

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 and Reports and Amendments for March 25

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

The House will meet in session on Thursday, March 25 at 10:00 a.m. Future sessions are tentatively planned for April 1 and April 9.

Chairmen and Vice Chairmen will meet on Tuesday, March 23 at 9:00 a.m. in Room 201 LOB.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Thursday, March 25 at **9:15 a.m.** in Rooms 201-203, Legislative Office Building.

Rep. Gene G. Chandler, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, March 25 at 9:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter H. Burling, Democratic Leader

NOTICE

LEGISLATIVE FORUM

HOUSE CONTINUING EDUCATION

TOPIC: The NH Economy in 1999

PRESENTER Brian J. Gottlob, Economic Development Bureau Chief

NH Business and Industry Association

DATE: Wednesday, March 24

TIME: Noon

PLACE: Room 100, State House

The next presentation in our series of House Continuing Education Forums will be by Brian Gottlob, Economic Development Bureau Chief for the Business and Industry Association. He will repeat a presentation, made to the House Finance Committee earlier in this session, which included a look at the economic indicators of the recent past as well as a look ahead for the remainder of this year. We believe this will be of real interest to members, and valuable to their deliberations in terms of voting on biennial budget matters. We look forward to seeing you there.

Reps. Godfrey Howard and Janet Wall

Continuing Education Coordinators

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.

THURSDAY, MARCH 25

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 441, relative to a mother's right to breast-feed. OUGHT TO PASS WITH AMENDMENT

Rep. Thomas I. Arnold, Jr. for Children and Family Law: After exhaustive discussion of breast feeding of children, this committee amended the complex bill to a simple statement that breastfeeding does not constitute indecent exposure and that

restricting the right of a mother to breastfeed her child is discriminatory. Vote 13-0.

HB 567, encouraging alternative dispute resolution in certain domestic relations and CHINS proceedings. INEXPEDIENT TO LEGISLATE

Rep. Patricia A. Dowling for Children and Family Law: The committee believes this bill to be unnecessary because judges are now encouraging alternative methods of dispute resolution. The committee has in its possession other bill(s) which encompass this subject. Vote 12-0.

HB 571, relative to joint legal and physical custody of children. RE-REFER TO COMMITTEE

Rep. Edward P. Moran for Children and Family Law: The committee decided that since the bill deals with the spectrum of parental responsibilities, given the issues involved, it would be prudent to have an extended time frame to work on the bill. Vote 13-0.

HB 607, relative to the contents of the certificate of divorce. INEXPEDIENT TO LEGISLATE

Rep. Laura C. Pantelakos for Children and Family Law: The committee felt it would be very hard to determine the exact number of hours a child spends with each parent. Also it would be very costly for the courts to keep these statistics. Vote 12-0.

HB 628, relative to the relocation of the principal residence of a child. RE-REFER TO COMMITTEE

Rep. David A. Bickford for Children and Family Law: The committee chose to study this bill along with HB 571. The bills deal with joint custody and relocating children. Vote 13-0.

COMMERCE

HB 56, establishing a procedure for reinstating corporate charters that have been expired for more than 3 years. OUGHT TO PASS

Rep. Tara G. Reardon for Commerce: This bill establishes a procedure by which the Office of the Secretary of State can reinstate corporate charters that have expired. In the absence of this procedure, only the Legislature can accomplish the reinstatement. Vote 17-0.

HB 82, establishing a committee to study financial arrangements among hospitals, physicians, and insurance companies. OUGHT TO PASS

Rep. Martha Fuller Clark for Commerce: The support for this study committee was unanimous both in the public hearing and on the committee. In this area of constantly changing health care services and policy, it is essential to clarify the Legislature's understanding of the interrelationship, financial and otherwise, among hospitals, physicians and insurance companies. Public testimony urged the study committee to look specifically at four separate areas of concern: 1) study hospital endowments and reserves from 1992 to the present; 2) uncompensated care; 3) profit and loss by reimbursement from medicaid, indemnity and self-pay; and 4) the feasibility of disclosure of service charges for self-pay. Vote 16-0.

HB 205, relative to the requirement for posting of bond by an applicant for a writ of replevin. OUGHT TO PASS WITH AMENDMENT

Rep. Tara G. Reardon for Commerce: This bill updates the current law regarding a writ of replevin and security therefor. The prior requirement for posting a bond, which is difficult and expensive to obtain, is being replaced by other forms of security acceptable to the court. Vote 18-0.

HB 330, relative to changing the name of the lienholder or mortgage holder on title insurance when refinancing a home. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce: The intent of this bill was to restrict fees for title insurance when refinancing a home. However, as title insurance does not look to the future, but rather to the past, the committee felt that this bill would offer no protection to the lender. The secondary market is an important feature in today's financing market and secondary markets require new title insurance. Vote 16-0.

HB 339, requiring consumer reporting agencies to provide annually to the consumer a free copy, upon request, of a consumer

report. INEXPEDIENT TO LEGISLATE

Rep. Toni M. Crosby for Commerce: Credit bureaus currently provide free credit reports to consumers who are on welfare, are victims of fraud, who are unemployed and who have been denied credit within the past sixty days. The committee feels that \$8.00 is a reasonable amount for credit bureaus to charge consumers for their credit reports under normal circumstances. Vote 15-0.

HB 351, relative to liability for property taxes on manufactured housing when the manufactured housing is moved. INEXPEDIENT TO LEGISLATE

Rep. Dennis P. Vachon for Commerce: The committee is reluctant to place reporting requirements on the owners of manufactured housing parks with respect to manufactured housing units they do not own and for which the park owner should not incur any liability for real estate taxes. Vote 15-0.

HB 372, amending the bond issuing powers of the business finance authority. INEXPEDIENT TO LEGISLATE

Rep. James C. Curran for Commerce: This bill involves the financial relationship and interaction among the Business Finance Authority (BFA), the New Hampshire Higher Educational and Health Facilities Authority (NHHEHFA) and the New Hampshire Higher Education Loan Corporation (NHHELCO). The BFA sought authorization to issue bonds for student loan programs, an authority now reserved to NHHEHFA. NHHELCO, which uses the proceeds of NHHEHFA bond sales to make student loans, expressed its neutrality as to the merits of the change, while NHHEHFA was opposed. The underlying issue of importance to the BFA was the loss of bond issuance fees it experiences when it allocates tax-exempt bond volume cap to NHHEHFA for student loan programs. After discussion and at the committee's urging, the three parties agreed on a formula whereby BFA will increase cap volume allocation for student loan bonds from \$25 million to \$45 million in return for a small fee. In view of this new arrangement, the bill is now unnecessary. Vote 12-0.

HB 422, relative to advertising by rent-to-own businesses. OUGHT TO PASS WITH AMENDMENT

Rep. Dennis P. Vachon for Commerce: The amendment addresses the sponsor's concerns that certain rent-to-own advertising was avoiding the disclosure requirements of RSA 358-P through a dubious interpretation of the language by clarifying that the statute applies to each advertising, which refers to initial and final payments as well as possible payments, and with respect to any item not just a specific item. Vote 12-2.

HB 517, relative to insurance coverage for alcoholism treatment. INEXPEDIENT TO LEGISLATE

Rep. Keith R. Herman for Commerce: The sponsor testified at the public hearing that the issues contained in this bill are better addressed in another piece of legislation. In addition, treating alcoholism as a separate disease from all other diseases goes against the intent of the sponsor. The sponsor requested this bill be withdrawn. Vote 13-0.

HB 638-FN, authorizing a limited license for certain travel agents. OUGHT TO PASS

Rep. Stephen G. Avery for Commerce: This bill authorizes the insurance commissioner to issue a limited license to ticket selling travel agents and other representatives of common carriers to sell travel insurance policies to their customers. These are short-term nonrenewable policies that include accident, baggage insurance and cancellation coverage. Current law requires the travel agents to take the same test that all insurance agents must take. Vote 13-0.

CRIMINAL JUSTICE AND PUBLIC SAFETY

CACR 24, relating to county attorneys. Providing that county attorney positions be abolished. INEXPEDIENT TO LEGISLATE

Rep. Timothy N. Robertson for Criminal Justice and Public Safety: The only testimony in favor of the bill was from the sponsor. Basically, this bill would be a start to abolishing county government beginning with the county attorney. Each county has a unique personality and point of view and the committee seemed to be in favor of maintaining this. There is no body of information that would indicate what effects wholesale or even partial dismantling of county government might have. Vote 12-0.

HB 436-L, relative to uncompensated public service by prisoners. INEXPEDIENT TO LEGISLATE

Rep. Robert M. Fesh for Criminal Justice and Public Safety: This bill would have prohibited prisoners from engaging in uncompensated public service work in the place of regular employees. It was felt that no jobs are being displaced and these are jobs that no one really wants. The county's contract with the towns states that these prisoners will displace no jobs. They are

trying to give something back to the towns and taxpayers at no cost to them. Volunteers do the same kinds of jobs all the time and we would not want to do away with all volunteers. Vote 12-0.

HB 708-FN-L, transferring the county attorneys' offices and the county sheriffs' offices to the department of justice and the unified court system, respectively. INEXPEDIENT TO LEGISLATE

Rep. Frank M. Schanda for Criminal Justice and Public Safety: This bill transfers budgeting obligations and authority for the county attorney's offices to the department of justice and for the county sheriff's offices to the unified court system. The committee felt that this bill would create more problems than it would solve; for both the counties and the state. It is a departure from our traditional and constitutional history. Vote 13-0.

HB 713-FN, relative to penalties for multiple DWI offenses. RE-REFER TO COMMITTEE

Rep. Frank M. Schanda for Criminal Justice and Public Safety: This bill revises the penalties for repeat DWI offenders to include interlock systems on car ignitions and home detention for motor vehicle offenses involving alcohol. The committee and sponsor agreed that this bill needed additional work. Vote 15-0.

HB 729, adding social clubs recognized by the Internal Revenue Service to the definition of "charitable organization" for purposes of the laws governing raffles. OUGHT TO PASS

Rep. Robert M. Fesh for Criminal Justice and Public Safety: This bill adds social clubs as recognized by the Internal Revenue Service to the definition of "Charitable organization" for purposes of the laws governing raffles. It will allow fish and game clubs to conduct raffles that have been in existence for at least 2 years and are organized under the laws of this state. Vote 13-0.

EDUCATION

HB 311-FN-A, relative to grants made under the New Hampshire incentive program and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Warren Henderson for Education: As amended, this bill makes part-time students who are state residents eligible to receive certain education grants. Part-time students, including those holding down jobs and those raising families, are often among those most needing assistance. Including them among those eligible to receive education grants seems to be a matter of simple equity. The bill also increases state funds available to the grant program by \$750,000 in fiscal year 2000 and again in fiscal year 2001. The amendment allows the Post Secondary Commission to determine who shall receive the grant without specifying what level of the post-secondary institution the applicant is attending. Vote 15-0.

HB 404, establishing a committee to study the implementation of a means-testing grant program within the university system of New Hampshire. INEXPEDIENT TO LEGISLATE

Rep. Clair A. Snyder for Education: This bill would establish a committee to study the implementation of a means-testing grant program within the university system of New Hampshire. Since many students rely on loans, they graduate with large debt. This happens even when USNH awards approximately \$25 million in financial aid. Only if state aid were increased would money be available to lessen the student's debt at graduation. The committee objected to the study because the duty to analyze the financial and economic impact to means test a grant formula should be addressed to the Legislative University Oversight Committee. Vote 12-0.

HB 428, relative to school administrative units. OUGHT TO PASS WITH AMENDMENT

Rep. John Alger for Education: This bill was necessary to clarify the requirement for a public hearing on plans for organization of an SAU. The committee amended the bill to require notice of any public hearing at least 14 days ahead of the meeting. Vote 16-0.

HB 488, relative to the definition of certain disabilities in the provision of special education services. OUGHT TO PASS WITH AMENDMENT

Rep. Susan B. Durham for Education: As amended, this bill expands, to age nine, the age for the category "developmentally delayed" and therefore, the word "pre-school" needed to be eliminated. Some children catch up on the developmental delays and would not need continued special education. This legislation is compliant with IDEA. Vote 15-0.

HB 590-L, relative to the use by a school district of proceeds from an educational trust fund. INEXPEDIENT TO LEGISLATE

Rep. Elizabeth K. Hoadley for Education: The committee believes it would be difficult (and nearly impossible) to legislate the distribution of funds from all the various educational trust funds throughout this state. Local districts, which may benefit from trust funds, need to work proactively with fund trustees to minimize any problems connected with the distribution of those funds. Vote 15-0.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 211-FN-A-L, relative to intergenerational homeshare programs and making an appropriation therefor. INEXPEDIENT TO LEGISLATE

Rep. Lawrence A. Emerton for Health, Human Services and Elderly Affairs: This proposed program, which was passed by the House in 1998, has received federal approval from HCFA and will be considered for future statewide implementation by the Health and Human Services Department. The sponsor and prime mover, hopes to start a pilot program in her city, independent of a Department sponsored initiative. The committee feels that this is a program that should soon be a part of New Hampshire's long term care initiative. Vote 17-0.

HB 264, relative to persons who die in nursing homes. INEXPEDIENT TO LEGISLATE

Rep. Martin Feuerstein for Health, Human Services and Elderly Affairs: It is the sense of the committee that nursing home operators have guidelines to deal with deceased persons. It also felt that it is inappropriate for us to legislate procedure in the event of death of a resident in a nursing home. Vote 17-0.

HB 456, establishing a committee to study issues relating to the deaf community in New Hampshire. OUGHT TO PASS WITH AMENDMENT

Rep. Daniel M. Burnham for Health, Human Services and Elderly Affairs: This bill establishes a committee to study a wide range of issues relating to the deaf community in New Hampshire including interpreter standards, methods for better statewide coordination of programs and services for deaf persons, and the quality of education for deaf children in the state. After hearing from an impressive cross-section of the deaf community, the committee believes the study is both important and timely. Vote 17-0.

HB 486-FN-A, relative to the physician effectiveness program. OUGHT TO PASS WITH AMENDMENT

Rep. James P. Pilliod for Health, Human Services and Elderly Affairs: This bill, as amended, was discussed by the committee and realizing the value of this self-funded program which monitors physicians who are at risk for substance abuse and addiction, voted to approve the legislation as amended. Vote 19-0.

JUDICIARY

HB 564-FN-L, repealing the authority of the chief justice of the supreme court to assign superior court judges to hear cases in the district court, and reducing the judicial branch budget for jury trials in the district courts. INEXPEDIENT TO LEGISLATE

Rep. Peter F. Bergin for Judiciary: This bill would prohibit the chief justice of the supreme court from temporarily assigning a supreme court justice to assist the superior court and the superior court to assist the district court whenever a backlog in the lower court required such action. Over the years the arrangement has worked well and at no cost to the state. It would also diminish funding for district court jury trials which a number of people testified against. Vote 15-0.

MUNICIPAL AND COUNTY GOVERNMENT

HB 65, relative to dates of meetings for local political subdivisions which have adopted the official ballot. INEXPEDIENT TO LEGISLATE

Rep. Robert W. Brundige for Municipal and County Government: This bill was submitted to allow charter towns which have enacted SB-2, particularly the Town of Hooksett, to adopt a May town meeting date. On March 9th the Town of Hooksett amended its charter so as to make this bill moot. Vote 16-0.

HB 208-FN, establishing a coordinated and comprehensive effort by state agencies for economic growth, resource protection,

and planning policy to deter sprawl. OUGHT TO PASS

Rep. Linda T. Foster for Municipal and County Government: This bill establishes a coordinated and comprehensive effort by state agencies for economic growth, resource protection, and planning policy to deter sprawl. It ensures that the provisions of the Governor's Executive Order relative to sprawl become permanent and ongoing. The Committee unanimously believes that this policy will aid in improving New Hampshire's quality of life, not only for present but also for future generations. Vote 14-0.

HB 232, permitting town trustees to invest capital reserve funds in mutual funds. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill would have allowed towns to invest capital reserves in mutual funds. The Committee feels that the risk inherent in such funds is too great for public funds. Additionally, a state regulatory process would have to be established to rate mutual funds for safety and soundness, and there appears to be no state agency currently with the expertise to do so. Vote 16-0.

HB 327-L, allowing municipal treasurers to enter into lease agreements for equipment. OUGHT TO PASS WITH AMENDMENT

Rep. Anthony F. Simon for Municipal and County Government: This bill clarifies some existing confusion by specifically allowing municipalities to enter into lease agreements for the use and ownership of equipment. Lease agreements that contain "non-appropriation" clauses will not be regarded as long term debt and may be approved by majority vote. Vote 15-0.

HB 328-L, allowing municipalities to enter into agreements to purchase goods and services with credit cards. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill is not necessary because our municipalities already have the authority to, and do, use credit cards. The Department of Revenue Administration does not regard the use of credit cards as creating long-term debt. Vote 15-0.

HB 394-L, enabling towns, cities, and village districts to assess property taxes for certain services on charitable organizations. INEXPEDIENT TO LEGISLATE

Rep. Anthony F. Simon for Municipal and County Government: This bill would have permitted municipalities to withdraw the charitable exemption from selected charitable organizations. It was introduced as a result of an ongoing dispute regarding the payment of fire protection costs in the Town of Conway. The Committee is convinced that there are serious constitutional problems with this bill. Additionally, there are serious public policy questions involved in allowing the discretionary, selective removal of the charitable exemption from otherwise qualified organizations. Finally, this appears to be a local problem, which does not require legislative action. Vote 15-0.

HB 425, relative to the placement of public utility wires. INEXPEDIENT TO LEGISLATE

Rep. Thomas E. P. Rice for Municipal and County Government: This bill would force the rate payers in an entire service area of electric, phone, cable, etc. to pay for putting wires underground due to the action of a single community. It would also result in much billing confusion because these service areas do not coincide. Vote 15-0.

HB 641-L, clarifying the value of public utility property for property tax purposes. RE-REFER TO COMMITTEE

Rep. Elizabeth S. Hager for Municipal and County Government: The Committee, the sponsor, and all interested parties unanimously agree that this bill should be re-referred, particularly with the uncertainty over the legislative response to Claremont II. Vote 15-0.

HB 663-L, authorizing the granting of abatements to persons whose children are enrolled in schools other than the local public schools. INEXPEDIENT TO LEGISLATE

Reps. Priscilla P. Lockwood and David W. Hess for Municipal and County Government: This bill would authorize towns to grant real estate tax abatements of up to one thousand dollars where the taxpayer enrolls a child in "approved schools" other than the local public schools. The Committee felt that the support of public education by taxes is a separate and distinct issue from personal choice, and that the responsibility of paying for public education should be shared by all. The Committee also was warned about the difficulty and expense that would be encountered by towns in administering such a proposal, and noted that such legislation would discriminate against residents, such as renters, who do not directly pay property taxes. Vote 15-0.

HB 664, establishing a study committee on rights of ownership to cemetery plots. OUGHT TO PASS

Rep. Marilyn A. Fraser for Municipal and County Government: This is a simple, straightforward bill which establishes a committee to study ways to update, clarify, and otherwise improve the laws of the State regarding rights of ownership to cemetery plots. The committee concluded that there are serious issues in this area that need to be resolved. Vote 15-0.

HB 709-FN-A-L, relative to the railroad tax. OUGHT TO PASS

Rep. Betsey L. Patten for Municipal and County Government: This bill clarifies the tax treatment of railroad companies that operate on state-owned railroad corridors and provides a share of the revenues from these operations to the twenty-eight towns and cities on the four railroad corridors. The remaining revenue is paid to the special railroad fund (RSA 228:68-69) which provides for the maintenance and repair of the railroad lines. Vote 15-0.

TRANSPORTATION

HB 444, relative to establishing a study committee to review reestablishing passenger rail service on the Eastern Line between Newburyport, Massachusetts and Kittery, Maine. OUGHT TO PASS WITH AMENDMENT

Rep. George N. Katsakiores for Transportation: The amendment to this bill moves the reporting date to November 1, 2000. This bill essentially complements other efforts ongoing across the country and in the state of New Hampshire as to the intermodel transportation systems authorized by the T-21 authorization bill passed by Congress in 1998. Vote 20-0.

HJR 6, encouraging the revitalization of the northern rail line from Concord to Lebanon. OUGHT TO PASS

Rep. George N. Katsakiores for Transportation: This resolution addresses the national railroad revitalization of passenger and freight rail services movement. The resolution primarily alerts all interested parties in the desire to begin the process that eventually will result in the revitalization of the northern rail line from Concord to Lebanon. The rapid growth of New Hampshire's economy and population alone, with the expansion of the state's recreation activities, merits our attention to the infrastructure needs. Vote 20-0.

WILDLIFE AND MARINE RESOURCES

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. INEXPEDIENT TO LEGISLATE

Rep. Rose Marie Rogers for Wildlife and Marine Resources: This bill regarding the prevention of game damage was related to a more comprehensive bill, HB 704-FN-A. The committee decided to incorporate this bill in HB 704-FN-A and rendered HB 298-FN Inexpedient to Legislate. Vote 12-0.

THURSDAY, MARCH 25

REGULAR CALENDAR

COMMERCE

HB 221, allowing milk products known to contain the genetically produced bovine somatotropin growth hormone to be so labeled. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: RE-REFER TO COMMITTEE.

Rep. Tim S. McGough for the Majority of Commerce: This bill, as introduced, would permit producers and distributors of milk and milk products to label them with regard to content or use of bovine somatotropin growth hormone. The committee finds that this issue has been considered and examined at length and defeated in 1995, 1996 and 1997 House Sessions. Under new FDA guidelines, producers of milk products can now conspicuously label their products are rBST free. Therefore, this legislation is unnecessary. If additional new information becomes available, the committee will certainly examine it with respect to any new legislation. Vote 10-8.

Rep. Linda L. Garrish for the Minority of Commerce: Despite the FDA's approval of voluntary labeling of milk products from cows, known not to have been treated with genetically engineered bovine somatotropin growth hormone, known as rBST, labeling as such is inconsistent. Many consumers, particularly parents of infants and young children who are dependent upon

the essential nutrients provided by milk products, continue to seek clearer, consistent and more accessible labeling. rBST, currently non-detectable in milk but known to increase IGF-1 levels, which however, by an ability to affect cell growth, may be linked to cancer. Use of rBST continues to be banned in Canada, Australia, New Zealand and Europe Union countries. Scientists also continue to study the potential health risks to both cows and humans. Their research is often conflicting within and outside of the industry. Therefore, we believe further in-depth study and review of current research and past Commerce Committee testimony is necessary.

HB 319-FN, relative to mandatory automobile insurance. INEXPEDIENT TO LEGISLATE

Rep. Sheila T. Francoeur for Commerce: While the committee feels it would be beneficial for all New Hampshire motorists to be insured, it is a fundamental fallacy that by mandating coverage the percentage of uninsured motorists would decrease and the cost of insurance would go down. Comparisons with other states consistently show New Hampshire with one of the lowest percentages of uninsured drivers. Comparisons also show that the cost of insurance in New Hampshire continues to be lower than in neighboring states. The committee believes that to impose mandatory insurance would be a financial hardship on those least able to afford it and would not produce any positive tangible results. Vote 15-1.

EDUCATION

HB 497-FN-A, relative to family literacy planning grants and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. Iris Estabrook for Education: This bill makes an appropriation to match federal funds available to plan and implement a statewide family literacy initiative under the Even Start Family Literacy Program. The committee believes this is a highly effective program, which lays the foundation for school readiness. The amendment changed this bill from a study bill to a bill to implement a program that is working with positive results. Vote 16-0.

HCR 3, urging the federal government to fund 100 percent of the total cost of special education programs and services nationwide INEXPEDIENT TO LEGISLATE

Rep. Charles B. Yeaton for Education: There is another resolution, HCR 6, which urges the federal government to fulfill its promise to fund special education costs at 40% of the average per pupil cost. That resolution is an appropriate request. If special education costs were funded at 100% by the federal government, it would take away any incentives to keep such costs down to a reasonable level and create federal government control over New Hampshire education. Vote 12-4.

ELECTION LAW

HB 64, relative to changes of registration for undeclared voters. OUGHT TO PASS

Rep. Michael S. Rollo for Election Law: This bill creates an even field for all voters. At this time, undeclared voters may register with a party, vote and then switch back to their undeclared status. However, registered Democrats and Republicans must wait to switch party affiliation. It was the opinion of the majority of the committee that this was unfair to citizens who wish to vote in their party's primaries and choose their parties candidates. Vote 12-6.

HB 271, relative to recounts. INEXPEDIENT TO LEGISLATE

Rep. Raymond Buckley for Election Law: This bill would require the Secretary of State to name recount teams of opposite parties. The committee feels the intent of HB271 has great merit but after discussions with the Secretary of State feels the bill is now unnecessary. The Secretary of State has given assurances to the committee that a greater effort will be made to provide increased training and understanding of the role of the team members in a recount. Vote 13-2.

HB 381, prohibiting any candidate from receiving the nomination of more than one party. OUGHT TO PASS

Rep. Robert J. Letourneau for Election Law: The provisions of this bill allow the candidate to accept the nomination of only one party. It provides a level playing field for all candidates during primary elections. Vote 14-3.

HB 445, relative to straight ticket voting procedures. OUGHT TO PASS

Rep. Lynn C. Horton for Election Law: Since there has been confusion about straight ticket voting, the committee has decided that it be made clear to all voters that if they check the straight ticket box, they cannot go any further. If they do not check the

straight ticket box, they may vote for each candidate on the ballot. Vote 13-4.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 277-FN, relative to health benefits and compensation to pari-mutuel commission-appointed veterinarians. INEXPEDIENT TO LEGISLATE

Rep. Sylvia A. Holley for Executive Departments and Administration: This bill seeks state employee benefits for two full time contract veterinarians who work at the Hinsdale and Seabrook racetracks, respectively. However, these individuals are paid by the track associations – not the state, and the pari-mutuel commission director testified that the governor and council set and approved the veterinarian salaries at a higher level than normal to compensate for the lack of benefits. Therefore, the committee felt that these individuals do not qualify for state employee benefits. Vote 11-3.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 299, establishing a bill of rights for pregnant women. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Francine Wendelboe for the Majority of Health, Human Services and Elderly Affairs: The sponsor's intent is very laudable, pregnant women should have available to them the information discussed in HB 299. However, the committee clearly felt that the issue can more appropriately be addressed through non-legislative measures. The Foundation for Healthy Communities, in light of the concerns in this legislation, is conducting a statewide collaborative initiative to use feedback to improve care for mothers and newborns. Vote 18-1.

Rep. Janeen Dalrymple for the Minority of Health, Human Services and Elderly Affairs: The intent of this bill will ensure consistent dissemination of information related to childbirth practices, choices, statistics and definitions associated with the uniqueness of pregnancy and childbirth.

MUNICIPAL AND COUNTY GOVERNMENT

HB 549-L, relative to the minimum vote required for bond issues by municipalities. OUGHT TO PASS WITH AMENDMENT

Rep. Linda T. Foster for Municipal and County Government: The majority of the Committee believes that a three-fifths or sixty per cent requirement to pass a bond issue is a good compromise between the current requirement of two-thirds and a simple majority of fifty per cent. Sixty per cent is still a super majority, underlining the principle that more than a simple majority should be required for long term debt. This percentage also recognizes practical experience and common sense. The majority believes that this change reflects and protects the idea of majority rule in both Senate Bill 2 and non-Senate Bill 2 districts. The amendment changes the effective date to January 1, 2000, which ensures that no community would be able to consider or reconsider this year's bond issue under the new requirement Vote 9-6.

WILDLIFE AND MARINE RESOURCES

HB 574-FN-A, establishing a fisheries habitat stamp required for persons obtaining a fishing license and continually appropriating the funds for fisheries habitats. OUGHT TO PASS WITH AMENDMENT

Rep. Michael J. Blaisdell for Wildlife and Marine Resources: This bill establishes a fisheries habitat stamp required for persons obtaining a fishing license and continually appropriates the funds for fisheries habitats. The committee heard from the public, sportsmen's groups and the NH Fish and Game Department all in strong support of providing a method to improve fisheries habitats in New Hampshire. The committee decided to recommend Ought to Pass with Amendment. Vote 10-2.

LAI D ON TABLE

HB 116-FN-A-L, establishing an alternative consumption tax as a source of funding for education and making an appropriation therefor. (Pending question is on re-refer to committee.)

HB 117-FN-A-L, relative to local property taxation and state aid to support an adequate public education and making an

appropriation therefor. (Pending question is on Recommit.)

HR 10, affirming revenue estimates for fiscal year 1999. (Pending question is ordering to third reading.)

COMMITTEE MEETINGS

MONDAY, MARCH 22

FINANCE - (DIVISION I), Room 212, LOB

Division I will hold the following work sessions on the budget:

9:30 a.m. Judicial Branch

11:00 a.m. Adjutant General

1:00 p.m. Office of Emergency Management

1:30 p.m. Agriculture, Markets and Food

Veterinary Examiners Board

2:30 p.m. Department of Environmental Services

Work session on pending legislation to follow budget work session.

FINANCE - (DIVISION II), ROOM 209, LOB

Division II will hold the following work session on the budget:

9:00 a.m. Higher Education – University System

Executive sessions will be held throughout the day.

TUESDAY, MARCH 23

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. Subcommittee work session on **HB 721-FN**, relative to procedures regarding delinquent children under RSA 169-B.

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

CHILDREN AND FAMILY LAW AND JUDICIARY, Rooms 206-208, LOB

11:15 a.m. Joint meeting to review informational film on Family Court

COMMERCE, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 321**, requiring health carriers to pay for all recommended prescription drugs and **HB 408**, relative to drug formularies under managed care entities.

9:30 a.m. Subcommittee work session on **HB 333**, relative to contracts between participating providers and managed care entities and rescheduled subcommittee work session on **HB 435**, relative to the mail order and catalog business.

10:00 a.m. **HB 640-FN**, relative to grievance procedures of managed care organizations.

11:00 a.m. **HB 647-FN**, relative to health care providers and provider agreements with health

insurers.

1:30 p.m. **HB 662-FN**, relative to the duties of the liquor commission.

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

9:00 a.m. Subcommittee work session on **HB 346-FN-A**, relative to permissible fireworks.

9:30 a.m. Subcommittee work session on **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 and **HB 346-FN-A**, relative to permissible fireworks.

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

Subcommittee work session on **HB 687-FN**, establishing the criminal offense of identity fraud.

11:00 a.m. Subcommittee work session on **HB 216**, relative to release conditions pending trial for defendants in domestic violence, stalking, or protective order violation cases and **HB 722-FN**, revising the law relative to protection of persons from domestic violence.

11:45 a.m. Subcommittee work session on **HB 202**, legalizing the possession and cultivation of marijuana for medicinal purposes and **HB 87-FN**, relative to penalties for marijuana possession.

EDUCATION, Room 207, LOB

10:00 a.m. **HB 341**, relative to the process for nonrenewal of teacher contracts.

1:00 p.m. **HB 466**, establishing a commission to study education options in school districts not maintaining a high school.

2:00 p.m. **HB 532**, establishing a commission to study early childhood 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

9:00 a.m. Subcommittee work session on **HB 366**, allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

9:30 a.m. Subcommittee work session on **HB 315**, permitting the distribution of certain campaign materials at polling places and **CACR 14**, 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.

9:45 p.m. Subcommittee work session on **HB 534**, eliminating party designations in the election of party officers.

10:00 a.m. **CACR 25**, relating to: the election of governor, executive councilors, and senators. Providing that: the governor, executive councilors, and senators shall be elected every 4 years.

10:45 a.m. **HB 689-FN**, relative to campaign contributions and expenditures.

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

Noon Subcommittee work session on **HB 493-FN**, relative to alteration of sample ballots.

12:30 p.m. Subcommittee work session on **HB 389**, relative to procedures for apportioning state

representatives among counties and among legislative districts.

12:40 p.m. Subcommittee work session on ***HB 458***, relative to voter qualifications.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Rescheduled subcommittee work session on ***HB 556-FN***, relative to transporting hazardous waste, ***HB 557-FN***, relative to hazardous waste permitting and container identification and ***HB 679-FN***, requiring that certain solid waste permit applicants include an environmental impact statement as part of the permit application.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

9:30 a.m. Public hearing on a proposed amendment to ***HB 412-FN***, relative to the state treasurer and increasing the limit on state indebtedness. (The proposed amendment amends the bond guarantee powers of the business finance authority. Copies of the amendment will be available from the Sergeant-at-Arms Office.)

10:00 a.m. ***HB 720-FN***, relative to the practice of midwifery.

11:00 a.m. ***HB 725***, relative to rulemaking under the administrative procedures act.

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

Noon Subcommittee work session on ***HB 397***, establishing a 4-year term for the commissioner of the department of corrections and ***HB 601***, allowing the assistant commissioner of corrections to act on behalf of the commissioner in the commissioner's absence, establishing a term of appointment for the commissioner of corrections, and correcting out-of-date references and phraseology pertaining to the department of corrections.

1:00 p.m. Subcommittee work session on ***HB 535***, establishing a committee to study the creation of a department of natural resources and ***HB 553-FN-A***, establishing a commission on the status of men, and making an appropriation therefor.

2:30 p.m. Subcommittee work session on ***HB 533-FN***, changing the composition of the liquor commission.

FINANCE - (DIVISION I), Room 212, LOB

Division I will hold the following work sessions on the budget:

9:30 a.m. Office of the Governor

10:00 a.m. Energy and Community Services

10:30 a.m. Pari-Mutuel Commission

11:00 a.m. Commission on Disability

11:30 a.m. Highway Safety Agency

1:00 p.m. Labor Department

1:45 p.m. Fish and Game

2:45 p.m. Department of Corrections

Work session on pending legislation to follow budget work session.

FINANCE - (DIVISION II), ROOM 209, LOB

Division II will hold the following continued work session on the budget:

9:00 a.m. Department of Transportation

Work and executive sessions may be held throughout the day.

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

Please note these work sessions were originally scheduled for 3/19. Division III will not meet on 3/19.

Division III will hold the following work sessions on the budget:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

8:30 a.m. – 10 a.m. Office of Community and Public Health

10:00 a.m. – 12 noon Division of Children, Youth and Families

1:00 p.m. – 2:00 p.m. Office of Information Systems

2:00 p.m. – 3:00 p.m. Division of Family Assistance

At the conclusion of the budget work sessions Division III will hold a work and executive session on the following bills.

HB 289, relative to eligibility for child day care assistance.

HB 475-FN-A, appropriating a portion of tobacco settlement moneys to fund the activities of the emergency shelter and homeless coordination commission.

HB 619-FN, requiring the commissioner of health and human services to produce certain quarterly reports.

HB 653-FN-A, increasing the personal needs allowance of nursing home residents and certain other residents and making an appropriation therefor.

HB 684, allowing the department of health and human services to accept and expend federal reimbursement funds.

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

11:00 a.m. Subcommittee work session on ***HB 615-FN-A***, establishing a brain and spinal cord injury trust fund and continually appropriating a special fund.

1:00 p.m. Subcommittee work session on ***HB 419-FN***, repealing the certificate of need law, ***HB 545-FN***, relative to ambulatory surgical facilities and ***HB 657-FN***, relative to the health services planning and review board.

JUDICIARY, Room 208, LOB

10:00 a.m. ***HB 502-FN***, subjecting all rules promulgated and administrative actions taken by lower courts to review and approval by the legislature.

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 470***, relative to settlement of personal actions.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

9:00 a.m. Rescheduled subcommittee work session on ***HB 512***, relative to limiting work hours for 16 and 17-year old persons enrolled in school.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Continued public hearing on **HB 731-LOCAL**, relative to allowing the granting of tax abatements or tax deferrals to owners of open space land.

10:15 a.m. **HB 734-FN-LOCAL**, relative to establishing a voluntary school contribution program in support of local school districts.

1:30 p.m. Continued public hearing on **HB 727-FN**, establishing an outdoor lighting code.

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

9:00 a.m. Subcommittee work session on **HB 580-FN-A-LOCAL**, creating a new tourism district and making an appropriation therefor.

10:00 a.m. Continued public hearing on **HB 659**, relative to the use of ski craft on the waters of the state.

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

1:30 p.m. Subcommittee work session on **HB 685-FN-A**, relative to the New Hampshire land and community heritage commission, and making an appropriation therefor.

2:00 p.m. Subcommittee work session on **HB 449-FN**, requiring boating safety education and **HB 659**, relative to the use of ski craft on the waters of the state.

RULES COMMITTEE, Sergeant-at- Arms Conference Room 306, LOB

3:00 p.m. Subcommittee public hearing on the single year introduction of bills.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Subcommittee work session on **HB 694-FN**, relative to prevention and prohibition of MTBE contamination of drinking water, wells, and surface and groundwater resources, **HB 592**, creating a study committee regarding requirements for and usage of methyl t-butyl ether, **HJR 9**, urging the United States Congress and federal Environmental Protection Agency to eliminate federal requirements for oxygenate additives for gasoline, **HB 383**, relative to the authority of the department of environmental services to assign air pollution allowances and credits, **HB 649-FN**, relative to air pollution emissions from small, high-polluting electricity generators.

1:00 p.m. Subcommittee work session on **HB 625-FN-A**, relative to a mercury emissions reduction and control program.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:30 a.m. Executive session on pending legislation.

1:00 p.m. Executive session on pending legislation.

TRANSPORTATION, Room 203, LOB

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

1:00 p.m. Subcommittee work session on **HB 616-FN-A**, relative to providing tuition funds to students participating in private driver education courses from the driver training fund, **HB 368**, relative to motor vehicle learner's permit requirements, **HB 432**, requiring persons under 18 who complete a driver's education course to also do practice driving with a parent or guardian and **HB 496-FN-LOCAL**, relative to increasing the minimum number of hours required for novice drivers enrolled in driver's education programs.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

10:00 a.m. Subcommittee work session on **HB 552**, relative to the issuance of crossbow permits to persons with a permanent physical disability.

WEDNESDAY, MARCH 24

CHILDREN AND FAMILY LAW, Room 206, LOB

9:00 a.m. Subcommittee work session on **HB 565**, relative to the disclosure of certain information by the department of health and human services and relative to the disclosure of the identity of a person filing a report of child abuse or neglect.

10:30 a.m. Continued public hearing on **HB 703-FN-A-LOCAL**, establishing a regional youth center pilot program in the city of Nashua 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.

COMMERCE, Room 302, LOB

8:30 a.m. Subcommittee work session on **HB 371**, relative to warranty coverage and liability for loss under a motor vehicle lease and **HB 331**, relative to auto leasing..

9:00 a.m. Rescheduled subcommittee work session on **HB 442**, relative to charitable gift annuities.

9:30 a.m. Subcommittee work session on **HB 563**, relative to names of limited liability partnerships and companies.

10:00 a.m. Subcommittee work session on **HB 317**, relative to the display of tobacco products and **HB 473**, relative to small group health insurance.

10:30 a.m. Subcommittee work session on **HB 369**, relative to tobacco use violations by minors and establishing a committee on teen tobacco use prevention and education and **HB 526**, limiting fees charged by financial institutions for use of electronic customer service terminals.

11:00 a.m. **HB 693-FN**, limiting access to certain business records.

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. Subcommittee work session on **HB 443**, allowing certain beverage manufacturers to distribute products directly to retailers and **HB 511**, relative to the sale of certain mixed or prepared alcohol products.

2:00 p.m. Subcommittee work session on **HB 331**, relative to auto leasing.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on **HB 427**, relative to the laws requiring a prescription to possess hypodermic needles and modifying the drug paraphernalia laws applying to syringe.

9:45 a.m. Subcommittee work session on **HB 509**, relative to requirements in order to obtain a private detective license.

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

1:00 p.m. **HB 683-FN**, requiring teachers and school administrators to report incidents of disruptive behavior by students.

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

9:00 a.m. Continued public hearing on **HB 699-FN-A**, establishing the granite state scholars program and making an appropriation therefor.

10:00 a.m. **HB 487**, relative to the adoption of bonds or notes in certain school districts and municipalities.

11:00 a.m. **HB 529**, requiring all postsecondary institutions to report all assaults to local police departments.

Noon Subcommittee work session on **HB 633-FN-LOCAL**, establishing parental choice scholarships.

1:15 p.m. **HB 503-FN-LOCAL**, relative to the authorized regional enrollment area agreement in Conway.

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

2:00 p.m. Subcommittee work session on **HB 498-FN**, establishing a special education catastrophic aid fund.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Subcommittee work session on **HB 379**, setting up a study committee to study issues pertaining to the Sullivan county regional refuse disposal district and **HB 380**, repealing the Interstate Solid Waste Compact.

11:00 a.m. Rescheduled public hearing on **HB 410**, relative to the enforcement authority of the department of environmental services.

1:00 p.m. Rescheduled public hearing on **HB 510-FN**, relative to monitoring aerial spraying of herbicides.

2:00 p.m. Rescheduled public hearing on **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.

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. Subcommittee work session on **CACR 21**, relative to gender neutral language in the constitution. Providing that all references to persons in part 2 of the constitution shall be gender neutral.

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

11:00 a.m. **HB 735-FN-A**, establishing a contributory judicial retirement plan.

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

1:00 p.m. Executive session on pending legislation.

FINANCE - (DIVISION D), Room 212, LOB

Division I will hold the following work sessions on the budget:

9:30 a.m. State Planning Office

10:00 a.m. Executive Council

10:15 a.m. Legislative Branch

10:30 a.m. Work and executive session on the following bills:

HB 681-FN, requiring that all moneys received by the state treasurer which are not constitutionally dedicated be deposited in the general fund.

HB 492-FN-A-LOCAL, reducing the state bond guarantee limit for wastewater projects.

HB 495-FN-A, relative to reauthorizing the motor oil discharge cleanup fund and increasing the fuel oil discharge cleanup fund fee.

HB 494-FN-A, making an appropriation to the department of cultural resources for the purpose of funding participation of the state in the Smithsonian Festival of American Folklife.

HB 608-FN-A, establishing a New Hampshire emergency management response and recovery fund and making an appropriation therefor.

HB 632-FN-A, directing a portion of fees for copies of motor vehicle records to be deposited in a nonlapsing account within the department of safety, division of fire standards and training.

FINANCE - (DIVISION II), ROOM 209, LOB

Division II will hold the following continued work session on the budget:

9:00 a.m. Department of Education

Work and executive sessions may be held throughout the day.

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

Division III will hold the following work sessions on the budget:

8:30 a.m. – 9:30 a.m. Department of Health and Human Services

Commissioner's Office

Office of Program and Research

Office of Administration

9:30 a.m. – 10:30 a.m. Veterans Home

10:30 a.m. – 11:30 a.m. Veterans Council

Executive sessions may be held throughout the day.

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

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

JOINT COMMITTEE ON ADDRESS, Room 208, LOB

2:00 p.m. ***HA 1***, for the removal of David A. Brock, chief justice of the New Hampshire supreme court, from his said office.

JUDICIARY, Room 208, LOB

9:00 a.m. ***HB 707-FN***, relative to the family division of the courts.

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 Office, LOB

10:00 a.m. Subcommittee work session on ***HB 579-FN***, relative to eligibility for unemployment benefits for certain persons commensurate with their attachment to the workforce.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Executive session on pending legislation, if needed.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Continued public hearing on ***HB 724-FN***, relative to an industry average performance system for comprehensive air pollution regulation.

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. Continued public hearing on ***HB 724-FN***, relative to an industry average performance system for comprehensive air pollution regulation.

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

11:00 a.m. Subcommittee work session on ***HB 527***, relative to the duties of the public utilities commission, ***HB 314***, relative to universal service, ***HB 318***, relative to recovery of costs in rate proceedings and relative to the appointment of public utilities commissioners, ***HJR 3***, urging ISO-New England to adopt policies furthering the state's interest in electric utility restructuring and ***HJR 8***, urging the Federal Energy Regulatory Commission to change the structure of the New England Individual Service Organization.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:00 a.m. ***HCR 7***, urging the federal government not to adopt certain proposed rules requiring financial institutions to monitor their customers' banking habits.

11:00 a.m. ***HB 665***, relative to the New Hampshire emergency management compact with other jurisdictions.

1:00 p.m. ***HCR 11***, urging Congress and the Internal Revenue Service to modify tax laws to broaden the ability of taxpayers to make tax-deductible contributions to Nuclear Decommissioning Reserve Funds.

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. Subcommittee work session on ***HB 698-FN-LOCAL***, restricting fees for registration permits for certain vehicles.

WILDLIFE AND MARINE RESOURCES, Room 307, LOB

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

THURSDAY, MARCH 25

FINANCE - (DIVISION I), Room 212, LOB

1:30 p.m. Work and executive session on the budget and other pending legislation.

FINANCE - (DIVISION II), ROOM 209, LOB

1:30 p.m. Work and executive session on the budget and other pending legislation.

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

After the House session work and executive session on pending legislation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

Immediately following the House session executive session on pending legislation.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

Immediately following the House session executive session on pending legislation.

FRIDAY, MARCH 26

FINANCE, Rooms 210-211, LOB

9:00 a.m. Subcommittee work session on municipal issues relating to educational funding.

FINANCE - (DIVISION I), Room 212, LOB

9:30 a.m.-12:30 p.m. Work and executive session on the budget and other pending legislation.

FINANCE - (DIVISION II), ROOM 209, LOB

10:00 a.m. Work and executive session on the budget and other pending legislation.

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

9:00 a.m. Rescheduled regular meeting.

MONDAY, MARCH 29

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 202, LOB

10:00 a.m. Subcommittee work session on ***HB 459***, removing the requirement for continuing education for renewal of a professional engineer's license.

FINANCE - (DIVISION I), Room 212, LOB

9:30 a.m. Work and executive session on the budget and other pending legislation.

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

9:30 a.m. Regular meeting.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 305, LOB

2:00 p.m. Briefing by Congressman Sununu.

TUESDAY, MARCH 30

COMMERCE, Room 302, LOB

- 9:00 a.m. Subcommittee work session on **HB 450**, prohibiting a prepayment penalty on a second mortgage home loan which has been in existence for 4 years.
- 9:30 a.m. Subcommittee work session on **HB 451**, relative to payments of first and second home mortgages.
- 10:00 a.m. Subcommittee work session on **HB 309**, relative to motor vehicle insurance and **HB 322**, relative to funds exchanged at real estate closings.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. Subcommittee work session on **HB 547-LOCAL**, changing the state primary election day to the first Saturday after Labor Day and **HB 374**, relative to the order of names on presidential primary election ballots.
- 11:00 a.m. Subcommittee work session on **HB 293**, relative to the definition of "party" for election purposes, **HB 375**, relative to substitutions for disqualified candidates and relative to nominations by nomination papers and **HB 61**, relative to political contributions by members of the ballot law commission.

FINANCE, Rooms 210-211, LOB

- 9:00 a.m. **HB 278**, relative to scheduling of district court sessions. (A)
- 9:45 a.m. **HB 612-FN**, relative to compensation paid to jurors.
- 10:30 a.m. **HB 63-FN-A**, relative to the Weekly Market Bulletin's budget and making an appropriation therefor.
- 11:00 a.m. **HB 274-FN**, relative to the office of the consumer advocate. (A)
- 1:00 p.m. **HB 363-FN**, increasing the bonding limit of the school building authority.
- 1:30 p.m. **CACR 11**, relating to the use of lottery revenues for educational purposes. Providing that lottery revenues be distributed directly to the governing body of the city or town.
- 2:15 p.m. Public hearing on proposed amendment to **HB 596**, making technical corrections to certain laws administered by the department of revenue administration. (The proposed amendment deals with extending the communications services tax, and the meals and rooms tax, and the real estate transfer tax. Copies of the amendment will be available from the Sergeant-at-Arms Office.)
- 2:45 p.m. **HB 89-FN-A**, making an appropriation for a department of transportation study of the state house complex to evaluate space needs.
- Executive session on pending legislation to follow.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Subcommittee work session on **HB 382**, making the law against discrimination by employers applicable to charitable and educational organizations and **HB 551**, relative to employers who are subject to state law against discrimination.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 306, LOB

- 1:30 p.m. Executive session on pending legislation.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:00 a.m. Continued public hearing on **HB 630-FN-LOCAL**, relative to the Skyhaven airport transfer plan.

Executive session on ***HB 25-FN-A***, making appropriations for capital improvements.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

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

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 306, LOB

10:00 a.m. Briefing by Congressman Bass.

WEDNESDAY, MARCH 31

COMMERCE, Room 302, LOB

10:00 a.m. Rescheduled public hearing on ***HB 668***, adding 2 members to the board of directors of the Pease development authority.

11:00 a.m. ***HB 732***, relative to nonpayment of member dues and fees and access to financial records of condominium associations.

1:15 p.m. Continued public hearing on ***HB 528***, adding penalty provisions to the unfair claim settlement practices by insurers law.

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. Continued executive session on ***HB 25-FN-A***, making appropriations for capital improvements.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Executive session on pending legislation, if needed.

FRIDAY, APRIL 2

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 205, LOB

9:00 a.m. Regular meeting.

MONDAY, APRIL 5

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

9:30 p.m. Regular meeting.

TUESDAY, APRIL 6

NEW HAMPSHIRE COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN FOLKLIFE (SJR 20, Chapter 204, Laws of 1996), NH Historical Society Auditorium, 30 Park Street, Concord

3:00 p.m. Regular meeting.

MONDAY, APRIL 12

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

9:00 a.m. Regular meeting.

FRIDAY, APRIL 16

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

9:00 a.m. Regular meeting.

MONDAY, APRIL 19

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.

WEDNESDAY, APRIL 21

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

9:00 a.m. Regular business.

9:30 a.m. Audit: State of New Hampshire Sweepstakes Commission management letter for the year ended June 30, 1998.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The Belknap County Delegation will hold a public hearing to approve the budget on March 22 at 7:00 p.m. at the Belknap County Complex, 34 County Drive, Laconia.

Rep. Robert H. Turner, Vice Chairman

Belknap County Delegation

The Carroll County Delegation will meet on Monday, March 22 at 9:00 a.m. at the Carroll County Administration Building to vote on the County budget. All members are asked to attend.

Rep. Gary P. Torressen, Clerk

Carroll County Delegation

I would like to remind all members that you are eligible to enroll in the state employee dental insurance plan. The plan is provided by Delta Dental and is available to members at their own expense. Please contact Carol Dunning, Member Services, Room 308, State House for further information and enrollment forms.

Rep. Donna Sytek, Speaker

Legislators are entitled to receive soft-bound copies of the session laws. The 1998 Session Laws are ready for printing and we need to know how many copies to order. If you would like a copy of the 1998 Session Laws, please notify the Office of Legislative Services by April 9.

Richard E. Amidon, Director of Legislative Services

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 108, 109, 116, 118, 119, 120, 124, 237, 245, 565, 641, 655, 676, 692, 693, 694, 695, 696, 715 and 719.

Leo J. Callahan, Assistant Clerk

A few changes were made to the General Court Web Page www.state.nh.us. The Home page was changed to give it a cleaner look that loads faster than the previous version for those using a modem. Also, the bill title now appears with the docket and a link to the docket was added to the House and Senate Bill Introduction lists. We've added a Quick Search for those who were familiar with Quick Bill Status on the Wang system. "Who's my Legislator?", the Roster and Committees have been updated as well.

Questions about the status of House Bills should be directed to the House Clerk's Office (271-2548). They key the status and docket information for bills that are in possession of the House. Direct any questions about Senate Bills to the Senate Clerk's Office (271-3420). They key the status and docket information for bills in their possession. The Senate Clerk's Office puts the Senate Bills on the web as well.

Stan Kelly, Manager, General Court Information Systems

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 G. 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.

Judy A. Courchesne, 282 Conant Street, Manchester, New Hampshire 03102-4348

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

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.

Those members who would like copies of the extensive handouts used by Senior Assistant Attorney General Walter Maroney during his presentation to the House Education Forum on the tobacco settlement on March 10th may obtain them in Room 308, State House.

Rep. Godfrey G. Howard

New Hampshire/Ceara Chapter of Partners of the Americas will sponsor a display in the Visitor's Center of photographic works of Brazil by Tim Gaudreau. The photos are the continuation of an ongoing ecological education program which last year brought the Endangered Fauna and Flora Environmental Photo Exhibit of Mauricio Albano to New Hampshire. Gaudreau's work is the follow-up to this exhibit and will be in the Visitor's Center from March 16th through April 9th.

Reps. Barbara C. French and Janet G. Wall

The Sullivan County Republican Lincoln Day Dinner will be held at the Newport Opera House on Saturday, March 20th at 6:00 p.m. The keynote speaker will be Congressman John Kasich. Donations are \$15 per person. Tickets are available from Beverly Rodeschin at 863-1941.

Rep. Richard C. Leone

All legislators are encouraged to march in the St. Patrick's Parade in Manchester which was snowed out and has been rescheduled to Sunday, March 21. Legislators will gather together at noon on Manchester's Elm Street, just north of Webster Street. Parking is not available. Please car pool and make arrangements to be dropped off at the start of the parade.

Rep. Raymond Buckley

Representatives from Manchester, Auburn, Bedford, Candia, Derry, Londonderry, Hooksett, Merrimack, Goffstown and

Litchfield are invited to attend the annual legislative dinner sponsored by the Greater Manchester Chamber of Commerce, Monday, March 22 at 6:00 p.m. at the Courtyard Hotel, 1199 South Mammoth Road in Manchester. Please RSVP at 666-6600 by Thursday, March 18.

Rep. Steve Vaillancourt

The Legislative Caucus for Young Children will meet on Tuesday, March 23rd from noon to 1:00 p.m. in the Upham Walker House. Review of current bills of interest to the caucus. Bring your lunch.

Rep. Alida I. Millham

The New Hampshire Association of Broadcasters will host their 9th annual Legislative Breakfast on Wednesday, March 24th at St. Paul's Church Ordway Hall. This is an opportunity for legislators and broadcasters to discuss specific ways they can work together. The breakfast begins at 7:30 a.m. and the panel discussion begins at 8:00 a.m. Please RSVP to 472-9800.

Rep. Gene G. Chandler, Majority Leader

The Cheshire County Lincoln Day Dinner will take place on Friday, March 26th at the Sovereign Best Western on Route 9 in Keene. Social hour starts at 6:00 p.m. Dinner at 7:00 p.m. Guest speaker will be Steve Forbes. Tickets \$25. Call 355-4401 for reservations.

Rep. Stephen G. Avery

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

Rep. Sylvia A. Holley

The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) at 9:00 a.m. on the following Wednesdays: March 31, April 14 and April 28.

Rep. Paul M. Mirski

All members are reminded that we will be celebrating New Hampshire Tartan Day on Thursday, April 8 at the opening of session. We will be entertained by P/M Gordon Webster formerly of the Scots Guards and piper to Queen Elizabeth. Also performing will be two Highland Dancers, Maggie Meffen and Megan Marsh who will be representing New Hampshire at the Smithsonian Folk Festival in Washington this summer. All members are asked to wear tartans on that day.

Rep. Stephen G. Avery

The New Hampshire Public Health Association invites all interested legislators to attend an important educational forum on Alcohol Policies for the coming years. This presentation will be made by George A. Hacker, Director, Alcohol Project Center for Science in the Public Interest and a nationally known authority in this area. The meeting will be held at Blue Cross and Blue Shield of New Hampshire, 3000 Goffs Falls Road, Manchester from 4:00 to 7:00 p.m. on Thursday, April 8. If you have any questions, please contact the Association at 228-2983 or Rep. Haettenschwiller.

Rep. Alphonse Haettenschwiller

The Rockingham County Republican Committee will hold its annual Lincoln Day Dinner on April 11 at the Executive Court Conference Center, Route 28, Londonderry at 5:00 p.m. Featured speaker is US Senator John S. McCain. For tickets see Rep. Sherman Packard or Bob Letourneau.

Rep. Sherman A. Packard

Strafford County Republicans will hold a meeting every third Tuesday at 7:00 p.m. Location will be the Gateway II Restaurant, Somersworth.

Rep. Robert E. McKinley

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 March, 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>CLASS/Size</i>
Mar. 22	10:30 & 11:45	Stratham Memorial School	4/60
Mar. 23	10:00, 11:15 & 12:30	Reeds Ferry Elementary - Merrimack	4/75
Mar. 23	1:30	Concord Christian High School	9/15
Mar. 24	10:00 & 11:15	Reeds Ferry Elementary - Merrimack	4/50
Mar. 24	1:30	Concord Christian High School	9/25
Mar. 25	8:15 & 1:15	Merrimack Valley High School	HS/56
Mar. 25	10:00 & 11:15	Reeds Ferry Elementary - Merrimack	4/50

Mar. 25	3:30	White Mtn Regional HS	10 –12/40
Mar. 26	10:15 & 11:15	Stratham Memorial School	4/40
Mar. 26	12:30	Maplewood Elementary -Somersworth	3/50
Mar. 29	9:45, 11:00 & 12:30	Southwick Elementary – Northfield	3/75
Mar. 30	9:00 a.m. & 1:00 p.m.	UNH – Social Services Students	College/32
Mar. 30	10:00 & 11:15	Rindge Memorial School	4/45
Mar. 31	10:00 & 11:15	Rindge Memorial School	4/45
Mar. 31	11:15	Sant Bani School – Sanbornton	4/14
Mar. 31	12:30	Hopkinton French Exchange Students	HS/15

The Department of Transportation will hold the following meetings:

- Mar 24 – Portsmouth City Council Chambers, 1 Junkins Avenue, Portsmouth, 7:00 p.m. Public informational/official meeting, Portsmouth-Kittery, Memorial Bridge/Sarah Mildred Bridge.
- Mar 29 – New Boston Town Office Grange Hall, 7 Meetinghouse Hill Road, 7:00 p.m. Public informational meeting, New Boston, NH 13 at Molly Stark Lane intersection.
- Apr 5 – Franklin City Hall, 316 Center Street, Franklin, 7:30 p.m. Franklin City Council, Franklin, discussion of ten year plan and bridge 127/Route 3.
- Apr 8 – Belmont High School Cafeteria, Seavey Road, Belmont, 7:00 p.m. Advisory task force meeting, Belmont, NH 140 study.
- May 4 – Griffin Memorial School, Litchfield, 4:00–8:00 p.m. Scoping workshop, Nashua-Hudson, circumferential highway.
- May 6 – Town Hall Courtroom, Merrimack, 4:00–8:00 p.m. Scoping workshop, Nashua-Hudson, circumferential highway.
- May 11 – Alvrine High School, Hudson, 4:00–8:00 p.m. Scoping workshop, Nashua-Hudson, circumferential highway.
- May 13 – City Hall Auditorium, Nashua, 4:00–8:00 p.m. Scoping workshop, Nashua-Hudson, circumferential highway.
- Rep. Edwin O. Smith, Chairman
- Public Works and Highways

THURSDAY, MARCH 25

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

1999-0283h

Amendment to HB 205

Proposed by the Committee on Commerce – C

Amend the bill by replacing sections 1 and 2 with the following:

1 Sureties in Replevin Cases. Amend RSA 536-A:7 to read as follows:

536-A:7 ~~[Bond]~~ **Security.**

I. A writ of replevin shall not issue at any stage of the proceedings until the applicant has filed with the court a written undertaking executed by the applicant and **secured by a proper assignment or conveyance of** one or more sufficient ~~[sureties]~~ **securities**, approved by the court, in an amount of double the value of the property, as determined by the court, to prosecute ~~[his]~~ **the applicant's** action to completion and, alternatively, for the return of the property to the defendant, if return thereof be ordered, and for the payment to the defendant of any sum as may from any cause arising out of the action be recovered against the applicant.

II. For purposes of this section, securities may include, but shall not be limited to, bonds, letters of credit, security interests, or cash in a form and amount acceptable to the court.

2 Sureties in Replevin Cases; Retention of Property Upon Filing Security. Amend RSA536-A:14 to read as follows:

536-A:14 Retention of Property Upon Filing ~~[Bond]~~ **Security.**

I. At any time prior to the hearing of the order to show cause, or before the delivery of the property to the plaintiff, the defendant may require the return thereof upon filing with the court a written undertaking executed by **the defendant and secured by a proper assignment or conveyance of** one or more sufficient ~~[sureties]~~ **securities**, approved by the court, to the effect that ~~[they are]~~ **the defendant shall be** bound in double the value of the property, as stated in the verified complaint of the applicant, or as determined by the court, for the delivery thereof to the applicant and for the payment to ~~[him]~~ **the applicant** of such sum as may for any cause be recovered against the defendant. At the time of filing such undertaking, the defendant shall serve upon the applicant or ~~[his]~~ **the applicant's** attorney a notice of filing of such undertaking, to which a copy of such undertaking shall be attached, and shall cause proof of service thereof to be filed with the court. If such undertaking be filed prior to hearing of the order to show cause, proceedings thereunder shall terminate, unless exception is taken to the ~~[sureties]~~ **adequacy or sufficiency of the securities**. If, at the time of filing of such undertaking, the property shall be in the custody of the levying officer, such property shall be redelivered to the defendant ~~[five]~~ **5** days after service of notice of filing such undertaking unless objected to by the applicant or ~~[his]~~ **the applicant's** attorney.

II. For purposes of this section, securities may include, but shall not be limited to, bonds, letters of credit, security interests, or cash in a form and amount acceptable to the court.

1999-0326h

Amendment to HB 311-FN-A

Proposed by the Committee on Education - C

Amend the bill by replacing section 1 with the following:

1 New Paragraph; New Hampshire Incentive Grant Program; Eligibility of Part-Time Students. Amend RSA 188-D:13 by inserting after paragraph VII the following new paragraph:

VIII. Part-time students who are residents of this state and who have satisfied the application requirements established by the postsecondary education commission shall be eligible to receive grants in accordance with the provisions of this section.

AMENDED ANALYSIS

This bill permits part-time students to be eligible for grants made under the New Hampshire incentive grant program and increases the appropriation to the program for the fiscal years ending June 30, 2000 and June 30, 2001.

1999-0405h

Amendment to HB 327-LOCAL

Proposed by the Committee on Municipal and County Government - C

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

AN ACT allowing municipal governing bodies to enter into lease agreements for equipment.

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

1 New Section; Lease Agreements for Equipment. Amend RSA 33 by inserting after section 7-d the following new section:

33:7-e Lease Agreements of Equipment. The governing body may enter into leases of equipment as required by the municipality. Appropriations to fund lease agreements with nonappropriation clauses may be approved by a simple majority vote of the legislative body. Lease agreements with nonappropriation clauses shall not be treated as debt under RSA 33:4-a. For the purposes of this section, "lease" shall include lease-purchase, sale and lease back, installment sale, or other similar agreement to acquire use or ownership of such equipment as is from time to time required by the municipality.

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

AMENDED ANALYSIS

This bill allows a municipality's governing body to enter into lease agreements for equipment as required by the municipality. Appropriations to fund lease agreements with nonappropriation clauses may be approved by a simple majority vote of the legislative body.

1999-0359h

Amendment to HB 422

Proposed by the Committee on Commerce - C

Amend the bill by replacing section 1 with the following:

1 Trade and Commerce; Rent-to-Own Agreement Act; Advertising; Dollar Amount of Periodic Payment Deleted. Amend RSA 358-P:5 to read as follows:

358-P:5 Advertising.

I. If an advertisement for a rent-to-own agreement refers to or states the dollar amount of ~~[a periodic payment for a specific]~~ **an initial, periodic, or final payment for any** item and refers to or states the right to acquire ownership of the item, then for such item the advertisement shall also clearly and conspicuously state the following:

- (a) That the transaction advertised is a rent-to-own agreement.
- (b) The total number and total amount of periodic payments necessary to acquire ownership.
- (c) That the consumer acquires no ownership rights unless the total amount necessary to acquire ownership is paid.

II. Any owner or personnel of any medium in which an advertisement appears or through which it is disseminated shall not be liable under this section.

III. The provisions of paragraph I of this section shall not apply to an advertisement which does not refer to or state the amount of any payment, or which is published in the yellow pages of a telephone directory or in any similar directory of business.

IV. Every item displayed or offered under a rent-to-own agreement shall bear a tag or card that clearly and conspicuously indicates in Arabic numerals each of the following:

- (a) The cash price of the item.
- (b) The amount of the periodic payment.
- (c) The total number and total dollar amount of periodic payments necessary to acquire ownership.

AMENDED ANALYSIS

This bill expands the restrictions on advertising by rent-to-own businesses to include advertisements that refer to a dollar amount of an initial, periodic, or final payment.

1999-0278h

Amendment to HB 428

Proposed by the Committee on Education - C

Amend RSA 194-C:2, VI as inserted by section 1 of the bill by replacing it with the following:

VI. In accordance with RSA 194-C:2, III(e) and V(b), the planning committee shall submit a copy of the proposed plan to the several school districts within the existing school administrative unit and shall hold ~~[a]~~ **at least one** public hearing ~~[at least 60 days]~~ **no less than 14 days** prior to submission to the state board. Within 60 days, the state board of education shall review the proposed plan for administrative structure to determine whether or not the proposed plan contains the services described in RSA 194-C:4. Each plan shall also include an educational and fiscal analysis of the impact on all remaining districts and the disposition of school administrative unit assets. If, in the opinion of the state board, all services have been properly addressed, the state board shall recommend for or against its adoption. If, in the opinion of the state board, all services have not been properly addressed, the deficiencies shall be noted and the plan shall be promptly returned for revision. When the plan is resubmitted, the state board of education shall promptly return the plan and make a recommendation for or against its adoption. This recommendation shall be reported to the legislative body of the district. The state board shall not have veto power over any plan once it is resubmitted to the state board by the planning committee.

AMENDED ANALYSIS

This bill replaces the requirement that a public hearing on the plan to form a school administrative unit be held at least 60 days prior to the planning committee's submission of the plan to the state board of education with a requirement that the planning committee hold a hearing no less than 14 days prior to submission of the plan. The bill also makes a technical correction to the law relating to voting by members of the joint board of school administrative units by correcting a cross-reference to a repealed provision of law.

This bill is a request of the department of education.

1999-0415h

Amendment to HB 441

Proposed by the Committee on Children and Family Law -C

Amend the bill by replacing section 2 with the following:

2 New Section; Breast-feeding. Amend RSA 132 by inserting after section 10-c the following new section:

132:10-d Breast-feeding. Breast-feeding a child does not constitute an act of indecent exposure and to restrict or limit the right of a mother to breast-feed her child is discriminatory.

AMENDED ANALYSIS

This bill sets forth the right of a mother to breast-feed her child in public.

1999-0375h

Amendment to HB 444

Proposed by the Committee on Transportation - C

Amend the bill by replacing section 5 with the following:

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, 2000.

1999-0394h

Amendment to HB 456

Proposed by the Committee on Health, Human Services and Elderly Affairs - C

Amend subparagraph I (b) as inserted by section 2 of the bill to read as follows:

(b) Five members of the senate, of whom 2 shall be from the public institutions, health and human services committee, 2 shall be from the education committee, and one shall be from another senate standing committee, appointed by the president of the senate.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall review existing state law relating to the rights of deaf citizens in the state with the intent of proposing new legislation or amendments to existing laws, for introduction in the 2000 legislative session, which will assist or improve the abilities of NewHampshire deaf citizens to lead a more meaningful and productive life. The committee's duties shall include:

- I. Studying the advantages and disadvantages of recognizing American sign language as the primary language of the New Hampshire deaf community.
- II. The adoption of the deaf children's bill of rights into law in New Hampshire.
- III. Exploring the quality of education for New Hampshire's deaf children and options for improvement, including, but not limited to, magnet schools or residential school for deaf students.
- IV. The establishment of a licensure program including licensing standards and qualifications for sign language interpreters.
- V. State funding to improve the availability and efficiency of interpreter referral services statewide.
- VI. Studying possible revisions to RSA 521-A, relative to interpreters for the deaf.
- VII. The development of guidelines for sign language interpreters working in educational settings.
- VIII. Any other issues deemed relevant by the committee.

Amend the bill by replacing section 6 with the following:

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

1999-0213h

Amendment to HB 486-FN-A

Proposed by the Committee on Health, Human Services and Elderly Affairs - C

Amend RSA 329:13-b as inserted by section 1 of the bill by replacing it with the following:

329:13-b Physician Effectiveness Program.

- I. Any physician peer review committee may report relevant facts to the board relating to the acts of any physician in this state if it has knowledge relating to the physician which, in the opinion of the physician peer review committee, might provide grounds for disciplinary action as specified in RSA 329:17.
- II. Any committee of a professional society comprised primarily of physicians, its staff, or any district or local intervenor participating in a program established to aid physicians impaired or potentially impaired by mental or physical illness including substance abuse may report in writing to the board the name of a physician whose ability to practice medicine safely is impaired or could reasonably be expected to become impaired if the condition is allowed to progress together with the pertinent information relating to the physician's impairment. The board may report to any committee of such professional society or the society's designated staff information which it may receive with regard to any physician who may be impaired by a mental or physical illness including substance abuse.
- III. Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with a

physician effectiveness peer review committee, shall be confidential and are not to be considered open records unless the affected physician so requests; provided, however, the board may disclose this confidential information only:

- (a) In a disciplinary hearing before the board or in a subsequent trial or appeal of a board action or order;
- (b) To the physician licensing or disciplinary authorities of other jurisdictions; or
- (c) Pursuant to an order of a court of competent jurisdiction.

IV.(a) No employee or member of the board, peer review committee member, medical organization committee member, medical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired physician shall by reason of furnishing such information be liable for damages to any person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or recommendations made by such board, committee, or staff unless the person is found to have acted recklessly or wantonly.

V.(a) The board may contract with other organizations to operate the physician effectiveness program for physicians who are impaired or potentially impaired because of mental or physical illness including substance abuse. This program shall be available to all physicians licensed in this state, all physicians seeking licensure in this state, and all resident physicians in training, and shall include, but shall not be limited to, education, intervention, ongoing care or treatment, and post-treatment monitoring.

(b) The board shall allocate \$10 from each physician annual license renewal fee it collects to provide funding for the physician effectiveness program as set forth in subparagraph V(a).

VI. Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the physician's individual record in the board's office. A physician or authorized representative shall be entitled on request to examine the physician's peer review or the organization committee report submitted to the board and to place into the record a statement of reasonable length of the physician's view with respect to any information existing in the report.

1999-0370h

Amendment to HB 488

Proposed by the Committee on Education - C

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

AN ACT relative to the definition of a developmentally delayed child in the provision of special education services.

Amend the bill by replacing section 1 with the following:

1 Special Education; Definition of "Developmentally Delayed Child." Amend RSA 186-C:2, I-a to read as follows:

I-a. "Developmentally delayed child" means a [~~preschool~~] child between 3 and [~~5~~] **9** years of age, who, because of impairments in development, needs special education or special education and educationally related services, may be identified as being developmentally delayed provided that such a child must first be determined to have an educationally disabling condition as defined in RSA 186-C:2, I.

AMENDED ANALYSIS

This bill expands the definition of a developmentally delayed child to include children aged 3 through 9 years.

1999-0373h

Amendment to HB 497-FN-A

Proposed by the Committee on Education - R

Amend the bill by replacing section 1 with the following:

1 Purpose; Family Literacy Planning Program Grants; Eligibility for Federal Funds. The purpose of the family literacy planning program is to enable states to study, plan, and implement statewide family literacy initiatives under the Even Start Family Literacy Program. Family literacy includes the components of interactive literacy activities between parent and child, parent training with the goal of enabling the parent to be the child's primary teacher and a full partner in the child's education, parent literacy training, and early childhood education. By making an appropriation of \$50,000, New Hampshire is eligible for an additional \$100,000 in federal money to plan and implement a comprehensive statewide family literacy initiative which would be conducted through a consortium of state, local, and other institutions, organizations, and agencies.

AMENDED ANALYSIS

This bill makes an appropriation to the department of education enabling New Hampshire to access additional federal moneys for the purpose of planning and implementing statewide family literacy initiatives.

1999-0430h

Amendment to HB 549-LOCAL

Proposed by the Committee on Municipal and County Government - R

Amend the bill by replacing section 10 with the following:

10 Effective Date. This act shall take effect January 1, 2000.

1999-0173h

Amendment to HB 574-FN-A

Proposed by the Committee on Wildlife and Marine Resources - R

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

AN ACT establishing a fisheries habitat fee required for persons obtaining a fishing license and continually appropriating the funds for fisheries habitats.

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

1 New Section; Fisheries Habitat Fee; Fisheries Habitat Account Established. Amend RSA214 by inserting after section 1-f the following new section:

214:1-g Fisheries Habitat Fee; Account Established.

I. A one dollar fisheries habitat fee shall be required to be paid by all persons 16 years of age or older, in addition to each applicable fishing or combination license required by Title XVIII, in order to take fish in the fresh waters of this state. This paragraph shall not apply to any person who takes fish under a complimentary license, excluding any administrative fee, issued pursuant to RSA 214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to RSA 214:19-c that was purchased in a prior calendar year.

II. The state treasurer shall establish a separate nonlapsing account within the fish and game fund, to be known as the fisheries habitat account, to which shall be credited all fees collected under RSA 214:1-g, I. The state treasurer may accept public and private grants and donations for deposit into the account.

III. The state treasurer shall invest the moneys in the fisheries habitat account as provided by law. Interest received on investments shall be credited to the account.

IV. The fisheries habitat account is continually appropriated and may only be used for the following purposes within the state of New Hampshire:

(a) The development, management, preservation, conservation, restoration, and maintenance of fisheries habitats in the water of the state, with at least 50 percent of the annual revenue dedicated to pay costs of labor and materials for direct aquatic management activities;

- (b) Obtaining access to fisheries habitat areas;
- (c) The acquisition of easements upon private property for the purposes of subparagraphs (a) and (b);
- (d) The acquisition of private land to protect critical fisheries habitat, provided that the governing body of any municipality, unincorporated town, or unorganized place in which the property is located approves;
- (e) Providing information to the public on the location of fisheries managed by the fish and game department.

V. When revenue is used to either obtain an easement under subparagraph IV(c) or purchase land under subparagraph IV(d), no condition shall be accepted which restricts fishing from or hunting and trapping on the associated land. This requirement shall not apply to lands used for access purposes or if the executive director finds that it is in the interest of the fishing, hunting, and trapping community to allow such a restriction. The executive director shall allow fishing from and hunting and trapping on such lands, as is permissible, but may prohibit for any length of time the fishing, hunting or trapping on the whole or part of such lands when it is necessary for the protection or propagation of a fish species or for public safety reasons.

VI. The executive director, with the approval of the commission, shall expend the funds in the fisheries habitat account. Prior to the expenditure of any funds, the fish and game department shall analyze the proposed project and provide the executive director and the commission with recommendations as to the project's usefulness and feasibility.

VII. The executive director shall submit to the fiscal committee and the chairpersons of the house wildlife and marine resources committee and the senate wildlife and recreation committee a detailed fiscal year report by October 1 of each year, beginning with fiscal year 2000, with sufficient information to be fully understood by the general court and the public, summarizing the receipts and disbursements from the fisheries habitat account and the public benefits derived from the disbursements from it. Every fifth year, beginning in 2005, the annual report shall provide an in-depth financial accounting and summary of work accomplished in the previous 5 years, outlining all projects that are completed, in process, and planned. All annual reports shall be made available to the public after submission to the general court.

2 Effective Date. This act shall take effect January 1, 2000.

AMENDED ANALYSIS

This bill requires persons obtaining fishing licenses to pay a fisheries habitat fee. The revenue from the fee shall be used for the acquisition, development, maintenance, and promotion of fisheries habitats.

1999-0014h

Floor Amendment to HR 1

Proposed by Reps. Wallin, Martin and Dickinson

Amend House Rule 45 by deleting paragraph (c).

1999-0368h

Amendment to HR 1

Proposed by Reps. G. Chandler and Burling

Amend Rule 64 to read as follows:

April 1, 1999, Thursday

Last day to amend house rules by majority vote.