

**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, April 11, 1997 No. 49

Contains: Hearings, Notices and Work Sessions

HOUSE CALENDAR

I am pleased to announce the appointment of Rep. Gene Chandler of Bartlett as Deputy Majority Leader. His energy and experience will be an asset to our leadership team.

Although many committees will continue their work, I hope that all members will have an opportunity for a brief respite before we enter the last phase of our legislative schedule. I appreciate the effort on each member's part to finish work on House bills. I would like to extend special thanks to the intrepid Finance Committee whose members worked nights and weekends and even through a blizzard to develop the House budget.

There will be no House session next week. The next session day will be Wednesday, April 23, at 1:00 p.m.

Notice is hereby given that every Session Day shall be a Consent Calendar Day as set out in House Rule 51.

Donna Sytek, Speaker

NOTICE

LEGISLATIVE FORUM

HOUSE CONTINUING EDUCATION

April 24 State Treasurer

May 1 Planetarium (Science Activities)

May 8 Administrative Rules

May 15 Committees of Conference

May 22 t.b.a.

With crossover behind us, the legislative continuing education forums will begin again on April 24th. Forums will be held on Thursdays from noon to 1:30 p.m. in Room 100, State House.

Rep. Carol H. Holden

Legislative Continuing Education Coordinator

COMMITTEES OF CONFERENCE

HB 338, repealing certain requirements relative to the duty to deliver a copy of process to prisoners. (Reps. Christie, Hansen, Lyman and Yvonne Coulombe)

HOUSE BILLS AMENDED BY THE SENATE

HB 105, allowing an extension of time limits upon a showing of good cause for holding an adjudicatory hearing in certain delinquency cases. (SJ 10)

HB 165, establishing a committee to study withdrawal from cooperative school districts. (SJ 10)

HB 230, establishing a committee to study the school building aid system. (SJ 10)

HB 251, reclassifying a portion of North Main Street in the town of Farmington and a portion of Passaconaway Road in the town of Albany. (House Concurred 4/10/97)

HB 315, expanding certain financial powers of village districts. (SJ 10)

HB 338, repealing certain requirements relative to the duty to deliver a copy of process to prisoners. (House Nonconcurrent; C-of-C 4/10/97)

HB 343, relative to authority by governmental entities over driveways and other accesses to public ways. (SJ 10)

HB 392, changing references to the "BOCA Basic Building Code" to "BOCA National Building Code." (House Concurred 4/10/97)

HB 450, relative to accessing directory information as defined by the Family Educational Rights and Privacy Act. (SJ 11)

HB 539, relative to the tax lien process for quarterly tax bills in the city of Concord. (SJ 11)

HB 704, relative to provisional licenses for manufacturers of beverages and requiring approval of the source of water used to manufacture beverages. (SJ 11)

HB 706, establishing a commission on animal damage control to review the fish and game laws relating to damage by game birds and game. (SJ 11)

HB 737, establishing a committee to study the New Hampshire retirement system relative to redefining earnable compensation. (SJ 12)

HCR 2, urging all school districts in the state of New Hampshire to implement peer mediation programs. (SJ 11)

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 MONDAY, APRIL 14

EDUCATION, Department of Education, 101 Pleasant Street, Concord

10:00 a.m. Review of special education.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on **SB 131-FN**, allowing certain state employees to take paid leave to participate in disaster relief service work.

9:30 a.m. Subcommittee work session on **SB 212**, 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.

10:00 a.m. ***SB 53-FN***, relative to payment by the retirement system of certain medical benefits for group II members and for certain permanent firemen on disability retirement.

11:00 a.m. ***SB 149***, prohibiting state agencies managing federal programs from exceeding their statutory authority in placing restrictions on activities of the private sector.

1:30 p.m. ***SB 6***, relative to real estate appraisers.

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

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.

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), NH Hospital, Acute Psychiatric Services Building, Conference Room

9:00 a.m. Subcommittee meeting.

TUESDAY, APRIL 15

COMMERCE, Room 302, LOB

9:30 a.m. Subcommittee work session on ***SB 105***, relative to rent collection upon delinquency in payment of common expenses by condominium unit owners.

9:45 a.m. Subcommittee work session on ***SB 135***, adopting the uniform "transfer on death" security registration act and ***SB 17***, restricting check collection charges by creditors and debt collectors.

10:00 a.m. Second public hearing on ***SB 101***, requiring certain hospitals to file certain forms with the director of charitable trusts.

11:00 a.m. ***SB 82***, relative to determination of reasonable compensation for certain trustees.

1:30 p.m. ***SB 104***, relative to rate setting for purposes of automobile insurance and homeowners insurance.

2:00 p.m. ***SB 122***, establishing a commission to examine the effects of the managed care industry on those belonging to the disabled and the mental health communities.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***SB 102-FN***, relative to the possession of certain weapons in the commission of a violent crime.

11:00 a.m. ***SB 71-FN***, establishing a committee to identify and study statutes and ordinances in cases in which the penalty is not specified by statutes and clarifying the right to a jury trial in cases in which a civil penalty is imposed for a violation.

Work session on re-referred bills.

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

EDUCATION, UNH, Durham at the Entertainment Center , MUB

9:15 a.m. Review of contemporary education issues with the UNH Education Department.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Subcommittee work session on *SB 145-L*, relative to the definition of "open space land" for purposes of current use taxation.

11:00 a.m. Subcommittee work session on *SB 32*, relative to dogs at large.

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

2:00 p.m. Subcommittee work session on *HB 593-FN-LOCAL*, extending the grant program for closure of landfills to municipalities and adding the closure of the refuse-to-energy facility at Pease to the state water pollution control revolving fund priority projects.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

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

1:30 p.m. *SB 167*, relative to the regulation of naturopathic practitioners.

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. *SB 47-FN*, continuing the marital guardian ad litem recovery program in the unit of cost containment, office of the commissioner of administrative services.

10:45 a.m. *SB 206-FN-A*, relative to seminars conducted by the superior court for persons seeking custody or visitation of minor children and relative to fees charged for such seminars.

1:00 p.m. *SB 177*, relative to the liability of prospective adoptive parents for court ordered services.

1:45 p.m. *SB 197*, relative to final dispositional orders in child protection cases.

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

LOCAL AND REGULATED REVENUES, Room 206, LOB

10:00 a.m. Executive session on pending legislation, if necessary.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. *SB 213-FN-A*, establishing a fund for loans to rehabilitate class III railroads and cog railroads and making an appropriation therefor.

10:45 a.m. *SB 162-FN-A-LOCAL*, relative to the acquisition of a certain piece of property in Piermont, New Hampshire 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.

TRANSPORTATION, Room 203, LOB

9:00 a.m. *SB 180-FN-A*, relative to the maintenance, enhancement, and rehabilitation of local rural airport service and making an appropriation therefor.

10:00 a.m. *SB 173-FN*, relative to license and registration suspensions.

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

WEDNESDAY, APRIL 16

COMMERCE, Room 302, LOB

10:00 a.m. ***SB 178***, regulating managed care systems of health care delivery.

11:00 a.m. ***SB 211***, making technical changes under the motor vehicle financial responsibility laws, insurance fraud laws, and laws regulating managing general agents, reinsurance intermediaries, and third party administrators.

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

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

EDUCATION, Room 207, LOB

Noon Subcommittee work session on ***HB 784-FN-LOCAL***, changing the age requirements for providing public education, including special education.

1:00 p.m. ***SB 203***, deleting the state prison and adding county correctional facilities to the provisions relating to incarcerated educationally disabled children.

2:00 p.m. ***SB 205***, establishing a special school district to provide special education for eligible inmates in the state prison system.

3:00 p.m. ***SB 169***, relative to a college tuition savings plan.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. Executive session on pending legislation, if needed.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***SB 194***, relative to the age of child day care providers homes, and allowing school districts to transport school-age children between schools and before-and-after-school programs.

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

Representatives Hall

1:00 p.m. ***SB 34***, repealing laws relative to abortion.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

10:30 a.m. Subcommittee work session on ***SB 40***, relative to the payment of wages by employers.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

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

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. Committee meeting to hear a presentation from Connecticut Valley Electric Company about a proposed settlement in Vermont regarding electric utility restructuring.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 301, LOB

9:30 a.m. Rescheduled public hearing on ***SB 112***, establishing a commission on environmental programs. (Please note time change.)

10:30 a.m. Rescheduled public hearing on ***SJR 3***, urging the United States Congress to adopt a constitutional amendment for environmental rights. (Please note time change.)

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

TRANSPORTATION, Room 203, LOB

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

THURSDAY, APRIL 17

EDUCATION, Room 207, LOB

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

11:00 a.m. Subcommittee work session on ***SB 154***, relative to charter schools.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***SB 217***, relative to control of accessory uses on private land, including aircraft takeoffs and landings.

10:30 a.m. ***SB 37***, relative to line items at town and school district meetings.

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

FRIDAY, APRIL 18

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

9:00 a.m. Regular meeting.

EDUCATION, Department of Education, 101 Pleasant Street, Concord

10:00 a.m. Review of the assessment program.

TUESDAY, APRIL 22

COMMERCE, Room 302, LOB

9:30 a.m. Subcommittee work session on ***SB 18***, relative to the sale of certain items at flea markets and ***SB 79***, prohibiting the sale of gift certificates containing an expiration date, relative to unclaimed and abandoned property, and relative to liens on personal property.

10:00 a.m. Subcommittee work session on ***SB 130***, relative to the portability, availability, and renewability of health coverage.

10:30 a.m. Subcommittee work session on ***SB 165***, relative to Medicare and health maintenance organizations and small employer and individual insurance.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:30 a.m. Subcommittee work session on ***SB 21***, excepting persons who are 17 years old and graduated from high school from the youth employment law..

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

1:00 p.m. Clean air subcommittee work session on ***HB 643-FN***, establishing an industry average performance system for air pollution control, and establishing certain pollution control funds.

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

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

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

WEDNESDAY, APRIL 23

ELECTION LAW, Room 308, LOB

9:30 a.m. Public informational session on campaign finance reform. The committee is meeting to obtain information from the public on campaign finance reform.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on *HB 281*, relative to regulation of medical assistants.

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

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

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Electric utilities subcommittee work session on *SB 116-FN*, relative to the regulation of rural electric cooperatives by the public utilities commission.

THURSDAY, APRIL 24

COMMERCE, Room 302, LOB

9:30 a.m. Subcommittee work session on *SB 22*, relative to health benefit plans sponsored by qualified franchise associations.

MONDAY, APRIL 28

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

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

TUESDAY, APRIL 29

COMMERCE, Room 302, LOB

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

ELECTION LAW, Room 308, LOB

7:00 p.m. Public informational session on campaign finance reform. The committee is meeting to obtain information from the public on campaign finance reform.

SCIENCE , TECHNOLOGY AND ENERGY, Room 304, LOB

9:30 a.m. Executive session on *SB 116-FN*, relative to the regulation of rural electric cooperatives by the public utilities commission.

10:00 a.m. Full committee work session on *HB 651-FN-LOCAL*, relative to electric rate reduction financing.

FRIDAY, MAY 2

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

9:00 a.m. Regular meeting.

THURSDAY, MAY 8

NEW HAMPSHIRE COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN FOLKLIFE (SJR 20, Chapter 204, Laws of 1996), Room 206, LOB

4:00 p.m. Regular commission meeting.

MONDAY, MAY 12

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

9:00 a.m. Regular meeting.

FRIDAY, MAY 16

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

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

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

Belknap County Delegation will meet Monday, April 28 at 7:00 p.m. at the Belknap County Courthouse to review the Gunstock budget.

Rep. Gordon E. Bartlett, Chairman

Belknap County Delegation

The New Hampshire Supreme Court has announced that typewritten memoranda on the questions presented by the request of the House for an opinion of the justices on the constitutionality of HB 198-LOCAL on municipal tax exemptions for industrial construction may be furnished by any attorney, legislator, organization, interested party or member of the public on or before April 28, 1997. An original and fifteen copies of any memorandum must be filed with the clerk's office.

Howard J. Zibel, Clerk

New Hampshire Supreme Court

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

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

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 25, 50, 120, 151, 181, 186, 187, 225, 243, 262, 268, 340; 378, 379, 430, 436, 457, 459, 486, 498, 511, 516, 530, 557, 559, 560, 562, 564, 565, 567; 568, 569, 570; 571, 572, 573, 577, 578; 580, 587, 588, 589; 591, 592, 593, 595, 596, 598, 599, 602; 603; 604, 605; 607; 608, 610; 615; 617; 618; 619;622, 625; 626, 627; 636, 637, 638; 643; 644,645; 649; 657, 661; 663, 671, 686; 688, 689, 696, 700, 702, 716; 719; 720, 723, 724, 725, 726, 727, 729, 731, 733, 734, 735, 737, 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, 796 and 799.

Leo J. Callahan, Assistant Clerk

When the House Clerk is aware of House Members who are hospitalized or homebound by serious illness, it will publish a list of names and addresses so that their colleagues who so desire may send cards and greetings.

Beverly A. Gage, 75 South Policy Street Lot 31, Salem, New Hampshire 03079-2919

Paul W. Taylor, 214 Harris Road, Nashua, New Hampshire 03060-3708

Karen O. Wadsworth, Clerk of the House

*****MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or social activities and political meetings or events. Publication should not be construed as support for either the events listed or the view espoused by the individual or organization sponsoring the event.

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

The Strafford County Republican Committee is holding its annual Lincoln Day dinner on Sunday, April 13 at the Rochester Elks Hall, 41 Columbus Avenue, Rochester. Cocktail hour begins at 4:30 p.m., with dinner and dance from 5:30 to 9:00 p.m. Guest Speaker will be Congressman John E. Sununu. Tickets: Single \$20, Couple \$35. Contact Rep. Robert E. McKinley, 473-2347 or Jim Connelly, 332-5333.

Rep. Robert E. McKinley

The Manchester Legislative Delegation will be meeting with the Mayor of Manchester on Monday, April 14 at 8:30 a.m. at the Manchester Airport.

Refreshments will be served.

Rep. Lou D'Allesandro

Do you have any interesting tales or stories of the past 25 years in the legislature? The OWLs' Anniversary Book will be going to press soon and we would like some anecdotal stories for posterity.

Rep. Betsy McKinney

Members of the NH House and Senate are cordially invited to join with other interested New Hampshire citizens attending (via downlink) the White House Conference on Early Childhood Development and Learning: "What New Research on the Brain Tells Us About Our Youngest Children". April 17 from 10:15 a.m. to 12:45 p.m. at the New Hampshire Technical Institute in Concord. Call the Children's Alliance at 225-0900 for information or to register.

Rep. Sharon L. Nordgren

The New Hampshire Optometric Association cordially invites all members of the General Court and the staff to a reception honoring the New Hampshire State Senate to be held April 17 from 4:30 to 6:30 p.m. at the Eagle's Nest Restaurant, Eagle Square, Concord.

Rep. Robert L. Wheeler

The Merrimack Republican Association will meet on April 29th at the Cat 'N Fiddle Restaurant at 6:30 p.m. "Dutch treat". Guest speaker will be Stephen Duprey. RSVP by April 22 to Rep. Whittemore.

Rep. James A. Whittemore

The New Hampshire Federation of Republican Women cordially invites you to join them for their Annual Lilac Luncheon with Guest Speaker Steve Forbes. This year's luncheon is being held at the Castleton in Windham on Monday, May 5 at 11:30 a.m. Tickets are \$25 and are available from Rep. Cynthia Dokmo (5-28) or Rep. Carol Holden (3-1).

Rep. Carol H. Holden

The University of New Hampshire Alumni Association invites all members to a breakfast reception on Wednesday, April 23, 7:30 -9:00 a.m., Eagle's Nest Restaurant, Eagle Square, Concord. Come meet UNH President Joan Leitzel.

Rep. Amanda A. Merrill

The NH Medical Society and the NH Hospital Association invite all House members to join them for a scrumptious lunch buffet at St. Paul's Church (across Park Street from the State House) on Tuesday, April 29, anytime between 11:30 a.m. and 1:30 p.m.

Reps. Robert L. Wheeler and Peter Hoe Burling

Legislators and staff are invited to a reception hosted by the NH Psychology Association on Wednesday, April 30, 4:00 p.m. or after session, at the Holiday Inn. Hors d'oeuvres and refreshments provided.

Reps. Robert L. Wheeler and Peter Hoe Burling

The 1997 State House softball team is being formed for games to be played from late April through June. The games take place on Mondays during the early evenings at DOT field, Hazen Drive. All staff and legislators (or others) who want to play may contact Curtis Barry at 3663 or Erik Schneiderhan at 2136.

Reps. Robert L. Wheeler and Peter Hoe Burling

The Department of Transportation will hold the following meetings:

Newfields-Stratham, NH Route 108 bridge replacement.

Apr 15 Municipal Center, 10 Bunker Hill Avenue, Stratham, 7:00 p.m. Public officials meeting Newfields-Stratham, NH Route 108 bridge replacement.

Rep. Gene G. Chandler, Chairman

Public Works and Highways