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, March 21, 1997 No. 39

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

HOUSE CALENDARNOTICE

Members of the House:

The House will be in session on Wednesday, March 26th at 1:00 p.m. Future days for floor action are tentatively scheduled for April 2nd and April 10th. There will be a briefing on the proposed operating budget as required by the rules, but no House session, on Monday, April 7th. No House business will be conducted on Tuesday, April 8th, SB 2 town meeting day.

I want to thank the members for their cooperation and endurance in handling so many debates during the past week. Courtesy and respect for each other are not only good form, they promote efficiency in doing our work. We still have some challenging issues ahead of us, and I am confident we will be able to have the debates, take the votes, and have everyone go away feeling that the process worked. 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

LEGISLATIVE FORUM

HOUSE CONTINUING EDUCATION

TOPIC: Ten Year Highway Plan

PRESENTER: Leon S. Kenison, Commissioner, Department of Transportation

DATE: Thursday, March 27

TIME: Noon to 1:00 p.m.

PLACE: Room 100, State House

All members are encouraged to attend. For the members' convenience the cafeteria will sell sandwiches, snacks and sodas outside the room.

Rep. Carol H. Holden

Legislative Continuing Education Coordinator

NOTICE

There will be a Republican Caucus on Wednesday, March 26 at 11:30 a.m. in Representatives Hall.

Rep. Robert L. Wheeler, Majority Leader

NOTICE

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

Rep. Peter Hoe Burling, Democratic Leader

WEDNESDAY, MARCH 26

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 667, relative to confidentiality issues concerning the exchange of information between the departments of revenue administration and employment security and relative to payment of employer contributions. OUGHT TO PASS WITH AMENDMENT

Rep. Herbert R. Hansen for Criminal Justice and Public Safety: This bill originally passed the house on March 12, l997 session. It was then referred to this committee to review and approve the penalties associated with it. The penalties were approved and certain editing corrections were made. Vote 16-1.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 537-FN, relative to the practice of allied health professionals. OUGHT TO PASS

Rep. Maurice E. Goulet for Executive Departments and Administration: The committee reviewed the organizational structure in this bill and concur with the committee on Health, Human Services and Elderly Affairs. This is the first step in the long road of the consolidation and strengthening of the administration of the health care boards. Vote 13-0.

HB 806-FN-L, relative to the business finance authority. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration: This bill establishes the Business Finance Authority as an independent entity instead of an agency of the state. The amendment proposed by the committee provides a mechanism to transfer the accrued benefits of the employees from the New Hampshire Retirement System to a qualified retirement plan. Under this amendment, the transfer will be tax free and will be no less than the accumulated benefit obligation. This transfer must take place within 180 days of the effective date of the bill. Vote 12-0.

FINANCE

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

Rep. Stephen T. DeStefano for Finance: This bill authorizes the New Hampshire Sweepstakes Commission to pay cash incentives not to exceed one percent of the prize awarded or a maximum of $30,000 for powerball or $15,000 for other prizes. Tri-state lotto already has these incentives Vote 19-0.

HB 186-FN, relative to fees for number plates and reducing the amount of inventory fund in the department of safety. OUGHT TO PASS

Rep. Robert G. Holbrook for Finance: This bill raises the fee per license plate from $1.50 to $2.50. The cost per plate is now over $2.415 and the price of aluminium is higher than last set in 1985. With the time nearing for the issuance of new plates, this bill provides funds for the 1,000,000 plus sets of license plates. The inventory fund is limited to a cap of $1,000,000 which is the Department of Safety revolving fund for license plate manufacture. Vote 18-1.

HB 195-FN-A, increasing the exemption amount under the interest and dividends tax. RE-REFER TO COMMITTEE

Rep. Charles L. Vaughn for Finance: The committee, with due diligence, concluded it is prudent to re-refer. The bill merits further study. Vote 19-1.

HB 229-FN-A-L, establishing a reading recovery training program and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Charles L. Vaughn for Finance: This legislation recognizes in statute a successful first grade reading recovery program funded annually since 1989. The amendment modifies the original bill clearly defining that the program is optional for local schools with funding by the Department of Education limited to monies appropriated. $300,000 was removed from the bill because additional funding is included in the governor's budget. Vote 19-1.

HB 275-A-L, establishing the equipment grant program, and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: The proposal calls for a general fund appropriation of $16 million. It is a new program and a new bonded appropriation which we simply cannot afford at this time. Local school districts may currently access funds for these purposes via building aid and federal grants. Vote 20-0.

HB 436-FN-L, establishing restrictions in building aid for conversions of area schools to cooperative school districts, and relative to increasing or decreasing grades in cooperative school districts. OUGHT TO PASS

Rep. Charles L. Vaughn for Finance: This bill removes the ability of an area school to change to a cooperative school and in so doing receive building aid payments that duplicate payments received as an area school. It prevents double payments by the Department of Education, which requested this bill. Further, cooperative districts may increase or decrease grades offered by amending arrangement or articles of agreement. Vote 20-0.

HB 501, including blindness in the special education provisions, and allowing attorneys to act as neutrals in special education dispute resolution. OUGHT TO PASS

Rep. Marie C. Hawkinson for Finance: This bill amends RSA 186-C:2 to conform to the federal definition of "educationally disabled child." It also repeals the prohibition of attorneys from being appointed as neutrals. It allows for attorneys, among others, to serve in disputed Individual Educational Plans. It was determined that this has the potential for savings of legal expenses, especially in the area of disputed Individual Education Plans. Vote 19-0.

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

Rep. Robert A. Johnson for Finance: Currently fortified wine sales are restricted to liquor stores. By extending sales to off-premise licensees the Liquor Commission projects that revenues would be increased by $181,000 in FY 1998, $190,000 in FY 1999, $200,000 in FY 2000 and $210,000 in FY 2001. Vote 20-0.

HB 664-FN-L, increasing the witness fee for law enforcement officers and the mileage allowance for witnesses. INEXPEDIENT TO LEGISLATE

Rep. Arthur P. Klemm, Jr. for Finance: This bill would have increased the per diem law enforcement officers should be paid from $30 to $45 for their attendance before a municipal, district, superior or probate court and their mileage reimbursement from 17 cents to 31 cents per mile. This would have increased state expenditures by $352,000 in 1998 and with our current budget situation the bill was found Inexpedient to Legislate. Vote 17-3.

HB 674-FN-L, relative to dam registration and filing fees. OUGHT TO PASS

Rep. Franklin G. Torr for Finance: The bill increases fees to fund the dam safety program. Vote 18-2.

HB 700-FN-L, relative to the renovation of regional vocational education centers and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. David J. Alukonis for Finance: The Committee has proposed an amendment which maintains the policy promulgated by the Education Committee, but removes the funding of $24 million which the state cannot afford at this time. By adopting this amendment, the process of funding the renovation of regional vocational education centers will mirror the process which has been utilized in the construction of the centers over the past 25 years. Vote 20-0.

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

Rep. O. Alan Thulander for Finance: The committee determined that this house joint resolution would have no financial impact. Vote 20-0.

WEDNESDAY, MARCH 26

REGULAR CALENDAR

EDUCATION

HB 50-FN-A-LOCAL, increasing aid for kindergarten programs, and establishing a program for the construction of public kindergarten facilities and making an appropriation therefor. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Suzan L. R. Franks for the Majority of Education: The majority of the Education Committee recognizes that the availability of public kindergarten statewide for New Hampshire's five year olds is valuable and a necessary tool for building a strong foundation for our students. This bill respects local control and encourages public kindergarten implementation with kindergarten classroom construction bonding over the next five years of $30 million, as well as increased maintenance aid support from $500 per pupil to $1,000 per pupil to all districts implementing or operating public kindergartens in New Hampshire. It will provide much needed property tax relief for our cities and towns. Vote 16-4.

Rep. Michael F. Marcinkowski for Education: Although we all may recognize the merits of kindergarten, there is concern that good policy is not truly enacted without recognizing the resources available to achieve that policy. In addition, there is existing the formula for Foundation Aid which the minority feels is the appropriate method for funding of state aid to school districts.

FINANCE

HB 531-FN, increasing the amount superior court bailiffs are paid per day. INEXPEDIENT TO LEGISLATE

Rep. Arthur P. Klemm, Jr. for Finance: This bill proposed to increase from $50 to $65 the per diem paid to superior court bailiffs. The office of the courts indicated state general fund expenditures would increase by $450,000 in 1998 and each year thereafter. The committee felt that with our current budget situation the general fund could not afford this additional money. Therefore, the bill was found Inexpedient to Legislate. Vote 14-5.

PUBLIC WORKS AND HIGHWAYS

HB 25-A, making appropriations for capital improvements. OUGHT TO PASS WITH AMENDMENT

Rep. Gene G. Chandler for Public Works and Highways: HB 25-A is the Capital Budget, representing the state's capital program for the ensuing biennium. As an overall concept, the committee made a concerted effort to include a number of deferred maintenance capital items such as roofs, energy savings, and life safety issues, etc., throughout a variety of departments. Major projects included are: $3.5 million for Post Secondary Technical Education roof projects, laboratory upgrades, libraries, etc; $4 million for a Carroll County Superior/District Court facility, adds design money for the Jaffrey/Peterborough District Court with the proviso that the land for the facility comes at no cost to the state. Department of Health and Human Services will see a new building at the Glencliff Home, the parking garage for the renovated Brown Building on the NH Hospital Campus, and a major computer initiative which will have its five year bond payments paid by the interest from the Health Care Transition Fund. The committee approved a $2.485 million appropriation for point-of-sale cash registers which will utilize the latest technology and increase our revenues from liquor sales. The Department of Resources & Economic Development will receive some $965,000 for repairs and renovations to the Rocky Bend Seawall, the bathhouses at Sunapee and Lake Francis, and to complete the Mt. Washington siding and window project. The Department of Safety received a total of $2.5 million to upgrade its microwave system, (this is telecommunications not ovens), and for additions at the Dover Point Substation and the Epping Station. The Veteran's Home received a number of equipment and bed replacement items, and the bill sets up a committee to study the long term patient needs as it relates to a building expansion project. Youth Development Services is receiving $1.9 million for various renovation and repair projects, one million of which will renovate the Pine Crest Building. The University System is scheduled for three projects, the Young Building and Mason Library at Keene, and renovations at Pettee Hall. The Fish and Game Department will see some building modification at the Concord headquarters, and a 3/4 million dollar appropriation for a new radio system. The Department of Transportation may finally get its much needed building expansion via a $2.9 million appropriation, plus a $2 million increase in the Abandoned Railroad/Airport Acquisition Fund. On an historic note, money is included in this budget to repair and recondition the statues on the State House grounds. There are a

number of computer related requests sprinkled throughout this budget, and in order to try to get a handle on these expenses they have been approved with the caveat that no expenditures can be made until each agency's plans are reviewed by the Office of Information Technology pursuant to RSA 21:I:67, and approved by the Capital Budget Overview Committee, and Governor and Council. The Governor's original General Fund obligation as it came to the Public Works & Highways Committee totaled $65,536,492, and the Public Works & Highways Committee feels it has satisfactorily met the capital needs of the state for the next biennium with a General Fund obligation of $63,451,919. Vote 21-0.

LAID ON TABLE

HB 198-L, allowing municipalities to offer tax incentives to foster growth in new and existing industrial construction. (Pending question is the adoption of the Committee report, re-refer to committee.)

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

COMMITTEE HEARINGS

FRIDAY, MARCH 21

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

9:00 a.m. Regular meeting.

FINANCE - (DIVISION I), Room 212, LOB

9:30 a.m. Work and executive session on the budget and other pending legislation.

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. Work and executive session on the budget and other pending legislation.

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

9:30 a.m. HB 756 -FN, relative to the registration of alternative providers of mental health services.(A)

10:45 a.m. HB 488-FN, relative to involuntary admission to the state hospital on an emergency basis.(A)

11:30 a.m. HB 592-FN-A L, establishing an advisory council on brain and spinal cord injuries.(A)

1:30 p.m. HB 646-FN-A, relative to eligibility for child day care services for persons receiving public assistance and making an appropriation therefor.(A)

3:00 p.m. HB 606-FN-L, relative to procedures regarding children in need of services under RSA 169-D.

Executive session to follow.

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

9:00 a.m. Meeting for the purpose of conducting interviews with representatives who responded to the RFP.

MONDAY, MARCH 24

EDUCATION, Department of Education, 101 Pleasant Street, Concord

9:00 a.m. Meeting with State Board of Education on new teacher academic knowledge certification.

FINANCE - (DIVISION I), Room 212, LOB

9:30 a.m. Executive session on the budget and other pending legislation.

FINANCE - (DIVISION II), ROOM 209, LOB

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

1:30 p.m. Work and executive session on the budget and other pending legislation.

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

9:30 a.m. HB 765-FN, establishing an osteoporosis prevention, education, and treatment program.(A)

10:30 a.m. HB 686-FN-A, relative to financing of child day care facilities and making an appropriation therefor. (A)

Executive session to follow.

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

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

10:00 a.m. Rules hearing.

TUESDAY, MARCH 25

COMMERCE, Room 302, LOB

1:30 p.m. SB 94-L, relative to the financing of the New Hampshire civic center commission.

2:15 p.m. SB 17, restricting check collection charges by creditors and debt collectors.

3:00 p.m. SB 18, relative to the sale of certain items at flea markets.

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. SB 155, requiring the division of educational improvement, department of education, to prepare and adopt a plan for providing special education to inmates in the state prison system and county correctional facilities.

10:30 a.m. SB 156, establishing a committee to study issues relating to providing special education services to eligible pupils who are incarcerated in the state prison system and county correctional facilities.

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

ELECTION LAW, Room 308, LOB

10:00 a.m. Organizational meeting regarding campaign finance reform.

FINANCE - (DIVISION I), Room 212, LOB

9:00 a.m. Work and executive session on the budget and other pending legislation.

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. Work and executive session on the budget and other pending legislation.

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

10:00 a.m. Executive session.

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

10:00 a.m. SB 49-FN, clarifying certain procedures under the lead paint law.

11:00 a.m. Continued public hearing on SB 134, establishing a committee to study the certificate of need board and RSA 151-C.

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

JUDICIARY AND FAMILY LAW, Room 208, LOB

10:00 a.m. Continued full committee work session on HB 609-FN-LOCAL, enacting the Uniform Interstate Family Support Act

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:30 a.m. SB 13, relative to continuing education for claims adjusters.

10:30 a.m. SB 42, relative to the authority of the labor commissioner to revoke the license of an employee leasing company for violations of the labor laws.

1:30 p.m. SB 21, excepting persons who are 17 years old and graduated from high school from the youth employment law.

2:30 p.m. SB 41, relative to the time for filing requests for a hearing with the department of labor concerning violations of the whistleblower protection act.

3:30 p.m. SB 98-FN, relative to the submission of youth employment certificates to employers.

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. Full committee work session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

10:30 a.m. Rescheduled public hearing on 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.

11:15 a.m. Rescheduled public hearing on SB 175, establishing a committee on the feasibility of installing rumble strips before toll booths.

1:30 p.m. Rescheduled public hearing on SB 158-FN-A, relative to the funding of beach erosion control projects along the south side of the Hampton Harbor Inlet.

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. SB 19, establishing a committee to study the environmental impact of businesses extracting water from the state's resources for sale.

10:00 a.m. SB 16, relative to drinking water rules for public water systems.

11:00 a.m. SB 144, establishing a committee to study certain issues regarding Silver Lake in the towns of Belmont and Tilton.

1:15 p.m. SB 161-FN-A, relative to the Seacoast Science Center and making an appropriation therefor.

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

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Department of Environmental Services, Air Resources Division will present Diesel Emissions Study to committee.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

10:30 a.m. SB 123, relative to shellfish harvesting areas.

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

WEDNESDAY, MARCH 26

COMMERCE, Room 302, LOB

9:00 a.m. SB 39, relative to the delivery of bank products and services.

9:30 a.m. SB 139, authorizing banks to invest trust funds in bank-affiliated investments.

10:00 a.m. SB 121, authorizing state-chartered financial institutions to engage in certain insurance activities.

10:30 a.m. SB 101, requiring certain hospitals to file certain forms with the director of charitable trusts.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:30 a.m. SB 20, establishing a committee to study presumptive sentencing.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. SB 212-FN, declaring a member of the retirement system on leave under the Family and Medical Leave Act to be in service for purposes of death or disability benefits.

10:30 a.m. SB 124, relative to the imposition of fines by the state board of licensure for land surveyors.

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

FINANCE, Rooms 210-211, LOB

9:00 a.m. Work and executive session.

FINANCE - (DIVISION I), Room 212, LOB

9:00 a.m. Work and executive session on the budget and other pending legislation.

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work and executive session on the budget and other pending legislation.

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

9:00 a.m. Rescheduled executive session.

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. SB 183-FN, relative to liquor licenses for a sports/entertainment complex.

10:30 a.m. SB 75, regulating beer festivals and requiring beer festival promoters to obtain a single event license for a fee from the liquor

commission to hold a beer festival.

11:00 a.m. SB 87, relative to permissible agreements between beverage manufacturers and vendors and beverage wholesale distributors.

11:30 a.m. SB 44, establishing a committee to study the building of a state-owned liquor store in the city of Keene.

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. Executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. SB 19, establishing a committee to study the environmental impact of businesses extracting water from the state's resources for sale.

10:30 a.m. SB 16, relative to drinking water rules for public water systems.

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. SB 116-FN, relative to the regulation of rural electric cooperatives by the public utilities commission.

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

THURSDAY, MARCH 27

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. SB 66, allowing a state resident to obtain a license for a pistol or revolver for life.

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

1:15 p.m. SB 154, relative to charter schools.

2:15 p.m. SJR 2, relative to federal funding under the Individuals with Disabilities Education Act.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:30 a.m. Continued public hearing on SB 60-FN, excluding claims against New Hampshire hospital which are under $500 from the jurisdiction of the state board of claims.

10:00 a.m. SB 106-FN, establishing a committee to study the regulation of gas burner technicians and oil burner technicians.

1:00 p.m. SB 131, allowing certain state employees to take paid leave to participate in disaster relief service work.

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

FINANCE, Rooms 210-211, LOB

IF PASSED BY THE HOUSE ON WEDNESDAY, MARCH 26, THE FOLLOWING BILLS WILL BE HEARD AS SCHEDULED BELOW:

9:00 a.m.-10:30 a.m. HB 25-A, making appropriations for capital improvements.

10:45 a.m.-12:15 p.m. HB 50-FN-A-L, increasing aid for kindergarten programs, and establishing a program for the construction of public

kindergarten facilities and making an appropriation therefor.

1:30 p.m. Work and executive session.

FINANCE - (DIVISION I), Room 212, LOB

1:30 p.m. Work and executive session on the budget and other pending legislation.

FINANCE - (DIVISION II), ROOM 209, LOB

1:30 p.m. Work session on HB 25-A, making appropriations for capital improvements; and HB 50-FN-A-L, increasing aid for kindergarten programs, and establishing a program for the construction of public kindergarten facilities and making an appropriation therefor. (If passed by the House on Wednesday, March 26)

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

1:30 p.m. Rescheduled executive session.

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

10:30 a.m. Executive session on pending legislation.

1:30 p.m. Presentation by Dr. Richard Di Pentima, from the Department of Health and Human Services, Public Health Services, Disease Control.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. SB 144, establishing a committee to study certain issues regarding Silver Lake in the towns of Belmont and Tilton.

10:30 a.m. SB 161-FN-A, relative to the Seacoast Science Center and making an appropriation therefor.

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

FRIDAY, MARCH 28

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

9:30 a.m. Rescheduled regular meeting.

FINANCE, Rooms 210-211, LOB

9:00 a.m. Work and executive session.

FINANCE - (DIVISION I), Room 212, LOB

9:00 a.m. Executive session.

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work and executive session on the budget and other pending legislation.

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

9:00 a.m. Executive session.

SATURDAY, MARCH 29

FINANCE, Rooms 210-211, LOB

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

FINANCE - (DIVISION I), Room 212, LOB

10:00 a.m. Executive session.

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. Work and executive session on the budget and other pending legislation.

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

10:00 a.m. Executive session.

MONDAY, MARCH 31

FINANCE, Rooms 210-211, LOB

9:00 a.m. Work and executive session.

FINANCE - (DIVISION I), Room 212, LOB

9:00 a.m. Executive session.

FINANCE - (DIVISION II), ROOM 209, LOB

9:00 a.m. Work and executive session on the budget and other pending legislation.

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

9:00 a.m. Executive session.

HISTORICAL COMMITTEE (RSA 17-I), Room 103, State House

10:00 a.m. Regular meeting.

TUESDAY, APRIL 1

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Rescheduled public hearing on SB 29, establishing a pet overpopulation trust.

10:30 a.m. Rescheduled public hearing on SB 31, relative to rabies certificates.

11:00 a.m. Rescheduled public hearing on SB 145-LOCAL, relative to the definition of "open space land" for purposes of current use taxation.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Rooms 306-308, LOB

9:30 a.m. Briefing by Congressman Bass.

THURSDAY, APRIL 3

EDUCATION, Room 207, LOB

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

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

2:00 p.m. Briefing by Congressman Sununu.

THURSDAY, APRIL 10

ETHICS COMMITTEE (RSA 14-B:2), Room 105A, State House

9:00 a.m. Regular meeting.

MONDAY, APRIL 14

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

9:00 a.m. Rescheduled regular business.

9:30 a.m. Rescheduled audits.

Department of State and related boards and commissions for the ten months ended April 30, 1996 and New Hampshire Retirement System management letter for the year ended June 30, 1996.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Belknap County Delegation will meet Monday, March 24 at 7:00 p.m. at the Belknap County Courthouse for the final hearing and passage of the 1997 county budget.

Rep. Gordon E. Bartlett, Chairman

Belknap County Delegation

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee will meet Friday, April 18 at 9:30 a.m. in the Hilton Auditorium, Rockingham County Nursing Home.

Rep. Sherman A. Packard, Chairman

Rockingham County Executive Committee

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Members are reminded that material in mailboxes needs approval of the chairman of the Legislative Administration Committee. Such material should relate to legislative business and must indicate the identity of the sender.

Rep. Channing T. Brown, Chairman

Legislative Administration Committee

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THE MOST RECENT INFORMATION ON HOUSE-CALENDAR DELIVERY:

Arrangements have been made to have our Friday mailings now leave Concord at 2:00 p.m. bound for the Manchester Distribution Center. Additionally, the Postal Representative assisting us has notified the Supervisors in all of the Post Offices where late delivery has been a consistent problem (based on the return envelopes we collected) to be alert for mail addressed to State Representatives. If you continue to experience late delivery, please save your envelope when it does arrive.; write on it the date of receipt and bring the envelope to the Clerk's Office. This has been a great help trying to isolate the problems. Thank you for your cooperation.

Karen O. Wadsworth, Clerk of the House

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During House sessions, members who 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 50, 120, 151, 186, 225, 262, 340; 378, 379, 457, 459, 498, 530, 557, 559, 560, 562, 564, 565, 567; 568, 569, 570; 572, 573, 577, 578; 587, 588, 589; 591, 592, 593, 595, 596, 598, 599, 602; 603; 604, 605; 607; 610; 615; 617; 618; 619;625; 626, 627; 637, 638; 643; 644,645; 649; 657, 661; 663, 671, 686; 688, 689, 702, 716; 719; 720, 723, 724, 725, 726, 727, 729, 731, 733, 734, 735, 739, 740, 741, 742, 743, 744, 745, 747, 748, 749, 750, 751, 760, 761, 762, 763. 764, 765,766, 767, 768, 769, 770, 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

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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There will be an executive board meeting of the OWLs in the third floor conference room at the State House on Monday, March 24 at 9:30 a.m.

Rep. Betsy McKinney

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The Manchester Legislative Delegation will be meeting with the Mayor of Manchester on Monday, March 24 at 8:30 a.m. in the Aldermanic Chambers at City Hall. Refreshments will be served.

Rep. Lou D'Allesandro

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Please join Governor Shaheen for coffee and dessert in the Executive Council Chambers on Wednesday, March 26 , 12-1:30 p.m. (before the Session)

Rep. Peter Hoe Burling

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The American Legislative Exchange Council (ALEC) will meet March 26 at noon in Room 209, LOB.

Rep. Frances L. Riley

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The Teamsters Union, Local 633, is hosting a reception for all legislators and staff on Wednesday, March 26 at the Szechuan Garden on Fisherville Road from 4:30 p.m. to 7:00 p.m. Refreshments and hors d'oeuvres will be served.

Reps. Peter Hoe Burling and Robert L. Wheeler

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The Hillsborough County Democratic Committee cordially invites you to join them for a Spaghetti Supper, with special guest Executive Councilor Jim Normand, Wednesday, March 26 at 6:30 p.m. at Iron Worker's Hall, 1671 Brown Avenue, Manchester. $10 per person. $15 per family. For more information contact Rep. Raymond Buckley.

Rep. Raymond C. Buckley

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The New Hampshire Order of Women Legislators Installation Banquet will be held Wednesday, April 2 at the Holiday Inn, Concord. Cocktails 5:30 p.m. Dinner 6:30 p.m. Tickets $25 are available from Reps. Karen McRae (497-2186) or Anne Grassie (332-8562).

Reps. Karen K. McRae and Anne C. Grassie

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The Hillsborough County Republican Committee is holding its Annual Lincoln Day Dinner on Friday, April 4 at the Knights of Columbus Hall, 42 Elm Street, Milford. Congressman John Kasich will be the speaker. The reception begins at 6:30 p.m. with the roast beef dinner being served at 7:00 p.m. Tickets are $15 and are available from Reps. Maurice Goulet (4-88) or Carol H. Holden(3-1).

Rep. Carol H. Holden

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All legislators and staff are cordially invited to the Crossover reception hosted by the New Hampshire Automobile Dealers Association at its offices on 507 South Street (just up from the Hampton Inn) on Thursday, April 10 from 4:00 to 7:00 p.m. (or immediately following the House session). Hors d'ouevres, refreshments, door prizes and entertainment for a well-deserved recess. Handicapped accessible.

Reps. Robert L. Wheeler and Peter Hoe Burling

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The Department of Transportation will hold the following meetings:

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.

Apr 9 Stoddard Town Hall, Route 123, Stoddard, 7:00 p.m. Public hearing, Stoddard, NH Route 9.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

1997 SESSION

97-1136

08/09

HOUSE RESOLUTION 20

A RESOLUTION requesting an opinion of the justices concerning the constitutionality of HB 198-LOCAL, allowing municipalities to offer tax incentives to foster growth in new and existing industrial construction.

SPONSORS: Rep. Hess, Merr 11; Rep. Fesh, Rock 13; Rep. Metzger, Ches 13; Rep. Steere, Ches 11

COMMITTEE: [committee]

ANALYSIS

This house resolution requests an opinion of the justices concerning the constitutionality of HB 198-LOCAL, allowing municipalities to offer tax incentives to foster growth in new and existing industrial construction.

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STATE OF NEW HAMPSHIRE

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

Whereas, there is presently pending before the House of Representatives HB 198-LOCAL, an act allowing municipalities to offer tax incentives to foster growth in new and existing industrial construction; and

Whereas, section 2 of HB 198-LOCAL provides that a town or city may vote to adopt a new construction property tax exemption for industrial uses; and

Whereas, section 2 of HB 198-LOCAL further provides that a new construction property tax exemption for industrial uses may run for a period of 3 to 5 years following new construction and that the exemption for all years shall cumulatively not exceed 200 percent of the increased assessed value; and

Whereas, legislation proposing new tax exemptions should be scrutinized to determine its constitutionality; now, therefore, be it

Resolved by the House of Representatives:

That the Justices of the Supreme Court be respectfully requested to give their opinion on the following questions of law:

1. Is the classification of taxable property provided for in HB 198-LOCAL based on a reasonable distinction which promotes a proper object of public welfare and does not require any taxpayer to pay more than his or her fair share of the tax burden as required by part I, article 12 of the New Hampshire Constitution?

2. Do the provisions of HB 198-LOCAL which temporarily exempt certain real property from property taxes violate the constitutional requirements of uniformity and equality governing the assessment and collection of property taxes and the constitutional prohibition against authorizing gifts to corporations organized for profit, all required by part II, article 5 of the New Hampshire Constitution?

That the clerk of the House of Representatives transmit copies of this resolution and copies of HB 198-LOCAL to the justices of the New Hampshire Supreme Court.

WEDNESDAY, MARCH **26**

AMENDMENTS

(Listed in numerical order.)

1997-0811h

Amendment to HB 25-A

Proposed by the Committee on Public Works and Highways

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

AN ACT making appropriations for capital improvements, establishing a committee to study federal buildings and patients needs relative to the veteran's home, and relative to the purposes of the health care transition fund.

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

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

I. Adjutant General.

A. Replace roofs-Manchester, Berlin $ 175,000

B. Re-roof organizational maintenance shop

and 3 motor vehicle storage buildings $ 96,000

Less federal - 72,000

Net state appropriation subparagraph B $ 24,000

C. Re-roof Concord United States property and

fiscal office and organizational maintenance shop $ 88,000

Less federal - 66,000

Net state appropriation subparagraph C $ 22,000

Total state appropriation paragraph I $ 221,000

II. Department of Administrative Services.

A. Bureau of General Services.

1. Life Safety -health and human services building $ 597,000

2. Fire suppression-state library $ 60,000

3. Life safety - state house annex $ 120,000

4. Roof repair - supreme court $ 75,000

5. Roof repair - health and human services building $ 85,000

6. Electrical system upgrade - state house annex $ 50,000

7. Replace unsafe flooring - health and human

services building $ 500,000

8. Repair windows - state house annex $ 52,000

9. Energy savings - health and human services building * $ 337,189

10. Electrical system upgrade - state house $ 85,000

11. Electrical system upgrade - state library $ 128,000

12. Repair drainage system - state library $ 100,000

13. Parking garage repairs - legislative office building $ 60,000

14. Parking garage repairs - Storrs Street $ 160,000

15. Emergency repairs, contingency fund $ 100,000

Total state appropriation subparagraph A $ 2,509,189

The funds appropriated in subpargraph II, A, 15 for emergency repairs, contingency fund, shall not be spent, obligated, or encumbered until such time as the department has received approval for an emergency repair from the capital budget overview committee.

B. Financial Data Management.

1. LAN hardware and site preparation * $ 950,000

2. Year 2000 financial system support * $ 1,300,000

3. Check processing and mailing system * $ 193,000

Total state appropriation subparagraph B $ 2,443,000

C. Bureau of Court Facilities.

1. Carroll county Superior Court and

Wolfeboro/Ossipee District Courts $ 4,000,000

2. Design Jaffrey-Peterborough District Court $ 125,000

Total state appropriation subparagraph C $ 4,125,000

Total state appropriation paragraph II $ 9,077,189

The funds appropriated in subparagraph II, C, 2 shall not be expended until a site is chosen and acquired at no cost to the state.

III. Department of Corrections.

A. Upgrade hot water supply - Concord $ 98,000

B. Replace roll-up doors - Concord $ 50,000

C. Sprinkler system in gymnasium and auto shop - Concord $ 75,000

D. Prison automation system * $ 750,000

Total state appropriation paragraph III $ 973,000

IV. Community-technical college system.

A. Roof projects - Manchester, Claremont, Nashua, Concord $ 786,300

B. Window replacement/repair - Stratham $ 234,000

C. Critical laboratory support for N.H. industries $ 1,400,000

D. Library support systems $ 500,000

E. Upgrade general science laboratories $ 600,000

Total state appropriation paragraph IV $ 3,520,300

V. Department of Environmental Services.

A. Waste water state revolving fund match $ 5,970,000

B. Drinking water state revolving fund match $ 4,659,200

C. Computer system upgrade $ 562,500

D. Bedrock aquifer assessment $ 437,410

E. Winnipesaukee River basin supervisory

control and data acquisition $ 2,034,600

Less local - 1,627,680

Net state appropriation subparagraph E $ 406,920

F. Dam removal $ 204,400

Total state appropriation paragraph V $12,240,430

VI. Department of Health and Human Services Commissioner's Office.

A. Medical and surgical building life/safety improvements

- NH hospital $ 200,000

B. Acute psychiatric service building parking improvement

- NH hospital $ 400,000

C. Roof repairs medical and surgical building,

Thayer, Koutras - NH hospital $ 185,000

D. Water and sewage system - Glencliff $ 250,000

E. Repair tunnel retaining walls -Glencliff $ 100,000

F. Brown building addition and renovation - Glencliff $ 3,870,000

G. Porch renovations - Glencliff $ 200,000

H. Flooring replacements - Glencliff $ 90,000

I. Parking garage and windows - Brown building

- NH hospital $ 5,600,000

J. Public health laboratory safety equipment $ 321,500

Total state appropriation paragraph VI $11,216,500

For the sums appropriated in subparagraph I, the state is assisting in infrastructure improvements with the city of Concord.

VII. Liquor Commission.

A. Complete Hampton south restrooms $ 400,000

B. Point-of-sale registers $ 2,485,000

C. Replace brick on warehouse $ 150,000

Total state appropriation paragraph VII $ 3,035,000

VIII. Port Authority.

A. Mooring bollard $ 130,000

B. Replacement fenders $ 185,000

C. Dredging Little Harbor $ 1,040,000

Less federal - 1,000,000

Net state appropriation subparagraph C $ 40,000

Total state appropriation paragraph VIII $ 355,000

IX. Department of Resources and Economic Development.

A. ADA compliance for parks facilities $ 70,000

B. Repair Rocky Bend seawall $ 300,000

C. Replace bath house - Sunapee $ 150,000

D. Replace bridge - Lafayette campground $ 95,000

E. Complete Mt. Washington siding and windows $ 225,000

F. Toilet/Shower building - Lake Francis $ 125,000

Total state appropriation paragraph IX $ 965,000

X. Department of Safety.

A. Microwave system upgrade * $ 2,000,000

Total state appropriation paragraph X $ 2,000,000

XI. Secretary of State

A. Shelves in records and archives building - Concord $ 65,000

Total state appropriation paragraph XI $ 65,000

XII. Department of Transportation.

A. 5-10 percent match FAA airport projects $ 2,500,000

B. Statewide fuel tank inspection $ 100,000

Total state appropriation paragraph XII $ 2,600,000

XIII. N.H. Veterans Home.

A. Replace 25 mechanical hospital beds * $ 35,000

B. Rebuild Welch kitchenette and equipment * $ 15,000

C. Replace laundry equipment * $ 17,400

D. Replace kitchen equipment * $ 24,100

E. Replace Tarr North hot water tank * $ 20,000

Total state appropriation paragraph XIII $ 111,500

XIV. Youth development services.

A. Sewer line - YDC $ 104,000

B. Water mains - YDC $ 493,000

C. Roofing projects - YDC $ 375,000

D. Renovate Pine Crest - YDC $ 1,000,000

Total state appropriation paragraph XIV $ 1,972,000

Total state appropriation section 1 $48,351,919

* The bonds issued for these projects shall be 5-year bonds.

2 Appropriation; University System of New Hampshire. The sums hereinafter detailed are hereby appropriated for the projects specified:

I. Addition to former Young building - Keene $ 5,400,000

II. Mason library renovation and expansion - Keene $ 4,100,000

III. Pettee hall general renovations - Durham $ 3,600,000

Total state appropriation section 2 $13,100,000

3 Appropriation; Department of Fish and Game. The sums hereinafter detailed are hereby appropriated for the projects specified:

I. Headquarters building modification $ 125,000

II. Statewide digital radio system * $ 750,000

Total state appropriation section 3 $ 875,000

The funds appropriated in paragraph I for headquarters building modifications shall not be spent, obligated, or encumbered until the department has developed an implementation schedule and received the approval of such schedule from the capital budget overview committee.

* The bonds issued for these projects shall be 5-year bonds.

4 Appropriation; Department of Transportation and Department of Safety. The sums hereinafter detailed are hereby appropriated for the projects specified:

I. Department of Transportation

A. John O. Morton building renovation $ 3,900,000

Total state appropriation paragraph I $ 3,900,000

II. Department of safety

A. Dover Point Substation addition $ 195,000

B. Warehouse/Epping station $ 195,000

C. Microwave system upgrade * $ 500,000

Total state appropriation paragraph II $ 890,000

Total state appropriation section 4 $ 4,790,000

* The bonds issued for these projects shall be 5-year bonds.

5 Expenditures; General. The appropriations made for the purposes mentioned in sections 1, 3 and 4 and the sums available for those projects shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 228.

6 Expenditures; University System of New Hampshire.

I. The appropriations made for the purposes mentioned in section 2 and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire. All contracts for the construction of all or any part of said buildings or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least once in each 2 successive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought with the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less 30 days prior to the date the bids will be received. All conditions considered, wherever possible, it is recommended that the services of New Hampshire architectural and construction firms be considered within the discretion of the trustees.

II. The appropriations made in section 2 are available for all costs incidental to the completion of the projects enumerated including the costs of the services of architects, engineers, and other consultants of such kind and capacity as the university system board of trustees, in its discretion, may wish to employ on such terms and conditions as the board determines. These moneys shall be spent under the direction of the university system board of trustees.

III. If, in the judgment of the trustees of the university system, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder; or, if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

IV. The board of trustees of the university system has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the low bidder or with the 3 lowest bidders for a contract for the construction upon terms considered must advantageous to the university. If only one bid is received, the board of trustees may negotiate a contract for the construction on terms considered most advantageous to the university system and to the state. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

V. Notwithstanding paragraphs III and IV, the sums appropriated by section 2, paragraphs II and III of this act for the Mason library renovation and expansion in Keene and the Pettee hall renovations in Durham, may be expended and awarded by the trustees of the university system; provided that all contracts for all or any part of the building or facilities shall follow construction management procurement procedures and guidelines. If the trustees select construction management pursuant to this paragraph, paragraphs III and IV shall not apply and the trustees shall retain the right to reject or negotiate following accepted construction management practices.

7 Land Acquisition. Any land acquired under the appropriations made in sections 1, 3, and 4 of this act, except such land, if any, as may be acquired under the appropriation for the department of environmental services, shall be purchased by the commissioner of the department of transportation with the approval of governor and council.

8 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, 3, and 4 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $67,116,919 and for said purposes may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

9 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 2 shall be made when due from the general funds in the state.

II. The payment of principal and interest on bonds issued for the projects in:

(a) Section 3 shall be made when due from the fish and game fund.

(b) Section 4 shall be made when due from the highway fund.

10 Liquidation. The state treasurer is authorized to deduct from the fund accruing to the university under RSA 187-A:7, or appropriation in lieu therefor, for each fiscal year such sum as may be necessary to meet interest and principal payments in accordance with the terms and conditions of bonds and notes issued for the purpose of section 2.

11 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes of this act.

II. To accept any federal funds which are, or become available for any project under sections 1, 3, and 4 beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 8 shall be reduced by the same amount.

12 Transfers. The individual project appropriations, as provided in sections 1, 3 and 4 shall not be transferred or expended for any other purpose; provided that any anticipated balance remaining in an individual project, which is fully funded by state funds, may be transferred by governor and council to any other individual project or projects, which are also fully funded by state funds, within the same section. The individual project appropriations provided in section 2 shall not be transferred, or expended pursuant to section 6, for any other purpose unless approval has been obtained from the capital budget overview committee.

13 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1, 3 and 4 is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such projects and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced. The amount of bonding authorized by section 8 shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

14 Health Care Transition Fund; Purpose Changed. Amend the introductory paragraph of RSA 167:71 to read as follows:

The interest earnings from the fund shall be expended first to fund the cost of bonds for the purpose of computer system initiatives including child support system improvements, eligibility system completion, child welfare system completion, medical services managed care, and service provider integration; provided that if interest earnings are insufficient, the fund balance for the amount necessary shall be used to fund the cost of such bonds. Any remaining interest earnings shall be expended to:

15 Health Care Transition Fund; Accumulated Income. Amend RSA 167:72 to read as follows:

167:72 Accumulated Income. Commencing with the fiscal year ending June 30, 1995, the state treasurer shall annually, on or before October 1,

certify an amount to the commissioner which shall be the sum of the income accumulated in the fund that will be available to be expended under RSA [167:71] 167:71, I-III plus the market value of the principal assets held in the fund. Only the interest earnings shall be expended for the purposes outlined in RSA 167:71. Notwithstanding any other provision of law, the funds authorized for expenditure shall not be reduced by any funds made available from other sources.

16 Department of Health and Human Services; Computer System Capital Appropriation.

I. The sum of $34,599,948 is hereby appropriated to the department of health and human services for the purpose of computer system initiatives including child support system improvements, eligibility system completion, child welfare system completion, medical services managed care, and service provider integration. This appropriation is in addition to any other funds appropriated to the department of health and human services.

II. Of the total sum appropriated in paragraph I, $19,813,823 shall be from federal or other funds, and no more than $14,786,125 shall be from state funds.

17 Bonds Authorized. To provide funds for the appropriation of state funds made in section 16 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $14,786,125 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The payment of principal and interest on bonds and notes issued for such project shall be made when due from the health care transition fund pursuant to RSA 167:71. The bonds shall be 5-year bonds.

18 Information Technology Equipment and Software. Individual project appropriations for information technology equipment provided for by sections 1, 3, 4, or 16 shall not be spent, obligated, or encumbered until such time as the agency's information technology plans are reviewed by the office of information technology pursuant to RSA 21-I:67 and approved by the capital budget overview committee, and the governor and council.

19 Appropriation; Bonds Authorized; Transfer of Funds; Statues on State House Grounds.

I. The sum of $50,000 is appropriated to the joint legislative historical committee established in RSA 17-I:1 for the purpose of the repair and reconditioning of the statues on state house grounds.

II. To provide funds for the appropriation made in paragraph I:

(a) The state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $36,840 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The payment of principal and interest on bonds and notes issued for such project shall be made when due from the historical fund established in RSA 177:8, II. The bonds shall be 10-year bonds.

(b) The sum of $13,160 is hereby transferred from funds held by the department of administrative services from the insurance settlement for the Daniel Webster statue to the joint legislative historical committee for the purposes of this section.

20 Committee Established.

I. There is established a committee to study the issue of federal buildings and patients' needs relative to the New Hampshire veterans' home.

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

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

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

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee. The committee shall elect a chair from among its members.

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

21 Increased Bond Authorization; Dam Maintenance Fund. Amend RSA 482:56 to read as follows:

482:56 Bonds Authorized. To provide working capital for initiation of the fund established in RSA 482:55, the state treasurer is hereby authorized to borrow upon the credit of the state the sum of [$7,900,000] $9,800,000 and for said purpose shall issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A.

22 Appropriation Extended; Date Changed; Resources and Economic Development. Amend 1993, 349:18, III as inserted by 1995, 285:2 to read as follows:

III. The appropriation contained in paragraph I shall not lapse until June 30, [1997] 1999. Any balances remaining as of June 30, [1995] 1997, shall be allocated by the review committee or budgeted within the state operating budget for the purposes of paragraph I or other economic initiatives and programs.

23 Appropriation Purpose Amended; Resources and Economic Development. Amend 1993, 359:1, IX, C, 4 as extended by 1994, 171:1 and 1996, 190:11 to read as follows:

4. Septic systems- [Weeks/Wentworth] state parks 150,000

24 Appropriation Purpose Amended; Appropriation Increased; Department of Transportation. Amend 1990, 200:10 and 11 to read as follows:

200:10 Appropriation. The sum of [$3,000,000] $5,000,000 is hereby appropriated to the commissioner of the department of transportation for the purchase of rail properties as defined by RSA 228:54, VIII including, but not limited to, abandoned railroad rights-of-way under RSA 228:60-a and for the purchase of privately-owned airports offered for sale to the state under RSA 422:46. The commissioner may purchase active railroad rights-of-way under RSA 228:60-a only after approval is obtained from the capital budget overview committee. This appropriation shall be nonlapsing.

200:11 Bonds Authorized. To provide funds for the appropriation made in section 10 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of [$3,000,000] $5,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest of the bonds and notes shall be made from the general funds of the state.

25 Hanover-Lebanon District Court; Appropriation Increased. Amend 1992, 289:27 and 28, as amended by 1993, 359:17, 1995, 309:16, and 1996, 190:13 to read as follows:

289:27 Department of Administrative Services; Hanover-Lebanon District Court Capital Appropriation. The sum of [$1,550,000] $1,590,000 is hereby appropriated to the department of administrative services for the purpose of acquiring, purchasing, entering into a lease purchase agreement, or leasing land or buildings or land and buildings and to construct or renovate, and furnish such buildings as is necessary to establish the Hanover-Lebanon district court. The department of administrative services is authorized to negotiate the acquisition, purchase, or lease of such land and buildings within the limits of the appropriated amount. A resulting purchase contract shall receive such review and approval as required by state law. This appropriation is in addition to any other funds appropriated to the department of administrative services.

289:28 Bonds Authorized. To provide funds for the total of the appropriation of state funds made in section 27 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of [$1,550,000] $1,590,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The payment of principal and interest on bonds and notes issued for such project shall be made when due from the general funds of the state.

26 Reduce Appropriation; Lancaster Court Facility. Amend 1995, 309:1, II, B, 1, as amended by 1996, 190:14, to read as follows:

1. New court facility - Lancaster [$ 3,850,000] $ 3,810,000

27 Total Adjusted. Amend 1995, 309:1, II, B, total state appropriation subparagraph B, as amended by 1996, 190:15, to read as follows:

Total state appropriation subparagraph B [$ 4,150,000] $ 4,110,000

28 Total Adjusted. Amend 1995, 309:1, II, total state appropriation paragraph II as amended by 1996, 190:16, to read as follows:

Total state appropriation paragraph II [$11,484,000] $ 11,444,000

29 Total Adjusted. Amend 1995, 309:1, total state appropriation section 1, as amended by 1996, 190:17, to read as follows:

Total state appropriation section 1 [$48,661,192] $ 48,621,192

30 Bonds Authorized; Total Adjusted. Amend 1995, 309:8, as amended by 1996, 190:18, to read as follows:

309:8 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, 3, and 4 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of [$57,835,592] $57,795,592 and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

31 Health and Human Services; Automated Case Management Information System; Federal Amount Increased. Amend 1993, 359:1, V,C,5 as amended by 1995, 309:17 and 1995, 310:189 to read as follows:

5. Case management system [$14,997,830] $ 21,148,694

Less federal - [8,292,403] 14,443,267

Net state appropriation subparagraph 5 $ 6,705,427

32 Lapse Dates Extended to June 30, 1999. The following appropriations are hereby extended to June 30, 1999.

I. The appropriation made to the department of transportation in 1989, 367:1, XII, A, 1, as amended by 1991, 351:27, II(l) and 1992, 289:60, as extended by 1993, 359:20, V, 1995, 309:32, VII, and 1996, 215:3, I for improvements at the Keene Dillant-Hopkins airport.

II. The appropriation to the department of resources and economic development in 1991, 4:22, as amended by 1992, 289:26, 1993, 358:18, and 1995, 285:1 for the New Hampshire economic development fund.

III. The appropriation made to the university of New Hampshire in 1992, 260:16, as extended by 1995, 309:33, VIII for the design and site planning for a research facility on the site of the former Pease Air Force Base.

IV. The appropriation made to the department of transportation in 1992, 289:21, as extended by 1993, 359:20, III, 1995, 309:32, VI, and 1996, 215:3, II for the purpose of general aviation apron expansion and construction of a taxiway to runway 36 at the Lebanon airport.

V. The appropriation made to the department of administrative services by 1992, 289:27 as amended by 1993, 359:7, 1995, 309:16 and by section 25 of this act, for Hanover-Lebanon District Court.

VI. The appropriation made to the department of health and human services in 1993, 359:1, V, B, 4, as extended by 1994, 171:1, and as amended by 1995, 309:15, for life and safety renovations for the Glencliff Home.

VII. The appropriation made to the department of resources and economic development in 1993, 359:1, IX, C, 4, as extended by 1994, 171:1 and 1996, 190:11, and as amended by section 23 of this act for state park septic systems.

VIII. The appropriation made to the department of health and human services in 1993, 359:1, V, C, 5 as extended by 1994, 171:1 and as amended by 1995, 309:17, 1995, 310:189 and by section 31 of this act, for automated case management information system.

IX. The appropriation made to the department of safety in 1993, 359:1, XI, B, as extended by 1994, 171:1, and as amended by 1994, 382:7 and 1995, 309:22, for fire standards and training dormitory.

X. The appropriation made to the department of transportation in 1993, 359:1, XII, A, 1, as extended by 1994, 171:1 and 1996, 215:3, III for land acquisition for navigation beacons.

XI. The appropriation made to the department of administrative services in 1995, 309:1, II, A, 1, for the health and human services building and laboratory HVAC renovations.

XII. The appropriation made to the department of administrative services in 1995, 309:1, II, A, 2, for replacing of variable speed drives in laboratory.

XIII. The appropriation made to the department of administrative services in 1995, 309:1, II, B, 2, for study and design of court facility-Dover/Durham district court.

XIV. The appropriation made to the department of corrections in 1995, 309:1, IV, A, to upgrade electronic perimeter fence security system, N.H. state prison-Concord.

XV. The appropriation made to the department of corrections in 1995, 309:1, IV, I, for resurfacing laundry building roof-lakes region facility.

XVI. The appropriation made to the department of corrections in 1995, 309:1, IV, K for preliminary design of expanded correctional facilities in accordance with federal crime bill grants.

XVII. The appropriation made to the department of corrections in 1995, 309:1, IV, L, for construction of boilers, N.H. state prison for women - Goffstown.

XVIII. The appropriation made to the department of health and human services in 1995, 309:1, VII, B, 1, for RSA 171-B mentally retarded criminal offenders.

XIX. The appropriation made to the department of health and human services by 1995, 309:1, VII, C, 1 for life and safety renovations - Glencliff.

XX. The appropriation made to the port authority in 1995, 309:1, X, A, for Pier surface repair.

XXI. The appropriations made to the department of resources and economic development in 1995, 309:1, XII, A, 2-4, for Sunapee/Cannon lift and ski area repairs, construction of recreational vehicle dump sites, and repair of Androscoggin bridge abutments.

XXII. The appropriation made to the department of safety in 1995, 309:1, XIII, A, 1, for fire academy - ladder training tower - Concord.

XXIII. The appropriation made to the department of safety in 1995, 309:1, XIII, A, 2, for fire academy - commercial building - Concord.

XXIV. The appropriation made to the department of transportation in 1995, 309:1, XV, B, for renovations to state-owned facilities for ADA compliance-statewide.

XXV. The appropriation made to the department of transportation in 1995, 309:1, XV, C, for 5-10 percent match for FAA project-statewide.

XXVI. The appropriation made to the university system of New Hampshire in 1995, 309:2, B, for renovation, deferred maintenance and code compliance.

XXVII. The appropriation made to the department of transportation in 1995, 309:4, I, A, for radio system upgrade - statewide.

XXVIII. The appropriation made to the department of health and human services by 1995, 310:191 for medical and surgical building life and safety improvements.

33 Effective Date.

I. Section 32 of this act shall take effect June 30, 1997.

II. The remainder of this act shall take effect July 1, 1997.

AMENDED ANALYSIS

This bill makes appropriations for capital improvements for the biennium and extends certain lapse dates, establishes a committee to study federal buildings and patient needs relative to the veteran's home and adds a new purpose for the health care transition fund.

1997-0770h

Amendment to HB 229-FN-A-LOCAL

Proposed by the Committee on Finance

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

AN ACT establishing a reading recovery training program.

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

2 New Subdivision; Reading Recovery Training Program. Amend RSA 186 by inserting after section 69 the following new subdivision:

Reading Recovery Training Program

186:70 Reading Recovery Training Program.

I. There is established a reading recovery training program to provide reading recovery training to all eligible first-grade teachers so that reading recovery programs may be made available to all eligible first-grade pupils in those local school districts that choose to implement reading recovery programs.

II. The department of education shall administer the reading recovery training program in accordance with the program requirements outlined in the guidelines and Standards for the North American Reading Recover Council.

III. Each biennium, the department shall, subject to the extent of funds appropriated, provide for the training needs of the participating local districts and shall also provide continuing education to teachers who have completed the initial training.

IV. Local districts shall be responsible for all salaries, benefits, and materials for local reading recovery teachers during program training and implementation.

V. Unless excused by the department of education, a teacher who completes reading recovery training shall agree to provide reading recovery programs to New Hampshire pupils for at least 2 years following such training.

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

AMENDED ANALYSIS

This bill establishes a reading recovery training program in the department of education to provide training to all eligible first-grade teachers.

1997-0801h

Amendment to HB 667

Proposed by the Committee on Criminal Justice and Public Safety

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 Cross Reference Change. Amend RSA 282-A:166-a to read as follows:

282-A:166-a Penalties for Failure or Refusal to Make Contributions or Reports. In the discretion of the commissioner or an authorized representative, violations of RSA 282-A:166, [III and IV] I(c) and (d) may subject the person to a penalty of not less than $100 or more than the amount of the contributions then or subsequently determined by the commissioner to be due. For violations of all other paragraphs of RSA 282-A:166, a penalty of not less than $100 nor more than $500 may be imposed. All penalties imposed under this section shall be in addition to late filing fees and interest charges due under other sections of this chapter. Any proceeding or action taken against a person under this section shall be in lieu of and not in addition to any proceeding or action taken under RSA 282-A:166. Persons found subject to this section may appeal in the manner set forth in RSA 282-A:95-98.

1997-0774h

Amendment to HB 700-FN-LOCAL

Proposed by the Committee on Finance

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

AN ACT relative to the renovation of regional vocational education centers and expanding an existing appropriation to include such renovations.

Amend the bill by replacing section 2 with the following:

2 Renovation Added. Amend RSA 188-E:10 to read as follows:

188-E:10 [Construction] Appropriation for Construction and Renovation. The treasurer of the state of New Hampshire is hereby authorized to make available to the department of education for purposes of constructing and renovating regional vocational education centers an amount not to exceed $85,000,000. This appropriation shall be nonlapsing. Authorization for expenditures of such funds shall be made by the department of education to the treasurer in accordance with this chapter. The treasurer is authorized to issue bonds in accordance with the provisions of RSA 6-A for the purpose of funding this appropriation.

AMENDED ANALYSIS

This bill authorizes grants for the renovation of regional vocational centers, as well as for the construction of such centers.

The bill also expands an existing appropriation to include such renovations.

1997-0788h

Amendment to HB 806-FN-LOCAL

Proposed by the Committee on Executive Departments and Administration

Amend RSA 162-A:31 as inserted by section 12 of the bill by replacing it with the following:

162-A:31 Status of Authority Employees; Entitlement to Certain State Benefits.

I. The authority may hire, fix, and pay compensation, prescribe duties and qualifications, and establish personnel policies without regard to any personnel or civil service law or personnel or civil service rule of the state. The employees of the authority shall not be classified employees of the state within the meaning of RSA 21-I:49. Any individual employed by the authority shall be deemed an employee at will and shall serve at the pleasure of the authority.

II. Notwithstanding the provisions of paragraph I, any individual employed by the authority whose employment calls for 30 hours or more work in a normal calendar week, and whose position is anticipated to have a duration of 6 months or more, shall be entitled to elect to receive such health, dental, and life insurance benefits as are afforded to classified employees of the state, provided, however, that the election is made in writing within 30 days of the start of employment. Upon election by such individual, the authority shall pay from its revenues the state's share of such benefits. Any remaining costs of health, dental, and life insurance benefits which an individual elects to receive pursuant to this section shall be withheld from such individual's salary as a payroll deduction. Written notice of the availability of these benefit options shall be provided to each individual upon employment by the authority. The authority may establish a qualified retirement plan and a deferred compensation plan for those individuals covered under this paragraph.

Amend the bill by inserting after section 16 the following and renumbering the original sections 17 and 18 to read as 18 and 19, respectively:

17 Transfer of Retirement. The employees of the business finance authority and all such employees' contributions, plus accumulated interest, to the New Hampshire retirement system shall be transferred within 180 days of the effective date of this act to a qualified retirement plan. All benefits accrued to the time of withdrawal from the system shall be fully vested in such withdrawing employees and shall be no less than the accumulated benefit obligation. The system shall cooperate with the authority in its establishing a successor retirement plan and shall cooperate in arranging for the transfer of such employee retirement benefits earned under the system to a successor retirement plan where practicable.