

State of New Hampshire HOUSE RECORD

Second Year of the 155th Session of the General Court Calendar and Journal of the 1998 Session

Vol. 20 Concord N.H. Thursday, April 9, 1998 No. 32

Contains: Hearings, Notices and Work Sessions, Reports and Amendments for April 9

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

Today the House celebrates Tartan Day and welcomes the performing Scottish Pipers and Highland Dancers.

Also, the House recognizes the members of the 1998 Mathcounts State Team. These high school students from all areas of the state have demonstrated excellence in mathematics. Congratulations!

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Thursday, April 9 at 9:15 a.m. in Representatives Hall.

Rep. Robert L. Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, April 9 at 9:15 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

Parliamentary Points to Ponder

A majority of the members of the house of representatives shall be a quorum for doing business: But when less than two-thirds of the representatives elected shall be present, the assent of two-thirds of those members shall be necessary to render their acts valid.

New Hampshire Constitution

Part 2 Article 20

Our current membership is 398, with 200 constituting a quorum. When fewer than 266 members are present, however, this constitutional provision triggers the two-thirds requirement to pass or kill a bill or to take any action. In the past when attendance was low because of weather conditions, the House special ordered anything controversial and adopted only those committee reports that enjoyed overwhelming support.

Donna Sytek, Speaker

NOTICE

Legislative Forum

House Continuing Education

TOPIC: Telemarketing Fraud

PRESENTER: Spencer S. Richdale, Assistant Secretary of State

DATE: Thursday, April 9

TIME: Noon or during Session lunch break.

PLACE: Room 100, State House

All members are encouraged to attend this important presentation on how con artists scam the U.S. public out of 40 billion dollars annually by telemarketing fraud.

Rep. Godfrey Howard

Legislative Continuing Education Coordinator

NOTICE

LEGISLATIVE ETHICS COMMITTEE

AVAILABILITY OF NEW FINANCIAL DISCLOSURE FORM

Copies of the revised "Financial Disclosure Form" are available at the House Clerk's Office. For the 1998 session, members may use the form as an addendum to the disclosure form already filed.

Representative Jeb E. Bradley, Chairman

THURSDAY, APRIL 9

CONSENT CALENDAR

JUDICIARY AND FAMILY LAW

SB 315, relative to divorce proceedings. OUGHT TO PASS

Rep. Sandra B. Keans for Judiciary and Family Law: This bill would allow a judge to restore a former name of the person

getting a divorce. Right now the judge can only change the individual's name back to the last held name, precluding a maiden name. Also, in uncontested cases, where the stipulations have been agreed to, the individuals need not appear in court. Vote 15-0.

SB 348, relative to property left behind by tenants. INEXPEDIENT TO LEGISLATE

Rep. Marjorie K. Smith for Judiciary and Family Law: This bill is identical to HB 802 which earlier passed the House and has passed the Senate as of 3-19-98. Therefore this bill is redundant. Vote 15-0.

SB 350, relative to probate court procedures. OUGHT TO PASS WITH AMENDMENT

Rep. Sandra B. Keans for Judiciary and Family Law: This is one of five bills that have been proposed by a study committee that met last year. The broad composition of the committee had as its mission the cleaning up of the probate statutes and making the court more "user friendly." Vote 17-0.

SB 419, raising the minimum age for marriage. INEXPEDIENT TO LEGISLATE

Rep. Paul M. Mirski for Judiciary and Family Law: The lack of support on the part of either the sponsor, or on the part of the public, for raising the minimum age of marriage persuaded the committee that a change in the law was unnecessary. Vote 12-4.

LEGISLATIVE ADMINISTRATION

SB 366, establishing a study committee to examine the purging of archaic laws.. INEXPEDIENT TO LEGISLATE

Rep. Donnalee Lozeau for Legislative Administration: This bill established a legislative study committee to study the purging of archaic laws. The committee believes that legislative staff may best be suited to look at this issue and provide information relative to those laws that may be considered archaic. As we have changed the laws over the years, we have addressed those that have been included in provisions that we have altered. Just as with gender neutral provisions, we continue to update our statutes. Vote 11-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1665-FN-L, relative to the Manchester airport authority security force. INEXPEDIENT TO LEGISLATE

Rep. Joseph E. Stone for Municipal and County Government: The majority of the testimony heard by the Municipal & County Government Committee was against the need of this bill. Only the sponsors were in favor. Maybe, sometime in the future, either the Manchester Aldermen, members of the Manchester Airport Authority or someone else may feel a change is needed in providing the security of the airport. However, the feeling of this committee is there is no need to make a change at this time based on the vote of 15-1. Vote 15-1.

SB 327-L, allowing local political subdivisions to adopt biennial budgets. OUGHT TO PASS

Rep. Marilyn A. Fraser for Municipal and County Government: This bill allows local political subdivisions to adopt biennial budgets. This bill is a result of the committee studying SB 152, (1997, 98). The biennial budget will consist of two distinct 12-month fiscal years. The governing body may allow for the carry over of funds from the first fiscal year of the biennium to the second. Numerous groups spoke in favor of this bill, those groups being the Department of Revenue Administration, Finance Directors from the Cities of Concord and Manchester, board counsels, NHMA and mayors. Vote 16-0.

SB 338, relative to special meetings. OUGHT TO PASS

Rep. Robert A. Lockwood for Municipal and County Government: This bill requires that when the selectmen of a town or the school board of a school district votes to petition the Superior Court for permission to hold a special meeting, they post notices of the vote within 24 hours after the vote and within 10 days before the filing the petition. This bill also requires that the Selectmen or the school board post notice of the date of the evidentiary hearing on the receipt of notice of the date from the court. Vote 15-1.

SCIENCE, TECHNOLOGY AND ENERGY

SB 390, relative to the application of the law governing foreign business entities to a merger or other reorganization of a gas utility. **OUGHT TO PASS WITH AMENDMENT**

Rep. Jeb E. Bradley for Science, Technology and Energy: This bill as amended provides a limited exemption to a long standing statute restricting mergers between in-state and out-of-state public utilities. The exemption in this bill will allow a merger between Northern Utilities (a gas utility) and Bay State Gas in Massachusetts. The committee was sympathetic to arguments that a more general exemption to merger restrictions would be appropriate, but not all parties agreed with that course. Due to the fact there was no opposition to this merger, and as such it should proceed, the limited exemption is the appropriate action at this time. The merger still requires Public Utilities Commission approval and rate-making oversight is retained. The PUC had no objection to the bill. Vote 14-1.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

SCR 6, urging Congress to establish a centralized registry for security interests in intellectual property to be located in New Hampshire **OUGHT TO PASS**

Rep. Robert J. Letourneau for State-Federal Relations and Veterans Affairs: This bill urges the Congress of the United States to establish a centralized registry for security interest in intellectual property in the State of NH. Should Congress establish such a registry, NH businesses, software developers, investors and entrepreneurs would benefit. Our own Franklin Pierce Law Center is ranked the number one law school for intellectual property by US News and World Report. It would make sense that a registry would be located here in New Hampshire. Vote 13-0.

TRANSPORTATION

SB 386, relative to eligibility for antique motor vehicle plates. **INEXPEDIENT TO LEGISLATE**

Rep. George N. Katsakories for Transportation: This bill would allow those who have antique motor vehicle plates to display a registration plate which was issued in the same year in which the antique motor vehicle was manufactured. The House has already passed a bill this session that has more comprehensive language. The committee felt that this bill would only duplicate this effort. Vote 15-0.

SB 408-FN, requiring the department of safety to perform a background check to determine if an applicant for a motor vehicle registration is in default or has a warrant issued against the applicant. **INEXPEDIENT TO LEGISLATE**

Rep. Robert J. Letourneau for Transportation: This bill, while well intended, is vaguely written and is open to interpretation. Testimony revealed that the Department of Safety ran a pilot program that indicated that the process described in this bill would not produce results that were fiscally sound. The resources needed to comply could be used more efficiently in other areas. Additionally, we learned that law enforcement is beginning to use laptop computers in their cruisers, which will aid in discovering outstanding warrants. The courts are finalizing a system to use credit cards to help alleviate court defaults. Also, SB 440, which is currently in the legislative process, deals with civil bench warrants and civil fines, and this bill has the support of the Department of Safety, and the Senate will deal with this problem using resources efficiently and effectively. Vote 15-0.

THURSDAY, APRIL 9

REGULAR CALENDAR

PUBLIC WORKS AND HIGHWAYS

HB 1000 FN-L, relative to a 10-year transportation plan and authorizing construction on the Spaulding Turnpike. **OUGHT TO PASS WITH AMENDMENT**

Rep. Gene G. Chandler for Public Works and Highways: This bill represents the latest version of the state's 10-year transportation improvement program and contains listings for the major federally assisted projects and turnpike expansion projects. The "blue book" entitled State of New Hampshire Ten Year Transportation Improvement Program 1999-2008 represents an alphabetical listing of the total 10-year plan. The first few pages of the book detail how the 10-year plan is molded and how we end up with the final product. The committee did not hear any testimony justifying any change in priorities to the

plan as presented, but a strong case was made to move the Manchester to Salem I-93 widening project up in the plan. However, testimony from the Department of Transportation showed a commitment to move this project along as fast as possible, but the design and environmental approval procedures are the limiting factors in how fast the widening project can occur. The I-93 process will commence very soon with a request to the Executive Council for a \$1.7 million contract for a draft environmental impact statement. One part of the amendment to the bill allows the Department of Transportation Turnpike division to use \$311,600 from turnpike surplus for radio system upgrades for the turnpike division as part of the department's overall radio system upgrade. The second part of the amendment takes into account what may be extra federal funds coming to the state over the next few years, and the committee's intent to make sure that should extra funds become available, projects in the 10-year plan would be stepped up in order of their present priorities and the whole plan would be accelerated. Vote 15-0.

SUSPENSION OF RULES REQUIRED

SB 339-L, relative to the bidding for design and construction of a new medium security prison in the city of Berlin and to the closure of the lakes region facility and making appropriations therefor. **OUGHT TO PASS WITH AMENDMENT**

Rep. Katherine D. Rogers for Public Works and Highways: This bill, as amended, is identical to HB 1100 as previously passed by the House. It will provide for the construction of a 500 bed prison facility in Berlin, remove the population cap and closing date for the Lakes Region Department of Corrections facility, authorize the Department of Corrections to establish two additional halfway houses, and appoint ten additional probation and parole officers. Vote 20-1.

SB 342, relative to capital appropriations for the Glencliff home for the elderly. **OUGHT TO PASS WITH AMENDMENT**

Rep. Paul I. LaMott for Public Works and Highways: The last capital budget appropriated funds for a new building at the Glencliff Home for the Elderly, but, unfortunately, the low bid for the project was higher than the appropriation. This bill transfers \$490,000 from other Health & Human Services capital appropriations to allow the completion of this much needed facility at Glencliff. The transfer comes from three projects, \$200,000 from the M & S and Thayer buildings at the NH Hospital, \$200,000 for porch renovations at Glencliff, and \$90,000 for flooring replacement also at Glencliff. The porch renovations and flooring replacement projects still need to be done at some future date, and undoubtedly will appear as requested items in the next capital budget. There are no immediate plans or needs to do the work at the M & S and Thayer buildings. The committee amendment requires that any state agency that wishes to lease any land, buildings or space for a period longer than five years shall be reviewed and approved by the Long Range Capital Planning and Utilization Committee prior to submission to the Executive Council, thus giving the legislative branch some input into long term leases utilized by state agencies. Vote 16-0.

HOUSE BILLS AMENDED BY THE SENATE

HB 177, increasing the wild bear license and tag fee. (SJ 8)

HB 385, relative to reporting and registration requirements for lobbyists and employees of lobbyists.(SJ 3)

HB 517, relative to aggravated felonious sexual assault. (House Concurred 3/5/98)

HB 544, relative to dwellings which extend over public waters. (House Concurred 3/19/98)

HB 1119, relative to the town line between the towns of Groton and Plymouth, New Hampshire. (House Concurred 3/5/98)

HB 1430, relative to political expenditure limitation amounts. (SJ 8)

HCR 21, encouraging the designation of the Connecticut River as an American Heritage River. (House Concurred 3/19/98)

LAI D ON TABLE

HB 643-FN, establishing an industry average performance system for air pollution control and establishing certain pollution control funds. (Pending question is the adoption of the committee amendment.)

HB 1520-FN, relative to primary petitions, political expenditures, and the jurisdiction of the ballot law commission. (Pending question is the adoption of the committee amendment.)

HB 1577-FN-A, relative to campaign finance expenditure and contribution reform. (Pending question is the adoption of the committee report.)

COMMITTEE HEARINGS

THURSDAY, APRIL 9

EDUCATION, Room 207, LOB

9:00 a.m. Full committee work session on ***HB 1660-FN-LOCAL***, relative to defining educational adequacy within the public school system.

FRIDAY, APRIL 10

EDUCATION, Room 207, LOB

9:00 a.m. Full committee work session on ***HB 1660-FN-LOCAL***, relative to defining educational adequacy within the public school system.

MONDAY, APRIL 13

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), Room 103, State House

9:00 a.m. Regular meeting.

FINANCE - (DIVISION II), ROOM 209, LOB

WORK SESSION ON THE FOLLOWING BILLS:

10:00 a.m. ***CACR 44***, clarifying the phrase "proportional and reasonable" in the constitution. Providing that to the extent local property taxes are used to fund an adequate education, tax rates among different local taxing districts shall be proportional and reasonable if, utilizing real property valuations equalized throughout the state, the lowest tax rate utilized by any one local taxing district is not less than 50 percent of the highest tax rate utilized by any other local taxing district.

CACR 46, relating to the right of each educable child to an adequate education, and the proportionality and reasonableness of local taxes for education. Providing that the right of every child to an adequate education shall be enforced by appropriate legislation, that the state may delegate to its political subdivisions the duty to provide an adequate education, and that a tax imposed to implement such a delegated duty shall be proportional and reasonable.

CACR 47, relating to use of personal income taxes. Providing that the general court shall use net revenues from personal income taxes exclusively for educational purposes.

CACR 48, relating to restricting any statewide property tax to education funding. Providing that all revenues resulting from a statewide property tax shall be used exclusively for elementary and secondary education.

HEALTH AND HUMAN SERVICES OVERSIGHT (RSA 126-A:13), Room 205, LOB

9:30 a.m. Regular meeting.

HISTORICAL COMMITTEE (RSA 17-I), Room 105, State House

10:00 a.m. Regular meeting.

**MOUNT SUNAPEE AND CANNON MOUNTAIN PROPOSALS STUDY (HB 628, Chapter 119, Laws of 1997),
Conference Room, DRED Headquarters**

1:00 p.m. Subcommittee meeting to consider the proposals for leasing Cannon and Sunapee Mountain.

The subcommittee will meet in non-public session pursuant to RSA 91-A:3,II(d).

PERINATAL ALCOHOL TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19), Room 101, LOB

9:00 a.m. Regular meeting.

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Regular meeting.

TUESDAY, APRIL 14

COMMERCE, Room 302, LOB

10:00 a.m. Subcommittee work session on ***SB 308***, relative to the board of directors of Delta Dental Plan of New Hampshire, Inc.

1:15 p.m. Subcommittee work session on health insurance for individuals.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Rescheduled presentation by the Department of Revenue Administration and the Municipal Association on taxation of sand and gravel.

1:00 p.m. Full committee work session on comparative risk.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

1:00 p.m. Subcommittee work session on ***SB 191***, relative to mental health providers.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:30 a.m. Subcommittee work session on ***SB 457-FN***, relative to the eligibility of employment program participants for workers' compensation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

11:30 a.m. Ewscheduled subcommittee work sessionon excavation of bedrock.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

11:15 a.m. Subcommittee work session on ***SB 365***, relative to including the upper and lower Merrimack Rivers, the Lamprey River, the Swift River, and the mainstream and north branch of the Contoocook River under the shoreland protection act and deleting the deadline for local approval of the designation of the Exeter River as a rural river.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on ***SB 140***, relative to the obligations of joint owners to the nuclear decommissioning finance fund and ***SB 341***, relative to the decommissioning finance committee.

WEDNESDAY, APRIL 15

COMMERCE, Room 302, LOB

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on ***SB 140***, relative to the obligations of joint owners to the nuclear decommissioning finance fund and ***SB 341***, relative to the decommissioning finance committee.

Executive session on pending legislation to follow, if necessary.

THURSDAY, APRIL 16

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

8:30 a.m. Public hearing on a request for an advisory opinion concerning the participation of legislators and staff in certain fundraising or commercial activities on state property.

Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Superior Court, Jury Assembly Room, Keene

7:00 p.m. Public forum on New Hampshire labor laws.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on ***SB 140***, relative to the obligations of joint owners to the nuclear decommissioning finance fund and ***SB 341***, relative to the decommissioning finance committee.

Executive session on pending legislation to follow, if necessary.

FRIDAY, APRIL 17

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

9:00 a.m. Regular meeting.

MONDAY, APRIL 20

ENVIRONMENT AND AGRICULTURE, LOB Lobby

7:30 a.m. Trip to UNH. Meet at the lobby in the LOB. Van available.

TUESDAY, APRIL 21

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. County committee study work session.

FRIDAY, APRIL 24

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

9:00 a.m. Regular meeting.

MONDAY, APRIL 27

JUDICIAL COUNCIL (RSA 494), Room 208, LOB

3:00 p.m. Rescheduled regular meeting.

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

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

FRIDAY, MAY 1

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), Room 103, State House

1:30 p.m. Regular meeting.

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

10:00 a.m. Regular meeting.

MONDAY, MAY 11

PERINATAL ALCOHOL TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19), Room 101, LOB

9:00 a.m. Regular meeting.

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2), Director's Conference Room, Fish and Game Department, 2 Hazen Drive, Concord

10:00 a.m. Regular meeting.

WEDNESDAY, MAY 13

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Concord Hospital, Conrad Conference Center, Concord

5:30 p.m. Public forum on New Hampshire labor laws.

FRIDAY, MAY 15

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

9:00 a.m. Regular meeting.

WEDNESDAY, MAY 27

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, City Hall, Laconia

7:00 p.m. Public forum on New Hampshire labor laws.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee will meet on Friday, April 24 at 9:30 a.m. at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood.

Rep. Sherman A. Packard, Chairman

Rockingham County Executive Committee

COUNTY DELEGATION NOTICE

Strafford County Delegation will meet Thursday, April 23 during session lunch break in Room 305, LOB to vote to ratify the employee agreement and hear a presentation by Art Nickless, Strafford County representative to the PDA.

Rep. Deborah F. Merritt, Chairman

Strafford County Delegation

On House session days and committee days Representatives who do not have reserved LOB or reserved street parking please park in the Storrs Street Parking Garage.

Rob Johnson, Sergeant-at-Arms

Legislators are entitled to receive soft-bound copies of the session laws. The 1997 Session Laws are ready for printing and we need to know how many copies to order. If you would like a copy of the 1997 Session Laws, please notify the Office of Legislative Services, Room 109, State House by April 10.

Richard E. Amidon, Director of Legislative Services

Legislative Health Screening. Mark your Calendar! Friday, April 24th, 9:00 a.m. to 1:00 p.m.

All legislators and staff are invited to the legislative health screening. The Office of Health Management, Bureau of Health Promotion are coordinating this event. The screening will include **new** stations: spinal health, PSA blood test for prostate cancer, massage therapy, bone density test for osteoporosis, as well as medical nutrition therapy, blood pressure, and dental exam. Tests for diabetes, cholesterol, glaucoma, and oxygen levels will be available. Be sure to see the educational materials on breast and cervical cancer, tobacco prevention, and elderly and adult services in NH. You may choose one or all of the stations. It will be held in Rooms 301-303, 302-304, LOB.

Lois P. Spearman, RN,C

Pursuant to RSA 326-B:12, the Joint Health Council will meet at the NH Board of Nursing, Room 17, 78 Regional Drive, Building 2, Concord, on Monday, May 4 at 6:30 p.m.

Karen O. Wadsworth, Clerk of the House

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 111, 177, 204, 256, 443, 467, 485, 552, 559, 565, 579, 587, 605, 606, 651, 670, 676, 686, 697, 707, 717, 730, 734, 736, 747, 749, 753, 774, 784, 1000, 1011, 1100, 1115, 1121, 1141, 1193, 1211, 1224, 1259, 1280, 1284, 1291, 1298, 1303, 1328, 1330, 1331, 1336, 1337, 1338, 1350, 1354, 1377, 1384, 1387, 1396, 1399, 1400, 1456, 1473, 1490, 1513, 1517, 1541, 1543, 1545, 1555, 1573, 1579, 1582, 1588, 1593, 1594, 1598, 1599, 1600, 1601, 1602, 1603, 1617, 1636, 1639, 1644, 1660, 1662, 1664, 1668, 1671, 1673, 1674, 1676, HJR 24 and SB 485.

Leo J. Callahan, Assistant Clerk

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

Robert W. Foster, PO Box 602, Moultonborough, New Hampshire 03254-0602

Leo P. Pepino, 73 Walnut Street, Manchester, New Hampshire 03104-4848

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.

I would like to remind members that you may have your paychecks deposited directly into your bank account. The Direct Deposit program is convenient for you and saves the State considerable money as well. You will continue to receive a mock check with your attendance dates listed for your record keeping. Please see Carol Dunning in the Speaker's Office for details.

Donna Sytek, Speaker

The State of New Hampshire will be celebrating New Hampshire Tartan Day the week of April 6. The House will be celebrating on Thursday, April 9 with pipers and dancers from different parts of the State. All legislators are asked to wear their tartan. If you don't have a family tartan, you can wear the New Hampshire Tartan. Ties and scarves are available from the gift shop in the State House lobby.

Rep. Stephen G. Avery

SPACE (Statewide Program of Action to Conserve Our Environment) is celebrating the 25th anniversary of current use

legislation and invites all legislators to the NH Historical Society on Thursday, April 9 at noon. A delicious buffet lunch will be served. Former Governor Walter Peterson will be there as well as several legislators who were instrumental in the passage of this legislation. We look forward to welcoming you at noon on April 9. For further information please call SPACE Office at 224-3306.

Reps. Katherine H. Metzger, George T. Musler and H. Charles Royce

There will be a forum on ***HB 1674-FN-A-LOCAL***, establishing a proportional statewide property tax to provide equal per student funding for state-mandated education and funding for kindergarten and making an appropriation therefor and ***CACR 48***, relating to restricting any statewide property tax to education funding. Providing that all revenues resulting from a statewide property tax shall be used exclusively for elementary and secondary education, at noon on Thursday, April 9th in rooms 201-203, LOB. Details of these two proposals will be presented by Reps. Sapareto and Allen. All legislators and members of the public are encouraged to attend.

Rep. Frank V. Sapareto

The Manchester Delegation will meet in the State House Cafeteria on Thursday, April 9 at 8:45 a.m.

Rep. Lou D'Allesandro

Three April Open Houses will be open to the public in different locations throughout the Route 16 Corridor:

April 9 - Newington, Newington Town Hall, 205 Nimble Hill Road from 3:00 to 8:00 p.m.

April 15 - Berlin, N. Forest Heritage Park's Brown Co. House Museum, 961 Main Street from 3:30 to 9:30 p.m.

Refreshments will be available throughout the day.

Reps. Lawrence J. Guay and Gene G. Chandler

Belknap County Republican Committee will meet on April 14 at 7:00 p.m. at Zacks Lakeside Restaurant on Route 3 in Tilton.

Rep. John Thomas

The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) at 9:00 a.m. on Wednesday, April 15th. Refreshments will be served.

Rep. Robert K. Boyce

The Legislative Caucus for Young Children is pleased to share with you information concerning a series of events sponsored by Success By 6, an initiative of the twelve local United Ways of New Hampshire:

1. Success By 6 invites all legislators to a breakfast at 8:15 a.m., April 16 at the Holiday Inn. You can enjoy a pleasant breakfast while hearing the latest news from those working on behalf of young children in New Hampshire. RSVP to Carol Crocker, 224-2595 by April 10.
2. The Ralph Waldo Emerson School for Preschoolers, in conjunction with Success By 6 and the NH Association for the Education of Young Children, will be holding a Children's Parade at 10:00 a.m. on April 16. This will be a kick-off event for the National Week of the Young Child, April 19-25. Over 800 children and adults participated last year. We hope you will join us on April 16.
3. For your convenience during the Week of the Young Child, Success By 6 will be in the basement of the Legislative Office Building on April 21, 22 and 23 to provide you with information about the early years of life. Success By 6 will bring together representatives from agencies around the state and there will be an opportunity to schedule a visit to a child care site on the first of June, in celebration of the National Stand for Children's Day.

Reps. Julie M. Brown, Iris W. Estabrook, Mary Stuart Gile and James P. Pilliod

Reps. Barbara Richardson and Katherine Metzger are hosting a forum on the Claremont II decision on April 17 at 7:00 p.m. at the Fitzwilliam Town Hall. Everyone is welcome. We encourage delegations from the surrounding towns to attend.

Reps. Barbara H. Richardson and Katherine H. Metzger

The Department of Transportation will hold the following meetings:

April 9 - Newington Town Hall, Newington, 3:00 p.m. Open house, Route 16 corridor study.

April 14 - Claremont Middle School Gymnasium, 107 South Street, Claremont, 7:00 p.m. Public hearing, Claremont, Washington Street widening and improvements.

April 15 - Northern Forest Heritage Park, Berlin, 3:00 p.m. Open house, Route 16 corridor study.

April 20 - Town Office, Selectmen's Chambers, 50 Nashua Road, Londonderry, 7:30 p.m. Public officials meeting, Londonderry, NH 28 construction to extend Liberty Drive.

April 28 - City Hall Council Chambers Meeting Room, 51 North Park Street, Lebanon, 7:00 p.m. Public informational meeting, Lebanon, I-89 NB & SB over Connecticut River, bridge rehabilitation.

May 4 - Piermont School, 7:00 p.m. Public informational/officials meeting, Piermont, NH Route 10 over Bean Brook bridge replacement.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of school groups visiting the State House in April 1998. These listings will replace individual notifications in an effort to reduce paper usage and

to ensure all members will be notified in a timely manner. Please contact the Visitors' Center for further information. Thank you for your continued participation with our School Visitation Program.

Kenneth Leidner, Director

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>CLASS/Size</i>
4/10	10:00 & 11:15	Bethlehem Elementary	4 / 38
4/10	1:00	Henniker Elementary	4 / 18
4/13	10:00	East Kingston Elementary	4 / 25
4/13	11:00 & 12:15	Linwood Elementary - Lincoln	4 / 36
4/14	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/14	12:30	Warren Elementary	6 / 14
4/15	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/15	12:30	Chester Elementary	4 / 50
4/16	10:00 & 11:15	Reeds Ferry - Merrimack	4 / 50
4/16	12:30	Lafayette Regional - Franconia	4 / 22
4/17	9:30 & 11:00	Jaffrey Grade School	4 / 75
4/17	10:30	Surry School	1 to 6 / 52
4/20	9:00 & 10:00	Barnstead Elementary	4 / 60
4/20	11:00 & 1:00	Bedford Memorial School	4 / 80
4/21	10:30 & 11:30	Danville Elementary	4 / 60
4/21	12:30	MT Vernon Village School	4 / 43
4/22	10:00 & 11:00	East Rochester School	4 / 60
4/22	2:00	Laconia Senior Center	18 adults
4/23	9:30;10:30 & 11:30	Interlakes Elementary - Meredith	4 / 75
4/24	10:00 & 11:30	New Searles Elementary - Nashua	4 / 75
4/27	10:00	Dondero Elementary - Portsmouth	4 / 43
4/27	11:00 & 12:00	Little Harbor School - Portsmouth	4 / 80
4/28	10:00 & 11:15	Symonds School - Keene	4 / 60
4/28	12:30	Trinity Home School - Bow	3-6 / 20
4/29	10:00	Salisbury Elementary	4 / 12

4/29	12:30	Bluff Elementary - Claremont	4 / 45
4/30	9:30	Seminary Hill - West Lebanon	4 / 40
4/30	11:00	Cornish Elementary	4 / 15
4/30	11:00	Den 1 Pack 610 - Pelham	4 / 5

THURSDAY, APRIL 9

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

1998-1253h

Amendment to HB 1000-FN-LOCAL

Proposed by the Committee on Public Works and Highways - R

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

AN ACT relative to a 10-year transportation plan, authorizing construction on the Spaulding Turnpike, and relative to the radio system upgrade for the department of transportation.

Amend RSA 240:1 as inserted by section 1 of the bill by replacing it with the following:

240:1 Legislative Intent. This plan is predicated on the report submitted to the legislature by the governor dated December, 1997 and is intended to serve as the guideline for transportation projects in the state for the next decade. In the event the 1998 Session of Congress authorizes and appropriates to the state of New Hampshire an amount of federal highway funding in excess of the \$90,000,000 assumed in drafting this plan, the implementation of this plan shall be expedited accordingly reflecting the priorities and sequencing identified in this plan.

Amend the bill by replacing all after section 3 with the following:

4 Funding; Radio System Upgrade. 1995, 309:4, I, A as amended by 1997,349 is repealed and reenacted to read as follows:

Radio system upgrade - statewide \$3,036,600

Less turnpike funds (Fund 017 Retained Earnings) \$ 311,600

Net State Appropriation Subparagraph A \$2,725,000

5 Effective Date.

I. Section 4 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill updates the 10-year transportation plan to maintain the highways and bridges in the state.

The bill authorizes certain construction on the Spaulding Turnpike.

The bill also increases the sum detailed for statewide radio system upgrade for the department of transportation.

1998-1341h

Corrected Floor Amendment to HB 1520-FN
Proposed by the Committee on Election Law

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

1 Elections; Nominations by Primary; Filing Fees; Filing of Petitions Deleted. Amend RSA655:19, I to read as follows:

I. At the time of filing declarations of candidacy, each candidate for the following offices shall pay to the official with whom the declarations are filed the following filing fees~~[-and shall file with the appropriate official the requisite number of primary petitions as provided in RSA 655:20 and 655:22 , unless the candidate agrees to limit his expenditures in accordance with RSA 664:5-a]~~. At the time of filing declarations of intent, each candidate for the following offices shall pay to the secretary of state the following filing fees, and the following filing fees shall be paid in addition to the requisite number of nomination papers which must be submitted and filed. The filing fee paid under this section shall be in addition to the administrative assessment paid under RSA 655:19-c. The filing fees shall be as follows:

- (a) For governor, United States senator, and representative to Congress, \$5,000.
- (b) For executive councilor, \$500.
- (c) For county officer, \$100.
- (d) For state senator, \$100.
- (e) For state representative, \$25.

2 Elections; Nominations by Primary; Waiver of Filing Fee and Primary Petitions; Petitions Deleted. Amend RSA 655:19-b to read as follows:

655:19-b Waiver of Filing Fee ~~[and Primary Petitions]~~.

I. A candidate for any of the offices enumerated in RSA 655:19 who, pursuant to RSA664:5-a, voluntarily accepts the expenditure limitation set forth in RSA 664:5-b shall have the filing fee under RSA 655:19 either waived or refunded~~[-and shall have the requirement for filing petitions under RSA 655:20 waived]~~, as provided in paragraph II.

II. If a candidate files the affidavit as specified in RSA 664:5-a at the time he *or she* files the declaration of candidacy or declaration of intent, the filing fee required under RSA 655:19 ~~[and the petitions required to be filed under RSA 655:20]~~ shall be waived. If such affidavit is filed within 3 days following the filing of the declaration of candidacy, the appropriate officer shall refund the filing fee paid by the candidate as soon as practicable.

3 Elections; Nominations by Primary; Administrative Assessment, Primary Petitions and Nomination Papers; Reference Deleted. Amend RSA 655:19-c, I to read as follows:

I. Candidates for governor, United States senator, representative to Congress, executive councilor, state senator, county officer, and state representative who file declarations of candidacy shall pay the administrative assessment in paragraph I or file primary petitions as provided in paragraph III in addition to the filing fee ~~[and primary petition]~~ requirements of RSA 655:19 ~~[and 655:20]~~. Candidates for governor, United States senator, representative to Congress, executive councilor, state senator, county officer, and state representative who file declarations of intent shall pay the administrative assessment in paragraph I in addition to the filing fee required by RSA655:19 and shall meet the requirements of RSA 655:40-45 for nomination by nomination papers. Neither the administrative assessment which is paid nor the primary petitions which are filed under this section, nor the nomination papers which must be submitted under RSA 655:41 and filed under RSA 655:43, shall be waived or refunded for a candidate for any of the offices listed in this section who, pursuant to RSA 664:5-a, voluntarily accepts the expenditure limitation set forth in RSA 664:5-b. At the time of filing declarations of candidacy or declarations of intent, the administrative assessment shall be as follows:

- (a) For governor and United States senator, \$100.
- (b) For representative to Congress, \$50.
- (c) For executive councilor, \$25.

- (d) For state senator, \$10.
- (e) For county officer, \$10.
- (f) For state representative, \$2.

4 Primary Petition Form Modified. Amend RSA 655:21 to read as follows:

655:21 Form. Primary petitions shall be made in the following form:

State of New Hampshire
County of....., ss.
City (Town) of

I do hereby join in a petition for the printing on the primary ballot of the name of whose domicile is in the city (town) of (ward, street and number, if in a city), in the county of, for the office of to be voted for on Tuesday, the day of September, 19....., and certify that I am qualified to vote for a candidate for said office, that I am a registered member of the party, and am not at this time a signer of any other similar petition for any other candidate for the above office; that my domicile is in the city (town) of (ward, street and number, if in a city), in the county of I certify that to my knowledge the above-named candidate is not a candidate for incompatible offices as defined in RSA655:10, and that he *or she* is not a federal employee which makes him *or her* ineligible to file as a candidate for this office. I further certify that I believe the above-named person is especially qualified to fill said office.

I hereby swear, under penalty of perjury, that the information above is true and correct to the best of my knowledge and belief.

.....

Print Voter's name

.....

Voter's Signature

[State of New Hampshire

County of, ss:

City (town) of, 19.....

The above-named, ..., personally known to me, appeared and made oath that the above petition, by him subscribed, is true.

Before me,

.....

Justice of the Peace or Notary Public]

5 Elections; Nominations by Primary; Number of Petitions; Nonacceptance of Expenditure Limitations Reference Deleted. Amend RSA 655:22 to read as follows:

655:22 Number of Petitions. The number of primary petitions to be filed for each office under RSA 655:20 shall be as follows: for governor and United States senator, 2,000; for representative in Congress, 1,000; for executive councilor, 500; for county officer, 100; for state senator, 100; for state representative, 10. Candidates for delegate to the state convention shall not be required to submit any primary petitions. [The provisions of this section shall apply to candidates who do not, pursuant to RSA 664:5-a, voluntarily accept the expenditure limitations set forth in RSA 664:5-b.] Primary petitions filed under this section shall be in addition to the number of petitions filed under RSA 655:19-c.

6 New Section; Order of Primary Petitions. Amend RSA 655 by inserting after section 22 the following new section:

655:22-a Order of Petitions. Petitions to be filed shall be ordered alphabetically by municipality in which the voter is domiciled. Petitions shall be further ordered by surname of voter for any municipality represented by more than one petition.

7 Elections; Political Expenditures and Contributions; Definitions; Candidate. RSA 664:2, II is repealed and reenacted to read as follows:

II. "Candidate" means any person publicly declared as such and for whom votes are sought in an election. For the purposes of this chapter, a person shall be deemed to be a candidate:

(a) Upon filing for candidacy during the filing period set forth in RSA 652:21;

(b) If the person has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000, for the purpose of exploring the person's candidacy for political office; or

(c) If the person has given his or her consent to another person or political committee to receive contributions or make expenditures on behalf of the person for the purpose of exploring the person's candidacy for political office and the other person has received such contributions aggregating in excess of \$5,000 or has made such expenditures aggregating in excess of \$5,000, whichever occurs first.

8 Elections; Political Expenditures and Contributions; Definitions; Independent Expenditures. Amend RSA 664:2, XI to read as follows:

XI. "Independent expenditures" means expenditures by a person, political committee, or other entity ~~[expressly]~~ advocating the election or defeat of a clearly identified candidate which are **not** made ~~[without cooperation or consultation]~~ **in conjunction or in coordination** with any candidate, or any authorized committee or agent of such candidate, and which are not made in ~~[concert]~~ **coordination** with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate. As used in this paragraph, "clearly identified" means that the name of the candidate involved appears; a photograph or drawing of the candidate appears; or the identity of the candidate is apparent by unambiguous reference.

9 New Paragraph; Elections; Political Expenditures and Contributions; Definitions; Coordinated Expenditure. Amend RSA 664:2 by inserting after paragraph XVI the following new paragraph:

XVII. "Coordinated expenditure" means an expenditure by a political party, a political committee of a political party, or other entity, on behalf of a candidate or candidate's committee in a state primary or general election with the consent of the candidate. Any expenditure that is not an independent expenditure or direct expenditure shall be considered to be a coordinated expenditure.

10 Political Expenditure Limitation Amounts. Amend RSA 664:5-b to read as follows:

664:5-b Political Expenditure Limitation Amounts. Total expenditures by a candidate who voluntarily agrees to limit campaign expenditures as provided in RSA 664:5-a shall be as follows:

I. For governor:

(a) ~~[\$500,000]~~ **\$625,000** in a state primary election.

(b) ~~[\$500,000]~~ **\$625,000** in a state general election.

I-a. For United States senator:

(a) ~~[\$500,000]~~ **\$625,000** in a state primary election.

(b) ~~[\$500,000]~~ **\$625,000** in a state general election.

II. For representative to Congress:

(a) ~~[\$250,000]~~ **\$350,000** in a state primary election.

(b) ~~[\$250,000]~~ **\$350,000** in a state general election.

III. For executive council:

(a) \$50,000 in a state primary election.

(b) \$50,000 in a state general election.

IV. For state senate:

(a) \$20,000 in a state primary election.

(b) \$20,000 in a state general election.

V. For representative to the general court and all county offices, based upon the latest figures filed with the secretary of state:

(a) \$.50 per registered voter in the district or the county in a state primary election.

(b) \$.50 per registered voter in the district or the county in a state general election.

VI. For the purposes of this section, RSA 664:5-a and the enforcement provisions of this chapter, "total expenditures" shall mean the sum of all expenditures made to influence either a state primary or a state general election made by a candidate and those made on ~~his~~ **the candidate's** behalf by ~~his~~ **the candidate's** committee or committees, ~~his~~ **the candidate's** party, and ~~his~~ **the candidate's** immediate family. **For candidates for governor, United States senator, and representative to Congress, "total expenditures" shall include any such expenditures made after January 1 of the election year, regardless of when the person actually declares his or her candidacy.** Each campaign expenditure limitation amount shall apply solely and independently to either the state primary election or the state general election.

11 Elections; Political Expenditures and Contributions; Reports; Reporting by Political Committee; Reporting by Candidates. RSA 664:6-7 are repealed and reenacted to read as follows:

664:6 Reporting by Political Committee.

I. Any political committee whose receipts of contributions or whose expenditures, including, without limitation, coordinated and independent expenditures on behalf of candidates and general operating expenditures of the committee, in support of or in opposition to a candidate, measure, or political party, exceed in the aggregate \$500, shall file with the secretary of state an itemized statement, in accordance with the provisions of RSA 664:7-b. The statement shall be signed by the chairperson and treasurer of the political committee and shall list each contribution, in alphabetical order by the last name of the contributor, with the amount of the contribution, the date it was received, all of the information as is set forth in RSA 664:7-b, and the aggregate total for each election for each contributor. The statement shall be filed not later than the Wednesday 12 weeks immediately preceding a primary election, before 5 o'clock in the afternoon, and shall cover the period from the day of the committee registration up to and including the Monday before the statement is due. The statement shall contain the date of each expenditure, the name and address of the person or entity to whom each expenditure was made, the name of the candidate in whose behalf or against whom each expenditure was made, the amount of each expenditure, the purpose of each expenditure, and the aggregate amount of all previous expenditures.

II. An itemized statement in the same form as in paragraph I shall be filed with the secretary of state not later than the Wednesday 3 weeks immediately preceding a primary election, before 5 o'clock in the afternoon. The statement shall summarize the period under paragraph I if a statement is filed and shall itemize all receipts of contributions and expenditures made since the cutoff of that statement up until the Monday preceding the filing of the statement under this paragraph.

III. A statement in the same form as in paragraph I shall be filed with the secretary of state not later than the Wednesday immediately preceding a primary election, before 5 o'clock in the afternoon. The statement shall summarize the statements under paragraphs I and II if such statements are filed and itemize all receipts of contributions and expenditures made since the cutoff of the statement under paragraph II up until the Monday preceding the filing of the statement under this paragraph. In addition to the reporting requirements contained in this section, the secretary of state shall be notified by the fiscal agent within 24 hours of any contribution or contributions exceeding \$500 in the aggregate which is received after the statement under this paragraph is filed and prior to the day of primary election.

IV. An itemized statement in the same form as in paragraph I, summarizing the previous statements if such statements are filed, and itemizing all receipts of contributions and expenditures made since the cutoff of the previous report up until the Monday preceding the filing of the statement, shall be filed with the secretary of state before 5 o'clock in the afternoon on each of the following days: the Wednesdays 4 weeks, 2 weeks and immediately preceding the general election and the Wednesday 2 weeks after the general election. In addition to the reporting requirements contained in this section, during the last week before

the general election, the secretary of state shall be notified by the fiscal agent within 24 hours of any contribution or contributions exceeding \$500 in the aggregate which are received after the statement under this paragraph is filed and prior to the day of the general election.

V. Any political committee whose receipts of contributions or expenditures in the aggregate do not exceed \$500 for a reporting period need not file. However, when a committee's accumulated receipts of contributions or expenditures for an election in the aggregate exceed \$500 the committee shall file a statement at the next reporting deadline.

VI. Any political committee which has any outstanding debt, obligation, or surplus following the election shall file reports at least once every 6 months thereafter in the same form as in paragraph I until the obligation or indebtedness is entirely satisfied or surplus deleted, at which time a final report shall be filed.

VII. Copies of the statements required by paragraphs I through VI of the state committee of a political party shall be filed with the secretary of state in sufficient numbers so as to provide a copy for the state committee of each party on the ballot, which they may obtain by application to the secretary of state.

VIII. Any national political party committee of a party as defined in RSA 652:11 may make contributions or expenditures on behalf of state candidates without complying with the requirements of paragraphs I through VI, provided that the total contribution or expenditure made in behalf of a candidate or political committee in this state whether directly or indirectly does not exceed the limit for personal contributions in RSA 664:4.

IX. The provisions of this paragraph shall apply only to a political committee for an individual candidate who is seeking a federal office whose holder is chosen by the voters of this state only. Such a committee which is required by federal law to file with the federal government reports relative to receipts of contributions and expenditures in support of such one candidate may choose, at the time of registering under RSA 664:3, I, to file with the secretary of state copies of reports made to the federal government in accordance with the timetable established by federal laws for such reports in lieu of complying with the other reporting requirements of this section.

664:7 Reporting by Candidates.

I. Each candidate at the primary or general election for governor, councilor, state senator, representative to general court, or county officer, who receives contributions or makes expenditures in the aggregate that exceed \$500, shall file statements before and after an election in like manner and detail as prescribed in RSA 664:6 I, II, III, IV, V, and VI, excepting, however, the expenditures of political committees of the party to which the candidate belongs in elections other than primaries.

II. Candidates for the offices of speaker of the house, president of the senate, secretary of state, state treasurer, and clerks, assistant clerks, and sergeants-at-arms of the house and senate, shall report contributions and expenditures exceeding \$500 in the aggregate in like manner and detail as prescribed in RSA 664:6, I, except that the filing of statements for these offices shall be limited to one week and three weeks after the general election and one week after the election for these offices.

III. The candidate shall report all contributions received and expenditures made for the purpose of exploring or promoting such candidacy in the first report filed.

12 New Sections; Elections; Political Expenditures and Contributions; Reports; Form of Contributions; Content of Disclosure Reports; Campaign Finance Disclosure Record. Amend RSA664 by inserting after section 7 the following new sections:

664:7-a Form of Contributions. No contribution may be accepted unless accompanied by the disclosure information set forth in RSA 664:7-b

664:7-b Content of Disclosure Reports. All contributions reported pursuant to RSA 664:6 or RSA 664:7 shall be listed on forms or other means prescribed by the secretary of state. The disclosure information shall include the name; address; employer, business organization, or primary source of income; principal place of business; and occupation of the contributor. Contributions shall be categorized as in-state or out-of-state. A summary of the contribution totals by category shall be included with each scheduled report. All expenditures, as defined in RSA 664:2, IX and XVII shall be reported in similar detail on forms or other means prescribed by the secretary of state.

664:7-c Campaign Finance Disclosure Record.

I. Disclosure reports required under RSA 664:6 and RSA 664:7 of candidates for governor, United States senator, and representative to Congress may be filed in electronic format. The secretary of state shall enter these reports into an electronic

campaign finance disclosure record. The secretary of state shall ensure that these disclosure reports are available through the Internet site of the state of New Hampshire. Such reports shall also be available for paper or electronic copying at a reasonable cost.

II. The secretary of state shall compile and maintain separate cumulative disclosure reports filed under this act by political committees, political action committees, political committees of political parties, and candidates for executive councilor, state senator, state representative, county office, and the offices referenced in RSA 664:7, II.

13 Elections; Political Expenditures and Contributions; Reports; Social Activities. RSA 664:10 is repealed and reenacted to read as follows:

664:10 Social Activities. All contributions and expenditures for outings, dinners, and social affairs, conducted by political committees, clubs, and others ,shall be reported, including the name, address, employer or business organization, principal place of business, and occupation of contributors, and a detailed listing of expenditures on forms prescribed by the secretary of state. However, if such contributions or expenditures do not exceed \$100 in aggregate, no report shall be required.

14 Campaign Disclosure Information; 1998 Election Cycle. For the 1998 election cycle, each candidate or candidate's committee for governor shall file the reports required by RSA 664:7 on a computer disk, in addition to a paper copy. All other state candidates or state candidates' committees may file their reports, as required by RSA 664:7, on a computer disk, in addition to a paper copy. Campaign finance filings for United States Senate and representatives to Congress shall be available through a link from the secretary of state's website to the Federal Election Commission.

15 Repeal. RSA 655:20, II, relative to primary petitions to be filed by candidates who do not voluntarily accept expenditure limitations, is repealed.

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

AMENDED ANALYSIS

This bill:

- I. Modifies the language required on primary petitions for candidates that do not voluntarily accept expenditure limitations.
- II. Replaces the notarization with an oath on primary petitions.
- III. Requires primary petitions to be filed alphabetically.
- IV. Modifies the definitions of "candidate" and "independent expenditures" and defines "coordinated expenditure."
- V. Modifies the reporting requirements for political committees and candidates.
- VI. Increases total expenditure limitations for candidates for governor, United States senator, and representative to Congress who voluntarily agree to limit campaign expenditures.
- VII. Specifies that any expenditures made after January 1 of the election year shall be counted towards expenditure limitations for governor, United States senator, and representative to Congress, regardless of when the person actually declares his or her candidacy.
- VIII. Repeals the requirement that candidates who do not voluntarily accept expenditure limitations must file supplemental primary petitions.
- IX. Allows candidates for governor, United States senator, and representative to Congress, to file campaign disclosure reports in electronic format.
- X. Prohibits accepting contributions unaccompanied by disclosure information.
- XI. Requires the secretary of state to compile and maintain cumulative disclosure reports.

1998-1315h

Amendment to SB 339-LOCAL

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 design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for fiscal year 1999.

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

1 Design and Construction of Medium Security Prison in Berlin; Expenditures Authorized.

I. The division of public works, department of transportation and the department of corrections shall develop and issue a request for proposals from experienced and qualified construction firms for design and construction of a medium security prison in Berlin.

II. Proposals shall be submitted on or before June 1, 1998. Anticipated notice to proceed shall be on or before July 15, 1998.

III. The requirements of RSA 228:4, 228:4-a, and 21-I:22 shall not apply to this project. The determining factors in respondent selection shall be the overall quality and conformance of the proposal to the requirements of this act as well as to the long-term lowest staffing and operational costs consistent with security and public safety. At a minimum:

(a) Respondents shall demonstrate competence and experience in similar corrections projects.

(b) While full consideration shall be given to the project cost structure, the successful bid shall not be based on cost alone. Consideration shall be given to qualifications of firms and general conditions necessary to complete the project. The state reserves the right to reject any and all proposals or to negotiate with the apparent successful proposer as determined to be in the state's best interest.

(c) Three legitimate proposals shall be submitted for design and construction of the facility.

(d) The facility shall be constructed with a capacity of 500 beds, and infrastructure, administrative, and support services space capable of accommodating future expansion to 1000 beds.

(e) Construction shall begin no later than August 15, 1998, and be completed and ready for occupancy by the department of corrections within 30 months of the commencing of such construction.

IV. Design of the facility shall be in compliance with American Correctional Association mandatory standards for adult secure institutions, and shall be approved prior to construction by the department of corrections and the division of public works, department of transportation. Design and plans for construction shall also comply with all relevant state codes and regulations.

V. The department of corrections is authorized to accept any funds from any public or private source or, with the approval of the fiscal committee, to transfer any funds available to the department for the purposes of design and construction of the new facility.

VI. Any land acquired under the appropriation made in section 2 of this act shall be purchased by the commissioner of the department of transportation with the approval of governor and council.

2 Appropriation; Department of Corrections; State Prison Facility. A sum not to exceed \$31,000,000 is hereby appropriated to the department of corrections for the purpose of design and construction of a medium security prison in the city of Berlin and for the purpose of providing furnishings and equipment for 500 inmates.

3 Bonds Authorized. To provide funds for the appropriation made in section 2 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$31,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds shall be made from the general fund of the state.

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

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem

advisable, to secure federal funds for the purposes of this act.

II. To accept any federal funds which are, or become available for the project under section 1 of this act. The appropriation of state funds for this project for which federal funds are accepted shall be reduced by the amount of such federal funds, and the amount of bonding authorized by section 3 shall be reduced by the same amount.

5 Population Cap and Closing Date on Lakes Region Department of Corrections Facility Removed. Notwithstanding the provisions of 1991, 351:27, the population cap of 300 at the lakes region department of corrections facility may be exceeded and the authority to operate the facility shall extend beyond July 1, 1998.

6 Halfway Houses; Probation and Parole Officers. The commissioner of corrections is authorized to establish 2 additional halfway houses and to appoint 10 additional probation and parole officers, within the limits of funds already appropriated.

7 Supplemental Appropriations. In addition to any other sums for the fiscal year ending June30, 1999, the following appropriations and changes are hereby authorized for the following departments and agencies. Said appropriations shall be a charge against the funds as specified in the individual appropriation:

01 general government fy 1999

08 state treasury

04 special general fund distrib

strike out

43 debt service (treasury) * f 63,250,194

Insert in place thereof

44 Debt service (treasury) * f 61,550,194

Strike out

Total 136,387,927

Estimated source of funds for

Special general fund distrib

General fund 136,387,927

Total 136,387,927

Insert in place thereof

Total 134,687,927

Estimated source of funds for

special general fund distrib

General fund 134,687,927

Total 134,687,927

02 Admin of justice & public prtn.

16 Department of corrections

01 Office of commissioner

01 Administration

Strike out

90 Correction & supervision svcs * 7,383,848

Insert in place thereof

90 Correction & supervision svcs * 1,000,000

Strike out

Total 11,650,451

Estimated source of funds for
administration

General fund 11,650,451

Total 11,650,451

Insert in place thereof

Total 5,266,603

Estimated source of funds for
administration

General fund 5,266,603

Total 5,266,603

02 Admin of justice & public prtn

16 Department of corrections

04 Division of field services

01 Bureau of district offices

Strike out

10 Personal services - permanent 3,283,420

Insert in place thereof

10 Personal services - permanent 3,491,451

Strike out

20 Current expenses 166,175

Insert in place thereof

20 Current expenses 176,902

Insert

30 Equipment new/replacement 143,500

Strike out

60 Benefits 1,075,973

Insert in place thereof

60 Benefits 1,140,461

Strike out

70 In-state travel 73,101

Insert in place thereof

70 In-state travel 85,801

Insert

80 Out-of state travel 3,000

Insert

90 Two halfway houses * 249,982

* This appropriation may, with the approval of the fiscal committee and governor and council, be expended for the implementation of 2 new halfway houses. Expenditures may include, but are not limited to temporary personnel services.

Strike out

Total 5,079,411

Estimated source of funds for

bureau of district offices

General fund 5,079,441

Total 5,079,441

Insert in place thereof

Total 5,771,869

Estimated source of funds for

bureau of district offices

General fund 5,771,869

Total 5,771,869

02 Admin of justice & public prtn

16 Department of corrections

07 Lakes region facility

01 Lakes region facility

Insert

10 Personal services - permanent 3,078,100

Insert

11 Personal services-unclassified 53,774

Insert

18 Overtime 165,441

Insert

19 Holiday pay 98,000

Insert

20 Current expenses 144,396

Insert

21 Food institutions D 270,000

Insert

22 Rents & leases other than state 4,538

Insert

23 Heat, electricity & water 500,236

Insert

24 Maint. other than build.& grnds 24,781

Insert

46 Consultants 9,710

Insert

47 Own forces maint.-build.&grnds g 98,348

Insert

48 Contractual maint.-build&grnds g 72,363

Insert

49 Transfrs to other state agencs d 439,754

Insert

50 Personal service-temp/appointe 27,010

Insert

60 Benefits 1,043,759

Insert

70 In-state travel 5,000

Insert

91 Winnipесаaukee river basin 25,000

Insert

94 Uniforms 40,500

Insert

95 Inmate clothes 45,000

Insert

96 Inmate wages 128,000

Insert

97 Gate money 7,000

Insert

Total 6,280,710

Estimated source of funds for

lakes region facility

01 Transfers from other agencies I 131,722

General fund 6,148,988

Total 6,280,710

02 Admin of justice & public prtn

16 Department of corrections

07 Lakes region facility

03 Pathways

Insert

59 Part-time - benefited 948,421

Insert

60 Benefits 294,011

Insert

Total 1,242,432

Estimated source of funds for

pathways

General fund 1,242,432

Total 1,242,432

05 Health and social services

01 Dept of health and human svcs

05 Division of mental health

03 Bureau developmental services

03 Community residences

Strike out

49 Transfrs to other state agencs

Insert in place thereof

49 Transfrs to other state agencs 68,983

Strike out

90 Building maintenance-Laconia 68,983

05 Health and social services

01 Dept of health and human svcs

05 Division of mental health

07 Bureau of substance abuse svcs

07 Multiple offender program

Strike out

49 Transfrs to other state agencs 6,500

Insert in place thereof

49 Transfrs to other state agencs 69,239

Strike out

90 Building maintenance-Laconia 62,739

06 Education

04 Dept of postsecondary tech edu

04 nhct - Berlin-Laconia

05 Lakes region facty educ progm

Insert

10 Personal services - permanent 284,619

Insert

18 Overtime 1

Insert

20 Current expenses 11,526

Insert

22 Rents & leases other than state 4,200

Insert

23 Heat, electricity & water d 100

Insert

24 Maint. other than build .& grnds 4,000

Insert

30 Equipment new/replacement 40,000

Insert

47 Own forces maint.-build. & grnds g 100

Insert

48 Contractual maint.-build & grnds g 100

Insert

50 Personal service-temp/appointe 3,600

Insert

59 Part-time - benefited 1

Insert

60 Benefits 88,507

Insert

70 In-state travel 1,000

Insert

80 Out-of state travel 1,000

Insert

94 Staff development 1,000

Insert

Total 439,754

Estimated source of funds for

Lakes region facty educ progm

01 transfers from other agencies i 439,754

total 439,754

8 Adjustment of Amounts, Figures, Estimates and Totals. The commissioner of administrative services shall adjust all amounts, figures, estimates and totals for 1997, 350, the 1998-1999 operating budget, as made necessary by the passage of this act.

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

AMENDED ANALYSIS

This bill authorizes the division of public works, department of transportation and the department of corrections to develop and issue a request for proposals for design and construction of a 500-bed medium security prison. The bill establishes certain criteria for the bidding process.

The bill makes an appropriation to the department of corrections for the design and construction of the new medium security prison and for furnishings and equipment for inmates of the new prison.

The bill removes the population cap on and the July 1, 1998 closing date for the lakes region department of corrections facility.

The bill authorizes the commissioner of corrections to establish 2 additional halfway houses and appoint 10 additional probation and parole officers, within the limits of funds already appropriated.

The bill also makes adjustment to the operating budget for fiscal year 1999, for the purposes of this bill.

1998-1299h

Amendment to SB 342

Proposed by the Committee on Public Works and Highways - R

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

AN ACT relative to capital appropriations for the Glencliff home for the elderly and relative to approval of certain leases by state agencies.

Amend the bill by replacing section 4 with the following:

4 New Section; Approval of State Agency Leases Exceeding 5 Years; Long Range Capital Planning and Utilization Committee. Amend RSA 4 by inserting after section 39-a the following new section:

4:39-b Approval of State Agency Leases Exceeding 5 Years. Any lease of land, buildings, or space to be used by any state agency, as defined in RSA 21-G:5, III, and which exceeds a term of 5 years, including all options, shall be reviewed and approved by the long range capital planning and utilization committee established in RSA 17-M prior to submission to the governor and council for approval.

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

AMENDED ANALYSIS

This bill changes certain capital appropriations to the department of health and human services to be used for the Brown building addition and renovation at the Glencliff home for the elderly.

The bill also requires approval by the long range capital planning and utilization committee of certain leases by state agencies.

1998-1281h

Amendment to SB 350

Proposed by the Committee on Judiciary and Family Law - C

Amend the bill by deleting section 3 and renumbering sections 4-13 to read as 3-12, respectively.

Amend the bill by replacing all after section 10 with the following:

11 Applicability. Section 9 of this act shall apply only to all persons dying after midnight on December 31, 1998.

12 Effective Date.

I. Section 8 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 30 days after its passage.

1998-1284h

Amendment to SB 390

Proposed by the Committee on Science, Technology and Energy - C

Amend the bill by replacing section 1 with the following:

1 Public Utilities; General Regulations; Exception to Applicability of Foreign Business Entity Prohibitions. The provisions of RSA 374:24 shall not apply to the merger or other reorganization of a gas utility if, on the effective date of this act, such gas

utility is engaged in business in this state as a public utility and is a subsidiary of a foreign corporation, provided that this act shall not otherwise alter the jurisdiction of the public utilities commission extant prior to the merger or other reorganization over such gas utility.