

State of
New Hampshire

HOUSE RECORD

First Year of the 155th Session of the General Court
Calendar and Journal of the 1997 Session

Vol. 19 Concord N.H. Wednesday, June 25, 1997 No. 77

Contains: Hearings, Notices, Work Sessions, Governor's Veto Messages and Supreme Court Opinion

HOUSE CALENDAR
NOTICE

MEMBERS OF THE HOUSE:

Today we will take up the Governor's veto of House Bill 149. If the Senate votes to override any of the Governor's vetoes of Senate bills, we will then take them up.

Joining us for the first time today is Representative Larry Cossette (R-Rochester) who won in a special election on June 10th.

After the House concludes its work today, we will recess for a well-deserved break. I want to thank all of you for your cooperation and dedication to serving the people of New Hampshire. If you have any questions or comments about this session or the one to come, I encourage you to call or stop by during the summer.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, June 25 at 10:30 a.m. in Representatives Hall.

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, June 25 at 10:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

NOTICE

During the summer months, the Clerk's Office will be publishing Calendars every two weeks. Members and staff who need to schedule meetings should make arrangements with the Clerk's Office for room availability/assignment and publication of meeting notices. Please note Calendar will close on Wednesdays.

CLOSES NOON WEDNESDAY: TO BE MAILED THURSDAY:

July 2 July 3

July 16 July 17

July 30 July 31

August 13 August 14

August 27 August 28

Karen O. Wadsworth

Clerk of the House

NOTICE

DEADLINES FOR FILING 1998 BILLS

SEPTEMBER 2 - Tuesday First day that requests for drafting of bills for introduction in the second-year session may be filed with the Office of Legislative Services.

OCTOBER 1 - Wednesday Last day to file bill drafting requests.

NOVEMBER 3 - Monday Last day to report all re-referred bills from the first-year session.

NOVEMBER 7 - Friday Last day to file legislation relating to subject matter of study committees.

NOVEMBER 21 - Friday Last day to sign off all bills requiring fiscal notes (FNs) and study committee bills. Sign-off shall be 10 calendar days after receipt by the sponsor of the draft legislation, or November 21, whichever day is earlier.

DECEMBER 5 - Friday Last day to sign off all other bills. Sign-off shall be 10 calendar days after receipt by the sponsor of the draft legislation, or December 5, whichever day is earlier.

DECEMBER 22 - Monday Availability of chairmen's copies of all bills and resolutions.

GOVERNOR'S VETO MESSAGE ON HB 149

June 19, 1997

To The Honorable Members of the General Court:

I have this day vetoed House Bill 149, An Act relative to the regulation of the profession of physical therapy.

This session the General Court passed both HB 149, which regulates the profession of physical therapy, as well as HB 537, which establishes a comprehensive regulatory scheme for certain allied health professionals, including physical therapists, athletic trainers, occupational therapists, respiratory care providers, and speech-language pathologists.

I have consulted with the sole sponsor of HB 149, who also was one of the sponsors of HB 537, and he agrees that HB 149 is not necessary so long as HB 537 becomes law.

Today I have signed HB 537 into law.

I have exercised my veto responsibility over house Bill 149 because it is unnecessary given the enactment of House Bill 537.

Respectfully submitted,

Jeanne Shaheen

Governor

GOVERNOR'S VETO MESSAGE ON SB 41

June 21, 1997

To the Honorable Members of the General Court:

I have this day vetoed Senate Bill 41, An Act relative to the time for filing requests for a hearing with the department of labor concerning violations of the whistleblowers' protection act.

The Whistleblowers' Protection Act, RSA 275-E, prohibits any public sector or private sector employer in the state from discharging, threatening, or otherwise discriminating against an employee because the employee 1) refused to follow an employer's order that would break the law; 2) reported a violation of the law; or 3) cooperated with the government into an investigation of his or her employer. The Act grants the Commissioner of Labor enforcement authority over alleged violations of the Act.

Senate Bill 41 would require a worker who believes his or her rights under the Whistleblowers' Protection Act have been violated to request a hearing with Commissioner of Labor within six months of the alleged violation. Under current law, there is no time limit for how long an employee can request such a hearing with the Commissioner. While some time limit might be appropriate, six months is too short a time period and would undermine the effectiveness of the Whistleblowers' Protection Act. It would send the wrong message to those who commit crimes and could hamper the efforts of our law enforcement officials to uncover illegal activity.

A decade ago when the legislature enacted the Whistleblowers' Protection Act, it established the public policy in New Hampshire that no individual should be forced to break the law as a condition of his or her employment, and no individual should be punished or have his or her job placed at risk for cooperating with efforts to uncover illegal activity. The legislation put New Hampshire in the vanguard of states providing legal protection for whistleblowers. The original law was the result of a bipartisan effort supported by a broad coalition of groups and individuals.

SB 41 could actually have the perverse result of causing more whistleblower hearings being requested with the Commissioner of Labor. One way New Hampshire's Whistleblowers' Protection Act differs from similar laws in other states is the statutory requirement that an aggrieved employee first exhaust any internal grievance procedures available at such employee's place of employment. SB 41, by imposing a strict six month statute of limitations, could have the unintended consequence of forcing an employee, in order to protect his or her rights, to file for a hearing before the Commissioner of Labor even if attempts to resolve the dispute within an employer's existing grievance process had not been completed.

Moreover, because whistleblowers sometimes cooperate with law enforcement personnel on lengthy investigations into criminal activity, the strict six month statute of limitations imposed by SB 41 could give rise to situations where a difficult choice had to be made between jeopardizing an ongoing investigation or sacrificing an individual's rights under the Whistleblowers' Protection Act.

For a decade New Hampshire's Whistleblowers' Protection Act has worked well to protect and serve the citizens of our state. Senate Bill 41 imposes a statute of limitations that is too short and that undermines the effectiveness of the Whistleblowers' Protection Act. Therefore, today I am vetoing Senate Bill 41.

Respectfully submitted,

Jeanne Shaheen

Governor

GOVERNOR'S VETO MESSAGE ON SB 149

June 21, 1997

To the Honorable Members of the General Court:

I have today vetoed Senate Bill 149, An Act relative to the requirements that state agencies administering federal programs may impose on activities of the private sector.

While motivated by the desire to encourage greater legislative involvement in the implementation of federal programs, SB 149 will make even more unworkable our existing rule-making process. SB 149 would place an onerous burden on all persons involved in the rule-making process. It would impede the implementation of important state programs, and it could subject the state to costly litigation.

Under SB 149, those agencies which manage federal programs would be required to obtain specific legislative authority for the multitude of rules involving the details of a program. Approval by the Joint Legislative Committee on Administrative Rules (JLCAR) will no longer be sufficient. The specific details in these programs have historically been the subject of rule-making. If this process were to be changed by SB 149, the Legislature would find itself swamped by agency demands to adopt very specific and detailed legislation to carry out the broad spectrum of programs which

have federal components. This overload could result in delays and deferrals of efforts to devise policies to implement federal programs in a way most workable for New Hampshire.

The Legislature already has a mechanism -- the petition process provided for in RSA 541-A:13, VII -- to deal with the issue SB 149 attempts to address. RSA 541-A:13, VII permits the JLCAR to introduce a joint resolution in the Legislature to prevent a rule from taking effect until the full Legislature can act on the proposal. This process has never been used by the Legislature.

SB 149 carves out a significant exception to the normal process by which rules are adopted. Because the bill only applies to federal programs, it does not require the same level of detailed oversight by the Legislature for non-federal programs. Moreover, SB 149 could have the effect of promoting federal regulatory standards and policies over those tailor-made by and for New Hampshire.

In addition, the ambiguities in some of the language contained within SB 149 could subject the state to costly litigation. For example, SB 149 fails to provide definitions for the key terms "federal program" and "statutory authority" used in the legislation.

I have exercised my veto responsibility over SB 149 because it is unnecessary and would create onerous hurdles for state agencies attempting to implement federal programs in a manner most responsive to New Hampshire's unique needs.

Respectfully submitted,

Jeanne Shaheen

Governor

GOVERNOR'S VETO MESSAGE ON SB 202

June 18, 1997

To The Honorable Members of the General Court:

I have this day vetoed Senate Bill 202, An Act relative to the certification and recertification of teachers, supervisors, and administrators, high school graduation examinations, school building aid, and establishing a committee to study school discipline and manifest educational hardship.

The families of New Hampshire are fortunate to live in a state where our local public schools are fundamentally sound and provide a good education to our children. While we do much that is correct in educating our children, few would argue that our system of education doesn't need to be improved.

To be successful, reform efforts must be developed and implemented cooperatively. They must be widely understood and supported by local educators, policy makers, business leaders, parents, and by the executive and legislative branches. They must have broad bipartisan support. There are no simple solutions to complex problems. True systemic reform recognizes this complexity.

The groundwork for significant systematic reform of our schools has been established in RSA 193-C, the Statewide Education Improvement and Assessment Program, enacted in 1993. In response to this legislation, many reform activities and initiatives are already underway at the state and local levels. Through the Statewide Education Improvement and Assessment Program, the state has put in place a major effort to significantly raise the academic achievement of all students. Curriculum frameworks have been prepared with high standards that define what students should know and be able to do. The assessments keyed to these standards and administered at the end of grades three, six and ten already provide objective data to parents, schools, and communities that is being used to promote educational accountability and as a basis for making educational improvement decisions at the local level.

SB 202 does not advance any essential reform efforts. In fact, it duplicates many existing activities and, in the case of the proposed high school graduation assessment, it diverts efforts and resources away from where they are needed most, specifically, the improvement of the education provided to all students.

Sections 1 and 2 of SB 202, which call for teacher testing, duplicate existing activities. The State Board of Education is currently reviewing teacher certification standards. As part of that review, it is examining the role that teacher testing can and should play in this process. I believe that testing of new teachers should be undertaken and I have talked with both the Chairman of the State Board of Education and the Commissioner of Education and asked them to recommend specific testing procedures by this fall.

Certification standards need to be reviewed and updated continuously to respond to the changing needs of the community and work place. Therefore, they are more properly established through administrative rules than through legislation. The State Board is committed to taking action

in this crucial area. The rulemaking process has already begun with regard to General Education and Professional Development Requirements. The state is strongly committed to making certain that New Hampshire students continue to receive the high-quality instruction demanded for success in school and work. This requires that our teachers have not only a mastery of the subject matter they are teaching, but also the ability to successfully challenge all students to learn at the highest possible level. The initial preparation and on-going professional development of teachers is a cooperative effort carried out by New Hampshire's colleges, the State Department of Education, and local schools.

Sections 3 and 4 of SB 202, which address procedures for teacher non-renewal, also duplicate existing activities. On October 5, 1996, the State Board amended its rules governing procedures to be used by local school boards and the State Board in teacher non-renewal hearings. These rules and timelines were prepared with broad input from all parties concerned and were approved by the Joint Legislative Committee on Administrative Rules. The State Board and local schools are currently working under these rules and, based on that experience, the State Board intends to propose legislation for the next session that reflects these mutually-agreed upon timelines.

Sections 5-9, establishing a high school graduation test and a New Hampshire certificate of advance achievement, will divert effort and resources away from existing state efforts to work with and support local schools in their instructional improvement programs. Just last year, the legislature established the Local Education Improvement Assistance Program to provide technical assistance and training to school districts in developing and implementing local education improvement and assessment plans. This important new program is built on the foundation of the Statewide Education and Improvement Assessment Program and is funded at \$250,000 for each year of the next biennium. An all too common shortcoming of reform initiatives is a lack of commitment in staying the course over a sufficient period of time to ensure their effectiveness and to make improvements based on the lessons learned. Allocating scarce resources, including staff and state funding, to a new graduation test that imposes no penalty for a failing score and no real incentives for students to do their best work is unlikely to produce the desired reform. It would be better to allocate such resources to the Local Education Improvement Assistance Program enacted just last year and direct local staff and student time to improving instruction for all students.

Sections 10-12 deal with year-round schools and school building aid. I have already signed HB 230, which establishes a committee to study school building aid. The subject of year-round schooling, including its feasibility and the costs of implementation, should be reviewed by this committee and incorporated into its report.

Section 13 would have established a committee to study school discipline and manifest educational hardship. These issues are currently being studied by the State Board subcommittee on safe and orderly schools. The State Board is committed to issuing a timely report not only on school discipline and manifest educational hardship, but also on the broader issue of providing a safe school environment in which all students can learn effectively.

Improving our system of public education is a high priority of my administration. That is why this year I proposed and the legislature agreed that the Local Education Improvement Assistance Program be funded for the first time. That is why this year I will sign HB 229, which establishes the Reading Recovery Training Program, and why I proposed legislation, HB 50, to increase access to public kindergarten. More needs to be done. This fall I will host an education summit, "The Condition of Education," on September 23rd. The goal of this summit is to gain a more complete understanding of our problems and our needs and to generate recommendations to build a better future for New Hampshire and its children.

I have exercised my veto responsibility over Senate Bill 202 because SB 202 does not advance any significant education reform, but rather duplicates existing activities and diverts resources away from reform efforts already underway at the state and local levels.

Respectfully submitted,

Jeanne Shaheen

Governor

NOTICE

THE SUPREME COURT OF NEW HAMPSHIRE

Request of the House

No. 97-217

OPINION OF THE JUSTICES

(Municipal Tax Exemptions for Industrial Construction)

June 23, 1997

To the Honorable House:

The undersigned justices of the supreme court now submit the following replies to your questions of March 26, 1997. Following our receipt of your resolution on March 27, 1997, we invited interested parties to file memoranda with the court on or before April 28, 1997.

HB 198-LOCAL (the bill) proposes to amend RSA chapter 72 (1991 & Supp. 1996) by inserting after section 72 a new subdivision to read:

Industrial Construction Exemption

72:73 Definitions. In this subdivision:

I. 'Industrial uses' shall include all manufacturing, production, assembling, warehousing or processing of goods or materials for sale or distribution, research and development activities, or processing of waste materials.

II. A town or city adopting a tax exemption pursuant to RSA 72:74 may, in lieu of the definition in this section, adopt by reference the definition of similar terms as may be contained in that town or city's zoning ordinance.

72:74 Property Tax Exemption. A town or city may, by vote of the local legislative body pursuant to RSA 72:75, adopt a new construction property tax exemption for industrial uses. The exemption shall be a specified percentage of the increase in assessed value attributable to construction of new structures, and additions, renovations or improvements to existing structures. The exemption may run for a period of 3 to 5 years following the new construction; provided, however, that the exemption for all years shall cumulatively not exceed 200 percent of the increased assessed value. Once adopted by the local legislative body, the percentage rate and duration of the exemption shall be granted uniformly within that municipality to all new construction for which a proper application is filed.

72:75 Procedure for Adoption. A municipality desiring to adopt the provisions of RSA 72:74 shall do so in the following manner:

I. In a town, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3, and shall be voted upon by official ballot if that town has adopted the official ballot for the election of officers. A public hearing shall be held at least 15 but not more than 60 days prior to the vote.

II. In a city, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of a city may vote to place the question on the official ballot for any regular municipal election.

III. The vote shall specify the percentage of new assessed value to be exempted, the number of years duration of the exemption following new construction, and a reference to zoning use category definitions, if applicable. The exemption shall take effect in the tax year beginning April 1 following its adoption.

IV. A vote adopting RSA 72:74 shall remain in effect for at least 3 tax years. For subsequent years it may be rescinded or altered in the same manner as specified for adoption; provided, however, that for any application which has already been granted prior to such rescision or alteration, the exemption shall continue to apply at the rate and for the duration in effect at the time it was granted.

72:76 Application for Exemption.

I. On or before March 1 following the date of notice of tax under RSA 72:1-d for any year for which the exemption is claimed, a person qualified for an exemption under RSA 72:74 shall file an application with the selectmen or assessors, on an application form prepared by them, signed by the applicant under penalty of perjury, which contains adequate information to demonstrate that the applicant is qualified for the exemption.

II. The selectmen or assessors shall notify the applicant of their decision on or before July 1 following the date of notice of tax under RSA 72:1-d. The decision shall specify the amount of the exemption, that it is effective beginning the prior April 1, and the number of years for which the exemption applies to qualified construction. The decision of the selectmen or assessors may be appealed in the manner set forth in RSA 72:34-a.

III. An owner may apply for the exemption prior to construction, but in no case more than 12 months before the beginning of the tax year for which the exemption is sought. In such cases the selectmen or assessors may anticipatorily grant the exemption, subject to adjustment when the actual increase in assessed value becomes known. If construction is partially complete on April 1 of any year, the exemption for that year shall be based on the increased assessed value attributable to the partial construction, but the duration of the exemption shall be adjusted such that the cumulative amount of exemptions received, based on the construction as completed, is proportional to that received by other eligible properties.

IV. The selectmen or assessors may request such additional or updated information as is necessary to determine eligibility. If they are satisfied that the applicant has willfully made any false statement, or has refused to provide information after such a request, they may refuse to grant the exemption.

V. If the municipality completes a revaluation during the period for which an exemption has been granted, the amount of the exemption shall be adjusted by the difference in equalization ratios applicable in the municipality before and after the revaluation.

The proposed bill contains a statement of intent that "[i]t is the purpose of this act to foster the economic development of the state by enabling municipalities to encourage new construction, rehabilitation and improvement of property for industrial use through the adoption of tax exemptions, to grant flexibility to the local legislative body in determining the amount and type of exemption to adopt, and to ensure that, once adopted, such exemptions shall be administered uniformly within that municipality, so as to avoid the constitutional risk of ad hoc or discriminatory tax benefits."

Your first question asks whether "the classification of taxable property provided for in [the bill] [is] based on a reasonable distinction which promotes a proper object of public welfare and does not require any taxpayer to pay more than his or her fair share of the tax burden as required by part I, article 12 of the New Hampshire Constitution." This question is answered in the affirmative.

Part I, article 12 of the State Constitution provides that "[e]very member of the community has a right to be protected by it, in the enjoyment of his life, liberty, and property; he is therefore bound to contribute his share in the expense of such protection, and to yield his personal service when necessary."

"The legislature has wide discretion with respect to classification of taxable property. If there is a just reason for the classification of taxable property, and the proposed selection is not arbitrarily made or for the sole purpose of preferring some taxpayers to others it will be upheld." Opinion of the Justices (Current Use Reimbursement Program), 137 N.H. 270, 275, 627 A.2d 92, 95 (1993) (citations and quotation omitted).

Likewise, "the [l]egislature may provide, by general laws, for exemption of certain classes of property from taxation." Opinion of the Justices, 101 N.H. 539, 540, 134 A.2d 278, 278 (1957) (quotation omitted); see Opinion of the Justices, 128 N.H. 1, 8, 509 A.2d 734, 740 (1986) (legislature has broad power to create exemptions from taxation on a uniform basis). "In the selective process of classifying certain property for taxation and exempting other property the Legislature has a wide discretion which will be sustained provided just reasons exist for the selection made." Opinion of the Justices, 95 N.H. 548, 550, 65 A.2d 700, 701 (1949) (quotation omitted); see Smith v. N.H. Dept. of Revenue Admin., 141 N.H. ___, ___, 692 A.2d 486, 491 (1997). "The basic principle that all taxpayers shall share the public expense equally . . . is not violated by a legislative exemption of a certain class of property from taxation, in whole or in part, provided the exemption serves the general welfare." Eltra Corp. v. Town of Hopkinton, 119 N.H. 907, 912, 409 A.2d 1145, 1148 (1979); see Young Women's Christian Ass'n v. Portsmouth, 89 N.H. 40, 42, 192 A. 617, 618 (1937). "The classification must not be arbitrary, but must reasonably promote some proper object of public welfare or interest." Eltra Corp., 119 N.H. at 912, 409 A.2d at 1148.

The stated purpose of the proposed exemption is "to foster the economic development of the state by enabling municipalities to encourage new construction, rehabilitation and improvement of property for industrial use" by granting tax exemptions for a limited period of time. The State and its citizens presumably receive direct benefits from tax exemptions for industrial construction by attracting new industries into the State and keeping existing industry here, thereby creating economic growth. Since all industrial uses that meet the statutory definition may qualify for limited tax exemptions, the bill does not improperly classify property. The legislature has determined that the public welfare would benefit from the encouragement of industrial construction in the State and that this may be accomplished through the proposed bill. The purpose of stimulating economic growth is "one properly within the legislature's discretion in acting for the welfare of the state." Opinion of the Justices, 87 N.H. 490, 491, 178 A. 125, 126 (1935). We conclude that there are just reasons for providing a limited tax exemption for industrial construction and that the proposed bill reveals the purpose of the legislature is to promote the public welfare.

Your second question asks whether "the provisions of [the bill] which temporarily exempt certain real property from property taxes violate the constitutional requirements of uniformity and equality governing the assessment and collection of property taxes and the constitutional prohibition against authorizing gifts to corporations organized for profit, all required by part II, article 5 of the New Hampshire Constitution." This question is answered in the negative.

Part II, article 5 of the State Constitution provides that "full power and authority are hereby given and granted to the said general court . . . to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said State." The legislature may constitutionally delegate to cities and towns the authority to create tax exemptions. See Opinion of the Justices, 115 N.H. 228, 230, 338 A.2d 553, 555 (1975). "No unconstitutional delegation of authority results when the legislature establishes the terms of a general act, but leaves the determination of whether it shall have the force of law to the governing bodies of the localities to be affected or to the people themselves." Id. at 230-31, 338 A.2d at 555. Constitutionally mandated requirements for uniformity and equality of taxation would not be violated "should less than all cities and towns adopt the optional exemptions provided by the bill, with a resulting uneven system of taxation." Id. at 231, 338 A.2d at 555 (quotation omitted). "[S]ince the property tax imposed would be uniform and equal within each taxing district, constitutional requirements would thus be met." Id. (quotation, ellipses, and brackets omitted); see Opinion of the Justices, 112 N.H. 32, 35, 287 A.2d 756, 758 (1972) (tax met requirement of uniformity and equality within taxing district).

Pursuant to the provisions of the proposed bill, once a town or city adopts a construction property tax exemption for industrial uses and specifies the percentage rate and duration of the exemption, the exemption "shall be granted uniformly within that municipality to all new construction for which a proper application is filed." The exemption would apply equally and uniformly within the taxing district, thereby satisfying constitutional requirements.

Part II, article 5 of the State Constitution further provides that "the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation having for its object a dividend of profits or in any way aid the same by taking its stocks or bonds." While this provision is a limitation "upon legislative power to authorize gifts by towns to corporations organized for profit," Opinion of the Justices, 95 N.H. at 551, 65 A.2d at 701, it "does not extend to the authority of the legislature by its own act to provide a uniform exemption of state-wide application." Id.; see Eyers Woolen Co. v. Gilsum, 84 N.H. 1, 8, 146 A. 511, 515 (1929) (general exemption is part of state policy of taxation, special exemption is a favor granted to a particular party).

The bill before us provides for a tax exemption, not the expenditure of public funds for private purposes. The primary object of the bill is not to aid and benefit private persons for private ends, but, rather, to benefit the public at large by increasing the resources of the State and its taxable property through the establishment of new industries. Cf. Eyers Woolen Co., 84 N.H. at 16-17, 146 A. at 519 (particular law applicable to one party only in his private capacity cannot be classified as general exemption). We accordingly answer your second question in the negative.

As we have stated in the past, "we cannot predict every issue that may be raised in an adversary setting if this bill should become law." Opinion of the Justices, 112 N.H. at 46, 288 A.2d at 700 (quotation omitted). The proposed legislation, however, "appears to us to be constitutional on its face." Opinion of the Justices, 111 N.H. 199, 205, 278 A.2d 357, 361 (1971).

David A. Brock

William R. Johnson

W. Stephen Thayer, III

Sherman D. Horton

John T. Broderick, Jr.

June 23, 1997

Joseph S. Haas, Jr., of Ashland, submitted a memorandum on the questions.

LAI D 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

WEDNESDAY, JUNE 25

EDUCATION, Room 207, LOB

10:00 a.m. Subcommittee work session on **HB 784-FN-LOCAL**, changing the age requirements for providing public education, including special education.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. Bottle bill exploratory subcommittee work session.

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

9:30 a.m. Subcommittee organizational/work session on **HB 490**, relative to the confidentiality of medical records.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. **HB 174-LOCAL**, relative to budgetary official ballot; **HB 295-LOCAL**, authorizing a cooperative school district board to establish polling places in each member town and **SB 62**, authorizing the governing bodies of towns which have not adopted the official ballot referendum form of meeting, but which are in school districts which have adopted the official ballot referendum form of meeting, to move the election day of the 1997 and 1998 annual meetings of those towns to April 8, 1997, and April 14, 1998, respectively.

THURSDAY, JUNE 26

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on **HB 271**, establishing a committee to examine the effectiveness and efficiency of the multiple DWI offender intervention detention center program; **HB 414**, authorizing the commissioner of the department of safety to adopt rules imposing late fees for the impaired driver intervention programs and **HB 420**, relative to administrative review of suspended or revoked motor vehicle licenses.

PEASE DEVELOPMENT AUTHORITY BOARD OF DIRECTORS (RSA 12-G:4), Authority Offices Conference Room, 360 Corporate Drive, Pease International Tradeport

8:30 a.m. Regular meeting.

FRIDAY, JUNE 27

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

9:30 a.m. Rescheduled regular meeting.

CHARTER SCHOOLS AND OPEN ENROLLMENT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 194-B:21)

11:30 a.m. Regular meeting.

OFFICIAL BALLOT REFERENDA ADOPTION PROCEDURES STUDY COMMITTEE (SB 594, Chapter 276:3, Laws of 1996), Room 105A, State House

2:00 p.m. Regular meeting.

STATEWIDE EDUCATION IMPROVEMENT AND ASSESSMENT PROGRAM LEGISLATIVE OVERSIGHT COMMITTEE (RSA 193-C:7), Room 105A, State House

9:00 a.m. Regular meeting.

UNIVERSITY SYSTEM STUDY COMMITTEE (RSA 187-A:28). Room 105A, State House

10:30 a.m. Regular meeting.

MONDAY, JUNE 30

ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128), Office of NH Employment Security, 10 West Street, Concord

8:30 a.m. Public hearing on benefit amounts and monetary eligibility criteria.

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

2:30 p.m. Regular meeting.

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

9:30 a.m. Regular meeting.

TUESDAY, JULY 1

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

9:00 a.m. Regular meeting.

WEDNESDAY, JULY 2

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Rescheduled subcommittee work session on ***HB 204-FN-LOCAL***, relative to transportation of arrestees, detained defendants, and prisoners and court control of arrestees, detained defendants, and prisoners.

11:45 a.m. Full committee executive session on pending legislation.

ELECTION LAW, Room 308, LOB

9:00 a.m. Full subcommittee work session on ***HB 647-FN-A-LOCAL***, relative to a centralized computer checklist of voters and making an appropriation therefor.

10:00 a.m. Subcommittee work session on ***HB 484***, relative to registration of certain voters who vote by absentee ballot.

1:00 p.m. Full subcommittee work session on ***HB 356***, relative to reporting requirements for political candidates and political committees.

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

1:00 p.m. Regular meeting.

TUESDAY, JULY 8

EDUCATION, Room 207, LOB

10:00 a.m. Subcommittee work session on ***HB 143-LOCAL***, requiring that SAU budgets be approved by vote at school district meetings; ***HB 166***, extending the time frame for the annual school district meeting date to the last Saturday in April and ***HB 167***, changing the teacher nomination notification date from April 15 to May 15.

TRANSPORTATION, Room 203, LOB

9:30 a.m. Subcommittee work session on ***HB 627-FN***, establishing a conservation number plate trust fund, and a special motor vehicle license plate and associated fees, to support New Hampshire's natural and cultural resources.

WEDNESDAY, JULY 9

EDUCATION, Room 207, LOB

10:00 a.m. Subcommittee work session on ***HB 784-FN-LOCAL***, changing the age requirements for providing public education, including special education.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Cable/Internet subcommittee work session. Presentation by State Library personnel to Cable/Internet subcommittee concerning state agency information on the Internet.

MONDAY, JULY 14

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

9:00 a.m. Regular business.

9:30 a.m. Audits.

- 1. Police Standards and Training Council.
- 2. Job Opportunities and Basic Skills Training Program.

TUESDAY, JULY 15

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 meeting.

WEDNESDAY, JULY 16

EDUCATION, Room 207, LOB

10:00 a.m. Subcommittee work session on *HB 784-FN-LOCAL*, changing the age requirements for providing public education, including special education.

FRIDAY, JULY 18

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

9:00 a.m. Regular meeting.

TUESDAY, JULY 22

ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128), Office of NH Employment Security, 10 West Street, Concord

8:30 a.m. Public hearing on providing eligibility to those who voluntarily quit employment due to compelling personal reasons.

WEDNESDAY, JULY 23

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.

MONDAY, JULY 28

ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128), Office of NH Employment Security, 10 West Street, Concord

8:30 a.m. Public hearing on alternative base periods.

TUESDAY, AUGUST 5

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:00 a.m. Subcommittee work session on *HB 553-LOCAL*, relative to a right to farm.

WEDNESDAY, AUGUST 20

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

9:30 a.m. Subcommittee work session on *HB 686-FN-A*, relative to financing child day care facilities and making an appropriation therefor.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The Cheshire County Delegation will meet on Thursday, June 26 at 7:00 p.m. in the Jury Room at the Cheshire County Courthouse to vote on three motions recommended by the County Commissioner and to take up other business of the delegation.

Rep. Stephen G. Avery, Chairman

Cheshire County Delegation

COUNTY DELEGATION NOTICE

The Hillsborough County Delegation will meet immediately following session on Wednesday, June 25. Place to be announced.

The Hillsborough County Delegation will meet in Convention on Monday, June 30 at 7:00 p.m. in the Manchester Courthouse, 300 Chestnut Street, Manchester for the purpose of considering the Hillsborough County Executive Committee proposed budget for Fiscal Year 1998.

Rep. Frances L. Riley, Chairman

Hillsborough County Delegation

COUNTY DELEGATION NOTICE

The Merrimack County Delegation will meet Monday, June 30 at 10:00 a.m. in Room 206, LOB.

Rep. David W. Hess, Chairman

Merrimack County Delegation

COUNTY DELEGATION NOTICE

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

Rep. Sherman A. Packard, Chairman

Rockingham County Executive Committee

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

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 2, 25, 50, 53, 120, 151, 181, 186, 187, 225, 229, 236, 243, 262, 268, 340; 378, 379, 430, 436, 440, 447, 457, 459, 462, 486, 498, 511, 516, 530, 537, 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; 611, 615; 617; 618; 619; 622, 625; 626, 627; 636, 637, 638; 643; 644, 645; 649; 657, 658, 661; 663, 671, 677, 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

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.

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

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.

The New Hampshire Community Technical Colleges wish to invite all Representatives and staff to attend a "Roast and Toast" going away party for Commissioner Jeff Raft. The celebration will be held at the Goldie Crocker Wellness Center on the campus of NHTI in Concord on Thursday, June 26. Hors d'oeuvres begin at 4:30 p.m., program at 6:00 p.m. and dinner at 7:00 p.m. Please RSVP Mary Milliken at 271-2740. Hors d'oeuvres and program \$11 per person. Hors d'oeuvres, program and dinner \$26 per person.

Rep. William S. Belvin

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

Rep. Lou D'Allesandro

The Concord City Democrats will meet on Tuesday, July 1 at 7:00 p.m. in Room 101, LOB.

Rep. Miriam D. Dunn

The next meeting of the House Republican Alliance will be held at the Upham Walker House (Park Street across from the State House) on Wednesday, July 2 at 9:00 a.m. Refreshments will be served.

Rep. Paul M. Mirski

All legislators are invited to the Granite State Taxpayers BBQ to be held at the Hopkinton State Fair in Contoocook on August 9th. We are offering to elected officials, past and present, the opportunity to work the "Chow Line" and meet some of the states most active voters, members and friends of GST. Tickets are \$20 per person; children under 12 are free. For more information call Ed Naile at 464-0288 or Joan Fulton at 424-5487.

Rep. George D. Murch

The summer OWLs outing will be held on Tuesday, July 15 (with a rain or shine date of July 16) at the home of the Honorable Doris Riley in Laconia. All OWL members women and men of the House are cordially invited to attend. Don't forget your bathing suit, towel and your appetite. Please call for specific directions. Everyone attending will be asked to bring a food item from a specific list. We need a head count by July 7. Please respond ASAP for reservations and directions to the Honorable Gail Barry (625-8174) or Rep. Julie Brown (332-1084).

Rep. M. Virginia Burke

Legislators are invited to the 1997 "Becoming An Outdoors Woman" workshop, cosponsored by NH Department of Fish and Game and NH Wildlife Federation. It will be held on September 5-7 at Rockywold-Deephaven Camps in Holderness. Information and applications can be obtained by contacting NHWF at 224-5953. Space is limited and the deadline is August 1.

Rep. Susan J. Clay

The Department of Transportation will hold the following meetings:

June 25 - Plaistow Town Hall, 7:00 p.m. Combined public official/public informational meeting, Plaistow, construction of 5' sidewalk and 4' paved shoulder, adjacent to Route 121.

June 26 - Dover City Hall, 288 Central Avenue, Dover, 7:00 p.m. Combined public officials/public informational meeting, Dover, paved shoulders on both sides of Sixth Street and construction of a side-walk on the northerly side of Sixth Street.

June 26 - Troy Town Hall, 7:00 p.m. Advisory Task Force meeting to discuss bypass alternative 19 relative to transportation improvements to the NH Route 12 corridor through Troy.

July 1 - Pelham Town Hall, Pelham, 6:00 p.m. Board of Selectmen's meeting, Transportation. Enhancement project to restore the historic Abbott Bridge.

July 2 - NH Technical College, Rooms 149-150, 505 Amherst Street, Nashua, 7:00 p.m. Combined public officials/public informational meeting, Nashua-Amherst-Milford, widening NH Route 101A to improve capacity, provisions for sidewalks and signalization improvements.

July 7 - Town Office, Stoddard, 7:30 p.m. Public officials meeting, bridge replacement, Shedd Hill Road over Highland Lake Outlet.

July 9 - Keene Public Library, 60 Winter Street, Keene, 6:30 p.m. Citizens Advisory Task Force meeting, Keene-Swanzey, NH Route 9/10/12/101 corridor improvement.

July 22 - Berlin Technical College, Berlin, 6:30 p.m. Working group 5 meeting, Route 16 corridor study.

July 23 - Old Middleton Town Hall, Ridge Road and King's Highway Intersection, Middleton, 6:30 p.m. Working group 2 meeting, Route 16 corridor study.

July 24 - Silver Lake Landing, NH Route 113, Madison, 6:30 p.m. Working group 4 meeting, Route 16 corridor study.

July 29 - Econolodge, Route 16, Tamworth, 6:30 p.m. Working group 3 meeting, Route 16 corridor study.

July 31 - Roberge Center, Main Street, Rochester, 6:30 p.m. Working group 1 meeting, Route 16 corridor study.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

NOTICE

The 1997 hard-cover permanent House Journal soon will be sent for typesetting and printing. Orders have to be placed in the House Clerk's office by September 19. Distribution is expected to be in early January of 1998.

Upon request, House and Senate members, as well as heads of state agencies are each entitled to one copy at no cost.

Additional copies plus all copies for non-legislators or non-state agencies will cost approximately \$45 each, plus mailing costs if there are any. If you are a member of the general public or if you are ordering multiple copies, please DO NOT send your money now. You will be billed.

In recent years, printing costs have continued to rise. Once again, an effort is being made to cut waste. The number to be printed will be determined by the number of orders placed. Please do not order a journal if you have no intention of claiming it.

Please clip this form and return it in person or via mail to:

House Clerk's Office, Room 317 - State House, Concord, NH 03301

- *** PLEASE PRINT *** -

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I WISH TO ORDER _____ 1997 HOUSE PERMANENT JOURNAL(S)

SIGNED _____

Leo J. Callahan

House Assistant Clerk