

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. Friday, June 19, 1998 No. 59

Contains: Hearings, Notices, Work Sessions, List of Bills in Interim Study in the House, Order Form for 1998 Permanent Journal

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

I would like to thank all members for their patience and cooperation as we considered the many Committee of Conference reports this week. Members presented informative debates and respected differences of opinion.

We are very fortunate to have such a dedicated legislative staff. Special thanks to the Office of Legislative Services for producing so many conference reports in such a short time frame.

If any bills are vetoed the House will take them up on June 30th. I hope that you will all have an opportunity to enjoy this brief respite before we return to address those issues related to the funding of education.

Donna Sytek, Speaker

HOUSE DEADLINES

House Rule 64:

June 10, 1998 - Last day to act on all bills, excluding those related to the Claremont decision.

June 16, 1998 - Final day to sign-off all Committee of Conference Reports at 5:00 p.m., excluding those related to the Claremont decision.

June 18, 1998 - Last day to act on Committee of Conference Reports, excluding those related to the Claremont decision.

June 22, 1998 - All bills to the Governor, excluding those related to the Claremont decision.

And that after June 4, 1998, any bills or messages which are received from the Senate concerning the Claremont decision shall be subject to deadlines to be established at a future date.

NOTICE

DEADLINES FOR FILING 1999 HOUSE BILLS

September 9, 1998, Wednesday

First day for incumbents who are candidates for the House to file LSR's with complete information.

October 5, 1998, Monday

The 10-day sign-off deadline begins (Rule38 (b))

October 30, 1998, Friday

Final day to file, with the Clerk of the House, all 1998 interim study reports.

November 4, 1998, Wednesday

First day for new members to file LSR's with complete information.

November 6, 1998, Friday

Final day to file, with complete information, all bill drafting requests from 1998 interim study work.

Reps. Robert L. Wheeler and Peter Hoe Burling

1998 HOUSE BILLS SENT TO INTERIM STUDY BY THE HOUSE

COMMERCE

HB 263, relative to viatical settlements which are settlements between an insurance provider and a policy holder or certificate holder with a life-threatening illness.

HB 451, providing that health care providers shall determine the appropriate course of patient treatment.

HB 541, relative to long-term care insurance.

HB 548, limiting access to certain business records.

HB 1308, protecting the rights of distributors.

HB 1380-FN, relative to energy costs for persons dependent upon life-support equipment.

HB 1391, requiring insurance coverage for the screening and treatment of glaucoma.

HB 1546-FN, extending consumer protection rights to purchasers of farm equipment.

HB 1582-FN, extending small employer health insurance coverage to individuals, limiting annual premium rate increases, and eliminating minimum participation requirements for small employer groups.

HB 1604, relative to ownership of shares of professional corporations and relative to shareholders of firms practicing public accountancy.

SB 340, relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund.

SB 404, relative to home care.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 605, relative to procedures regarding delinquent children under RSA 169-B.

HB 606, relative to procedures regarding children in need of services under RSA 169-D.

HB 1108, relative to authority of the state fire marshal to adopt rules concerning permissible fireworks.

HB 1258, establishing a committee to study and investigate issues related to The State of New Hampshire v. Edward Silva.

HB 1499, establishing a committee to study the circumstances and investigation of the deaths of Janet and Steven Dow; providing an exception from statutes of limitations for certain unlawful acts related to murders; relative to false reports to law enforcement officers; and nullifying the adoption of Steven Medeiros.

SB 428-FN, relative to firearm lock boxes in state facilities.

EDUCATION

HB 1230, establishing a teacher improvement and evaluation program.

HB 1273, relative to a percentage loss of state funding as a penalty for failing to comply with minimum public school standards.

SB 456, enabling school districts to allow full parental choice in education.

SB 481, relative to the availability of school building aid for year-round schools.

ELECTION LAW

HB 647, relative to a centralized computer checklist of voters and making an appropriation therefor.

HB 1207-LOCAL, relative to the disqualification of election officials.

ENVIRONMENT AND AGRICULTURE

HB 1243-FN-A, relative to the regulation of pesticides and establishing a pesticide cleanup account in the hazardous waste fund.

HB 1454, relative to the spreading of sludge or biosolids.

HB 1477, clarifying the waste reduction goals for the state of New Hampshire.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 762, relative to the regulation of naturopathic medicine.

HB 1415, relative to the regulation of the practice of optometry.

HB 1524-FN, licensing bail recovery agents.

HB 1525-FN, establishing an office of administrative hearings.

HB 1528, relative to the transfer of certain administratively attached agencies from the secretary of state to the department of

administrative services.

HB 1612-FN, establishing a public information system to ensure electronic access to public records.

HB 1640-FN, prohibiting the use of public resources for political purposes.

SB 431-FN-A, establishing a statewide database licensing program of the New Hampshire automated information system and making an appropriation therefor.

FINANCE

HB 108, relative to the rate of the legacies and successions tax as it applies to siblings of the decedent together with their spouses and lineal ascendants and descendants of siblings of the decedent together with their spouses.

HB 578, providing for property tax relief and making an appropriation therefor.

HB 645, requiring the commissioner of health and human services to produce certain quarterly reports.

HB 1503-FN-A-LOCAL, relative to intergenerational homeshare programs and making an appropriation therefor.

HB 1507-FN-A, providing for a graduated reduction in the temporary increases in the communications services tax, meals and rooms tax, and the real estate transfer tax.

HB 1548-FN-A, providing for the health care of New Hampshire children and making an appropriation therefor.

HB 1663-FN, relative to rulemaking under the administrative procedures act and the responsibilities of the office of legislative services and the department of administrative services, and establishing a committee to study procedures in administrative rulemaking.

HB 1672, replacing the business profits tax and the business enterprise tax with a reform business tax and establishing a committee to recommend a rate for the reform business tax.

SB 409-FN, relative to long-term care and extending the moratorium on new nursing home beds.

SB 447-FN, exempting siblings of a decedent who are unable to engage in substantial gainful employment from the legacies and successions tax.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1219-FN, relative to the provision of free potable water at outdoor public events.

JUDICIARY AND FAMILY LAW

HB 1317, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses.

HB 1390, adopting a drug dealer liability act.

HB 1433-FN, relative to physician aid-in-dying for certain persons suffering from a terminal condition.

HB 1549-FN, granting a right to trial by jury in any controversy between a person or persons and a state board, commission, or agency when the amount in controversy is at least \$1,500.

HB 1554, allowing punitive damages in actions for domestic violence and sexual assault.

HB 1580-FN, permitting a jury trial in the superior court for violations of the state law against discrimination for a certain time period or with the written assent of the commission for human rights after an action has been filed with the commission.

HB 1610, relative to back wages owed by employers.

SB 367, relative to the public protection fund administered by the New Hampshire Bar Association.

LOCAL AND REGULATED REVENUES

HB 1352-FN-A, authorizing electronic games of chance at pari-mutuel licensee locations.

HB 1467, establishing a study committee to determine the means and criteria for generating an analysis of New Hampshire's long-term strategic options regarding the sale and distribution of distilled spirits, beer, and wine.

HB 1566-FN-LOCAL, providing that state-owned lands leased to or under an operating agreement with a private business entity are subject to the local property tax.

MUNICIPAL AND COUNTY GOVERNMENT

HB 543, relative to valuation of aeronautical facilities for purposes of payments in lieu of property taxes.

HB 641, relative to property tax bills for land parcels having multiple owners.

HB 1482, providing a mechanism for optional fiscal year towns to use the official ballot voting procedures.

HB 1567-LOCAL, relative to local excavation permits for bedrock quarrying or crushing operations.

PUBLIC WORKS AND HIGHWAYS

HB 1571, relative to the acquisition of abandoned or inactive rail lines in the city of Lebanon.

RESOURCES, RECREATION AND DEVELOPMENT

HB 1187, relative to breakwater permitting.

SCIENCE, TECHNOLOGY AND ENERGY

HB 1535, relative to local telephone calling areas and long distance access charges.

HB 1560-FN-A, reestablishing the New Hampshire energy authority, making an appropriation therefor, and directing it to explore the acquisition of the transmission and distribution system of the Public Service Company of New Hampshire.

HB 1632-FN-A-LOCAL, promoting the development of telecommunications planning and coordination at a statewide level, establishing incentives for local government investment in telecommunications infrastructure, and permitting local governments to franchise or otherwise levy and collect payments for use of the rights-of-way.

HB 1662-FN, restructuring the nuclear decommissioning finance committee and the office of the consumer advocate and amending laws relative to atomic energy to reflect the policies of electric utility restructuring.

HJR 20, finding that the contract requiring Public Service Company of New Hampshire to assume financial responsibility for a decision by Northeast Utilities to acquire additional nuclear generating capacity has the potential to raise PSNH rates and was executed in violation of the 1989 Rate Agreement between Northeast Utilities and the state of New Hampshire and in violation of state law.

SB 326, relative to representation and costs in utility rate proceedings.

TRANSPORTATION

HB 1171, to establish a committee to investigate the discrepancy in air fares between flights from Logan International Airport and Manchester Airport.

HB 1232-FN, establishing a procedure for the proposal of special license plates which designate the proceeds for use by a state

agency.

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

COMMITTEE HEARINGS

MONDAY, JUNE 22

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

9:00 a.m. Rescheduled regular meeting.

TUESDAY, JUNE 23

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Full committee work session on ***HB 1499***, establishing a committee to study the circumstances and investigation of the deaths of Janet and Steven Dow; providing an exception from statutes of limitations for certain unlawful acts related to murders; relative to false reports to law enforcement officers; and nullifying the adoption of Steven Medeiros.

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on ***HB 1230-FN-LOCAL***, establishing a teacher improvement and evaluation program.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB (Please note date change.)

9:00 a.m. Regular business.

9:30 a.m. Audits: State of New Hampshire Fish and Game Department audit report for the fiscal year ended June 30, 1997.

GOVERNOR'S ADVISORY COMMISSION ON THE CAPITAL BUDGET (RSA 9:3-a), Room 201, LOB

10:00 a.m. FY 2000-2001 Governor's Capital Budget Hearings.

JUDICIARY AND FAMILY LAW, Room 208, LOB

10:00 a.m. Subcommittee work session on ***HB 1317***, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses and ***HB 1549-FN***, granting a right to trial by jury in any controversy between a person or persons and a state board, commission, or agency when the amount in controversy is at least \$1,500.

10:00 a.m. Subcommittee work session on ***HB 1554-FN***, allowing punitive damages in actions for domestic violence and sexual assault, ***HB 1580-FN***, permitting a jury trial in the superior court for violations of the state law against discrimination for a certain time period or with the written assent of the commission for human rights after an action has been filed with the commission and ***HB 1610***, relative to back wages owed by employers.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Whittier House Restaurant, Route 16B, Ossipee

6:00 p.m. Public forum on negotiations and other labor laws.

SCIENCE, TECHNOLOGY AND ENERGY, Rooms 302-304, LOB

10:00 a.m. Presentation by NH Electric Cooperative on restructuring.

Full committee will meet after the presentation to scope out the Interim Study Bills.

WEDNESDAY, JUNE 24

FINANCE, Rooms 210-211, LOB

10:00 a.m. Public hearing on proposed amendment to ***HB 1671-FN-A-L***, establishing a securities transfer excise tax to meet state obligations in funding education. The amendment relates to the imposition of taxes without the people's consent.

Following the public hearing a work and executive session in Division II and the full committee on all remaining bills and CACRs relating to the Claremont issue will be held.

GOVERNOR'S ADVISORY COMMISSION ON THE CAPITAL BUDGET (RSA 9:3-a), Room 201, LOB

8:00 a.m. FY 2000-2001 Governor's Capital Budget Hearings.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Milford Town Hall Ambulance Room, Access off Middle Street

7:00 p.m. Public forum on negotiations and other labor laws.

LOCAL AND REGULATED REVENUES, Room 206, LOB

1:30 p.m. Full committee work session on ***HB 1566-FN-LOCAL***, providing that state-owned lands leased to or under an operating agreement with a private business entity are subject to the local property tax.

THURSDAY, JUNE 25

FINANCE, Rooms 210-211, LOB

10:00 a.m. Work and executive session in Division II and the full committee on all remaining bills and CACRs relating to the Claremont issue.

TUESDAY, JUNE 30

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Berlin Technical College, Berlin

6:00 p.m. Public forum on negotiations and other labor laws.

MONDAY, JUNE 29

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

9:30 a.m. Regular meeting.

TUESDAY, JULY 7

NEW HAMPSHIRE COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN FOLKLIFE (SJR 20, Chapter 204, Laws of 1996), Room 307, LOB

3:00 p.m. Regular meeting.

MONDAY, JULY 13

BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), Room 205, LOB

2:00 p.m. Public hearing.

THURSDAY, JULY 16

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

9:00 a.m. Rescheduled regular meeting.

FRIDAY, JULY 17

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

9:00 a.m. Regular meeting.

MONDAY, JULY 20

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

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

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

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, 583, 587, 605, 606, 651, 670, 676, 686, 697, 707, 717, 730, 734, 736, 747, 749, 753, 774, 784, 1000, 1011, 1075, 1100, 1115, 1121, 1138, 1141, 1189, 1193, 1205, 1211, 1224, 1226, 1259, 1280, 1284, 1290, 1291, 1297, 1298, 1300, 1303, 1328, 1330, 1331, 1336, 1337, 1338, 1339, 1350, 1354, 1371, 1374, 1377, 1384, 1387, 1396, 1399, 1400, 1456, 1473, 1490, 1509, 1513, 1515, 517, 1541, 1543, 1545, 1555, 1573, 1575, 1579, 1582, 1588, 1593, 1594, 1598, 1599, 1600, 1601, 1602, 1603, 1617, 1636, 1639, 1644, 1655, 1660, 1662, 1663, 1664, 1668, 1671, 1673, 1674, 1676, 1679, 1680, 1681, 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

Olive B. Morrill, 30 Morrill Court, West Franklin, New Hampshire 03235-2026

Richard Noyes, PO Box 75, N. Salem, New Hampshire 03073-0075

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.

Legislators are encouraged to submit nominations for the Parents of the Year award. One couple from each of the 13 regions will be honored at a reception in Washington, DC by the Parents Day Foundation at which many Congressmen and a representative of the President will participate. Last year, Beaver and Claire Jutras of Peterborough were chosen as the regional winners and as the national winners. The Jutrases have said the reception and the other events have made this an unbelievable year for them. The parents chosen this year will again be role models of excellent parenting. For more information or for nomination materials, please contact Rep. Gene Gagnon (666-4097) or Rep. Bud Luebker (647-1851).

Rep. Bernard J. Luebker

Al Gore's 7th Annual "Family Reunion" presents "Families and Health" June 22nd and 23rd . The nationwide audience and presenters of families, federal and state health policy makers, academic researchers and healthcare professionals will address the vision, barriers, action steps and policy changes necessary to improve family-centered healthcare. Live teleconference sites June 22-23 at Dartmouth-Hitchcock Medical Center and NH Hospital Association. Call Rita Nauceder at 650-7250 for more information and registration.

Rep. Sharon L. Nordgren

The Merrimack County Republican association will meet on Tuesday, June 23rd at the Cat 'n Fiddle Restaurant, Manchester Street, Concord. Social hour at 6:00 p.m. Dinner at 7:00 p.m. The speaker will be Rep. Kenneth L. Weyler. All Merrimack County Republicans are invited to attend.

Rep. James A. Whittemore

The Concord Democratic delegation cordially invites members of the NH Senate and House of Representatives to a reception for Mary Rauh, candidate for US Congress 2nd District to be held Tuesday, June 23, 4:30 to 6:00 p.m. at Hermanos Cocina

Mexicana Restaurant, 11 Hills Avenue (corner of Storrs Street) Concord. Donation \$15 per person. Please contact Rep. Toni Crosby.

Rep. Toni M. Crosby

Former Governor Stephen and Heather Merrill will host Tom Colantuono at the Alpine Club, 165 Putnam Street, Manchester, on Wednesday, June 24 from 6:00 to 9:00 p.m. Tickets \$20 per couple. For tickets please contact Reps. Don White or Loren Jean.

Rep. Donald B. White

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, June 24th. Refreshments will be served.

Rep. Robert K. Boyce

All Representatives and State House staff are invited to Governor Shaheen's 2nd Annual Legislative Barbecue at Bridges House on Thursday, June 25th, from 4:00 p.m. to 8:00 p.m. Please RSVP to Bernadette in the Governor's Office at 271-2121 by June 19th

Rep. Peter H. Burling

The New Hampshire HMO Association will be hosting a candidate luncheon on Thursday, June 25, 12:00-2:30 p.m. at CR Sparks in Bedford. The event will focus on the evolution of managed care in New Hampshire and legislative trends in health care, Legislators and candidates for state office are invited to attend, and are asked to RSVP by calling 526-7844.

Rep. Betsey L. Patten

Carroll County Republican Committee is hosting a breakfast on Saturday, June 27th at 9:30 a.m. at the Lakeview Inn, Wolfeboro. Our featured speaker will be John Kasich. All legislators are welcome. Tickets are \$15. See Reps. Godfrey Howard or Betsy Patten.

Rep. Betsey L. Patten

The Bedford Republican Committee cordially invites you to attend a reception for Senator Judd Gregg on Wednesday, July 1st from 5:30 to 7:30 p.m. at the CR Sparks Event Center, 18 Kilton Road, Bedford. Tickets are \$25 per person. Hors d'oeuvres will be served. For tickets please see Rep. Kathleen M. Flora or Rep. Maurice E. Goulet.

Rep. Kathleen M. Flora

The Strafford County Democrats are holding their annual cook-out on Sunday, August 9 from 1:00 to 5:00 p.m. The event is being sponsored by the Barrington Democratic Committee at the home of Steve and Anne Whitney on France Road in Barrington. Tickets are \$5 per adult, \$3 for children and \$15 for family of 4. Candidates and families are welcome. Invited are Governor Shaheen and Congressman Patrick Kennedy. Please contact Barbara Morris at 749-6649 or Rep. Marlene DeChane at 335-0860.

Rep. Marlene DeChane

The Department of Transportation will hold the following meetings:

June 22 - Rollinsford Town Office, 7:00 p.m. Selectmen's meeting, Rollinsford, construct sidewalks along Main Street.

June 23 - Henniker Town Hall, 2 Depot Hill Road, Henniker, 7:15 p.m. Selectmen's meeting, Henniker, potential modifications to Proctor Square.

June 23 - Holderness Town Hall, Route 3, Holderness, 7:00 p.m. Public hearing (commission), Holderness, NH Route 3/25.

June 24 - State House Executive Council Chambers, Noon (½ hour after G&C adjourns). GACIT meeting to discuss CMAQ and Transportation Enhancement Projects.

June 29 - Loudon Safety Building, 8 Cooper Street, Loudon, 7:00 p.m. Combined public officials/public informational meeting, Concord-Loudon, widening of NH Route 106.

June 30 - Portsmouth City Hall Council Chambers, 1 Junkins Avenue, Portsmouth, 7:00 p.m. Combined public officials/public informational meeting, Portsmouth, Park and ride facility with bus terminal.

July 9 - Piermont Elementary School, NH Route 10, Piermont, 7:00 p.m. Public hearing (Commission) Piermont, NH Route 10 over Bean Brook.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

Pursuant to RSA 228:93, the New Hampshire Department of Transportation and the Department of Safety will be conducting the following 1998 Regional Safety Conferences on highway related issues in each county, except Coos and Hillsborough where two are scheduled. The purpose of these conferences is to receive comments from representatives of local police, the public works department and the general public on highway issues such as speed limits, highway markings, traffic lights, highway signs, intersections, and other safety concerns relative to the State highway system.

Date	Location	Time
June 23	Belknap County - Laconia City Hall 45 Beacon Street East, Laconia	10:00 a.m.
June 23	Merrimack County - Concord City Council	2:00 p.m.

	35 Green Street, Concord	
June 25	Strafford County - Dover City Hall	10:00 a.m.
	288 Central Avenue, Dover	
Rep. Gene G. Chandler		

NOTICE

The 1998 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 18. Distribution is expected to be in early January of 1999.

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 *** -

NAME OF STATE REPRESENTATIVE only _____

NAME OF PERSON/OFFICE/STATE AGENCY/BUSINESS _____

STREET ADDRESS (No Box Numbers, please) _____

CITY/STATE/ZIP _____ PHONE NO./EXTENSION _____

CONTACT PERSON (only if agency or business) _____

I WISH TO ORDER _____ 1998 HOUSE PERMANENT JOURNAL(S)

SIGNED _____

Leo J. Callahan

House Assistant Clerk