

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, August 14, 1998 No. 68

Contains: Notices, Work Sessions and Order Form for 1998 Permanent Journal

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet in session Thursday, September 10th at 10:00 a.m.

As you know, the Senate met August 6th to address proposals concerning educational funding. After a lengthy discussion of the issues, the Senate passed CACR 45 and HB 1075. For your information, we have included copies of those bills with this calendar.

The Finance Committee will hold a hearing August 18 at 2:00 p.m. on CACR 45 in Rooms 210-211 of the LOB. House Bill 1075 will now go to a Committee of Conference. I have appointed Representatives Donnalee Lozeau, Neal Kurk, Warren Henderson and Peter Burling as conferees on this bill.

Donna Sytek, Speaker

NOTICE

House Calendars will be published every two weeks during the summer. Members and staff who need to schedule meetings should make arrangements with the Clerk's Office for room availability/assignment and publication of meeting notices.

CLOSES NOON: TO BE MAILED:

Thursday, August 27 August 28

WEDNESDAY, September 2 September 3

Karen O. Wadsworth

Clerk of the House

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.

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.

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.

LAID ON TABLE

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

COMMITTEE MEETINGS

TUESDAY, AUGUST 18

AUTHORITY, FUNCTIONS, DUTIES, FUNDING AND RESPONSIBILITIES OF THE BUREAU OF EMERGENCY MEDICAL SERVICES STUDY, (HB 1150, Chapter 30:1, Laws of 1998), Room 302, LOB

1:00 p.m. Rescheduled regular meeting.

COMMERCE, Room 302, LOB

10:00 a.m. Subcommittee work session on ***HB 1308***, protecting the rights of distributors.

DRIVER TRAINING PROGRAMS FOR OLDER DRIVERS STUDY, (SB 316, Chapter 212:1, Laws of 1998), Room 201, LOB

10:00 a.m. Organizational meeting.

EARLY CARE AND EDUCATION REGULATION OF PERSONNEL STUDY, (HB 1438, Chapter 82:1, Laws of 1998), Room 202, LOB

9:30 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

2:00 p.m. *CACR 45*, relating to the state’s responsibility to provide to all citizens the opportunity for a public education. Providing that the general court shall have the exclusive authority to determine the content, extent, and funding of a public education and that the state may fulfill its responsibility to provide to all citizens the opportunity for a public education by exercising its power to levy assessments, rates, and taxes, or by delegating this power, in whole or part, to a political subdivision, provided that upon delegation, such assessments, rates, and taxes are proportional and reasonable throughout the state or the political subdivision in which they are imposed.

3:00 p.m. *CACR 51*, relating to establishing a restricted education trust fund. Providing tat an education trust fund be established, that all moneys designated for the purpose of state aid to education shall be directly transferred to such trust fund, and that the moneys in such trust fund shall be used exclusively for state aid to education.

Executive session on pending legislation to follow.

HOUSE FACILITIES (RSA 17-E:2), Speaker’s Office, Room 313, State House

9:30 a.m. Regular meeting.

INSURANCE COVERAGE FOR INFERTILITY STUDY, (SB 357, Chapter 92:1, Laws of 1998), Room 102, LOB

3:00 p.m. Regular meeting.

UPDATING NEW HAMPSHIRE LAWS RELATED TO FENCES STUDY, (HB 1154, Chapter 62:1, Laws of 1998), Room 301, LOB

9:00 a.m. Regular meeting.

WEDNESDAY, AUGUST 19

COMMERCE, Room 302, LOB

9:30 a.m. Subcommittee work session on *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 1546-FN*, extending consumer protection rights to purchasers of farm equipment and *SB 340*, relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. Subcommittee work session on *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.

THURSDAY, AUGUST 20

ADOPTION OF ARTICLES 41, 72-a AND 73-a OF THE SECOND PART OF THE NEW HAMPSHIRE CONSTITUTION STUDY, (HB 1338, Chapter 330:1, Laws of 1998), Room 208, LOB

10:00 a.m. Regular meeting.

COMMISSION TO STUDY SPECIAL EDUCATION ISSUES, (SB 462, Chapter 267:2, II, Laws of 1998), Room 103, LOB

11:00 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

CONTINUED PUBLIC HEARING, IF NECESSARY, ON:

1:00 p.m. CACR 45, relating to the state's responsibility to provide to all citizens the opportunity for a public education. Providing that the general court shall have the exclusive authority to determine the content, extent, and funding of a public education and that the state may fulfill its responsibility to provide to all citizens the opportunity for a public education by exercising its power to levy assessments, rates, and taxes, or by delegating this power, in whole or part, to a political subdivision, provided that upon delegation, such assessments, rates, and taxes are proportional and reasonable throughout the state or the political subdivision in which they are imposed.

CACR 51, relating to establishing a restricted education trust fund. Providing tat an education trust fund be established, that all moneys designated for the purpose of state aid to education shall be directly transferred to such trust fund, and that the moneys in such trust fund shall be used exclusively for state aid to education.

Executive session on pending legislation to follow.

FINANCE - (DIVISION II), ROOM 209, LOB

1:00 p.m. (Or at the conclusion of the continued public hearing.)

Work and executive session on CACR 45, relating to the state's responsibility to provide to all citizens the opportunity for a public education. Providing that the general court shall have the exclusive authority to determine the content, extent, and funding of a public education and that the state may fulfill its responsibility to provide to all citizens the opportunity for a public education by exercising its power to levy assessments, rates, and taxes, or by delegating this power, in whole or part, to a political subdivision, provided that upon delegation, such assessments, rates, and taxes are proportional and reasonable throughout the state or the political subdivision in which they are imposed and CACR 51, relating to establishing a restricted education trust fund. Providing tat an education trust fund be established, that all moneys designated for the purpose of state aid to education shall be directly transferred to such trust fund, and that the moneys in such trust fund shall be used exclusively for state aid to education; and all other remaining bills relating to the Claremont issue.

FINANCE - (DIVISION III), Rooms 210-211, LOB

9:30 a.m. Public hearing on the proposed amendment to SB 409-FN, relative to long-term care and extending the moratorium on new nursing home beds. (Copies of the proposed amendment will be available from the Sergeant-at-Arms Office.)

LAND USE MANAGEMENT AND PROTECTION AND PRESERVATION OF THE STATE'S FARMLAND, RURAL CHARACTER AND ENVIRONMENTAL QUALITY AGAINST LOW DENSITY SPRAWL, URBAN AS WELL AS RURAL, AND THE LOSS OF SENSE OF PLACE STUDY, (HB 1238, Chapter 197:2, Laws of 1998), Room 305, LOB

10:00 a.m. Regular meeting.

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), Room 201, LOB

9:30 a.m. Seacoast Harbors Management and Dredging subcommittee meeting.

PUBLIC HIGHER EDUCATION STUDY (RSA 187-A:28), Room 101, LOB

10:00 a.m. Meeting to discuss unaddressed issues that have been brought before the committee.

SUPERVISION OF JUVENILES ON PROBATION OR PAROLE STUDY, (SB 479, Chapter 219:1, Laws of 1998), Room 101, LOB

9:00 a.m. Regular meeting.

FRIDAY, AUGUST 21

ADEQUATE EDUCATION COSTS PROVISION AND GRANT DISTRIBUTING MUNICIPALITIES COMMISSION (SB 462, Chapter 267:1, III, Laws of 1998), Room 102, LOB

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

MONDAY, AUGUST 24

JUDICIAL PENSIONS STUDY (HB 300, Chapter 192, Laws of 1997), Room 202, LOB

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

OVERSIGHT COMMITTEE TO REVIEW ALLOCATION OF FUNDS FOR PERSONS WITH SEVERE DEVELOPMENTAL DISABILITIES, (RSA 171-A:1-b), Room 207, LOB

9:00 a.m. Organizational meeting.

TUESDAY, AUGUST 25

IN-HOME SUPPORT SERVICES FOR CHILDREN WITH DISABILITIES FUNDING STUDY, (SB 443, Chapter 160:1, Laws of 1998), Room 101, LOB

11:00 a.m. Organizational meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:30 a.m. Subcommittee work session on *HB 543*, relative to valuation of aeronautical facilities for purposes of payments in lieu of property taxes and on taxation of land held for water supply purposes.

NEW PUBLIC-PRIVATE PARTNERSHIP TO CONSERVE NEW HAMPSHIRE'S NATURAL, CULTURAL, AND HISTORICAL RESOURCES FEASIBILITY STUDY COMMISSION (SB 493, Chapter 161:2, Laws of 1998), Room 308, LOB

2:00 p.m. Regular meeting.

PRESERVATION OF AND ACCESS TO RECORDS OF LEGISLATION AT ARCHIVES (HB 111, Chapter 36:2, Laws of 1998),Room 304, LOB

10:00 a.m. Organizational meeting.

WEDNESDAY, AUGUST 26

CABLE CONSUMERS AND THE ENHANCEMENT OF CABLE ELECTRONIC SERVICES PROTECTION STUDY, (HB 1651, Chapter 52:1, Laws of 1998), Room 304, LOB

10:00 a.m. Regular meeting.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Subcommittee work session on incinerator closures.

FOSTER CARE SYSTEM TASK FORCE STUDY, (SB 346, Chapter 277:1, Laws of 1998), Room 308, LOB

9:30 a.m. Regular meeting.

ORIENTATION COMMITTEE (RSA 17-C:2), Room 311, State House

10:00 a.m. New member orientation meeting.

PHARMACEUTICAL ASSISTANCE FOR THE ELDERLY STUDY, (SB 507, Chapter 221:2, Laws of 1998), Room 102, LOB

3:00 p.m. Organizational meeting.

THURSDAY, AUGUST 27

ADOPTION OF ARTICLES 41, 72-a AND 73-a OF THE SECOND PART OF THE NEW HAMPSHIRE CONSTITUTION STUDY, (HB 1338, Chapter 330:1, Laws of 1998), Room 208, LOB

10:00 a.m. Regular meeting.

ALTERNATIVE AGRICULTURAL PRODUCTS EFFECT AND JURISDICTION COMMISSION, (HB 1120, Chapter 103:1, Laws of 1998), Room 307, LOB

9:00 a.m. Regular meeting.

ELIMINATING THE FILING FEE FOR CERTAIN SECURITIES STUDY, (HB 1205, Chapter 250:4. Laws of 1998), Room 102, LOB

9:00 a.m. Organizational meeting.

LAND USE MANAGEMENT AND PROTECTION AND PRESERVATION OF THE STATE'S FARMLAND, RURAL CHARACTER AND ENVIRONMENTAL QUALITY AGAINST LOW DENSITY SPRAWL, URBAN AS WELL AS RURAL, AND THE LOSS OF SENSE OF PLACE STUDY, (HB 1238, Chapter 197:2, Laws of 1998), Room 305, LOB

10:00 a.m. Regular meeting.

PAROLE SYSTEM AND METHODS TO INCREASE ITS EFFICIENCY STUDY, (SB 319, Chapter 181:1, Laws of 1998), Room 204, LOB

10:00 a.m. Rescheduled regular meeting.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Utilities subcommittee work session on *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.

WOMEN'S HEALTH CARE STUDY, (HB 1536, Chapter 118:1, Laws of 1998), Room 302, LOB

11:00 a.m. Organizational meeting.

TUESDAY, SEPTEMBER 1

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.

UPDATING NEW HAMPSHIRE LAWS RELATED TO FENCES STUDY, (HB 1154, Chapter 62:1, Laws of 1998), Room 301, LOB

9:00 a.m. Regular meeting.

TUESDAY, SEPTEMBER 8

NEW PUBLIC-PRIVATE PARTNERSHIP TO CONSERVE NEW HAMPSHIRE'S NATURAL, CULTURAL, AND HISTORICAL RESOURCES FEASIBILITY STUDY COMMISSION (SB 493, Chapter 161:2, Laws of 1998), Room 308, LOB

2:00 p.m. Regular meeting.

WEDNESDAY, SEPTEMBER 9

ALAN B. SHEPARD PARK COMMISSION (HB 687, Chapter 94:1, Laws of 1997), Derry Town Hall

10:00 a.m. Regular meeting.

PERMISSIBLE FIREWORKS REVIEW COMMITTEE (RSA 160-B:23), Richard M. Flynn Fire Academy, 222 Sheep Davis Road (Route 106), Concord

9:30 a.m. Regular meeting.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

9:00 a.m. Telecommunications subcommittee work session on *HB 1535*, relative to local telephone calling areas and long distance access charges and *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.

THURSDAY, SEPTEMBER 10

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Rescheduled Utilities subcommittee work session on *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 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 and *SB 326*, relative to

representation and costs in utility rate proceedings.

friday, september 11

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

10:00 a.m. Regular meeting.

TUESDAY, SEPTEMBER 15

HOME SCHOOL STUDENTS ACCESS TO PUBLIC SCHOOL FACILITIES AND PROGRAMS STUDY (HB 1247, Chapter 34:1, Laws of 1998), Room 205, LOB

3:00 p.m. Regular meeting.

MARINE PATROL SERVICES STUDY, (HB 1605, Chapter 178:1, Laws of 1998), Room 204, LOB

9:00 a.m. Regular meeting.

NEW HAMPSHIRE COUNCIL ON APPLIED TECHNOLOGY AND INNOVATION (RSA 12-H:1), Room 304, LOB

10:00 a.m. Joint meeting with Telecommunications Oversight Committee (RSA 374:22-h).

SERVICES PROVIDED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER THE STATE SUBSTANCE ABUSE DELIVERY SYSTEM, (HB 1174, Chapter 247:1, Laws of 1998), Room 205,LOB

10:00 a.m. Organizational meeting.

TELECOMMUNICATIONS OVERSIGHT COMMITTEE (RSA 374:22-h), Room 304,LOB

10:00 a.m. Joint meeting with New Hampshire Council on Applied Technology and Innovation (RSA 12-H:1).

wedneSDAY, SEPTEMBER 16

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

9:00 a.m. Regular business.

THURSDAY, SEPTEMBER 17

DEAN MEMORIAL AIRPORT IN NORTH HAVERHILL UPGRADE STUDY, (HB 1340, Chapter 45:2, Laws of 1998), Room 201, LOB

9:30 a.m. Regular meeting.

PATIENTS' NEEDS COMMITTEE, (HB 1335, Chapter 111:4, Laws of 1998), Room 201, LOB

1:00 p.m. Regular meeting.

FRIDAY, SEPTEMBER 18

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

9:00 a.m. Regular meeting.

TUESDAY, SEPTEMBER 22

BUILDING TRADES CONSOLIDATING UNDER A SINGLE LICENSING BOARD FEASIBILITY STUDY, (SB 364, Chapter 123:1, Laws of 1998), Room 101, LOB

9:00 a.m. Organizational meeting.

JUDICIARY AND FAMILY LAW, Room 208, LOB

10:00 a.m. Subcommittee work session on *HB 1433-FN*, relative to physician aid-in-dying for certain persons suffering from a terminal condition.

FRIDAY, SEPTEMBER 25

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

9:00 a.m. Rescheduled regular meeting.

OFFICIAL NOTICES

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.

Eugene L. Gagnon, 234 Joliette Street, Manchester, New Hampshire 03102-3019

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

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.

Summaries of the April and June meetings of the Judicial Conduct Committee are available at the Sergeant-at-Arms counter for those interested.

Donna Sytek, Speaker

Prints of the 1997-98 class photo can be ordered from Susan Wood in the House Information Office, Room 314, or by calling 271-3666. A copy of the picture is available in Room 314 for anyone who wants to look at a print before placing an order. The cost is \$10.00 for an 8 x 10 print. Only checks will be accepted for payment. Please place your orders as soon as possible and no later than Sept. 11 to ensure prompt delivery of the prints.

Donna Sytek, Speaker

On Saturday, August 15th Granite State Taxpayers will hold its 6th Annual Chicken BBQ at the Hopkinton State Fairgrounds, 11:00 a.m. to 5:00 p.m., rain or shine (all is under cover). Tickets are \$20 for adults and \$10 for children under 12. Come and enjoy a good old-fashioned NH BBQ, with plenty of fun, entertainment and polite politics.

Rep. George D. Murch, III

The Child Care Initiative Committee of the Legislative Caucus for Young Children will meet from 1:00 - 3:00 p.m. on August 18 in Room 202, LOB.

Rep. Mary Stuart Gile

The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) at 9:00 a.m. on the following Wednesdays: August 19; September 2; September 16 and September 30. Refreshments will be served.

Rep. Robert K. Boyce

In recognition of your support, the New Hampshire Law Enforcement Officers' Memorial Committee cordially invites all members of the House to the dedication ceremony of the New Hampshire Law Enforcement Officers' Memorial. The ceremony for the memorial will be held on Saturday, September 26, beginning promptly at 6:00 p.m. at the Legislative Office Building in Concord. The ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please contact Amy Parker-Donovan at 539-1316 or Chief John Curran of the Meredith Police Department at 279-4561 if you have any questions.

Rep. Allen K. MacNeil

The Department of Transportation will hold the following meetings:

Aug 25 - Stewartstown Community School Multi-Purpose Room, Route 3, West Stewartstown, 7:00 p.m.. Public hearing (Commission), Stewartstown, NH Route 145 bridge over Bishop Brook.

Aug 27 - Winnacunnet High School, 1 Alumni Drive, Hampton, 7:00 p.m. Public informational meeting, Hampton, US Route 1 reconstruction.

Sept 15 - Newport Town Hall Opera House, 15 Sunapee Street, Newport, 7:00 p.m. Public hearing (special commission), Claremont-Newport, NH Route 11.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

NOTICE

LAST CALL! Those persons who have not yet placed an order for a 1998 hard-cover permanent House Journal may still do so but *ORDERS CLOSE FRIDAY, SEPTEMBER 18th*.

REMINDERS:

- 1) If you have already ordered, there is no need to re-order. We have your name on file. If you can't recall placing an order and want to check, please call the House Clerk's Office at 271-2548.
- 2) Upon request, legislators and heads of state agencies are each entitled to one copy at no cost.
- 3) Non-legislators will be charged approximately \$45 per volume, plus mailing costs if there are any.
- 4) To cut waste, the number of printed Journals will be determined by the number of orders placed.
- 5) If you are a member of the general public, please *DO NOT* send money now. You will be billed.

Please clip and return to: House Clerk's Office, Room 317 - State House, Concord, NH 03301

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- Representative Request -

NAME OF STATE REPRESENTATIVE only _____

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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