State of

New Hampshire

HOUSE RECORD

First Year of the 155th Session of the General Court

Calendar and Journal of the 1997 Session

Vol. 19 Concord N.H. Friday, February 28, 1997 No. 28

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

HOUSE CALENDAR

NOTICE

Members of the House:

The House will meet at 10:00 a.m. on March 5th and 12th. Future sessions are tentatively scheduled for March 18th and 19th.

The Rules Committee will meet on Tuesday, March 4th at 4:00 p.m. in Room 206 LOB to take up an amendment to the Rules extending the deadline for action on bills in a first committee from March 5 to March 6, and to clarify that the rule does not apply to bills already in Finance. This Rules amendment will be voted on by the full House on March 5.

I appreciate your cooperation in using only the mailroom door to access the smoking room. We are exploring additional measures to confine the smoke to the smoking room and to improve the ventilation there. This should result in a more comfortable situation for everyone.

I commend all the committees for their diligence in reporting out their bills in a timely manner.

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

Members should be advised the Committees may choose to meet for Executive Session following the House Session on March 5th, time permitting. Any such committee meetings would be announced by the Chairmen from the floor.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, March 5 at 9:00 a.m. in Representatives Hall.

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, March 5 at 9:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

WEDNESDAY, MARCH 5

SPECIAL ORDER

EDUCATION

{Type BILL NO.}**,** 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. {Type NAME} 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 {Type VOTE}.

WEDNESDAY, MARCH 5

CONSENT CALENDAR

COMMERCE

HB 263-FN, relative to viatical settlements which are settlements between an insurance provider and a policy holder with a life-threatening illness. RE-REFER TO COMMITTEE

Rep. Tara G. Reardon for Commerce: Viatical settlements are a relatively new product. Although the committee recognizes the importance of regulation in this area to protect the consumer, the subject is complex and warrants further study. The committee also notes that these settlements may have multi-departmental impact. In the interim, the consumer has protections under federal law. Vote 14-0.

HB 324, relative to the qualifications of bank examiners. OUGHT TO PASS

Rep. George Hurt for Commerce: This legislation removes an antiquated 1925 law that severely limits a New Hampshire bank examiners access to credit. This legislation allows, after certain disclosures to the Bank commissioner, bank examiners fair access to credit such as mortgages and personal loans. Vote 12-0.

HB 464-FN, regarding notice provisions for waxes applied to fresh fruit INEXPEDIENT TO LEGISLATE

Rep. Ronald G. Russell for Commerce: The committee felt that the majority of stores in our state have posted signs in proper places. Federal law is already in place. State law can be more restrictive, however, we do not have the work force to police this activity. We found that most waxes are sprayed on in the country of origin and today's market is worldwide. Vote 13-1.

CRIMINAL JUSTICE AND PUBLIC SAFETY

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

Rep. L. Randy Lyman for Criminal Justice and Public Safety: The committee heard testimony on more than one bill dealing with incarceration, treatment and sentencing for persons convicted of sex-related crimes. It was the unanimous vote of the committee to use HB 353 as the vehicle to study these complex issues and come back with recommendations in the l998 session. Vote 11-0.

HB 438-FN, allowing the court to impose certain chemical treatments on repeat child molesters. INEXPEDIENT TO LEGISLATE

Rep. L. Randy Lyman for Criminal Justice and Public Safety: This bill seeks to establish a voluntary chemical treatment program for repeat child molesters. The committee is recommending ITL with the intention of addressing this issue under the committee to be established by HB 353. Vote 11-0.

HB 625-FN, establishing heightened criminal penalties for threatening or assaulting a teacher. INEXPEDIENT TO LEGISLATE

Rep. Frank M. Schanda for Criminal Justice and Public Safety: The sponsor of this bill asked to withdraw the bill, but under our rules, every bill has an opportunity to be heard. No one was present to testify. The committee voted the bill inexpedient to legislate. Vote 12-0.

HB 652, establishing a committee to study certification of police and fire dispatchers. OUGHT TO PASS

Rep. Bruce F. Hunter for Criminal Justice and Public Safety: This bill calls for a legislative study committee to consider the possibility of establishing a certification process for police and fire dispatchers. Testimony convinced the committee that minimum standards are necessary and voted in favor of studying the matter in a formal manner. Vote 12-0.

EDUCATION

HB 253-FN-LOCAL, relative to special education services. INEXPEDIENT TO LEGISLATE

Rep. Jane E. O'Hearn for Education: The committee found the objectives of this bill requiring the state board of education to adopt rules for special education program approval, were already appropriately covered by existing standards. The department of education found it costly and difficult to judge costs and qualifications when they were not direct participants in the development of an Individualized Educational Plan (IEP) with an out-of-district placement. Vote 16-0.

HB 317, clarifying certain provisions of law relating to compulsory attendance for home education pupils and relative to dual enrollment provisions. INEXPEDIENT TO LEGISLATE

Rep. Arthur J. Pelletier for Education: Since the introduction of this bill, discussions with the department of education and the Home Education Advisory Council determined that the proposed legislation would not result in further clarification of existing law. Vote 16-0.

HB 388, providing that one member of the state board of education shall be a currently certified and employed New Hampshire public school teacher. INEXPEDIENT TO LEGISLATE

Rep. Richard L. Hill for Education: The committee felt this bill was in conflict with the current law and opinion of the justices (1973) 113 NH 457, 309 A2d 215 regarding the prohibition of public or private teachers from being a member of the state board of education. The state board of education has seven civic minded members, one from each council district and two who serve at large. Vote 20-0.

HB 450, relative to accessing directory information as defined by the Family Educational Rights and Privacy Act. OUGHT TO PASS WITH AMENDMENT

Rep. William A. Riley for Education: This is a privacy bill as amended. It gives parents and students who are 18 years old control over what personal information they will allow to be printed in a local education agency directory published for general distribution. Vote 16-0.

HB 748-FN, clarifying the school building aid law relative to kindergarten programs. OUGHT TO PASS WITH AMENDMENT

Rep. Suzan L. R. Franks for Education: This act as amended will clarify the school building aid and kindergarten aid laws as requested by the State Department of Education. The amendment will allow this act to take effect upon passage. Vote 20-0.

ELECTION LAW

HB 235-FN-LOCAL, requiring a special election to be held when a vacancy occurs in the office of county sheriff. INEXPEDIENT TO LEGISLATE

Rep. Nick Hart for Election Law: The Committee felt the expense for special elections for these offices was not necessary. The Superior Court has appointed qualified persons to fill these vacancies. Vote 17-0.

HB 408, relative to using name stickers on election ballots. RE-REFER TO COMMITTEE

Rep. Raymond C. Buckley for Election Law: The Supreme Court is expected to rule on a N.H. case relative to stickers used in this past election. The Committee would like to have this bill re-referred to deal with the court ruling. Vote 17-0.

HB 800, redistricting the executive council districts. INEXPEDIENT TO LEGISLATE

Rep. Thomas I. Arnold, Jr. for Election Law: The Committee recognized the concerns represented by this bill and will combine them into the consideration of CACR 8 which was re-referred by the House. Vote 14-0.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 121, relative to quality review for accountancy and requiring the board of accounting to adopt administrative rules. OUGHT TO PASS WITH AMENDMENT

Rep. Myron S. Streere, III for Executive Departments and Administration: The quality of peer review requires a review of the quality and consistency of accounting work for each permittee once every three years. The committee agreed that the adoption of administrative rules by the Board of Accountancy should be required and that the rules provide for the conduct and charges for quality reviews not be excessive. Vote 15-0.

HB 213, establishing a committee to study the issues of licensing of psychologists, pastoral counselors, clinical social workers, mental health counselors, and marriage and family therapists. INEXPEDIENT TO LEGISLATE

Rep. Miriam D. Dunn for Executive Departments and Administration: The issues in this bill are now under consideration in other legislation moving through this session. Therefore, a separate study committee does not seem necessary. Vote 16-0.

HB 282, relative to enforcement of compliance by agencies with statutory authority for administrative rulemaking and other grounds for final objection by the joint committee on administrative rules. INEXPEDIENT TO LEGISLATE

Rep. Merton S. Dyer for Executive Departments and Administration: The intent of the bill is to allow the Joint Legislative Committee on Administrative Rules to insure that all rules that are proposed for adoption comply with the legislative authority. The committee felt that the method to insure compliance outlined in the bill was very severe and dependent upon the governor taking action at the request of the JLCAR. This action might or might not be taken and if not, there is no method of resolution. At the present time, JLCAR has among its motions a joint resolution which will send the proposed rules to the full legislature for resolution. This will hold up adoption until resolved by the legislature. Vote 16-0.

HB 303, relative to accountancy. RE-REFER TO COMMITTEE

Rep. Myron S. Steere, III for Executive Departments and Administration: This bill makes a number of changes in the definition and requirements in RSA 309-B concerning public accounting. The sponsor and committee agreed further research and discussion was required to prepare the bill for presentation in the next session. Vote 15-0.

HB 322, relative to bingo and lucky 7 inspectors. INEXPEDIENT TO LEGISLATE

Rep. Ray F. Langer for Executive Departments and Administration: It is the opinion of the committee that this legislation is not necessary. An assignment as supervisor by the Commissioner of Safety, under RSA 21-P:ll does not change the retirement status of the State Police officer. The police officer remains a police officer in group II of the retirement system regardless of the assignment. Vote 14-0.

HB 393, relative to the mental health practice act, including establishing a clients' bill of rights. INEXPEDIENT TO LEGISLATE

Rep. Miriam D. Dunn for Executive Departments and Administration: Other legislation in this session deals with the mental health practice act. A client "bill of rights" is not now required of other health professions, but is being used voluntarily by some entities in the mental health field. Vote 17-0.

HB 461-FN, authorizing the New Hampshire hospital and the department of transportation to settle claims when the amount is less than $500. INEXPEDIENT TO LEGISLATE

Rep. Merton S. Dyer for Executive Departments and Administration: This bill deals with the threshold amount for claims against the New Hampshire Hospital and the Department of Transportation that are remanded to the Board of Claims. The committee has now in its possession SB 60 which also deals with the threshold amount for the New Hampshire State Hospital. By keeping this bill in preference to HB 461, the committee can hold a public hearing on the bill and include an amendment that was presented for the house bill but which did not have an adequate hearing. Vote 17-0.

HB 600, consolidating administrative support for the regulation of health professionals. RE-REFER TO COMMITTEE

Rep. Gerald O. Gosselin for Executive Departments and Administration: The intention is to consolidate the administrative support services for health boards in the areas of secretarial services, issues of licenses, providing one central contact point for consumer information, etc. It was felt that this bill should be re-referred as there were too many factors to consider in the short time frame allowed. In addition, implementation, would require planning and meetings with the commissioner and staff of the licensure and registration staff of health and human services. Many small licensing boards need assistance in the performance of their duties, and some feel that the consolidation of specialized services could be equally helpful to many of the large boards, too. Even implementing a single unit that could issue health care licenses through a single data base would be a start. Vote 17-0.

FINANCE

HB 108-FN-A, relative to the rate of the legacies and successions tax as it applies to siblings of the decedent together with their spouses and lineal ascendants and descendants of siblings of the decedent together with their spouses. RE-REFER TO COMMITTEE

Rep. David J. Alukonis for Finance: The Finance Committee has received testimony on four legislative proposals regarding the legacies and successions tax, each of which addressed a slightly different issue, or perceived inequity. The committee has determined that the issue should be reviewed and has determined that this bill should be re-referred while the three other bills (HB 603, HB 757, HB 789) should be reported as Inexpedient to Legislate. Vote 19-0.

HB 127-FN-L, designating a portion of the meals and rooms tax for distribution to cities and towns based on the amount of land in current use. INEXPEDIENT TO LEGISLATE

Rep. Paul J. Dwyer, Sr. For Finance: The committee was not persuaded that current land use taxation imposed an unfair burden on any group of taxpayers. Moreover, the connection between current land use concerns and the rooms and meals tax as a remedy is problematic. Vote 18-0.

HB 240-FN-A, increasing certain state employee salaries and making an appropriation therefor, and reducing the number of state employees. INEXPEDIENT TO LEGISLATE

Rep. Robert G. Holbrook for Finance: When the state is involved with collective bargaining, it is not appropriate to legislate important components of a future contract. Vote 17-1.

HB 286-FN-A, lowering the rate of the interest and dividends tax. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: The purpose of this legislation, according to its sponsors, was to bring revenue neutrality to changes made in the Interest and Dividends Tax by the last Legislature. To determine if the original rate changes in Interest and Dividends were indeed revenue neutral, the Finance Committee is holding HB 195, increasing the exemption amount under the interest and dividends tax, while awaiting results from Revenue Administration. This bill, if passed, will decrease state general unrestricted revenue by 17.6 million for the biennium. Vote 18-1.

HB 491, establishing a house committee to study the institution of a state property tax. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: Pursuant to House Resolution 62, passed by the House in 1996, the Finance Committee is currently charged with studying existing and alternative methods of taxation in this state. The aspects of this bill which have merit will be considered by the current study committee. Vote 19-0.

HB 513-FN, limiting the operational expenses of the sweepstakes commission to 10 percent of the gross revenue. INEXPEDIENT TO LEGISLATE

Rep. Stephen T. DeStefano for Finance: This bill would limit the operation expenses at the Sweepstakes Commission to 10%. By one definition, the Sweepstakes Commission's operating expenses in 1983 were 24.7% and have been lowered to 14.1% in 1996. By another definition, they are now 2% and compare favorably with the experience of other states of similar size. The committee felt that this bill did not solve the problem it purported to address. Vote 19-0.

HB 574-FN-A-L, imposing a flat tax to replace certain state and local taxes. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: Pursuant to House Resolution 62, passed by the House in 1996, the Finance Committee is currently charged with studying existing and alternative methods of taxation in this state. The aspects of this bill which have merit will be considered by the current study committee. Vote 19-0.

HB 603-FN-A, exempting the first $300,000 in value of the total estate of a decedent from the legacies and successions tax. INEXPEDIENT TO LEGISLATE

Rep. Avis B. Nichols for Finance: The Finance Committee has received testimony on four legislative proposals regarding the legacies and successions tax, each of which addressed a slightly different issue, or perceived inequity. The Committee has determined that the issue should be reviewed and has determined that House Bill 108 should be re-referred while this bill, along with two others (HB 757, HB 789), should be reported as Inexpedient to Legislate. Vote 19-0.

HB 617-FN-A-L, relative to payments for catastrophic aid for special education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: This legislation addresses the issue of prepayment of state catastrophic aid to school districts. Although prepayments are devoutly to be wished by districts, the committee decided this bill was difficult to carry out. School districts compile costs for each child for school years ending in June. Then, the Department of Education reviews requests for reimbursement and makes payments plus interest costs on or before the following January 1st. It would be difficult to do it six months earlier, perhaps on the same day costs were submitted. Vote 19-0.

HB 728-FN-A, relative to designating a portion of the meals and rooms tax revenue for the promotion and development of tourism. INEXPEDIENT TO LEGISLATE

Rep. Kenneth L. Weyler for Finance: This bill asks for a dedicated fund. Further restricting the general fund revenues makes for a difficult time in balancing the budget. As much as the committee would like to see tourism promoted, the state presently spends over 2 million dollars on this. There are many other areas also in competition. Vote 19-0.

HB 738-FN-L, relative to the distribution of revenue from the meals and rooms tax. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: This bill requires the state to give to cities, towns and unincorporated towns 50% of the 123 million collected in 1997 from the meals and rooms tax. Thus, the state over the next biennium would have 123 million less in general revenue funds. Consensus of the committee was that this shortfall of state revenues would be catastrophic. Vote 19-0.

HB 757-FN, relative to the applicability of the legacies and successions tax. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: The committee has received testimony on four legislative proposals regarding the legacies and successions tax, each of which addressed a slightly different issue, or perceived inequity. The committee has determined that the issue should be reviewed and has determined that House Bill 108 should be re-referred while this bill, along with two others (HB 603, HB 789), should be reported as Inexpedient to Legislate. Vote 19-0.

HB 761-FN-A, establishing a credit against the business profits tax for businesses that provide qualified internship or apprenticeship programs. INEXPEDIENT TO LEGISLATE

Rep. Kenneth L. Weyler for Finance: There are already efforts underway by the Departments of Labor, Education and Economic Security to collectively establish intern/apprenticeship programs. They established a total of 426 apprenticeships with 111 new sponsors last year. This credit would not only cut revenue, but require new auditors to approve qualified programs. Vote 18-1.

HB 789-FN-A, exempting siblings from the legacies and successions tax in certain situations. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: The committee has received testimony on four legislative proposals regarding the legacies and successions tax, each of which addressed a slightly different issue, or perceived inequity. The committee has determined that the issue should be reviewed and has determined that House Bill 108 should be re-referred while this bill, along with two others (HB 603, HB 757), should be reported as Inexpedient to Legislate. Vote 18-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 255, establishing a committee to study access to dental care for low-income, uninsured, and underinsured persons. OUGHT TO PASS WITH AMENDMENT

Rep. Barbara French for Health, Human Services and Elderly Affairs: This has been an issue of grave concern for the legislature for at least 10 years. Our committee strongly supports, timely, appropriate dental care. Vote 16-0.

HB 266, relative to the Alzheimer's Special Care Disclosure Act. RE-REFER TO COMMITTEE

Rep. Eleanor H. Amidon for Health, Human Services and Elderly Affairs: The committee heard much testimony regarding the specialized care of Alzheimer patients. After considering all factors included in the many critical decisions concerning the care of these patients, it was felt that further time was needed to properly address the problem. Vote 15-0.

HB 454, relative to food service establishments. OUGHT TO PASS

Rep. Alphonse Haettenschwiller for Health, Human Services and Elderly Affairs: This bill makes minor changes to RSA 143-A relative to food service establishments to permit places serving only coffee and accompanying light refreshments and non-hazardous food to be exempt from food service licensing. It also permits the department to issue a temporary food service license prior to the actual operation with a permanent license inspection to follow within 45 days. Vote 15-0.

HB 739, relative to copies of vital records. INEXPEDIENT TO LEGISLATE

Rep. Robert K. Boyce for Health, Human Services and Elderly Affairs: This bill was opposed by city and town clerks. Genealogists have available to them all records prior to 1901 and marriage and death records prior to 1938 and to all records with permission of the family. Vote 13-0.

HB 759-FN-A-LOCAL, funding the developmental disabilities waitlist from the health care transition fund and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Thomas E. Donovan Jr. For Health, Human Services and Elderly Affairs: The bill attempted to address the wait list issue for developmental disabilities utilizing funding from the Health Care Transition Fund. Though the committee is very supportive to the wait list issue, it was felt by the prime sponsor of this bill and by the committee other pending legislation will better suit the needs of the individuals with developmental disabilities. Vote 14-0.

HJR 1, urging the preservation and continued development of community services to people with developmental disabilities and their families. OUGHT TO PASS

Rep. Dan Burnham for Health, Human Services and Elderly Affairs: This House Joint Resolution reaffirms the resolve of the legislature to continue providing service to the developmentally disabled through the establishment area agency system and providing funds for their services. It also resolves: That services and support for persons with developmental disabilities and their families should continue to be provided by and through the area agency system established by RSA 171-A. Vote 15-0.

JUDICIARY AND FAMILY LAW

CACR 16, the election of judges and judicial pensions INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary and Family Law: The committee has several bills dealing with the same issues. HB 300 which we recommend for passage sets up a study committee dealing with pensions. HB 397 is recommended as well. It sets up a study committee to deal with Part Second, Articles 73a, and 72a of the constitution which is the other part of this bill. The committee believes through other studies we will cover all the issues in this bill Vote 14-0.

CACR 20, relating to the appointment and terms of probate court judges. Providing that all probate court judges be full-time and subject to term limits. INEXPEDIENT TO LEGISLATE

Rep. Carol H. Holden for Judiciary and Family Law: This CACR would require that all probate court judges shall be full time and shall be appointed for a term of 10 years with the possibility of being reappointed for another 10-year term. Testimony indicated that there are four full time probate court justices. Part II, Article 4, of the constitution gives the legislature the power to authorize full time probate court justices. With regard to tenure, the committee felt the changes proposed would politicize the judiciary. Vote 11-1.

HB 330, relative to openness in the civil litigation process. INEXPEDIENT TO LEGISLATE

Rep. Carol H. Holden for Judiciary and Family Law: This bill would have established a presumption that all court records in civil cases would be open to the public. Testimony indicated that there were problems with the bill with regard to the juvenile statutes (RSA 169:C). The committee weighed the risks and the benefits and found the bill as inexpedient to legislate by a vote of 10-2. Vote 10-2.

HB 365, providing that communications made during family mediation shall be privileged. INEXPEDIENT TO LEGISLATE

Rep. Deborah L. Woods for Judiciary and Family Law: Testimony on this bill indicated further work needed to be done on this. An amendment was not received by the committee in a timely fashion to make this bill workable. Vote 12-0.

HB 375, relative to the statement which must be signed by applicants for notary public or justice of the peace. OUGHT TO PASS

Rep. Alf E. Jacobson for Judiciary and Family Law: This bill sets down the principle that conviction and not arrest is the basic ground for denial in application for notary public or justice of the peace. Vote 12-0.

HB 394, restricting the jurisdiction of the probate courts over estates. INEXPEDIENT TO LEGISLATE

Rep. Alf E. Jacobson for Judiciary and Family Law: No evidence was presented that the proposed changes in probate court procedure in this bill are necessary. Vote 12-0.

HB 397, establishing a house study committee to examine the adoption of articles 41, 72-a and 73-a of the second part of the New Hampshire

constitution. OUGHT TO PASS WITH AMENDMENT

Rep. David A. Bickford for Judiciary and Family Law: This bill establishes a special committee to review parts of the N.H. Constitution; namely, articles 73-A, 72-a and 41 of Part II. These articles have been a subject of controversy and the committee will have an opportunity to research the issues in contention Vote 12-1.

HB 433, relative to discharge from New Hampshire hospital. OUGHT TO PASS

Rep. Cynthia A. McGovern for Judiciary and Family Law: This bill reflects current practice - hospital administrators and other medical professionals agree. There was no opposition. Passage does not affect any other procedure with regard to admittance or treatment at New Hampshire Hospital. Vote 12-0.

HB 448, relative to the trust fund for the prevention of child abuse and neglect. OUGHT TO PASS

Rep. Deborah L. Woods for Judiciary and Family Law: This bill makes amendments to a very successful program and allows it to continue its good work. It changes the name of the fund to better reflect those being served. It increases the amount allowed to be spent for administration costs and changes the make up of the committee Vote 12-0.

HB 456-FN, relative to child custody when a parent has intentionally killed the other parent. INEXPEDIENT TO LEGISLATE

Rep. Kevin H. Smith for Judiciary and Family Law: The committee's opinion was that the system that is already in place is adequate and this bill essentially wanted us to legislate a court's decision. Vote 13-0.

HB 460-FN, relative to authorizing treatment for persons involuntarily admitted to New Hampshire hospital. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary and Family Law: The committee believes the bill may be unconstitutional. Beyond that, there seems to be no true need for this legislation. Currently, the Merrimack Probate Judge goes to the state hospital grounds to conduct involuntary admission cases. There is no reason that he could not do temporary guardianships on site as well. Families of patients were overwhelmingly against this legislation because nowhere in the proposed bill does it mention that an emergency must exist. Vote 12-0.

HB 523, relative to the appointment of guardians ad litem. OUGHT TO PASS

Rep. David C. Allison for Judiciary and Family Law: The committee supports the position, as provided in this bill, that children of non-married parents should be subject to the same standards, requirements and rules regarding guardian ad litem questions as are children of parents who are married. Vote 16-0.

HR 12, urging that impeachment proceedings be instituted posthumously against the late John C. Fairbanks. INEXPEDIENT TO LEGISLATE

Rep. Deborah L. Woods for Judiciary and Family Law: The majority of the committee believes that a posthumous impeachment of Judge Fairbanks may be feel-good legislation, but serves no valuable purpose whatsoever except to drag out this matter. To be sure, we will not, nor should we, forget the name Fairbanks or what he did. It is important, however to move proactively to insure it does not happen again. Vote 12-2.

LOCAL AND REGULATED REVENUES

HB 533-FN, making technical corrections in the liquor laws. OUGHT TO PASS

Rep. Betsy McKinney for Local and Regulated Revenues: After a public hearing and a work session with the chairman of the State Liquor Commission the committee unanimously voted ought to pass. However, the bill encompasses more than merely technical changes as follows: (1) grocery stores will now be able to sell "fortified" wines such as sherry and port; (2) the requirement that 80% of the Commission's advertising budget be spent out of State is removed and the Commission is empowered to buy advertising where and as it deems best. Other changes are the definition of performing arts licenses and establishing a sliding scale license fee for beverage manufacturers based on the number of barrels produced. The stimulation and streamlining of the liquor commission is enhanced by this bill. Vote 13-0.

HB 590-FN-L, allowing property taxpayers to choose whether to participate in the funding of nonprofit organizations through their property taxes. INEXPEDIENT TO LEGISLATE

Rep. Linda T. Foster for Local and Regulated Revenues: The committee believes that this issue is more appropriately discussed at the local level and that there is adequate occasion for that discussion. Furthermore, the taxpayer "savings" are negligible and the administrative costs of this bill would, in all practicality, negate these savings, if not far exceed them Vote 13-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 474, allowing local treasurers to invest in collateralized money markets with major investments. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: Testimony was received from a representative of the Government Finance Officers Association stating that government funds should be invested with emphasis on safety, liquidity and yield. This bill places the emphasis on yield only. The bank commissioner noted that there is no definition of "collateralized money markets with major investments" in current law. Vote 13-0.

HB 529, relative to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities. RE-REFER TO COMMITTEE

Rep. Betsy L. Patten for Municipal and County Government: Having easements for wireless communication facilities excluded from subdivision approval is timely but complex. Zoning regulations and site plan review may be impacted by recently enacted federal laws. The committee would like the opportunity to get technical assistance from the Science and Technology Committee. Vote 13-0.

HB 542-FN-LOCAL, requiring municipalities to include certain information with property tax bills. INEXPEDIENT TO LEGISLATE

Rep. Richard C. Leone for Municipal and County Government: The majority of the committee believes that since a local phone number is already on the tax bills, this requirement would be unnecessary. The committee also considers this to be in violation of part 1, article 28 A of the New Hampshire Constitution relative to unfunded mandate Vote 13-1.

PUBLIC WORKS AND HIGHWAYS

HB 274 FN-A, relative to refinancing the cost and rehabilitation of the Cheshire Bridge. RE-REFER TO COMMITTEE

Rep. John R. Cloutier for Public Works and Highways: This bill deals with removing the toll from the Cheshire Bridge. Based on previous history prior commitments and the loss of revenue which would have various state-wide affects, the committee originally voted the bill inexpedient to legislate by a 15-6 margin. The committee had a wish to help in the toll situation, and even kept the bill in its possession for some time hoping the sponsors and others could agree to something which would work for all parties. A motion in committee to reconsider our previous motion passed, and a new motion for re-refer was made and approved by the committee. Re-referring the bill allows the sponsors and supporters to investigate other avenues to accomplish their goal of removing the toll. One major avenue which will be explored will be federal funding through our Congressional delegation, and by keeping the issue alive the committee will be in a position to recommend any necessary legislation to help deviate the toll situation. Vote 20-0.

HB 305-A, relative to the rehabilitation of the Walker building and making an appropriation therefor. RE-REFER TO COMMITTEE

Rep. Leon Calawa, Jr. for Public Works and Highways: This bill needs more study so as to fit the request of the Department of Revenue Administration to move into 40,000 square feet of the Walker Building. This study will try to answer the questions of cost, parking and the future use of the building which Revenue Administration is leaving. Also, the committee will try to answer many of the questions asked of the future use of all vacant state buildings on the Hospital Grounds. Vote 17-0.

HB 400, authorizing the state to enter into a lease-purchase agreement with Cheshire county for the new Jaffrey-Peterborough district courthouse. RE-REFER TO COMMITTEE

Rep. Merle W. Schotanus for Public Works and Highways: This bill, relative to a lease-purchase for a new Jaffrey-Peterborough District Courthouse was re-referred to committee because it will be reviewed and considered in the context of the Fiscal Year 1998-1999 Capital Budget. Re-referral allows the committee to review the whole situation of the Jaffrey-Peterborough District Court should timing of the Capital Budget preclude a decision during this session. Vote 17-0.

HB 413, expanding the authority of the commissioner of the department of transportation to use a certain appropriation to purchase airports. OUGHT TO PASS WITH AMENDMENT

Rep. William E. Leber for Public Works and Highways: This bill allows the Commissioner of Transportation to use an appropriation made in 1990 for the purchase of rail properties to purchase privately owned airports that are important to the state airport system if and when they are offered for sale. The laws of 1989 provided for the state to have the right of first refusal for the sale of any airport but did not provide funding or bonding authority. This bill corrects that and is supported by the Department of Transportation. The amendment provides a time limit for the sale or transfer of any airport acquired under this provision to local municipality, county or airport authority. The committee strongly supports protection of the airport system. Vote 17-0.

HB 486, relative to a study of Route 3A. OUGHT TO PASS WITH AMENDMENT

Rep. Lou D'Allesandro for Public Works and Highways: This bill requires that the commissioner of transportation and the commissioner of safety, or their designees, shall conduct a study of the state-owned portion of Route 3A from Manchester to Concord which shall include, but not be limited to, possible road improvements and the number of traffic stops of commercial vehicles. The commissioners, or their designees, shall issue a report, together with findings and recommendations for legislation to the speaker of the house and president of the senate on or before November 1, 1997. Vote 19-2.

HB 524-FN-A, extending the reporting dates and the prospective repeal date for the state veterans cemetery oversight committee, establishing the New Hampshire state veterans cemetery, relative to the administration of the cemetery, and making appropriations therefor. INEXPEDIENT TO LEGISLATE

Rep. Leon Calawa, Jr. for Public Works and Highways: SB 182-FN better addresses the administration, operation and maintenance of the New Hampshire state veterans cemetery, making HB 524-FN-A no longer necessary. Vote 19-0.

HB 791-FN-A, making an appropriation to the department of administrative services for funding, siting, and design of the new Jaffrey-Peterborough district courthouse. INEXPEDIENT TO LEGISLATE

Rep. Merle W. Schotanus for Public Works and Highways: This bill was recommended for a friendly inexpedient to legislate as HB 400 dealing with the same subject was re-referred to committee, and the subject of the Jaffrey-Peterborough District Court will be considered and discussed in context with this year's Capital Budget. Vote 17-0.

RESOURCES, RECREATION AND DEVELOPMENT

HB 293, regulating the marking and identification of swim floats. INEXPEDIENT TO LEGISLATE

Rep. Michael D. Whalley for Resources, Recreation and Development: The committee feels that the regulation of swim floats is unnecessary at this time. The Department of Safety testified that very few swim floats break loose from their anchor and cause a problem. The Department of Safety presently has the authority to order the owners of swim floats that create a hazard to navigation to remove them. Vote 15-0.

HB 336, clarifying certain definitions relating to dams. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. Laflam for Resources, Recreation and Development: This bill changes the definition of "dam" to include artificial barriers which create surface impoundment's for liquid industrial and commercial wastes. A "dam in disrepair" is defined as a dam which is a menace to public safety and incapable of safely impounding flood waters to its crest. Vote 16-0.

HB 479, establishing a committee to study the merits of installation of dual pipe and tank septic systems. INEXPEDIENT TO LEGISLATE

Rep. William E. Williams, Jr. for Resources, Recreation and Development: There was very little testimony to support this bill. It was apparent that existing scientific knowledge did not support the efficiency of this type of system and in fact, may well be detrimental to proper operation of a septic system. Vote 17-0.

HB 618-FN, relative to increasing certain state park fees. RE-REFER TO COMMITTEE

Rep. Deborah F. Merritt for Resources, Recreation and Development: The Commissioner of the Department of Resources and Economic Development will be developing a state plan for reviewing fees. The committee wishes to re-refer this bill in order to review the plan, and if necessary develop legislation to take appropriate action. Vote 16-0.

SCIENCE , TECHNOLOGY AND ENERGY

HB 643-FN, establishing an industry average performance system for air pollution control and establishing certain pollution control funds. RE-REFER TO COMMITTEE

Rep. Jeb E. Bradley for Science, Technology and Energy: This legislation is an extremely creative attempt to bring market forces to bear in reducing air pollution. Simply put, clean industries and technologies would receive fund transfers from dirty industries. Polluters could pay, or reduce emissions and be rewarded. This concept would fundamentally alter air pollution control in New Hampshire and as such requires diligent study both by regulators and affected industries. The impact of a single state going forward with such a concept also needs a great deal of study. The committee will work with all affected state holders if this bill is re-referred for study. Vote 18-0.

WILDLIFE AND MARINE RESOURCES

HB 119-FN, increasing the fee to hunt migratory waterfowl. INEXPEDIENT TO LEGISLATE

Rep. Rudy Lessard for Wildlife and Marine Resources: This bill requests an increase in the migratory waterfowl stamp. The committee felt that an increase is not warranted at the present time. The issue of dedicated funds will be examined in HB 177-FN which has been referred to committee for study. Vote 11-1.

HB 176-FN, increasing the license fee to hunt wild turkey. INEXPEDIENT TO LEGISLATE

Rep. Shannon L. Bernier for Wildlife and Marine Resources: This bill was sponsored on behalf of the Fish and Game Department. The Fish and Game Department withdrew its support of the bill prior to the hearing. Therefore, support for the bill was minimal resulting in the vote of inexpedient to legislate. Vote 12-0.

HB 177-FN, increasing the wild black bear license and tag fee. RE-REFER TO COMMITTEE

Rep. Dennis F. Abbott for Wildlife and Marine Resources: This bill was sponsored on behalf of the Fish and Game Department. They withdrew their support of this bill prior to the hearing without notifying the sponsor. The committee wishes to study this bill so that the issue of dedicated funds and other issues related to bear management can be examined. The large amount of moneys in the various (26) dedicated funds dictate an examination of the growth of these special funds. Vote 12-0.

HB 493, relative to prohibiting the sale of opportunities for the taking of fish and game by certain property owners. INEXPEDIENT TO LEGISLATE

Rep. Michael S. Rollo for Wildlife and Marine Resources: The committee felt that this bill, if passed, could have serious repercussions relative the rights of property ownership. Consequently, issues of constitutional rights became an issue against passage. Since the bill also was prohibiting opportunities for taking fish and game, the question of licensed guides doing what they are hired to do became a stumbling block. The committee was not willing to put a summers worth of study into a subject which has been studied in past sessions. Vote 13-0.

HB 585, relative to prohibiting littering, as enforced by the fish and game department. OUGHT TO PASS WITH AMENDMENT

Rep. Michael S. Rollo for Wildlife and Marine Resources: This bill allows conservation officers to enforce the litter law under Fish and Game statutes in Title XVIII. Up to this point, littering violations have been prosecuted under RSA 265:102 but that statute did not include a violation on private property, state lands, and federal lands under the control of the Department of Resources and Economic Development or the Fish and Game Department. Vote 13-0.

HB 683-FN, relative to one-day fishing licenses for residents and nonresidents. INEXPEDIENT TO LEGISLATE

Rep. Ronald J. Nowe for Wildlife and Marine Resources: This is a repeat bill from last session which was found to be ITL. Fish and Game presented statistics indicating a loss of revenues in other fishing license categories, resulting in a net loss. There are, in fact, some advantages to a one-day fishing license and the department has promised to study the issue within their Comprehensive Funding Team. Vote 12-0.

HB 706, establishing a commission on animal damage control to review the fish and game laws relating to damage by game birds and game. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. L'Heureux for Wildlife and Marine Resources: This bill establishes a commission consisting of 2 senators, 4 representatives, the Commissioner of Agriculture, Markets, and Food and the Executive Director of Fish and Game or their designees, and the representative for New Hampshire from the U.S. Department of Agriculture to study the statutes and problems of damage to agricultural crops by wildlife. The amendment adds 1 representative of the N.H. Plant Growers Association, 2 members of the N.H. Wildlife Federation and 1 member of the Fish and Game Commission. The amendment also terminates the Commission after it files its report on or before November 1, 1997. Vote 13-0.

HB 763-FN, prohibiting nonresidents from hunting on Sunday if the state of residence of the nonresident prohibits hunting on Sunday for New Hampshire residents. INEXPEDIENT TO LEGISLATE

Rep. Rose Marie Rogers for Wildlife and Marine Resources: The committee felt that this bill would be extremely difficult to administer. In addition, it would create a significant loss of revenue and it would break with New Hampshire tradition. Vote 12-0.

WEDNESDAY, MARCH 5

REGULAR CALENDAR

COMMERCE

HB 247, requiring automobile insurance companies to offer uninsured motorist coverage as an insurance option, not a requirement. INEXPEDIENT TO LEGISLATE

Rep. Richard H. Krueger for Commerce: This bill would burden the insurer to counsel the insured regarding a personal and private decision, that is: dollar amount of coverage for uninsured motorist. Vote 9-4.

HB 258-FN, requiring financial institutions to display certain information on fees, charges, and available products in their lobbies. OUGHT TO PASS WITH AMENDMENT

Rep. Eric N. Lindblade for Commerce: This bill requires that the bank commissioner provide a matrix for all banks to place in their lobbies informing the public of their fees, charges and products related to deposit accounts. The purpose is to help consumers compare products, fees and charges so as to make a reasoned choice of a bank. Vote 14-0.

HB 261, recodifying the insurance laws pertaining to hospital service corporations, medical service corporations, and nonprofit health service corporations (Blue Cross/Blue Shield). OUGHT TO PASS WITH AMENDMENT

Rep. Keith R. Herman for Commerce: This bill recodifies the health insurance laws to consolidate and simplify the RSA's. The Insurance Department is in full support of this bill. Two sections of current law are being repealed. The only change in the amendment from current law is a change in the reserve requirement for Blue Cross Blue Shield from 16% to 20%. This change is supported by the Insurance Department. Vote 14-0.

HB 342, relative to the payment of recording fees for mortgage discharges. OUGHT TO PASS WITH AMENDMENT

Rep. Eric N. Lindblade for Commerce: This bill requires mortgagors to spell out at the signing of the mortgage that they will charge a reasonable fee as part of the cost of recording the mortgage. Vote 13-0.

EDUCATION

HB 166, extending the time frame for the annual school district meeting date to the last Saturday in April. OUGHT TO PASS

Rep. Phil A. Weber for Education: This bill expands the time window available to annual meeting school districts for the holding of the annual meeting from March 1-25 to March 1 to the last Saturday in April. This expansion gives school boards additional flexibility. Cities without annual meetings are unaffected. Vote 11-4.

HB 167, changing the teacher nomination notification date from April 15 to May 15. RE-REFER TO COMMITTEE

Rep. Phil A. Weber for Education: The notification date for teachers in annual school meeting districts was moved in the last session from March 30th to April 15th. Given the recent nature of that change and other uncertainties of official ballot voting (SB-2) the committee decided additional study would yield a better solution to the timing of teacher notification, that balances the interests of teachers, school boards, and school administrators. Vote 8-7.

HB 242, requiring voter approval for any type of random drug testing within a school district. RE-REFER TO COMMITTEE

Rep. Richard L. Champagne for Education: HB 242 is a reaction to local school board policy relative to drug testing. The committee feels strongly that the appeal process to the State Board of Education (RSA 21-N:11) proceed prior to any legislative action. Vote 19-1.

HB 270, allowing school districts to transfer permanent paper records onto electronic alternate media and destroy printed records. RE-REFER TO COMMITTEE

Rep. Suzan Franks for Education: During testimony many concerns regarding permanent records surfaced. The committee believes further study on the electronic maintenance of school records will be most helpful in developing a policy that will serve the interest of school districts, the State Board of Education, and the public. Vote 16-3.

HB 783-FN-A-LOCAL, relative to funding vocational student organizations and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Jane E.O'Hearn for Education: Vocational Service Organizations (VSOs) provides an important part of any pupil's educational development. It provides an opportunity for pupils to explore career opportunities and develop career skills. There are over 6,000 New Hampshire members of the VSO and 12,000 New Hampshire students receive classroom training from them. The Carl Perkins Act provides federal money that is drying up. The committee found this organization of such importance that it merits adequate support and funding. The amendment eliminates state liability for insurance purposes. Vote 13-4.

HCR 2, urging all school districts in the state of New Hampshire to implement peer mediation programs. OUGHT TO PASS WITH AMENDMENT

Rep. Susan B. Durham for Education: New Hampshire law requires character and civic education; there was testimony that having Peer Mediation in place helps the effectiveness of that curriculum. The New Hampshire Bar Association supports this program. The Dept. of Education supports this resolution which might help spread the voluntary adoption of Peer Mediation throughout the state. The amendment was to emphasize the primary role of teachers in maintaining school discipline. Vote 9-8.

ELECTION LAW

CACR 1, relating to a 4-year term for the office of governor. Providing that the governor shall be elected every 4 years. OUGHT TO PASS WITH AMENDMENT

Rep. Joseph A. Foster for Election Law: This CACR, as amended, seeks to start the process to amend the New Hampshire Constitution to provide for a four-year term for the governor commencing with the election to be held in the year 2002. The majority of the committee believes extending the term from two years to four years will allow the office holder to concentrate on the business of governing rather than on the business of re-election so soon after taking office. As the situation now stands, a sitting governor must file for re-election less than 18 months after taking office and for all practical purposes must start much earlier. The majority also concluded that, if the term is extended to four years, it is best to have the governor elected in non-Presidential years to ensure greater voter turnout in these elections and to give the governor's race the full attention it deserves. Vote 15-3.

CACR 15, relating to requiring that the attorney general be elected. Providing that the attorney general be chosen biennially in the general election. INEXPEDIENT TO LEGISLATE

Rep. Thomas I. Arnold Jr. for Election Law: The committee felt that popular election would politicize the office and reduce its effectiveness due to the time spent running for office. Cases might be selected for prosecution based on the popular appeal only. Vote 16-0.

CACR 22, relating to changing the minimum age requirement for state senator from 30 to 25. Providing that persons at least 25 years of age shall be eligible to be elected to the state senate. OUGHT TO PASS

Rep. Susan W. Almy for Election Law: The committee felt that the voters should be allowed to judge for themselves whether particular candidates are mature enough to act as their state senators. There is a wide variation in individuals at all age groups and there have been stellar examples of public service by under -30's in our own state in the past. The committee voted to bring this choice before the electorate. Vote 17-1.

HB 220, to establish new state representative districts for the city of Laconia. INEXPEDIENT TO LEGISLATE

Rep. Natalie S. Flanagan for Election Law: The subject matter of the bill has been presented in prior sessions of the legislature; it has never been enacted into law. The city will be redistricted after the 10-year federal census in the year 2000. Laconia failed to develop its ward lines within the specified time limit and now wants the legislature to correct this situation. Vote 10-9.

HB 647-FN-A-LOCAL, relative to a centralized computer checklist of voters and making an appropriation therefor. RE-REFER TO COMMITTEE

Rep. Thomas Arnold, Jr. for Election Law: The committee recognized the benefits to be derived from a computerized state-wide checklist but found the anticipated cost to be an obstacle. Re-referral will provide the time for a thorough technical analysis and investigation as to whether or not the system can be self-supporting. Vote 15-2.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 281, relative to regulation of medical assistants. RE-REFER TO COMMITTEE

Rep. Andrew R. Peterson for Executive Departments and Administration: Although the committee felt this to be an important issue that requires the attention of the legislature, this bill does not address some of the committee's concerns. New Hampshire would be the first state to establish certification of medical assistants. Due to some of the issues raised by the sponsors and the public, the committee voted to re-refer to allow sufficient time to consider these issues. Vote 13-4.

HB 466-FN, requiring administrative rules to be available to the public at the state library before they take effect. INEXPEDIENT TO LEGISLATE

Rep. Andrew R. Peterson for Executive Departments and Administration: Although the committee agreed with the intent of the bill to encourage that all rules be filed at the state library in a timely fashion, we found the requirements and penalties of the legislation to be too harsh. Costs of compliance by agencies is indeterminable inasmuch as there are more than l00 boards, commissions and agencies, the committee felt that the state

library is already involved with filing of all rules, and electronic format (i.e. WEBSTER) is already being considered in other bills before the legislature this year. Vote 13-4.

FINANCE

HB 223-FN-L, providing that catastrophic aid for special education shall be fully funded. RE-REFER TO COMMITTEE

Rep. David J. Alukonis for Finance: The Committee believes that the rising costs of catastrophic aid, which are being experienced by local school districts, should be fully funded in accordance with promises previously made by the State of New Hampshire. However, the proper venue to consider this item is in the deliberations of the operating budget which the Finance Committee is currently undertaking. It should be noted that, in the Governor's Budget, this program has been fully funded in conformity with the forecasts made by the Department of Education. Additionally, the Department is currently examining the rationale for the recent escalation of catastrophic aid costs, and, in view of this effort, the Committee would like to re-refer this bill pending the results of the Department's Study. Vote 18-0.

HB 288, requiring a vote of 60 percent of the house and senate to pass any spending bill. INEXPEDIENT TO LEGISLATE

Rep. Arthur P. Klemm, Jr. for Finance: The Committee felt that both the House and the Finance Committee consider any spending bill very carefully and its impact on our existing revenues and expenditures before it is recommended for passage and that this bill would give the will of the minority control over the will of the majority and therefore the bill was found to be Inexpedient to Legislate. Vote 16-3.

HB 719-FN-A, increasing the number of state troopers and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Mary E. Brown for Finance: The committee felt that it would be more prudent to postpone any decision to add state troopers until the Department of Safety's complete budget is reviewed. If more troopers are found to be needed, they can be added during the budgeting process. Also, the manner in which the bill is drafted would result in complete funding for these additional state troopers from general funds. It was agreed that funding would be more appropriate from the highway funds. Vote 17-2.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 582-FN, relative to medicaid rate setting. OUGHT TO PASS

Rep. Eleanor H. Amidon for Health, Human Services and Elderly Affairs: The Committee affirms the necessity of updating medicaid reimbursement rates for home health services and setting a new method of reimbursement to those who deliver all services to the elderly and chronically ill enabling them to stay at home. Vote 15-0.

HB 722-FN, opting the state out of a provision of federal law relating to benefits for persons convicted of drug-related felonies. OUGHT TO PASS

Rep. Joseph A. Guthrie for Health, Human Services and Elderly Affairs: The passage of this bill will allow the State to provide benefits to persons convicted of drug related offenses. The result will be to assure that benefit will be provided to such persons and their families without downshifting the cost to the cities and towns. Vote 15-0.

JUDICIARY AND FAMILY LAW

CACR 17, relating to the appointment of supreme, superior, and probate court judges. Providing that supreme, superior, and probate court judges be appointed for specified terms. INEXPEDIENT TO LEGISLATE

Rep. Carol H. Holden for Judiciary and Family Law: This CACR, if adopted, would require that supreme, superior, and probate judges be appointed for an initial term of 10 years with option to be reappointed for one subsequent 10-year term. The age limitation of 70 years for judges was adopted by the people after the 1791 Constitutional Convention. In 1851, the people rejected proposals that would have removed the age limitations and called for the election of judges. Subsequent constitutional conventions and legislatures have also considered, but failed to adopt, amendments dealing with judicial tenure. In 1966, the voters adopted an amendment that established independent constitutional courts to keep the courts free from political interference. The committee felt that extreme caution should be exercised in politicizing the judiciary. Vote 9-3.

HB 218, clarifying that local health officers are state employees for purposes of defense and indemnification of lawsuits filed against them. INEXPEDIENT TO LEGISLATE

Rep. Thomas M. Colburn for Judiciary and Family Law: The committee determined that there were sufficient provisions in RSA 99-D:2 to cover the concerns this bill sought to address, and that health officers are currently covered by the state for official state duties. Vote 12-1.

HB 260, defining "marriage" to mean a legal union between one man and one woman as husband and wife. MAJORITY: INEXPEDIENT TO

LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Sandra B. Keans for the Majority of Judiciary and Family Law: This bill has constitutional problems as written. Also, RSA:457 already prohibits marriage between a man and a man and a woman and a woman. There is confusion about what would happen if other states allowed those types of marriages. The answer is nothing. Right now, if two 13 year olds go to Mississippi and get married, it would not be recognized under New Hampshire law and would continue to be illegal. There is no way New Hampshire laws could be impacted without a federal court decision. Further, the sponsor said the purpose of marriage should be defined around children. The committee disagreed because there are many childless marriages, some by chance, and some by choice. Vote 13-3.

Rep. Paul M. Mirski for the Minority of Judiciary and Family Law: Evolutions in birth control, family planning advocacy and family planning techniques have served to free marriage from the virtually certain expectation of children. The primary benefit has been the liberation of women from traditional marital and maternal roles. The inadvertent cultural effect however, has been to cause the redefinition of the institution of marriage in a manner which primarily serves narcissistic and self indulgent adult interests rather than the interests and needs of children. Divorce rates and contemporary same-sex "marriage" issues reflect this change. Virtually all contemporary research on the subject of the welfare of children raised in single parent households indicates they suffer a significantly greater propensity toward emotional maladjustment, poor academic achievement, anti-social and criminal behavior, sexual promiscuity and out-of-wedlock births than children raised in a traditional nuclear family environment with both biological parents present. We presently face a children's crisis of national proportions. Reassertion of the traditional cultural definition of marriage as the legal union between a man and a woman is perhaps the most important first step we can take to begin to protect and repair the American family.

HB 431, relative to the appointment of attorneys and guardians ad litem, and eliminating certain de novo hearings under the child protection act. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Barbara Hull Richardson for the Majority of Judiciary and Family Law: This bill brings the child protection laws into compliance with all other juvenile laws by eliminating de novo hearings. This bill also provides for appeals to the supreme court in cases involving child abuse and neglect and children in need of services, and outlines services which are to be provided by counsel for delinquent children. Vote 14-1.

Rep. Paul M. Mirski for the Minority of Judiciary and Family Law: Removing the right to de novo hearings in Superior Court - forcing all appeals to the Supreme Court - further erodes the rights of New Hampshire citizens to the fair and accurate adjudication of their interests which the de novo appeals process presently provides.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 666-FN-LOCAL, relative to binding interest arbitration for law enforcement and firefighter contracts. INEXPEDIENT TO LEGISLATE

Rep. Roy D. Maxfield for Labor, Industrial and Rehabilitative Services: Forcing cities and towns to agree to binding arbitration on all labor issues including benefits and wages would interfere with local control and mandate expenses which a municipality may legally choose not to undertake (28-A violation). Current law allows for independent fact finding relief to settle labor disputes for fire and police unions. The committee listened to testimony supporting the bill from police and fire union representatives primarily concerned with the labor impasse in Manchester. The NH Municipal Association and police chiefs from three communities across the state spoke in opposition to the bill. Vote 6-4.

LEGISLATIVE ADMINISTRATION

HB 169, prohibiting former state legislators from serving as lobbyists for 2 years after leaving the legislature. OUGHT TO PASS

Rep. Warren C. Henderson for Legislative Administration: It is a widely-held belief that a citizen legislature should be made up of ordinary people who come from all walks of life, serve in elected office for a period of time, and then return home to live under the laws they helped create. This fundamental is undermined by the "revolving door" which currently permits members to go directly from serving in the legislature to leveraging their contacts and knowledge as a paid lobbyist before the legislature.

Imposing a simple two-year "cooling off period" before a legislator may become a paid lobbyist will help to discourage any member from even considering trying to position themselves as a legislator in a way which would increase their marketability as a lobbyist. Further, imposing such a restriction will strongly convey to the public our conviction to do the right things, and to do them only for the right reasons. As legislators we strive to represent the public good from our respective points of view. Adoption of this 2-year moratorium on becoming a paid lobbyist is consistent with this principle. Vote 11-3.

HB 622-FN, requiring legislative approval of certain out-of-court settlements of claims against the state. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: RE-REFER TO COMMITTEE.

Rep. Donnalee Lozeau for the Majority of Legislative Administration: This bill requires that all out-of-court settlements that would have a

substantial impact on the state budget must be approved either by the legislative fiscal committee or by a majority vote of the legislature. One percent of current total general fund revenues is approximately $8.7 million. Under this bill, the majority of the legislature during the legislative session or the legislative fiscal committee if the legislature is not in session must approve proposed settlements that range in amounts from 1/4 to 1/2 of one percent of the prior fiscal year's general fund revenues. Additionally, a majority of the legislature must at all times approve proposed settlements that are more than 1/2 of that amount. The legislative budget assistant is authorized to determine the amount of total general fund revenues for the prior fiscal year as well as the financial impact the settlement would have on the state budget. Vote 9-5.

Rep. Amanda A. Merrill for the Minority of Legislative Administration: HB 622-FN proposes a major policy change. Numerous questions were raised during the committee's executive session about both the technical details of the legislation and its potential policy implications. Additional questions remain, and the importance of the legislation makes it imperative that we take sufficient time to address those concerns. HB 622-FN is a prime candidate for re-referral..

LOCAL AND REGULATED REVENUES

HB 709, establishing a committee to study the possibility of imposing property taxes on property used by nonprofit academic institutions primarily for housing. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: RE-REFER TO COMMITTEE

Rep. Stephen G. Avery for the Majority of Local and Regulated Revenues: The majority of the committee felt that there are adequate opportunities for municipalities to address this issue with academic institutions and reach amicable solutions. The legislature passed a voluntary request process last session, and the majority of the committee feels that this legislation is not necessary at this time. Vote 9-4.

Rep. Carol T. Burney for the Minority of Local and Regulated Revenues: Faculty and other rental housing owned by an educational institution may contribute to the school population, and, therefore, the over-all tax burden borne by a municipality. The minority believed that this was an issue worth studying.

MUNICIPAL AND COUNTY GOVERNMENT

HB 522-LOCAL, requiring a separate vote of the legislative body of a local governing unit before moneys may be appropriated to organizations that conduct registered lobbying activities. INEXPEDIENT TO LEGISLATE

Rep. John A. Vogl for Municipal and County Government: The committee unanimously agreed that this bill submits municipal boards to unnecessary micromanagement and is thus inexpedient to legislate. Testimony was heard and agreed to, that such organizations which receive public money serve far broader purposes than legislative advocacy such as providing legal advice, assistance for training and administration, and legislative information. It was expressed that the lobbying component of such organizations is slight in consideration of the holistic benefit. The committee feels that board members are taking full advantage of all the resources provided, freely agree to join, and if so decided, are freely able to break membership. Vote 14-0.

RESOURCES, RECREATION AND DEVELOPMENT

HB 405-LOCAL, relative to standardizing the requirements for the design and specifications of septic systems. MAJORITY: RE-REFER TO COMMITTEE. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. William E. Williams, Jr. for the Majority of Resources, Recreation and Development: This bill is a simple issue of a standard for all sewage and wastes disposal systems throughout the state. The question of "control" has been passed and has not been properly reviewed nor has the implication of a present study of alternate systems. Vote 9-6.

Rep. Deborah F. Merritt for the Minority of Resources, Recreation and Development: This bill would no longer allow municipalities to adopt septic system standards more stringent than the state standard. Municipalities would be required to request that DES reject individual applications for areas with a high concentration of septic tanks, or have the state adopt rules to protect resources that may be unique to a single municipality (aquifers, pristine water bodies, special natural resources). The minority believes that better education of municipalities will result in appropriate septic standards, and this erosion of local control is not necessary. No amount of study will change the current intent of this bill.

HB 755-FN, increasing certain OHRV registration fees and requiring the department of fish and game to file an annual report to the legislature. OUGHT TO PASS

Rep. Peter O. Crowell for Resources, Recreation and Development: The bill is a wonderful example of private groups and individuals developing the recreational industry of snowmobiling that is pumping much life into the wintertime economy of the state much as the ski industry has done. The snowmobile groups have asked for and endorsed an increase in ATV registration fees to be applied directly to the grooming and maintenance of trails to be enjoyed by all of the trail using public. It was refreshing for the committee to see such a unified effort by private non-profit recreational volunteer groups. Vote 17-0.

SCIENCE , TECHNOLOGY AND ENERGY

HB 297, relative to the cutting of vegetation by utilities on private property. OUGHT TO PASS WITH AMENDMENT

Rep. Jeffrey C. MacGillivray for Science, Technology and Energy: Under current law, when public utilities such as electric companies plan to use herbicides to clear rights-of-way, each landowner has the right to demand that vegetation be cut, instead of herbicide spraying, if the landowner is willing to pay any additional cost. As amended, the bill addresses the amount of the additional charge by requiring that any such charge be approved by the Public Utility Commission in advance. This bill will determine a cost basis for future policy, while leaving the more general question of herbicide use in utility rights-of-way to future legislation. Vote 17-1.

TRANSPORTATION

HB 627-FN, establishing a conservation number plate trust fund, and a special motor vehicle license plate and associated fees, to support New Hampshire's natural and cultural resources. RE-REFER TO COMMITTEE

Rep. Sherman A. Packard for Transportation: This is one of two bills that would take a certain portion of the registration fee, when obtaining a special plate with the money going to a state agency other than the Department of Safety. With the passage in the last session of HB 151, currently RSA 261-A, the committee felt that it had solved the special plate issue. But with the introduction of HB 627-FN, HB 729-FN-A and HB 607-FN, all of which delegate money to entities other than the Department of Safety, we are asking for re-referral on these bills so that the committee can come up with some type of vehicle to facilitate the new language in these proposals. Vote 15-0.

HB 729-FN-A, establishing a kindergarten special number plate and fee, with the fees continually appropriated to the department of education. RE-REFER TO COMMITTEE

Rep. Sherman A. Packard for Transportation: This is one of are two bills that would take a certain portion of the registration fee, when obtaining a special plate with the money going to a state agency other than the Department of Safety. With the passage of HB 151 in last year's session, currently RSA 261-A, the committee felt that it had solved the special plate issue. But with the introduction of HB 627-FN, HB 729-FN-A and HB 607-FN, all of which delegate money to entities other than the Department of Safety ,we are asking for referral on these bills so that the committee can come up with some type of vehicle to facilitate the new language in these proposals. Vote 15-0.

WILDLIFE AND MARINE RESOURCES

HB 243, requiring a conviction of a person wounding or killing a human being while hunting before the person's hunting license can be revoked. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. L'Heureux for Wildlife and Marine Resources: This bill originally only addressed the issue of requiring a conviction before a hunting license could be revoked by the Executive Director of the Fish and Game Department. The amendment does that and goes on to clarify the laws pertaining to hunting related shootings. It specifically increases the penalty from a violation to a misdemeanor for failure to report a hunting accident. Vote 12-1.

NOTICE OF RECONSIDERATION

This day, Wednesday, the 26th of February, 1997, at 2:40 p.m., Representative Thomas F. O'Rourke, having voted with the prevailing side, did serve notice that today or some other day as limited by Rules he would ask the House to reconsider its action whereby it killed ***HB 607-FN,*** relative to special number plates for certain veterans.

Karen O. Wadsworth, Clerk of the House

LAID ON TABLE

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

COMMITTEE HEARINGS

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, Room 302, LOB

9:00 a.m. Subcommittee work session on ***HB 268-FN,*** relative to the powers of the Pease development authority.

9:30 a.m. Subcommittee work session on ***HB 483,*** relative to regulation of securities and ***HB 548-FN,*** limiting access to certain business records.

9:45 a.m. Subcommittee work session on ***HB 611-FN,*** making state securities laws comply with the National Securities Markets Improvement Act.

10:00 a.m. Subcommittee work session on ***HB 511-FN-LOCAL,*** requiring health insurers to provide coverage for certain supplies and services necessary in the treatment of diabetes.

10:30 a.m. Continued public hearing on ***HB 772-FN-A,*** establishing the position of industrial, commercial, and tourism agent for Coos county and making an appropriation therefor.

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.

11:45 a.m. Subcommittee work session on ***HB 190,*** relative to interstate banking and branching.

Representatives Hall

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.

1:00 p.m. Subcommittee work session on ***HB 731-FN-A-LOCAL,*** relative to the taxation of sand, gravel, loam, and other similar substances.

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 and ***HB 500,*** relative to membership on the retirement system board of trustees.

FINANCE, Rooms 210-211, LOB

1:00 p.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:

11:00 a.m. Department of Environmental Services

1:00 p.m. Department of Safety

2:00 p.m. Electricians Board

2:15 p.m. Liquor Commission

3:15 p.m. Department of Justice

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.

JOINT COMMITTEE ON EMPLOYEE RELATIONS (RSA 273-A:9,V), Room 201, LOB

2:00 p.m. Regular meeting.

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.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Electric Utilities subcommittee work session on ***HB 716-FN,*** relative to economic development and retention rates and special contracts, ***HB 587-FN,*** relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring and ***HB 726-FN,*** relative to the jurisdiction and authority of the public utilities commission, and relative to the underground utility damage prevention system.

1:00 p.m. Electric Utilities subcommittee work session on ***HB 651-FN-LOCAL,*** relative to electric rate reduction financing, ***HB 528-LOCAL,*** relative to municipal water, gas and electric utilities and ***HB 411-LOCAL,*** authorizing municipalities to issue bonds for the purpose of defraying the cost of purchasing or taking public utility property.

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.

1:30 p.m. Subcommittee work session on ***HB 589-FN,*** establishing livery plates and associated fees.

TUESDAY, MARCH 4

COMMERCE, Room 302, LOB

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

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

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

9:30 a.m. Subcommittee work session on ***HB 449,*** regulating the self-storage industry.

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.

2:30 p.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 420,*** relative to administrative review of suspended or revoked motor vehicle licenses.

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. Continued public hearing on ***HB 484,*** relative to registration of certain voters who vote by absentee ballot.

9:30 a.m. Continued public hearing on ***HB 546,*** relative to the form of the presidential primary election ballots.

10:15 a.m. Subcommittee work session on ***HB 481,*** relative to financial reporting requirements for political candidates.

11:00 a.m. Continued public hearing on ***HB 430,*** relative to registration of political committees.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. Subcommittee work session on ***HB 291,*** relative to the use of the terms "native," "local," and "our own" when referring to farm products.

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.

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

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

FINANCE, Rooms 210-211, LOB

Noon Executive sessions will 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. Fish and Game

10:30 a.m. Office of the Governor

11:00 a.m. Board of Accountancy

11:15 a.m. Office of State Planning

1:00 p.m. Treasury

2:00 p.m. Energy and Community Services

2:30 p.m. Commission on Disability

3:00 p.m. Pease Development Authority

3:30 p.m. Joint Board

3:45 p.m. Public Employee Labor Relations Board

Executive sessions will be held throughout the day.

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. ***HB 229-FN-A-LOCAL,*** establishing a reading recovery training program and making an appropriation therefor.

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

10:00 a.m. Office of the Commissioner

11:00 a.m. Division of Public Health

1:15 p.m. Division of Human Services

2:30 p.m. Division of Children, Youth and Families

Executive sessions may be held throughout the day.

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

9:00 a.m. Subcommittee work session on ***HB 537-FN,*** relative to the practice of allied health professionals.

9:30 a.m. All day 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 proceedings 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.

Room 208, LOB

3:00 p.m. Subcommittee work session on ***HB 211,*** defining the terms "psychological injury" and related terms under the child protection 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

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 and ***HB 794-FN-LOCAL,*** requiring employers who require certain employees to be armed to provide body armor to the employees.

1:30 p.m. Full committee executive session on pending legislation.

LEGISLATIVE ADMINISTRATION, Room 307, LOB

1:30 p.m. Executive session on pending legislation, if needed.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. All day executive session on pending legislation, if necessary.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301B, LOB

10:00 a.m. Subcommittee work session on ***HB 244,*** allowing a municipality to prohibit sexually oriented businesses.

1:30 p.m. Executive session on pending legislation.

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

6:00 p.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

Capital Budget Hearings on *HB 25-A,* making appropriations for capital improvements.

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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:00 a.m. Subcommittee work session on ***HB 560-FN,*** relative to penalties for introduction of boats and seaplanes from waters infested with milfoil or zebra mussels into clean lakes or ponds and ***HB 181,*** prohibiting the sale or distribution of exotic aquatic weeds.

9:30 a.m. Subcommittee work session on ***HB 389,*** relative to the water protection assistance program within the office of state planning.

9:30 a.m. All day full committee executive session on pending session.

RULES, Room 206, LOB

4:00 p.m. Regular meeting.

Executive session to follow.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Electric Utilities subcommittee work session on ***HB 716-FN,*** relative to economic development and retention rates and special contracts, ***HB 587-FN,*** relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring and ***HB 726-FN,*** relative to the jurisdiction and authority of the public utilities commission, and relative to the underground utility damage prevention system, ***HB 651-FN-LOCAL,*** relative to electric rate reduction financing, ***HB 528-LOCAL,*** relative to municipal water, gas and electric utilities and ***HB 411-LOCAL,*** authorizing municipalities to issue bonds for the purpose of defraying the cost of purchasing or taking public utility property.

1:00 p.m. Public hearing on proposed amendment to ***HB 587-FN,*** relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring. (Copies 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.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 301, LOB

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. Subcommittee work session on ***HB 712,*** relative to the purchase, preservation, and reactivation of abandoned railroad rights-of-way and limiting railroad liability for passenger rail service.

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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 301, LOB (Please note room change.)

8:30 a.m. Executive session on pending legislation, and also immediately following the House session, if needed.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

Executive session on pending legislation immediately following the House session, if needed.

THURSDAY, MARCH 6

COMMERCE, Room 302, LOB

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

9:30 a.m. Subcommittee work session on ***HB 442,*** requiring insurers to cover certain costs associated with reconstructive surgery after a mastectomy.

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.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. All day executive session on pending legislation.

EDUCATION, Room 207, LOB

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

11:00 a.m. Briefing - Budget.

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.

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. Executive Council

9:45 a.m. Cultural Affairs

10:45 a.m. Revenue Administration

11:30 a.m. Human Rights

1:00 p.m. Resources and Economic Development

2:00 p.m. Department of Employment Security

2:30 p.m. Secretary of State

Auctioneers Board

Records and Archives

Securities Regulation

3:00 p.m. Port Authority

Executive sessions may be held throughout the day.

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work session on HB 246, making technical corrections to the business profits tax, interest and dividends tax, and the legacies and successions tax.

10:30 a.m. Work session with the Governor's Budget Director and the LBA regarding revenues and pay raise.

Executive session to follow.

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.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

1:30 p.m. Executive session on pending legislation

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

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 on *HB 25-A,* making appropriations for capital improvements.

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.

1:15 p.m. Education.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:00 a.m. All day executive session on pending legislation.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:00 a.m. Telecommunications subcommittee work session on ***HB 452,*** establishing a legislative oversight committee on telecommunications restructuring and relative to aggregation of telecommunications services customers by municipalities and counties and ***HB 610-FN,*** relative to the regulation of small telephone companies by the public utilities commission.

9:45 a.m. Electric Utilities subcommittee work session on ***HB 716-FN,*** relative to economic development and retention rates and special contracts and ***HB 587-FN,*** relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring.

10:30 a.m. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

Immediately following the executive session Electric Utilities subcommittee work session on ***HB 651-FN-LOCAL,*** relative to electric rate reduction financing, ***HB 528-LOCAL,*** relative to municipal water, gas and electric utilities and ***HB 411-LOCAL,*** authorizing municipalities to issue bonds for the purpose of defraying the cost of purchasing or taking public utility property and ***HB 726-FN,*** relative to the jurisdiction and authority of the public utilities commission, and relative to the underground utility damage prevention system.

TRANSPORTATION, Room 203, LOB

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

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.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Telecommunications subcommittee work session on ***HB 452,*** establishing a legislative oversight committee on telecommunications restructuring and relative to aggregation of telecommunications services customers by municipalities and counties, if needed.

1:00 p.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 651-FN-LOCAL,*** relative to electric rate reduction financing, ***HB 528-LOCAL,*** relative to municipal water, gas and electric utilities and ***HB 411-LOCAL,*** authorizing municipalities to issue bonds for the purpose of defraying the cost of purchasing or taking public utility property, if needed.

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

9:00 a.m. Rescheduled regular meeting.

MONDAY, MARCH 10

ALTERNATIVE HIGHWAY FOR ROUTE 3 IN FRANKLIN FEASIBILITY STUDY (HB 1339, Chapter 48, Laws of 1996), Room 201, LOB

3:00 p.m. Regular meeting.

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.

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

1:30 p.m. Regular meeting.

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

2:00 p.m. Regular meeting.

WEDNESDAY, MARCH 19

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***SB 182-FN,*** relative to the administration, operation, and maintenance of the New Hampshire state veterans cemetery.

10:30 a.m. ***SB 64-FN-A***, exempting motor fuel used for automobile racing from road toll taxation.

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

THURSDAY, MARCH 20

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

7:00 p.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***SB 158-FN-A,*** relative to the funding of beach erosion control projects along the south side of the Hampton Harbor Inlet.

10:30 a.m. ***SB 175,*** establishing a committee on the feasibility of installing rumble strips before toll booths.

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

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

The Carroll County Delegation will meet at 8:30 a.m., Monday, March 3 at the Administration Building in Ossipee for the purpose of reviewing and voting on the county budget. Please note the time change.

Rep. Gene G. Chandler, Chairman

Carroll County Delegation

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

COUNTY DELEGATION NOTICE

The Executive Committee of the Merrimack County Delegation will meet Thursday, March 13 at 6:00 p.m. in Rooms 305-307, LOB to review the proposed 1997 county budget and any other business that may appropriately come before them.

Rep. Robert A. Lockwood, Chairman

Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

There will be a public hearing on the 1997 operating budget before the Merrimack County Delegation at 7:00 p.m. on Thursday, March 13 in Rooms 305-307, LOB. The Delegation will meet immediately following the public hearing to review and adopt the Executive Committee's proposed 1997 operating budget and any other business that may appropriately come before them.

Rep. David W. Hess, Chairman

Merrimack 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, 577, 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, 727, 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, 794, 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

Lawrence J. Guay, 404 Main Street, Gorham, New Hampshire 03581-1123

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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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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Concord City Democrats will meet with Jeff Woodburn, State Party Chair, on Tuesday, March 4 from 7:00 to 9:00 p.m. in Room 101, LOB.

Rep. Miriam D. Dunn

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Merrimack County Republican Caucus will meet March 5, ten minutes after session, in Room 206, LOB.

Rep. David W. Hess, Chairman

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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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The Manchester and Nashua Legislative Delegations are invited to meet jointly with the Mayors of Manchester and Nashua during the March 5 legislative session lunch recess. The meeting will take place in Room 201, LOB and members are encouraged to bring a lunch.

Reps. Lou D'Allesandro and Joseph Foster

Manchester and Nashua Delegation Chairs

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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 6 Kennett High School, 176 Main Street, Conway, 7:00 p.m. Public informational meeting, Conway, West Side Road Connector from Route 16 to West Side Road.

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

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

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

Apr 8 Town Office Meeting Room, Main Street, New Hampton, 7:00 p.m. Public Informational/Public Officials meeting, New Hampton, Dana Hill Road/NH Railroad.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

WEDNESDAY, MARCH 5

AMENDMENTS

(Listed in numerical order)

1997-0344h

Amendment to CACR 1

Proposed by the Committee on Election Law

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

RELATING TO: a 4-year term for the office of governor.

PROVIDING THAT: the governor shall be elected every 4 years beginning in the year 2002.

Amend the resolution by replacing paragraph I with the following:

I. That article 42 of the second part of the constitution be amended to read as follows:

[Art.] 42 [Election of Governor; Return of Votes; Electors; If No Choice, Legislature to Elect One of Two Highest Candidates; Qualifications for Governor.] The governor shall be chosen [~~biennially~~] ***to serve a 2-year term in the year 2000 and, beginning in the year 2002, shall be chosen every 4 years*** in the month of November; and the votes for governor shall be received, sorted, counted certified and returned, in the same manner as the votes for senators[~~; and~~]. The secretary shall [~~lay the same before~~] ***present the results to*** the senate and house of representatives[~~,~~] on the first Wednesday following the first Tuesday of January to be ***examined*** by them [~~examined, and~~,]. In case of an election by a plurality of votes [~~through~~] ***throughout*** the state, the [~~choice shall be by them declared and published~~] ***general court shall declare and publish the name of the winner***. [~~And~~] The qualifications of electors of the governor shall be the same as those for senators; and if no person shall have a plurality of votes, the senate and house of representatives shall, by joint ballot elects one of the [~~two~~] ***2*** persons, having the highest number of votes, who shall be declared governor. [~~And~~] No person shall be eligible to this office, unless at the time of his election, he shall have been an inhabitant of this state for 7 years next preceding, and unless he shall be of the age of 30 years.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be: Are you in favor of amending the constitution to require that, beginning in the year 2002, the governor be elected for a term of 4 years, instead of a term of 2 years?

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that, beginning in the year 2002, the term of the governor shall be 4 years.

1997-0177h

Amendment to HB 121

Proposed by the Committee on Executive Departments and Administration

Amend the bill by replacing section 2 with the following:

2 Rulemaking Authority Modified. Amend RSA 309-B:3, VIII(g) to read as follows:

(g) Rules regarding quality review that shall be required under this chapter. ***Such rules shall include conduct and cost parameters to insure that charges for the "off-site" quality review process are not excessive.***

AMENDED ANALYSIS

This bill requires the board of accountancy to adopt administrative rules. Current law gives the board discretion as to whether or not to adopt administrative rules. The bill also requires that rules adopted regarding quality reviews shall include conduct and cost parameters to insure that charges for the "off-site" quality review process are not excessive.

1997-0319h

Amendment to HB 243

Proposed by the Committee on Wildlife and Marine Resources

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

AN ACT relative to criminal penalties and license revocation following a conviction for shooting and wounding or killing a human being while hunting.

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

1 License Revocation for Shooting and Wounding or Killing Human Being. RSA 207:37-b is repealed and reenacted to read as follows:

207:37-b Hunting License Revoked.

I. Any person while on a hunting trip or in pursuit of wild animals or wild birds or while target practicing, who is convicted of shooting and wounding or killing a human being shall not be issued a license to hunt or, if the person holds a hunting license, the license shall be revoked and the person shall not be granted a license to hunt for the following period:

(a) If the shooting and wounding of a human being results in death or serious bodily injury, as defined in RSA 625:11, VI, the license revocation shall be for a period of 10 years.

(b) If the shooting and wounding of a human being results in less than serious bodily injury as defined in RSA 625:11, VI, the license revocation shall be for a period of 5 years.

II. A hunting license revocation under paragraph I shall commence immediately upon indictment or arrest. Upon conviction, the period of revocation shall be computed from the date of indictment or arrest.

III. A license to hunt may be granted or restored following a hearing before the executive director and the commission at any time following the full revocation period under paragraph I and following application for a license and successful completion of a hunter education program pursuant to RSA 214:23-a.

IV. A person convicted of negligently shooting and wounding or killing a human being while hunting or target practicing in another state or province shall not be issued a license to hunt in this state for any period of time that the person's privilege to hunt is suspended by the state or province where the offense was committed.

2 New Section; Shooting Human Beings While Hunting. Amend RSA 207 by inserting after section 37-b the following new section:

207:37-c Shooting Human Beings While Hunting.

I. Any person, while on a hunting trip, or in pursuit of wild animals or wild birds, or while target practicing, who negligently shoots and wounds any human being, shall be guilty of a misdemeanor.

II. Any person, while on a hunting trip, or in pursuit of wild animals or wild birds, or while target practicing, who shoots and causes the death of any human being, shall be charged pursuant to the appropriate criminal code statute.

III. The provisions of this section shall apply to any person hunting or target practicing with a firearm, bow and arrow or crossbow and bolt.

IV. In addition to the penalties provided in this section, the person shall be subject to license revocation under RSA 207:37-b.

3 Hunting Related Shootings; Penalty Changed. Amend RSA 207:38-a to read as follows:

207:38-a Hunting [~~Accidents~~] ***Related Shootings.*** Any person while hunting or in the field who shall cause any injury by shooting another human being shall report immediately to the nearest conservation officer or law enforcement officer giving his ***or her*** name, address, date of birth, hunting license number and any other information needed to identify that person. Whoever violates the provisions of this section shall be guilty of a [~~violation~~] ***misdemeanor***.

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

AMENDED ANALYSIS

This bill:

(1) Provides for a misdemeanor penalty for the negligent shooting and wounding of a human being while hunting;

(2) Provides that the death of a person caused by a shooting while hunting shall be charged according to the criminal code;

(3) Requires a conviction of a person shooting and wounding or killing a human being before revocation of the person's hunting license;

(4) Increases the penalty for violations of the requirement to report hunting related shootings.

1997-0452h

Floor Amendment to HB 243

Proposed by the Rep. Cegelis

Amend RSA 207:37-b as inserted by section 1 of the bill by inserting after paragraph IV the following new paragraph:

V. For purposes of this section, "target practicing" shall mean target practicing in a woodland as defined in RSA 207:33.

Amend RSA 207:37-c as inserted by section 2 of the bill by inserting after paragraph IV the following new paragraph:

V. For purposes of this section, "target practicing" shall mean target practicing in a woodland as defined in RSA 207:33.

1997-0296h

Amendment to HB 255

Proposed by the Committee on

Amend subparagraph I(b)(6) as inserted by section 3 of the bill by replacing it with the following:

(6) Delta Dental Plan of New Hampshire, Inc.

1997-0281h

Amendment to HB 258-FN

Proposed by the Committee on Commerce

Amend RSA 383:13-a as inserted by section 1 of the bill by replacing it with the following:

383:13-a Requirement to Display Information. All financial institutions regulated by the bank commissioner shall provide information on its fees, charges, and products related to deposit accounts to the bank commissioner on a semi-annual basis. The bank commissioner shall compile and provide the information on a uniform matrix to all state-regulated financial institutions for distribution to the general public. The uniform matrix shall be developed by the bank commissioner and shall be conspicuously placed in the lobby of each main office and branch of the institution located in this state, in order to enable the consumer to make intelligent choices among the institution's various deposit accounts and deposit account related services. The bank commissioner shall adopt rules, pursuant to RSA 541-A, relative to the uniform matrix required under this section.

AMENDED ANALYSIS

This bill requires financial institutions regulated by the bank commissioner to provide certain information on fees, charges and products related to deposit accounts to the bank commissioner. The bank commissioner will compile this information on a uniform matrix and provide it to all state-regulated financial institutions for display in their lobbies. The bank commissioner is granted rulemaking authority to develop such uniform matrix.

1997-0330h

Amendment to HB 261

Proposed by the Committee on Commerce

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

1 Health Service Corporations. RSA 420-A is repealed and reenacted to read as follows:

CHAPTER 420-A

HEALTH SERVICE CORPORATIONS

420-A:1 Definitions.. In this chapter:

I. "Commissioner" means the insurance commissioner.

II. "Covered dependent" means the spouse, an adult dependent, or a child or an adopted child of the subscriber who is named in the subscription certificate issued to the subscriber and with respect to whom appropriate premium is specified in the certificate.

III. "Health service corporation" means a nonprofit sharing corporation without capital stock organized under the laws of the state for the purpose of establishing, maintaining and operating a health service plan or plans whereby the expense of health-related care may be partially or wholly provided to its subscribers by the payment of benefits for facilities, professional services, appliances, medicines or supplies furnished directly or indirectly by the health service corporation to its subscribers.

IV. "Provider" means any physician, hospital, or other institution, organization, or other person who furnishes health care services.

V. "Subscriber" means a person to whom a subscription certificate is issued by the health service corporation and which sets forth the kinds and extent of health services for which the health service corporation is liable to make payment and which constitutes the contract between the subscriber and the health service corporation.

420-A:2 Applicable Statutes. Every health service corporation shall be governed by this chapter and the relevant provisions of RSA 161-H, and shall be exempt from this title except for the provisions of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 415-A, RSA 415-F, RSA 415:6, II(4), RSA 415:18, V, RSA 415:18, VII(g), RSA 415:18, VII-a, RSA 415:18-a, RSA 415:22, RSA 417, RSA 417-E, and all applicable provisions of title XXXVII wherein such corporations are specifically included. Every health service corporation and its agents shall be subject to the fees prescribed for health service corporations under RSA 400-A:29, VII.

420-A:3 Incorporation. Persons desiring to form a health service corporation may incorporate under RSA 292, but subject to the following provisions:

I. The certificate of incorporation of each health service corporation shall have endorsed upon it or attached to it the approval of the commissioner, if the commissioner finds the same to be in accordance with this chapter.

II. The certificate shall include a statement of the territory in which the health service corporation will operate and a statement of the purposes of such corporation.

420-A:4 License to Health Service Corporation.

I. No health service corporation organized under the laws of this state shall do business unless it has obtained a license from the commissioner.

II. No health service corporation organized under the laws of any other state or country shall be licensed to do business in this state except as provided in RSA 420-A:29.

III. Application for such license shall be made in the form required by the commissioner and shall contain the information the commissioner deems necessary. The application shall be accompanied by a copy of each of the following documents:

(a) Articles of incorporation.

(b) Bylaws.

(c) Proposed contracts to be issued to subscribers showing a table of rates to be charged and the benefits to which they will be entitled.

(d) Proposed contracts, if any, between the health service corporation and providers.

(e) Financial statements.

IV. The commissioner shall issue a license when the commissioner finds:

(a) The applicant is established as a bona fide nonprofit health service corporation;

(b) The applicant has paid an annual license fee in accordance with RSA 400-A:29;

(c) The contracts between the applicant and providers, if any, obligate the respective providers to provide the service or thing to which the subscriber may be entitled under the terms of the contract to be issued to subscribers;

(d) The rates to be charged and the benefits to be provided are reasonable and nondiscriminatory;

(e) The financial condition of the applicant is sound and provides assurance of its ability to meet its obligations; and

(f) The applicant is reliable, entitled to public confidence and has complied with the laws of the state applicable to it.

V. Any such license may be revoked for cause shown and after notice and hearing upon failure to maintain the requirements of this chapter.

VI. All such licenses shall expire on April 1, but may be renewed upon payment of the annual license fee.

420-A:5 Directors. The directors of a health service corporation:

I. Shall at all times include representation from the following groups:

(a) The general public exclusive of those falling within subparagraphs (b) and (c) and paragraph II.

(b) Physicians actively engaged in practice.

(c) Administrators or trustees of hospitals, if any, which have contracted with the health service corporation to render nonprofit hospital service or indemnity to subscribers.

II. May include representatives of other health care providers. The number of directors described in paragraph I(a) shall exceed the combined total of the number of directors described in paragraph I(b) and (c) and this paragraph.

420-A:6 Liability of Directors, Officers, and Trustees.

I. A health service corporation may indemnify any person who serves as director, officer, or trustee of such corporation by contract or by including an indemnity provision in its articles of agreement or bylaws substantially in accordance with RSA 293-A:8.50 through 293-A:8.58. Indemnity may be offered for any and all damages occurring on or after January 1, 1991.

II. A health service corporation may amend its articles of agreement to contain a provision eliminating or limiting the personal liability of a director, officer, or trustee to such corporation and its members and subscribers for monetary damages for breach of fiduciary duty as a director, an officer, or both, except with respect to:

(a) Any breach of the director's, officer's or trustee's duty of loyalty to the corporation and its members and subscribers.

(b) Acts or omissions which are not in good faith or which involve intentional misconduct or a knowing violation of law.

(c) Actions for which a director, officer, or trustee derived an improper personal benefit.

III. Paragraph II shall not be construed to eliminate or limit the liability of a director, an officer, a trustee or any combination thereof, for any act or omission occurring prior to July 13, 1991.

420-A:7 License to Agents.

I. No person, for himself or in behalf of any person, shall sell or offer to sell any such health service as is provided for in this chapter without being licensed therefor by the commissioner.

II. Upon written notice by a health service corporation licensed to do business in this state of its appointment of a person to act as its agent under this chapter, the commissioner shall, if the commissioner is first satisfied that the appointee is a suitable person and intends to hold himself out in good faith as an agent, upon payment of the proper fee by the applicant, issue to the appointee a license to act as such agent.

III. A license previously issued may be renewed upon the application of the health service corporation upon payment of the proper fee.

IV. The commissioner may at any time after granting such license, for cause shown and after notice and hearing, determine such licensee to be unsuitable to act as such agent, and shall thereupon revoke such license and notify both the health service corporation and the agent of such revocation.

V. Unless revoked by the commissioner, or unless the health service corporation by written notice to the commissioner cancels the agent's authority to act for it, such license issued to an agent, or any renewal of such license, shall expire on June 14 of the second year after its issue.

VI. If a person acts or aids in any manner in the negotiation of health insurance contracts, or solicits or receives any risk or application for such service, without a license from the insurance commissioner, or if the license granted to such person or to the health service corporation for which the person acts as agent has been revoked, such person shall be guilty of a violation; but any contract issued on an application thus procured shall bind the health service corporation if otherwise valid. This paragraph shall not apply to any office employee of the health service corporation, or to any persons rendering their services without compensation.

420-A:8 Filing and Approval of Contracts and Rates.

I. No health service corporation shall enter into any contract with subscribers until it shall have filed with the commissioner a copy of the form of such contract, including all riders and endorsements to the contract and until the commissioner's approval thereof shall have been obtained. Any form of contract not disapproved by the commissioner within 90 days after the filing shall be deemed to have been approved as filed.

II. No health service corporation shall enter into any contract with subscribers until it shall have filed with the commissioner a full schedule of rates to be paid by the subscribers and shall have obtained the said commissioner's approval. The commissioner may refuse such approval if the commissioner finds such rates are excessive, inadequate or discriminatory. For the purpose of determining the proper rates to be charged for such services, the commissioner may employ a competent actuary who shall be paid by the health services corporation for which the services are rendered.

420-A:9 Contracts with Subscribers. Every contract between a health service corporation and a subscriber shall be in writing, a copy of which shall be furnished to the subscriber and shall contain the following provisions:

I. A statement of the amount payable to the health service corporation by the subscriber and the manner in which such amount is payable.

II. A statement of the nature and extent of the benefits to be provided, and, if any benefits are to be limited or excepted, an enumeration of such limitations or exceptions shall be printed with the same prominence as the statement of the benefits conferred.

III. A statement that a maternity benefits rider will be made available at the subscriber's request, if maternity care is not covered under the contract. Nothing in this paragraph shall be construed to apply to supplemental health insurance and disability insurance policies.

IV. A statement of the terms and conditions upon which the contract may be canceled or otherwise terminated at the option of either party.

V. A statement that the contract includes the endorsements thereon and attached papers, if any, and that it comprises the entire contract.

VI. A provision that no statement by the subscriber in the application for a contract shall void the contract or be used in any legal proceeding thereunder unless such application or an exact copy of is included or attached to the contract.

VII. A statement of the period of grace which will be allowed the subscriber for making any payment due under the contract. Such period shall be not less than 10 days.

VIII. Notwithstanding any provision of any policy of insurance issued under the provisions of this section, whenever such policy provides for reimbursement for any service which may be legally performed by a person licensed as an advanced registered nurse practitioner, reimbursement under such policy shall not be denied when such service is rendered by a person so licensed.

IX. No health service corporation shall, when issuing or renewing a policy or contract of insurance or any certificate under such policy or contract covered by this chapter, deny coverage or limit coverage to any resident of this state on the basis of health risk or condition except that a waiting period consistent with insurance department rules may be imposed for pre-existing medical conditions. If a health service corporation accepts an application for group coverage, such acceptance shall be subject to the following:

(a) If the group has coverage in effect through another plan, the health service corporation shall accept all persons covered under the existing plan. If the group does not have coverage in effect through another plan, the health service corporation shall accept all persons for which the group seeks coverage.

(b) Once a group policy has been issued, any person becoming eligible for coverage shall become covered by enrolling within 31 days after becoming eligible. Any person so enrolling shall not be required to submit evidence of insurability based on medical conditions. If a person does not enroll at this time, such person is a late enrollee.

(c) Once a group policy has been issued, the health service corporation shall provide the group with an annual open enrollment period for late enrollees. During the open enrollment period, any late enrollee shall be permitted to enroll without submitting any evidence of insurability based on medical conditions. For late enrollees only, the pre-existing condition provisions shall apply for 18 months from the date of enrollment.

X. An insurer issuing policies of group insurance shall allocate the costs associated with maternity and childbirth over both males and females covered by its entire block of business in this state. In cases in which, because of the amount written in the state, allocation to an entire block of business needs to occur, the carrier may apply for a waiver from the commissioner.

XI. A statement allowing subscribers with medicare supplement insurance benefits a period of at least one year after the incurral of a covered expense within which the subscriber shall furnish any proof of loss required by the insurer. Failure to furnish such proof within such time shall not invalidate or reduce any claim if it shall be shown not to have been reasonably possible to furnish such proof and such proof was furnished as soon as was reasonably possible.

XII. A provision that such contract shall be signed by the president and secretary before it shall become effective.

XIII. A statement that all benefits payable shall be paid to the participating providers except those in reimbursement of payments made by the subscriber to a non-participating provider and for which the corporation was liable at the time of payment.

420-A:10 Part-Time Employees. A health service corporation shall not exclude part-time employees and shall offer the same insurance benefits to part-time employees as it offers to the employee groups of which the part-time employees would be members if they were full-time employees. The insurer shall offer to include the part-time employees as part of the employer's employee group, at the full rate to be paid by the employer, at a rate prorated between the employer and the employee, or at the employee's expense. A part-time employee shall be any employee who regularly works at least half of the weekly hours of the full-time employee in the employee group of which the part-time employee would be a member if such employee were a full-time employee, but who works a minimum of at least 15 hours per week.

420-A:11 Cancellation or Nonrenewal of Group Insurance Contracts. No group accident or health insurance contract, authorized under this chapter, may be cancelled or nonrenewed by the health service corporation, except for nonpayment of premium, unless the group contract holder receives either a notice of cancellation or nonrenewal or an offer of renewal in accordance with this section. The notice of cancellation or nonrenewal or offer of renewal shall be delivered to the group contract holder or mailed to the group contract holder's last address as shown in the records of the health service corporation at least 45 days prior to the renewal date of the contract. Notice of cancellation for lack of participation, if permitted by

the terms of the contract, shall be delivered to the group contract holder or mailed to the group contract holder's last address as shown in the records of the health service corporation, at least 30 days prior to the effective date of the cancellation.

420-A:12 Cancellation or Nonrenewal of Non-Group Insurance Contracts. No non-group accident or health insurance contract, authorized under this chapter, may be cancelled or nonrenewed by the health service corporation except for nonpayment of premium, unless the insured receives either a notice of cancellation or nonrenewal or an offer of renewal in accordance with this section. The notice of cancellation or nonrenewal or offer of renewal shall be delivered to the insured or mailed to the insured's last address as shown in the records of the health service corporation at least 30 days prior to the renewal date of the contract.

420-A:13 Coverage for Autologous Bone Marrow Transplant. Every health service corporation, and every other similar corporation licensed under the laws of another state, shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state and whose principal place of employment is in this state, coverage for expenses arising from the treatment of breast cancer by autologous bone marrow transplants according to protocols reviewed and approved by the National Cancer Institute.

420-A:14 Coverage for Scalp Hair Prostheses.

I. Every health service corporation and every other similar corporation licensed under the laws of another state, which provides coverage for other prostheses, shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state and whose principal place of employment is in this state, coverage for expenses for scalp hair prostheses worn for hair loss suffered as a result of alopecia areata, alopecia totalis, or permanent loss of scalp hair due to injury. Such coverage, however, shall be subject to a written recommendation by the treating physician stating that the hair prothesis is a medical necessity. Such coverage shall be subject to the same limitations and guidelines as other prostheses.

II. For the purposes of this section:

(a) "Prostheses" means artificial appliances used to replace lost natural structures. Prostheses include, but are not limited to, artificial arms, legs, breasts or glass eyes.

(b) "Scalp hair prostheses" means artificial substitutes for scalp hair that are made specifically for a specific individual.

420-A:15 Coverage During Adoption Proceedings. All contracts issued by a health service corporation which provide coverage for a family member of the subscriber shall, as to such family member's coverage, also provide that health insurance benefits applicable for children are payable with respect to any minor from the date such minor is placed in the custody of the subscriber pursuant to an adoption proceeding under the provisions of RSA 170-B. Such health insurance benefits shall terminate upon dismissal or withdrawal of the petition for adoption.

420-A:16 Notification of Allowable Benefit. All health service corporations and every other similar corporation licensed under the laws of another state shall provide to each subscriber, on request, a written statement of the dollar amount of allowable benefit for any procedure which is requested by the appropriate procedure code.

420-A:17 Coverage for Nonprescription Enteral Formulas.

I. Every health service corporation and every other similar corporation licensed under the laws of another state that issues or renews any policy of individual or group blanket accident or health insurance providing benefits for medical or hospital expenses shall provide to each individual or group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for the provision of nonprescription enteral formulas for the treatment of impaired absorption of nutrients caused by disorders affecting the absorptive surface, functional length, or motility of the gastrointestinal tract. Such coverage shall be provided when the prescribing physician has issued a written order stating that the enteral formula is needed to sustain life, is medically necessary, and is the least restrictive and most cost effective means for meeting the needs of the patient.

II. Every health service corporation and every other similar corporation licensed under the laws of another state that issues or renews any policy of individual or group blanket accident or health insurance providing benefits for medical or hospital expenses, shall provide to each individual or group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for the provision of nonprescription enteral formulas and food products required for persons with inherited diseases of amino acids and organic acids. Such coverage shall be provided when the prescribing physician has issued a written order stating that the enteral formula or food product is medically necessary and is the least restrictive and most cost effective means for meeting the needs of the patient. Coverage for inherited diseases of amino acids and organic acids shall, in addition to the enteral formula, include food products modified to be low protein in an amount not to exceed $1,800 annually for any insured individual.

III. The benefits included in this section shall not be subject to any greater deductible than any other benefits provided by the insurer. The coinsurance required by the enrolled participant shall not exceed the amount allowed under the contract for the reasonable and customary charge for

the service provided.

420-A:18 Investments. No health service corporation shall invest its funds otherwise than as provided in RSA 411-A relating to the investments and holding of real estate by domestic life insurance companies; provided that not exceeding 10 percent of a health service corporation's total admitted assets may be invested in such investments as are prudent for a domestic life insurance company to make, and provided further that, notwithstanding RSA 411-A:12, no such health service corporation may acquire and hold directly or indirectly through its subsidiaries or affiliates more than 10 percent of the outstanding voting stock of any life insurance company formed under the laws of this or another state or any corporation owning or holding the stock of such life insurance company.

420-A:19 Prohibiting Limitations on Liability; Disclosure of Information.

I. No contract between a health service corporation and a physician, for the purpose of delineating the rights and obligations of the parties within the provider network, shall limit the liability of the health service corporation for any actions of the physician for which the health service corporation might otherwise be liable.

II. No contract between a health service corporation and a health care provider shall limit what information such health care provider may disclose to patients or to prospective patients regarding the provisions, terms, or requirements of the health service corporation's products as they relate to the needs of such provider's patients except for trade secrets of significant competitive value.

420-A:20 Reports and Examinations. Every health service corporation shall annually, on or before March 1, file in the office of the commissioner a statement, verified by at least 2 of its principal officers, showing its condition on the preceding December 31, which shall be in such form and contain such matters as the commissioner may prescribe. Examination of the financial condition of each health service corporation by the commissioner shall be made as often as the commissioner deems necessary. The commissioner or designee shall have the power of visitation and examination into the affairs of any health service corporation and free access to all of the books, papers and documents that relate to the business of the corporation, and may summon and qualify witnesses under oath and examine its officers, agents or employees or other persons in relation to the affairs, transactions and condition of the corporation. All costs of such examination shall be paid by the health service corporation.

420-A:21 Reserves. Every health service corporation shall collect reasonable rates as described in RSA 420-A:22, designed to permit it to accumulate and maintain a contingency reserve fund.

420-A:22 Annual Review. Annually, in the month of April, the commissioner may review the rates of every health service corporation, and shall, not later than 60 days after April 1 of each year, provided that the corporation has filed all pertinent data, make adjustments thereto, if any, as are just and reasonable. Whenever the contingency reserve fund of a health service corporation shall be less than 8 percent of its annual premium income, the commissioner shall permit the corporation to charge rates designed to enable it to increase its contingency reserve fund by an amount equal to at least 2 percent of the annual premium income of the corporation. If the liabilities of a health service corporation exceed its assets, however, the commissioner shall permit the corporation to charge rates designed to enable the corporation to accumulate such a reserve fund by an amount equal to at least 5 percent of the annual premium income of the corporation until such time as the assets of the corporation equal its liabilities. In no event shall the commissioner permit a health service corporation to charge rates which would result in a reserve fund in excess of 20 percent of the annual premium volume of the corporation. This section shall not preclude the granting of appropriate rate changes at any other times. In connection with a rate decision, the commissioner may also make reasonable supplemental orders to the health service corporation and may attach reasonable conditions and limitations to such orders as the commissioner finds, on the basis of competent and substantial evidence, necessary to insure that benefits and services are provided at minimum cost under efficient and economical management of the corporation.

420-A:23 Appeals. All orders and decisions of the commissioner concerning matters within the commissioner's jurisdiction under this chapter shall be subject to rehearing and appeal as provided in RSA 541. RSA 541:18 and 19 shall apply to orders and decisions of the insurance commissioner affecting the rates of health service corporations.

420-A:24 Agreements with Providers. Any health service corporation may enter into agreements with eligible persons whereby such persons become providers of a plan operated by the corporation. Any health service corporation may enter into contracts for the payment of health services to the subscribers or members of similar non-profit health service corporations of other states subject to the supervision of such other states, or of counties of this state in which the corporation does not transact business. The corporation shall maintain in its office complete records of all health services rendered to subscribers and covered dependents in such form as will include the kind of services rendered, the amounts claimed for such services by the providers and the amount paid by the corporation.

420-A:25 Administrative Services. Any health service corporation may contract to furnish administrative services to any health-related organization, agency, entity or plan.

420-A:26 Nonliability of Corporation. No health service corporation holding a license under this chapter shall be liable for injuries resulting from negligence, malfeasance, nonfeasance or malpractice on the part of any officer or employee or on the part of any provider in the course of rendering health care service or supplies to subscribers.

420-A:27 Taxation. Except as otherwise expressly provided for by law, every health service corporation doing business pursuant to this chapter is hereby declared to be a nonprofit and benevolent organization and to be exempt from all taxes, other than taxes on real property situated within this state, fees on motor vehicles registered in this state, fees prescribed by this chapter, and the premium tax under RSA 400-A:32. Except for payments made by the state of New Hampshire no tax shall be levied on any premiums, fees-for-service and other payments for health, dental, and employee benefit coverages from political subdivisions of the state of New Hampshire, or from employees or retirees of such political subdivisions, either directly or indirectly. Nor shall any tax be levied on any revenues of such a health service corporation that are derived from any business of the corporation where the corporation has assumed no insurance risk and is providing administrative services, only.

420-A:28 Relationship of Provider and Patient. Nothing in this chapter shall be deemed to alter the relationship of physician and patient. No health service corporation shall in any way influence the subscriber in the free choice of hospital or physician or other provider. Nothing in this chapter shall be deemed to abridge the right of any hospital, physician or other provider to decline patients in accordance with lawful standards and practices of such provider.

420-A:29 Foreign Corporations, Reciprocity. Any corporation organized under the laws of another state or country which except as to state of organization is a health service corporation and which the commissioner finds has fully complied with the laws of such other state or country, shall be entitled to do business within this state subject to this chapter after obtaining a license as provided in RSA 420-A:4; provided, however, that no such corporation organized under the laws of another state or country shall be entitled to such license, or to do business in this state, unless such other state or country grants substantially similar rights and privileges to health service corporations organized under the laws of this state. The commissioner shall determine whether rights and privileges granted by other states or countries are substantially similar to those granted by this state, and the commissioner's determination shall be final.

420-A:30 Exceptions. Fraternal benefit societies and life or accident insurance companies are not affected by this chapter.

420-A:31 Rules. The commissioner is authorized and empowered to adopt such rules in accordance with RSA 541-A which are reasonable and necessary to administer and enforce the provisions of this chapter.

420-A:32 Workers' Compensation Law Not Affected. No provision of this chapter or any contract for hospital service by such health service corporation shall in any way affect the operation of workers' compensation laws of the state.

2 Reference Change. Amend RSA 135-C:10, I(c) to read as follows:

(c) Receive payments for services under RSA 415:18-a[~~, RSA 419:5-a, and RSA 420:5-a~~].

3 Reference Change. Amend RSA 330-A:16-d, II to read as follows:

II. Any clinical social worker certified pursuant to this section shall be qualified, in addition to any other qualifications earned as a result of certification pursuant to this section, to receive payments for services under RSA 415:18-a[~~, RSA 419:5-a, and RSA 420:5-a~~].

4 Reference Change. Amend RSA 402-C:2, V to read as follows:

V. All [~~hospital and medical service plans as defined in RSA 419 and RSA 420 and all~~] ***nonprofit health service corporations as defined in RSA 420-A and all*** fraternal benefit and mutual benefit societies as defined in RSA 418.

5 Reference Changes. Amend RSA 405:45, IV to read as follows:

IV. "Domestic ceding insurer" means any insurance company or association which is incorporated under the laws of this state and shall include health maintenance organizations licensed pursuant to RSA 420-B, ***and*** nonprofit health service corporations licensed pursuant to RSA 420-A[~~hospital service corporations licensed pursuant to RSA 419, and medical service corporations licensed pursuant to RSA 420~~].

6 Reference Change. Amend RSA 415:18, VII(g)(2) to read as follows:

(2) The provisions of this section shall apply to group hospital***,*** and medical expense policies subject to RSA 415 and group [~~hospital, and medical~~] ***health,*** service plan contracts issued pursuant to RSA [~~419, 420 and~~] 420-A, and to health maintenance organization policies and plans issued pursuant to RSA 420-B.

7 Reference Change. Amend RSA 415:18, VII-a(f) to read as follows:

(f) The provisions of this paragraph shall apply to group hospital***,*** and medical expense policies subject to RSA 415 and group [~~hospital medical~~] ***health*** service plan contracts issued pursuant to RSA [~~419, 420,~~] 420-A, and to health maintenance organization policies and plans issued pursuant to RSA 420-B.

8 Reference Change. Amend RSA 415:22, I to read as follows:

I. All individual and group health insurance policies providing coverage on a provision of service or an expense incurred basis[~~, and individual and group service or indemnity type contracts issued by any corporation governed by RSA 419 or RSA 420,~~] shall also provide that the health insurance benefits applicable for children are payable with respect to a newly born child of the insured or subscriber from the moment of birth.

9 Reference Change. Amend RSA 415-A:1, I and II to read as follows:

I. "Accident and health insurance" means insurance written under RSA 415 and coverages written under RSA 415-E, [~~RSA 419, RSA 420,~~] RSA 420-A, RSA 420-B, and RSA 420-C. For purposes of this chapter, multiple-employer welfare arrangements, [~~nonprofit hospital and medical service corporations,~~] nonprofit health service corporations, health maintenance organizations, and preferred provider agreements subject to RSA 420-C shall be deemed to be engaged in the business of insurance.

II. "Form" means policies, contracts, riders, endorsements, and applications as provided in RSA 415, RSA 415-E, [~~RSA 419, RSA 420,~~] RSA 420-A, RSA 420-B, and RSA 420-C.

10 Reference Change. Amend the introductory paragraph of RSA 415-D:5, I to read as follows:

I. To establish specific standards, including standards of full and fair disclosure, that set forth the manner, content and required disclosures for the sale of long-term care insurance policies and certificates. These standards shall be in addition to, and in accordance with, applicable laws of this state, including RSA 415[~~, 419, 420,~~] and 420-A, as applicable, which may cover but shall not be limited to:

11 Reference Change. Amend RSA 415-D:10, II to read as follows:

II. The provisions of RSA 415:2, 415:3, 415:4[~~, 419, 420,~~] and 420-A, as applicable, shall be applicable to group long-term care insurance policy and certificate forms and any application, rider, endorsement, or amendment used with such forms.

12 Reference Change. Amend RSA 417-D:1, II to read as follows:

II. "Insurer" means any entity issuing accident or health insurance or accident and health insurance policies, contracts, certificates, or other evidence of coverage pursuant to RSA 415, 415A, [~~419, 420~~], 420-A, or 420-B.

13 Reference Change. Amend RSA 417-E:1, II to read as follows:

II. Notwithstanding any other provision of law, each insurer that issues or renews any policy of group or blanket accident or health insurance and each [~~hospital service corporation under RSA 419, medical service corporation under RSA 420 and~~] ***nonprofit health services corporation under RSA 420-A and*** health maintenance organization under RSA 420-B providing benefits for disease or sickness in the state of New Hampshire shall provide benefits for treatment and diagnosis of certain biologically-based mental illnesses under the same terms and conditions and which are no less extensive than coverage provided for any other type of health care for physical illness.

14 Reference Change. Amend RSA 417-E:1, IV to read as follows:

IV. The benefits required under this section shall begin when benefits provided under RSA 415:18-a[~~, 419:5-a, 420:5-a,~~]and ***RSA*** 420-B:8-b, as applicable are exhausted.

15 Reference Change. Amend RSA 420-B:19, II to read as follows:

II. Notwithstanding any provisions of the laws of this state relating to insurance corporations engaged in the business of insurance, or any provisions of RSA [419~~, 420, or~~] 420-A relating to [~~hospital service corporations, medical service corporations and~~] health service corporations, an insurer or [~~hospital, medical, or~~] health service corporation may contract with a health maintenance organization to provide insurance or similar protection against the cost of care provided through health maintenance organizations and to provide coverage in the event of failure of the health maintenance organization to meet its obligations. The enrolled participants of a health maintenance organization constitute a permissible group under such laws. Under the contracts set forth in this paragraph, the insurer or [~~hospital, medical, or~~] health service corporation may make benefit payments to health maintenance organizations for health care services rendered by providers pursuant to the health care plan.

16 Reference Change. Amend RSA 420-F:18 to read as follows:

420-F:18 Prohibited Practices. [~~RSA 420-A:21 through RSA 420-A:32~~] ***RSA 417*** shall be construed to apply to Delta and the contracts which Delta issues, except to the extent that the commissioner determines that the nature of Delta, and the contracts which Delta issues, renders such provisions inappropriate.

17 Reference Change. Amend RSA 420-G:10, I to read as follows:

I. This chapter shall apply to any entity licensed, controlled or regulated by RSA 415, RSA 415-E, [~~RSA 419, RSA 420,~~] RSA 420-A, RSA 420-B or RSA 420-C which offers or provides individual or small employer health insurance plans or health benefits plans for delivery in this state. This chapter shall also apply to any multi-employer plan, trust, association, claims administrator, claims paying agent or any other entity whether fully insured, partially insured, or self-funded which offers or provides individual or small employer health insurance plans or health benefits plans for delivery in this state. This chapter shall not apply to pooled risk management programs which meet the standards established by RSA 5-B.

18 Repeal. The following are repealed:

I. RSA 419, relative to hospital service corporations.

II. RSA 420, relative to medical service corporations.

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

1997-0398h

Amendment to HB 297

Proposed by the Committee on Science, Technology and Energy

Amend RSA 374:2-a as inserted by section 1 of the bill by replacing it with the following:

374:2-a Alternative to Herbicide Use. Every public utility that uses herbicides to clear or maintain its rights-of-way shall offer, as an alternative to herbicide use, to cut back such vegetation, if requested by the owner of the land on which the right-of-way exists. The utility shall be permitted to charge the landowners who opt for the cutting of vegetation on their property an amount which ***has been approved by the public utilities commission and which*** reflects the increased cost the utility incurs in providing such an alternative. ***No utility shall indicate to any such landowner that such a charge may exist until the charge has been approved by the commission.***

AMENDED ANALYSIS

This bill requires the approval of the public utilities commission before a utility may charge a landowner for the cutting of vegetation, as an alternative to herbicide use, to clear or maintain its rights-of-way.

1997-0370h

Amendment to HB 336

Proposed by the Committee on Resources, Recreation and Development

Amend RSA 482:2, II as inserted by section 1 of the bill by replacing it with the following:

II. "Dam" means any artificial barrier, including appurtenant works, which impounds or diverts water, and which has a height of 4 feet or more, or a storage capacity of 2 acre-feet or more, or is located at the outlet of a great pond. A roadway culvert shall not be considered a dam if its invert is at the natural bed of the water course, it has adequate discharge capacity, and it does not impound water under normal circumstances. Artificial barriers which create surface impoundments for ***liquid*** industrial or ***liquid*** commercial wastes or municipal sewage, regardless of height or storage capacity, shall be considered dams.

AMENDED ANALYSIS

This bill:

I. Changes the definition of "dam" to include artificial barriers which create surface impoundments for liquid industrial and commercial wastes.

II. Changes the definition of "dam in disrepair" to mean a dam which is a menace to public safety and incapable of safely impounding flood waters to its crest. Currently, a dam in disrepair means a dam which is a menace to public safety or incapable of safely impounding flood waters.

1997-0225h

Amendment to HB 342

Proposed by the Committee on Commerce

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

AN ACT relative to the payment of recording fees for mortgage discharges and relative to notification of the discharge to the payor of the final payment in satisfaction of the mortgage.

Amend RSA 479:7, II as inserted by section 1 of the bill by replacing it with the following:

II. The mortgagee, within 60 days after said mortgage is satisfied ***and having reasonable charges tendered to the mortgagee***, shall cause the discharge of the mortgage to be recorded in the registry of deeds where the land lies. ***The recording fees associated with the discharge of mortgage may be charged to the mortgagor, if the mortgagor received written disclosure that such fees would be so charged. The mortgagee shall provide written confirmation of the discharge within the 60-day period to the payor of the final payment in satisfaction of the mortgage.***

AMENDED ANALYSIS

This bill allows a lender, after written disclosure to the borrower, to collect from the borrower the cost assessed by the register of deeds to record a discharge of a mortgage. The bill also requires the lender to provide written confirmation of the discharge to the payor of the final payment in satisfaction of the mortgage.

1997-0389h

Amendment to HB 397

Proposed by the Committee on Judiciary and Family Law

Amend the bill by replacing section 1 with the following:

1 House Committee Established. There is established a committee to study the 1966 adoption of part II, article 41 of the constitution, relative to the powers of the governor; the 1966 adoption of part II, article 72-a of the constitution, relative to the judicial powers of the courts; and the 1977 adoption of part II, article 73-a, relative to the supreme court and its administration. The committee shall examine why the wording for these articles in the questions approved by the voters differed from the wording for these articles which is currently in the constitution.

Amend paragraph I of section 2 of the bill by replacing it with the following:

I. The members of the committee shall be 7 members of the judiciary and family law committee of the house of representatives, appointed by the speaker of the house.

1997-0358h

Amendment to HB 413

Proposed by the Committee on Public Works and Highways

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

2 Sale or Transfer of Airports Purchased by State. Amend RSA 422:46 to read as follows:

I. All airports within the state offered for sale by any person after July 2, 1989, shall be offered for sale to the state of New Hampshire in the first instance. The state of New Hampshire, acting through the director of aeronautics with the approval of governor and council, shall have a right to match any verifiable bona fide offer made for such airports within the limits of funds available to the director for this purpose.

II. Airports purchased under this section shall be held and maintained as airports in the statewide airport system and shall be offered for sale or transfer to a local municipality, county, or airport authority. If the state is unable to sell or transfer an airport to a local municipality, county, or airport authority within 10 years, the airport shall be offered for sale to private enterprise.

AMENDED ANALYSIS

This bill allows the commissioner of the department of transportation to use an appropriation made in 1990 for the purchase of rail properties to purchase privately-owned airports offered for sale.

This bill also sets certain requirements relating to the subsequent sale or transfer of airports after purchase by the state.

1997-0320h

Amendment to HB 450

Proposed by the Committee on Education

Amend the bill by replacing section 1 with the following:

1 New Section; Directory Information Which May Be Disclosed. Amend RSA 189 by inserting after section 1-d the following new section:

189:1-e Directory Information. A local education agency which maintains education records may provide information designated as directory information consistent with the Family Educational Rights and Privacy Act (FERPA), provided that no item or items of information shall be disclosed without prior written approval of the pupil's parent or the pupil if the pupil is at least 18 years of age. Such approval shall be renewed on an annual basis. Items of directory information, which is information not generally considered harmful or an invasion of privacy if disclosed, shall include:

I. Name, address, and telephone number of a student.

II. Field of study.

III. Weight and height of athletes.

IV. Most recent previous school attended.

V. Date and place of birth.

VI. Participation in officially recognized activities and sports.

VII. Date of attendance, degrees, and awards.

AMENDED ANALYSIS

This bill specifies items of directory information, which is information not generally considered harmful or an invasion of privacy if disclosed consistent with the Family Educational Rights and Privacy Act (FERPA) with written approval of the pupil's parent or the pupil if the pupil is at least 18 years of age.

1997-0369h

Amendment to HB 486

Proposed by the Committee on Public Works and Highways

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

AN ACT relative to a study of a certain portion of Route 3A.

Amend the bill by replacing section 1 with the following:

1 Study and Report Required. The commissioner of transportation and the commissioner of safety, or their designees, shall conduct a study of the state-owned portion of Route 3A from Manchester to Concord which shall include, but not be limited to, possible road improvements and the number of traffic stops of commercial vehicles. The commissioners, or their designees, shall issue a report, together with findings and recommendations for legislation to the speaker of the house and president of the senate on or before November 1, 1997.

AMENDED ANALYSIS

This bill requires the commissioners of transportation and safety, or their designees, to conduct a study of a certain portion of Route3A.

1997-0395h

Amendment to HB 585

Proposed by the Committee on Wildlife and Marine Resources

Amend the bill by replacing section 1 with the following:

1 New Section; Littering; Penalty. Amend RSA 207 by inserting after section 36-a the following new section:

207:36-b Littering; Penalty.

I. No person shall put, place or leave, or cause to be put, placed or left, in or upon any way, public property, private property, into or on the ice over any public water, or into or on any waters of the state, any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, old automobile or parts thereof, or refuse of any nature whatsoever, or any noxious thing.

II. Paragraph I shall not apply to any person who is the owner or tenant in lawful possession of such property, or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of said owner or tenant, all in a manner consistent with the public welfare.

III. Any person violating any provision of this section shall be guilty of a violation.

AMENDED ANALYSIS

This bill establishes a littering violation in the fish and game laws.

1997-0484h

Amendment to HB 622-FN

Proposed by the Majority of the Committee on Legislative Administration

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

1 New Subdivision; Out-of-Court Settlements of Claims Against the State. Amend RSA 14 by inserting after section 35-a the following new subdivision:

Out-of-Court Settlements

14:35-b Out-of-Court Settlements. Any out-of-court settlement of a claim against the state which imposes a financial burden on the state in any future fiscal year of ½ of one percent or more of total general fund revenues for the fiscal year prior to the date of the out-of-court settlement shall require approval by majority vote of the legislature. Any out-of-court settlement of a claim against the state which imposes a financial burden on the state in any future fiscal year of more than ¼ of one percent of total general fund revenues for the fiscal year prior to the date of the out-of-court settlement but less than ½ of one percent of total general fund revenues for that prior fiscal year shall require approval by majority vote of the legislature during the legislative session or the approval of the legislative fiscal committee when the legislature is not in session. The amount of financial burden on the state imposed by each out-of-court settlement of a claim against the state and the total general fund revenues for the prior fiscal year shall be determined by the legislative budget assistant.

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

AMENDED ANALYSIS

This bill requires legislative approval of any out-of-court settlement of a claim against the state which imposes a financial burden on the state in any future fiscal year of ½ of one percent or more of total general fund revenues for the fiscal year prior to the date of the settlement. The bill requires the approval of the legislature when in session or the legislative fiscal committee when the legislature is not in session of an out-of-court settlement of a claim against the state which imposes a financial burden on the state in any future fiscal year of more than ¼ of one percent of total general fund revenues for the fiscal year prior to the date of the settlement but less than ½ of one percent of total general fund revenues for that prior fiscal year.

1997-0412h

Amendment to HB 706

Proposed by the Committee on Wildlife and Marine Resources

Amend paragraph II of section 2 of the bill by inserting after subparagraph (d) the following new subparagraphs:

(e) A representative of the New Hampshire Plant Growers Association.

(f) Two members of the New Hampshire Wildlife Federation, appointed by the federation director.

(g) A member of the fish and game commission, appointed by the chairman of the commission.

Amend the bill by replacing all after section 5 with the following:

6 Termination of Commission. The commission established by this act shall terminate according to the provisions of RSA 14:49.

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

1997-0408h

Amendment to HB 748-FN

Proposed by the Committee on Education

Amend the bill by replacing section 3 with the following:

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

1997-0339h

Amendment to HB 783-FN-A-LOCAL

Proposed by the Committee on Education

Amend section 1 of the bill by deleting subparagraph IV(f).

1997-0325h

Amendment to HCR 2

Proposed by the Committee on Education

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

Whereas, conflict is a natural human state often accompanying personal growth or changes in our institutions, and is better approached with skills than avoidance; and

Whereas, more appropriate and effective systems are needed to deal with conflict in the school setting than expulsion, suspension, court intervention, or detention; and

Whereas, the use of mediation to resolve school-based disputes can result in improved communication between and among students, teachers, administrators, and parents and can, in general, improve the school climate, as well as provide a forum for addressing common concerns; and

Whereas, the use of mediation as a conflict resolution method can result in a reduction of violence, vandalism, chronic school absence, and suspension; and

Whereas, mediation training helps both young people and teachers to deepen their understanding about themselves and others and provides them with lifetime dispute resolution skills; and

Whereas, mediation training increases students' interest in conflict resolution, justice, and the American legal system, while encouraging a higher level of citizenship activity; and

Whereas, recognizing that young people are competent to participate in the resolution of their own disputes encourages student growth and gives students skills, such as listening, critical thinking and problem-solving, which are basic to all learning; and

Whereas, mediation training, with its emphasis upon listening to others' points of view and the peaceful resolution of differences, assists in preparing students to live in a multi-cultural world; and

Whereas, mediation provides a system of problem solving that is uniquely suited to the personal nature of young peoples' problems and is frequently used by students for problems they would not take to parents, teachers, or principals; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That all school districts in the state of New Hampshire implement peer mediation programs in all of their schools; and

That the clerk of the house of representatives transmit copies of this resolution to the governor, the department of education, all school administrative units and local school districts in the state, and the state library.