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. Wednesday, January 7, 1998 No. 1

Contains: Reports and Additional Amendments for January 7, Hearings, Notices, Work Sessions, Proposed Amendment to Ethics Guidelines, Ethics Proposed Advisory Opinion and Amendment Proposed by the Rules Committee

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

Today we recognize Donn Tibbetts, State House bureau chief for the Union Leader, who is retiring this week after 25 years of faithfully and fairly reporting what has happened under the dome. He takes with him our best wishes and years of memories.

We will also welcome the Raymond High School Boys Soccer Team, winners of the 1997 Class M Boys Soccer Championship. Go team!

After our opening exercises and resolutions we will meet in joint convention with the Senate to hear the Governor's State of the State address. Following that we will take up amendments to the Rules and the Ethics Guidelines. After the lunch break, we will consider the Consent Calendar and Part I of the Regular Calendar. If time permits we will also take up Part II of the Regular Calendar as well. Any unfinished business will be completed when we meet on Thursday, January 15th.

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

Donna Sytek, Speaker

NOTICE

Due to the 1998 Session schedule Calendars will close at 2:00 p.m. on Wednesdays for mailing on Fridays.

Karen O. Wadsworth, Clerk of the House

Parliamentary Points to Ponder

In all cases not provided for by the Constitution, House Rules or Joint Rules, *Mason's Manual of Legislative Procedure*, 1989 edition, shall be referred to as the parliamentary guide.

House Rule 10

The rules of the House are reasonably comprehensive, but they don't cover every situation that may arise. We have chosen to use Mason's as our back up rules for those situations where our rules are silent. In the foreword to his last edition, Paul Mason wrote:

A proper application of these rules of procedure will eliminate

controversy, confusion, and litigation, and will make public bodies more

efficient in their work and more pleasant to work with.

We will be providing parliamentary tips from time to time in the House Calendar to help increase the clarity of debate and decorum in the chamber. Let me know what you think.

Donna Sytek, Speaker

All debate must be addressed to the presiding officer and not to the members.

Mason's Legislative Manual

Section 110 Paragraph 1

Because we face the members when we speak from the microphones, and it is the members we are trying to persuade, it seems natural to want to speak to them directly. Correct form is to direct remarks to the presiding officer, and refer to the members in the third person. Example: "Madam Speaker, this bill is important to my district, will create jobs, and cure baldness. I hope the members will join me in supporting it." Watch the Congress on C-SPAN or the Massachusetts House on Channel 44 and see how easy it is to conduct a debate in proper parliamentary form..

Donna Sytek, Speaker

1998-0219h

Amendment to House Rules 51, 52, and 64

Proposed by the Committee on Rules

Amend House Rule 51 to read as follows:

51. [~~The Speaker may designate any legislative day as a Consent Calendar day by giving two days printed notice in the House Calendar.~~] No bill shall be on a Consent Calendar unless the committee to which the bill was referred approves its placement on the Consent Calendar by a unanimous vote in executive session. Any member may request removal of any bill listed on the Consent Calendar. Any bill removed from the Consent Calendar shall be taken up at the conclusion of the Regular Calendar. All matters remaining on the Consent Calendar shall be acted upon without debate.

Amend House Rule 52 to read as follows:

52. No standing rule of the House shall be suspended unless two-thirds of the members present vote in favor thereof. ***A motion to suspend the rules is debatable.***

Amend House Rule 64 by deleting the entire rule and replacing it with the following:

64. Legislative action in the second-year session shall be subject to the following deadlines:

January 7, 1998, Wednesday Opening day

January 29, 1998, Thursday Last day to act on remaining

re-referred bills not in second committee

February 4, 1998, Wednesday Last day to report re-referred bills from

a second committee

February 11, 1998, Wednesday Last day to report House bills going to a

second committee

February 12, 1998, Thursday Last day to act on remaining re-referred bills

from a second committee

February 19, 1998, Thursday Last day to act on all House bills going to a

second committee

February 20, 1998, Friday Last day to report remaining House bills not in a second committee

February 23, 1998, Monday -

February 27, 1998, Friday Break

March 18, 1998, Wednesday Last day to report all House bills from a second committee

March 26, 1998, Thursday-CROSSOVER Last day to act on all remaining House bills

April 8, 1998, Wednesday Last day to report all Senate bills going to a

second committee

April 15, 1998, Wednesday Last day to report all Senate bills which have not been referred to a second committee- except Finance

April 29, 1998, Wednesday Last day to report all remaining Senate bills

May 7, 1998, Thursday Last day to act on remaining Senate bills

May 14, 1998, Thursday Last day to form Committees of Conference

May 21, 1998, Thursday Last day to file Committee of Conference

reports

May 26, 1998, Tuesday Committee of Conference reports available

May 28, 1998, Thursday Last day to act on Committee of Conference reports

June 3, 1998, Wednesday All bills to the Governor

1998-0223h

Floor Amendment to House Rules 44.(a), 45.(c), and 51

Proposed by Rep. Robert K. Dodge

Amend House Rule 44.(a) to read as follows:

(a) All bills in the possession of committees shall be reported out by the date specified in Rule 64 ***in the manner provided for in Rule 51, and*** with one of the following recommendations: Ought to Pass, Ought to Pass with Amendment, Re-refer to Committee, Inexpedient to Legislate, Refer for Interim Study, or Recommended but to be Laid Upon the Table Because of Funding. Re-refer to Committee shall be a committee report only in the first-year session; Refer for Interim Study shall be a committee report only in the second-year session. The Committee, as its Interim Study final report, shall submit its findings and any recommendations.

Amend House Rule 45.(c) to read as follows:

(c) When a bill comes before the House ***for debate***, the body shall first consider the [~~printed majority report of the committee~~]

ought to pass motion as provided for in Rule 51. [~~The Speaker shall not permit a motion to substitute any permitted alternative report for the Committee Report until the House has properly disposed of the majority report.~~]

Amend House Rule 51 to read as follows:

51. The Speaker may designate any legislative day as a Consent Calendar day by giving two days printed notice in the House Calendar. [~~No~~] ***Each*** bill shall be on a Consent Calendar unless ***the bill includes a minority report or*** the committee to which the bill was referred approves [~~its placement on the Consent Calendar~~] ***reporting the bill out without placement on the Consent Calendar*** by a [~~unanimous~~] vote in executive session. ***Any bill reported out for debate shall be presented on the floor with an Ought to Pass Motion, notwithstanding any committee report recommendation. Following the Ought to Pass Motion the bill shall be presented for the third reading.*** Any member may request removal of any bill listed on the Consent Calendar. Any bill removed from the Consent Calendar shall be taken up [~~at the conclusion of the Regular Calendar~~] ***no sooner than the next scheduled session and no later than the second scheduled session from the date of the Consent Calendar from which the bill was removed***. All matters remaining on the Consent Calendar shall be acted upon without debate.

1998-0231h

Floor Amendment to House Rule 49(b)

Proposed by Rep. Alf E. Jacobson

House Rule 49(b) is repealed and reenacted to read as follows:

49.(b) In its deliberations a committee of conference shall be limited to those amendments of any bill or resolution that are contained in either the House or Senate version of the bill or resolution.

NOTICE

LEGISLATIVE ETHICS COMMITTEE

Proposed Amendment to Ethics Guidelines

At its meeting on December 15, 1997, the Committee unanimously voted to amend the Ethics Guidelines, subject to approval by the General Court in accordance with RSA 14-B:3, II, by adopting a revised Financial Disclosure Form. The amendment, in its entirety, is printed below.

Representative Jeb E. Bradley, Chairman

Senator Richard L. Russman, Vice-Chairman

Senator John A. King

Representative Sarah K. Bonneau

Shawn N. Jasper

Peter C. Scott

ETHICS GUIDELINES

3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.

Every representative, representative-elect, senator, senator-elect, and officer of the House and Senate, shall file with the Secretary of State the following financial disclosure form on or before January [~~15~~] ***31*** of each year for the preceding calendar year.

The remainder of Section 3 is repealed and reenacted to read as follows:

FINANCIAL DISCLOSURE FORM

FOR STATE SENATORS, STATE REPRESENTATIVES AND OFFICERS OF

THE GENERAL COURT

Required by the Legislative Ethics Committee (RSA 14-B)

Name of Legislator/Officer_____

(print name)

Address_____

street town/city zip code

Office_____ County/District_____

Telephone Number_____

Identify below the name, address, and type of any professional, business, or other organization (including any unit of government) in which you are or were an officer, director, associate, partner, proprietor, employee, or member, or served in any advisory capacity, from which you derived any income (including retirement benefits) in excess of $10,000 during the preceding calendar year.

1) a) Name of organization _____

b) Address of organization _____

c) Type of organization _____

2) a) Name of organization _____

b) Address of organization _____

c) Type of organization _____

3) a) Name of organization _____

b) Address of organization _____

c) Type of organization _____

(attach additional sheets if necessary)

Please note: every State Senator, State Representative, and Officer of the General Court is required to file this form. If you feel that your income during the preceding calendar year does not qualify for disclosure according to the criteria stated above, signify by checking on the line below.

My income does not qualify _____.

The foregoing information is true to the best of my knowledge and belief.

_____

Signature of Legislator/Officer

Complete and return to the Office of Secretary of State no later than January 31, -------

WEDNESDAY, JANUARY 7, 1998

BILLS RE-REFERRED TO THE 1998 SESSION

CONSENT CALENDAR

COMMERCE

HB 147, relative to disclosure of certain information relating to tobacco products. OUGHT TO PASS WITH AMENDMENT

Rep. Keith R. Herman for Commerce**:** This bill will allow the New Hampshire Department of Health and Human Services to access public information from Massachusetts and will require this information to be distributed to New Hampshire residents. Vote 16-0.

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

Rep. David T. Mittelman for Commerce**:** The committee found numerous regulatory and practical flaws in this bill. Since the National Association of Insurance Commissioners is in the process of revising its Viatical Settlements Model Act, the committee felt it worthwhile to wait and review the revised Act. Vote 14-2.

HB 359, regulating information regarding evictions contained in credit reports issued by consumer reporting agencies. INEXPEDIENT TO LEGISLATE

Rep. Gregory G. Carson for Commerce**:** The sponsor and the committee felt this legislation was no longer needed. Vote 16-0.

HB 409, requiring nonprofit educational organizations and certain hospitals to file certain forms with the director of charitable trusts. INEXPEDIENT TO LEGISLATE

Rep. Gregory G. Carson for Commerce**:** The sponsor and the committee felt this legislation was no longer needed. Vote 16-0.

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

Rep. Keith R. Herman for Commerce**:** The committee will be looking at the financial arrangements between physicians and health insurers and hospitals and the impact of such arrangements on patient care and access. The committee will look at capitation, global fees, community capitation, withholdings, bonuses, financial incentives, financial disincentives, fee-for-service, referral pools, physician fees, usual and customary fees, economic credentialing and shifting of financial risk. Vote 16-0.

HB 505, revising provisions relative to smoking in indoor public places. OUGHT TO PASS WITH AMENDMENT

Rep. Martha Fuller Clark for Commerce**:** This bill makes certain changes to RSA 155:65 relative to smoking in indoor public places which will clear up ambiguities in the current law, as well as strengthen the department's ability for enforcement and rulemaking (albeit sunsetting such rulemaking in two years.) Nothing in the legislation imposes further requirements on the business community with regard to indoor smoking. This legislation extends the right to local communities. to adopt more stringent smoking regulation if they are so inclined. Vote 17-1.

HB 541, relative to long-term care insurance. REFER FOR INTERIM STUDY

Rep. George Hurt for Commerce**:** The subcommittee met to hear further testimony concerning how legislation would impact rates for Long Term Care insurance and how other states react to the NAIC Model Act for LTC insurance. It was felt by the subcommittee that mandating LTC insurance optional benefits while the current market conditions address the same issues would not be in the best interest of the consumer. The committee felt that the current market adequately provides those products which most people understand and contract for. Further, the committee expressed concern because this subject, at best, is complex to the consumer, while we are cognizant that the state should be mindful of the long-term effect this matter will have on the State of New Hampshire and its administration of care for the elderly. The committee strongly urges, because of the complexity of the subject, specifically HB 541 and its amendment, that the bill be sent to interim study. Vote 15-1.

HB 548-FN, limiting access to certain business records. REFER FOR INTERIM STUDY

Rep. Gregory G. Carson for Commerce**:** The committee wants to continue the ability to legislatively protect New Hampshire small businesses from over-zealous revenue collectors from other states if other solutions can not be agreed to by the concerned

parties. Vote 17-1.

HB 594-FN-L, exempting towns and cities from paying condominium fees when condominium units are taken for nonpayment of taxes. INEXPEDIENT TO LEGISLATE

Rep. Anthony Syracusa for Commerce**:** The primary concern addressed in this bill has been covered in HB 701 which passed in the 1997 session. Municipalities may now choose not to take property if it will incur a financial liability. In addition, this bill would unfairly shift financial liability to condominium associations and would create a double standard. Vote 16-0.

HB 670-FN, relative to telemarketing registration and fraud prevention. OUGHT TO PASS WITH AMENDMENT

Rep. Gregory G. Carson for Commerce**:** This legislation provides a first step in providing New Hampshire consumers with a means for reducing the number of unwanted solicitation telephone calls. The legislation prohibits the solicitor (calling party) from blocking caller identification from the consumer (called party.) Vote 14-2.

HB 691, requiring large employers to offer their employees long-term care insurance. INEXPEDIENT TO LEGISLATE

Rep. George Hurt for Commerce**:** The sub-committee met twice during the summer to consider this piece of important legislation. The committee recognized the importance of individuals assuming responsibility for their own long-term care (LTC.) The committee is also cognizant that it is imperative for the general public to be educated in this area for their own welfare, as well as the State of New Hampshire. However, the sub-committee felt that mandatory legislation upon employers and businesses is an unnecessary intrusion. More importantly, the committee feels further study from the LTC Institute should be encouraged and should ,with emphasis, specifically address those issues that favor incentives, i.e., businesses that offer LTC through payroll deduction on a voluntary basis. Vote 17-0.

HB 721, prohibiting certain tobacco or alcohol advertising within drug-free school zones. OUGHT TO PASS WITH AMENDMENT

Rep. Gregory G. Carson for Commerce**:** This legislation, as amended, is the epitome of the New Hampshire legislative process and local control. As amended, the bill authorizes municipalities to restrict the advertising of alcohol and tobacco products through the exercise of zoning powers. The committee does not make this recommendation lightly in the context of the First Amendment and freedom of speech considerations. This legislation allows communities to determine to what extent they wish to limit such advertisement. However, limitations are considered in the intent section of this legislation. Specifically, such limitation is to be no more extensive than is necessary to advance the communities' interest in reducing the exposure of youth to such advertising with the ultimate goal of reducing the incidence of youth consumption of tobacco and alcohol. Vote 12-2.

HB 798, relative to the bonding requirement for health clubs. OUGHT TO PASS WITH AMENDMENT

Rep. Eric N. Lindblade for Commerce**:** This bill serves to put both the buyer and the seller of health club services on notice as to their mutual obligations, i.e., the buyer to read the contract carefully and the seller to provide clear and legible information concerning the financial packages available. Vote 13-1.

SB 10, relative to funds for prearranged funerals or burial plans. OUGHT TO PASS WITH AMENDMENT

Rep. Eric N. Lindblade for Commerce**:** This bill provides for notification when a funeral director transfers funds, paid for funerals in advance, from one financial institution to another. Vote 14-0.

SB 100-FN, establishing a New Hampshire film and television commission. OUGHT TO PASS WITH AMENDMENT

Rep. Gregory G. Carson for Commerce**:** This legislation, as amended, authorizes the Commissioner of Department of Resources and Economic Development to appoint a five-member commission to develop a report on suggestions for potential legislation regarding the development of the film industry in New Hampshire. Vote 12-1.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 152, relative to permissible fireworks. OUGHT TO PASS WITH AMENDMENT

Rep. Bruce F. Hunter for Criminal Justice and Public Safety: This bill contains the latest list of those "safe and sane" consumer fireworks that have been approved by the statutory committee that tests and reviews the offerings of the fireworks industry. Those devices deemed safe for use in New Hampshire by our citizens in areas where they are not prohibited are listed in the amendment. The reason is that the Department of Safety that has responsibility for promulgating rules containing this list has

not been able to do so for last year's offering (1996) and is unlikely to be able to do so for this year's list. The department has lost two key employees who produce the rules under RSA 541-A. During the last session a similar bill was passed to allow the legal sale and use of some of the fireworks tested during the fall of 1995. The committee is considering removing the requirement for the Department of Safety to promulgate rules and amend current law with the applicable rules thus eliminating the annual delay. Vote 12-1.

HB 204-FN-L, relative to transportation of arrestees, detained defendants, and prisoners and court control of arrestees, detained defendants, and prisoners. OUGHT TO PASS WITH AMENDMENT

Rep. Bruce F. Hunter for Criminal Justice and Public Safety: This bill, as amended, improves courtroom security by allowing the county sheriff to be responsible for the security of the state's courts and be responsible for the custody and control of prisoners within the state's courts except for the supreme court. The amendment provides for the protection of the staff, members of the public and the officers of the court while in the state's courts conducting their business. The current budget calls for a $2,000,000 increase in the judicial budget but the court had asked for a $4,000,000 increase. As a result of the "cut" the judiciary chose to cut security in the courts. The committee felt that with the increase in violence in our state and the nation, the security of the courts should be enhanced by the presence of law enforcement personnel working as bailiffs. The committee recognizes the "Separation of Powers" (N.H. Const. pt. I, Art. 37) and further recognizes that custody and detention of prisoners is a function of the executive branch (sheriffs). The committee allowed for an increase in the per diem allowance paid to the bailiffs from $50 to $65 and further allowed for a half day at $35 to allow the sheriff the opportunity to determine the number of bailiffs to retain for a full day and reduce the cost of doing so. The committee has determined that the costs for this change should reduce payments by the state for court security by as much as $1.4 million. There would be little or no impact on county expenditures due to the increased revenue from the state for court security, and the local cities and towns would be able to save the costs of local officers being responsible for custody of prisoners while in the state's courts. The city of Manchester has testified that it would save the bulk of $168,000 and be able to put four to five officers back on patrol in the streets of Manchester. This information was determined by using figures from the sheriffs and the Administrative Office of the Courts (AOC). This bill extracts the funds for court security from the judicial budget and transfers the funds to Administrative Services. Vote 18-0.

HB 271, establishing a committee to examine the effectiveness and efficiency of the multiple DWI offender intervention detention center program. INEXPEDIENT TO LEGISLATE

Rep. Herbert R. Hansen for Criminal Justice and Public Safety: After careful evaluation by a subcommittee over the summer, it was felt that this bill should be Inexpedient to Legislate, inasmuch as the work of such a committee as proposed by this bill had already been accomplished by the subcommittee. Consequently, the recommendation was to submit an entirely new bill with recommended changes to the current DWI intervention detention program. Vote 13-0.

HB 353, establishing a committee to study issues regarding prosecutions and sentencing of, and incarceration treatment for, persons convicted of sex-related crimes. INEXPEDIENT TO LEGISLATE

Rep. William V. Knowles for Criminal Justice and Public Safety: This bill would have established a study committee regarding prosecution and sentencing of, and incarceration treatment for, persons convicted of sex-related crimes in New Hampshire. After hearing testimony from a county attorney and a superior court judge that there are significant protections for defendants, and twelve jurors must be convinced beyond a reasonable doubt that the accused is guilty, there didn't appear to be much to study. As for availability of treatment for sex offenders, the Department of Corrections would be happy to expand the program if the financing and space were available. The existing program is very successful for those they are able to treat. Follow-up treatment is also important. The Department of Corrections is working to get grants to expand the program. Vote 13-0.

HB 414, authorizing the commissioner of the department of safety to adopt rules imposing late fees for the impaired driver intervention programs. INEXPEDIENT TO LEGISLATE

Rep. Herbert R. Hansen for Criminal Justice and Public Safety: The Impaired Driver Intervention Program (IDIP) applies to first time DWI offenders who must pay the cost of this program to the contract provider, and not the state, as one of the requirements necessary for completion and for license restoration. Additionally, the offender must then pay a $40 reissue fee to the Department of Safety before having the motor vehicle operator's license returned. Therefore, the committee felt that it was not in the state's best interest to consider a late fee. Vote 11-0.

HB 420, relative to administrative review of suspended or revoked motor vehicle licenses. OUGHT TO PASS WITH AMENDMENT

Rep. Andrew Christie, Jr. for Criminal Justice and Public Safety: This bill makes certain changes to the administrative motor vehicle license suspension law that has been passed twice by the House in recent years – in 1994 (HB 1569) and in 1995 (HB 498). Both times the bills died in the Senate. This year the committee continues to believe these changes are needed to make the administrative suspension law work better and so again unanimously recommends passage. The proposed changes are an attempt to streamline the hearings process. The bill enumerates four specific criteria which may establish that a breath and a blood or urine test for alcohol have been properly administered. Once the criteria have been established, the burden is on the driver to prove by a preponderance of the evidence that the test was not properly administered. The bill also limits the scope of the administrative review or hearing to specific procedural issues. Vote 13-0.

HB 467-FN, relative to felonious activities relating to wireless telephone cloning. OUGHT TO PASS WITH AMENDMENT

Rep. L. Randy Lyman for Criminal Justice and Public Safety: This bill has been amended to make a correction to language passed in the 1997 session defining illegal telephone cloning. This amendment establishes the combination of equipment that would allow cellular telephone numbers to be "harvested" for reuse as illegal or "cloned" cellular phones. The clarification identifies the items that when possessed in combination could be used as evidence for the prosecution of individuals engaged in the gathering or harvesting phone numbers and serial numbers of legal cellular phones for resale to others. The amendment is necessary to avoid entrapment of those who normally possess certain types of electronic equipment for legal pursuits. Vote 16-0.

HB 480, revising the law relative to protection of persons from domestic violence. OUGHT TO PASS WITH AMENDMENT

Rep. William V. Knowles for Criminal Justice and Public Safety: This bill, as amended, clarifies the Domestic Violence statutes, Chapter 173-B. The various provisions of Chapter 173-B have been put into a more logical order, and the definitions of what constitutes abuse have been made easier to understand. Care has been taken to protect the rights of the accused as well as the rights of the plaintiff. The study process extended throughout the summer to ensure that every interested party had the opportunity to testify. Vote 14-0.

HB 559-FN, relative to crimes against persons under 13 years of age. OUGHT TO PASS WITH AMENDMENT

Rep. L. Randy Lyman for Criminal Justice and Public Safety: The amendment allows courts to impose an extended term of imprisonment upon persons of any age who have committed certain crimes against persons under 13 years of age if the crime meets the criteria spelled out in RSA 651:6. The amendment adds RSA 630:3 (negligent homicide) to the list. The amendment also changes the current wording of RSA 651:6, "18 years or older" to: "A convicted person." Vote 13-0.

HB 565-FN, relative to penalties for joy-riding and car theft across state lines. OUGHT TO PASS WITH AMENDMENT

Rep. L. Randy Lyman for Criminal Justice and Public Safety: After studying the joy-riding issue for a period of time, the issue narrowed down to the prosecutor having to prove that the individual taking the vehicle did not intend to return it. We have made it a violation for persons under 18 to possess tobacco products and treat those over 12 years of age as an adult for purposes of prosecution, yet we treat minors who steal automobiles whose value may exceed $20,000 to $30,000 as having a "joy-ride." This disparity sends a wrong message to our young citizens. The committee agreed the taking of a vehicle is a serious crime with potentially serious consequences, not only for the victim of the theft but for the individual taking the vehicle, and therefore should be more properly addressed under the theft statutes. The circumstances of the act will dictate whether or not a prosecution should go forward under the theft statutes. The amendment repeals the joy-riding statutes. Vote 14-0.

HB 583-FN-L, relative to felonious disarming of a law enforcement officer. OUGHT TO PASS WITH AMENDMENT

Rep. Bruce F. Hunter for Criminal Justice and Public Safety: This bill has been amended to establish a Class A felony for the taking of a firearm from a law enforcement officer while such officer is performing official duties. The term of imprisonment is meant to run consecutively and the minimum sentence shall be at least half of the maximum imposed which can be up to 15 or up to 20 years depending on the particulars of the crime. There were few instances where an officer had actually lost control of his firearm during a scuffle, but statistics show that many officers who have been shot in the line of duty have indeed been shot with their own firearms. The committee felt that this new felony was important to establish and the law enforcement community has cited the need for such a statute. Vote 16-0.

HB 604-FN-L, relative to accessing information in delinquency cases. INEXPEDIENT TO LEGISLATE

Rep. L. Randy Lyman for Criminal Justice and Public Safety: The stated purpose of the current juvenile confidentiality statutes is the safeguarding of the minor's contact with the juvenile justice system. This purpose is considered essential in facilitating and promoting the goals of treatment, rehabilitation, and protection from public scandal, curiosity and humiliation. Previous legislation has provided a "window" for the breaching of this confidentiality in areas of violent crime. Among other things, this

bill removes the ability of a victim to access information, have input into the disposition of the case, to be apprised of negotiations, plea bargaining activities, as well as the opportunity to submit an impact statement during the proceedings. All these rights were established under RSA 169-B:34, RSA 169-B:35, and RSA 169-B:36. Victims' rights would be put in jeopardy by passage of this bill and the ability of the Attorney General or the County Attorney to release to the media the name and photograph of a juvenile when there is good cause to believe that the juvenile presents a serious danger to him or herself or to the public safety pursuant to RSA 169-B:37, would be eliminated. Vote 16-0.

HB 605-FN-L, relative to procedures regarding delinquent children under RSA 169-B. OUGHT TO PASS WITH AMENDMENT

Rep. L. Randy Lyman for Criminal Justice and Public Safety: This bill addresses procedures regarding children within the juvenile justice system. The amended version of this bill more clearly defines the definitions of "Diversion" and "Intervention" and provides the procedure for accessing same. The bill further clarifies the responsibilities required of parents, guardians, and caregivers. A notification process for non-custodial parents is established. The timing of service for petitions and summonses is simplified. Violations will be addressed under first offenses rather than multiple offenses (shoplifting, petty theft, etc.). Vote 16-0.

HB 665-FN, establishing the crime of felony murder. INEXPEDIENT TO LEGISLATE

Rep. Paul K. Chase, Jr. for Criminal Justice and Public Safety: The committee heard testimony that another bill to be filed for the 1998 session would more adequately address the subject of felony murder. To address the issue at this time without the important input from the Attorney General's office was judged not in the best interests of the public. The committee has the assurance from the Attorney General that we will work with the sponsors and the criminal justice professionals to weigh the merits of the proposed felony murder statute. Vote 13-1.

HB 682-FN-L, requiring law enforcement agencies to notify certain community organizations when a sexual offender moves into the community. OUGHT TO PASS WITH AMENDMENT

Rep. William V. Knowles for Criminal Justice and Public Safety: This bill, as amended, permits interested members of the public to access information in the Central Offender Registry. This registry contains the name, address, offense for which the individual has been convicted, and the date and court of conviction for which the offender is registered. The registry contains a listing of all convicted sexual offenders or offenders against children, who are required to register under RSA 651-B whether on probation, parole, conditional or unconditional release, transfers to any community based residential program, completion of sentence, or for any other reason. Information shall be accessible at local law enforcement agencies. Vote 15-0

HB 730-FN, relative to penalties for sexual misconduct by mental health counselors. OUGHT TO PASS WITH AMENDMENT

Rep. William V. Knowles for Criminal Justice and Public Safety: The amendment to this bill defines "therapy" and makes it an offense if, while providing such therapy, the actor uses his/her position as a provider to coerce the victim to submit. Vote 16-0.

HB 767-FN, relative to violation of court orders regarding child custody. INEXPEDIENT TO LEGISLATE

Rep. L. Randy Lyman for Criminal Justice and Public Safety**:** This bill added language to an existing statute making it a misdemeanor if a person knows that a court order specifies conditions for visitation with a child and the person violates such order. The result of the change would involve third parties and provided for no defense. The committee determined that more harm than good would result if this measure were to pass. Vote 16-0.

SB 66, allowing a state resident to obtain a license for a pistol or revolver for life. INEXPEDIENT TO LEGISLATE

Rep. Richard F. Doucette for Criminal Justice and Public Safety**:** This bill would allow for a concealed weapons permit to be granted to a New Hampshire resident for life rather than the current four-year term. Testimony was overwhelming in opposition from law enforcement and many gun proponents. A persons mental and physical circumstances may change radically with age or other infirmity and for these reasons the committee felt that this was not a good idea. It was mentioned during testimony that Vermont had no permit requirements at all and there seemed to be no more firearm related problems in Vermont than any other state with a variety of firearm restrictions. One police chief was heard to say that he would rather have no law than to have a lifetime carry law, indicating the Vermont experience. Such a measure may be introduced in the Senate for the next session. This bill is not in the best interests of the firearm owners of this state and the committee voted to kill the measure. Vote 15-1.

SB 102-FN, relative to the possession of certain weapons in the commission of a violent crime. OUGHT TO PASS WITH AMENDMENT

Rep. Bruce F. Hunter for Criminal Justice and Public Safety**:** This bill has been amended to make possession or use of dangerous weapons while committing a misdemeanor or a felony an additional Class A misdemeanor. Currently, the statute states that such possession or use during any offense is an additional misdemeanor charge. The committee heard testimony during which it was alleged that misuse of the statutes had occurred during motor vehicle violations. The committee felt that if the offense committed was a misdemeanor or a felony, the additional charge would be warranted. The Senate sponsor agreed. Vote 16-0.

EDUCATION

HB 166, extending the time frame for the annual school district meeting date to the last Saturday in April. INEXPEDIENT TO LEGISLATE

Rep. Richard L. Hill for Education**:** This bill would extend the time frame for holding annual school district meetings. The committee found during their hearings that there is now an abundance of existing timing options for annual school district meetings. The committee also recognized the possibility of a school district arriving at June 30, the end of the school financial year, without a budget due to the extended meeting schedule proposal. Finally, the committee felt this bill would cause confusion to the voters, especially with the arrival of SB 2, Chapter 164, Laws of 1995 and the new time lines required by SB 109, Chapter 318, Laws of 1997 for ballot voting. Vote 19-0.

HB 167, changing the teacher nomination notification date from April 15 to May 15. INEXPEDIENT TO LEGISLATE

Rep. Richard L. Hill for Education **:** The committee found during hearings that teacher employment processes and practices are regulated by law within the form of government chosen by the school district. Ten cities have charters and this makes their teacher re-nomination unique and fall beyond the provisions of this bill. The 1995 legislative session passed legislation which changed the date from March 30 to the current date of April 15. It was felt by the committee that this time change should be allowed to work before further modification. Vote 19-0.

HB 242, requiring voter approval for any type of random drug testing within a school district. INEXPEDIENT TO LEGISLATE

Rep. Bruce L. Dearborn for Education **:** This bill describes a state-required process for voter-approved drug testing policies in school districts. The committee feels that the local school district is the responsible agency to handle drug testing and that the voting process for school board decisions remain under the control of the local board. Vote 19-0.

HB 270-L, allowing school districts to transfer permanent paper records onto electronic alternate media and destroy printed records. INEXPEDIENT TO LEGISLATE

Rep. Suzan L.R. Franks for Education**:** The committee recognizes the issue of records storage as genuine, and, therefore, has requested the Department of Education to bring forward legislation in consultation with local school districts and our State Archivist to develop a record retention process which will define historical documents and the process by which such records may be donated to local historical societies. The bill's proposed process of allowing the destruction of paper documents, after recording their contents electronically, was judged to be an inappropriate solution. Vote 15-1.

HB 538, requiring every pupil receiving state-funded scholarships or grants for postsecondary education to pass a drug test as a condition for receiving such funds, and requiring repayment of such moneys upon conviction of a drug-related offense. INEXPEDIENT TO LEGISLATE

Rep. Bruce L. Dearborn for Education**:** The bill proposed drug testing on persons receiving New Hampshire state financial grants for post-secondary education. Penalties would be imposed for failing these tests. Because of the small number of students (1,200) involved in state grants and scholarship programs and the difficulties with the constitutionality of drug testing, the committee believes that new legislation that proposes an alternate approach to the problems of alcohol and drug abuse by students would be appropriate. This legislation does not accomplish that objective. Vote 19-0.

ELECTION LAW

CACR 9, relating to requiring that the attorney general be elected by the legislature. Providing that the attorney general be chosen by joint ballot of the senators and representatives. INEXPEDIENT TO LEGISLATE

Rep. Janet S. Arndt for Election Law**:** The committee felt that election by the Legislature would not serve to "de-politicize" the Attorney General's Office. Vote 11-0.

HB 333-FN-L, establishing a fine for political advertising placed or affixed prior to the date permitted by statute or placed on or affixed to any public property. INEXPEDIENT TO LEGISLATE

Rep. Jane S. Langley for Election Law**:** The original bill would be difficult to enforce. The subject matter has been incorporated into new bills. The committee, therefore, voted this bill inexpedient to legislate. Vote 12-0.

HB 356, relative to reporting requirements for political candidates and political committees. INEXPEDIENT TO LEGISLATE

Rep. Thomas I. Arnold, Jr. for Election Law**:** The committee had difficulty reaching a consensus on the bill as presented. Because the subject matter is incorporated into other bills where the ideas may be considered individually, the committee voted this "omnibus" bill inexpedient to legislate. Vote 13-0.

HB 408, relative to using name stickers on election ballots. INEXPEDIENT TO LEGISLATE

Rep. Janet S. Arndt for Election Law**:** The committee felt that since the Supreme Court upheld the present law, we should let it stand. Vote 13-0.

HB 647-FN-A-L, relative to a centralized computer checklist of voters and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Thomas I. Arnold, Jr. for Election Law**:** This bill is the initial attempt to establish a statewide computerized voter checklist which can be sorted and reproduced in hard copy or computer media. It constitutes enabling legislation and is designed to encourage towns to participate. One benefit of a statewide computerized checklist is to reduce voter fraud. The database will be controlled by the Secretary of State. Vote 10-0.

ENVIRONMENT AND AGRICULTURE

HB 396-L, prohibiting current use tax designation for property granted a change in zoning classification for 5 years after the reclassification. INEXPEDIENT TO LEGISLATE

Rep. Donald R. Philbrick for Environment and Agriculture**:** This bill was re-referred because the subcommittee was concerned about several cases being heard by the state Supreme Court regarding current use. This delay in action allowed the subcommittee to review those decisions. The subcommittee and full committee now feel no further legislation is required at this time and this bill should be inexpedient to legislate. Vote 15-0.

HB 553-L, relative to a right to farm. INEXPEDIENT TO LEGISLATE

Rep. Harold P. Melcher for Environment and Agriculture**:** The committee feels the bill's intention would be more effectively realized by another approach. Another bill has been filed. Vote 15-0.

HB 593-FN-L, extending the grant program for closure of landfills to municipalities and adding the closure of the refuse-to-energy facility at Pease to the state water pollution control revolving fund priority projects. INEXPEDIENT TO LEGISLATE

Rep. John R.M. Alger for Environment and Agriculture**:** The committee recommends that the whole issue of volume reduction incinerators and grant program for closures be studied in depth by a subcommittee of Environment and Agriculture. Vote 19-0.

SB 145-L, relative to the definition of "open space land" for purposes of current use taxation. INEXPEDIENT TO LEGISLATE

Rep. Donald R. Philbrick for : The committee felt that the current situation was unfair and that SB 145 did not adequately address it. Therefore, in order to correct it, new legislation had to be filed. Vote 16-0.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 256-FN, establishing uniform adjudicative proceedings for state agencies and establishing a pilot program for adjudicative hearings. OUGHT TO PASS WITH AMENDMENT

Rep. James P. Pilliod for Executive Departments and Administration**:** The purpose of this bill is to provide uniform rules for adjudicative hearings. Agencies, boards and commissions will be able to use these rules for conducting their adjudicative hearings. Vote 17-0.

HB 281, relative to regulation of medical assistants. INEXPEDIENT TO LEGISLATE

Rep. Andrew R. Peterson for Executive Departments and Administration**:** With the sweeping changes taking place in the medical field, the committee is sensitive to the potential for problems to arise in this area We unanimously agreed that this legislation was not the way to deal with the situation. The committee found that this is a matter which, perhaps, is better handled through individual office policy and employment agreements rather than through state regulatory action. Vote 19-0.

HB 303, relative to accountancy. INEXPEDIENT TO LEGISLATE

Rep. Robert K. Dodge for Executive Departments and Administration**:** This bill was voted on unanimously as Inexpedient to Legislate. The committee realizes that some corrections may have to be made. However, testimony given to the committee advises that a new uniform accounting act will be forthcoming in 1998 and that most changes shall be addressed at that time. None of the items in this bill will affect the operation of the board. Vote 19-0.

HB 465-FN, requiring the legislature to consider a list of factors in determining whether to regulate a previously unregulated profession. INEXPEDIENT TO LEGISLATE

Rep. Howard C. Dickinson for Executive Departments and Administration**:** The committee unanimously agrees that the Legislature, or any House committee, should not be required to consider a list of criteria in determining whether to regulate a previously unregulated profession or occupation. We should not bind the procedures of future legislative bodies because analyzing a profession is a dynamic process and not a static recipe that must be followed. The committee will continue to revise the guidelines for certification or licensure that it has used successfully in recent years. Any member interested in legislation to regulate an unregulated profession is well advised to consult these guidelines prior to filing legislation. Vote 17-0.

HB 535, relative to the regulation of architects. OUGHT TO PASS WITH AMENDMENT

Rep. Kipp A. Cooper for Executive Departments and Administration: This bill slightly modifies the definition of architecture, changes the board's authority and to adopt administrative rules, gives the board authority to assess administrative fines, and establishes requirements for administrative hearings. As amended, this bill has the support of the Architects Board and the Board of Professional Engineers. Vote 18-0.

HB 600, consolidating administrative support for the regulation of health professionals. INEXPEDIENT TO LEGISLATE

Rep. Nancy C. Stickney for Executive Departments and Administration**:** After exhausting study, it was felt that the reorganization proposed in this bill is too cumbersome at this time. The subcommittee met with almost all health care boards during the summer and early fall and were informed of the members' concerns but recognize that this approach to consolidation is not the answer. Vote 19-0.

HB 749-FN, requiring group I retirement system members to be incapacitated for any gainful employment before receiving accidental disability retirement benefits. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration**:** This bill, as amended, will allow the Board of Trustees of the New Hampshire Retirement System to require that the applicant for disability retirement shall have the burden of proving causation if the member enters into a lump sum settlement of an injury claim that was at any time denied by the employer or the employer's insurance carrier and not found compensable by final decision of the Labor Commissioner of the Compensation Appeals Board after hearing pursuant to RSA 281-A:43. The present requirement in RSA 100-A:6,I is that the board shall grant a disability retirement whether the disability is work related or not. Vote 17-0.

HB 751-FN-L, relative to spousal benefits for certain retired group II members of the New Hampshire retirement system. INEXPEDIENT TO LEGISLATE

Rep. Merton S. Dyer for Executive Departments and Administration**:** This bill was introduced to provide an automatic 50 percent spousal benefit to Group II members of the New Hampshire Retirement System who retired prior to July 1, 1988. In addition, it would also provide medical benefits to those members and their spouses similar to the benefits available to current retirees. The cost to terminally fund these programs amounts to approximately $12 million and would be paid from the special account. In 1987, Senate Bill 78 implemented the present benefits and was supported by a strong coalition of groups from the police and fire sectors. This bill had support of those who have retired and not elected the spousal benefit, but was opposed by many members of the police and fire community. The committee felt that without strong support from those affected by the expenditure, we should not file a positive report. Vote 16-1.

HB 756-FN, relative to the registration of alternative providers of mental health services. INEXPEDIENT TO LEGISLATE

Rep. Miriam D. Dunn for Executive Departments and Administration**:** The subcommittee considered the many and various practices of "alternative providers of mental health services." We recommended that this bill be voted Inexpedient to Legislate because SB 191 (relative to mental health providers) was re-referred to the Senate E. D. & A. Committee, and is actively progressing. It defines "alternative" practices and includes registration of this group of providers. Vote 18-0.

SB 53-FN, relative to payment by the retirement system of certain medical benefits for group II members and for certain permanent firemen on disability retirement. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration**:** This bill will terminally fund medical benefits for members of the Group II component of the New Hampshire Retirement System who became members after June 30, 1988 but before July 1, 1995. This benefit will be terminally funded from the special account of the Group II members and has the support of both the police officers and the firefighters. The intent, that this benefit shall be terminally funded from the special account and can only be changed by the Legislature, remains in the statute. This is an account that will be available as long as the assets of the medical subtrust remain. There are no requirements on future legislators to continue this fund if the special account is not sufficient to provide the funding. Vote 16-0.

SB 68-FN-L, providing health care coverage for the spouse and dependents of any group I or group II retirement system member who is killed in the line of duty. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration**:** This bill was amended by the House to provide guidelines for health insurance coverage for the spouses and dependents of teachers and local employees, of any political subdivision of the state, who die as a natural and proximate result of injuries suffered while in the performance of their duties. The state presently provides this type of insurance for its employees and this will assure those in the communities that the state will provide backup insurance if no other health insurance is available. The state will only provide this coverage if the spouse and/or dependent children are not qualified or continue to be qualified for medical insurance or health care benefits from any other available employer-sponsored plan. This program is not intended to replace any other plans, but is an insurance of last resort and will not cover those in which the political subdivision has such insurance available but has not opted to provide this benefit. This coverage will be paid from the benefit adjustment account. Vote 16-0.

FINANCE

HB 108-FN-A, 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. REFER FOR INTERIM STUDY

Rep. David J. Alukonis for Finance**:** The sponsors and supporters of this bill urged that the state reform the legacies and successions tax in order to bring a greater level of equity to the application of the tax. Currently, lineal descendants and ascendants (parents, grandparents, children, grandchildren, etc.) are exempt from paying the tax, while non-lineal heirs (brothers, sisters, cousins, nieces, nephews, friends, etc.) are required to pay to the state a tax of 18% of all inheritances received.

In general, the committee agreed with the sponsors. However, in order to achieve a more equitable plan, it became clear that the legacies and successions tax would have to be scrapped in favor of a new inheritance tax which would be similar to the federal inheritance tax. The policy changes required by such a change, as well as the possible ramifications, will require significant additional review prior to any final action. Additionally, at this time, the Department of Revenue Administration has neither the ability nor the resources to expediently or accurately prognosticate the fiscal impact of such changes which are acknowledged to be significant. Vote 20-0.

HB 245-FN-A, making certain real estate transfers taxable. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance**:** The intent of this bill was to eliminate certain "loopholes" whereby it was alleged that real estate could be transferred without paying the Real Estate Transfer Tax. During its deliberations on this bill, the committee found that this proposal was too broad and would create more problems than those that it solved. A similar measure, much narrower in scope, was adopted as part of HB 2, Chapter 351 from 1997. It is the hope of the committee that this measure, made law this year, will adequately address the "loophole" identified by the sponsors of this bill. Vote 20-0.

HB 645-FN, requiring the commissioner of health and human services to produce certain quarterly reports. REFER FOR INTERIM STUDY

Rep. Kevin L. Camm for Finance**:** This bill would require, by statute, that Department of Health and Human Services provide certain reports to the legislature. The huge computerization initiative undertaken by the department will make this information more readily available. The interim study recommendation will encourage Health and Human Services to provide the desired reports to the legislature. The department has stated that they intend to report, and given the tools at their disposal, the committee is optimistic the department will fulfill its commitment. Vote 17-1.

HB 689-FN, relative to a certain portion of registration fees of a nonprofit corporation. INEXPEDIENT TO LEGISLATE

Rep. Robert G. Holbrook for Finance**:** The committee voted this bill inexpedient to legislate as the sponsors withdrew their interest at this time. Vote 19-1.

HB 804, relative to the definition of "communication services" for purposes of the communications services tax. INEXPEDIENT TO LEGISLATE

Rep. Sandra K. Dowd for Finance**:** The committee heard testimony from the sponsor and Commissioner Arnold of the Department of Revenue Administration. The department's auditors' informal inquiry revealed they are collecting the proper amount of taxes and are able to document their collections. We feel the current law supports the taxation of prepaid phone cards and no further legislation is necessary at this time. Vote 20-0.

SB 80-FN-A, excluding certain transfers from payment of the real estate transfer tax. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance**:** This bill would have allowed individuals to sell or otherwise transfer parcels of real estate to a corporation or other entity without paying the real estate transfer tax. The committee believes that adoption of this measure would be counter to the policy adopted in HB 2, Chapter 351 from 1997 where a similar loophole was closed. Vote 20-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 266, relative to the Alzheimer's Special Care Disclosure Act. INEXPEDIENT TO LEGISLATE

Rep. Joseph P. Manning for Health, Human Services and Elderly Affairs**:** This was a generic bill generated by the national Alzheimer's group to address problems existing in some states that do not have the health care controls that we have in New Hampshire. Information on care is the main concern here. To that end, the various associations that deal with Alzheimer treatment have agreed to publish and distribute a pamphlet to address this problem. Hence we recommend, inexpedient to legislate. Vote 18-0.

HB 621, exempting wilderness/back country rescuers from RSA 151-B. INEXPEDIENT TO LEGISLATE

Rep. Lawrence A. Emerton, Sr. for Health, Human Services and Elderly Affairs**:** The committee found after hearing this bill during the 1997 session the perceived problem between the Department of Health and Human Services and the folks who are involved in wilderness/back country rescues has been resolved. The Department of Health and Human Services has, in writing, given its assurances that they concur with their present operating practices. Vote 18-0.

JUDICIARY AND FAMILY LAW

HB 234-FN-L, relative to disposition by counties of funds of deceased patients of county nursing homes. OUGHT TO PASS

Rep. Deborah L. Woods for Judiciary and Family Law**:** This bill is legislation which furthers the goal of making the probate process easier and more efficient for all who use it. It establishes an expedited process for nursing home administrators to dispose of a deceased patient's estate. Vote 14-0.

HB 290, relative to electronic signatures. OUGHT TO PASS WITH AMENDMENT

Rep. Paul M. Mirski for Judiciary and Family Law**:** The enactment of this bill, as amended, will permit businesses operating within the State of New Hampshire to take advantages of the use of electronic cryptography in commercial affairs while minimizing the potential for fraud in electronic commerce. Vote 14-0.

HB 361, clarifying the status of tenants who reside in rooming or boarding houses for more than 90 consecutive days. INEXPEDIENT TO LEGISLATE

Rep. Deborah L. Woods for Judiciary and Family Law**:** This bill will not take care of the problem of rooming house owners using "89 day leases," to the extent this is a problem. Extensive revisions to the landlord/tenant statutes are being worked on which

address issues of both landlords and tenants. It was agreed that this bill was not a good vehicle to aid this process. Vote 14-0.

HB 555, exempting an individual's pensions and individual retirement accounts from bankruptcy attachment. OUGHT TO PASS WITH AMENDMENT

Rep. Wayne T. Moynihan for Judiciary and Family Law**:** This bill adds certain individual retirement accounts (IRAs) to the list of property presently exempt from attachment and execution. All witnesses spoke in general support of the bill. It became clear that some forms of corporate and other pension plans are now exempt under the terms of federal laws, such as ERISA. However, the IRA accounts of some citizens, such as small business owners and self-employed, are presently not exempt. This bill provides individual IRAs with some of the protection afforded other pension plans, as well as provide a mechanism to allow creditors access to any unlawful attempts to hide assets. Vote 13-1.

HB 595-FN, protecting consumers from the unlicensed practice of law. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary and Family Law**:** This bill was an attempt to protect unsuspecting individuals from persons representing themselves as lawyers. There are situations where paralegals can be used and that is not a problem. However, even the Bar Association which has had an ongoing study on this issue for two years has been unable to draft language which allows limited advice to be given and still warns individuals that they may need a practicing attorney. The committee is waiting for more direction from the Bar. Vote 14-0.

HB 606-FN-L, relative to procedures regarding children in need of services under RSA 169-D. OUGHT TO PASS WITH AMENDMENT

Rep. Barbara Hull Richardson for Judiciary and Family Law**:** This bill revises certain procedures relative to cases involving children in need of services which will require parents and children to become more accountable, more responsible. The committee worked collaboratively with the state's juvenile justice system and the Division of Children, Youth and Families in crafting this legislation. The bill will facilitate preventive and early intervention in court division programs. Vote 11-0.

HB 616-FN, relative to jury selection reforms. OUGHT TO PASS WITH AMENDMENT

Rep. Janet G. Wall for Judiciary and Family Law**:** The committee recognizes the importance of having a jury of one's peers and that jury pools have been dwindling. In an effort to rectify the problems, the committee studied the "Report of the Superior Court Reform Study Committee" which came out on August 15, 1997, and worked with the sponsor to reach a reasonable conclusion. The amendment allows for a master blend of drivers' licenses and voting checklists, takes away all exemptions from serving, and disallows felons whose convictions have not been annulled or whose convictions are not eligible for annulment. The committee agreed unanimously on the bill as amended. Vote 14-0.

HB 635, relative to a limitation on liability for emergency medical care providers. INEXPEDIENT TO LEGISLATE

Rep. Sandra B. Keans for Judiciary and Family Law**:** After several weeks of meetings, the subcommittee reported they could find nothing unique about emergency medical care providers as opposed to other public safety officers who rely on the protections in the current statutes. If an individual is untrained, he/she is protected by the Good Samaritan Rule. If trained, they should follow the protocol of the emergency service company. Vote 14-0.

HB 734-FN, requiring district courts to hold evening sessions. OUGHT TO PASS

Rep. Sandra B. Keans for Judiciary and Family Law**:** The committee was impressed with the testimony from police officers representing small communities that rely on part-time officers. Often the officer works nights after a regular day job. In order to prosecute the offense, the officer would have to take time off from the day job to appear in court. Also, the defendant often loses a day's pay to be in court which would be in addition to any fines. Vote 15-0.

HB 736-FN, increasing jurors' fees. OUGHT TO PASS WITH AMENDMENT

Rep. Susan J. Clay for Judiciary and Family Law**:** The committee, as well as the subcommittee that studied this bill, felt that encouraging citizens to take jury duty seriously and not as a "cross-to-bear" was extremely important. However, realizing budget constraints, the committee decided that increasing the mileage from $0.20 to $0.31 (a difference of $26,480.81 in past mileage payments) was an affordable alternative to increasing the jurors fee from $10 to $20 per day as the original bill proposed. Vote 14-0.

HB 774-FN, relative to child support, custodial rights, and visitation. OUGHT TO PASS WITH AMENDMENT

Rep. John J. McCarthy, Jr. for Judiciary and Family Law**:** This bill revises the calculations of child support to credit *either* parent who provides daycare or medical insurance for the children. The caps for child care are increased from current caps to reflect reality. Self-employed persons are credited for their 50 percent contribution of self-employment FICA tax. Also, this bill allows the court to take into consideration the "ordinary" expenses associated with the exercise of visitation, not just "extraordinary" expenses as the current law allows. The goal here is to make support payments financially responsible and to provide incentives to keep dads involved with their children. Vote 14-0.

HB 802, relative to judgments on past due rent and judgments for eviction. OUGHT TO PASS WITH AMENDMENT

Rep. David A. Bickford for Judiciary and Family Law**:** This bill streamlines and combines the collection, eviction and tenant counterclaim process. It allows the district courts to collect rents during Supreme Court appeals. Vote 14-0.

SB 26, preventing recovery by a nonsupporting parent in a wrongful death claim or action on behalf of the nonsupported child until child support arrearages are paid in full. OUGHT TO PASS WITH AMENDMENT

Rep. Deborah L. Woods for Judiciary and Family Law**:** The committee felt strongly that no parent should benefit monetarily from the death of his or her child if that person purposely fails and refuses to pay child support arrearages pursuant to standing orders. The committee continues to support legislation which helps with the collection of child support, which this bill does. Vote 12-2.

SB 84, revising the uniform simultaneous death act. OUGHT TO PASS

Rep. Wayne T. Moynihan for Judiciary and Family Law**:** This bill will contribute to the simplification of probate proceedings, thereby making the probate courts easier for the citizens to use. New Hampshire has already adopted the 1940 uniform simultaneous death act. This bill is the updated 1993 version of that act. Vote 14-0.

SB 96-FN, relative to the priority of charges in probate of estates. OUGHT TO PASS

Rep. Sandra B. Keans for Judiciary and Family Law**:** This provides for two changes in the priority list when settling an estate. The first is funeral expenses are added to the list of just debts. Secondly, the state is reimbursed for "Old Age Assistance" and "Aid To The Permanently And Totally Disabled" before the estate is disbursed to the heirs. Vote 13-0.

SB 197-FN, relative to final dispositional orders in child protection cases. OUGHT TO PASS

Rep. David A. Bickford for Judiciary and Family Law**:** This bill continues the administrative hearings for abuse and neglect of children before Health and Human Services, but allows the accused the benefit of subsequently choosing a trial hearing de novo. Vote 14-1.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 579-FN-L, providing that a person who, having obtained a restraining order against an abuser and having made all reasonable efforts to preserve employment, leaves a job in order to protect himself or herself from domestic abuse, shall not be denied unemployment compensation. OUGHT TO PASS WITH AMENDMENT

Rep. Robert E. Clegg, Jr. for Labor, Industrial and Rehabilitative Services**:** The committee, with assistance from the Unemployment Advisory Council and the Department of Employment Security, amended the bill to state when certain conditions are met, an abused person who must leave his/her employment shall be entitled to collect unemployment compensation. No employer account shall be assessed under these conditions but instead a charge shall be made against the trust fund account. Vote 14-1.

SB 42, relative to the authority of the labor commissioner to revoke the license of an employee leasing company for violations of the labor laws. INEXPEDIENT TO LEGISLATE

Rep. Robert E. Clegg for Labor, Industrial and Rehabilitative Services: The committee feels the Department of Labor has the ability to revoke licenses of employee leasing companies for labor law violations under the current statutes. Vote 14-1.

LEGISLATIVE ADMINISTRATION

HB 111-FN, relative to preservation and access to records of legislation in the state archives. OUGHT TO PASS WITH AMENDMENT

Rep. Peter Hoe Burling for Legislative Administration**:** The committee is convinced that steps must be taken as quickly as possible to improve the rate of preservation of House and Senate records. The questions that remain to be answered are all technology related. The committee, therefore, decided to reconvene a study committee to review available preservation technologies, and the costs thereof, and make a recommendation on or before November 1, 1998. Vote 11-0.

LOCAL AND REGULATED REVENUES

HB 170-L, exempting temporary, demountable, plastic-covered greenhouses from property taxation. OUGHT TO PASS WITH AMENDMENT

Rep. Douglass P. Teschner for Local and Regulated Revenues**:** This bill represents one small slice in the ongoing debate of what is "taxable property" as opposed to "nontaxable equipment." The committee heard testimony that the taxation of demountable, plastic-covered greenhouses varies greatly from one municipality to another. Clearly, legislative guidance is needed. The committee amendment tightens up the bill by clearly defining a "demountable, plastic-covered greenhouse" and clarifying that requirements for tax exemption include that they are not permanently affixed to footings and that they are specifically designed and used for growing horticultural commodities (and not for retail sales). In a letter to the committee, Commissioner of Agriculture Steve Taylor stated his strong support for the committee's amendment, noting that it "will finally clarify the tax status of these new greenhouse structures and give local selectmen, assessors, zoning administrators, and other officials clear, consistent guidelines in this area." Vote 18-0.

HB 337-L, allowing a municipality to reduce the property tax on improvements. INEXPEDIENT TO LEGISLATE

Rep. Douglass P. Teschner for Local and Regulated Revenues: This bill would enable a municipality to reduce the assessed value of improvements (such as housing and commercial development), thereby shifting the property tax burden onto unimproved land. Supporters of the bill believe that reducing property taxes on improvements would stimulate economic development. Opposition at the public hearing came from S.P.A.C.E. (the current use coalition) and the New Hampshire Municipal Association (which raised constitutional issues). The committee has significant concerns about the bill. First, there is no evidence of broad-based support from citizens or taxpayers for this particular type of property tax reform. Also, the committee is concerned about the possible negative ramifications of shifting the property tax burden onto land. In sum, the committee is wary of making what could be a major change in property tax policy when there is no compelling reason to do so. Vote 12-1.

HB 504-L, relative to the property tax obligation for real estate used as rental housing by qualified nonprofit charitable organizations. INEXPEDIENT TO LEGISLATE

Rep. Francis C. Vincent for Local and Regulated Revenues**:** The committee felt this was a special interest bill filed in response to the Rollinsford case. The committee voted to re-refer this bill so parties could present more information to support their bill. None was forthcoming. Vote 12-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 174-L, relative to budgetary official ballot. INEXPEDIENT TO LEGISLATE

Rep. Betsey L. Patten for Municipal and County Government**:** The charter process (HB 141, Chapter 53 from 1995) in RSA 52:2-a and RSA 197:5-b allowed the school districts and village districts to put "money articles" on the official ballot but not all warrant articles. HB 289, Chapter 319 from 1997 made the charter amendment official ballot voting option applicable to all warrant articles, at the locality's option, rather than limited to money raising articles only. Therefore, this bill is not necessary. Vote 17-0.

HB 295-L, authorizing a cooperative school district board to establish polling places in each member town. INEXPEDIENT TO LEGISLATE

Rep. Thomas B. Salatiello for Municipal and County Government**:** This issue was taken care of in SB 109, Chapter 318 in the 1997 legislative session. If multi-school districts want to establish additional polling places in member towns, this can be authorized by the legislative body. Vote 17-0.

HB 366-L, relative to noncompliance with zoning ordinances. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government**:** The sponsor requested the committee to vote "Inexpedient to Legislate" on this bill because the sponsor wants to do further research on the subject. Vote 16-0.

HB 529, relative to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities. OUGHT TO PASS WITH AMENDMENT

Rep. Joseph E. Stone for Municipal and County Government**:** This bill relates to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities. The amendment added the word "unstaffed" to structure and changed the square footage from 200 sq. ft. to 500 sq. ft. A new paragraph was added that stated clearly this bill does not affect zoning regulations for this use. Vote 17-0.

HB 543-L, relative to valuation of aeronautical facilities for purposes of payments in lieu of property taxes. REFER FOR INTERIM STUDY

Rep. Betsey L. Patten for Municipal and County Government**:** RSA 423:9 currently requires that all property and rights related to aeronautical facilities acquired by a city or town outside its boundaries be tax exempt and the amount of a payment-in-lieu-of-taxes be calculated based on the assessed tax valuation of April 1, 1940. Municipal airports and airport authorities have a different governing structure. It is unclear whether such entities may be impacted by any change to this statute. The committee felt that more time and input was necessary to be sure that all issues are considered. Vote 16-0.

HB 552-L, clarifying the authority of municipalities to regulate the use of their highways which provide sole access to properties in adjoining municipalities. OUGHT TO PASS WITH AMENDMENT

Rep. Robert W. Brundige for Municipal and County Government**:** This bill specifies that the sole issue which may be addressed or regulated by the adjoining municipality shall be the adequacy of such street access and the impact of the proposal upon it. Vote 16-0.

HB 641, relative to property tax bills for land parcels having multiple owners. REFER FOR INTERIM STUDY

Rep. Richard C. Leone for Municipal and County Government**:** Although it was generally acknowledged that the subcommittee had made a serious attempt to improve upon the bill, the full committee determined that there was need to further clarify the notification process including such issues as unfunded mandates, dispensation of related notices, and how certain parties would be notified after the deeding of the property. Vote 16-0.

HB 642, requiring that all property taxes be paid prior to approval of a subdivision plat. OUGHT TO PASS WITH AMENDMENT

Rep. Paul A. McGuirk for Municipal and County Government**:** Many communities have experienced great difficulties in the assessment and collection of property taxes on land which has been legally subdivided after April 1st, but sold prior to the payment of all taxes due for that particular tax year. With the enactment of this bill, municipalities will have the capability to protect the interest of the community and the integrity of the tax collection and lien process. This bill also sets up procedure for payment of taxes by the developer and subsequent owners. Vote 16-1.

HB 676-FN-L, establishing procedures for the distribution of proceeds from the sale of tax-deeded property by a municipality. OUGHT TO PASS WITH AMENDMENT

Rep. Kathleen N. Taylor for Municipal and County Government**:** The committee felt this bill would address the concerns of the courts relative to "taking" by municipalities, and at the same time offer the community protection by imposing a reasonable penalty coupled with recouping back taxes, interest and associated costs. Vote 17-2.

HB 679-FN-L, repealing the limitation on zoning ordinance protest petitions. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government**:** This bill would have repealed RSA 675:5, I-L which restricts the requirement of a favorable vote of 2/3 of the legislative body to act on any proposed zoning change. Vote 16-0.

HB 812, relative to the Melendy Pond Authority of Brookline, New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Cynthia J. Dokmo for Municipal and County Government**:** The Melendy Pond Authority is the subject of litigation which is currently before the Supreme Court. The committee feels that it is premature to act on this bill prior to the conclusion of that litigation. Vote 19-0.

SB 56-FN-L, establishing a method for repurchase of tax-deeded property by the former owner of the property and limiting the recovery by municipalities of proceeds from sales of tax-deeded property. INEXPEDIENT TO LEGISLATE

Rep. Kathleen N. Taylor for Municipal and County Government**:** The content of this bill has been incorporated in House Bill 676 and is, therefore, no longer necessary. Vote 18-0.

SB 62, authorizing the governing bodies of towns which have not adopted the official ballot referendum form of meeting, but which are in school districts which have adopted the official ballot referendum form of meeting, to move the election day of the 1997 and 1998 annual meetings of those towns to April 8, 1997, and April 14, 1998, respectively. INEXPEDIENT TO LEGISLATE

Rep. Betsey L. Patten for Municipal and County Government**:** During the 1997 session, the committee put forth a time schedule for those school districts who had voted to use the official ballot referendum form of meeting to coincide with the traditional time schedule for voting on the second Tuesday in March. Therefore, the original request for an April voting time line is not required. Vote 17-0.

SB 179-FN-L, establishing a committee to study creating a New Hampshire local government records management improvement fund. INEXPEDIENT TO LEGISLATE

Rep. Cynthia J. Dokmo for Municipal and County Government**:** The committee enthusiastically endorsed the concept of a records management program, but a Uniform Commercial Code surcharge was an unacceptable method to fund such a program. It is hoped that individual members of the committee will support legislation on the issue in the next legislative session. Vote 19-0.

PUBLIC WORKS AND HIGHWAYS

HB 305-A, relative to the rehabilitation of the Walker building and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Leon Calawa, Jr. for Public Works and Highways: The subcommittee has concluded after touring the Walker building and reviewing and considering all options, to rehabilitate the Walker building would make more sense economically than leasing space. A new bill has been filed that better addresses the administration and rehabilitation of the Walker building. Vote 20-0.

HB 400, authorizing the state to enter into a lease-purchase agreement with Cheshire county for the new Jaffrey-Peterborough district courthouse. INEXPEDIENT TO LEGISLATE

Rep. Rep. James A. Whittemore for Public Works and Highways: The committee recommends Inexpedient to Legislate as the Town of Jaffrey and Cheshire County do not wish to be involved in the construction of the courthouse and have instead secured the land and are giving it to the state for the construction of a courthouse to be built by the state. Vote 21-0.

HB 778-A, relative to erosion prevention on a certain portion of the Connecticut River and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. John R. Cloutier for Public Works and Highways: The committee is very concerned with the erosion along the Connecticut River in North Walpole, especially in relation to Route 12. Realistically, there is presently no expert consensus on which method would most effectively stop such erosion, though New England Power Company is currently using a method which may eventually stop it. This method needs more time to see if it actually works. Also, the $250,000 figure mentioned in the bill would not adequately deal with the problem as admitted by the prime sponsor. According to the Army Corps of Engineers, between $2.1 and $7.6 million would be needed with up to $1 million of this total coming from the federal government. However, the committee recommends killing this bill with the understanding that the Department of Transportation maintains continuous monitoring of the erosion, and that contingency plans be made to address a washout of Route 12 if one should occur. Vote 21-0.

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

Rep. William E. Leber for Public Works and Highways**:** This bill proposes to appropriate $170,000 for a project to complete the half-tide jetty and to alleviate the beach erosion along the south side of Hampton Harbor inlet. The committee determined the project has been included in the Capital Budget for 1998-1999 (HB 25, Laws of 1997, Chapter 349). The project is included in the $1.7 million project to dredge Hampton-Seabrook Harbor. The accompanying study of the revenue stream on the seacoast revealed some inequities in collecting fees and the need to improve dredging management, scheduling and funding. Legislation will be filed to establish a reserve dredging account in the Port Authority operating budget. Further review of the management of certain state properties will be needed. Vote 21-0.

RESOURCES, RECREATION AND DEVELOPMENT

HB 350, exempting permits by rule and permits by notification from certain excavating and dredging permit requirements. INEXPEDIENT TO LEGISLATE

Rep. William E. Williams, Jr. for Resources, Recreation and Development**:** The committee agreed that new proposed rules will cover the body of this legislation and the Legislature should revisit the effectiveness of the rules at a later date. Vote 15-0.

HB 561-FN, relative to certain marine patrol personnel. INEXPEDIENT TO LEGISLATE

Rep. Michael D. Whalley for Resources, Recreation and Development**:** This bill makes the auxiliary marine patrol program mandatory and requires the Commissioner of Safety to recruit voluntary auxiliary marine patrol officers equal to the number of part-time paid marine patrol officers employed by the Department of Safety. The committee felt that establishing a quota system relative to the specific number and type of officers within the marine patrol was too limiting and not in the best interests of the marine patrol and its ability to function. Vote 15-0.

HB 581-FN, authorizing the department of environmental services to issue permits in emergency situations, expanding the exemptions for excavating and dredging permits, and establishing a notification process for the replacement and repair of existing legal structures. INEXPEDIENT TO LEGISLATE

Rep. William E. Williams, Jr. for Resources, Recreation and Development**:** The committee felt that all of the conditions contained in this bill are under consideration in Department of Environmental Services rulemaking. Since the proposed rules may need some fine-tuning, it would be best to revisit these conditions during the next session. Vote 15-0.

HB 618-FN, relative to increasing certain state park fees. INEXPEDIENT TO LEGISLATE

Rep. Rudolf A. Adler for Resources, Recreation and Development**:** After reviewing state park revenue and cost data and discussing past and proposed fee changes, the committee was satisfied with current methods. Vote 13-0.

HB 710-FN, requiring boating safety education. INEXPEDIENT TO LEGISLATE

Rep. Michael D. Whalley for Resources, Recreation and Development**:** Under this bill, any person born after January 1, 1980, with certain exceptions, who operates a vessel on the public waters of this state would be required to obtain and possess a certificate that certifies that such person has completed a boating safety education class. Testimony helped the committee determine that the limited financial and human resources of the marine patrol would cause training of boaters to be difficult and enforcement of the program almost impossible. The Department of Safety also testified that out of state visitors should be considered before a program of this type is implemented. Vote 16-0.

SB 161-FN-A, relative to the Seacoast Science Center and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. H. Charles Royce for Resources, Recreation and Development**:** The purpose of this bill was to appropriate monies to design working plans for an addition to the Seacoast Science Center at Odiorne State Park in Rye. The committee felt that there should be no expansion of this building until a master plan is completed for the entire park and also the Brown property which is across Route 1A from the park and owned by the state. It was strongly felt by the committee that before new construction of any buildings that we plan what is going to happen in the entire park, i.e. parking lots, septic systems, picnic areas, proper use of other buildings, and staffing. White Island, one of the Isles of Shoals, will also be included in the master plan. Vote 14-0.

SCIENCE , TECHNOLOGY AND ENERGY

HB 406, relative to environmental disclosure by electric power facilities. INEXPEDIENT TO LEGISLATE

Rep. Clifton C. Below for Science, Technology and Energy: HB 726, Chapter 298, Laws of 1997 gave the Public Utilities Commission authority to establish environmental disclosure standards for competitive electricity suppliers. The Public Utilities Commission has indicated its intent to do so and is involved in coordinated efforts with other New England states to develop common regional disclosure standards, so this bill is not necessary. Vote 16-0.

HB 482, relative to the access and development of interstate computer network systems. INEXPEDIENT TO LEGISLATE

Rep. Godfrey G. Howard for Science, Technology and Energy: This bill would have required the Public Utilities Commission to perform a study aimed at improving access to computer networks in certain areas of New Hampshire. The objectives of the

sponsor have been subsumed by the more-inclusive HB 452, which rendered the subject matter of this bill moot. Vote 16-0.

HB 610-FN, relative to the regulation of small telephone companies by the public utilities commission. INEXPEDIENT TO LEGISLATE

Rep. Jeffrey C. MacGillivray for Science, Technology and Energy: The second part of this bill, to speed up Public Utility Commission approval of small telephone company tariffs for new services, was incorporated into other legislation during 1997. The first part of this bill would have attempted to reduce the cost of regulating small telephone companies by allowing them to increase rates under certain circumstances without commission approval. The committee chose instead to rely on the testimony of the commission that they already had adequate authority to approve rate changes with less paperwork than a full commission rate case, when appropriate. Vote 16-0.

HB 750-FN-L, relative to municipal water systems. INEXPEDIENT TO LEGISLATE

Rep. Donald B. White for Science, Technology and Energy: HB 750-FN-Local was directed towards updating Chapter 38, municipal water systems. However, the passage of HB 528 in 1997 included the same objective as part of a complete revision of Chapter 38. Thus, HB 750-FN-Local is unnecessary. Vote 16-0

HB 754-FN, relative to special gas and electric rates for customers dependent on life-support equipment. INEXPEDIENT TO LEGISLATE

Reps. Sarah K. Bonneau and Donald B. White for Science, Technology and Energy: While finding this bill to be worth serious consideration due to testimony regarding substantial increases in, primarily, electric utility bills for children living at home on life-support equipment, the committee felt that these costs would be better addressed by health insurance providers. Consequently, a new bill was drafted under a more appropriate statute. Vote 16-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 7, petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to prohibit the federal government from imposing regulatory mandates, unfunded mandates, and spending conditions, which conditions are unrelated to the actual expenditures of funds allocated by Congress. INEXPEDIENT TO LEGISLATE

Rep. Thomas A. Varrell for State-Federal Relations and Veterans Affairs**:** The purpose of this resolution was to basically reaffirm the 10th Amendment of the U.S. Constitution. However, the resolution was drafted and sent to our committee for action during the time frame that the U.S. Supreme Court was considering a case, i.e. Mack and Prinz v. United States, which dealt with essentially the same issues and concerns which are contained in our own HCR 7. Since a Supreme Court decision on this issue was imminent, the committee re-referred this HCR until the U.S. Supreme Court had reached their decision. The Supreme Court upheld the provisions of our 10th Amendment as set forth in our federal constitution by a vote of 5 to 4, thereby making our own HCR 7 redundant and unnecessary at this time. In the event the U.S. Supreme Court overturns or significantly alters our 10th Amendment, this HCR can be reintroduced for consideration or action. Vote 17-0.

TRANSPORTATION

HB 231-FN-L, imposing a penalty on motor vehicle operators under 20 years of age if the operator is convicted of any violation offense involving the operation of a motor vehicle. INEXPEDIENT TO LEGISLATE

Rep. John W. Flanders for Transportation**:** The context of this bill is already covered under RSA 263:14-A and possible problems with administrative hearings did not happen according to the Department of Safety. Vote 13-0.

HB 627-FN, establishing a conservation number plate trust fund, and a special motor vehicle license plate and associated fees, to support New Hampshire's natural and cultural resources. OUGHT TO PASS WITH AMENDMENT

Rep. Sherman A. Packard for Transportation: After many years of work and countless hours of meticulous review by all parties participating throughout the public hearing process, the committee unanimously feels the amended version of this bill best addresses all concerns. Most importantly, this bill as now written provides that all of the State's costs, including administration and manufacturing costs, shall be met before any money is available to the designated funds. The committee feels the purpose of the funds generated through the sale of license plates is unique since these funds will only be used to support New Hampshire's natural and cultural resources within a broad general public purpose. Vote 16-0.

HB 649-FN, relative to reckless driving. INEXPEDIENT TO LEGISLATE

Rep. John W. Flanders for Transportation**:** After passage of the graduated license and increasing the age of seat belt usage, plus the fact that the Department of Safety is already suspending first-time licenses, it was felt that this bill was unnecessary. Vote 15-0.

HB 729-FN-A, establishing a kindergarten special number plate and fee, with the fees continually appropriated to the department of education. INEXPEDIENT TO LEGISLATE

Rep. Roland M. Turgeon for Transportation: After due consideration and with the approval of the prime sponsor who did not object to killing the bill, the committee voted unanimously to recommend inexpedient to legislate. Vote 15-0.

SB 187, relative to the penalties for certain court defaults. INEXPEDIENT TO LEGISLATE

Rep. Gordon E. Bartlett for Transportation**:** No law will keep a driver with a suspended license from driving if he/she decides to drive. Judge Edwin Kelly has agreed to issue a blanket bench warrant for all suspended drivers in one county. He will monitor this program for a short time, with an eye to broadening the program if successful. Vote 15-0.

WILDLIFE AND MARINE RESOURCES

HB 132-FN, allowing New Hampshire residents on active duty in the armed forces or coast guard to be issued hunting and fishing licenses at no charge. OUGHT TO PASS WITH AMENDMENT

Rep. Ronald J. Nowe for Wildlife and Marine Resources**:** This bill allows residents of the state who are on active duty in the Armed Forces or Coast Guard to be issued basic resident hunting and fishing licenses at no charge while on leave or furlough. The bill also allows nonresidents on active duty permanently stationed in the state to purchase regular or combination licenses at the fee that is charged to residents. Vote 13-0.

HB 371, relative to the authority of the department of fish and game to regulate the management, preservation, propagation and taking of state fish, game and wildlife resources. OUGHT TO PASS WITH AMENDMENT

Rep. Charles H. Felch, Sr. for Wildlife and Marine Resources**:** This legislation is designed to send a clear signal to our towns and cities that the authority and jurisdiction over the management, preservation, protection, propagation and taking of our wildlife resources rests exclusively with the state. Nothing in this bill can be construed as affecting a political subdivisions property rights concerning land owned and controlled by that entity. Vote 13-0.

REGULAR CALENDAR

part I

COMMERCE

HB 772-FN-A, establishing the position of industrial, commercial, and tourism agent for Coos County and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Barbara L. Spear for Commerce**:** There is no question of the need for economic development in the north country. At this time, the committee would like to see the newly organized economic development group work closely with the DRED/OBID representative whose office is in the general area. Vote 12-2.

EDUCATION

HB 784-FN-L, changing the age requirements for providing public education, including special education. OUGHT TO PASS WITH AMENDMENT

Rep. Jane E. O'Hearn for Education**:** This bill, as amended, deals with the cost issue of an unanticipated and unbudgeted special education student who arrives in a school district. The amended version of this bill deals with reimbursement anticipation notes for school districts. It allows the governing body, after notice and public hearing, to borrow such funds and to recognize such proceeds for property tax rate-setting purposes. It also requires the Department of Education to be liable for costs of borrowing funds more than 3 1/2 times the per-pupil estimated state average expenditure instead of the current 10-times average. Further legislation will be addressed in the 1998 session as to the costs, process and needs of Special Education Services in New

Hampshire as a result of the study committee's findings. Vote 15-5.

SB 205-FN-L, establishing a special school district to provide special education for eligible inmates in the state prison system. OUGHT TO PASS WITH AMENDMENT

Rep. Jane E. O'Hearn for Education**:** There is a federal requirement to meet the needs of inmates who fall under special education requirements in IDEA. The special prison SAU will be able to address educational needs and to develop authorized Individual Education Plans (IEP) with safety as a consideration. The amendment will exclude the SAU from meeting certain minimum standards and receiving state aid. Vote 14-2.

ENVIRONMENT AND AGRICULTURE

HB 207-FN-A, relative to pesticide registration fees and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. John R. M. Alger for Environment and Agriculture**:** The committee believes a one-tier pesticide registration system is sufficient. During the committee hearing process, other legislation was developed that negates the need for this bill. Vote 11-0.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 630-FN-L, providing an additional service retirement option for group I teacher members of the retirement system. OUGHT TO PASS WITH AMENDMENT

Rep. Merton S. Dyer for Executive Departments and Administration**:** This bill will provide a means for members of Group I to retire before age 60 with full retirement. The amendment adopted by the committee expands RSA 100-A:16 to allow both the employer and employee to purchase an annuity to provide a full 50 percent retirement. Present law allows only the contribution from the member. This amendment allows contributions from the employer if such payments are approved by a one-time vote of the legislative body of the employees. This will provide sound funding for the benefit and the cost will be paid by those that wish to use this method for early retirement. Vote 12-6.

HB 753-FN, relative to the board of auctioneers and the conduct of auctions. OUGHT TO PASS WITH AMENDMENT

Rep. Myron S. Steere, III for Executive Departments and Administration**:** The original intent of this legislation was to reorganize the Board of Auctioneers. The committee voted to amend the bill to change only the size of the board from five to seven members (one to two public members), authorize the board to increase the size of the surety bond, and provide the board with the availability of administrative fines up to $2,000 per offense. The majority of the committee believe these changes would be helpful to the operation of the Board of Auctioneers. Vote 11-7.

FINANCE

HB 578-FN-A-L, providing for property tax relief and making an appropriation therefor. REFER FOR INTERIM STUDY

Rep. Charles L. Vaughn for Finance**:** This bill is a way to help poorer taxpayers feeling a property tax squeeze. To qualify, family income has to be $40,000 or less and the home worth less than the state average (currently about $114,000). Qualifying taxpayers would receive a rebate on all or some portion of their tax bill that is in excess of 10% of their income. The committee supports the concept of the bill but was unable to fund the $15-50 million annual cost within the current budget. To allow it to address the funding issue, the committee recommends Interim Study. Vote 20-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 686-FN-A, relative to financing of child day care facilities and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Eleanor H. Amidon for Health, Human Services and Elderly Affairs**:** The amended bill does two things: It requires any appropriation of $150,000 to be deposited in the non-profit child care loan program used solely in reducing and as funding of interest payments on loans made to day care centers from the New Hampshire Community Loan Fund. It designates the New Hampshire Community Loan Fund as the institution to not only designate which centers are to be funded but to monitor the day care centers operations. Vote 13-5.

HB 697-FN-A-L, establishing a homeless prevention fund, to be funded by a temporary homeless prevention state property tax and making an appropriation to the fund for fiscal year 1998-1999. OUGHT TO PASS WITH AMENDMENT

Rep. Alice Z. Calvert for Health, Human Services and Elderly Affairs**:** With increasing awareness of the problem of homelessness, the committee sought a funding mechanism to supplement presently appropriated funds. It was felt a one-time charge of $5 each from buyer and the seller of real estate made at the time of the transfer would be a feasible possibility. Monies would be administered by the Department of Health and Human Services Homeless and Housing Bureau. Vote 13-5.

JUDICIARY AND FAMILY LAW

HB 793, limiting the civil liability of persons engaged in equine activities. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Barbara Hull Richardson for the Majority of Judiciary and Family Law**:** The hearing for this bill was held in Representatives Hall due to the numbers of people attending. Everyone, except for the lobbyist for the trial lawyers, spoke in favor of this bill. It began as a limited Liability bill but the focus was changed to that of responsibility for persons engaged in equine activities. The unpredictability of horses and other equines makes the passage of this bill important for the equine industry in New Hampshire. Vote 8-7.

Rep. Benjamin J. DePecol for the Minority of Judiciary and Family Law: This bill creates some significant policy changes in New Hampshire law. It raises the standard of liability from negligence to willful and wanton disregard for one segment of business – equine activity. It sets inherent risk into New Hampshire law. It removes the ability to recover from damages caused by any person engaged in equine activity. It provides limited liability for riders of horses even when they commit negligent acts (Sect 2:I). Evidence was not presented that a problem exists under current statues.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 521-L, relative to the definition of terms and conditions of employment and to the subjects of bargaining in the public employee labor relations law. INEXPEDIENT TO LEGISLATE

Rep. Richard E. Dolan for Labor, Industrial and Rehabilitative Services**:** The committee has tried for the past year to extend the life of this bill to study ways to bring negotiations of public employees to a speedy conclusion. The committee finds this bill is not the vehicle to do that. Chairman Daniels will form an ad hoc committee to further study the public employees labor relations law. Vote 7-6.

LOCAL AND REGULATED REVENUES

HB 707-L, relative to municipal taxation of utility property. OUGHT TO PASS WITH AMENDMENT

Rep. Jean R. Wallin for Local and Regulated Revenues**:** This bill, as amended, finally distinguishes between real property that is subject to local taxation and personal property that is not. All utility poles will be taxed equally whether they are owned by electric companies or telecommunications companies. The amendment attempts to address some concerns of the telecommunication industry by exempting wires, fiber optics, switching equipment and other transmission devices. Our cities and towns fear losing revenue should pending court cases be decided in favor of the electric utilities challenging pole taxation on the basis of equality of taxation. If all poles are taxed equally, this danger may disappear. Vote 13-0.

PUBLIC WORKS AND HIGHWAYS

HB 274-FN-A, relative to refinancing the cost and rehabilitation of the Cheshire Bridge. INEXPEDIENT TO LEGISLATE

Rep. Winston H. McCarty for Public Works and Highways**:** This bill was re-referred to allow the sponsors the opportunity to try to locate funds from other sources. None having been found, the committee voted this bill inexpedient to legislate. Vote 13-4.

SB 168-A, requiring the department of corrections to prepare and enter into a lease-purchase agreement with the Berlin Economic Development Council for a medium security correctional facility to be constructed in Berlin and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Gene G. Chandler and Katherine D. Rogers for Public Works and Highways**:** This bill was re-referred by the Public Works and Highways Committee to use as a vehicle for review of the corrections facilities in New Hampshire and allow the committee to make some recommendations regarding construction of a new corrections facility. After visits to Berlin and Laconia and meetings and briefings with various corrections officials, a number of recommendations were developed for legislation to be filed for the 1998 session. Since this is a major issue for the state, it was decided to introduce new legislation rather than amend Senate Bill 168, thereby allowing a full and open process including public hearings on the new legislation. New legislation will

include the following items: (1) Construct a new medium security corrections facility in Berlin; (2) Reallocate funds from the 1993 Capital Budget for initial design work for a medium security facility; (3) Remove the population cap and July 1, 1998 closing date at the Laconia facility; (4) Set up a study committee to look into whether a unified correctional program to include state and county facilities makes sense here in New Hampshire. The proposed legislation is necessary because we have an overcrowding situation at the Concord facility which needs attention and we have a program in place at Laconia which is essential to our correctional needs in New Hampshire. A new medium security facility will not alleviate the need for, nor significantly reduce, the current population at the Laconia facility. The program being run at Laconia needs to continue either at Laconia or at a similar facility. The cost of duplicating Laconia has been estimated at $25 million which would be on top of the $30-$35 million needed to construct a new medium-security facility. Hopefully, the House, Senate, and Governor will be able to take the new legislation and craft a corrections plan which is in the best interests of the state. Vote 18-2.

RESOURCES, RECREATION AND DEVELOPMENT

HB 272, relative to boat docking facilities. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Michael D. Whalley for the Majority of Resources, Recreation and Development**:** This bill regulates the location of boat docking facilities on public waters and establishes a minimum distance a dock must be from an abutting property line. This bill is the same as HB 428 from 1995, which passed the House and was subsequently killed by the Senate. Although rules have been adopted after HB 428 was killed in the Senate, the sponsor and most of the committee felt this subject was best addressed in statute. Rules regulate a broad range of activities considered too detailed to control by statute or session law. The majority of the committee felt this was not the case with this bill and that the situation was best served with the placement of these regulations in a statute ensuring legislative involvement prior to any changes to these simple but important regulations regarding appropriate setbacks of docking structures. Vote 11-6.

Rep. Deborah F. Merritt for the Minority of Resources, Recreation and Development**:** Opposition to this bill, as amended, is not in its content, but in setting the precedent of placing those issues that are appropriate to rulemaking in statute. The Department of Environmental Services testified that the issues covered in the bill are addressed by rules and the bill is not necessary. Codification of rules will only serve to bog down the process of making modifications as new information becomes available and to remove the ability of DES to make timely changes by requiring issues to go through a lengthy political process. The ability of the legislature to handle the codification of rules, as well as the random selection of rules to be added to statute, is highly questionable. The role of the legislature should not be to micromanage state agencies.

HB 547, relative to granting permits to build certain structures on shoreline property. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Deborah F. Merritt for the Majority of Resources, Recreation and Development**:** This bill would no longer allow the consideration of the public trust doctrine in reviewing applications for those shoreline structures extending less than 50 ft. from the shoreline. The cumulative impact of many shoreline structure could no longer be considered in the application process, thus allowing for interference of the public's use of the state's waters. Whether RSA 482-A:1 and related rules would still be valid within 50 ft. of the shoreline is called into question due to the role of the public trust doctrine as a basis for enforcement. Additionally, the 50 ft. boundary has no basis – it is an arbitrary distance. While the majority of the committee recognizes the need to define the interaction between the public trust and shoreline property owners, this bill could eliminate the state's ability to protect the rights of the public under the public trust doctrine. Vote 9-8.

Rep. David M. Lawton for the Minority of Resources, Recreation and Development**:** The minority of the committee sees this bill as a solution to the long-standing conflict between shorefront property owners and the issue of the public trust. The important environmental protections found in existing laws which specify the size, location and other requirements that landowners must comply with before building any shoreline structure will remain completely intact when this bill is signed into law. The language proposed in this bill simply puts into statute what we already know from previous legal interpretations of the public trust doctrine – that shorefront property owners have the right to make reasonable use of the water in front of their property. Among these rights is the right to wharf or construct reasonably-sized shoreline structures.

SCIENCE, TECHNOLOGY AND ENERGY

HB 587-FN, relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring. OUGHT TO PASS WITH AMENDMENT

Reps. Terie T. Norelli, Harold V. Lynde and Jeb E. Bradley for Science, Technology and Energy**:** After considerable debate, the

committee agreed to a two-year cap on the systems benefit charge for any utilities whose rates are above the regional average. Member-owned utilities would be exempted. The systems benefit charge will be a separate portion of electric customers' utility bills after deregulation and includes energy efficiency initiatives, low income programs and renewable energy initiatives. The committee believes that this limitation is consistent with, and necessary for, the expressed goal of near term electric rate relief. Vote 16-0.

HB 643-FN, establishing an industry average performance system for air pollution control and establishing certain pollution control funds. OUGHT TO PASS WITH AMENDMENT

Reps. Jeb E. Bradley, Sarah K. Bonneau and Donald B. White for Science, Technology and Energy**:** As amended, this bill will, over time, fundamentally reorient New Hampshire's regulation of air pollution in a more cost-effective, market driven manner. This bill begins a process of rulemaking by the Departments of Safety and Environmental Services. Required by this amendment is a subsequent legislative vote prior to final implementation, as well as Environmental Protection Agency approval that many of the mandatory provisions of auto emissions testing could be avoided by N.H. motorists. Currently emissions are controlled on a basis of tons allowed to be emitted by a particular source. The object of such regulation is to meet minimally acceptable air pollution standards. When phased in, this bill would place a dollar value per ton of air emissions. Conceptually low emitters would stand to receive payments on a per ton basis from high emitters thereby creating market incentives to reduce air pollution well beyond minimally acceptable standards. Market forces and competition would reward technological innovation and environmental improvement. Car registration fees for the cleanest models would drop slightly and fees for dirtier models would rise slightly creating an incentive for purchases of cleaner vehicles. The bill also creates incentives for improvement of utility emissions while limiting the cost exposure to ratepayers. The committee believes that this bill and manner of pollution reduction is far more cost-effective and less onerous to consumers than mandatory auto emissions testing. Currently, New Hampshire has delayed implementation of such auto tests for several years, but the EPA has threatened the state with further industrial controls and loss of federal highway dollars if such a program is not started in late 1998. Understandably this concept is complex and contentious as there would be winners and losers and because other states may not pursue this strategy. The committee therefore chose to initially restrict this concept to new motor vehicle purchases and electric utility pollution as this would not disadvantage the N.H. economy. Specifically not included in this amendment are industrial pollution sources. Furthermore, this amendment specifically does not include heavy duty diesel trucks for any control program. The only provision in this amendment regarding trucks is one which instructs the Department of Safety to gather information on the vehicle registration form about the emissions status of both cars and trucks. This legislation would require two future significant steps before it could be implemented in New Hampshire. First the EPA would have to specifically allow New Hampshire to substitute pollution reductions envisioned by this bill for auto emissions testing before most rulemaking by the Department of Safety and Department of Environmental Services could begin. Secondly, the full legislature must vote in a subsequent piece of legislation to authorize transfer of funds for utility incentives or changes in car registration fees. Without such subsequent legislative authorization, this program could not be put into effect. Future legislation would also be necessary to include new categories, such as heavy duty trucks. Vote 14-3.

HB 651-FN-L, relative to electric rate reduction financing. OUGHT TO PASS WITH AMENDMENT

Reps. Clifton C. Below, Donald B. White, Jeb E. Bradley, Terie T. Norelli and Norman L. Major for Science, Technology and Energy**:** Passage of this bill will allow the Public Utilities Commission to pursue an electric utility financing technique using revenue bonds, often referred to as securitization. A utility would receive an up-front payment for its costs or stranded costs from third-party bond purchasers. Bondholders would be guaranteed repayment of the revenue bonds by the secured promise of electric customers' future payments. When this promise becomes "secure" through legislation guaranteeing customer payment of bonds through utility bills, the cost of the bond financing drops significantly and ratepayers benefit through lower cost of capital. Nationwide utilities are pursuing this strategy as a means of lowering the cost to ratepayers of recovering stranded costs while competition is implemented. There are skeptics to this financing technique however, particularly among individuals who are uncomfortable guaranteeing a future revenue stream of ratepayer money to cover past utility expenses that some consider questionable for recovery and uneconomic due to deregulation. Members of the committee share this concern about any use of securitization, especially in light of New Hampshire's poignant experience in 1989. However, the committee recommends this amendment because it restricts the PUC to utilizing this financing technique for one purpose only at this time. That purpose is to facilitate the pending buydowns of the wood to energy plant referred to in the description of HB 485. Despite PUC approval of one of those buydowns, PSNH cannot finance the up-front payment to the wood energy plant due to PSNH's poor credit rating. This financing technique would allow those buydowns to be consummated. Without this legislation, those deals may never be completed and PSNH ratepayers will likely lose future rate savings approaching $150 million over the life of those wood to energy rate orders. Virtually all utility experts agree that these rate orders are legally enforceable obligations and binding upon ratepayers. In the absence of the buydowns being completed, ratepayers will be obligated to pay the full price of wood energy rate orders for at least the next eight years and never realize any rate savings in the price of wood to energy

electricity. This amendment has the support of customer organizations such as the Retail Merchants Association and Cabletron due to its limited scope. For securitization to be pursued beyond the wood to energy plant buydowns, another subsequent act of the legislature would be required. If there is a fair and equitable settlement of the outstanding legal issues between PSNH and the state, further securitization may be appropriate, and should be judged by the legislature in the context of a settlement. Vote 16-1.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HJR 3, requiring the attorney general to bring suit against the United States Government for violating the United States Constitution and the New Hampshire constitution by enacting a military firearms ban. INEXPEDIENT TO LEGISLATE

Rep. John M. Pratt for State-Federal Relations and Veterans Affairs**:** This resolution would require the N.H. Attorney General to bring a suit against the United States challenging the constitutionality of a federal statute banning assault weapons. Since any private individual or group aggrieved by that statute may file such a lawsuit, the majority concluded that this requirement constitutes an unwise and unnecessary expenditure of our taxpayers' dollars. Vote 12-4.

TRANSPORTATION

HB 477, prohibiting aircraft from landing and taking off on a certain portion of the Pemigewasset River**.** MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Robert H. Milligan for the Majority of Transportation**:** The Department of Safety and the Department of Transportation have coordinated due to this bill being filed. Therefore, the committee was pleased to vote to retain aviation abilities. Vote 14-3.

Rep. Robert J. Letourneau for the Minority of Transportation**:** The minority feel that by killing this bill the wrong message will be sent to those who were responsible for the bill being brought forward. The speed limit on the river is 10 mph and by the very nature of the aircraft involved, it would be reasonable to satisfy the residents that brought about this legislation.

WILDLIFE AND MARINE RESOURCES

HB 177-FN, increasing the wild black bear license and tag fee. OUGHT TO PASS WITH AMENDMENT

Rep. Henry P. Mock for Wildlife and Marine Resources**:** This bill increases the license fee to hunt black bears from its present $2 to $4. The Department of Fish and Game had requested in the original bill an increase to $10 for residents and $15 for nonresidents. A majority of the committee felt that a 100 percent increase was sufficient. This should produce revenue of $40,000 to $60,000 annually to be matched with federal funds. Vote 10-3.

HB 747-FN-A, establishing a fund for the acquisition or care of land or easements for wildlife habitats, continually appropriating the fund, and requiring an additional fee for each hunting or fishing license to be credited to the fund. OUGHT TO PASS WITH AMENDMENT

Rep. Dennis F. Abbott for Wildlife and Marine Resources**:** This bill is an important step in recognizing the need for the Department of Fish and Game to become actively involved in habitat protection, improvement and enhancement. The loss of lands and habitat within the state makes it important for the sports persons and general public to participate in a program which will benefit both game and non-game species now and in the foreseeable future. The bill was carefully crafted to ensure that all interests would be represented: wildlife, non-game interests and future citizens of New Hampshire who are today too young to have input into this very important and landmark piece of legislation. Vote 13-0.

REGULAR CALENDAR

PART 11

COMMERCE

HB 410, allowing mental health counselors and marriage and family therapists to obtain third party payments for services rendered which would otherwise qualify for such payments. INEXPEDIENT TO LEGISLATE

Rep. Keith R. Herman for Commerce**:** This partisan issue was debated thoroughly over the summer. This bill would have mandated certain reimbursements by indemnity insurers in New Hampshire. The committee feels, since New Hampshire is

recognized as the leading state in mental health care, and since consumer access to mental health care in New Hampshire is greater than most other states, the only reaction to this legislation would be higher costs to premium payers. Since indemnity plans are cost sensitive, there would be a greater shift to managed care plans. Managed care plans limit access to mental health services. A compromise proposal was discussed but rejected by the proponents of this bill. The proponents of this bill appear insensitive to the costs and to who pays the costs of mental health services in New Hampshire. Vote 10-7.

SB 1, relative to exclusive arrangements with managed care insurers. INEXPEDIENT TO LEGISLATE

Rep. Gregory G. Carson for Commerce**:** The intent of this legislation is covered in an amendment to HB 451 which this committee strongly urges passage of this session. Vote 10-4.

EDUCATION

HB 143-L, requiring that SAU budgets be approved by vote at school district meetings. INEXPEDIENT TO LEGISLATE

Rep. Richard L. Champagne for Education**:** This bill is well intended. However, it mandates a change in governance for SAU budget adoption, preempting local control. Many SAUs function well under current law and have no desire to change governance. Any school district not satisfied with current practices may use RSA 194-C to withdraw and form a single district with direct budget and voting. Time line considerations in light of SB 2, Chapter 164 from 1995 Municipal Budget Finance Committee and open district meetings make the voting provision of this bill nearly impossible to implement. A clear one person-one vote constitutional issue exists in SAUs where co-op high school and village school districts share SAU management for its current form. This bill does not accomplish its intended objectives. Vote 14-5.

HB 612-FN, requiring the state board of education and the department of education to establish suitable tests of academic knowledge to be administered as a prerequisite for certification of new teachers in New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Susan B. Dunham for Education**:** This bill is not necessary because the State Board of Education and the Department of Education are in the process of instituting such a test at this time. The committee will continue to follow this process to ensure that it is completed and will meet with the state board for that purpose. Vote 14-5.

ELECTION LAW

CACR 8, relating to increasing the executive council membership and the number of executive council districts. Providing that the executive council shall be increased from 5 to 10 members, and the number of executive council districts shall be increased from 5 to 10. INEXPEDIENT TO LEGISLATE

Rep. Lynn C. Horton for Election Law**:** The intent of this resolution is to increase the membership and number of executive councilor districts from 5 to 10. The committee found no compelling need to do this. We considered the increased expense of government. It is felt that the present system is working well. Vote 9-4.

HB 443, relative to push-polling. OUGHT TO PASS WITH AMENDMENT

Rep. C. Donald Stritch for Election Law**:** Anonymous "push polling" is a deceitful campaign practice having an adverse impact on the political process. This bill requires candidates and others engaging in this practice to be accountable for the statements made in push polls. Vote 11-0.

HB 484, relative to registration of certain voters who vote by absentee ballot. INEXPEDIENT TO LEGISLATE

Rep. John M. Root for Election Law**:** While sympathetic to the plight of individuals who might be unable to vote by absentee ballot if not registered to do so 10 days in advance of an election (as required by present law), the committee felt that to try to accommodate all potential absentee voters as proposed in this bill would place an impossible burden on city and town clerks and supervisors of checklists. The subcommittee noted that New Hampshire's same-day registration and voting system provided ample opportunity for the overwhelming majority of citizens to exercise their franchise. Vote 10-3.

HB 659, modifying restrictions on televised political advertising. OUGHT TO PASS WITH AMENDMENT

Rep. Natalie S. Flanagan for Election Law**:** This bill tightens the practices in political television advertising (by both candidates and independent organizations) by requiring that the candidate's or organization's payments for the ad to be clearly identified at the end of the political advertisement. Vote 13-0.

ENVIRONMENT AND AGRICULTURE

HB 418, prohibiting the land application of sludge or biosolids containing amounts of heavy metals over certain limits. INEXPEDIENT TO LEGISLATE

Rep. Karen K. McRae for Environment and Agriculture**:** The confusion about the numbers, the percentiles, of the heavy metals in relation to the Environmental Protection Agency standards as submitted by the Department of Environmental Services made the bill unworkable and therefore, it was voted inexpedient to legislate. Vote 17-2.

HB 497, excluding domestic septage from regulation as sludge or biosolids. OUGHT TO PASS

Rep. Karen K. McRae for Environment and Agriculture**:**. This bill separates the regulation of domestic septage and the regulation of sludge and bio-solids. Further definitions may be needed. Vote 14-1.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 762-FN, relative to the regulation of naturopathic medicine. REFER FOR INTERIM STUDY

Rep. Merton S. Dyer for Executive Departments and Administration**:** The bill as introduced would require licensure of doctors of naturopathy and registration of naturopaths or natural healers. The subcommittee recommended inexpedient to legislate and the full committee agreed by a 12 to 7 vote. Reconsideration was requested and voted affirmatively and the bill was voted to send to interim study. The committed voted for interim study so that we could work with those wishing to practice naturopathic medicine either as doctors of naturopathy or in the traditional method of practice. The present board is working very hard to get the program that the Legislature approved in 1993 running smoothly. One area that needs to be addressed is the terminology now in use by those in the field. With the oversight of the Executive Departments and Administration Committee, we feel we can resolve the questions and problems that have arisen in the course of implementation. The complexities of this program require additional work on the part of the Legislature, the Board of Naturopathic Doctors and the traditional naturopaths. A majority of the committee feels this would be a positive approach. Vote 12-7.

SB 131-FN, allowing certain state employees to take paid leave to participate in disaster relief service work. INEXPEDIENT TO LEGISLATE

Rep. Merton S. Dyer for Executive Departments and Administration**:** The purpose of the bill is to allow certain state employees to take annual leave to participate in disaster relief at Red Cross designated disasters. The subcommittee studied various options and presented an amendment that would restrict the amount of time to 15 working days and to level III disasters within the state. After a lengthy discussion, the amendment was rejected and the bill was voted inexpedient to legislate. Among the concerns expressed by the committee was the limitation to the state only and the fact that the Governor could implement this type of program now without legislation. Another concern of the committee dealt with liability to the state if employees were injured. There were concerns about the collective bargaining agreement as leave time and sick leave are included in the state contract and awarding extra time to certain individuals might conflict with the contract. This is a laudable idea but the committee felt that given the many concerns that this should not pass. Vote 9-6.

FINANCE

CACR 21, relating to a balanced budget. Providing that the governor be prohibited from proposing and the general court be prohibited from approving, an operating budget in which expenditures exceed estimated revenue. INEXPEDIENT TO LEGISLATE

Rep. Arthur P. Klemm, Jr. for Finance**:** The committee believes that CACR 21 though well-intentioned may have the effect of tying our hands too tightly in coming forth with a balanced budget. The committee believes it more appropriate to put into statute the current House practice of approving a balanced budget. The committee will file a bill to this effect for the 1998 session. Vote 16-2.

HB 195-FN-A, increasing the exemption amount under the interest and dividends tax. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance**:** Division II of the Committee on Finance debated the merits of increasing the exemption under the interest and dividends tax, holding several public and executive sessions. The Finance Committee, after due deliberations, concurred with the Division's findings: keeping the exemption at $2400 for a payer under 65 years, with an additional amount of $1200 for persons over that age. A couple over 65 years thus receives a $7200 exemption.

The elderly are not the largest percentage of payers. Revenue Administration (DRA) figures tell us persons over 65 comprise 46% of filers out of a total of 52,000 filers, and pay 41% of tax revenues. New Hampshire residents with adjusted gross income over $75,000 paid 32% of the revenue increases.

Sharp increases in tax revenues for 1996 and 1997 are due in large measure to positive market forces and increased compliance activity due to publicity around the 1995 law eliminating the exemption on interest earned in New Hampshire and Vermont banks. This fact is substantiated by federal increases in interest and dividends revenues which mimics New Hampshire - 1993 to 1995 -- federal 20%, state 17%.

To determine the amount of interest persons over 65 earned from New Hampshire and Vermont banks as opposed to that earned from other stock dividends, would require a man-year's work reviewing over 100 IRS computer reels on 52,000 New Hampshire filers.

The Department of Revenue Administration indicates this bill will decrease state general fund unrestricted revenue by $17.5 million over the biennium. Vote 17-3.

HB 223-FN-L, providing that catastrophic aid for special education shall be fully funded. INEXPEDIENT TO LEGISLATE

Reps. Kenneth L. Weyler and Sandra K. Dowd for Finance**:** The premise of this bill is that new additions to special education spending are putting school districts in dire financial straits. The committee discovered the following: (a) the maximum exposure of a school district for any one student is $26,500, because of catastrophic aid; (b) the legislature has fully funded the catastrophic aid budget as presented, and has held harmless the districts for previous years' overspending, as in HB 50, Chapter 348, Laws of 1997; (c) districts may borrow for overexpeditures on special education that occur after budget is set. The state pays the interest; thus, no new taxes need be levied for current budget.

In examining reasons for such large increases in catastrophic aid over the last few years, the committee discovered that New Hampshire leads the nation in per capita coding of students, we lead the nation in litigation over individual education programs, we place special education learning disabled-students in private residential programs at ten times the national rate.

For all of the above reasons we recommend Inexpedient on this bill, but are requesting a performance audit by the Performance Audit and Oversight Joint Committee of the special education program. Our goal is to get a handle on what the cost of the program is compared to what we are spending. We want to continue fully funding catastrophic aid without deficit spending or supplemental budgets to cover these costs. The bewildering cloud of contradictions we had in testimony cries out for facts Vote 15-3.

HB 563-FN-A, relative to a tax on telecommunications easements. INEXPEDIENT TO LEGISLATE

Rep. Kenneth L. Weyler for Finance**:** This bill would establish a special fund for the maintenance of trails along the 223 miles of abandoned railroad corridor which the state now owns. These trails are currently maintained by state supervision of a large group of volunteers. The tax created by this bill would be payable by the owners of the utility easements which the state did not buy when it bought the railroad corridor rights-of-way. The easements are used mainly for fiber-optic cable owned by telephone companies. The bill would give 25% of the tax collected to the municipality where the easement was located.

The committee had problems with the creation of yet another dedicated fund. The committee also concluded that this tax on telephone company transmission lines violated the spirit of the RSA on the telecommunications tax. Finally, both the Department of Revenue Administration and the bill's prime sponsor felt that litigation would likely use up any revenue for the first few years. Vote 12-8.

HB 717-FN-A, relative to the taxation of venture capital firms under the business profits tax. OUGHT TO PASS WITH AMENDMENT

Rep. David J. Alukonis for Finance**:** The amendment, which replaces the original bill in its entirety, revises and improves upon those incentives found in current law which were intended to encourage the development of investment capital funds in New Hampshire. To date, these incentives have not been exercised, and there continue to be difficulties in the ability of local firms to raise much-needed equity capital.

Some of the problems with the current law are: (1) the requirements failed to allow for traditional venture capital fund investment cycles; (2) the requirements failed to recognize traditional venture capital fund investment structures; (3) the requirements unnecessarily limited the investment marketplace solely to New Hampshire; (4) interest and dividends tax rules required taxation of investors even when they received no actual dividends; and (5) the tax incentives were limited only to

persons that were subject to the BPT.

The amendment addresses these concerns in a manner which the Department of Revenue Administration finds structurally acceptable. Additionally, the amendment: (1) requires additional reporting requirements which will allow for the legislature to determine whether or not the venture capital funds are being reinvested in New Hampshire, and in which industries; (2) allows for a credit to the Interest and Dividends tax for monies invested in a venture capital fund (this joins already existing credits allowed against the BPT and BET; and (3) changes the point of taxation from "deemed distributions" to "cash or actual distributions."

The Department of Revenue Administration is unable to estimate the impact to tax revenues that the proposed changes and additional tax credit will have. The Department is equally unable to assess the additional tax revenues that this bill will generate from increased business activities which will result from the increased investment opportunities that venture capital funds will provide to New Hampshire businesses.

The committee estimates that the worst case negative impact to the general fund (resultant of the three tax credits) could be $750,000; but unfortunately, is unable to quantify the additional tax receipts that would result from increased business activities in the state.

It should also be noted that venture capital funds take significant time to be developed and become active in soliciting investments. Thus, it is very unlikely that there will be any sizable impact to the general fund during the current biennium. Vote 20-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 490, relative to the confidentiality of medical records. OUGHT TO PASS WITH AMENDMENT

Rep. Alphonse A. Haettenschwiller for Health, Human Services and Elderly Affairs**:** The amended bill is the result of many meetings over the summer of the subcommittee, the sponsors of the original bill and interested individuals and organizations including the Department of Health and Human Services. It is a consensus to which all parties agreed and which increases the confidentiality of medical records without creating barriers to necessary use. Vote 17-1.

JUDICIARY AND FAMILY LAW

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

Rep. Benjamin J. DePecol for the Majority of Judiciary and Family Law**:** This bill establishes immunity from civil liability for employers who disclose information regarding current and former employees' job performance and work histories to prospective employers, unless lack of good faith is shown. The committee believed that while there was some merit to this idea, little protection was left to employees. After much discussion and many attempts to compromise failed, the bill was voted Inexpedient to Legislate. Vote 10-4.

Rep. Paul M. Mirski for the Minority of Judiciary and Family Law**:** Employers are presently discouraged from being open to other prospective employers concerning the performance of present or past employees due to the potential for litigation over any critical comment which an employer might make. Passage of this bill would lend some equity to the present unsuitable equation by granting employers limited immunity for expressing candor and honesty on the subject of employee performance.

LOCAL AND REGULATED REVENUES

HB 198-LOCAL, allowing municipalities to offer tax incentives to foster growth in new and existing industrial construction. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Stephen G. Avery for the Majority of Local and Regulated Revenues**:** This legislation allows municipalities to offer limited tax exemption to foster growth in new and existing industrial construction. There were constitutional questions on the bill and the Supreme Court has ruled that it is constitutional. The majority of the committee felt that cities and towns should have this option. Vote 10-8.

Reps. Betsy McKinney, Laura C. Pantelakos, Francis C. Vincent, Raymond A. Lundborn, Linda T. Foster, Betsy A. Coes, Jean R. Wallin, Carol T. Burney, John J. O'Connell for the Minority of Local and Regulated Revenues**:** The minority believes that this bill is simply bad tax policy for the following reasons: (1) It creates a new and distinct class of taxpayers; (2) study after study

has failed to prove that tax credits attract industry; (3) the adoption of such policy pits town against town and becomes a "race to the bottom;" (4) towns that have the greatest need for a diversified tax base are those that can least afford the incentives; (5) incentives for new businesses may adversely affect existing businesses; and (6) tax breaks for some result in a tax shift to others, usually homeowners. The minority believes that attracting industry is best accomplished through innovative and cooperative planning and infrastructure improvements.

HB 432, increasing the wager limit on games of chance from $1 to $5. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Douglass P. Teschner for the Majority of Local and Regulated Revenues**:** When testimony was first offered on this bill, the committee became concerned that current law is not apparently followed at some "Monte Carlo" nights. As a result, the committee voted unanimously to re-refer the bill to study charitable gaming. The committee solicited testimony from the Attorney General Charitable Trust Division, Sweepstakes Commission, and Department of Safety. As a result, a comprehensive amendment was developed to improve and clarify the statutes on charitable gaming. In the interest of ensuring adequate public process, the committee voted the bill Inexpedient to Legislate and will bring the amendment forward as a clean bill in the upcoming session. The majority of the committee is opposed to raising the minimum bet until the law has been amended to ensure that this practice is suitably regulated. Vote 10-8.

Rep. Stephen G. Avery for the Minority of Local and Regulated Revenues**:** This was a simple bill that would allow wagers on charitable organization casino nights to be raised from a $1 limit to $5. There was overwhelming testimony that this would greatly increase the monies that would actually get to the charities. The minority of the committee feels that while other aspects of charitable gaming need to be tightened up, this can be done in subsequent legislation.

PUBLIC WORKS AND HIGHWAYS

HB 126-FN-L, repealing road toll refunds for retail dealers. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Merle W. Schotanus for the Majority of Public Works and Highways**:** This is the second consecutive time this bill has been introduced in the House. The previous bill, after study, was voted inexpedient to legislate by the House. The voluntary road toll refund program was established in 1957. The program allows independent gasoline dealers to apply for a 1 percent rebate on state gasoline taxes paid as compensation for shrinkage which occurs before the gasoline is sold. Gasoline dealers pay the state tax on gasoline up-front based on gallons delivered from the wholesale terminal before any gasoline is sold to the public. Temperature shrinkage during storage reduces the number of gallons that can be sold to the public. Without the rebate, dealers will have paid a tax on gasoline that cannot be sold. Vermont, Maine and other cold-weather states allow rebates to gasoline dealers which range from 0.05 to 4 percent. The majority of the committee believes the 1 percent New Hampshire rebate is fair. The Department of Environmental Services (DES) took no position on this bill in 1997. However, DES did state that gasoline dealers can experience losses of gasoline as a result of shrinkage. New Hampshire dealers testified that shrinkage is the greatest contributor to loss of gasoline. The majority of the committee believes that it is unfair to tax a product that cannot be sold and thus recommends this bill is inexpedient to legislate Vote 14-7.

Rep. Katherine D. Rogers, Steve Vaillancourt, and Marlene M. DeChane for the Minority of Public Works and Highways**:** The amendment would decrease the rebate from 1 to 0.5 percent of the toll paid on gross gasoline purchases. The New Hampshire Department of Environmental Services reported in January of 1996 that the amount lost during delivery is 0.1-0.2 percent or less. Therefore, with the reduction to 0.5 percent, dealers would still be receiving approximately three times what they are in fact losing. During extensive meetings of the subcommittee dealing with this bill, no clear and compelling empirical evidence was presented that any significant amount of gasoline is lost in underground storage tanks. With New Hampshire's year-round temperature range, scientific evidence is that the amount of expansion and contraction offsets each other. If anything, dealers may be experiencing an increase of volume to sell. If this rebate was dropped to 0.5 percent, the state would realize an additional $325,000 a year into the highway fund. It should also be noted that there is no refund to the federal gasoline tax, none in our neighboring New England states of Massachusetts, Rhode Island and Connecticut, and the 0.5 percent as proposed by the amendment in Maine.

RESOURCES, RECREATION AND DEVELOPMENT

HB 405-L, relative to standardizing the requirements for the design and specifications of septic systems. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Michael D. Whalley for the Majority of Resources, Recreation and Development**:** This bill would require that the design and

specifications for sewage or waste disposal systems approved by the Department of Environmental Services be the standard for all systems in similar circumstances throughout the state. Although many on the committee felt regulations and standards should be based on science and not become a tool for local communities to restrict reasonable growth, most of the committee did not wish to upset the partnership that exists between the state and local communities with regard to the regulation of sewage disposal systems. Vote 12-5.

Rep. William E. Williams, Jr. for the Minority of Resources, Recreation and Development**:** The minority of the committee, being unable to agree with the majority, believes that this bill is a basic, simple bill which brings the entire state in line with the present technical standards as enforced by the New Hampshire Department of Environmental Services. This is not a "home rule" issue. Rather, it is an attempt to standardize septic statutes in a similar manner as we now treat clean air, clean water, etc.

HB 560-FN, relative to penalties for introduction of boats and seaplanes from waters infested with milfoil or zebra mussels into clean lakes or ponds. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.

Rep. David M. Lawton for the Majority of Resources, Recreation and Development**:** While the majority of the committee believes that the problems associated with milfoil and zebra mussels are very serious concerns for our lake resources, we firmly believe that this legislation isn't needed at the present time. HB 181, Chapter 185 of 1997 was an important effort by this Legislature to address the issues of milfoil infestation. Chapter 185 already makes it illegal to sell, import, possess, distribute or transport exotic aquatic species (milfoil). Further, it provides for a $1.50 increase in boat registration fees to help control milfoil infestation. Until the results of our efforts of last session become clear, further action is unnecessary. Vote 10-7.

Rep. Sidney Lovett for the Minority of Resources, Recreation and Development**:** The exotic weed milfoil is contaminating the lakes of New Hampshire. It is currently in 30 lakes or ponds – an increase of 15% in 1997. The minority believes that this fact and the proximity of zebra mussels (Vermont) should require the legislature to maintain a committee for study and the development of appropriate strategies to preserve New Hampshire lakes. The minority recommends interim study.

SCIENCE, TECHNOLOGY AND ENERGY

HB 485, relative to limited electrical energy producers. OUGHT TO PASS WITH AMENDMENT

Reps. Donald B. White, Anne C. Grassie and Jeb E. Bradley for Science, Technology and Energy**:** There are three major provisions of this bill. First there are legislative guidelines for net energy metering. This metering occurs when an extremely small generator of electricity, primarily using wind or solar power, uses less energy than such a system produces on an instantaneous basis. The excess energy flows into the distribution network and runs the homeowners' meter backwards, allowing an offset against consumption at other times. PSNH currently allows this practice for a handful of residences that can produce up to 25 kilowatts of power. The net impact in terms of cost to the electric system is extremely small, but the practical impact would be to encourage people to explore and install renewable energy technology. This amendment limits the total amount of kilowatts of such generating capacity that can use net energy metering. The second provision of the bill removes the requirement from state law that a utility must purchase new sources of independent power, such as hydro or wood energy, once competition in the electric industry actually commences. This requirement, as well as similar federal legislation enacted in the late 1970s, has led to the growth of renewable independent power but has proven to be very costly for N.H. customers. Much of the independent power cost problem for PSNH customers can be traced directly to projected costs of energy that PSNH and the Public Utilities Commission agreed to in a 1983 Commission docket. These high projected costs not only were used to justify continued Seabrook construction but also created an incentive for wood to energy plants to locate in PSNH's service territory. The committee believes it is time to end this practice of future mandatory power purchases, as all sources of power generation should be subject to competitive market forces. The third component of the bill involves existing purchases of independent power. In 1994 the legislature passed SB 790, which barred the buyout of any rate orders for the six remaining wood to energy plants. At the time, SB 790 was necessary to facilitate negotiations between PSNH and the six wood plants to lower their cost to ratepayers. Partial buydowns of these rate orders have been negotiated and are pending approval at the Commission. Even though there would be significant ratepayer savings with buydowns, greater savings might be achieved with rate order buyouts. The committee believes that it is appropriate to eliminate the prohibition on buyouts once competition exists, should any of the plants choose that as an option. Because a buyout could lead to a wood plant closure, there could be an impact on the forest products industry. The committee mitigated this possible impact by allowing only one potential buyout per year. Unlike 1994, once electric industry competition begins, these wood to energy plants as well as all other sources of renewable energy, both new and existing, will be able to sell to willing buyers. Results from the N.H. Pilot Program suggest at least some consumers will choose to purchase this type of power. Vote 17-0.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 12, urging ratification of the Convention for the Elimination of All Forms of Discrimination Against Women. OUGHT TO PASS WITH AMENDMENT

Rep. Rita G. MacAuslan for State-Federal Relations and Veterans Affairs**:** The committee, with the approval of the sponsors, amended this resolution, which originally urged the US Senate to ratify the UN Convention on the Elimination of All Forms of Discrimination Against Women, to urge that the CEDAW be considered instead. The majority of the committee agrees with the amendment that CEDAW, which was signed by the US in 1980, passed from the Senate Foreign Relations Committee (13-5) to the full Senate in 1994, then referred back to committee due to its lateness, should be reconsidered and voted on by the Senate. Vote 10-6.

TRANSPORTATION

HB 712, relative to the purchase, preservation, and reactivation of abandoned railroad rights-of-way and limiting railroad liability for passenger rail service. INEXPEDIENT TO LEGISLATE

Rep. John W. Flanders for Transportation**:** It was the feeling of the committee that two prior decisions by the State Supreme Court finding it unconstitutional to implement medical liability caps and that this bill would not pass constitutional muster. Vote 13-2

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee will hold a public hearing on Wednesday, January 21, 1998, at 3:00 p.m. in Room 304, LOB on a proposed Advisory Opinion. The proposed Advisory Opinion is printed below in its entirety.

Representative Jeb E. Bradley, Chairman

Senator Richard L. Russman, Vice-Chairman

Senator John A. King

Representative Sarah K. Bonneau

Shawn N. Jasper

Peter C. Scott

PROPOSED

ADVISORY OPINION

The Legislative Ethics Committee has received and reviewed a request for an Advisory Opinion regarding the application of the conflict of interest disclosure procedure of the Guidelines as it may pertain to members of the General Court who own land subject to current use assessment. The Committee was asked whether a legislator who has filed a general disclosure of ownership of land in current use assessment at the beginning of a legislative session must also file a Declaration of Intent Form for each individual bill the legislator votes upon which relates to the current use assessment and tax system.

The Committee has addressed the issue of current use land ownership previously. In Advisory Opinion 1996-1, the Committee ruled:

> The current use tax system, unlike a tax of general application, is available and applies to a limited number of landowners, and accordingly, constitutes a financial interest, and therefore a potential conflict of interest, with respect to any official activity pertaining to the current use tax system. Therefore, a legislator who owns (or whose spouse owns) land in current use must file a conflict of interest disclosure form with the clerk with respect to any official activity which may affect the financial benefits or burdens of such ownership. (emphasis added)

Ethics Guidelines Section 2, VI defines "official activities" as:

> …the conduct of activities which relate to official responsibilities including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.

Ethics Guidelines Section 5, Conflict of Interest Procedure, requires a legislator to file a Declaration of Intent Form with the clerk of the member's respective body "within 24 hours" of the time of the legislator's participation in any official activity in which the legislator has a potential conflict of interest. Although the Ethics Committee is currently considering a process which would allow legislators to file a general disclosure form at the beginning of the session, that process has not yet been adopted by the House and the Senate.

Accordingly, the Committee concluded that the Ethics Guidelines require a legislator with land in current use to file a Declaration of Intent Form for each bill for which the legislator has a potential conflict of interest.

COMMITTEE HEARINGS

THURSDAY, JANUARY 8

COMMERCE, Room 302, LOB

10:00 a.m. ***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.

11:00 a.m. ***HB 1411,*** establishing a committee to study the feasibility of creating a nonprofit, public corporation to facilitate the availability of affordable health insurance for the uninsured and underinsured by organizing large purchasing groups of subsidized and non-subsidized subscribers.

1:15 p.m. ***HB 1336-FN,*** defining medical necessity for insurance purposes.

2:30 p.m. ***HB 1214-FN,*** encouraging employers to provide health insurance for their employees by providing a "New Hampshire Way" designation.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1275-FN,*** relative to training for marine patrol officers.

10:30 a.m. ***HB 1372,*** increasing the distance from a dwelling within which a person is prohibited from discharging a firearm.

11:00 a.m. ***HB 1197-FN,*** expanding the crime of felonious use of firearms to include felonious use of any deadly weapon and relative to the minimum mandatory and maximum sentences of imprisonment for felonies involving deadly weapons.

1:30 p.m. ***HB 1199,*** requiring that applicants for a concealed weapons license complete a gun safety course.

2:00 p.m. ***HB 1200-FN,*** prohibiting the manufacture, possession, or transfer of large capacity ammunition magazines.

EDUCATION, Room 207, LOB

9:30 a.m. ***HB 1273-FN,*** relative to a percentage loss of state funding as a penalty for failing to comply with minimum public school standards.

10:30 a.m. ***HB 1350-FN-A,*** relative to vocational student organizations, the appointment of a vocational student organization advisor, and making an appropriation therefor.

1:00 p.m. ***HB 1393,*** extending the reporting date for the postsecondary educational assistance for members of the New Hampshire national guard study committee.

1:15 p.m. ***HB 1394,*** extending the reporting date for the school building aid system study committee.

1:30 p.m. ***HB 1634,*** relative to amending the definition of "educational institution" under the New Hampshire municipal bond bank educational institutions bond financing act.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

9:30 a.m. ***HB 1576-FN-A,*** permitting the development of an industrial hemp industry in New Hampshire and continually appropriating a special fund.

11:00 a.m. ***HB 1229,*** exempting biological control agents from registration requirements for pesticides.

11:30 a.m. ***HB 1477,*** clarifying the waste reduction goals for the state of New Hampshire.

1:00 p.m. ***HB 1225,*** restricting the land application of solid wastes within certain distances of natural, rural, and community rivers.

2:00 p.m. ***HB 1151-FN***, relative to the testing of certain domestic animals.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1262-FN-A,*** establishing the position of medical review subcommittee administrator under the board of registration in medicine.

11:00 a.m. ***HB 1233*****,** relative to administrative attachment of regulatory boards and commissions.

1:30 p.m. ***HB 1234-FN*****,** establishing an office of volunteerism.

2:30 p.m. ***HB 1294-FN,*** establishing the propane and natural gas board and regulating propane and natural gas installers.

FINANCE, Rooms 210-211, LOB

PLEASE NOTE REVISED HEARING SCHEDULE. IF PASSED BY THE HOUSE ON JANUARY 7, 1998, THE FOLLOWING BILLS WILL BE HEARD AS SCHEDULED BELOW:

10:00 a.m. ***HB 774-FN***, relative to child support, custodial rights, and visitation.

10:30 a.m. ***HB 256-FN,*** establishing uniform adjudicative proceedings for state agencies and establishing a pilot program for adjudicative hearings.

11:00 a.m. ***SB 96-FN,*** relative to the priority of charges in probate of estates.

11:30 a.m. ***HB 734-FN,*** requiring district courts to hold evening sessions.

1:00 p.m. ***SB 53-FN,*** relative to payment by the retirement system of certain medical benefits for group II members and for certain permanent firemen on disability retirement.

1:30 p.m. ***SB 68-FN-L,*** providing health care coverage for the spouse and dependents of any group I or group II retirement system member who is killed in the line of duty.

2:00 p.m. ***HB 605-FN-L,*** relative to procedures regarding delinquent children under RSA 169-B.

2:30 p.m. ***HB 606-FN-L,*** relative to procedures regarding children in need of services under RSA 169-D.

3:30 p.m. ***SB 197-FN,*** relative to final dispositional orders in child protection cases.

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

9:30 a.m. ***HB 1464-LOCAL,*** relative to the priority of municipal liens for aid to assisted persons.

10:30 a.m. ***HB 1182,*** establishing an oversight committee to review the allocation of funds dispersed for the developmental disabilities waitlist.

1:15 p.m. ***HB 1219-FN,*** relative to the provision of free potable water at outdoor public events.

2:00 p.m. ***HB 1298-FN-LOCAL,*** requiring health care providers to wear identification.

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:00 a.m. Organizational meeting.

10:00 a.m. ***CACR 31***, relating to the rulemaking authority of the supreme court. Providing that supreme court rules are effective only when not inconsistent with statute.

10:30 a.m. ***CACR 35,*** relating to the nomination and appointment of judicial officers. Providing that all judicial officers shall be nominated and appointed by the governor with the advice and consent of the senate.

11:00 a.m. ***CACR 36,*** relating to probate and district court judges. Providing that all probate and district court judges shall be full-time employees and have no administrative functions.

11:30 a.m. ***CACR 37,*** relating to the administration of the courts. Providing that there shall be an independent administrative office of the courts.

1:00 p.m. ***CACR 38***, relating to the state judiciary. Providing that abolishing the current method for selecting state judges and establishing the New Hampshire Bar as a pool from which state judges are chosen by lot.

2:00 p.m. ***CACR 41,*** relating to clerks of court. Providing that beginning in 1999, clerks of the superior and district courts shall be elected instead of appointed and an elected clerk shall be removable upon petition by the governor with the advice and consent of the council.

3:00 p.m. ***CACR 32***, relating to amending the New Hampshire constitution to provide that registers of probate be appointed instead of elected. Providing that registers of probate shall be appointed instead of elected.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. ***HB 1417-LOCAL,*** relative to involvement in mediation in collective bargaining negotiations by certain municipalities.

10:00 a.m. ***HB 1489,*** eliminating the duty of a public employee labor organization to represent employees who elect not to join the employee organization.

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

9:00 a.m. Subject: Executive session Liquor Commission Report

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HCR 20***, recognizing the 100th anniversary of Old Home Day in New Hampshire.

10:30 a.m. ***HB 1119***, relative to the town line between the towns of Groton and Plymouth, New Hampshire.

11:00 a.m. ***HB 1424,*** relative to the method for filling a vacancy in the position of county commissioner.

1:00 p.m. ***HB 1460-LOCAL,*** allowing counties to establish capital reserve funds to be funded with

unencumbered surplus funds for the purpose of extraordinary legal fees and expenses related to present or foreseeable litigation involving the county or its officers.

1:30 p.m. ***HB 1518-LOCAL,*** increasing the minimum purchase amount by a county requiring competitive bidding.

2:00 p.m. ***HB 1569-LOCAL,*** relative to voter approval for the issuance of bonds or notes for the operating and capital costs of the Gunstock recreation area.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. ***HB 1155***, relative to wastewater in low flow areas.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. ***HB 1223-FN,*** repealing the alternative fuel motor vehicle law.

11:00 a.m. ***HB 1274-FN,*** relative to enforcement of air pollution laws by the department of environmental services.

1:00 p.m. ***HB 1368,*** relative to distribution services and metering and billing in electric utility restructuring.

2:00 p.m. ***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.

2:30 p.m. ***HJR 23,*** supporting the state's petition to the federal Environmental Protection Agency to reduce interstate transport of air pollutants from other states, requesting that Congress make certain changes in the federal Clean Air Act, and requesting that the Environmental Protection Agency enforce certain existing provisions of the Clean Air Act regarding interstate transport of air pollution.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB (Please note room change.)

1:00 p.m. Rescheduled public hearing on ***HCR 21,*** encouraging the designation of the Connecticut River as an American Heritage River.

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 1232-FN,*** establishing a procedure for the proposal of special license plates which designate the proceeds for use by a state agency.

10:00 a.m. ***HB 1363-FN,*** relative to special license plates and related fees for emergency personnel with 2-way radio equipment in their vehicles.

11:00 a.m. ***HB 1285-FN,*** relative to penalties under the youth access to and use of tobacco products law.

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

8:00 a.m. Regular meeting.

FRIDAY, JANUARY 9

ACCESS TO DATA CONCERNING PHYSICIANS AND SURGEONS LICENSED UNDER RSA 329 STUDY, (SB 159, Chapter 233, Laws of 1997), Room 102, LOB

10:30 a.m. Regular meeting.

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), Room 207, LOB

10:00 a.m. Regular meeting.

RESIDENTIAL CARE OVERSIGHT COMMITTEE, (SB 209, Chapter 309, Laws of 1997), Room 103, LOB

9:00 a.m. Regular meeting.

MONDAY, JANUARY 12

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), Room 204, LOB

10:00 a.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

IF PASSED BY THE HOUSE ON JANUARY 7, 1998, THE FOLLOWING BILLS WILL BE HEARD AS SCHEDULED BELOW:

10:00 a.m. ***HB 736-FN,*** increasing jurors' fees.

10:30 a.m. ***HB 616-FN,*** relative to jury selection reforms.

11:15 a.m. ***HB 579-FN-L,*** providing that a person who, having obtained a restraining order against an abuser and having made all reasonable efforts to preserve employment, leaves a job in order to protect himself or herself from domestic abuse, shall not be denied unemployment compensation.

1:00 p.m. ***HB 587-FN,*** relative to the system benefits charge and interim stranded costs recovery charges in electric utility restructuring.

2:00 p.m. ***HB 651-FN-L,*** relative to electric rate reduction financing.

3:00 p.m. ***HB 707-L,*** relative to municipal taxation of utility property.

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

9:00 a.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Rooms 201-203, LOB

9:30 a.m. ***HB 1100-FN,*** relative to the design and construction of a new medium security prison in Berlin and removing the population cap and closing date for the lakes region department of corrections facility.

TUESDAY, JANUARY 13

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1235-FN*****,** relative to the small business innovation research program.

11:00 a.m. ***HB 1205-FN,*** making technical corrections to the securities laws.

1:15 p.m. ***HB 1287-FN,*** relative to sales of tobacco products to persons under 21 years of age.

2:30 p.m. ***HB 1541-FN-A,*** creating a position in the insurance department.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1263,*** relative to the confidentiality of juvenile records.

10:30 a.m. ***HB 1101***, requiring juvenile case and court records to be unsealed in certain cases.

11:00 a.m. ***HB 1290-FN,*** relative to the authority of the state fire marshal.

1:30 p.m. ***HB 1327,*** clarifying enforcement when structures such as manufactured housing are relocated without payment of taxes.

2:00 p.m. ***HB 1108***, relative to authority of the state fire marshal to adopt rules concerning permissible fireworks.

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

EDUCATION, Room 207, LOB

10:00 a.m. ***HB 1230-FN-LOCAL,*** establishing a teacher improvement and evaluation program.

11:30 a.m. ***HB 1449,*** requiring that school administration evaluation programs allow teachers the opportunity to submit input into the evaluation of their principal or supervisor.

1:00 p.m. ***HB 1195,*** allowing non-public school students access to the New Hampshire education improvement and assessment program at no cost to the state or local school district.

1:30 p.m. ***HB 1355-FN-LOCAL,*** revising the New Hampshire statewide education improvement and assessment program to require minimum test scores.

2:30 p.m. ***HB 1526-FN-A,*** requiring the department of education to publish an annual report of special education statistics.

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

ELECTION LAW, Room 308, LOB

10:00 a.m. ***HB 1156-FN-LOCAL***, relative to primary elections and absentee ballots.

10:30 a.m. ***HB 1207-LOCAL,*** relative to the disqualification of election officials.

11:00 a.m. ***HB 1333-FN-LOCAL,*** relative to voting booth requirements at primary and special elections.

1:00 p.m. ***HB 1134***, relative to the voting hours for the town of Sugar Hill.

1:15 p.m. ***HB 1430,*** relative to political expenditure limitation amounts.

1:45 p.m. ***HB 1103-LOCAL***, relative to the state representative districts of towns.

ENVIRONMENT AND AGRICULTURE, Representatives Hall

10:00 a.m. ***HB 1124***, relative to disposal of septage or sludge.

HB 1453, relative to products from sludge-treated soil.

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

HB 1224, relative to the regulation of biosolids.

HB 1346, relative to the definition of disposal under the solid waste management act.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1142***, making technical corrections on behalf of the department of revenue administration.

10:45 a.m. ***HB 1377-FN,*** establishing a state commission on the status of men.

1:00 p.m. ***HB 1304-FN,*** relative to the qualifications and compensation of division directors of the department of environmental services.

1:30 p.m. ***HB 1425-FN,*** regulating the practice of site evaluation of subsurface sewage or waste disposal systems and subdivision plans.

2:30 p.m. ***HB 1244-FN,*** relative to collusive bidding at auctions.

3:30 p.m. ***HB 1545-FN,*** increasing the salaries of the labor commissioner and the deputy labor commissioner.

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

FINANCE, Rooms 210-211, LOB

IF PASSED BY THE HOUSE ON JANUARY 7, 1998, THE FOLLOWING BILLS WILL BE HEARD AS SCHEDULED BELOW:

10:00 a.m. ***HB 627,*** establishing a conservation number plate trust fund, and a special motor vehicle license plate and associated fees, to support New Hampshire's natural and cultural resources.

11:15 a.m. ***HB 747-FN-A,*** establishing a fund for the acquisition or care of land or easements for wildlife habitats, continually appropriating the fund, and requiring an additional fee for each hunting or fishing license to be credited to the fund.

1:00 p.m. ***HB 647-FN-A-L***, relative to a centralized computer checklist of voters and making an appropriation therefor.

2:00 p.m. ***HB 204-FN-L,*** relative to transportation of arrestees, detained defendants, and prisoners and court control of arrestees, detained defendants, and prisoners.

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

10:00 a.m. ***HB 1316,*** establishing a commission to study minimum staffing guidelines in nursing homes for certified nursing assistants, registered nurses, and licensed practical nurses.

11:00 a.m. ***HB 1421,*** relative to review of drugs by the board of nursing and the joint health council.

1:15 p.m. ***HB 1457,*** permitting physician assistants to possess, compound, administer, or distribute prescription drugs.

2:15 p.m. ***HB 1167-LOCAL***, relative to a reapproval process for community mental health programs and area agencies.

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

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 1202,*** establishing a study committee on probate court administration and procedures.

10:15 a.m. ***HB 1268,*** prohibiting an attorney who is a director of a bank from holding client trust accounts in such bank without the permission of the client and the probate court.

11:00 a.m. ***HB 1269,*** requiring beneficiaries to file statements of receipt with the probate court when money is received from an estate after a final account of the estate has been filed.

11:45 a.m. ***HB 1270,*** requiring verification of assets when an account is filed with the probate court by an administrator or executor.

1:00 p.m. ***HB 1323,*** requiring probate judges to impose the same accounting requirements on attorney and non-attorney fiduciaries.

1:45 p.m. ***HB 1332,*** requiring probate court judges to issue a contempt citation when an auditor's request for records is refused.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

1:30 p.m. ***HB 1463,*** encouraging New Hampshire citizens to engage in public service.

2:30 p.m. ***HB 1589,*** prohibiting employers from requiring employees to work in excess of 8 hours a day or 40 hours a week.

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

LEGISLATIVE ADMINISTRATION, Room 307, LOB

9:30 a.m. ***CACR 39,*** relating to the subject matter of legislation which can be introduced by the general court in a second year session. Providing that the subject matter of legislation which can be introduced by the general court in a second year session be limited to proposed constitutional amendments, budget matters in the event of a fiscal emergency, and re-referred bills that have received a 2/3 vote for consideration in the second year session.

10:15 a.m. ***HB 1180,*** relative to the composition of the legislative ethics committee.

11:00 a.m. ***HB 1289-FN,*** relative to meals for legislators on session days.

11:30 a.m. ***HB 1342,*** allowing members of the house of representatives and senate to take courses at no cost, and for no credit at any state institution of higher education.

1:15 p.m. ***HB 1366,*** establishing a committee to study the possibility of televising sessions and selected hearings of the house of representatives.

2:00 p.m. ***HB 1375,*** establishing a legislative accountability act, requiring that certain laws apply to the legislature.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1168-LOCAL***, relative to municipal economic development and revitalization districts.

11:00 a.m. ***HB 1539,*** relative to property tax billing procedures for land parcels having multiple owners.

1:00 p.m. ***HB 1254-FN-LOCAL,*** relative to the taxation of land held for water supply purposes.

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

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.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Continued public hearing on ***HB 1100-FN,*** relative to the design and construction of a new medium security prison in Berlin and removing the population cap and closing date for the lakes region department of corrections facility, if necessary.

1:15 p.m. ***HB 1211-FN-A,*** appropriating startup funds for Governors state park in Laconia.

2:45 p.m. ***HB 1335-FN,*** authorizing the department of administrative services to accept donations, gifts, and grants for the purpose of funding a design to expand the veterans' home in the town of Tilton and establishing the patients' needs committee.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1104***, relative to building a certain dam in Windham.

10:45 a.m. ***HB 1133-LOCAL***, enabling the town of New Boston to rebuild or replace a dam on the Piscataquog River.

1:00 p.m. ***HB 1161-FN***, requiring the state to rebuild and maintain the dam controlling Baxter Lake in the towns of Farmington and Rochester, New Hampshire.

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

RULES, Room 201, LOB

4:00 p.m. Regular meeting.

Executive session.

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***HB 1114***, relative to registration procedures for the use of antique plates.

11:00 a.m. ***HB 1328-FN,*** extending the period for motor vehicle titles.

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

wednesday, january 14

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1301,*** relative to ticket scalping.

11:00 a.m. ***HB 1286-FN,*** establishing a "no sales solicitation calls" list.

11:30 a.m. ***HB 1110***, prohibiting telemarketers from blocking their telephone numbers.

1:15 p.m. ***HB 1633,*** restricting unsolicited commercial electronic mail.

2:15 p.m. ***HB 1125***, repealing laws relative to trading stamp companies and solar equipment warranties.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1129***, relative to the penalty and substance abuse treatment for multiple DWI offenders who have previously successfully completed a multiple DWI offender intervention detention center program.

10:30 a.m. ***HB 1149***, relative to the power to detain an accused person without a warrant for breach of conditions of release on bail.

11:00 a.m. ***HB 1306,*** adopting a conditional post-conviction release act.

1:30 p.m. ***HB 1553-FN,*** prohibiting the possession or use of rohypnol, ketamine, and GHB.

2:00 p.m. ***HB 1509-FN,*** relative to the content of motor vehicle registrations.

2:15 p.m. ***HB 1542-FN,*** permitting the state to commit certain persons convicted of sexually violent crimes for psychiatric treatment after they have completed their sentences.

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

EDUCATION, Room 207, LOB

9:30 a.m. ***HB 1427-FN,*** relative to the availability of special education and related services to incarcerated youths.

11:00 a.m. ***HB 1493-LOCAL,*** relative to clarifying school district liability for children placed in homes for children, health care facilities, or state institutions.

1:00 p.m. ***HB 1475,*** relative to revising certain programs within the postsecondary education commission.

2:00 p.m. ***HB 1502,*** extending the reporting date for the statewide school technology plan study committee.

2:30 p.m. ***HB 1329,*** clarifying the in-state status of veterans for purposes of obtaining resident tuition rates within the university system of New Hampshire.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1243-FN-A,*** relative to the regulation of pesticides and establishing a pesticide cleanup account in the hazardous waste fund.

11:00 a.m. ***HB 1297-FN-A,*** establishing a program of integrated pest management and continually appropriating an integrated pest management fund.

1:00 p.m. ***HB 1440-FN-A,*** establishing a current use land use change penalty assessment, and relative to an additional assessment on certain current use property, the funds from which shall be dedicated to the fish and game marksmanship and firearm safety fund.

2:00 p.m. ***HB 1466-FN-A-LOCAL,*** relative to current use and the real estate transfer tax.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:30 a.m. Retirement orientation.

10:00 a.m. ***HB 1245*****,** relative to the management of New Hampshire retirement system funds by the board of trustees.

10:45 a.m. ***HB 1259-FN,*** relative to the salaries of security employees of certain state institutions.

1:00 p.m. ***HB 1283,*** establishing a 4-year term for the commissioner of the department of corrections.

1:45 p.m. ***HB 1337-FN,*** making technical corrections in laws related to the department of corrections.

2:30 p.m. ***HB 1271-FN,*** relative to the board of acupuncture licensing.

3:30 p.m. ***HB 1528,*** relative to the transfer of certain administratively attached agencies from the secretary of state to the department of administrative services.

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

FINANCE - (DIVISION I), Room 212, LOB

10:00 a.m. Executive session.

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. Executive session

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

10:00 a.m. Executive session

FINANCE, Rooms 210-211, LOB

IF PASSED BY THE HOUSE ON JANUARY 7, 1998, THE FOLLOWING BILLS WILL BE HEARD AS SCHEDULED BELOW:

1:00 p.m. ***HB 784-FN-L,*** changing the age requirements for providing public education, including special education.

1:45 p.m. ***SB 205-FN-L,*** establishing a special school district to provide special education for eligible inmates in the state prison system.

2:30 p.m. ***HB 686-FN-A,*** relative to financing of child day care facilities and making an appropriation therefor.

3:30 p.m. ***HB 697-FN-A-L,*** establishing a homeless prevention fund, to be funded by a temporary homeless prevention state property tax and making an appropriation to the fund for fiscal year 1998-1999.

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

9:00 a.m. Regular business.

9:30 a.m. Audits:

Comprehensive Annual Financial Report of the New Hampshire Retirement System for the Fiscal Year ended June 30, 1997.

State of New Hampshire Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 1997

New Hampshire Turnpike System Audited Financial Statements June 30, 1997.

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

10:00 a.m. ***HB 1166***, relative to the oversight committee on health and human services.

11:00 a.m. ***HB 1118***, relative to the expiration of contact lens prescriptions.

1:00 p.m. ***HB 1117-LOCAL***, repealing the needle exchange program.

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

JUDICIARY AND FAMILY LAW, Representatives Hall

9:30 a.m. ***HB 1324,*** requiring parental notification before abortions may be performed on certain minors.

1:00 p.m. ***HB 1587-FN,*** creating the woman's right to know law.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. ***HB 1353-FN-A,*** relative to additional unemployment benefits for persons with dependents.

10:00 a.m. ***HB 1422-FN,*** changing unemployment compensation benefits.

11:00 a.m. ***HB 1423-FN,*** modifying the definition of employment under the unemployment compensation statute and assignment of unemployment compensation payments for a claimant's child support obligations.

1:00 p.m. ***HB 1650-FN,*** relative to benefits under the unemployment compensation laws.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1387-FN,*** relative to the state art fund.

10:30 a.m. ***HB 1284-FN-A,*** appropriating funds to the liquor commission for the siting and design of a combination state liquor store, welcome center, and New Hampshire products store, to be located in the city of Keene.

1:15 p.m. ***HB 1517-FN-A-LOCAL,*** establishing a fund for maintaining, dredging, and improving harbors in New Hampshire.

2:00 p.m. ***HB 1494,*** relative to public/private department of transportation partnership projects.

3:00 p.m. ***HB 1141-FN-A***, relative to a design study for conversion of the Walker building on the New Hampshire hospital grounds and making an appropriation therefor.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. ***HB 1642-FN,*** relative to changing the environmental laboratory certification program administered by the department of environmental services to an accreditation program.

10:30 a.m. ***HB 1443,*** relative to the time frame for the department of environmental services to act on certain wetlands applications.

1:00 p.m. ***HB 1624-FN,*** relative to the membership of the wetlands council.

2:00 p.m. Rescheduled public hearing on ***HB 1231,*** relative to greywater recycling.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 301, LOB

9:30 a.m. ***HB 1334-FN,*** establishing the position of deputy adjutant general.

10:30 a.m. ***HCR 23,*** urging Congress to provide relief for the Palestinian Christians by direct aid or by negotiation with the government of Israel.

1:30 p.m. ***HJR 21,*** requesting that the United States Congress return to the states the authority to regulate campaign finance.

2:30 p.m. ***HR 53,*** urging Congress to pass and the President to sign a bill returning to the states the power to regulate campaign finance in state races for federal office.

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 1620,*** relative to the issuance of walking disability placards.

10:00 a.m. ***HB 1629,*** relative to walking disability plates and placards.

11:00 a.m. ***HB 1305,*** requiring persons using roller blades, roller skates, and skateboards to adhere to the rules of the road.

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

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. ***HB 1106-FN***, relative to special deer permits.

10:00 a.m. ***HB 1123***, relative to the importation of wolf hybrids.

1:00 p.m. ***HB 1359,*** relative to senior citizens' applications for moose hunting permits.

2:00 p.m. ***HB 1331-FN,*** relative to expanding the authority to grant special hunting and fishing licenses to include persons aged 65 or over, and adding trapping licenses.

FRIDAY, JANUARY 16

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

9:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 305, LOB

9:00 a.m. Rescheduled regular meeting.

TUESDAY, JANUARY 20

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1176***, prohibiting charges for the use of electronic customer service terminals.

10:30 a.m. ***HB 1179,*** limiting fees charged by financial institutions for use of electronic customer service terminals.

11:00 a.m. ***HB 1348,*** limiting fees for use of electronic customer service terminals.

11:30 a.m. ***HB 1540-FN,*** allowing non-banks to establish cash dispensing machines.

1:15 p.m. ***HB 1127***, requiring lending institutions to allow consumers to choose their own attorneys in connection with real estate financing loans.

2:00 p.m. ***HB 1165***, relative to the incorporation, management, branching and merger of banks.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1647-FN,*** allowing a person to be sentenced to up to 2 years of electronically-monitored home confinement probation for a class A misdemeanor and relative to drug testing of persons on home confinement probation.

10:30 a.m. ***HB 1583-FN-LOCAL,*** transferring the county attorneys' offices and the county sheriffs' offices to the department of justice and the unified court system, respectively.

11:15 a.m. ***HB 1600,*** relative to the multiple DWI offender intervention detention center program.

1:30 p.m. ***HB 1588-FN,*** making it a felony to cause bodily injury to a police dog or horse.

2:00 p.m. ***HB 1592-LOCAL,*** relative to the enhanced 911 data base.

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

ELECTION LAW, Room 308, LOB

10:00 a.m. ***HB 1520-FN,*** relative to primary petitions, political expenditures, and the jurisdiction of the ballot law commission.

11:00 a.m. ***HB 1488,*** amending the definition of candidate and requiring additional reporting under the political expenditures and contributions act.

1:00 p.m. ***HB 1204,*** relative to political party expenditures.

1:30 p.m. ***HB 1218,*** requiring the secretary of state to print a question to the voters relative to the public financing of political campaigns on the 1998 general election ballot.

2:00 p.m. ***HB 1577-FN-A,*** relative to campaign finance expenditure and contribution reform.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1145***, relative to the definition of "livestock."

11:00 a.m. ***HB 1160***, relative to the definitions of the terms "farm," "agriculture," and "farming."

11:30 a.m. ***HB 1162***, relative to permit applications before the hazardous waste facility siting board.

1:00 p.m. **HB 1238,** establishing a committee to study ways to manage land use and to preserve and protect the state's farmland, rural character, and environmental quality.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1506-FN,*** changing the composition of the liquor commission.

11:00 a.m. ***HB 1508-FN,*** regulating the practice of hypnotherapy.

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

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

10:00 a.m. ***HB 1407,*** clarifying the unlawful practice of medicine.

11:15 a.m. ***HB 1563,*** prohibiting physicians from prescribing or administering cannabis-type drugs.

1:15 p.m. ***HB 1174***, establishing a committee to study the state substance abuse treatment delivery system.

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

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 1102***, barring perpetrators of crimes from recovering civil damages for injuries sustained during criminal conduct.

10:30 a.m. ***HB 1105***, providing a cause of action for agricultural disparagement.

1:00 p.m. ***HB 1173***, limiting the liability of the state and its employees for personal injuries and civil damages resulting from fire standards and training instruction and programs.

1:45 p.m. ***HB 1191,*** relative to limiting the liability of governmental units under certain circumstances.

2:30 p.m. ***HB 1251,*** concerning the recovery of costs and expenses to a defendant agricultural operation in a nuisance suit.

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

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:30 a.m. ***HB 1148***, relative to review of eligibility for a workers' compensation award where compensation was by lump sum agreement.

10:30 a.m. ***HB 1181,*** relative to the waiting period for workers' compensation benefits for undisputed claims.

11:30 a.m. ***HB 1385,*** relative to clarifying independent medical examinations under the workers' compensation law.

1:30 p.m. ***HB 1446,*** relative to certain private employers under workers' compensation.

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

LEGISLATIVE ADMINISTRATION, Room 307, LOB

9:30 a.m. ***HB 1402-FN,*** allowing the members of the general court dental insurance and relative to

excess appropriations for state employee health insurance benefits for fiscal year 1998.

10:30 a.m. ***HB 1405-FN,*** including the legislature and judiciary as public employers under the public employees labor relations act.

11:15 a.m. ***HB 1410-FN,*** relative to administrative control and transferring the budget of the state law library.

1:00 p.m. ***HB 1413,*** relative to the membership and compensation of the general court.

1:45 p.m. ***CACR 43,*** relating to compensation for members of the general court. Providing that members of the general court shall receive the annual sum of 5 cents per citizen of the state per week, multiplied by the most recent decennial federal census figure for the state of New Hampshire, divided by the number of legislators for the term elected.

2:30 p.m. ***HB 1625-FN,*** relative to financial disclosure by elected officials.

3:15 p.m. ***HB 1645,*** to eliminate secrecy in the handling of complaints by any state ethics committee or conduct board or commission.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1388,*** establishing a committee to study commercial, suburban, and rural sprawl.

11:00 a.m. ***HB 1404,*** establishing the fishing family protection act, prohibiting political subdivisions from interfering with commercial and recreational operations of fishing families.

1:00 p.m. ***HB 1383-LOCAL,*** relative to zoning for small businesses in rural areas.

2:00 p.m. ***HB 1252,*** relative to the right to farm.

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

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

8:00 a.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. ***HB 1206,*** affirming that it is the legislature's intent that new court facility construction costs reflect the needs and usage of the judiciary.

10:45 a.m. ***HB 1253-LOCAL,*** relative to disposal of state property which is no longer in use for state purposes.

1:15 p.m. ***HB 1272-LOCAL,*** requiring the long range capital planning and utilization committee and the Skyhaven airport operation commission to develop a plan to transfer the Skyhaven airport to a local public entity.

2:30 p.m. ***HB 1617-FN-LOCAL,*** requiring all state agencies to include in its budget request the cost for maintaining state-owned buildings based upon a formula and requiring the department of administrative services to maintain state-owned buildings.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. ***HB 1426-FN,*** relative to structures in or over public waters.

11:00 a.m. ***HB 1246,*** relative to enforcement of oil spillage laws.

1:00 p.m. ***HB 1531-FN,*** relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund.

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

TRANSPORTATION, Representatives Hall

10:00 a.m. ***HB 1216-FN,*** relative to motorcycle registration for drivers and riders who wear approved helmets.

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

WEDNESDAY, JANUARY 21

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1186,*** requiring all-night convenience stores to have 2 attendants on duty during night hours.

11:00 a.m. ***HB 1308,*** protecting the rights of distributors.

1:15 p.m. ***HB 1237,*** relative to "salvage" motor vehicles.

2:00 p.m. ***HB 1512-FN,*** relative to credit card rates and payments.

2:30 p.m. ***HB 1178***, relative to automobile leasing.

3:00 p.m. ***HB 1314,*** relative to enforceable provisions in retail installment contracts for motor vehicles.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1132-LOCAL***, relative to the sale of fireworks.

10:15 a.m. ***HB 1128-FN***, relative to space heaters.

10:30 a.m. ***HB 1279-FN-LOCAL,*** relative to the procedures for vacating uninhabitable or unsafe buildings.

11:00 a.m. ***HB 1474,*** establishing a study committee on a unified corrections system.

1:30 p.m. ***HB 1550-FN,*** justifying the use of force against persons armed with deadly weapons engaging in illegal drug transactions and permitting life imprisonment as an enhanced sentence for persons who engaged in an illegal drug transaction while armed with deadly weapons.

2:00 p.m. ***HB 1557-FN,*** establishing the New Hampshire racketeer influenced and corrupt organizations act.

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

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1431,*** prohibiting the aerial spraying of herbicides for forestry purposes.

1:00 p.m. ***HB 1606-LOCAL,*** relative to liability for response to hazardous materials accidents.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1525-FN,*** establishing an office of administrative hearings.

11:30 a.m. ***HB 1524-FN,*** licensing bail recovery agents.

1:15 p.m. ***HB 1612-FN,*** establishing a public information system to ensure electronic access to public records.

2:45 p.m. ***HB 1573-FN,*** changing the name of the department of cultural affairs to the department of cultural resources and establishing a fund for educational purposes and historic preservation.

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

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

10:00 a.m. ***HB 1150***, establishing a committee to study the authority, functions, duties, and responsibilities of the bureau of emergency medical services.

11:00 a.m. ***HB 1396-FN,*** relative to training programs for emergency medical services instructors and funding of certain testing programs.

1:00 p.m. ***HB 1498,*** requiring emergency medical care providers to inform patients of transport options.

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

JUDICIARY AND FAMILY LAW, Room 208, LOB

9:30 a.m. ***HB 1116***, relative to division of property in no-fault divorces.

10:15 a.m. ***HB 1190,*** encouraging alternative dispute resolution as an alternative to litigation in domestic relations cases.

11:00 a.m. ***HB 1376,*** relative to co-parenting of children.

1:00 p.m. ***HB 1194,*** prohibiting a minor child from being forced to have visitation with an incarcerated parent.

1:45 p.m. ***HB 1317,*** relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses.

2:30 p.m. ***HB 1347,*** providing visitation rights to siblings.

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

LEGISLATIVE ADMINISTRATION, Room 307, LOB

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

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

3:00 p.m. Public hearing on a proposed Advisory Opinion regarding the requirement that a legislator file a Declaration of Intent Form for individual bills when a legislator has a potential conflict of interest.

Public hearing on a proposed amendment to the Ethics Guidelines for the 1999 session to allow a general disclosure of potential conflicts of interest. (Amendment to be printed in the January 9 Calendar.)

Regular meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1154***, establishing a committee to study the issue of updating New Hampshire laws related to fences.

10:30 a.m. ***HB 1282-LOCAL,*** requiring a public hearing and vote of the town before a conservation commission may expend funds received through the current use penalty.

11:00 a.m. ***HB 1451,*** requiring the office of state planning to coordinate planning assistance to municipalities with state laws and rules adopted pursuant to state laws.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1177-FN***, relative to increasing the minimum amount of a state capital improvement project requiring competitive bidding.

9:35 a.m. ***HB 1374,*** relative to contracts for major capital projects of the departments of fish and game and resources and economic development.

10:45 a.m. ***HB 1193-FN,*** relative to installing vending machines at welcome and tourist information centers on state highways.

11:15 a.m. ***HJR 24-FN,*** requiring the department of transportation to re-elm U.S. Route 1.

1:15 p.m. ***HB 1389-FN-LOCAL,*** relative to agreements for telecommunications-related uses of the state highway system.

2:15 p.m. ***HB 1157***, relative to the layout of highways.

2:45 p.m. ***HB 1596-A,*** authorizing a state welcome center in the town of Bradford and making an appropriation therefor.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. ***HB 1240-FN*****,** establishing wetlands permits for slips-only marinas.

10:30 a.m. ***HB 1187,*** relative to breakwater permitting.

1:00 p.m. ***HB 1341,*** relative to temporary seasonal docks on lakes and ponds.

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 1392,*** relative to student drivers.

10:00 a.m. ***HB 1345,*** relative to school crosswalks.

11:00 a.m. ***HB 1537,*** relative to aeronautics enforcement authority.

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

THURSDAY, JANUARY 22

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1546-FN,*** extending consumer protection rights to purchasers of farm equipment.

10:30 a.m. ***HB 1598-FN,*** prohibiting the use of social security numbers except for taxation purposes and providing certain rights to victims of credit card fraud.

11:00 a.m. ***HB 1312,*** adopting the 1995 revisions to article 5 of the uniform commercial code relative to letters of credit.

1:15 p.m. ***HB 1461,*** relative to the definition of "destroyed" and "transfer" involving cashier's checks.

2:00 p.m. ***HB 1319,*** relative to foreclosure sales.

2:30 p.m. ***HB 1379,*** making attorneys subject to the Consumer Protection Act.

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

ELECTION LAW, Room 308, LOB

9:30 a.m. ***HB 1444,*** requiring a special primary for all parties if there are at least 2 candidates for election from one party.

10:00 a.m. ***HB 1121***, making technical corrections to the election laws.

10:30 a.m. ***HB 1115-LOCAL***, relative to boundary markers.

11:00 a.m. ***HB 1495,*** relative to procedures for apportioning state representatives among counties and among legislative districts.

11:30 a.m. ***HB 1485,*** establishing a redistricting commission.

1:15 p.m. ***HB 1611,*** relative to reports of income by county officers.

1:30 p.m. ***HB 1170-FN***, allowing municipalities to designate areas and conditions for the placement of political advertising and relative to the removal of improperly placed political advertising.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1643-FN-LOCAL,*** consolidating the pari-mutuel commission and sweepstakes commission into a gaming commission.

11:30 a.m. ***HB 1590-FN,*** relative to vending facilities operated by blind persons and blind services.

1:30 p.m. ***HB 1522-FN,*** establishing the offices of inspector general.

3:00 p.m. ***HB 1607-LOCAL,*** exempting state agencies and counties from competitive bidding requirements when purchasing bulletproof vests and other personal body armor for law enforcement officers, other officers with powers of arrest, and corrections personnel.

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

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

10:00 a.m. ***HB 1503-FN-A-LOCAL,*** relative to intergenerational homeshare programs and making an appropriation therefor.

11:00 a.m. ***HB 1564-FN,*** relative to testing for AIDS when necessary to protect the health of law enforcement officers.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1639-A-LOCAL,*** relative to U.S. Route 3 from Twin Mountain in Carroll to Clarksville and making an appropriation therefor.

10:15 a.m. ***HB 1575-FN,*** relative to highway modifications on lands acquired through the land conservation investment program.

11:00 a.m. ***HB 1137***, establishing a study committee on controlling the spread of graffiti.

1:15 p.m. ***HB 1138-FN-LOCAL,*** relative to New Hampshire route 111.

2:15 p.m. ***HB 1143-FN***, reclassifying Ayers Road in Northfield and Canterbury as a class III recreational road.

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 1322-FN-LOCAL,*** requiring seat belts on school buses.

10:00 a.m. ***HB 1364-LOCAL,*** establishing a bus only commercial driver license.

11:00 a.m. ***HB 1198,*** relative to the registration of vehicles owned by trusts.

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

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. ***HB 1481,*** granting rulemaking authority to the executive director of fish and game to determine the legal length of lobsters.

10:30 a.m. ***HB 1409-FN,*** relative to licenses for taking lobster and crab.

1:00 p.m. ***HB 1354-FN,*** relative to fishing in the Connecticut River by residents of Vermont and relative to the use of funds from the sale of timber on fish and game lands.

2:00 p.m. ***HB 1621,*** relative to the membership of the advisory committee on shore fisheries.

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

FRIDAY, JANUARY 23

VEHICLE EMISSIONS ADVISORY (RSA 268:20,I), Room 304, LOB

10:00 a.m. Regular meeting.

MONDAY, JANUARY 26

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

2:00 p.m. Regular meeting.

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

9:30 a.m. Regular meeting.

TUESDAY, JANUARY 27

COMMERCE, Room 302, LOB

10:00 a.m. ***HB 1578-FN,*** establishing the New Hampshire returnable beverage container law.

11:00 a.m. ***HB 1365,*** establishing a committee to study whether any state laws were violated or any misrepresentations made up to and including the present date in the merger of Catholic Medical Center and Elliot Hospital.

2:00 p.m. ***HB 1529,*** reinstating the corporate charter of Hampstead Garage, Inc.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1011-FN,*** prohibiting possession of gambling machines unless specifically authorized under state law.

10:30 a.m. ***HB 1626-FN,*** relative to illegal gambling businesses.

11:30 a.m. ***HB 1544-FN,*** prohibiting a prosecutor from testifying voluntarily as a character witness in a criminal case.

1:30 p.m. ***HB 1309,*** relative to an exemption from the notification requirement for telemarketing firms.

1:45 p.m. ***HB 1265,*** establishing a study committee on the enactment of laws which would allow the office of the attorney general to freeze assets in white collar crime cases.

2:00 p.m. ***HB 1318,*** relative to extended terms of imprisonment for crimes substantially motivated by hostility towards the victim's religion.

2:15 p.m. ***HB 1184-FN,*** expanding the victims eligible for compensation from the victims' assistance fund and changing the allocation of criminal penalty assessments.

2:30 p.m. ***HB 1307,*** relative to penalties for habitual offenders.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1636-FN,*** relative to the executive director of fish and game and the fish and game commission.

10:45 a.m. ***HB 1523-FN,*** adding security officers of the New Hampshire hospital campus security force to group II of the New Hampshire retirement system.

11:15 a.m. ***HB 1574-FN-LOCAL,*** adding state and local government part-time employees to

employees eligible to participate in the state group insurance coverage.

1:00 p.m. ***HB 1616-FN-LOCAL,*** requiring the department of revenue administration to make available to the public certain tax and real estate assessing software.

1:30 p.m. ***HB 1619,*** relative to the embossing of government seals.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1532,*** establishing a committee to study the village plan alternative to municipal subdivision procedures for the purpose of retaining open space in the development process.

11:00 a.m. ***HB 1567-LOCAL,*** relative to local excavation permits for bedrock quarrying or crushing operations.

1:00 p.m. ***HB 1172-LOCAL***, relative to the number of members on a municipal budget committee.

1:30 p.m. ***HB 1126-LOCAL***, relative to municipal debt limits.

2:00 p.m. **HB 1239-LOCAL,** allowing school districts and village districts to independently adopt the provisions of the municipal budget law concerning establishment of a budget committee.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. ***HB 1208,*** authorizing the housing finance authority to sell or transfer certain land.

10:45 a.m. ***HB 1315-LOCAL,*** relative to leasing of state-owned property.

1:15 p.m. ***HB 1340-LOCAL,*** establishing a committee to study the upgrade of Dean Memorial Airport in North Haverhill, New Hampshire.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***HB 1201-FN,*** relative to the use of motor vehicle repair plates.

11:00 a.m. ***HB 1140-FN***, relative to special motor vehicle plates for district court judges.

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

WILDLIFE AND MARINE RESOURCES, Rooms 305-307, LOB

9:30 a.m. ***HB 1473-FN-A,*** establishing a wildlife damage control program and making an appropriation therefor.

Room 307, LOB

1:00 p.m. ***HB 1120***, establishing a commission to study the effects of and jurisdiction over alternative agricultural products.

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

WEDNESDAY, JANUARY 28

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1258,*** establishing a committee to study and investigate issues related to The State of New Hampshire v. Edward Silva.

1:30 p.m. ***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.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1556-FN,*** transferring the division of fire standards and training to the department of regional community-technical colleges.

11:30 a.m. ***HB 1640-FN,*** prohibiting the use of public resources for political purposes.

1:00 p.m. ***HB 1455,*** relative to the publication of administrative rules.

1:30 p.m. ***HB 1459,*** requiring that all administrative rules adopted by every state agency under the Administrative Procedures Act identify the specific state or federal statute or regulation which the rule is designed to implement.

2:00 p.m. ***HB 1222,*** increasing the membership of the Christa McAuliffe planetarium commission.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1111***, relative to the types of investments allowable by local treasurers.

10:30 a.m. ***HB 1213-LOCAL,*** relative to the authority of a town to name a trustee to expend funds for certain purposes.

11:00 a.m. ***HB 1221-LOCAL,*** relative to the acceptance of personal property donated to towns or village districts.

1:00 p.m. ***HB 1435-LOCAL,*** relative to the vote required for a legislative body of a municipality to accept a street.

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

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

9:30 a.m. ***HB 1401-FN-LOCAL,*** relative to the application of local planning and zoning to construction, development, or use of facilities on state-owned property.

11:00 a.m. ***HB 1330-FN,*** naming the bridge over the Newfound River on route 104 west in the town of Bristol, New Hampshire, the Richard W. Musgrove bridge.

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

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

9:30 a.m. ***HB 1291-FN,*** relative to management of the state ski areas at Mount Sunapee and Cannon Mountain.

10:30 a.m. ***HB 1412,*** relative to increasing the administrative fine for violations of wetlands laws.

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB (Please note room change.)

9:30 a.m. ***HCR 24,*** urging Congress to enact legislation amending the Social Security Act to authorize issuance of waivers to states allowing design and implementation of alternative retirement plans.

10:30 a.m. ***HCR 25,*** requesting the U.S. Postal Service to issue a stamp commemorating the 200th anniversary of the United States naval shipyards.

1:15 p.m. ***HCR 22,*** rescinding the 1979 call for a federal constitutional convention.

2:30 p.m. ***HJR 22,*** requesting the government of the United States to adopt and ratify the international treaty to ban land mines.

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

TRANSPORTATION, Room 203, LOB

9:00 a.m. ***HB 1171***, to establish a committee to investigate the discrepancy in air fares between flights from Logan International Airport and Manchester Airport.

10:00 a.m. ***HB 1648,*** restricting the transporting of passengers in the bed of trucks.

10:30 a.m. ***HB 1572,*** establishing a study committee relative to inter-city commuter bus transportation.

11:15 a.m. ***HB 1605,*** establishing a study committee on marine patrol services.

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

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. ***HB 1256,*** transferring the wildlife rehabilitation program to the department of resources and economic development.

10:30 a.m. ***HB 1255-FN-A,*** increasing the fee for a resident trapping license and continually appropriating the increased revenue for the purpose of wildlife rehabilitation.

1:00 p.m. ***HB 1432-FN,*** relative to hunting and fishing licenses for certain disabled persons.

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

TUESDAY, FEBRUARY 3

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1635-FN,*** establishing the crime of criminal storage of a firearm.

10:30 a.m. ***HB 1515-FN,*** relative to discharge of persons imprisoned for failure to pay a penalty assessment or an administrative fee.

11:00 a.m. ***HB 1543-FN-LOCAL,*** relative to disbursement of income of persons held or imprisoned in

a county department of corrections facility.

1:30 p.m. ***HB 1490,*** requiring defendants charged with certain crimes to turn over firearms to law enforcement agencies; requiring a protective order for surrender of firearms in cases of abuse; and allowing protective orders on behalf of public servants and witnesses who are victims of stalking or criminal threatening.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1415,*** relative to the regulation of the practice of optometry.

10:45 a.m. ***HB 1450,*** relative to standards for certification of soil scientists and wetland scientists.

11:30 a.m. ***HB 1361,*** relative to rulemaking authority, subpoena powers, and establishment of civil penalties by the board of professional engineers.

1:00 p.m. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1638-LOCAL,*** relative to the work program requirement for assisted persons who are single parents.

10:30 a.m. ***HB 1533-LOCAL,*** requiring court diversion programs to provide an accounting of funds appropriated by municipalities, requiring municipalities to publish such accounting in the annual report of the municipality, and requiring municipalities to separately state anticipated expenditures for court diversion programs in the budget.

1:00 p.m. ***HB 1192,*** permitting the city of Concord to combine the positions of tax collector and treasurer.

1:30 p.m. ***HB 1447-LOCAL,*** relative to approval by the legislative body of cost items in a collective bargaining agreement.

2:00 p.m. ***HB 1373,*** enabling towns and cities to adopt a procedure allowing for the denial of a planning board application by a vote of the municipality.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***HB 1135***, relative to the use of watercraft and boats on Ledge Pond in the town of Sunapee.

11:00 a.m. ***HB 1152***, permitting municipalities to further restrict watercraft on great ponds wholly within the municipality.

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

WILDLIFE AND MARINE RESOURCES, Rooms 305-307, LOB

1:00 p.m. ***HB 1196,*** prohibiting the sale and use of lead fishing sinkers except to persons with commercial salt water fishing licenses.

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

WEDNESDAY, FEBRUARY 4

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1552-FN-LOCAL,*** relative to standards for juvenile court diversion programs.

10:30 a.m. ***HB 1614,*** relative to tobacco use violations by minors and establishing a committee on educational programs on tobacco use for minors.

11:00 a.m. ***HB 1547-FN-LOCAL,*** relative to mandatory incarceration for violators of protective orders.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. ***HB 1185,*** creating a committee to study the feasibility of establishing an audit division within the department of justice to audit and review state contracts.

10:45 a.m. ***HB 1438,*** establishing a committee to study the regulation of personnel employed in early care and education including, but not limited to, center and family-based child care and preschools.

1:15 p.m. ***HB 1299,*** requiring members of executive branch councils to file annual financial statements and relative to certain person's who fail to file annual financial statements.

2:00 p.m. ***HB 1344-FN,*** relative to state employees receiving workers' compensation benefits.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1146***, relative to the use of capital reserve funds for multiple payments of lease/purchase agreements.

11:00 a.m. ***HB 1568,*** relative to the timing of special school district meetings.

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

TRANSPORTATION, Representatives Hall

9:00 a.m. ***HB 1367,*** requiring motorcyclists to wear protective headgear.

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

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

9:30 a.m. ***HB 1436,*** exempting resident or landowner permissions for applications and permits for wildlife reductions on Long Island from the right to know law.

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

TUESDAY, FEBRUARY 10

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1472,*** relative to employment of prisoners.

10:30 a.m. ***HB 1227-FN,*** authorizing extended terms of imprisonment for persons who assault emergency medical personnel and fire services personnel.

11:00 a.m. ***HB 1248-FN,*** establishing the crime of assault against a sports official.

1:00 p.m. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1113***, relative to reports of town and school district meetings to be certified to the department of revenue administration.

10:30 a.m. ***HB 1112***, relative to the placement of articles on the official ballot.

11:00 a.m. ***HB 1434-LOCAL,*** simplifying the charter amendment procedure for the purpose of establishing official ballot voting.

1:00 p.m. ***HB 1482,*** providing a mechanism for optional fiscal year towns to use the official ballot voting procedures.

2:00 p.m. ***HB 1491,*** making the second Tuesday in April, rather than the second Tuesday in March, the election day for all local offices and for official ballot voting.

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

WEDNESDAY, FEBRUARY 11

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1448,*** relative to confidential communication between victims and counselors.

10:30 a.m. ***HB 1561-FN,*** preventing computer pornography and child exploitation and increasing penalties for possession under the child pornography laws.

11:00 a.m. ***HB 1378-FN,*** making the penalty for the offense of official oppression a felony,

1:30 p.m. ***HB 1183,*** relative to use of force to prevent an unlawful taking of property.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***HB 1483,*** authorizing secret ballot voting at annual meeting.

1:00 p.m. **HB 1236-LOCAL,** relative to limitations on the amendment of warrant articles in official ballot voting.

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

TUESDAY, FEBRUARY 17

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1559,*** legalizing the possession and cultivation of marijuana for medicinal purposes.

10:30 a.m. ***HB 1562,*** excepting cannabis-type drugs from forfeited drugs which may be delivered to the department of health and human services for medical use.

11:00 a.m. ***HB 1646-FN,*** removing the intent requirement for crimes of possession under the controlled drug law and increasing penalties for violations of the controlled drug law involving marijuana and hashish.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

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

WEDNESDAY, FEBRUARY 18

EDUCATION, Representatives Hall

9:30 a.m. Meeting with Vocational Institute Students.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Hillsborough County Executive Committee will meet Friday, January 23 at 8:30 a.m. at the Department of Corrections, Manchester.

Rep. Frances L. Riley, Chairman

Hillsborough County Executive Committee

COUNTY DELEGATION NOTICE

Strafford County Delegation will meet January 28 at 7:00 p.m. in Superior Courtroom 2 for a public hearing on the 1998 budget.

Rep. Deborah F. Merritt, Chairman

Strafford County Delegation

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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

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Mail slots are full! If you requested all bills last year you are automatically receiving them this year. Please empty mail slots weekly so that distribution may continue uninterrupted. Thank you.

Rob Johnson, Sergeant-at-Arms

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Pursuant to 1996 HR 62, the Finance Committee has prepared a report dated November 1, 1997, of its study of alternatives to fund public, primary and secondary education. Copies of the report are available from the Sergeant-at-Arms office. Members will find it both interesting and enlightening.

Rep. Neal M. Kurk, Chairman

Finance Committee

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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, February 3 at 6:30 p.m.

Karen O. Wadsworth, Clerk of the House

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REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 1350, 1545, 1582, 1594, 1599, 1600, 1601, 1603, 1617 and 1644.

Leo J. Callahan, Assistant Clerk

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

George F. Brown, 13 Grove Street, Rochester, New Hampshire 03839-5511

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

Paul W. Taylor, 214 Harris Road, Nashua, New Hampshire 03060-3708

Karen O. Wadsworth, Clerk of the House

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MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or social activities and political meetings or events. Publication should not be construed as support for either the events listed or the view espoused by the individual or organization sponsoring the event.

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A summary of the November meeting of the Judicial Conduct Committee is available at the Sergeant-at- Arms counter for those who may be interested.

Donna Sytek, Speaker

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NH Senators and Representatives may receive complimentary ski privileges for themselves and one guest upon presentation of proper credentials at the ticket window. The elected official must be present to personally present the credentials, unless prior arrangement has been made with Commissioner Thomson. *(Lift tickets are to be picked up at Guest Services at Sunapee; and at Guest Services or the Ticket Window at Cannon.)*

Rep. Gene G. Chandler

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Please advise me by note at 945 East Rumney Road, Rumney, NH 03266 or by phone at 786-9562 if your town celebrates "Old Home Day" (OHD) or equivalent annually or occasionally. In HCR 20 we will ask the House to recognize the upcoming 100th anniversary of OHD and seek knowledge now of your town or city participation in that New Hampshire tradition. Thanks for your help.

Rep. John R.M. Alger

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A pamphlet from the NH Bar Association, funded by a grant from the US Department of Education, will be placed in members' mailboxes to be picked up January 7. The pamphlet is titled A Guide to Your Rights and Responsibilities and is geared for students after graduation.

Rep. David A. Welch

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The final public hearing for the Manchester Airport Access Road will be held at 6:30 p.m. Thursday, January 8, 1998, at the Manchester Armory on Canal Street. Executive Councilor Jim Normand will chair the formal meeting during which the Department of Transportation will present its final proposal for the access road layout. Representatives of the Army Corps of Engineers will be on hand. Members of the public will be afforded the opportunity to voice their comments at the hearing and will be given an additional 10 days to submit written comments. At a 2:00 p.m. session on January 8, display plans for the road will be available, and explanations will be offered to individuals whose property stands to be impacted by the road.

Rep. Steve Vaillancourt

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The Belknap County Republican Committee will meet at 7:00 p.m. on January 13 at the Galley Restaurant on Union Avenue, Laconia.

Rep. John H. Thomas

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The OWLs will meet on Wednesday, January 14 at noon in Room 308, LOB to discuss spring activities. Brown bag lunch.

Rep. M. Virginia Burke

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Legislators for Limited Spending will meet on Wednesday, January 14 at 8:30 a.m. in the Upham Walker House.

Rep. Frances L. Riley

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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, January 21st. Refreshments will be served.

Rep. Robert K. Boyce

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The Greater Concord Chamber of Commerce cordially invites the Merrimack County Delegation and Leadership of the House to a legislative reception on Thursday, January 29 from 8:00 to 9:30 a.m. at the Historical Society at 30 Park Street, across from the LOB.

Rep. Miriam D. Dunn

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The Department of Transportation will hold the following meetings:

Jan 8 - National Guard Armory, 771 Canal Street, Manchester, plans displayed from 2-5 p.m., hearing presentation at 6:30 p.m. Joint public hearing NHDOT layout/Corps of Engineers-NEPA 404 permit, Bedford-Manchester-Londonderry-Litchfield-Merrimack, Manchester Airport Access.

Jan 8 - Hampton Town Hall, 136 Winnacunnet Road, Hampton, 7:00 p.m. Public informational meeting, Hampton-Seabrook, maintenance dredging of Hampton and Seabrook Harbors.

Jan 13 - Southern NH Regional Planning Commission, 438 Dubuque Street, Manchester, 3:00 p.m. Committee meeting. Transportation Enhancement (TE) Advisory Committee.

Jan 20 - Southern NH Regional Planning Commission, 438 Dubuque Street, Manchester, 3:00 p.m. Committee meeting. Congestion Mitigation and Air Quality (CMAQ) Advisory Committee.

Jan 21 - Exeter Town Office Building, Nowak Room, 10 Front Street, Exeter, 7:00 p.m. Public hearing (Commission), Exeter NH Route 108.

Jan 29 - Chesterfield Elementary School Gymnasium, 535 Old Chesterfield Road, Chesterfield, 7:00 p.m. Public hearing (Special Committee), Chesterfield, NH - Brattleboro, VT, NH Route 9.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

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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 January 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

DATE	*TIME*	*GROUP*	*CLASS/Size*
1/09	9:00	Shaker Road School - Concord	3 & 4 / 21
1/09	9:30	Derry Schools Gifted & Talented	5 / 25
1/12	9:15 & 10:30	Pembroke Hill School	4 / 50
1/14	10:15 & 12:00	Lancaster Memorial - Salem	4 / 46
1/15	9:15	Pembroke Hill School	4 / 25
1/15	11:00 & 12:00	Bedford Memorial School	4 / 40
1/16	10:00 & 11:00	DAR Good Citizens	HS / 100
1/16	1:00	Walker School - Concord	3&4 / 36
1/19	10:00	Troop 22 BSA - Amherst	11-15 / 20
1/20	9:00	Nashua Jr. High NSSSB	JHS - 15
1/20	10:00 & 11:30	Charlotte Ave. - Nashua	4 / 70
1/21	10:00 & 12:00	Milford Elementary School	4 / 75
1/22	10:00 & 12:00	The Paul School - Sanbornville	4 / 50
1/23	9:30	Chester Elementary School	4 / 50
1/23	11:00 & 12:00	Bedford Memorial School	4 / 60
1/26	10:00 & 11:15	Towle School - Newport	4 / 50
1/27	9:15 & 10:30	Pembroke Hill School	4 / 50
1/28	10:00 & 11:00	Charlotte Ave. - Nashua	4 / 46
1/29	10:00 & 12:00	Milford Elementary School	4 / 75
1/30	10:00 & 11:30	Woodman Park School - Dover	4 / 80

ADDITIONAL AMENDMENTS FOR JANUARY 7

(LISTED IN NUMERICAL ORDER)

1998-0225h

Floor Amendment to HB 143-LOCAL

Proposed by Reps. Bruce F. Hunter and James J. Fenton

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

1 School Administrative Units; Budget Voting Procedures; Meeting Times; Single District School Administrative Units; Exemptions. Amend RSA 194-C:9, I and II to read as follows:

I. At a meeting held before January 1, the school administrative unit board shall [~~adopt~~] ***develop*** a budget required for the expenses of the school administrative unit for the next fiscal year, which budget may include the salary and expenses of supervisors of health, physical education, music, art, and guidance, and any other employees, and shall include the expenses necessary for the operation of the school administrative unit. Superintendents, assistant superintendents, business administrators, teacher consultants, and the regularly employed office personnel of the school administrative unit office shall be deemed employees of the school administrative unit for the purposes of payment of salaries and contributions to the employee's retirement system of the state of New Hampshire and workers' compensation. The school administrative unit board shall apportion the total amount of the budget among the constituent school districts in the following manner: the apportionment shall be based 1/2 on the average membership in attendance for the previous school year and 1/2 on the most recently available equalized valuation of each district as of June 30 of the preceding school year. Prior to January 15 in each year, the board shall certify to the chairperson of the school board of each constituent school district the amount so apportioned. Each district within a school administrative unit shall raise at the next annual district meeting the sum of money apportioned to it by the school administrative unit board for the expenses of services which each district received in connection with the school administrative unit office. The school administrative unit board in [~~adopting~~] ***developing*** the budget shall not add any new service to the school administrative unit budget unless a majority of the school districts in the school administrative unit representing not less than 60 percent of the total pupils in the school administrative unit have voted favorably upon the establishment of the service. A vote to accept a new service shall not be construed as a vote to raise and appropriate money within the meaning of RSA 197:3. ***The amount of the previous fiscal year's budget, as adjusted pursuant to paragraph III, shall be disclosed to the voters at the deliberative session of the annual meeting. This amount shall not be amended by the school administrative unit board, but may be adjusted in response to new relevant information at any time prior to the printing of the ballots.***

II. The provisions of paragraph I shall not apply to school administrative units comprising only one district***, or in any district where a board of aldermen votes on the budget, or in any school administrative unit where the budget in at least one member district is voted on by a board of aldermen.*** The budget for these units shall be a part of the school district budget and subject to the vote of the annual school district meeting or, for those districts without an annual meeting, by the legislative body.

2 New Paragraph; School Administrative Units; Budget Adoption and Voting Procedures; Default Budget Provision. Amend RSA 194-C:9 by inserting after paragraph II the following new paragraph:

III. After development by the school administrative unit board, the budget shall be nominated for consideration, placed on a warrant and subjected to an official ballot vote of the annual school administrative unit member districts, and decided by the combined popular vote of all of the school administrative unit member districts. If no budget is adopted by official ballot vote, the default budget for the school administrative unit shall be deemed to be the budget authorized for the previous fiscal year with appropriations reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, provided that appropriations for such contracts and other obligations in the default budget shall remain fixed and shall not be increased over the previous fiscal year's appropriations except as provided herein. For the purposes of this paragraph, a multi-year contract which authorizes specific, identifiable increases in expenditures over subsequent years of the contract shall not constitute an increased appropriation in the default budget unless such multi-year contracts are fully disclosed to and approved by the voters at the inception of the contract. The warrant procedures, wording of the ballot question, and voting procedures for the special meeting shall be in conformance with applicable state law.

3 Budget Approval by Member Districts Added. Amend RSA 194-C:10 to read as follows:

194-C:10 Public Hearing. Before final adoption of the school administrative unit budget as provided in RSA 194-C:9, at least one public hearing shall be held within the school administrative unit, at a time and place specified by the school administrative unit board chairperson, upon a preliminary budget prepared by the school administrative unit board. Notice of such public hearing and a summary of the preliminary budget shall be submitted by the secretary of the board for publication in a newspaper of general circulation in the school administrative unit at least 7 days prior to the date of the hearing. The budget, subsequent to its final approval by the school administrative unit [~~board~~] ***member districts***, shall be posted in a public place in

each constituent school district and given such other publication as the school administrative unit board may determine.

4 Effective Date. This act shall take effect January 1, 1999.

AMENDED ANALYSIS

This bill provides that budgets shall be developed by the school administrative unit (SAU) board and voted on by each member school district in accordance with the local meeting procedures in effect in each district, and provides for a default budget procedure in the event a proposed SAU budget is not adopted.

1998-0226h

Floor Amendment to HB 643-FN

Proposed by Rep. Jeb E. Bradley

Amend RSA 125-L:2 as inserted by section 1 of the bill by deleting paragraph II and renumbering the original paragraphs III - VI to read as paragraphs II - V, respectively.

Amend RSA 125-L:5 as inserted by section 1 of the bill by deleting paragraph III.

Amend RSA 125-L:6 as inserted by section 1 of the bill by replacing paragraph IV(a) with the following:

IV.(a) The addition of emissions category information to motor vehicle registration forms as described in RSA 125-L:5, II(d) and any necessary rulemaking, may begin on the effective date of this chapter.

1998-0232h

Floor Amendment to HB 643-FN

Proposed by Reps. Godfrey G. Howard, Jeffrey C. MacGillivray and Clifton C. Below

Amend RSA 125-L:1 as inserted by section 1 of the bill by replacing paragraph II with the following:

II. The general court further finds that based on current scientific evidence, there is no threshold level at which air pollution reduction ceases to be of benefit. Therefore, the goal of the state's air pollution control strategy shall be to provide for continual improvement in air quality and continuing reduction in air pollutant emissions at an appropriate rate given the relative costs and benefits of air pollution emission reductions, rather than setting specific goals and terminating programs upon reaching those goals.

Amend RSA 125-L:2 as inserted by section 1 of the bill by replacing paragraph VI with the following:

VI. "Ton" means 2,000 pounds.

1998-0218h

Floor Amendment to HB 697-FN-A-LOCAL

Proposed by Reps. Alice Z. Calvert and Lawrence A. Emerton, Sr.

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

An Act establishing a homeless coordination council.

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

1 Purpose. The purpose of this act is to establish a regional coordinating council concerned with the prevention of homelessness and ensuring a reliable and rapid transition of homeless families and individuals to permanent and acceptable housing. The council is intended to provide a safety net to help coordinate available agencies and services, prevent duplication of effort in helping to maintain an integrated statewide continuum of care. The general court intends that attention be paid to preventing cities and towns from shouldering an undue burden of the costs of homeless persons, especially those costs resulting from a reduction in federal or state programs for subsidized housing. The general court intends that the council also provide a means to

educate the public concerning the problems of, scope of, and people involved in homelessness.

2 New Subdivision; Homelessness Coordination Council. Amend RSA 126-A by inserting after section 32 the following new subdivision:

Homelessness Coordination Council

126-A:32-a Definition. In this subdivision, "continuum of care" means a seamless provision of services to assist families and individuals in obtaining appropriate permanent housing. Continuum of care includes, but is not limited to, outreach, emergency shelter, transitional housing, permanent housing, and permanent housing with supportive services, as defined by the department of Housing and Urban Development.

126-A:32-b Coordination Council.

I. There is established the homelessness coordination council. The coordination council shall consist of the following members:

(a) One person from each county in the state, appointed by the governor.

(b) One senate member, appointed by the senate president.

(c) One house member, appointed by the speaker of the house.

(d) The director of the New Hampshire Coalition for the Homeless, or designee.

(e) The administrator of the homeless and housing bureau of the department of health and human services, or designee.

(f) A representative of the New Hampshire mental health services system, designated by the commissioner of the department of health and human services.

(g) A representative of the independent living program of the bureau of vocational rehabilitation, designated by the board of education.

(h) A member of the public who has experienced homelessness, appointed by the governor.

II. The following members shall serve 3-year terms, provided that the initial terms of such members shall be as follows: 3 of the members in subparagraph (a) and the members in subparagraphs (d) and (e) shall serve for one year; 3 of the members in subparagraph (a) and the members in subparagraphs (f) and (g) shall serve for 2 years; 4 of the members in subparagraph (a) and the member in subparagraph (h) shall serve for 3 years. The members in subparagraphs (b) and (c) shall serve terms coterminous with their terms in office. The initial members shall all be appointed within 30 days after the effective date of this section. In the event of a vacancy in membership on the council, a successor shall be appointed by the person or entity that made the original appointment. The successor appointed to the vacancy shall serve for the remainder of the unexpired term. The members of the council shall serve without compensation, however the legislative members shall receive mileage at the legislative rate for each day of actual attendance at called meetings.

III. The council shall elect a chairperson and vice-chairperson from among the membership each year. The first such election shall take place at the first meeting which shall be held within 45 days after the effective date of this section.

IV. The council shall:

(a) Help coordinate available agencies and services to prevent duplication of effort in helping to maintain an integrated statewide continuum of care to prevent homelessness and ensure a reliable and rapid transition of homeless families and individuals to permanent and acceptable housing.

(b) Be attentive to the burden of the cost of homeless persons to cities and towns in the state, especially those costs resulting from a reduction in federal or state programs for subsidized housing.

(c) Meet at least quarterly to identify unmet needs which should be considered for support.

(d) Investigate the needs of homeless citizens, identifying gaps in services to these citizens.

(e) Educate the public as to problems of, scope of, and people involved in homelessness.

(f) Hold at least 2 public hearings annually, in different regions of the state, to generate input from the public on unmet needs.

(g) Report annually to the governor, the speaker of the house, the senate president, and the commissioner of the department of health and human services on or before November 1, of each year.

V. The council may accept funds from public and private sources, provided acceptance of such funds does not financially or otherwise harm the persons needing shelter services and only if acceptance of such funds does not restrict the ability to serve all the categories of persons who have demonstrated a need for basic shelter services. The commissioner of the department of health and human services shall disburse and administer any funds received by the council for the purposes of

this subdivision.

126-A:32-c Rulemaking. The commissioner of the department of health and human services, after consultation with the homelessness coordination council, shall adopt rules under RSA 541-A relative to any matter necessary to carry out the purposes of the council.

3 Repeal. RSA 126-A:32-a - 126-A:32-c, relative to the homeless coordination council, are repealed.

4 Effective Date.

I. Section 3 of this act shall take effect July 1, 2003.

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

AMENDED ANALYSIS

This bill establishes a homelessness coordination council concerned with the prevention of homelessness and ensuring a reliable and rapid transition of homeless families and individuals to permanent and acceptable housing. The council is prospectively repealed effective July 1, 2003.

1998-0250h

Floor Amendment to HB 734-FN

Proposed by Reps. Susan J. Clay and Janet G. Wall

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

An Act establishing a study committee on district court evening sessions.

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

1 Committee Established. There is established a committee to study the options for and costs of holding evening sessions in the district courts.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, at least 2 of whom shall be members of the house judiciary and family law committee, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the options for and costs of holding evening sessions in the district courts. The committee shall make recommendations on the frequency, length, and locations of district court evening sessions.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 1998.

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

AMENDED ANALYSIS

This bill establishes a study committee on evening sessions in the district courts.