep. Linda T. Foster for Local and Regulated Revenues Property tax relief is a continuing theme in both election and non-election years. The committee hopes that this House Concurrent Resolution may facilitate the discussion and help to offer some solutions to the problem. Vote 12-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 174-LOCAL, relative to budgetary official ballot. RE-REFER TO COMMITTEE

Rep. Robert A. Lockwood for Municipal and County Government: The bill is concerned with voting processes in village and school districts that were adopted in the budgetary official ballot bill (HB 141) passed in the last session of the General Court. The proposed changes would strike the language "To raise and appropriate money for the support of" and substitute the words "on all/or some warrant articles", regarding issues that could be placed on the official ballot. The committee was concerned that by eliminating the phrase beginning "To raise and appropriate" etc., it would prohibit putting such articles on the warrant, and that adding the phrase, "some or all warrant articles" was vague and ambiguous. This bill will be studied along with several other proposed changes to school and municipal election laws passed only last year so that amendments will not be contradictory and/or confusing. Vote 13-0.

HB 287, relative to publication of annual reports by school districts. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: School boards and village districts are empowered to implement these procedures at the present time. The committee feels this bill in its present form is confusing and is an unfunded mandate. Vote 14-0.

HB 295-LOCAL, authorizing a cooperative school district board to establish polling places in each member town. RE-REFER TO COMMITTEE

Rep. Betsey L. Patten for Municipal and County Government: There are a number of requests to allow communities to change their polling places. It is the feeling of the House Committee on Municipal and County Government that these requests need to be studied together with the Education Committee and the Election Law Committee, hence the motion to re-refer. Vote 12-0.

HB 299, relative to property tax assessments of new buildings during the property tax year. INEXPEDIENT TO LEGISLATE

Rep. Thomas E P Rice Jr. for Municipal and County Government: This vote is due to the fact that no money is lost and it would be burdensome to assess during this period. New property will make its tax contribution soon enough. Vote 14-0.

HB 311-LOCAL, giving municipalities the option of authorizing their governing bodies to enter into discretionary easements on certain agricultural buildings. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: Discretionary easements are authorized in RSA 79-c. Testimony was received that it was the intent of the legislature that discretionary easements be granted to land only. The committee agreed with the original intent Vote 12-0.

HB 344-LOCAL, relative to planning board procedures on plats. OUGHT TO PASS

Rep. Betsey L. Patten for Municipal and County Government: According to RSA 676:4,I(b) a planning board has to specify what constitutes a completed application to envoke jurisdiction and to obtain approval. Use of the word submission in both sentences of RSA 676:4,I(c)(1), rather

than acceptance, suggests to some that the planning board must begin considering an application upon its submission, regardless of whether the application is complete and has been accepted by the board. Changing the word "submission" to "acceptance of completed application" tightens up the regulation so both parties can determine when the 90-day clock starts. Vote 12-0.

HB 366-LOCAL, relative to noncompliance with zoning ordinances. RE-REFER TO COMMITTEE

Rep. Cynthia J. Dokmo for Municipal and County Government: The committee wishes to re-refer this bill in order to study existing code/zoning enforcement statutes to determine if they adequately meet their purpose. Vote 12-0.

HB 422-LOCAL, exempting initial bond issues from the 10 percent limitation on exceeding appropriations recommended by the budget committee. INEXPEDIENT TO LEGISLATE

Rep. Marilyn A. Fraser for Municipal and County Government: This bill appears to be a local issue which can be corrected by the local legislative body. The prevailing reason being that towns under the 10% limit have chosen by ballot to abide by the Municipal Budget Act and thus the guidance of the budget committee and its recommendations. Vote 14-0.

PUBLIC WORKS AND HIGHWAYS

HB 343-LOCAL, relative to authority by governmental entities over driveways and other accesses to public ways. OUGHT TO PASS

Rep. Leon Calawa, Jr. for Public Works and Highways: This bill simply clarifies existing statues regarding authority over driveways and other access to public ways. Vote 18-0.

HB 475, requiring a study on overweight and over-dimension vehicle permits and, in particular, permits for manufactured housing units. INEXPEDIENT TO LEGISLATE

Rep. Winston H. McCarty for Public Works and Highways: All the testimony at the committee hearing related to problems of overweight and overwide vehicles that would be better addressed by proper law enforcement and movers of large and heavy loads adhering to existing laws and regulations. Vote 21-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 391, making the office of emergency management the administrator of the grant program for the civil air patrol in New Hampshire. OUGHT TO PASS

Rep. John M. Pratt for State-Federal Relations and Veterans Affairs: Some of the parties concerned, the Division of Aeronautics, the Office of Emergency Management and the Civil Air Patrol supported this minor adjustment. Vote 12-0.

HB 678, relative to the expansion of veterans' home services. OUGHT TO PASS WITH AMENDMENT

Rep. Rita G. MacAuslan for State-Federal Relations and Veterans Affairs: This bill amends RSA 119:1 for housekeeping and clarification purposes. It addresses future anticipated services which may be provided by the Veteran's Home. There was overwhelming testimony in support of this bill and no opposition. Vote 12-0.

HCR 1, requesting Congress to propose an amendment to the U.S. Constitution to prevent federal courts from instructing states or political subdivisions of states to levy or increase taxes. INEXPEDIENT TO LEGISLATE

Rep. George R. Rubin for State-Federal Relations and Veterans Affairs: The committee felt that there should be a separation of the legislative and judicial branches. This is fundamental to the United States Constitution. However, the committee did not get sufficient information in case law to justify the resolution being forwarded to the U.S. Congress. Vote 12-1.

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

Rep. Rita G. MacAuslan for State-Federal Relations and Veterans Affairs: This resolution's imprecise language and generalizations make it inexpedient to legislate. The proposed amendment is too broad to implement due to its wording. The concept would require Congress to ensure that any conflicts with any state's statutes, laws, or rules be documented before federal legislation is passed. This would ensure no federal laws were ever enacted, since they would have to be tailored to "fit" all fifty states. Vote 14-0.

HCR 8, urging congressional delegates to propose Congressional term limits. INEXPEDIENT TO LEGISLATE

Rep. Peter F. Bergin for State-Federal Relations and Veterans Affairs: Under the rules of the United States House of Representatives, bills introduced and defeated cannot be reintroduced in this session. Therefore, it would not be prudent to submit this resolution at this time. Vote 11-2.

HJR 3, requiring the attorney general to bring suit against the United States Government for violating the United States Constitution and the New Hampshire constitution by enacting a military firearms ban. RE-REFER TO COMMITTEE

Rep. Margaret E. Lynott for State-Federal Relations and Veterans Affairs: Any action by the New Hampshire Legislature on HJR 3 is premature at this time, since the Brady Bill, which established the Military Firearms Ban, is currently being considered by the United States Supreme Court. Any decision made by this body would be inappropriate until the Supreme Court reaches a decision. Vote 15-0.

HR 15, urging that there be statewide access to Channel 9 (WMUR) as the official disaster reporting station for New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Edwin O. Smith for State-Federal Relations and Veterans Affairs: The committee felt that the cable company serving Whitefield, Lancaster and Groveton is quite short sighted in not carrying Channel 9 on its cable. We also felt that addressing the problem through this legislation was not the forum to solve the problem. If the cable company continues to be uncooperative, maybe future legislation will be necessary. Vote 12-1.

TRANSPORTATION

HB 306, relative to highway speed limits. INEXPEDIENT TO LEGISLATE

Rep. Thomas J. Boriso for Transportation: By changing the words prima facie in RSA 205:62 to maximum as proposed in this bill, if you are caught traveling even one mile over the speed limit you will be in violation of the law. It would be unwise to trust speedometers or radar guns to be that accurate. No one from law enforcement appeared in favor of this bill. Vote 13-0.

HB 382, requiring vehicles transporting loads on ways where the speed limit is 30 miles per hour or greater to cover the load. OUGHT TO PASS

Rep. Robert J. Letourneau for Transportation: This bill is a housekeeping measure. This bill simply and clearly defines the speed at which a truck must cover its load, on any way that is posted 30 MPH or more. The committee felt that trucks loaded with gravel were avoiding the intent of the law as written by stating that they were only going 30 MPH when stopped by police and that they were not required to cover their loads at that speed. The committee also felt that this would be a tool for police officers to enforce this law in the interest of public safety. Vote 12-0.

HB 445, extending the reporting date of the paperless title system study committee. OUGHT TO PASS

Rep. Brenda L. Ferland for Transportation: The committee felt that the study committee needed more time to look at the pilot programs now going on in other states. The program has a lot of merit. Vote 13-0.

HB 473, relative to the use of watercraft and boats on the waters of Chocorua Lake in the town of Tamworth. OUGHT TO PASS

Rep. Robert J. Letourneau for Transportation: While all bodies of water in the White Mountain National Forest have prohibitions on any motorized watercraft, except four, defined by statue RSA 270:29, Chocorua Lake is not in the White Mountain National Forest. In order to protect the pristine condition of this lake, one of New Hampshire's most scenic and photographed areas, the majority of the committee felt that the bill ought to pass. This bill is of a housekeeping nature, closing a gray area in the law that could have allowed certain petroleum powered watercraft on the lake. This bill also makes this lake accessible to the elderly and handicapped to enjoy by allowing electric powered motors to operate up to 6 miles per hour, while prohibiting use or operation of any watercraft with a petroleum powered motor aboard or attached to it upon the waters of this lake. Vote 12-1.

HB 631-FN, authorizing the department of safety to issue special amateur radio operator plates and related fees. INEXPEDIENT TO LEGISLATE

Rep. Sherman A. Packard for Transportation: This group as any other affinity group in New Hampshire already has the means to get special plates under RSA 261-A, the special plate legislation passed last session. This bill is also asking for a special exemption in the form of a reduction in the fee structure that is also set up in RSA 261-A. Vote 11-2.

HB 654, expanding the weight and length law exemptions to include vehicles used by cities and towns for trash removal. INEXPEDIENT TO LEGISLATE

Rep. John S. Langone for Transportation: The committee feels it is a safety factor, and would be unenforceable on interstate highways. If passed, it would open door to all commercial carriers to increase weights beyond safety limits. Vote 13-0.

WILDLIFE AND MARINE RESOURCES

HB 371, relative to the authority of the department of fish and game to regulate the management, preservation, propogation and taking of state fish, game and wildlife resources. RE-REFER TO COMMITTEE

Rep. Robert J. L'Heureux for Wildlife and Marine Resources: Present law authorizes the Fish and Game Department to regulate wildlife management in New Hampshire. The committee voted to re-refer this bill to introduce a House Resolution in the next session to re-emphasize this Fish and Game authority. Vote 11-0.

HB 675, relative to bass fishing tournaments. INEXPEDIENT TO LEGISLATE

Rep. Mark A. Cegelis for Wildlife and Marine Resources: Under RSA 211:16-b the Executive Director of the Fish and Game Department has the authority to regulate all criteria as it relates to all fishing tournaments. We are confident that the Fish and Game Department will develop a comprehensive strategy to deal with this issue. The majority agrees that micro-management of the Fish and Game Department is not the way to go, and we are optimistic that the department will address all of the concerns raised by members of the committee relative to taking fish during spawning seasons. Vote 9-1.

WEDNESDAY, FEBRUARY 26

REGULAR CALENDAR

EDUCATION

HB 143, requiring that SAU budgets be approved by vote at school district meetings. RE-REFER TO COMMITTEE

Rep. Jane O'Hearn for Education: The objective of HB 143 is to allow direct voting of school administrative unit (SAU) budgets, in multidistrict SAUs. The states 31 single district SAUs already have complete administrative budget control by their legislative bodies. Under the provisions of RSA 194-C any single school district may withdraw from an SAU and administer its own affairs. Despite several amendments no solution has been found to the timing problems of SAU budget voting in SAUs containing both SB-2 districts and open meeting districts. The possibility exists that no SAU budget would be approved by such mixed governance districts by the end of a fiscal year. Given the likelihood of the continued evolution of official ballot voting (SB-2) the committee felt re-referring HB 143 would provide a vehicle to further study the issue. Vote 9-8.

ELECTION LAW

CACR 8, relating to increasing the executive council membership and the number of executive council districts. Providing that the executive council shall be increased from 5 to 10 members, and the number of executive council districts shall be increased from 5 to 10. RE-REFER TO COMMITTEE

Rep. Joseph A. Foster for Election Law: During the hearing held on this CACR, not only were concerns raised about the geographic size of the districts certain Councilors represent but also about the scope of their duties and powers. The size of certain districts, some believe, make it difficult for the Councilors to adequately serve their constituents while others raised concerns about the Council's load (200 items per meeting) and the scope of its power (nominations). Should the Senate, as in nearly every other state, be involved in the nomination process? Should the Council's involvement in appropriations be amended? Is it still necessary? To answer these and other concerns the Committee wishes to study the powers, duties, and the districts of the Council. Vote 13-3.

CACR 9, relating to requiring that the attorney general be elected by the legislature. Providing that the attorney general be chosen by joint ballot of the senators and representatives. RE-REFER TO COMMITTEE

Rep. Thomas I. Arnold, Jr. for Election Law: In recent years it has been the perception of many that the Attorney General's office, the chief law enforcement officer for the people, has failed to consistently communicate with the people's representative-this House. One method to address this problem is to remove the Governor's power of appointment and, instead, have the Legislature elect the Attorney General as now occurs with the Secretary of State and the State Treasurer. There may be other methods to address this problem and election by the House could present problems of its own. For this reason, the Committee recommends the bill be re-referred so the benefits of the CACR can be examined more closely. Vote 12-4.

HB 248-LOCAL, prohibiting all persons except candidates who appear on the ballot from performing electioneering activities within 100 feet of the door of the polling place and relative to campaign signs held by candidates. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Lynn C. Horton for the Majority of Election Law: After a lot of discussion, it was determined that if the moderator does his or her job problems with signs and blocking the way to the polls should be taken care of under current law. Vote 13-2.

Rep. Raymond C. Buckley for the Minority of Election Law: This bill is a thoughtful compromise to the age-old problem of the mass of sign holders at the polling locations gathered at the polling place doorway. The Secretary of State testified in favor of this bill detailing numerous instances of citizens choosing not to vote because of the intimidating crowd of candidates and supporters at the doorway. This bill would permit only candidates on the ballot to be within 100 feet of the doorway. All others would be required to stand outside this 100 foot zone.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 225, requiring the commissioner of health and human services to establish a needle exchange pilot program. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Robert W. Foster for the Majority of Health, Human Services and Elderly Affairs: This bill requests the commissioner of Health and Human Services to establish with the assistance of an advisory committee, a two year needle exchange pilot program to reduce the spread of AIDS. The pilot program is to be implemented in one community. This is an option not a mandated program. The department of Health and Human Services has given full support to this bill. Vote 14-3.

Rep. Robert K. Boyce for the Minority of Health, Human Services and Elderly Affairs: This bill while well intended might send a message that the State of New Hampshire condones, facilitates and legitimizes the use of illegal drugs. While the number of reported cases of AIDS has been dropping, over the past few years drug abuse among high school children has been rising. Drug abuse represents a greater threat to our society than any disease. This bill does not address the problem.

LEGISLATIVE ADMINISTRATION

CACR 4, relating to returning annual legislative sessions to biennial legislative sessions. Providing that the general court shall meet biennially. INEXPEDIENT TO LEGISLATE

Rep. Peter Hoe Burling for Legislative Administration: The issue of biennial sessions has become an annual favorite, at least for some. The majority of the committee, however, remains convinced that annual sessions are required to do the business of the state. Vote 11-4.

HB 168, establishing a joint committee on unfunded mandates. INEXPEDIENT TO LEGISLATE

Rep. Donnalee Lozeau for Legislative Administration: The consensus of the committee was that a joint committee on unfunded mandates such as that which this bill envisions would not substantively improve our ability to monitor compliance with Article 28A of the State Constitution. While the committee solidly supports legislative vigilance to prevent the imposition of unfunded mandates on New Hampshire cities and towns, the joint committee proposed in this bill has no mechanism to enforce compliance in cases where violations may be identified. Vote 16-0

HB 383, requiring the nomination and election of the secretary of state and treasurer to be without regard to party affiliation of the candidate. OUGHT TO PASS

Rep. Amanda A. Merrill for Legislative Administration: The majority of the committee believes it is worthwhile to clarify in statute that our Secretary of State and State Treasurer shall be elected on the basis of personal qualifications, not party affiliation. Vote 12-1.

PUBLIC WORKS AND HIGHWAYS

HB 184-A, requiring the state to reopen Mittersill ski area and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Gene G. Chandler for Public Works and Highways: This bill, if passed would appropriate 1.5 million dollars to reopen Mittersill Ski Area and do a master plan of the area. A couple of major problems exist with this idea, the first being that 1.5 million dollars is woefully short of being enough of an investment to properly reactivate Mittersill, let alone do a master plan. There is little question that Mittersill should be reactivated and become a vital part of the ski operation at Cannon, but until such time as a number of state ski area questions are resolved or the state is willing to commit the many millions necessary to do the necessary work at the areas, another study or master plan would only gather dust. Since the majority of the committee voted inexpedient and a number of the minority wanted to explore re-referral, there wasn't much support in the committee for passage of this measure Vote 12-6.

HB 644-FN-A, changing the rate of taxation for certain fuels subject to the road toll. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: Re-REFER TO COMMITTEE

Rep. Winston H. McCarty for the Majority of Public Works and Highways: Despite the committee being aware that there is a small difference in the energy content of various types of fuel, the difference seems too insignificant to make any changes at this time in the fuel tax to compensate for these differences. The paper work and bureaucracy would be so complex to figure and collect fuel tax, and according to the proposed plans it did not seem worthwhile at this time. Only the prime sponsor spoke in favor of the bill. Vote 15-5.

Rep. Katherine D. Rogers for the Minority of Public Works and Highways: The intent of this bill was to make road tolls on motor fuel per gallon proportional to the energy content of a gallon of each fuel. The sponsor offered an amendment to bring this bill into revenue neutrality. The minority believes this concept warrants further study. We need to look for methods to move people toward the use of less-polluting fuel alternatives and this bill presents one such method.

TRANSPORTATION

HB 607-FN, relative to special number plates for certain veterans. INEXPEDIENT TO LEGISLATE

Rep. John W. Flanders, Sr. For Transportation: It was felt by the committee that the process already in place, RSA 261A, covers this problem and the Commissioner of Public Safety has the authority to grant any special plates under certain provisions. Vote 13-0.

WILDLIFE AND MARINE RESOURCES

HB 132-FN, allowing New Hampshire residents on active duty in the armed forces or coast guard to be issued hunting and fishing licenses at no charge. RE-REFER TO COMMITTEE

Rep. Allen K. MacNeil for Wildlife and Marine Resources: This proposed legislation was intended to provide a free hunting and fishing license to any person who was a legal resident of the state prior to entering the service, and in addition was stationed outside the state. Then the questions became more numerous than the answers. For example, must that prior resident still maintain residency? Does it cover persons living in New Hampshire, but working at a base out-of-state? And on and on. The committee felt that with a lot of work, (and negotiating) perhaps a satisfactory bill could be put in place to address the real intent of the sponsor and other supporters. Vote 11-2.

LAID ON TABLE

HR 19, affirming unrestricted revenue estimates for fiscal years 1998 and 1999. (Pending question is ordering to third reading.)

COMMITTEE HEARINGS

WEDNESDAY, FEBRUARY 26

COMMERCE, Room 302, LOB

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

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

9:30 a.m. Subcommittee work session on ***HB 416,*** relative to sentencing for juvenile delinquents.

10:00 a.m. Subcommittee work session on ***HB 420,*** relative to administrative review of suspended or revoked motor vehicle licenses.

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.

EDUCATION, Room 207, LOB

9:30 a.m. ***HB 661-FN-LOCAL,*** allowing high school pupils to attend the public secondary school of their choice.

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 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.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. Environmental Policy subcommittee work session on ***HB 575,*** authorizing the commissioner of the department of environmental services to accept environmental standards developed by the International Standards Organization

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

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.

10:00 a.m. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE, (DIVISION I), Room 212, LOB

Division I will hold the following work sessions on the budget:

9:30 a.m. N.H. Retirement System

10:30 a.m. Highway Safety

11:00 a.m. Bank Commission

Executive sessions will be held throughout the day

FINANCE, (DIVISION II), ROOM 209, LOB

10:00 a.m. Work and executive session.

FINANCE, (DIVISION III), ROOM 210-211, LOB

Division III will hold the following work sessions on the budget:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

9:30 a.m. Elderly and Adult Services

10:30 a.m. Board of Registration in Medicine

Board of Nursing Home Examiners

Board of Registration in Optometry

Board of Registration in Podiatry

Board of Speech-Language Pathology

Funeral Directors and Embalmers Board

Board of Pharmacy

Executive sessions may be scheduled throughout the day.

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

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

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.

10:30 a.m. Subcommittee work session on ***HB 234-FN-LOCAL,*** relative to disposition by counties of funds of deceased patients of county nursing homes.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:30 a.m. Subcommittee work session on ***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.

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

11:30 a.m. Subcommittee work session on ***HB 667,*** relative to confidentiality issues concerning the exchange of information between the departments of revenue administration and employment security and relative to payment of employer contributions.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. ***HB 801-FN-LOCAL,*** changing the interest rate on delinquent property taxes and subsequent taxes.

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

9:00 a.m. Executive session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:00 a.m. Subcommittee work session on ***HB 534,*** establishing a committee to study the New Hampshire highway and bridge infrastructure.

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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

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

10:30 a.m. Continued public hearing on ***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. Cable Subcommittee work session on ***HB 482,*** relative to the access and development of interstate computer network systems.

9:30 a.m. Air Quality Subcommittee work session on ***HB 406,*** relative to environmental disclosure by electric power facilities and ***HJR 5,*** urging the United States Congress and the United States Environmental Protection Agency to make certain changes in the Clean Air Act which would result in more cost effective air pollutant emission reductions.

10:30 a.m. Telecommunications Subcommittee work session on ***HB 610-FN,*** relative to the regulation of small telephone companies by the public utilities commission and ***HB 452,*** establishing a legislative oversight committee on telecommunications restructuring and relative to aggregation of telecommunications services customers by municipalities and counties.

11:00 a.m. Full committee executive session on pending legislation.

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.

EDUCATION, Room 207, LOB

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

1:30 p.m. ***HB 525-LOCAL,*** relative to Braille instruction for functionally blind pupils.

2:30 p.m. ***HB 601-FN-A,*** to develop a statewide technology program for educational institutions and establishing a 5 percent tax on video rentals to fund the program.

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.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 803-FN-LOCAL,*** relative to property valuation for purposes of payment of tax on a change of use under the current use laws.

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

8:30 a.m. Subcommittee work session on ***HB 124-FN,*** relative to dental care insurance for state employees and retired state employees.

9:00 a.m. Subcommittee work session on ***HB 535,*** relative to the regulation of architects and ***HB 630-FN-LOCAL,*** providing an additional service retirement option for group I teacher members of the retirement system.

9:30 a.m. Subcommittee work session on ***HB 737-FN-LOCAL,*** relative to redefining earnable compensation for the purpose of determining retirement system benefits.

10:00 a.m. Subcommittee work session on ***HB 751-FN-LOCAL,*** relative to spousal benefits for certain retired group II members of the retirement system.

11:00 a.m. Subcommittee work session on ***CACR 14,*** relating to pensions for the governor, commissioners of state departments, and judges. Providing that no governor, commissioner of a state department, or judge shall receive a pension from public funds.

11:30 a.m. Subcommittee work session on ***HB 699-FN,*** relative to holiday pay for part-time state employees.

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

FINANCE, Rooms 210-211, LOB.

10:00 a.m. Executive sessions may be held throughout the day.

FINANCE - (DIVISION I), Room 212, LOB

Division I will hold the following work sessions on the budget:

9:30 a.m. Administrative Services

10:30 a.m. Judicial Council

11:15 a.m. Board of Tax and Land Appeals

11:45 a.m. Pari-Mutuel Commission

1:00 p.m. Judicial Branch

Executive sessions will be held throughout the day.

FINANCE, (DIVISION II), ROOM 209, LOB

Division II will hold the following work sessions on the budget:

10:00 a.m. New Hampshire Community Technical College System

1:30 p.m. Higher Education - University System

Executive session to follow.

FINANCE, (DIVISION III), ROOM 210-211, LOB

Division III will hold the following work sessions on the budget:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

9:30 a.m. Board of Nursing

Hearing Aid Dealers

Electrolysis Board

Board of Naturopathic Examiners

Board of Ophthalmic Dispensers

Board of Examiners of Psychology

10:45 a.m. Veterans Council

11:15 a.m. Veterans Home

DEPARTMENT OF HEALTH AND HUMAN SERVICES

1:00 p.m. Mental Health

Glencliff Home for the Elderly

New Hampshire Hospital

Alcohol and Drug Abuse Prevention

Executive sessions may be held throughout the day.

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

9:30 a.m. All day 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.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

11:00 a.m. Subcommittee work session on ***HB 615-FN,*** allowing group accounts for certain employers under the unemployment compensation laws.

LEGISLATIVE ADMINISTRATION, Room 307, LOB

9:30 a.m. ***HB 495,*** prohibiting registered lobbyists from serving on the legislative ethics committee.

10:00 a.m. ***HB 796-FN,*** relative to lobbyist registration.

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

9:30 a.m. ***HB 552-LOCAL,*** clarifying the authority of municipalities to regulate the use of their highways which provide sole access to properties in adjoining municipalities.

10:15 a.m. ***HB 653-LOCAL,*** relative to address numbers on streets and highways and relative to penalties for violations of certain planning and zoning laws.

11:00 a.m. ***HB 701-LOCAL,*** granting a municipality alternatives to accepting a tax deed to the property when the property owner is tax delinquent.

11:30 a.m. ***HB 708,*** extending the reporting date for the committee studying the issues surrounding the definition of "facility" for the purposes of eligibility for certain property tax exemptions.

1:30 p.m. ***HB 715-LOCAL,*** placing time limits on covenants that have been placed on deeds by developers.

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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. ***HR 17,*** relative to certain historical theaters in New Hampshire.

10:15 a.m. ***HB 693,*** establishing a house committee to examine water quality issues.

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

1:15 p.m. Subcommittee work session on ***HB 710-FN,*** requiring boating safety education and ***HB 561-FN,*** relative to certain marine patrol personnel.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. Gas and Water subcommittee work session on ***HB 750-FN-LOCAL,*** relative to municipal water systems and ***HB 702-FN-LOCAL,*** establishing procedures governing municipal acquisition of public utility property.

11:00 a.m. Electric Utilities subcommittee work session on ***HB 726-FN,*** relative to the jurisdiction and authority of the public utilities commission, and relative to the underground utility damage prevention system, ***HB 716-FN,*** relative to economic development and retention rates and special

contracts, ***HB 651-FN-LOCAL,*** relative to electric rate reduction financing, ***HB 411-LOCAL,*** authorizing municipalities to issue bonds for the purpose of defraying the cost of purchasing or taking public utility property and ***HB 528-LOCAL,*** relative to municipal water, gas and electric utilities.

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

FINANCE, (DIVISION I), Room 212, LOB

Division I will hold the following work sessions on the budget:

10:15 a.m. Labor Department

10:45 a.m. Business Finance Authority

11:00 a.m. Agriculture, Markets and Food

Veterinary Examiners Board

1:00 p.m. Department of Corrections

Executive sessions will be held throughout the day.

FINANCE, (DIVISION II), ROOM 209, LOB

10:00 a.m. Work and executive session.

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.

9:35 a.m. Rescheduled public hearing on ***HB 554,*** relative to damages in suits brought by administrators of an estate.

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 805,*** relative to homestead rights and revocable trusts.

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

10:00 a.m. ***HB 468-LOCAL,*** eliminating a requirement that registers of deeds keep original copies of officers' returns of attachments and writs of execution on file permanently.

10:45 a.m. ***HB 743-FN-LOCAL,*** relative to the municipal option to impose additional fees for motor vehicle registration permits to fund public parking facilities.

11:30 a.m. ***HB 679-FN-LOCAL,*** repealing the limitation on zoning ordinance protest petitions.

1:30 p.m. ***HB 676-FN-LOCAL,*** establishing procedures for the distribution of proceeds from the sale of tax-deeded property by a municipality.

2:15 p.m. ***HB 641,*** relative to property tax bills for land parcels having multiple owners.

3:00 p.m. ***HB 642,*** requiring that all property taxes be paid prior to approval of a subdivision plat.

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

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.

EDUCATION, Room 207, LOB

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Subcommittee work session on ***HB 384,*** relative to requiring notification by utilities of right-of-way maintenance, ***HB 428-FN-LOCAL,*** known as the Maggie Boyle Terninko Act, repealing RSA 430:49, the law preempting local regulation of pesticides and all pesticide bills assigned.

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.

9:30 a.m. Subcommittee work session on ***HB 756-FN,*** relative to the registration of alternative providers of mental health services.

10:00 a.m. Subcommittee work session on ***HB 785-FN,*** relative to alcohol and other drug abuse professionals.

FINANCE, Rooms 210-211, LOB

1:00 p.m. Executive sessions may be held throughout the day.

FINANCE, (DIVISION II), ROOM 209, LOB

Division II will hold the following work session on the budget:

10:00 a.m. Department of Transportation

Executive session to follow.

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

9:00 a.m. Regular business.

9:30 a.m. Audits.

` 1996 State of New Hampshire Comprehensive Annual Financial Report and the Related Single Audit of Federal Financial Assistance Management Letter and Turnpike System Reports.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 326,*** requiring that parties filing for divorce attempt a mutually agreeable divorce settlement through mediation prior to proceeding with the adversarial process.

10:30 a.m. ***HB 395,*** repealing the exemption for teacher certification records from the right-to-know law.

1:00 p.m. ***HB 439-FN,*** establishing a procedure for reporting on abortions.

2:00 P.M. ***HB 444,*** extending the reporting date for the house committee to study the state investigation of the late John C. Fairbanks.

3:00 p.m. ***HB 512-FN,*** requiring mediation in domestic cases involving minor children.

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. Subcommittee work session on ***HB 231-FN-LOCAL,*** imposing a penalty on motor vehicle operators under 20 years of age if the operator is convicted of any violation offense involving the operation of a motor vehicle, ***HB 459-FN,*** establishing a graduated driver's license and related penalties for persons under 18 years of age, ***HB 626,*** requiring an inexperienced driver and a person 16-17 years of age to obtain a special learner's permit and examination permit prior to obtaining a driver's license, ***HB 649-FN,*** relative to reckless driving and ***HB 695,*** establishing a committee to study the educational requirements of student drivers.

TUESDAY, MARCH 4

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on ***HB 541,*** relative to long-term care insurance.

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.

1:15 p.m. ***HB 806-FN-LOCAL,*** relative to the business finance authority.

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.

3:00 p.m. Public hearing on proposed amendment to ***HB 136,*** establishing a committee to study the authority, functions, duties, and responsibilities of the fire standards and training commission (Copy of the amendment will be available from the Sergeant-at-Arms Office.).

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

EDUCATION, Room 207, LOB

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

ELECTION LAW, Room 308, LOB

9:00 a.m. Subcommittee work session on ***HB 430,*** relative to registration of political committees.

9:30 a.m. Subcommittee work session on ***HB 785-FN,*** relative to alcohol and other drug abuse professionals.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 790-FN,*** relative to the board of medicine.

9:30 a.m. Subcommittee work session on ***HB 785-FN,*** relative to alcohol and other drug abuse professionals.

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

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

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

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 518-FN,*** requiring administrative agents to obtain warrants based upon probable cause to perform searches or inspections.

10:30 a.m. ***HB 549,*** relative to service-connected military or coast guard disability compensation in the determination of alimony or separate maintenance.

11:00 a.m. ***HR 16,*** urging that impeachment roceedings be instituted against Strafford county probate court judge Gary R. Cassavechia.

Representatives Hall

1:30 p.m. ***HB 421,*** amending the law against discrimination to prohibit discrimination on the basis of sexual orientation.

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

10:30 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.

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.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 301, LOB

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

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.

11:00 a.m. Continued public hearing on ***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, MARCH 5

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

9:15 a.m. Subcommittee work session on ***HB 508,*** relative to mandatory automobile insurance.

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.

11:30 a.m. Subcommittee work session on ***HB 505,*** revising provisions relative to smoking in indoor public places, ***HB 487,*** relative to the distribution of tobacco products, ***HB 599-FN,*** relative to youth access to tobacco products, ***HB 721,*** prohibiting certain tobacco or alcohol advertising within drug-free school zones and ***HB 506,*** prohibiting all smoking in any restaurant where serving food is the primary function.

Rescheduled subcommittee work session on ***HB 147,*** relative to disclosure of certain information relating to tobacco products.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

8:30 a.m. Subcommittee work session on ***HB 378,*** regulating the practice of acupuncture.

9:00 a.m. 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 469,*** relative to the rules of the board of dental examiners.

1:30 p.m. Rescheduled public hearing on ***HB 749-FN,*** requiring group I retirement system members to be incapacitated for any gainful employment before receiving accidental disability retirement benefits.

2:30 p.m. Rescheduled public hearing on ***HB 745-FN,*** relative to the compensation of the members of the workers' compensation appeals board.

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

9:00 a.m. Executive session on pending legislation.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 550,*** relative to certain social security disability compensation in the determination of alimony or separate maintenance.

10:30 a.m. ***HB 555,*** exempting an individual's pensions and individual retirement accounts from bankruptcy attachment.

1:00 p.m. ***HB 568-FN,*** relative to the oath of office for attorneys and the penalty for failure to fulfill the oath.

2:00 p.m. ***HB 595-FN,*** protecting consumers from the unlicensed practice of law.

3:00 p.m. ***HB 608-FN,*** providing that a district court shall not require the department of health and human services to certify a particular provider of children's services.

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.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 623,*** allowing a landlord or housing owner under the housing finance authority to terminate a tenancy to allow a family member to occupy the premises.

10:30 a.m. ***HB 624,*** subjecting certain payments made to public employees upon resignation, discharge, or retirement to the right-to-know law.

1:00 p.m. ***HB 635,*** relative to a limitation on liability for emergency medical care providers.

2:00 p.m. ***HB 711,*** relative to post-termination commissions.

3:00 p.m. ***HB 768-FN,*** relative to certain abortions.

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

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

9:00 a.m. Rescheduled regular meeting.

MONDAY, MARCH 10

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 773-FN,*** relative to intentional interference with child custody and visitation.

10:30 a.m. ***HB 774-FN,*** relative to child support, custodial rights, and visitation.

1:00 p.m. ***HB 787-FN,*** requiring the executive council to hold public hearings on judicial appointments.

2:15 p.m. ***HB 793,*** limiting the civil liability of persons engaged in equine activities.

3:15 p.m. ***HB 802,*** relative to judgments on past due rent and judgments for eviction.

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

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.

LEGISLATIVE FACILITIES (RSA 17-E:2), Room 103, State House

2:00 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.

MONDAY, MARCH 24

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

9:00 a.m. Hearing and regular meeting.

10:00 a.m. Rules hearing.

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

Belknap County Delegation will meet Monday, March 10 at 7:00 p.m. at the Belknap County Courthouse for a public hearing on the County Budget.

Rep. Gordon E. Bartlett, Chairman

` Belknap County Delegation

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

The Hillsborough County Executive Committee will hold a public hearing on Thursday, March 6 in the Hillsborough County Superior Court Building, 300 Chestnut Street, Manchester to consider cost items associated with the proposed Collective Bargaining Agreement.

Immediately following the public hearing, the Delegation will meet in convention at 7:30 p.m.

Rep. Frances L. Riley, Chairman

Hillsborough County Delegation

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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

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During House sessions, members that wish to keep book bags, briefcases etc. with them please place them under seats and not in the aisles in front of seats. This is asked as a courtesy to fellow colleagues and for safety and emergency evacuation purposes. Thank you.

Rob Johnson, House Sergeant-at-Arms

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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; 689, 702, 716; 719; 720, 723, 724, 725, 726, 729, 733, 734, 739, 740, 741, 742, 743, 747, 748, 749, 750, 751, 760, 761, 762, 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

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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.

Charles H. Felch, Sr., PO Box 22, Seabrook, New Hampshire 03874-0022

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

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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.

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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

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The New Hampshire Order of Women Legislators (OWLs) will meet Wednesday, February 26 at noon in Room 306, LOB. All legislators are welcome to attend.

Rep. M. Virginia Burke

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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

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The American Legislative Exchange Council (ALEC) will meet Wednesday, March 5 in Room 212, LOB at noon.

Rep. Frances L. Riley, State Chairman

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All Representatives are invited to attend "We Love Ray" appreciation night. This is an opportunity to thank Rep. Ray Buckley for his years of service to Manchester and the State of New Hampshire as well as the Democratic Party Wednesday, March 5 at the Courtyard Restaurant, Manchester. Dinner and Program 6:00 to 9:30 p.m. Tickets, $25 per person, are available from Reps. Martha

Fuller Clark and Lou D'Allesandro.

Reps. Martha Fuller Clark and Lou D'Allesandro

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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.

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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

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The Department of Transportation will hold the following meetings:

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 26

AMENDMENTS

(Listed in numerical order.)

1997-0164h

Amendment to HB 144

Proposed by the Committee on Local and Regulated Revenues

Amend the bill by replacing section 2 with the following:

2 Cash Incentives Paid to Servants and Agents. Amend RSA 284:21-s to read as follows:

284:21-s Incentive Awards for Ticket Sellers. The sweepstakes commission is authorized to pay [~~graduated~~] cash [~~awards only, to a maximum sum of $1,000,~~] ***incentives, not to exceed one percent of the prize awarded or a maximum of $30,000 for powerball prizes or $15,000 for other prizes,*** as an inducement to servants and agents, excluding sweepstakes commission employees, [~~who actually sell tickets for persons~~] authorized to sell tickets pursuant to RSA 284:21-h, II(d), provided such sweepstakes ticket selling servant or agent sells the winning sweepstake ticket for which the commission has authorized an incentive award.

1997-0133h

Amendment to HB 151-FN-LOCAL

Proposed by the Committee on Criminal Justice and Public Safety

Amend the bill by replacing section 1 with the following:

1 Statement of Purpose. The legislature finds that the public safety and welfare requires that persons serving as police officers and state corrections and probation-parole officers be physically and emotionally fit to perform the exacting and demanding essential tasks required of law enforcement officers. The legislature recognizes physical fitness as a necessary component to ensure that only reasonable and necessary force is used in making arrests and assuming and maintaining custody and control of prisoners and that officers must be capable of performing strenuous duties in search and rescue operations and subduing violent persons. The legislature further recognizes that requiring officers to maintain minimum fitness levels should minimize and reduce costs to the state, its political subdivisions and the New Hampshire retirement system due to excessive sick leave, worker's compensation claims, and disability retirements. The legislature further recognizes that police and corrections duties and the supervision of probationers and parolees should only be performed by officers who are free from inappropriate behavior traits. Therefore, it is in the best interests of the people of the state and its political subdivisions to request certain minimum medical and psychological standards for persons serving in these critical positions.

Amend RSA 188-F:27, III-i - III-l as inserted by section 3 of the bill by replacing them with the following:

III-i. A licensed physician, psychiatrist, psychologist, or person acting under the licensee's supervision, whose examination administered under this chapter results in an employment decision adverse to a police, corrections, or probation-parole officer shall be immune from suit resulting from such examination or decision, providing such examination is conducted in good faith, not in a wanton or reckless manner.

III-j. To the extent required to comply with federal or state law, the council may grant a waiver, with respect to employment at a specific agency, to an officer who cannot meet the standards in paragraphs III-d - III-g.

III-k. Nothing in this section shall prevent individual hiring agencies from adopting physical fitness programs for their officers that are more stringent or frequent than those required in this section.

III-l. Except as provided in paragraph III-h and notwithstanding other provisions of law to the contrary, a hiring authority may assess a testing fee to cover all or part of the cost of any medical or psychological examination in cases where the person has been given a conditional offer of employment. A hiring authority may also make repayment of a testing fee part of any training or hiring contract that establishes a minimum term of employment for such an officer.

Amend the bill by replacing all after section 3 with the following:

4 Unfunded Mandate Compliance.

I. On or before July 1, 1998, the police standards and training council shall notify by certified mail the governing body of each political subdivision as to those provisions of this bill that mandate or assign any new, expanded or modified programs or responsibilities to the political subdivision and the approximate costs thereof.

II. In political subdivisions where the legislative body is the town meeting, the selectmen shall place a warrant article on the ballot at the next regular town meeting to determine if the voters will approve such programs or responsibilities for funding. The town clerk shall certify to the council the results of said vote.

III. In political subdivisions where the legislative body is a town or city council, board of aldermen or county delegation, that body shall within 60 days of receipt of the certified mail from the council vote to approve or disapprove such programs or responsibilities for funding and certify to the police standards and training council the results of said vote.

IV. The question in the resolution before the legislative body shall be stated as, "Shall the town/city of _____ approve for funding those provisions of RSA 188-F:27, III which constitute a new state mandate requiring the newly-hired police officers of the city/town pass a psychological examination and drug screening test, and that newly-hired part-time police officers of this city/town pass the same medical examination and physical agility tests as are currently required of full-time police officers?"

V. The council shall not implement these new provisions in any political subdivision which fails to pass the resolution. The council may request any political subdivision that has not accepted these provisions to reconsider the question no more frequently than at 5-year intervals.

VI. The council may assist political subdivisions by facilitating contracts with licensed physicians, clinics, licensed psychologists or psychiatrists to provide examination services for a fee to cities and towns on a statewide bid basis.

5 Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

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

AMENDED ANALYSIS

This bill requires that, subject to approval of necessary funding by the employing political subdivision, all part-time and full-time police officers, state corrections officers, and probation parole officers meet certain medical, physical and psychological standards established in rules adopted by the police standards and training council.

This bill is a request of the department of postsecondary technical education.

1997-0193h

Amendment to HB 183

Proposed by the Committee on Election Law

Amend RSA 662-A:4, I-VIII as inserted by section 1 of the bill by replacing it with the following:

I. The redistricting commission shall consist of 5 members, all of whom shall be registered voters of the town appointed by the town moderator.

II. The town clerk shall within 7 days after the appointment of the commission members, notify those appointed to the commission of the date, time and place of the organizational meeting of the commission. Such date, time and place shall be fixed by the clerk and 7 days' notice of the organizational meeting shall be given. The commission shall organize by electing from its members a chairperson, vice chairperson and a secretary and shall file notice thereof with the town clerk. Vacancies occurring on the commission shall be filled by vote of the commission from the voters of the town. Members shall serve without compensation.

III. The commission may adopt rules governing the conduct of its meetings and proceedings. A town shall provide its redistricting commission, free of charge, with suitable office space and with reasonable access to facilities for holding public hearings, may contribute clerical and other assistance to such commission, and shall permit it to consult with and obtain advice and information from municipal officers, officials and employees during ordinary working hours. A town may from time to time appropriate additional funds to the commission.

IV. The commission shall proceed to determine how to divide the town into representative districts. Any such division shall be based on population figures determined at the latest federal decennial census. Any proposal for division recommended by the commission shall provide for equality of representation in accordance with the principle of one-person, one-vote.

V.(a) Within 14 days after its organizational meeting, the redistricting commission shall hold a public meeting for the purpose of receiving information, views, comments and other pertinent material relative to its functions.

(b) Within 90 days after its appointment, the commission shall prepare a preliminary report including the text of the proposal for new districts which the commission intends shall be submitted to the voters and any explanatory information the commission deems desirable. The preliminary report shall be submitted to the secretary of state for approval pursuant to RSA 662 A:5.

(c) Within 225 days after its appointment, the commission shall submit to the town officers its final report, which shall include the full text and explanation of the redistricting proposal and such comments as the commission deems desirable.

1. All public hearings before the commission shall be held within the town at such times and places as may be specified in a notice published at least 7 days prior to the hearing in a newspaper having general circulation in the town. Hearings may be adjourned from time to time without further published notice.
2. VI. Upon the filing of the final report, the town officers shall order the redistricting proposal to be submitted to the voters at the next regular town election pursuant to RSA 662-A:6.

VII. Upon the submission of the final report, the commission shall be dissolved.

1997-0131h

Amendment to HB 225-FN

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs

Amend the bill by replacing all after section 1 with the following:

2 Pilot Program Established; Needle Exchange.

I. The commissioner of the department of health and human services shall establish, with the assistance of an advisory committee, a 2-year pilot program offering the free exchange of new hypodermic needles and syringes for used hypodermic needles and syringes as a means to prevent the transmission of human immunodeficiency virus (HIV) among intravenous drug users. The pilot program may be implemented in one community in New Hampshire. Any individual who either administers or participates in the needle exchange program established under this act shall be immune from prosecution for violating RSA 318:52-c through RSA 318:52-e.

II. In order to implement this pilot program the commissioner, with the advice of the advisory committee established in section 3 of this act, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The community where the pilot program may be implemented and the manner of implementation in such community.

(b) Counseling and rehabilitation services to be offered to persons participating in the program.

(c) Any other matter necessary to the administration of this act.

III. The local governing body shall have the option to determine if the pilot program will be implemented in the community.

IV. The commissioner of health and human services may accept grants and moneys from any source and may expend such grants and moneys for the purposes of the program.

3 Advisory Committee.

I. There is established an advisory committee to assist the commissioner of health and human services in establishing and monitoring the pilot program, including the rulemaking process, authorized under section 2 of this act. The committee members shall be as follows:

(a) Two members of the house of representatives, appointed by the speaker of the house.

(b) Two members of the senate, appointed by the president of the senate.

(c) A public member, appointed by the governor.

(d) The medical director of the department of health and human services, or designee.

(e) An outreach worker affiliated with either a local public health department or an AIDS organization, appointed by the commissioner of health and human services.

(f) One representative of the New Hampshire Medical Society, appointed by such society.

(g) One representative of the New Hampshire Police Chiefs' Association, appointed by such association.

(h) A representative of the New Hampshire Pharmacists Association, appointed by such association.

(i) A representative of the New Hampshire Nurses Association, appointed by such association.

II. Members of the advisory committee shall serve without compensation, except that the legislative members shall receive mileage at the legislative rate.

4 Report. The commissioner of the department of health and human services shall make an interim report on or before January 1, 1999, and a final report on or before the termination date of the pilot program to the speaker of the house, the senate president, the speaker of the house, the senate clerk, the house clerk, the governor, and the state library on the activities, findings, and recommendations relative to the pilot program.

5 Funding. The pilot program established in this act shall be funded through appropriations currently available to the department of health and human services and through grants solicited by the department from federal, local, charitable and private sources. Moneys raised under this section shall be continually appropriated to the department for the purposes of this act.

6 Applicability. The commissioner of the department of health and human services shall initiate rulemaking, pursuant to RSA 541-A, for the pilot program established in section 2 of this act, and such rules shall be filed with the director of legislative services under RSA 541-A before the pilot program is implemented.

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

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to establish, with the assistance of an advisory committee, a 2-year needle exchange pilot program to reduce the spread of AIDS in New Hampshire. The pilot program may be implemented in one community in New Hampshire. The community shall have the option of deciding whether the pilot program should be implemented in its community. The commissioner is granted rulemaking authority to implement the provisions of the bill.

1997-0099h

Amendment to HB 249

Proposed by the Committee on Criminal Justice and Public Safety

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

AN ACT clarifying the authority of certain officials and law enforcement officers to serve cease and desist orders against planning and zoning violations.

Amend RSA 676:17-a, II as inserted by section1 of the bill by replacing it with the following:

II. The order shall be served upon the record owner of the property or the record owner's agent, and upon the person to whom taxes are assessed for the property, if other than the owner, and upon any occupying tenant of the property, and upon any other person known by the enforcing officer to exercise control over the premises in violation, and upon all persons holding mortgages upon such property as recorded in the office of the register of deeds, in the same manner provided for service of a summons in a civil action in district court. ***Personal service may be made by a building inspector, code enforcement officer, zoning administrator, sheriff, deputy sheriff, local police officer, or constable***. If the owner is unknown or cannot be found, the order shall be served by posting it upon the property and by 4 weeks' publication in a newspaper in general circulation in the municipality.

AMENDED ANALYSIS

This bill clarifies the authority of certain officials and law enforcement officers to serve cease and desist orders against planning and zoning violations.

1997-0262h

Amendment to HB 252

Proposed by the Committee on Election Law

Amend the bill by replacing section 1 with the following:

1 Requirement for Posting of Bylaws Added. Amend RSA 31:41-c to read as follows:

31:41-c Electioneering. Towns shall have the power to make bylaws regulating the distribution of campaign materials or electioneering or any activity which affects the safety, welfare and rights of voters at any election held for any purpose in such town. Such power shall not extend to the display of printed or written matter attached to any legally parked motor vehicle, nor shall such power extend to activities conducted wholly on private property so as not to interfere with people approaching or entering a polling place. Failure to conform to bylaws adopted under this section shall constitute a violation. Bylaws adopted under this section [~~may~~] ***shall*** be ***permanently posted in the town clerk's office immediately following adoption, and*** posted ***at each polling place*** 72 hours in advance of any town election[~~, at the town clerk's office~~].

AMENDED ANALYSIS

This bill requires that bylaws regulating the distribution of campaign materials or electioneering or any activity which affects the safety, welfare, and rights of voters at any election held for any purpose in a town be permanently posted in the town clerk's office immediately following adoption, and posted at each polling place 72 hours in advance of any town election. Current law makes such posting optional.

1997-0242h

Amendment to HB 265

Proposed by the Committee on Executive Departments and Administration

Amend the bill by replacing all after section 1 with the following:

2 Condition Added. Amend RSA 21-L:12, II to read as follows:

II. Issuing securities for certain carriers, as authorized by RSA 288:76-92 ***in the event that federal responsibility in this area is repealed***.

3 Condition Added. Amend RSA 21-L:12, XXV to read as follows:

XXV. Procedures for notification and investigation of railroad accidents, as authorized by RSA 367:56 ***in the event that federal responsibility in this area is repealed***.

4 Repeal. RSA 21-L:12, XLI, relative to the sale of abandoned aircraft, is repealed.

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

AMENDED ANALYSIS

This bill conditionally repeals provisions concerning the rulemaking authority of the commissioner of transportation relative to issuing securities for certain carriers, and procedures for investigating railroad accidents.

It also repeals such rulemaking provisions relative to minimum notification requirements regarding railroad accidents, and the sale of abandoned aircraft.

1997-0277h

Amendment to HB 300

Proposed by the Committee on Judiciary and Family Law

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

AN ACT establishing a commission to study judicial salaries and retirement benefits.

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

1 Commission Established. There is established a commission to study judicial salaries and retirement benefits.

2 Membership and Compensation.

I. The commission members shall be as follows:

(a) Two members of the senate, appointed by the senate president.

(b) Two members of the house of representatives, appointed by the speaker of the house.

(c) Two public members, appointed by the governor.

(d) Two members appointed by the chief justice of the New Hampshire supreme court.

II. House and senate commission members shall receive mileage at the legislative rate when attending to the duties of the commission.

3 Duties. The commission shall study alternative retirement systems to the current non-contributory system for New Hampshire judges and examine the costs and consequences of establishing an alternative retirement system for judges in this state.

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

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, the chief of justice of the New Hampshire supreme court, and the state library on or before November 1, 1997.

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

AMENDED ANALYSIS

This bill establishes a commission to study judicial salaries and retirement benefits.

1997-0269h

Amendment to HB 313

Proposed by the Committee on Criminal Justice and Public Safety

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

1997-0159h

Amendment to HB 434

Proposed by the Committee on Health, Human Services and Elderly Affairs

Amend RSA 184:79, XXII as inserted by section 3 of the bill by replacing it with the following:

XXII. The term "milk" means the lacteal secretion, practically colostrum free, obtained by the complete milking of one or more healthy cows, sheep, or goats. Cow's milk shall contain not less than 8-1/4 percent milk solids not fat and not less than 3-1/4 percent milk fat. Goat's milk sold in retail packages shall contain not less than 7-1/2 percent milk solids not fat and not less than 2.5 percent milk fat.

Amend RSA 184:89 as inserted by section 4 of the bill by replacing it with the following:

184:89 Application; Issue. The commissioner may issue a permit to any milk producer upon receipt of a written application upon a form furnished by the commissioner and setting forth such information concerning the applicant and [~~his~~] ***the applicant's*** operation and facilities as may by rules be required. A permit will be granted upon the condition that the applicant shall at all times conduct [~~his~~] ***its*** operation and maintain [~~his~~] ***its*** facilities in accordance with the requirements of this subdivision and all rules adopted [~~hereunder~~] ***under this subdivision***. ***Permits shall not be transferable with respect to persons or locations.*** All permits once issued shall remain in effect until revoked ***or until 6 months following the date on which milk production ceased at the permitted facility***. ***Permanent milking facilities at fairgrounds or other locations which are used at least annually shall be exempt from the 6-month period.*** [~~Permits shall not be transferable with respect to persons or location.~~] A current listing of all valid permit holders shall be available for review in the [~~office of the commissioner~~] ***department of health and human services***.

1997-0265h

Amendment to HB 678

Proposed by the Committee on State-Federal Relations and Veterans Affairs

Amend RSA 119:1 as inserted by section 1 of the bill by replacing it with the following:

119:1 Establishment. There is established in this state a home known as the New Hampshire veterans' home for the support, care, and treatment of veterans who have served on active duty in time of war for a period of at least 90 days in the armed forces of the United States as defined by 38 U.S.C. section 101 and have been honorably discharged therefrom. The veteran shall have been a resident of the state of New Hampshire for at least one year next preceding the veteran's application. The care of veterans under this section includes nursing care***, assisted living, domiciliary, day care, dementia, chemical dependency and psychiatric services, and other related services and programs*** for any veteran otherwise eligible for admittance. ***Such services and programs shall be provided at the veterans' home or contracted through other organizations and facilities, both within and outside of New Hampshire.***

1997-0203h

Amendment to HR 10

Proposed by the Committee on Election Law

Amend the resolution by replacing all after the title with the following:

Whereas, the state of New Hampshire is dedicated to conducting elections of the highest possible quality and to allowing the public to have the most accurate and truthful information about elections that is available; and

Whereas, television and radio are 2 of the most common sources of information available to, and utilized by, the citizens of New Hampshire regarding the conduct and outcome of elections; and

Whereas, television and radio networks and stations contemporaneously monitor in various ways the votes reportedly cast at polls throughout the state; and

Whereas, those same entities report to the public their predictions or their "calls" as to which candidate will win any particular race long before all polls have closed and therefore, long before any accurate assessment of the outcome of any race could be obtained; and

Whereas, such reporting by television and radio entities is by its very nature inaccurate and often misleading, and is, therefore, harmful to the candidates running for public office as well as the voters interested in valid and precise information about the outcome of elections; and

Whereas, refusal on the part of television and radio entities to broadcast reports based upon exit polls and similar sources predicting or "calling" the outcome of elections long before all the polls are closed would prevent the adverse effect on the candidates and the general public; now, therefore, be it

Resolved by the House of Representatives:

That the house of representatives hereby urges television and radio broadcasters located both in the state and out of the state to refuse to broadcast, within the scope of their authority, reports of the purported outcome of exit polls and predictions or "calls" about the outcome of elections as the voting process is being conducted; and

That copies of this resolution, signed by the speaker of the house, be forwarded by the house clerk to the ABC, CBS, CNN, FOX, and NBC networks, and to all television and radio stations and broadcasting companies operating within the state of New Hampshire.