

State of New Hampshire HOUSE RECORD

First Year of the 156th Session of the General Court

Calendar and Journal of the 1999 Session

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Contains: Public Hearings, Work Sessions, Notices, Reports and Amendments for February 10

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet on Wednesday, February 10 at 10:00 a.m. to take up the bills in this calendar. We will also meet on Thursday, February 11 at 10:00 a.m. to hear the Governor's budget message. Future sessions are tentatively scheduled for Tuesday, February 16 at 1:00 p.m. and February 17 and 18 at 10:00 a.m.

The new shuttle service between the Storrs Street Garage and the State House and LOB has been well received. The Concord Area Transit (CAT) minibuses will continue to run from 8:45 to 10:15 a.m. and 3:00 to 4:30 p.m. on Tuesdays, Wednesdays and Thursdays with stops on the street level of the Storrs Street Garage and the front door of the LOB. As always, we welcome your comments and suggestions on how we can improve service.

Please remember to bring this calendar to the House Session, as committee reports will not be reprinted.

Chairmen and Vice Chairmen will have their regular meeting in Room 201 at 9:00 a.m. on Tuesday, February 9.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Wednesday, February 10 at 9:00 a.m. in Representatives Hall.

Rep. Gene G. Chandler, Majority Leader

NOTICE

There will be a Democratic Caucus on Wednesday, February 10 at 9:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

PARKING NOTICE

If you do not have a reserved parking space in the LOB Garage or a bagged meter reserved street parking space, you are asked to park in the Storrs Street Legislative Parking Garage on Tuesdays, Wednesdays and Thursdays. On Mondays and Fridays (unless otherwise posted), spaces along the outer wall of the upper and lower levels of the LOB Parking Garage are open to all legislators and staff on a space available, first-come basis. This is a clarification, not a change from past policy. As area parking is limited you are asked to refrain from using street parking spaces and utilize the legislative parking garages for visits of any length. We are trying our best to be a fair partner with the City of Concord and good neighbor to state agencies and businesses. One way we can do this is by utilizing our garage space to the fullest. This frees the street parking spaces for area business customers and the public conducting business, obtaining information and attending our meetings. If you have any questions or concerns, please contact Rob Johnson, House Sergeant-at-Arms at 271-3315.

Rob Johnson, Sergeant-at-Arms

HOUSE DEADLINES

House Rule 64:

December 15, 1998, Tuesday

Last day for all members to file LSR's, with complete information.

January 11, 1999, Monday

Last day for sign-off of all Claremont-related bills.

January 25, 1999, Monday

Last day for sign-off of all non-Claremont-related bills.

March 11, 1999, Thursday

Last day to amend House rules by majority vote.

WEDNESDAY, FEBRUARY 10

CONSENT CALENDAR

EDUCATION

HB 81, establishing a committee to study the structure of the school administrative unit system in New Hampshire.
INEXPEDIENT TO LEGISLATE

Rep. Marie Rabideau for Education: This bill would establish another SAU study committee. There have been 12 SAU studies completed since 1962, seven of which took place since 1990. The findings of these past studies are on file and available to those who wish to research the topic. The committee felt that there was insufficient evidence warranting a new study when others had taken place so recently. Vote 17-0.

HB 95-L, relative to the establishment of educational programs for academically gifted pupils **INEXPEDIENT TO LEGISLATE**

Rep. Charles Yeaton for Education: This legislation has the laudable intention of focusing efforts on gifted students. However, a program developed by the State Board of Education could make it difficult for districts, which now operate or are establishing programs for their own gifted students. Local school districts meet the unique needs of these students. Also, there is no commonly accepted definition of a gifted student. Vote 13-0.

HB 101, establishing an educational commission to ensure the right of each child to an equal and adequate education. **INEXPEDIENT TO LEGISLATE**

Rep. Elizabeth Hoadley for Education: To establish an educational commission at this time is not well timed. Members of this committee believe a sound definition of an "adequate" education is already in law. The House is currently working on issues of costing and funding. This legislation requires a report date of November 1, 1999. There is no reason to believe the court would look favorably on extending the April 1, 1999 deadline. Vote 17-0.

HB 231, relative to approval of applications in the charter schools pilot program. **OUGHT TO PASS**

Rep. Susan B. Durham for Education: This is a technical change, to remove material which was inadvertently left in last year in a committee of conference. Language is removed from the original charter school legislation limiting charter schools to two per executive council district. This language clarifies the intent to remove barriers that make charter schools difficult to initiate. Vote 13-0.

HB 273-FN-L, relative to annual grants for school building aid. **RE-REFER TO COMMITTEE**

Rep. Robert E. McKinley for Education: This legislation addresses possible existing inequities related to school building aid. The committee feels it would be more appropriate to address this issue in depth, after the funding mechanisms related to the Claremont II requirements are finalized. Vote 18-0.

HB 295-FN-L, relative to alternative kindergarten programs in cooperative school districts. **OUGHT TO PASS WITH AMENDMENT**

Rep. Clair A. Snyder for Education: This bill clarifies the opportunity to cooperative school districts to offer kindergarten programs in public and non-public, non-sectarian schools or facilities. All other conditions are contained in the original kindergarten bill. The amendment corrects a grammatical error. Vote 18-0.

HB 296-FN-L, consolidating the number of school administrative units to one in each county. **INEXPEDIENT TO LEGISLATE**

Rep. Brien Ward for Education: This bill would eliminate local control of school administrative units (SAU's). The number of school administrative units (SAU's) would decrease from 79 to 10. The estimated fiscal note cost to implement this bill would be \$26.5 million in fiscal year 1999 from the state general fund expenditures. The trend for school districts is to keep control of their schools at a local level. Consolidating SAU's is contrary to needs and testimony we have heard over the years regarding SAU's. Vote 18-0.

ELECTION LAW

HB 60, relative to meetings of the ballot law commission **OUGHT TO PASS**

Rep. Mary Lou Nowe for Election Law: The committee unanimously supported the need for three (3) members to be physically present at all ballot law commission meetings. Under this bill communication by telephone or electronic means would not be allowed as it has been in the past. Vote 16-0.

HB 227, establishing a committee to study the maintenance of voter checklists. **OUGHT TO PASS**

Rep. Janet S. Arndt for Election Law: The committee unanimously supports the study of the maintenance and integrity of the voter checklists. Procedures related to the 10-year verification and periodic removal of voters from the checklist will also be

examined. It was brought to the committee's attention that these procedures were not always followed. The study committee will recommend legislation to correct the problems areas. Vote 14-0.

HB 228, clarifying permissible political expenditures. OUGHT TO PASS

Rep. Raymond Buckley for Election Law: This bill clarifies when a person is a candidate for the purpose of the voluntary expenditure limit for major office. The bill specifies that any expenditure made after January 1st of the election year shall be counted against the limit. Vote 17-0.

HB 284-L, relative to recount procedures in school districts. OUGHT TO PASS WITH AMENDMENT

Rep. Lynn C. Horton for Election Law: This sets up recount procedures for school districts. Tie votes and recounts shall be handled in the same manner as they are in town elections. Vote 12-0.

JUDICIARY

HB 96, establishing an age limit for appointment of retired justices to serve as temporary supreme court justices. INEXPEDIENT TO LEGISLATE

Rep. Rep. Tony F. Soltani for Judiciary: The bill seeks to reconcile the apparent inconsistency between the constitutional age limit on judges and the law which has been interpreted to permit the selection of a retired justice, over the age of 70, to preside over individual cases. The clerk of the supreme court submitted testimony which indicates that where the constitution is silent, the legislature may exercise its prerogative. In this light, it is inexpedient to make a valuable and free resource unavailable for service. Vote 14-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 62-L, relative to the definition of an abutter for planning and zoning notification purposes. INEXPEDIENT TO LEGISLATE

Rep. Linda T. Foster for Municipal and County Government: The committee believes that the current definition of abutter for notification purposes in local land use board proceedings is both adequate and appropriate. Moreover, if any municipality wishes to enact a more stringent definition, it may do so in its own regulations. Vote 13-0.

HB 71-FN-L, relative to authorizing agreements for the determination of each municipality's share of county costs. RE-REFER TO COMMITTEE

Rep. Richard C. Leone for Municipal and County Government: The committee agreed that the subject of determining each municipalities' share of county taxes needed further study. For example, the question as to whether it would be feasible to offer enabling legislation to allow the county delegation to enter into articles of agreement similar to those used by consolidated school districts would need much dialogue and review. Vote 14-0.

HB 77, relative to the Melendy Pond Authority of Brookline, New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill seeks to "legalize" the Melendy Pond Authority in the town of Brookline. This authority was established, without the required state approval, by the town more than fifty years ago. It supervises what was originally the "town forest" and is now an area of summer camps. Private individuals own the camps, which are located on lots leased from the authority. The New Hampshire Supreme Court recently decided a case involving this area. Because of this opinion, the town and authority have recently asked the Committee to suspend further action on this bill. The Committee believes that this bill as presented is inadequate to deal with this situation, particularly considering the potential implications of the court opinion. Vote 16-0.

HB 207-FN-A, directing the office of state planning to conduct a study of the effects of sprawl in the state and making an appropriation therefor. OUGHT TO PASS

Rep. Robert W. Brundige for Municipal and County Government: This bill appropriates funds to conduct a study of the effects of sprawl in the state. This study will determine how to protect and preserve New Hampshire's historic and rural character in the face of development pressures. Vote 14-0.

HB 217-L, relative to conditions on net income for an elderly exemption from property taxes. INEXPEDIENT TO LEGISLATE

Rep. Thomas E. P. Rice for Municipal and County Government: This bill calls for giving an exemption to Medicare insurance recipients that is not available to persons covered under other forms of insurance. This has the effect of discriminating against those other insurance payers and is therefore not equitable. Vote 14-0.

HB 247, relative to voting by secret ballot at town meetings. INEXPEDIENT TO LEGISLATE

Rep. Betsey L. Patten for Municipal and County Government: The committee felt this legislation was unnecessary. RSA 40:4 1 states that the moderator shall "preside at the town meeting. . . and may prescribe rules of proceedings." This indicates that the moderator already has the ability to call for a secret ballot at his/her discretion, with the provision that those rules may be altered by the town meeting. Vote 13-0.

HB 285, providing that equalized value of property in small towns be calculated as a multi-year average. RE-REFER TO COMMITTEE

Rep. Anthony F. Simon for Municipal and County Government: This bill seeks to address the problem of spikes and dips in property valuation in towns with a population of less than 5,000 by requiring that valuations be equalized by calculating that value as an average of town valuation for the most recent three years. The sponsor has requested re-referral pending our solution of the Claremont II situation and the Department of Revenue Administration has expressed serious concern regarding several effects of the bill. The Committee believes that this proposal is worthy of further consideration however. Vote 15-1.

HB 332, establishing a committee to study the relationship between Plymouth state college and the town of Plymouth. INEXPEDIENT TO LEGISLATE

Rep. Paul A. McGuirk for Municipal and County Government: This bill is well intended. However, the issue of tax-exempt status of the university system properties is one the Municipal and County Government Committee has previously studied extensively. The Committee would urge host communities to open dialogue directly with appropriate officials to achieve some consensus. Vote 15-0.

PUBLIC WORKS AND HIGHWAYS

HB 59-FN, relative to upgrading a portion of U.S. Route 3. INEXPEDIENT TO LEGISLATE

Rep. Bernard J. Raynowska for Public Works and Highways: The study has been done by the Department of Transportation. The 10 year plan already includes sections that would be included with this bill. The sponsor agreed to report this bill Inexpedient to Legislate. Vote 19-0.

HB 86-A, making a capital appropriation for renovation of the Sawyer House at the Daniel Webster Birthplace in the city of Franklin. RE-REFER TO COMMITTEE

Rep. Paul I. LaMott for Public Works and Highways: This bill will allow further effort on behalf of the committee to establish possible joint effort of private sector, Department of Resources and Economic Development and local funding. There are other properties under the stewardship of DRED that currently have private sponsors. The committee is in hope of finding a way to make the Webster birthplace more prominent and receive the attention that it rightly deserves. The sponsors have agreed to facilitate an effort to coordinate this effort with other interested parties. Vote 18-0.

HB 257-FN-A, to construct a noise barrier along a portion of I-95 and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Bernard J. Raynowska for Public Works and Highways: The Department of Transportation has already started the work with the residents in the area addressed by this bill. The committee has been assured that all parties are very happy and the funding is coming from current DOT budgets. Vote 17-0.

RESOURCES, RECREATION AND DEVELOPMENT

HB 93, permitting a dam to be constructed on Rand Pond in Goshen. OUGHT TO PASS

Rep. MaryAnn N. Blanchard for Resources, Recreation and Development: Both legislative authorization and a dam permit from

Department of Environmental Services is required to construct a new dam or rebuild a dam on a great pond. This bill is merely the legislative or first step in the process. If the town wishes to proceed with construction, it will need to obtain all pertinent permits from DES for dam construction and wetland disturbance. All the testimony and the DES supported this bill. Vote 13-0.

HB 248, relative to the Monadnock advisory commission. OUGHT TO PASS WITH AMENDMENT

Rep. H. Charles Royce for Resources, Recreation and Development: This bill as amended is a common sense approach to allow the Monadnock Advisory Commission to accept gifts, donations, or grants to be used exclusively to further the purposes of the commission formed under RSA 227-D. Since 1975, when the commission was formed by the legislature, it has had many offers of donations to be used exclusively on Mt. Monadnock and its environs. (Gap Mt. And Little Monadnock). This bill also sets the stage for the commission to apply for tax exempt status with the IRS for all gifts and donations to the commission. Vote 13-0.

HB 249, relative to the membership of the rivers management advisory committee. OUGHT TO PASS

Rep. MaryAnn N. Blanchard for Resources, Recreation and Development: This bill adds a member to the Rivers Management Advisory Committee to be nominated by the New Hampshire Farm Bureau Federation. With the present level of development pressure and non-point pollution concerns, it seems reasonable to have voting representation for agriculture on the RMAC. Including an agricultural representative may also alleviate some of the apprehensions of those in the farm community regarding the impact on their livelihood of some of the policies and practices of the RMAC. Vote 13-0.

WILDLIFE AND MARINE RESOURCES

HB 57, relative to visiting traps. INEXPEDIENT TO LEGISLATE

Rep. Richard E. Fletcher for Wildlife and Marine Resources: After hearing all testimony with no opposition to the law as it now exists, the committee recommended that this bill be Inexpedient to Legislate. Vote 15-1.

HB 73, extending the reporting date of the commission to study the effects of and jurisdiction over alternative agricultural products. OUGHT TO PASS

Rep. William R. Phinney for Wildlife and Marine Resources: This was a bill that went to interim study from last session. After several meetings held over the summer months and the changing of the 800 series of rules by the Fish and Game Department, it was agreed by all parties involved to extend the reporting date for the two years (2000), to see if the new rules drafted by Fish and Game would solve the situation. Vote 16-0.

HB 219, banning certain uses of artificial light to take wildlife. INEXPEDIENT TO LEGISLATE

Rep. Rose Marie Rogers for Wildlife and Marine Resources: This bill as introduced appears to remedy one isolated incident. Its impact would limit important recreational opportunities to view wildlife, put legitimate shining at risk and would affect (as an unintended consequence) the summer loon survey in the Lakes Region. Vote 19-0.

HB 280-FN, establishing a point system for the annual moose permit lottery. RE-REFER TO COMMITTEE

Rep. Robert J. L'Heureux for Wildlife and Marine Resources: After extensive testimony from constituents, fish and game club and sportsmen, the committee felt the bill had merit and should be studied further. Vote 19-0.

WEDNESDAY, FEBRUARY 10

REGULAR CALENDAR

EDUCATION

HB 269-L, relative to the disbursement of foundation aid. INEXPEDIENT TO LEGISLATE

Rep. Susan B. Durham for Education: This bill would require that foundation aid be paid directly to the treasurer of a city or town. The resolution to the Claremont II decision will change foundation aid as we know it. The distribution method for local school aid will be, therefore, addressed in the Claremont solution. This bill is not needed. Vote 16-2.

ELECTION LAW

CACR 3, 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. Lynn C. Horton for Election Law: The committee believes that the attorney general would spend too much of his time trying to get elected instead of doing his job Vote 17-0.

CACR 4, relating to the election of the attorney general by the people. Providing that the attorney general shall be elected by the people every 2 years in the state general election. INEXPEDIENT TO LEGISLATE

Rep. Lynn C. Horton for Election Law: The committee found that this same bill has been turned down by the House 7 times in the past few years. It makes the office too political. Vote 17-0.

CACR 5, relating to: voting and elective rights of incarcerated felons. Providing that no felon, from the time of conviction until final discharge of sentence, shall vote in an election, become a candidate, or hold public office. RE-REFER TO COMMITTEE

Rep. Janet S. Arndt for Election Law: This CACR adds felon to the reasons for removing the right to vote in New Hampshire. The committee felt that more study was needed before making this change. Vote 17-0.

HB 74, relative to absentee voter lists. INEXPEDIENT TO LEGISLATE

Rep. Christine M. Konys for Election Law: The committee felt that further restricting the public's right to know of those voters who requested absentee ballots would not stand up in court and would be a bad policy to institute. Vote 12-6.

HB 76, relative to voter checkout and depositing ballots. INEXPEDIENT TO LEGISLATE

Rep. Natalie S. Flanagan for Election Law: The committee believes that the laws should be uniform all over the state and checkout procedures should continue to be used where there are paper ballots. Vote 14-3.

FINANCE

CACR 8, relating to legislative review of any broad-based tax enacted after January 1, 1999. Providing that any broad-based tax enacted after January 1, 1999 shall be subject to legislative review every 2 years. INEXPEDIENT TO LEGISLATE

Rep. Susan W. Almy for Finance: This bill provided for a well-intended review of broad-based taxes. However, a biennial repeal of such taxes used as the primary source of education funding in the state would put a severe burden of uncertainty on our school districts, and force future legislators to devote time to reviewing the issue whether or not there is a felt need to do so. The committee believes the needed protection exists in the ability of any legislator to put in a bill each biennium to repeal any tax. Vote 18-0.

CACR 9, relating to certain statewide taxes dedicated to funding public education. Providing that all revenues raised by a state income tax, statewide property tax, sales tax, or gross receipts tax shall be dedicated to funding public education. INEXPEDIENT TO LEGISLATE

Rep. Susan W. Almy for Finance: The committee may well want to dedicate the funding source passed for the Claremont solution using a CACR. Two CACR's were received for this purpose, and CACR 10 has been held because it focuses more closely on a single revenue source. Vote 24-1.

HB 105, requiring legislative review and reauthorization of any state broad-based tax every 2 years. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: This bill required legislative review and possible reauthorization of any state-imposed broad-based tax adopted on or after January 1, 1999. Any tax not re-authorized would be automatically repealed two years following its effective date. This bill, while well intentioned, is unnecessary as stand-alone legislation. To the extent thought appropriate, these concepts could be included in any final Claremont educational bill. Vote 18-0.

HB 106-L, replacing temporarily the rate of the annual school tax with a rate to be set by the commissioner of the department of revenue administration and repealing the provision of the tobacco tax chapter that prohibits a direct state tax as long as the tobacco tax is in effect. INEXPEDIENT TO LEGISLATE

Rep. O. Alan Thulander for Finance: This bill would replace the current state school property tax rate of \$3.50 with a rate to be determined by the Commissioner of Revenue Administration. It also repeals RSA 78:20 which prohibits a direct state property tax as long as a tobacco tax is in effect. Since both of these issues must be addressed should a state-wide property tax be proposed as part of the Claremont solution, the bill was deemed unnecessary. Vote 24-0.

HB 107-FN-A, establishing a tax review and adjustment study commission and making an appropriation therefor. RE-REFER TO COMMITTEE

Rep. William S. Belvin for Finance: The bill's purpose is to form a commission to study the impact of any school funding decisions made by April 1, 1999 on the balance of the existing state tax structure. The study and recommendations include an interim report on December 1, 1999 and a final report on April 1, 2000. \$50,000 is appropriated to fund the commission's work. The study's focus is on who pays which tax and its impact on the economy, jobs, family and community.

The bill has merit in that there will almost certainly be unintended consequences of our Claremont funding choices, as well as clarifications and adjustments. The bill may be a good vehicle to deal with such issues. However the bill's tight timing does not allow Claremont repercussions to be sufficiently developed or fully understood. Consequently the committee unanimously voted for re-refer. Vote 18-0.

HB 110-FN-L, authorizing each town and city to determine its methods of raising revenue to fulfill its obligation to fund public elementary and secondary education. INEXPEDIENT TO LEGISLATE

Rep. Steve Vaillancourt for Finance: While the committee appreciates the efforts of the sponsors to provide local communities with maximum control over their revenue sources, constitutional problems could arise. If, for example, each city and town chose to continue to use a local property tax to fund education, the Court's proportional requirement would not be met. Beyond the constitutional question, the committee fears that this method of raising revenue would leave us with a confusing mix of taxes in any given area. For example, Manchester could have an income tax, Bedford a sales tax, Londonderry an increased gasoline tax, and Derry a consumption tax, etc. Additionally, there's a real danger that this system would pit town against town. A shopping hub, for example, could conceivably raise necessary money by implementing a sales tax which would be assessed to not only its own citizens but also to those of surrounding towns which might have to use a property tax. The resulting double or triple taxation would be unfair. Vote 18-0.

HB 114-FN-A-L, establishing a local property tax education homestead allowance against school taxes on residential real estate, establishing a fund to reimburse municipalities for such exemptions, and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance: This bill proposes a local property tax education homestead allowance that, over a six year period, would allow a 50% reduction to homeowners of the local effective school tax rate on the first \$100,000 of their home's appraised value. This allowance will be paid instead to the school district by the state from a fund established for that purpose. While not included in the bill, the sponsors indicated the proposed legislation would work in concert with two additional CACRs the force of which would place the questions of a graduated income tax and legislative control of education policy before NH's voters in November 2000.

While intrigued by the balance of interests encompassed by the proposal, the committee believes that a Claremont solution should be clearly constitutional and not be dependent on unequal local tax rates, or uncertain future CACRs for funding and policy. The concept of a homestead exemption for property tax relief has merit and may be incorporated as part of other Claremont bills. The committee appreciates the sponsors' efforts to provide a "way out" should other Claremont legislation fail. Vote 22-3.

HB 115-FN-L, relative to an interim plan authorizing an annual tax for the support of a minimally adequate education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Charles L. Vaughn for Finance: The bill sets up an interim school funding plan for a year by establishing an adequate education as completion of 4th grade, setting school tax assessment at 3.50 per \$1000. It would cost \$357,987,211, derived by multiplying 65,276 students by cost per pupil of \$5,482. The committee applauds the sponsor's effort at a temporary solution to funding an adequate education. Nonetheless, the committee wishes to meet the Supreme Court's requirement for all grades, K-12 and avoid continuing litigation. Vote 22-3.

HB 118-FN-A-L, dedicating revenues resulting from future increases in the meals and rooms tax for purposes of funding public education. INEXPEDIENT TO LEGISLATE

Rep. Franklin G. Torr for Finance: This bill would dedicate any increase in the meals and rooms tax to funding primary and secondary education. Legislation in 1993, SB 170, Chapter 352, has a provision to distribute revenue from the meals and rooms tax, sixty percent to the state and forty percent to cities and towns by a progression formula. The committee did not want to interfere with this distribution formula nor is there anticipation of a meals and rooms tax increase. Vote 25-0.

HB 119-FN-A, establishing a 3 percent sales tax. INEXPEDIENT TO LEGISLATE

Rep. David J. Alukonis for Finance: The committee appreciates the sponsor's efforts in bringing forward a proposal for a straightforward sales tax levied at a rate of 3% to fund public education. However, as it labors to reduce the total number of education funding bills currently under consideration, the committee has found that an alternative tax proposal (HB 116, a consumption tax) provides a preferred and more comprehensive vehicle for further consideration. Additionally, as a "stand alone" proposal, the plan would not solve our current crisis in that imposition of the tax would only generate \$295.6 million. Unless the bill's proposed tax rate is at least doubled (6%), or trebled (9%) (a prospect that the committee does not endorse), this proposal must only be considered in concert with other funding proposals. That task is more effectively achieved in HB 116. Vote 25-0.

HB 120-FN-A-L, relative to a statewide school tax on income for purposes of funding a constitutionally adequate education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Jeffrey C. MacGillivray for Finance: After lengthy discussion with the sponsor on both the original bill and a proposed amendment, the committee concluded that it would prefer to use HB 109 as a vehicle for any income taxation legislation. Therefore, this bill is no longer necessary. We thank the sponsor for his time and his suggestions, which we will consider in conjunction with other income tax proposals. Vote.22-1.

HB 121-FN-A-L, relating to the funding of education through the establishment of video lotteries at racetracks and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance: Licensed video lottery machines and gaming are authorized by this bill for installation and use at the state's four existing pari-mutuel racetracks. No other locations are authorized. Local communities must adopt the bill's provisions to establish these video lottery sites. The financial provisions place education funding last after distributions to support the racing industry and affiliated organizations. The fiscal note shows the net education funds from 2,000 machines to be \$29.2 million. This figure might increase if the revenue per machine and number of authorized machines expand beyond the current estimate.

A majority of the committee believes that the potential social costs and consequences of expanded gambling were not adequately taken into account. The bill was opposed by the NH Attorney General and the Chiefs of Police among others who pointed out the potential for increased crime related to this form of gambling.

There are other financial concerns, too. Existing businesses, such as restaurants that already pay meals tax, might suffer as consumers' discretionary spending moves toward video lotteries and away from existing businesses. It is also clear that Massachusetts would be much more likely to establish similar video lotteries to keep their residents' money at home.

The creation of four sanctioned monopolies to the exclusion of any other potential licenses or applicants would injure competition and is unfair. Finally, any incremental gambling legislation should give primacy to generating education revenue as its first objective, not last Vote 19-6.

HB 122-FN-A-L, establishing a 3 percent personal income tax on income earned in New Hampshire to fund public education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Norman L. Major for Finance: This bill establishes a 3 percent tax on income earned in New Hampshire as another source of funding for education and also establishes a dedicated education trust fund to hold all sweepstakes proceeds, income tax revenues and all other appropriated funds for education. There are some good ideas in this bill, but the committee believes that if an income tax is to go forward, the proposal in HB 109 is a better approach. Vote 23-0.

HB 123-FN-A-L, establishing a statewide flat property tax as a source of funding for public education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Jeffrey C. MacGillivray for Finance: This bill to establish a statewide property tax contains many good and valuable ideas; the committee thanks its sponsor. The committee has chosen to keep HB 108, a bill with more provisions and with more

sponsors, as a vehicle for a statewide property tax. Therefore, HB 123 can be reported inexpedient to legislate. Vote 25-0.

HB 124-FN-A-L, establishing a one percent personal income tax to fund public education and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. William S. Belvin for Finance: This bill establishes a one percent personal income tax as a funding source for education, which would be added to Sweepstakes and other general fund revenues. These monies would be deposited in a newly created and dedicated education fund, for distribution to school districts. The interest and dividends tax is repealed. After deductions and adjustments, the revised fiscal note shows a net amount of \$52 million would be raised. The bill also establishes an education adequacy grant process based on \$5,000 per elementary and high school student which would appropriate \$1.076 billion in FY 2001. This amount would grow each year thereafter.

The bill does not yield a Claremont solution due to the large differences in revenue and appropriation, so the committee chose to use other bills to carry forward income tax proposals. However, the bill has raised a useful discussion of the potential cross border (NH and MA) treatment of income taxes, which may be applied to other legislation. Vote 22-3.

WILDLIFE AND MARINE RESOURCES

HB 240, prohibiting the reintroduction of wolf populations to the state of New Hampshire. MAJORITY: OUGHT TO PASS
MINORITY: INEXPEDIENT TO LEGISLATE

Rep. Richard E. Fletcher for the Majority of Wildlife and Marine Resources: The proponents of this bill are opposed to the re-introduction of wolves to New Hampshire, not opposed to the wolf returning to New Hampshire naturally. Much discussion and debate has been held on this issue as recently as last fall's program at the AMC (Appalachian Mountain Club) Headquarters in Pinkham Notch. The owners of the public land in the North Country that would be the location of any re-introduction effort as well as the majority of North Country citizens are opposed to wolf re-introduction as evidenced by the more than 2,000 signatures gathered in support of this bill. The New Hampshire Fish and Game Department, the Fish and Game Commission, New Hampshire Farm Bureau, New Hampshire Timberland Owners, New Hampshire Wildlife Federation, and many sporting clubs all testified in support of HB 240. Naturally return, fine. Artificially re-introduced, no. Vote 12-7.

Rep. Dennis F. Abbott for the Minority of Wildlife and Marine Resources: This bill is truly unnecessary legislation. The fact that the Endangered Species Act requires the feasibility of re-introducing wolves to the northeast be explored is not cause to enact policy when no program or action is proposed. Passing this legislation only precludes our state agencies from participating in the debate. While agreeing that we may not have the necessary habitat nor the social conditions to support their presence, it is important that we maintain a dialogue with those interested parties and not be viewed as being closed minded. Additionally, testimony offered indicated that their presence would not interfere with current forestry practices while, in fact, timber harvesting creates habitat preferred by wolves and other animals. At the very least we should cast aside our fears and misconceptions and no longer be intimidated by an idea and allow the process of discussion to proceed when and if an action of some type is actually proposed.

HJR 1, requesting that the federal government prohibit the U.S. Fish and Wildlife Service or other federal agency from introducing wolf populations to the northeastern United States, especially New Hampshire. OUGHT TO PASS

Rep. Allen K. MacNeil for Wildlife and Marine Resources: Since the majority of the committee followed the recommendations of the New Hampshire Fish and Game Department, Fish and Game Commission, New Hampshire Wildlife Federation, and others in recommending HB 240 Ought to Pass, it naturally follows to support a resolution letting the federal government know our stand on the wolf re-introduction issue. Vote 12-7.

COMMITTEE MEETINGS

SATURDAY, FEBRUARY 6

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

8:30 a.m. Work and executive session on Claremont-related bills.

SUNDAY, FEBRUARY 7

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

8:30 a.m. Work and executive session on Claremont-related bills.

MONDAY, FEBRUARY 8

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

2:00 p.m. Regular meeting.

DEVELOPMENTAL DISABILITY WAITLIST FUND ALLOCATION OVERSIGHT COMMITTEE, (RSA 171-A:1-b), Room 205, LOB

8:30 a.m. Regular meeting.

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

8:30 a.m. Work and executive session on Claremont-related bills.

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

1:00 p.m. Regular meeting.

TUESDAY, FEBRUARY 9

CHILDREN AND FAMILY LAW, Room 206, LOB

10:15 a.m. **HB 356**, relative to the issuance of summons and notice in CHINS petitions.

10:30 a.m. **HB 420**, relative to orders for spousal support in domestic relations cases.

11:00 a.m. **HB 324**, repealing certain grounds for granting a divorce for cause.

11:30 a.m. **HB 438**, relative to certain changes to the membership of the advisory committee on child care.

1:15 p.m. **HB 405-FN**, relative to the definition of "placement cost" with regard to services for children, youth, and families provided by the department of health and human services.

2:00 p.m. **HB 441**, relative to a mother's right to breast-feed.

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

COMMERCE, Room 302, LOB

9:30 a.m. Subcommittee work session on **HB 221**, allowing milk products known to contain the genetically produced bovine somatotropin growth hormone to be so labeled and **HB 79**, relative to reports of shortages to the bank commissioner and to safe deposit box openings.

10:00 a.m. **HB 422**, relative to advertising by rent-to-own businesses.

11:00 a.m. **HB 373**, making technical corrections to the securities laws.

1:15 p.m. **HB 429**, prohibiting mortgage foreclosures or demands of mortgages during an economic emergency declared by the governor.

2:00 p.m. **HB 372**, amending the bond issuing powers of the business finance authority.

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

3:00 p.m. Subcommittee work session on **HB 83**, prohibiting owners and operators of manufactured housing parks from charging residents 65 years of age and older fees for keeping dogs.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 424**, relative to fire protection and warning devices.

10:30 a.m. **HB 423**, relative to advertisements for sweepstakes and gambling.

11:00 a.m. **HB 447**, repealing the laws prohibiting certain promotional games.

11:30 a.m. **HB 436-LOCAL**, relative to uncompensated public service by prisoners.

1:30 p.m. **HB 437**, establishing a study committee on state reimbursement of municipalities for emergency responses along interstate highways.

2:00 p.m. **HB 345-FN**, relative to harassment via the Internet.

2:30 p.m. **HB 478**, prohibiting smoking in all areas of prisons.

3:00 p.m. **HB 346-FN-A**, relative to 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 349-FN-LOCAL**, relative to revising annual grant amounts for school building aid.

11:30 a.m. **HB 404**, establishing a committee to study the implementation of a means-testing grant program within the university system of New Hampshire.

Noon Subcommittee work session on **HB 304**, relative to the confidentiality of criminal history records checks.

1:30 p.m. **HB 358**, relative to the term of office for members of the state board of education.

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 366**, allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

10:15 a.m. **HB 375**, relative to substitutions for disqualified candidates and relative to nominations by nomination papers.

10:45 a.m. **HB 374**, relative to the order of names on presidential primary election ballots.

11:15 a.m. **HB 337**, requiring that the order of candidate names on the ballot be determined by a random drawing.

1:00 p.m. **HB 381**, prohibiting any candidate from receiving the nomination of more than one party.

1:30 p.m. **HB 376**, relative to the times for sessions for corrections of voter checklists.

1:45 p.m. **HB 399**, allowing the secretary of state to have flexibility in moving the date of NewHampshire's presidential primary.

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

9:00 a.m. Continued public hearing on **HB 97**, establishing a right to farm act.

10:00 a.m. **HB 288**, relative to the committee to study land management, protection of farmland, rural character, environmental quality and sprawl.

11:00 a.m. **HB 291**, establishing a study committee for seed sterilization technology or "terminator" technology.

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

Representatives Hall

1:30 p.m. Sludge presentation by Dr. David Lewis.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. **HB 412-FN**, relative to the state treasurer and increasing the limit on state indebtedness.

10:45 a.m. **HB 397**, establishing a 4-year term for the commissioner of the department of corrections.

11:30 a.m. **HB 396**, establishing April 6 of each year as New Hampshire Tartan Day.

1:30 p.m. **HB 414-FN**, relative to the salary of the executive director of fish and game.

2:15 p.m. **HB 459**, removing the requirement for continuing education for renewal of a professional engineer's license.

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

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

8:30 a.m. Work and executive session on Claremont-related bills.

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

10:00 a.m. **HB 299**, establishing a bill of rights for pregnant women.

1:15 p.m. **HB 353**, relative to access to toilet facilities in public places.

2:00 p.m. **HB 452**, relative to patients' rights.

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

JUDICIARY, Room 208, LOB

10:15 a.m. Continued public hearing on **HB 53**, establishing a process for reviewing judges.

10:30 a.m. **HB 297-FN**, permitting a jury trial in the superior court for violations of the state law against discrimination for a certain time period or with the written assent of the commission for human rights after an action has been filed with the commission.

1:00 p.m. **HB 342**, repealing certain laws pertaining to adverse possession.

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

1:15 p.m. **HB 465**, prohibiting the application of the doctrine of adverse possession or prescription when boundary lines can be proven by a preponderance of the evidence.

2:00 p.m. Subcommittee work session on **HB 259-FN**, granting a right to trial by jury in any controversy between a person or persons and a state board, commission, or agency when the amount in controversy is at least \$5,000.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 377**, relative to staying adoption of zoning ordinances under certain circumstances.

10:45 a.m. **HB 460**, relative to adoption and final approval of master plans for municipalities.

11:15 a.m. **HB 461-LOCAL**, relative to inclusion of conservation, preservation, and local water resources management provisions in local master plans.

1:15 p.m. **HB 391**, establishing a village plan alternative in zoning and land use planning laws.

2:00 p.m. **HB 378**, relative to discharge or suspension of county employees.

2:45 p.m. **HB 384-LOCAL**, relative to permitting the election of city officers to be held on biennial election day.

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 365**, establishing a committee to study the current practice of posting roads and its effect on the economy.

11:15 a.m. **HB 355**, relative to the dredging of harbors and channels.

1:15 p.m. **HB 406-FN-LOCAL**, relative to certain private rail lines.

2:00 p.m. **HB 416-FN-LOCAL**, transferring control of all rest areas on state ways to the city or town in which each rest area is situated.

2:30 p.m. **HCR 4**, urging the U.S. Secretary of Transportation to include U.S. Route 2 as a border corridor highway.

3:00 p.m. **HB 401**, relative to the International Trade Corridor and Border Crossing Planning and Development Program.

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 449-FN**, requiring boating safety education.

11:00 a.m. **HB 433**, relative to moorings on public waters.

1:00 p.m. **HB 439**, relative to exemptions from the safe drinking water act.

2:00 p.m. **HB 362**, relative to dam safety program violations.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. **HB 457**, extending the committee to study electric rate reduction financing.

11:00 a.m. **HB 527**, relative to the duties of the public utilities commission.

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

1:00 p.m. Subcommittee work session on **HB 274-FN**, relative to the office of the consumer advocate.

2:00 p.m. Subcommittee work session on **HB 388**, relative to telephone number conservation.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:00 a.m. **HCR 6**, calling on the President and the Congress to fully fund the federal government's share of the average per pupil expenditure in public elementary and secondary schools in the United States under the Individuals with Disabilities Education Act.

11:00 a.m. **HJR 4**, urging the federal government to support telephone number conservation.

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 409**, establishing a committee to study transportation of bulk unpackaged food products for livestock and human consumption.

10:45 a.m. **HB 403**, relative to speed limits on Turtle Town Pond in Concord.

1:00 p.m. **HB 430**, requiring anyone operating windshield wipers to also have on headlights.

1:30 p.m. **HB 444**, relative to establishing a study committee to review reestablishing passenger rail service on the Eastern Line between Newburyport, Massachusetts and Kittery, Maine.

2:30 p.m. **HB 432**, requiring persons under 18 who complete a driver's education course to also do practice driving with a parent or guardian.

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

10:00 a.m. **HB 418**, relative to accounts and reporting dates of certain funds in the fish and game department.

11:30 a.m. **HB 480**, relative to the taking of sand eels.

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

WEDNESDAY, FEBRUARY 10

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

1:00 p.m. Subcommittee work session on **HB 84-FN**, requiring a one year mandatory prison sentence for a third driving while intoxicated conviction.

1:30 p.m. Subcommittee work session on **HB 236-FN-LOCAL**, relative to felonious disarming of a law enforcement officer.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

1:30 p.m. Subcommittee work session on ***HB 275-FN***, providing that the deputy adjutant general shall serve as the director of emergency management and funds for emergency management shall be appropriated to the adjutant general.

FINANCE, Rooms 210-211, LOB

Executive session on Claremont-related bills at the conclusion of the House session.

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

8:30 a.m. Work and executive session on Claremont-related bills.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

After the House session executive session on pending legislation.

THURSDAY, FEBRUARY 11

CHILDREN AND FAMILY LAW, Room 206, LOB

9:00 a.m. Subcommittee work session on ***HB 260-FN-A***, establishing a marital commission pilot program in Sullivan county and making an appropriation therefor.

1:00 p.m. Subcommittee work session on ***HB 67***, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses.

1:15 p.m. Subcommittee work session on ***HB 90***, removing the prohibition on adoption and foster parenting by homosexual persons.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

1:00 p.m. Subcommittee work session on ***HB 215***, prohibiting name changes for certain felons.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

2:00 p.m. Subcommittee work session on ***HB 238-FN-A***, allowing the production and sale of American ginseng in the state of New Hampshire and making an appropriation therefor and ***HB 239-FN-A***, permitting the development of an industrial hemp industry in New Hampshire and continually appropriating a special fund.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:00 a.m. Subcommittee work session on ***HB 277-FN***, relative to health benefits and compensation to pari-mutuel commission-appointed veterinarians.

1:30 p.m. Or thirty minutes after the House session ***HB 476***, establishing a committee to study the feasibility of allowing state and local government part-time employees to participate in their employer's group insurance coverage.

2:30 p.m. ***HB 448***, relative to the board of dental examiners and the regulation of dentists and dental hygienists.

3:15 p.m. ***HB 474-FN***, relative to the annual audit of New Hampshire retirement system funds.

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

Executive session on Claremont-related bills at the conclusion of the House session.

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

8:30 a.m. Work and executive session on Claremont-related bills.

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

1:00 p.m. Subcommittee work session on **HB 326-FN**, requiring the department of health and human services to survey home health care agencies for compliance with federal regulations for medicare.

Rooms 205-207, LOB

1:15 p.m. **HB 415-FN**, establishing a registry for brain and spinal cord injuries.

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

JUDICIARY, Room 208, LOB

1:15 p.m. Executive session on pending legislation.

Immediately following the executive session subcommittee work session on **CACR 1**, relating to the rulemaking authority of the supreme court. Providing that supreme court rules are effective only when not inconsistent with statute and **CACR 2**, relating to supreme court rules. Providing that supreme court rules shall be subject to review and approval by a special legislative committee.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

1:00 p.m. Public hearing on proposed amendment to **HB 69**, relative to overtime pay for hourly employees. (Copies of the amendment will be available from the Sergeant-at-Arms Office)

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

1:30 p.m. Full committee work session on **HB 208-FN**, establishing a coordinated and comprehensive effort by state agencies for economic growth, resource protection, and planning policy to deter sprawl and **HB 209**, relative to authorizing the consideration of traditional village patterns in local zoning ordinances.

Executive session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

1:00 p.m. Or after the House session executive session on pending legislation.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

1:00 p.m. **HB 431**, establishing a committee to study methods and processes necessary to retain the traditional uses of White Mountain National Forest land.

2:00 p.m. **HR 9**, encouraging the use of funds from timber sales of White Mountain National Forest timber to be exclusively for maintenance, upgrading, and funding of the White Mountain National Forest and its facilities.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

1:00 p.m. **HB 402**, establishing a commission to study the use of a surcharge to promote the use of renewable energy sources.

1:30 p.m. **HB 407**, relative to unsolicited telephone sales by competitive telephone and electricity providers.

2:15 p.m. **HB 426**, relative to clean indoor air in state buildings.

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

FRIDAY, FEBRUARY 12

FINANCE, Rooms 210-211, LOB

10:00 a.m. Work and executive session, if necessary

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

8:30 a.m. Work and executive session on Claremont-related bills.

FOSTER CARE SYSTEM TASK FORCE STUDY, (SB 346, Chapter 277:1, Laws of 1998), Room 101, LOB

2:00 p.m. Rescheduled regular meeting.

WEDNESDAY, FEBRUARY 17

EDUCATION, Rooms 205-207, LOB

8:30 a.m. Vocational education students meeting with House Education Committee.

FRIDAY, FEBRUARY 19

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

9:00 a.m. Regular meeting.

WEDNESDAY, FEBRUARY 24

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

8:30 a.m. Rescheduled regular business.

9:00 a.m. Rescheduled Audits: New Hampshire Retirement System comprehensive annual financial report for the FY ended June 30, 1998.

New Hampshire Retirement System management letter for the year ended June 30, 1998.

Single audit of Federal Financial Assistance Programs for the year ended June 30, 1998.

MONDAY, MARCH 1

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

9:30 a.m. Regular meeting.

TUESDAY, MARCH 2

COMMERCE, Room 302, LOB

10:00 a.m. **HB 317**, relative to the display of tobacco products.

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 357**, establishing a committee to study and investigate issues related to investigations, trials, convictions, and sentencing of sex offenders.

11:00 a.m. **HB 359**, establishing a committee to study the rights of a private citizen to pursue a criminal investigation if he or she believes it is not being pursued vigorously.

1:30 p.m. **HB 360-FN**, clarifying that any person convicted of a felony in this state is prohibited from owning or possessing firearms and other dangerous weapons.

2:30 p.m. **HB 367**, relative to requesting certifying scientists to appear at DWI hearings.

3:00 p.m. **HB 427**, relative to the laws requiring a prescription to possess hypodermic needles and modifying the drug paraphernalia laws applying to syringes.

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. Rescheduled public hearing on **HB 310**, repealing the authority of the department of agriculture, markets, and food to conduct meat inspections and poultry products inspections.

11:30 a.m. **HB 340**, establishing a committee to study mercury source reduction and recycling issues.

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 440**, relative to access to copies of patient medical records.

11:00 a.m. **HB 392**, relative to exemptions from required child immunizations.

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

11:00 a.m. **HB 298-FN**, relative to the authority of the executive director of fish and game to prevent damage to commercial agricultural crops through wildlife reduction or management.

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

WEDNESDAY, MARCH 3

ENVIRONMENT AND AGRICULTURE, Representatives Hall

10:00 a.m. **HB 335**, prohibiting the land application of sludge in reclamation areas.

10:30 a.m. **HB 334**, restricting the land application of sludge, septage, and solid wastes.

11:00 a.m. **HB 370-LOCAL**, prohibiting wastewater treatment plants from excluding towns that regulate sludge disposal within their borders from using such facilities and requiring disclosure by sellers of sludge applications to land.

11:30 a.m. **HB 472**, relative to establishing metal limits on land-applied sludge.

11:45 a.m. Rescheduled public hearing on **HB 222**, preempting local regulation of biosolids or sludge disposal by landfilling or landspreading.

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

THURSDAY, MARCH 4

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **HB 395-FN-A**, establishing a pilot program of matching grants and optional local tax exemptions to preserve historic agricultural structures in New Hampshire and making an appropriation therefor.

1:00 p.m. **HB 410**, relative to the enforcement authority of the department of environmental services.

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

MONDAY, MARCH 8

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

2:00 p.m. Regular meeting.

FRIDAY, MARCH 19

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

9:00 a.m. Regular meeting.

MONDAY, MARCH 29

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

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Coos County Delegation quarterly meeting will be held Friday, February 12 at 10:00 a.m. at the Coos County Nursing Home, Berlin. (Alternate Date: If Delegation members are required to be in Concord on Friday due to Claremont-related legislation, this meeting will be cancelled and held on Saturday, February 13th.)

Rep. Lynn C. Horton, Chairman

Coos County Delegation

COUNTY DELEGATION NOTICE

Merrimack County Executive Committee will meet on the following dates:

Friday, February 12 at 9:00 a.m. in the lower level conference room of the County Administration Building, 4 Court Street, Concord. The purpose of the meeting is to review the 1999 Human Services, Adult Diversion, Juvenile Diversion, Bridge Program, Grant Agencies and Cooperative Extension Budgets.

Monday, March 1 at 9:00 a.m. in the lower level conference room of the County Administration Building, 4 Court Street, Concord. The purpose of the meeting is to review the 1999 County Attorney, Medical Referee, Sheriff and Dispatch Budgets.

Friday, March 5 at 9:00 a.m. in the lower level conference room of the County Administration Building, 4 Court Street, Concord. The purpose of the meeting is to review the 1999 Delegation, Treasurer, Administration, Concord Complex Maintenance, Registry of Deeds and Miscellaneous Budgets.

Friday, March 5 at 10:30 a.m. in the lower level conference room of the County Administration Building, 4 Court Street, Concord. The purpose of the meeting is to review the 1999 Corrections/Merrimack County Academy Program Budgets.

Monday, March 8 at 9:00 a.m. in the lower level conference room of the County Administration Building, 4 Court Street, Concord. The purpose of the meeting is to review the 1999 Nursing Home and Residential Properties Budgets.

Friday, March 12 at 9:00 a.m. (tentatively) in the lower level conference room of the County Administration Building, 4 Court Street, Concord. The purpose of the meeting is to vote on the approval of the total County Budget.

Rep. Ray F. Langer, Chairman

Merrimack County Executive Committee

COUNTY DELEGATION NOTICE

The Rockingham County Executive Committee will be meeting on the following dates to finalize the 1999 County budget:

Friday, February 19th at 9:30 a.m. – Executive Committee meeting.

Saturday, February 20th at 10:00 a.m. - Full Delegation meeting to adopt the 1999 budget.

Rep. Jon Beaulieu, Chairman

Rockingham County Executive Committee

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS RESEARCH AVAILABLE

The Health, Human Services and Elderly Affairs Committee receives numerous healthcare related publications. Rather than discard them, we feel they may be of help to those members who want health-related information. These publications are filed in the rear of State House Room 100 under the following groupings:

Children & Child Care

HMO's and Managed Care

Health Care/Administration/Regulations

Healthcare/Treatment

Medicare/Medicaid

State/Federal Health Policy

Rep. Lawrence E. Emerton, Chairman

Health, Human Services and Elderly Affairs

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 108, 109, 116, 118, 119, 120 and 237.

Leo J. Callahan, Assistant Clerk

Members should be aware that several items have been added this week to our web site "www.state.nh.us". One item is Bill Status Searching for the current session. Also, as bills are introduced, a copy of the text is put on the site and linked to bill status and to a title list. These bill copies will be updated with the latest versions as the bills get amended. We also have downloadable files of all members' names and addresses in several popular formats. Users also have the ability to search across all 1999 LSR's by number, word in the title or by sponsor. Although we have done much work, we still have more to do in the areas of Bill Status, Roster and Who Is My Legislator.

On another subject, some members are concerned about the phasing out of the Dial-Up-Wang system. This system and the software applications we developed are not Year 2000 compliant. We are currently rewriting these applications for the Windows and Web environments. The Wang system will continue to be updated through the current session with member information, Wang E-mail and the calendars and journals. However, Bill Status and the Text of the Bills will not be available on this machine as we move toward phasing it out. I will continue to help find solutions for those members who will be impacted by the loss of the Wang system.

Stan Kelly, Manager, General Court Information Systems

IMPORTANT MILEAGE REIMBURSEMENT EXPLANATION

The mileage reimbursement checks you received **did not include** January trips to the State House even though the check stubs indicated that the payments were for the pay period ending January 14, 1999. We understand your concerns. Please be assured that your January trips to Concord during the first two weeks of the month will be reimbursed in the next check. You will be paid for the January 28, 1999 session day in the February 18, 1999 check.

George Coronis

Legislative Accounting

NH Senators and Representatives may receive complimentary ski privileges at Cannon Mountain 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 George Bald at the Department of Resources and Economic Development. (*Lift tickets are to be picked up at Guest Services or the ticket Window at Cannon.*)

Rep. Gene Chandler

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

Peter O. Crowell, 21 Otterville Road, New London, New Hampshire 03257-4207

Stanley N. Searles, Sr., 129 Dracut Road, Hudson, New Hampshire 03051-5423

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or social activities and political meetings or events. Publication should not be construed as support for either the events listed or the view espoused by the individual or organization sponsoring the event.

A number of copies of a report produced by the New Hampshire School Board Association are available at the Sergeant-at-Arms counter on a first come-first served basis. The report contains selected data on all New Hampshire schools showing property valuation per pupil, number of pupils in residence, revenue raised, cost per pupil and foundation aid per pupil as voted last September for fiscal year 1999-2000. The report is a ready reference to use in comparing the various Claremont funding bills to individual towns and SAU's.

Rep. John Alger

To the anonymous gentlemen legislators who assisted me in getting a car with a dead battery started, I wish to thank these gentlemen with all my heart. I had left my headlights on in the Storrs Street Garage and didn't have a cell phone. I didn't get the names of the gentlemen but I feel so grateful.

Rep. Mary M. Moriarty

New Hampshire common sense conservatives invite you and your family to attend a citizens rally concerning tax policy in the Claremont II decision. We hope you will join us in asking your Representatives to inform the Courts that we will not abide by their decision to redistribute the peoples' money and abrogate their right of consent. The rally will be held on the steps of the State House on Saturday, February 6 at noon. Special guest speakers are Dr. Alan Keyes, Steve Forbes, Jim Rubens and Rep. Paul Mirski.

Rep. Paul M. Mirski

The New Hampshire Society of CPAs cordially invites all legislators and staff to a reception on Tuesday, February 9 from 4:00 to 6:00 p.m. at the Holiday Inn, Concord.

Reps. Gene G. Chandler and Peter H. Burling

Legislators for Limited Spending will meet on Tuesday, February 9 at 8:30 a.m. at the Upham Walker House.

Rep. Sylvia A. Holley

The Manchester Delegation will meet with the Board of Mayor and Aldermen on Wednesday, February 10 at 7:00 p.m. in the new Aldermanic Chamber at City Hall. Issues of concern to the City of Manchester will be discussed, including how Claremont legislation will affect the city. All Manchester Representatives are encouraged to attend and present details of any particular bills from their committees which have impact on the city.

Rep. Steve Vaillancourt

The Main Street Republicans invite each sponsor of a Claremont funding bill to explain why his or her proposal should be part of the solution. The meeting will be held at the Grist Mill Restaurant in Bow on Thursday, February 11 at 8:00 a.m.

Rep. Joseph P. Manning

The Teamsters Union, Local 633 of Manchester cordially invites all members of the House and their staff to the 1999 Teamsters Legislative Reception. This year's event will be at the Szechuan Garden Restaurant at 108 Fisherville Road in Concord on Thursday, February 11 from 4:00 - 6:00 p.m. Refreshments and hors d'oeuvres will be served.

Reps. Gene G. Chandler and Peter H. Burling

The Legislative Caucus for Young Children will meet on Thursday, February 11th immediately following session in the Upham Walker House. Please bring your lunch.

Reps. Susan B. Durham

The City of Rochester Delegation organizational meeting will be held Tuesday, February 16th at noon in Room 208, LOB.

Rep. Sandra B. Keans

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, February 17.

Rep. Paul M. Mirski

The Retail Merchants Association of New Hampshire cordially invites all legislators and staff to our annual legislative reception on Thursday, February 18 from 4:30 - 7:30 p.m. at the Capitol Center for the Arts, 44 South Main Street, Concord. Refreshments and hors d'oeuvres will be served.

Reps. Gene G. Chandler and Peter H. Burling

The Belknap County Republican Committee will hold the Annual Lincoln Day Dinner in Gilford at 6:00 p.m. on Saturday, March 6. Please contact Rep. Rosen for tickets.

Rep. Ralph J. Rosen

The 1999 Legislative Ski Day will be held at Loon Mountain on Monday, March 8, 1999. Ski NH is joining forces with the New Hampshire Automobile Dealers Association Charitable Foundation to raise money for the keep kids s.a.f.e. program.

Keep kids s.a.f.e. (safety awareness for everyone) is a cooperative effort of the NHADA Charitable Foundation and WMUR-TV. The goal of keep kids s.a.f.e. is to provide free KIDS AND COMPANY: Together for Safety child safety curriculums to every elementary school in New Hampshire (public and private) that commits to its implementation. KIDS AND COMPANY is the child safety curriculum of the National Center for Missing and Exploited Children.

The day's events will include Snowmaking and Grooming Tours; Shaped Ski, Snowboard, and Race clinics; a dual slalom race; and an Apres Race Party/Award Ceremony. For more information call Ben McLeod at Ski NH (800) SKI-NH Ext 82 (800-887-5464) or e-mail Ben: ben@skinh.com.

Reps. Gene G. Chandler and Peter H. Burling

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in January, 1999. These listings replace individual notifications in an effort to reduce paper usage and to ensure all members are notified in a timely manner. Please contact the Visitors' Center for further information. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Grade/Size</i>
Feb. 8	10:00 & 12:00	Interlakes Elementary/Meredith	4/70
Feb. 9	10:00 & 12:00	Interlakes Elementary/Meredith	4/50
Feb. 10	10:30	Cornish Elementary School	4/20
Feb. 10	11:45	Nashua Christian School	4/20

Feb. 11	10:00 & 11:45	Canaan Elementary School	4/85
Feb. 12	10:00 & 12:00	Newmarket Elementary School	4/100
Feb. 16	10:00 & 11:45	Auburn Village School	4/73
Feb. 17	9:00 & 10:15	Greenland Central School	4/45
Feb. 17	12:00	Pembroke Academy/Russian Exchange	12/Adults
Feb. 18	10:00 & 12:00	Woodman Park Elem./Dover	4/90
Feb. 19	10:30 & 12:00	Memorial School/Newton	4/88

The Department of Transportation will hold the following meetings:

Feb 16 – Franklin City Hall, 316 Central Street, Franklin, 7:00 p.m. Public informational meeting, Franklin, US 3/NH 11 intersection with West Bow Street and Kendall Street.

Feb 17 – Stratford Town Hall Downstairs, Route 3, Stratford, 7:00 p.m. Public officials meeting, Stratford, US 3 and bridge over Stratford Brook.

Feb 18 – Peterborough Town House, 1 Grove Street, Peterborough, 7:00 p.m. Public officials meeting, Peterborough, US 202.

Feb 22 – Selectmen's Office, Old Grange Hall, 7 Meetinghouse Hill Road, New Boston, 7:00 p.m. Public officials meeting, New Boston, NH 13/Molly Stark Lane.

Feb 25 – Senior Center, Depot Street, Plymouth, 7:00 p.m. Public informational meeting, Holderness-Plymouth, NH Route 175A.

Mar 4 – Effingham Town Hall, Town House Road, State Route 153, 7:30 p.m. Public informational meeting, Effingham-Freedom, NH Route 143 over Ossipee River.

Rep. Edwin O. Smith, Chairman

Public Works and Highways

WEDNESDAY, FRBRUARY 10

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

1999-0019h

Amendment to HB 248

Proposed by the Committee on Resources, Recreation and Development - C

Amend 227-D:5-a as inserted by section 1 of the bill by replacing it with the following:

227-D:5-a Acceptance of Gifts. The commission may accept any gifts, donations, or grants from any source whatsoever, provided said gifts, donations or grants so received shall be used exclusively to further the purposes of this chapter.

1999-0028h

Amendment to HB 284-LOCAL

Proposed by the Committee on Election Law - C

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

1 School District Elections; Post-Election Procedure; Tie Votes and Recounts; Questions. Amend the introductory paragraph of RSA 671:32 to read as follows:

Tie votes and recounts in school district elections shall be handled in the same manner as in town elections as provided in ***RSA 40:4-c and 40:4-d and in*** RSA 669:30-669:36, except as specified herein:

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

1999-0047h

Amendment to HB 295-FN-LOCAL

Proposed by the Committee on Education - C

Amend RSA 198:15-1, II (c) as inserted by section 1 of the bill by replacing it with the following:

(c) To operate an alternative kindergarten program, in a cooperative school district, that contains a combination of programming from public and nonpublic, non-sectarian schools or facilities, subject to the approval of the cooperative school board under RSA 195.

Amend RSA 198:15-n, IV (a) as inserted by section 2 of the bill by replacing it with the following:

(a) A description of the alternative kindergarten program, ***which may include a combination of programming from public and nonpublic, non-sectarian schools or facilities.***

AMENDED ANALYSIS

This bill clarifies that cooperative school districts may operate an alternative kindergarten program which may contain a combination of public and nonpublic, non-sectarian programs or facilities.