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 18, 1997 No. 51

Contains: Hearings, Notices, Work Sessions, Reports and Amendments for April 23

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on Wednesday, April 23, at 1:00 p.m. Future sessions are tentatively scheduled for April 30 and May 7.

Members are encouraged to follow the progress of their bills as they are reviewed by the Senate in order to provide any requested information. Because the Senate has not yet completed its work on Senate bills, we anticipate that House deadlines will require revision to allow House committees adequate time to review this legislation. With the lighter legislative schedule this past week and the imminent arrival of Spring, I hope that everyone has had a chance to recuperate from the rigors of the first part of the session and that we enter the last phase of our legislative schedule with renewed energy.

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

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, April 23 at 11:30 a.m. in Representatives Hall.

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, April 23 at 11:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

NOTICE

LEGISLATIVE FORUM

HOUSE CONTINUING EDUCATION

TOPIC: Department of Treasury

PRESENTER: Georgie Thomas, State Treasurer

DATE: Thursday, April 24

TIME: Noon to 1:30 p.m.

PLACE: Room 100, State House

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

Future Dates:

May 1 Christa McAuliffe Planaterium

May 8 How To Make an Effective Speech

May 15 Committees of Conference

May 22 Department of Revenue Administration

Rep. Carol H. Holden

Legislative Continuing Education Coordinator

WEDNESDAY, APRIL 23

CONSENT CALENDAR

COMMERCE

SB 72, relative to the New Hampshire life and health guaranty association, changing the order of distribution for policy holders and claimants in the case of insurer insolvency and repealing the law relative to the interstate insurance receivership compact. OUGHT TO PASS WITH AMENDMENT

Rep. William J. McCarthy for Commerce: This bill, as amended, will accomplish two purposes. First, it will establish one board of the NH Life and Health Insurance Guarantee Association to implement the necessary actions required when insolvency occurs in the industry. Second, the bill will repeal New Hampshire's participation in the Interstate Insurance Receivership Compact. There are only three other states in the mid-west region and NH which joined when formed several years ago in hopes of providing greater coordination between states. Instead, the three have voted their regional interests over NH's. Thus, the concept has failed. Vote 13-1.

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 20, establishing a committee to study presumptive sentencing INEXPEDIENT TO LEGISLATE

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: The current sentencing scheme in New Hampshire generally provides for judicial discretion in sentencing which is limited by a maximum allowable penalty based on the particular conviction. Over the years of review by the legislature, certain minimum mandatory sentences have been established in specific areas such as DWI, murder, sexual assault and firearms offenses. The issue of sentencing has been subject to ongoing review and study by various committees and subcommittees including the Intermediate Sanctions Subcommittee and the Prosecution Study Committee. Additionally, all aspects and theories of sentencing are a particular focus of the Interbranch Criminal Justice Council which is an interdisciplinary council made up of participants from all sectors of the criminal justice system. The committee believes that all sentencing issues are currently being addressed by the consistent participation of all parties concerned and therefore does not feel that there should be another group formed to study the presumptive sentencing issue alone. Vote 15-0.

EDUCATION

SB 115-LOCAL, establishing a committee to study issues relating to the withdrawal of a receiving district from an area school district. OUGHT TO PASS WITH AMENDMENT

Rep. Clair A. Snyder for Education: This bill provides for a study committee to examine what has been a long standing problem due to the inflexible current statute for withdrawal from an AREA agreement. This study will encompass the withdrawal of the receiving districts and related issues of AREA agreements. Vote 17-1.

SB 138, establishing teacher appreciation day. OUGHT TO PASS WITH AMENDMENT

Rep. Susan B. Durham for Education: This bill aligns New Hampshire Teacher Appreciation Day with the National Recognition of Teachers. The amendment recognizes all New Hampshire teachers and defines the teacher recognition date to be the first Tuesday in May Vote 17-0.

SJR-2, relative to federal funding under the Individuals with Disabilities Education Act. OUGHT TO PASS WITH AMENDMENT

Rep. Stanley Searles for Education: This Senate Joint Resolution urges Congress to keep its promises, appropriate the 40% average per pupil expenditure funds as established in Public Law 94-142 and revise Individuals with Disabilities Education Act. Vote 15-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 35, including "accessibility lift" within the definition of "elevator". OUGHT TO PASS WITH AMENDMENT

Rep. Joseph Guthrie for Health, Human Services and Elderly Affairs: This bill adds "accessibility lift" in the definition of "elevator" thereby requiring them to meet the same requirements as elevators. The amendment exempts private homes. Vote 12-0.

SB 49-FN, clarifying certain procedures under the lead paint law. OUGHT TO PASS WITH AMENDMENT

Rep. Alice S. Ziegra for Health, Human Services and Elderly Affairs: This bill represents a realistic update of the 1994 lead paint laws. It is a compromise accepted by the Department of Health and Human Services and landlords and realtor groups. It allows for alternative abatement processes as well as assistance for those conducting low risk abatement. The amendment requires the Commissioner of Health and Human Services to investigate children whose blood level are more than 20 micrograms per deciliter after two separate tests. This bill is an excellent example of government and industry working together for improvement of health and safety of children. Vote 12-0.

SB 103, establishing a committee to study issues relating to the licensing of child day care centers. OUGHT TO PASS

Rep. Alphonse Haettenschwiller for Health, Human Services and Elderly Affairs: The issue of licensing child day care centers is currently at the forefront. The new welfare law requires welfare recipients to accept work. It is estimated this will require 6,000 more day care slots. The Department of Health and Human Services supports this legislation. Vote 12-0.

JUDICIARY AND FAMILY LAW

SB 25, establishing employer immunity from civil liability for good faith disclosure of information regarding current and former employees to prospective employers. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary and Family Law: Under the present law, no charges can be brought against any employer who tells the truth. Employees are entitled to a copy of their personnel folder to take with them. If the employer has adequately documented the employees' shortcomings there will be no problems. There are other problems with the wording of the bill: (1) there is no statute of limitations; (2) "clear and convincing evidence" is a higher standard than used in any other civil suit; (3) the "employer is presumed to be acting in good faith". Further, the committee was told by the drafter that this was in response to an event in Florida, not New Hampshire. Vote 12-1.

SB 26, preventing recovery by a nonsupporting parent in a wrongful death claim or action on behalf of the nonsupported child until child support arrearages are paid in full. RE-REFER TO COMMITTEE

Rep. Carol H. Holden for Judiciary and Family Law: The committee felt that the bill had merit. Testimony indicated that the details had to be worked out. The re-refer motion gives the committee the opportunity to do that. Vote 12-0.

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

Rep. Sandra B. Keans for Judiciary and Family Law: This bill provides that the Office of Cost Containment will be authorized to recover costs for the provision of guardian ad litems in marital cases. There has been a two year pilot program which has proved very successful. In FY '96 $56,400

was collected and $57,000 half-way through FY '97. The OCC believes this will continue to grow to about $220,000 annually. Vote 12-0.

SB 76, limiting the liability of school districts operating facilities for skateboarding, rollerblading or rollerskiing. OUGHT TO PASS

Rep. Deborah L. Woods for Judiciary and Family Law: This bill adds "school districts" to the current law that already limits liability of municipalities which operate facilities for skateboarding, rollerblading or rollerskating. This addition makes sense. Vote 12-1.

SB 81, relative to the administration of estates. OUGHT TO PASS

Rep. Marjorie K. Smith for Judiciary and Family Law: Five years ago the general court acted to expedite the probate process when the surviving spouse is the sole beneficiary and executor or administrator. This bill expands the expedited process to include an only child. It is cost effective for the probate court while respecting the interests of the state and the estate. Vote 13-0.

LOCAL AND REGULATED REVENUES

SB 27, allowing municipalities to take inventories of property as often as state law allows property tax bills to be issued. INEXPEDIENT TO LEGISLATE

Rep. Jean R. Wallin for Local and Regulated Revenues: This bill would create chaos for assessing officials in cities and towns. Currently, taxes are assessed on inventory taken April 1 of each year. While this may occasionally result in small losses of property tax revenue, the cost of multiple inventories would outweigh the gains. Further, the increase would occur only the first time the property was assessed. Vote 13-0.

SB 74-FN, allowing holders of retail wine and combination wine and beverage licenses to sell fortified wines. INEXPEDIENT TO LEGISLATE

Rep. Stephen G. Avery for Local and Regulated Revenues: HB 533, which the House has already passed, contains the provisions contained here in Senate Bill 74. The language allowing holders of retail wine licenses to sell fortified wines is identical. Vote 14-0.

SB 75-FN, 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. OUGHT TO PASS WITH AMENDMENT

Rep. David W. Hess for Local and Regulated Revenues: The committee felt local police departments should have more oversight and authority over both the locations and the public safety at the beer festivals permitted by this bill. Vote 15-0.

SB 87, relative to permissible agreements between beverage manufacturers and vendors and beverage wholesale distributors. OUGHT TO PASS

Rep. Stephen G. Avery for Local and Regulated Revenues: This bill allows a beverage manufacturer, beverage vendor, or beverage vendor importer to enter a limited partnership with a beverage wholesale distributor and extend financing. Partnerships are limited to no more than 10 years. This continues to preserve the long-standing three tier system. Vote 13-0.

SB 183-FN, relative to liquor licenses for a sports/entertainment complex. OUGHT TO PASS WITH AMENDMENT

Rep. Linda T. Foster for Local and Regulated Revenues: This bill adds a new license category, that of a sports center entertainment complex, to existing liquor licenses. The amendment to this bill states that liquor or beverage may not be sold or consumed at any student or interscholastic event. The amended bill passed unanimously. Vote 14-0.

MUNICIPAL AND COUNTY GOVERNMEN

SB 56-FN-LOCAL, establishing a method for repurchase of tax-deeded property by the former owner of the property and limiting the recovery by municipalities of proceeds from sales of tax-deeded property. RE-REFER TO COMMITTEE

Rep. Richard C. Leone for Municipal and County Government: Coupled with the need to better address important issues such as the amount of forfeiture of a taxpayer's interest at the time of a tax deed, owner's right of repurchase, time of the redemption period, status of all lien holders, what discretion the municipality has relative to disposing of or utilizing the property, and the possibility that some aspects of HB 676 could be combined with this bill, the committee strongly opted for further study. Vote 17-0.

SB 110-L, allowing the Coos county convention to revise the compensation of the county sheriff. OUGHT TO PASS

Rep. Richard C. Leone for Municipal and County Government: This bill is enabling legislation requested by the Coos County delegation to provide it with the mechanism to revise the sheriff's compensation in accordance with RSA 23:7 for the biennium ending December 1, 1999, if the Coos County sheriff is in agreement with such revision. Vote 15-0.

SB 152, establishing a committee to study issues related to allowing the city of Manchester to adopt a 2-year budget cycle. OUGHT TO PASS

Rep. Robert W. Brundige for Municipal and County Government: This bill establishes a committee to study issues related to allowing the city of Manchester to adopt a two year budget cycle. Vote 20-0.

SJR 1, recognizing the town of Brentwood as the county seat of Rockingham county. OUGHT TO PASS

Rep. Joseph E. Stone for Municipal and County Government: All Rockingham County facilities are now located in the town of Brentwood. Therefore, the town of Brentwood should be recognized as the county seat of Rockingham County. Vote 19-0.

PUBLIC WORKS AND HIGHWAYS

SB 64-FN-A, exempting motor fuel used for automobile racing from road toll taxation. OUGHT TO PASS WITH AMENDMENT

Rep. Merle W. Schotanus for Public Works and Highways: The amendment to this bill simplifies the method of collecting off road toll taxation at the state's race tracks by switching the responsibility for refund applications from the race car driver to the race track operator. There is no loss of tax revenue from this change in procedure. Vote 17-0.

SB 158-FN-A, relative to the funding of beach erosion control projects along the south side of the Hampton Harbor Inlet. RE-REFER TO COMMITTEE

Rep. John P. Gleason for Public Works and Highways: The committee finds that this bill should be re-referred pending a need to address several Hampton Harbor problems that relate to and can have a bearing on any beach erosion control project. A recent capital budget request by the state Port Authority to the committee brought out that a necessary dredging requirement must be accomplished in the inlet and harbor of the Hampton/Seabrook area in the immediate future to permit continued use of these navigable waters by private and public vessels. Ready access in and out of this tidal estuary, accompanied by appropriate anchorages and dockage access, is vital to marine commerce, especially commercial fishing vessels, as well as recreational and tourist boating. Thus, it can be recognized that continued marine access in this Hampton/Seabrook area has a very significant economic impact locally, as well as on the rather short but concentrated New Hampshire coastline. Necessary dredging does pose the problem of how to dispose of the resulting dredged material and may have a bearing on a beach erosion control project. The committee felt that it is appropriate to visit the Hampton/Seabrook harbor area to see firsthand the condition of the harbor and adjacent areas, such as the south side of the Hampton Harbor Inlet. The unanimous feeling among the committee members was to take some time and thoroughly research all issues including revenue issues as they relate to the harbors. The Finance Committee has agreed to participate with this study. Vote 17-0.

SB 175, establishing a committee on the feasibility of installing rumble strips before toll booths. INEXPEDIENT TO LEGISLATE

Rep. Steve Vaillancourt for Public Works and Highways: The committee neither endorses nor rejects the wisdom of using rumble strips before toll plazas. However, it believes this bill is unnecessary since engineering experts of the Department of Transportation are already empowered to make this determination. In fact, rumble strips along sections of I-89 and I-93 (between exits 20 and 24) will be tested this summer. The committee is confident that DOT officials will properly assess the pros and cons of rumble strips before toll booths, and an updated report will be available this fall. Vote 17-0.

SB 182-FN, relative to the administration, operation, and maintenance of the New Hampshire state veterans cemetery. OUGHT TO PASS WITH AMENDMENT

Rep. Leon Calawa, Jr. for Public Works and Highways: This bill and amendment extend the repeal date for the state veterans cemetery oversight committee to November 1, 1997, to give the committee time to complete the project, and designates the Adjutant General to administer, operate and maintain the New Hampshire state veterans cemetery. The amendment increases the state's share of the cost only to recover the money from the timber cut that was put in the general fund and is needed for matching federal funds. The analysis of the amendment is in error as it reports the committee date is extended to June 30, 1998, when, in fact, the bill extends the committee only until November 1, 1997. Vote 17-0.

RESOURCES, RECREATION AND DEVELOPMENT

SB 144, establishing a committee to study certain issues regarding Silver Lake in the towns of Belmont and Tilton. OUGHT TO PASS WITH AMENDMENT

Rep. Robert J. Laflam for Resources, Recreation and Development: This bill establishes a committee to study issues relative to the management of water flow of the Winnipesaukee River and its influence on private property in the Silver Lake area of Belmont and Tilton. Vote 17-0.

SB 161-FN-A, relative to the Seacoast Science Center and making an appropriation therefor. RE-REFER TO COMMITTEE

Rep. William E. Williams, Jr. for Resources, Recreation and Development: Since this appears to be a worthy concept but lacks numerous points of fact, the committee feels it would be best to Re-Refer to allow the time to develop the missing information. Vote 16-0.

TRANSPORTATION

SB 86-FN, requiring the division of motor vehicles to report those in default to a consumer reporting agency. INEXPEDIENT TO LEGISLATE

Rep. Gordon E. Bartlett for Transportation: A companion bill, SB 187, contains basically the same material. The committee wants to combine the two bills and use SB 187 as the bill to work on. Vote 15-0.

SB 119, prohibiting a person convicted of any sexual offense, felony, or DWI offense from obtaining a waiver to remove the person's driver's license image from department of safety records. OUGHT TO PASS

Rep. Robert J. Letourneau for Transportation: Although few individuals exercise their right to remove their personal image from the Department of Safety data files, testimony revealed that some of the individuals that do, fit into this category. In the interest of public safety, particularly young children and women, the committee felt that this was a good bill and would stand on its own merit. Vote 15-0.

SB 153, requiring a check-off box on a driver's license application form relative to having the social security number indicated on the driver's license. OUGHT TO PASS

Rep. Ralph L. Akins for Transportation: This bill adds a check off box next to the existing reference line on a driver's license application form which allows an applicant to choose whether to have his or her social security number on the driver's license. The committee felt that by adding this box it would make this procedure more convenient for the applicant and more efficient for the department. Vote 16-0.

SB 187, relative to the penalties for certain court defaults. RE-REFER TO COMMITTEE

Rep. Gordon E. Bartlett for Transportation: The committee feels this bill has merit, but wishes to work on it to make the bill a more workable piece of legislation. Vote 15-0.

SB 189-FN-LOCAL, authorizing the department of safety to issue resident driver's licenses to certain aliens. OUGHT TO PASS WITH AMENDMENT

Rep. Ralph L. Akins for Transportation: This bill was initiated in order to resolve an existing technical problem for foreign students, professors, medical personnel, etc., who apply for a driver's license in New Hampshire. Under current law, an applicant must be a resident of the state. Consequently, a foreigner who is temporarily living here yet truthfully claims his or her residence in his or her home country does not meet this requirement. The committee felt that it was reasonable to give the Director of Motor Vehicles the authority to waive this requirement or deny a waiver based on the specified criteria in the bill. Vote 15-0.

WEDNESDAY, APRIL 23

REGULAR CALENDAR

COMMERCE

SB 10, relative to funds for prearranged funerals or burial plans. RE-REFER TO COMMITTEE

Rep. Martha Fuller Clark for Commerce: The majority of the committee voted in favor of re-refer because they believe there is a need to examine, in greater depth, guidelines for prepaid funeral plans. Vote 11-3.

EDUCATION

SB 128, increasing the membership of the university system study committee. INEXPEDIENT TO LEGISLATE

Rep. David E. Larrabee for Education: This legislation would increase the membership of the University System Study Committee (USSC) by two people. The value of the committee is more related to the energy of the committee members rather than their numbers. Consequently, the committee as presently constituted is adequate to accomplish the objectives of USSC oversight Vote 9-3.

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. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Richard L. Champagne for the Majority of Education: This bill requires the division of educational improvement, department of education, in conjunction with the department of corrections and county governments, to prepare and adopt a plan for providing special education to inmates in the state prison system and county correctional facilities. The amendment requires a report of the plan be ready by November 1, l997. Because special education in our correctional facilities is a critical issue in affected communities it is necessary to direct the department of education to prepare and adopt a plan with a specific date. Vote 12-3.

Rep. David E. Larrabee, Sr. for the Minority of Education: RSA 186-C:3 requires the department of education to administer special education programs assigned to it by law. This bill is micro-managing the department of education. It should not take a second law to force the department of education to follow through with its responsibilities. There are more appropriate actions that could be employed. The Commissioner of Education has informed the committee progress is being made.

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. OUGHT TO PASS

Rep. Susan B. Durham for Education: This study committee will explore the provision of special education services to incarcerated persons in New Hampshire, including, but not limited to, the creation of a centralized educational facility designed to serve persons incarcerated at the ten county houses of correction and to serve appropriate inmates from the state prison. Vote 13-2.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 48-FN, to provide an optional retirement program for certain employees of the department of regional community-technical colleges. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Merton S. Dyer for the Majority of Executive Departments and Administration: This bill was presented by the sponsor to offer a defined contribution retirement plan for certain faculty members of the technical college system to assist in the recruitment of faculty members. The committee voted ITL (a) because the numbers requesting the bill was not established, (b) the state now has a defined contribution plan. To provide an option to some state employees between a defined benefit plan and a defined contribution plan could open the doors for others to request legislation to participate in this or a similar plan. This might lead to eroding of the current defined benefit plan with the possible detriment of the present system. The last unanswered question was the funding of this bill. The funding is to follow the same funding as the present defined benefit plan and this does not seem to be in line with present defined contribution plans. This could lead to requests in the near future for additional employer contributions. Given the uncertainties of this bill, the committee voted inexpedient to legislate. Vote 10-7.

Reps. Mary Stuart Gile and. Miriam D. Dunn for the Minority of Executive Departments and Administration: In providing an optional retirement program (defined contributions) for educational personnel of the New Hampshire department of regional community-technical colleges, SB 48-FN improves the system's capacity to recruit and retain the most qualified faculty. Postsecondary education institutions in 43 states currently offer optional retirement programs with no adverse effects on state retirement plans. SB 48-FN is a pro-education bill with greatest potential benefits to New Hampshire students.

JUDICIARY AND FAMILY LAW

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. OUGHT TO PASS

Rep. Barbara Hull Richardson for Judiciary and Family Law: This bill expands a pilot program now in operation in the superior courts of Strafford, Carroll, Grafton and Rockingham counties which requires attendance at a seminar for persons involved in child custody and support litigation. This bill would require any person, statewide, seeking custody or visitation of minor children to attend these seminars so that the adverse impact on the children of the litigation process and the family's separation will be minimized. Vote 8-5.

LEGISLATIVE ADMINISTRATION

CACR 12, returning annual legislative sessions to biennial legislative sessions INEXPEDIENT TO LEGISLATE

Rep. Elizabeth S. Hager for Legislative Administration: The committee considered this subject matter earlier in the session, reported the CACR as Inexpedient to Legislate and the House adopted the recommendation. The committee believes that annual legislative sessions are now functioning and are critical to the process. Vote 9-2.

SB 90-FN, requiring all proposed legislation affecting independently owned small businesses to include an analysis of the cost of the legislation OUGHT TO PASS WITH AMENDMENT

Rep. Warren C. Henderson for Legislative Administration: The committee believes that the intent of this bill, providing information to legislators on

the direct costs of proposed legislation on New Hampshire's small businesses, would be a valuable addition to our deliberations. Many times we pass well-intended legislation and find out much later that we have imposed additional burdens on the small businesses we rely upon to sustain our economy. By passing this bill, we will be more likely to know, in advance, the consequences of our actions on small business. Vote 9-3.

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. (House Concurred 4/10/97)

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 Nonconcurred; 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

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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. Subcommittee work session on SB 6, relative to real estate appraisers.

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..

10:30 a.m. SB 36, relative to incarcerated convicted persons receiving workers' compensation payments.

11:15 a.m. SB 93, relative to employees of employers who hire recipients of state assistance under the employment assistance program.

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

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

EDUCATION, Room 207, LOB

10:00 a.m. Subcommittee work session on HB 612-FN, requiring the state board of education and the department of education to establish suitable tests of academic knowledge to be administered as a prerequisite for certification of new teachers in New Hampshire and SB 154, relative to charter schools.

ELECTION LAW, Rooms 306-308, 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.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Subcommittee work session on SB 29, establishing a pet overpopulation trust.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

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

10:00 a.m. Subcommittee work session on SB 167, relative to the regulation of naturopathic practitioners.

FINANCE, Rooms 210-211, LOB

9:00 a.m. SB 80, excluding certain transfers from payment of the real estate transfer tax.

9:30 a.m. SB 176, relative to late payment of the legacies and successions tax.

10:00 a.m. CACR 13, relating to the governor's veto power. Providing that the governor shall have line item reduction and line item veto power of items in any bill making appropriations of money.

Executive session on pending legislation.

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

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

10:00 a.m. SB 159, establishing a committee to study increased public access to data concerning physicians and persons certified or registered under RSA 330-A.

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

JUDICIARY AND FAMILY LAW, Room 208, LOB

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

Immediately following the House session subcommittee work session on 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.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 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, HB 485, relative to limited electrical energy producers and HB 406, relative to environmental disclosure by electric power facilities.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. Work session on re-referred bills.

10:15 a.m. Executive session on pending legislation.

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.

10:30 a.m. Subcommittee work session on SB 39, relative to the delivery of bank products and services.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

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

EDUCATION, Room 207, LOB

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

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

1:00 p.m. Subcommittee work session on SB 154, relative to charter schools.

ELECTION LAW, Room 308, LOB

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

MONDAY, APRIL 28

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

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

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

TUESDAY, APRIL 29

ELECTION LAW, Rooms 306-308, 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.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

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.

MONDAY, MAY 5

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

9:00 a.m. Regular meeting.

TUESDAY, MAY 6

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

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

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

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

9:00 a.m. Regular business.

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

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

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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

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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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REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 2, 25, 50, 120, 151, 181, 186, 187, 225, 229, 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, 658, 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, 755, 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, 799 and 810.

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.

William S. Belvin, 231 Boston Post Road, Amherst, New Hampshire 03031-3015

David S. Feng, 1 Timber Lane, Hudson, New Hampshire 03061-3114

Suzan L.R. Franks, 42 Cathedral Circle, Nahsua, New Hampshire 03063-2732

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

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Pursuant to RSA 326-B:12, the Joint Health Council will meet in Room 205, LOB, North Main Street Concord, on Monday, May 5 at 6:30 p.m.

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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Improve your mind, and recycle! Bring a book - Buy a book is located outside the cafeteria. It is sponsored by the OWLs. All moneys go to the scholarship fund.

Rep. Betsy McKinney

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The Manchester Legislative Delegation will be meeting with the Mayor of Manchester on Monday, April 21 at 8:30 a.m. in the Aldermanic Chambers at City Hall.. Refreshments will be served.

Rep. Lou D'Allesandro

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It is requested that all members of the legislative aviation group and any others interested in aviation attend a meeting in Room 209, LOB on April 23 immediately after the session. A CAP briefing regarding lost lear jet in New Hampshire, actions etc.

Reps. Robert H. Milligan and Kenneth L. Weyler

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New England Cable TV Association will sponsor a Telecommunications Day on April 23 in the Hall of Flags from 9:00 a.m. to noon. It will feature demonstrations of high speed data communication capabilities now entering the marketplace and provide an overview of current events in the industry. We believe you will find it of real interest.

Rep. Godfrey G. Howard

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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

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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

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The New Hampshire Nurses' Association, the New Hampshire Nurse Practitioners' Association and other nursing specialty groups are pleased to invite all legislators to coffee and dessert before the session on April 30 from 12:15 p.m. to 1:15 p.m. at the Uphill Walker House in honor of up coming National Nurses' Week.

Reps. Marion L. Copenhaver and Lawrence A. Emerton

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Please join the Merrimack County Republican and Concord Republican Committees for their annual spring dinner Thursday, May 1 at the Capitol Center of the Arts. Guest speaker will be potential presidential candidate, Arizona Senator John McCain. Tickets are $35 each or $60 per couple and are available from Sen. Amy Patenaude, Rep. Michael Whalley or at State Republican Headquarters.

Rep. Michael D. Whalley

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The State Veterans' Cemetery Oversight Committee cordially invites all legislators to attend the groundbreaking ceremony for the New Hampshire State Veterans Cemetery in Boscawen. The ceremony begins at 2:00 p.m. on Friday, May 2. We have waited a long time to acknowledge and honor our New Hampshire Veterans for their achievements and sacrifices made on behalf of our nation. This is a very historic day for the Veterans of New Hampshire and their families. We hope you can join us.

Rep. Leon Calawa, Jr.

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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

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Now is the time to plan for relaxing, fun filled Day-On-The-Range at the Annual Legislative Shoot, sponsored by the Gun Owners of New Hampshire. This Firearms Orientation and Safety Program at the Sunset Mountain Fish and Game Club in Canterbury gives both novices and those with firearms experience and opportunity to spend a day in the sun with GO-NH Club members to assist them. Wake-up coffee and lunch will be provided. For further details and reservations, please call Rep. Frances Riley. Space is limited, so please reserve as early as possible. Monday, May 5 is the date, rain or shine, as shelter is available.

Rep. Frances L. Riley

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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

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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

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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'ouevres and refreshments provided.

Reps. Robert L. Wheeler and Peter Hoe Burling

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The OWLs will meet Wednesday, May 14 in Room 306, LOB from noon to 1:00 p.m. Joyce Miko, co-founder of the Academy of American Doll Artists Inc. will be speaking. Boxed lunches will be available for a small charge. All legislators are welcome to attend.

Rep. M. Virginia Burke

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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

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A deep sea fishing trip is planned for Friday, May 16. Boat departs at 7:30 a.m. from Smith and Gilmore Pier, Seabrook and returns at approximately 4:30 p.m. The trip is open to representatives, senators and staff. $25 per person. Limit 40 people. First paid - first reserved. Please contact Rep. Terence R. Pfaff, 329 Hackett Hill Road, Hooksett, New Hampshire 03106-2522, telephone 624-0950.

Rep. Terence R. Pfaff

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The Department of Transportation will hold the following meetings:

Newfields-Stratham, NH Route 108 bridge replacement.

April 21 Nashua City Hall Auditorium, 229 Main Street, Nashua, 7:00 p.m. Public information meeting, Nashua, Broad Street Parkway.

April 30 Keene High School (small) Gymnasium, 43 Arch Street, Keene, 6:30 p.m. public information meeting, Keene-Swanzey, NH 101 reconstruct from Main Street Westerly to NH 12.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

WEDNESDAY, APRIL 23

AMENDMENTS

(Listed in numerical order.)

1997-0897h

Amendment to SB 35

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

Amend the bill by replacing section 1 with the following:

1 Accessibility Lift Added. Amend RSA 157-B:2, IV to read as follows:

IV. "Elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction; or a stairway inclined lift which moves in guides in an inclined direction; and includes the doors, well, enclosures, means, and appurtenances required for its operation. The term "elevator" shall include an accessibility lift but does not include a vertical reciprocating conveyor, a material lift, or an accessibility lift in a private residence.

AMENDED ANALYSIS

This bill includes accessibility lifts in the definition of elevator thereby requiring them to meet the same requirements as elevators under RSA 157-B.

1997-0917h

Amendment to SB 49-FN

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

Amend RSA 130-A:5, I as inserted by section 4 of the bill by replacing it with the following:

I. The commissioner [may] shall investigate cases of lead poisoning in children reported under RSA 141-A whose blood lead level meets or exceeds 20 micrograms per deciliter of whole venous blood, as reported on 2 separate tests except that a blood lead level may be designated as elevated by the health care provider when the level reported meets or exceeds 20 micrograms per deciliter on the first venous test. With such a declaration, a second test shall not be required. The commissioner may also conduct investigations when there is reason to believe that a lead exposure hazard, as defined in RSA 130-A:1, XVI(b) and (d), for a child exists. Such investigations shall include, but not be limited to:

(a) Requiring additional information and periodic reports from the child's health care provider, the owner or owner's agent of a leased or rented dwelling or dwelling unit occupied by a child, the owner or operator of any child care facility attended by the child, and any lead inspector or lead abatement contractor involved in lead [base substance abatement] hazard reduction at the child's dwelling, dwelling unit, or child care facility.

(b) Inspections of dwellings or dwelling units or of any child care facility, and testing environmental samples.

(c) Issuing orders requiring the [abatement] reduction of lead exposure hazards from a leased or rented dwelling or dwelling unit and from a child care facility, or issuing a notice to the owner of a dwelling or dwelling unit.

Amend the bill by inserting after section 18 the following and renumbering the original sections 19 and 20 to read as 20 and 21, respectively:

19 New Paragraph; Definition Added. Amend RSA 130-A:1 by inserting after paragraph VIII the following new paragraph:

VIII-a. "Health care provider" means any person, corporation, facility, or institution either licensed by this state or otherwise lawfully providing health care services, and any officer, employee or agent of such provider acting in the course and scope of employment or agency related to or supportive of health care services.

1997-0981h

Amendment to SB 64-FN-A

Proposed by the Committee on Public Works and Highways

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

1 New Paragraph; Refund for Automotive Racing Fuel. Amend RSA 260:47 by inserting after paragraph V the following new paragraph:

VI. Motorsport facilities which sell or dispense automotive racing fuel for off-highway activities shall be entitled to apply for a refund under this section. Refunds shall only be granted to such facilities for fuels which are specifically designed for automotive racing and which have an octane rating of 105 or higher.

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

1997-0826h

Amendment to SB 72

Proposed by the Committee on Commerce

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

AN ACT relative to the New Hampshire life and health guaranty association and repealing the law relative to the interstate insurance receivership compact.

Amend the bill by deleting section 6 and renumbering the original section 7 and 8 to read as 6 and 7, respectively.

Amend the bill by replacing section 7 with the following:

7 Effective Date:

I. Sections 1-5 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill clarifies that the New Hampshire life and health insurance guaranty association established in RSA 408-B:6 is the same association created in RSA 404-D:6, and makes related technical corrections.

The bill also repeals the interstate insurance receivership compact.

1997-1061h

Amendment to SB 75

Proposed by the Committee on Local and Regulated Revenues

Amend RSA 178:32, VII(a)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) Official approval of the local police department as to the accessibility and public safety of the location and the event.

1997-1043h

Amendment to SB 90-FN

Proposed by the Committee on Legislative Administration

Amend RSA 14:44, V as inserted by section 1 of the bill by replacing it with the following:

V. All bills and resolutions having a direct effect on the costs of doing business for any independently owned small business shall be accompanied by a fiscal note stating the legislative budget assistant's determination of the cost of the legislation on small businesses which employ fewer than 100 employees.

AMENDED ANALYSIS

This bill requires all bills or resolutions which directly affect independently owned small businesses to include a fiscal note prepared by the legislative budget assistant of the cost of the legislation on small businesses which employ fewer than 100 employees. This bill also amends the requirement for fiscal impact statements for proposed administrative rules affecting small businesses by increasing the number of employees to 100.

1997-0901h

Amendment to SB 115-LOCAL

Proposed by the Committee on Education

Amend the bill by replacing section 2 with the following:

2 Report. 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.

1997-0919h

Amendment to SB 138

Proposed by the Committee on Education

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

1 Statement of Purpose.

I. The state of New Hampshire has a long history of pride in its schools as recognized by its early constitutional language establishing on the part of officials a duty to cherish literature and the sciences. The many millions of immigrants, who flocked to our state and nation, did so in large measure on account of this nation's promise of universal free public education, a concept unique in history at the time.

II. Due to the dedication of school teachers, over the decades, countless thousands of children have secured a better life than their parents through education. That effort and dedication continues to this day. It is the purpose of this act to recognize the crucial contribution that teachers have made to our state and nation.

2 New Section; Teacher Appreciation Day Proclaimed. Amend RSA 4 by inserting after section 13-f the following new section:

4:13-g Teacher Appreciation Day. The governor shall annually proclaim the first Tuesday in May as Teacher Appreciation Day, and shall urge local communities, school administrative units, and school districts to observe such day in recognition of the dedication and service of New Hampshire's teachers.

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

AMENDED ANALYSIS

This bill provides that the governor shall declare the first Tuesday in May of each year as teacher appreciation day.

1997-0977h

Amendment to SB 144

Proposed by the Committee on Resources, Recreation and Development

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall:

I. Study the management of water flow of the Winnipesaukee River by the department of environmental services and its impact on downstream and upstream properties including those located adjacent to Silver Lake.

II. Consider what measures may be taken to prevent periodic damage from flooding of the Winnipesaukee River.

Amend the bill by replacing section 5 with the following:

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

Amend the bill by replacing section 6 with the following:

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

AMENDED ANALYSIS

This bill establishes a committee to study certain issues regarding Silver Lake in the towns of Belmont and Tilton.

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

1997-1034h

Amendment to SB 155

Proposed by the Majority of the Committee on Education

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

1 New Paragraph; Duties of Division of Educational Improvement; Plan to Provide Special Education to Inmates. Amend RSA 186-C:3-a by inserting after paragraph VI the following new paragraph:

VII. The division shall, in conjunction with the department of corrections and county governments, prepare and adopt a plan for meeting the special education needs of persons incarcerated in the state prison system and county correctional facilities. Such plan shall be adopted no later than November 1, 1997.

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

AMENDED ANALYSIS

This bill requires the division of educational improvement, department of education, in conjunction with the department of corrections and county governments, to prepare and adopt a plan for providing special education to inmates in the state prison system and county correctional facilities by November 1, 1997.

1997-0836h

Amendment to SB 182-FN

Proposed by the Committee on Public Works and Highways

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

AN ACT relative to the administration, operation, and maintenance of the New Hampshire state veterans' cemetery, extending the reporting dates and the prospective repeal date for the state veterans cemetery oversight committee, and making an appropriation therefor.

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

2 Appropriation; State Matching Funds for Construction of Veterans Cemetery. Amend 1994, 282:1, as amended by 1995, 309:28, to read as follows:

282:1 Appropriation; State Veterans Cemetery.

I. The sum of [$1,500,000] $1,600,00 is appropriated to the oversight committee established in section 4 of this act for the purpose of the layout, design, and construction of a state veterans' cemetery. The funds appropriated in this section shall be nonlapsing and shall not be spent, obligated, or encumbered without the approval of the capital budget overview committee.

II. Of the total sum appropriated in paragraph I, [$975,000] $1,000,000 shall be from federal or other sources, and [no more than $525,000] $600,000 shall be from state funds. Any funds from federal or other sources in excess of [$975,000] $1,000,000 are hereby appropriated for the purposes of this act.

III. Any land or state services donated for the purpose of creating the state veterans cemetery shall be used as a soft match for the purpose of securing any federal funds.

3 Bonds. Amend 1994, 282:2 to read as follows:

282:2 Bonds Authorized. To provide funds for the state funds appropriated in section 1 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state an amount not exceeding the sum of [$525,000] $600,000 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.

4 Reporting Dates and Prospective Repeal Extended. Amend RSA 1994, 282:5, I as amended by 1995, 10:12 and 1996, 190:12 to read as follows:

I. The committee shall make reports on the establishment of a state veterans' cemetery and the expenditure of funds for that purpose on the following dates: June 30, 1995, November 30, 1995, June 30, 1996, [and] June 30, 1997, and November 1, 1997.

5 Effective Date of Prospective Repeal of 1994, 282, Relative to Establishing a State Veterans' Cemetery. Amend 1994, 282:7, I as inserted by 1996, 190:12 to read as follows:

I. Section 6 of this act shall take effect [July 1, 1997] November 1, 1997.

6 Effective Date.

I. Section 1 of this act shall take effect July 1, 1997.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill designates the adjutant general to administer, operate, and maintain the New Hampshire state veterans cemetery, which shall be located in Boscawen.

This bill appropriates funds to make up a shortfall in the state matching share necessary to receive federal funds for the construction of the state veterans cemetery.

The bill also extends the final reporting date and the prospective repeal date for the state veterans cemetery oversight committee to June 30, 1998.

1997-0989h

Amendment to SB 183-FN

Proposed by the Committee on Local and Regulated Revenues

Amend RSA 178:20, V(u)(1) as inserted by section 2 of the bill by replacing it with the following:

(1) The commission may issue a cocktail lounge license to the owner of a sports/entertainment complex, or any operator or designee contracting with the owner of the complex. Such license shall allow the sale or service of liquor and beverage in any clearly defined areas approved by the commission. Liquor and beverage shall be sold only at such times as a fee is charged for admission to an event at the sports/entertainment complex. Liquor and beverage shall not be sold or consumed at any student event. In this subparagraph, "student event" means any event where students are participants or performers. Liquor and beverage shall not be sold at any interscholastic event. The provisions of RSA 178:20, II shall not apply to this license.

1997-1031h

Amendment to SB 189-FN-LOCAL

Proposed by the Committee on Transportation

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

AN ACT authorizing the department of safety to issue driver's licenses to certain aliens.

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

1 New Section; License for Aliens Temporarily Residing in the State. Amend RSA 263 by inserting after section 39-a the following new section:

263:39-b License for Aliens Temporarily Residing in New Hampshire

I. The director may issue a New Hampshire driver's license to a nonresident alien who is living in New Hampshire on a temporary basis:

(a) For the purposes of attending a public or private educational institution which has a regular faculty, curriculum, and organized body of pupils or students in attendance and is enrolled in such education institution;

(b) For the purposes of engaging in lawful employment, occupational, or business activity, and is engaged in such activity; or

(c) Who is the spouse or child of an alien licensed under this section.

II. The director may require any of the following:

(a) Certification from the foreign government regarding the person's driving record and licensing status.

(b) Submission of social security number, or, if the person does not qualify for such a number, the submission of certification to that effect as is acceptable to the commissioner.

(c) Written or other testing.

(d) Proof of compliance with the conditions set forth in paragraph I.

(e) Proof of identification as may be acceptable to the commissioner.

III. The term of the license shall be no longer than 4 years from the date of issuance, and the director may set a lesser term in accordance with the length of the person's residence in New Hampshire.

IV. Nothing in this chapter shall preclude the director from denying a license if the director determines that licensure of the person may be contrary to the public safety. Once licensed, the individual shall be subject to the same provisions of the law as all other licensees. When the person no longer meets the conditions specified in paragraph I, the person shall forthwith return the license to the director and the license shall become invalid.

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

1997-1036h

Amendment to SJR 2

Proposed by the Committee on Education

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

Whereas, when the Individuals with Disabilities Education Act was passed, Congress promised to fund 40 percent of the costs of special education; now, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

That Congress appropriate the promised 40 percent of the average per-pupil expenditure for public education in public elementary and secondary schools in the United States and make such changes in the Individuals with Disabilities Education Act so that New Hampshire may continue to provide quality special education services to its students; and

That copies of this resolution, signed by the president of the senate and the speaker of the house be forwarded by the senate clerk to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the New Hampshire congressional delegation.

AMENDED ANALYSIS

This senate joint resolution urges Congress to appropriate the promised 40 percent of the average per-pupil expenditure for special education and make certain changes in the Individuals with Disabilities Education Act.